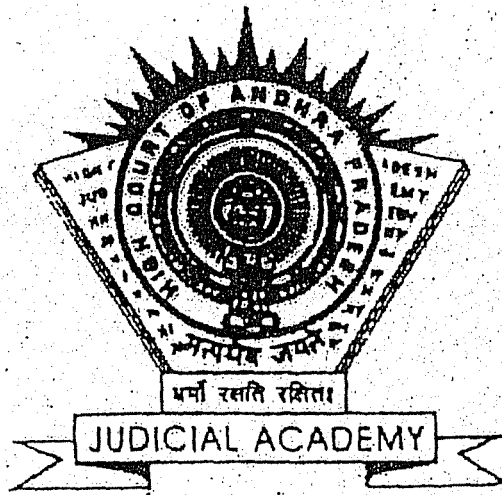


**ANDHRA PRADESH JUDICIAL ACADEMY  
SECUNDERABAD**

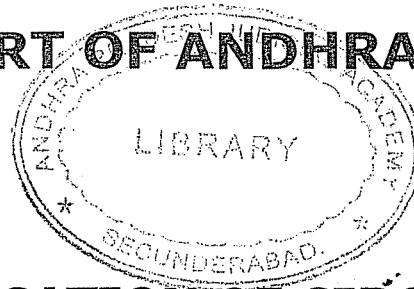


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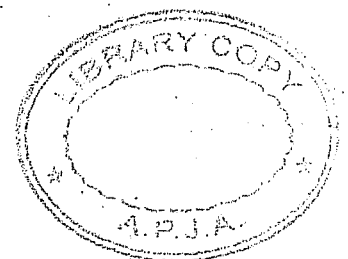


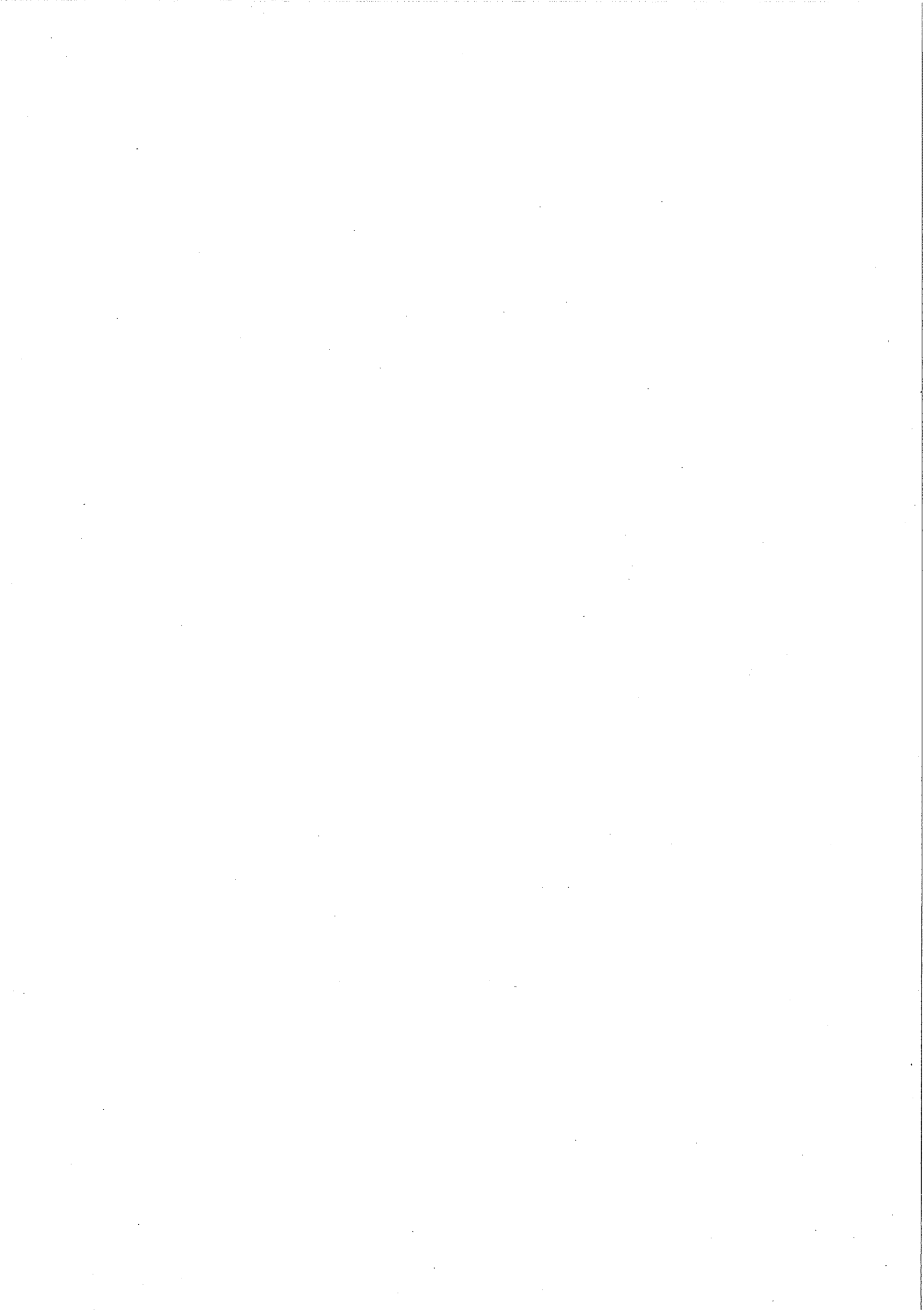
**CODIFICATION OF CIRCULARS**

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**VOLUME – V**  
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J. 558/1.





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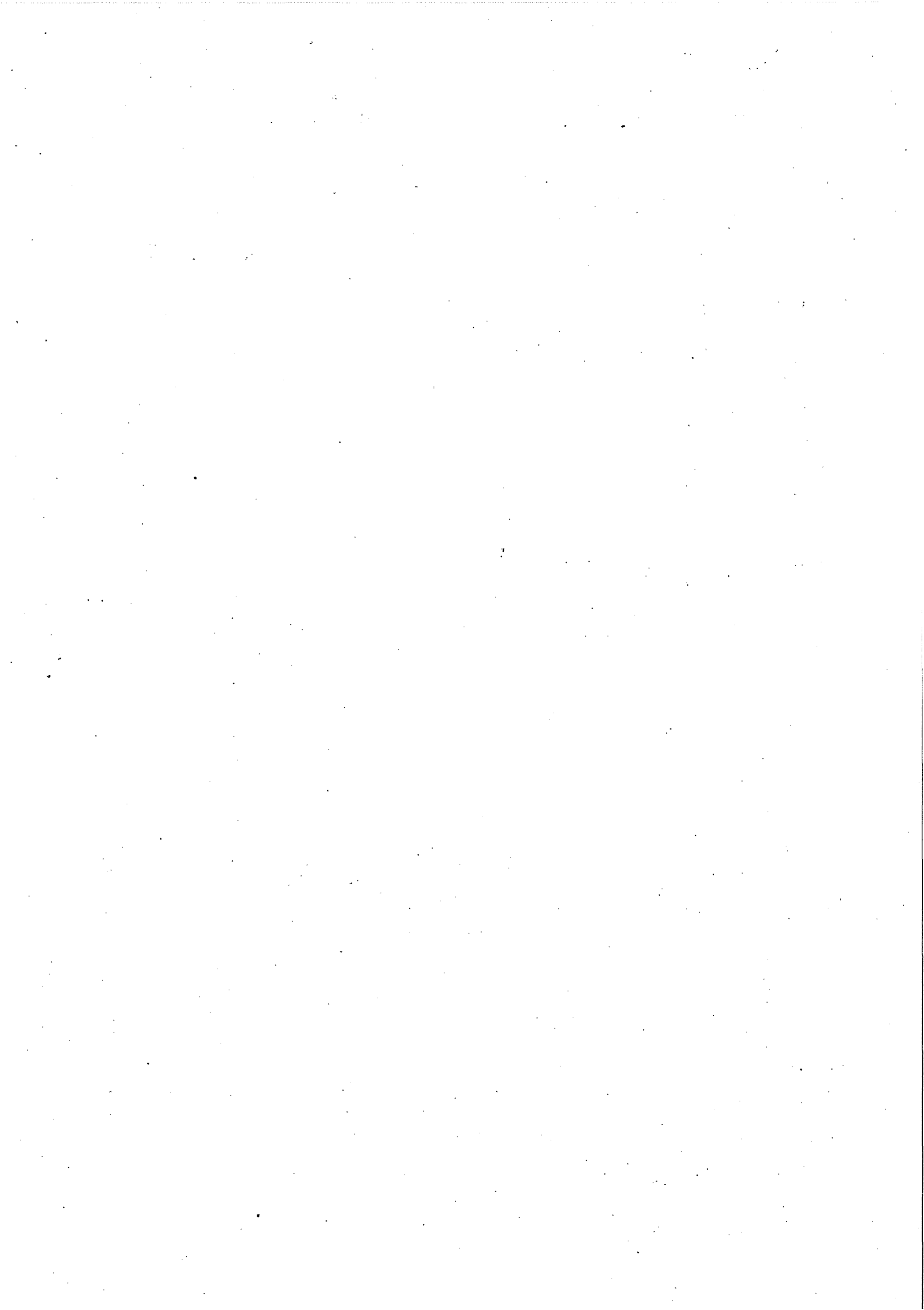
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**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

**ROC.NO.1213/SO/2006**

**DATED:6.11.2006**

**CIRCULAR NO.24/2006**

The Hon'ble Supreme Court of India in its judgment in Civil Appeal No.3241 of 2006, dt.2.8.2006 has observed as follows:

"The Trial Court was unnecessarily and unreasonably liberal in granting adjournments, perhaps influenced by the observations of the High Court in its impugned order deprecating a pedantic and hyper-technical approach. While we also do not approve of a pedantic or hyper technical approach in such matters, at the same time we must impress upon the courts that its approach, however liberal, must be in consonance with the interest of justice and fair to both the parties. Misplaced sympathy in favour of any of the parties results in injustice to the other party. The courts have the solemn duty to maintain a judicial balance. We must deprecate such irresponsible approach of courts granting numerous and unnecessary adjournments in the strongest terms. The frequent grant of unnecessary adjournments has come in for very serious public criticism. It is not surprising that frequent adjournments are unnecessarily sought, but what is surprising is that courts generously grant such adjournments, regardless of the fact that it results in delayed disposal of cases, involves loss of public time, increases the financial burden of the litigants, and tarnishes the image of the judiciary. It is high time Courts stop granting unnecessary adjournments. The High Courts must take serious note of adjournments freely granted, even if unnecessary, and as a follow up action call upon the judicial officers concerned, in appropriate cases, to justify the numerous and unnecessary adjournments granted."

In view of the observations made by the Apex Court as above, all the Presiding Officers of the Subordinate Courts are directed to follow the above instructions of the Supreme Court scrupulously.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Unit Heads (with a request to communicate the same to all the Judicial Officers under their control)
- 2) The Director, A.P.Judicial Academy, Secunderabad.
- 3) The Section Officers, E- Section and O.P. Cell, High Court of Andhra Pradesh, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 381 /SO/2003****DT:21.07.2005****CIRCULAR NO. 3 /SO/2005**

Sub: A.P. Advocates Welfare Fund Stamps – Non-availability of welfare stamps – Permission to receive the cash in lieu of stamps – Instructions – Issued.

Ref: 1) Circular Roc.No.12/SO-1/2002, dt: 28.2.2002.  
2) High Court's Circular Roc.No.381/SO-1/2003, Dt: 21.6.2003.  
3) High Court's Circular Roc.No.381/SO-1/2003, Dt: 8.7.2003.

\*\*\*\*\*

The High Court has noticed that the Presiding Officers of the Subordinate Courts are not following the circular-instructions issued vide references cited properly but they are insisting that the Advocates/ Litigant Public should affix the Advocate Welfare Fund Stamps even when such stamps are not available. The circulars 2 & 3 cited were issued to facilitate the Advocates/Litigant Public to deposit the cash in lieu of Advocate Welfare Fund Stamps, in case of non-availability of such stamps.

Therefore, all the Presiding Officers of the Subordinate Courts in the State are once again reminded that the courts should follow the said circulars scrupulously and accordingly they shall receive the cash in lieu of the Advocate Welfare Fund Stamps, whenever such stamps are not available.

The Unit Heads are hereby directed to ensure that the above said circulars will be strictly followed by the Presiding Officers under their control in receiving the cash in case of non-availability of court fee stamps and remitting the amount to the credit of the Head of account furnished in the circular 3<sup>rd</sup> cited.

The Presiding Officers are further directed to circulate this circular along with the copies of the circulars 1 to 3 cited to all the Presidents of the Bar Associations concerned.

Receipt of this circular may kindly be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 138/SO/2006****DT:10.07.2006****CIRCULAR NO. 12 /2006**

Sub: A.P. Advocates Welfare Fund (Second Amendment) Act, 2006 (A.P.Act 25/06) – Depositing of Advocate Welfare Fund Stamp amount in online Account of State Bank of India and State Bank of Hyderabad – Reg.

\*\*\*

The Secretary, Bar Council of A.P., has informed that the A.P. Advocates Welfare Fund Committee opened two online bank accounts i.e., one account bearing No.62010633826 with the State Bank of Hyderabad, A.P. High Court Branch and another account bearing No.30052640800 with the State Bank of India, Abids Branch, Hyderabad, so as to enable the advocates to deposit the amount of Rs.30/- towards the Advocates Welfare Fund directly in any of the online branches of the State Bank of Hyderabad or the State Bank of India in the State.

Therefore, all the Presiding Officers of the subordinate courts are directed to instruct the advocates to deposit the amount of Advocates Welfare Fund in any one of the online accounts in the branches of the State Bank of Hyderabad or the State Bank of India in the State and produce the counterfoil in token of proof thereof along with the vakalat/memo of appearance. The advocates may also be informed that no other mode of payment will be accepted.

The Unit Heads are requested to communicate this circular to all the subordinate courts working under their control. The Registrar (Judicial), High Court of A.P., will take necessary steps in this regard.

Receipt of this circular be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Presiding Officers in the State.
- 2) All the Registrars, High Court of A.P., Hyderabad.
- 3) The Section Officers,
- 4) Judicial side sections and E-Section and O.P.Cell.
- 5) All Officers, High Court of A.P., Hyderabad.

**J.558/4.**

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 138/SO/2006****DT:04.07.2007****CIRCULAR NO. 9/2007**

Sub: A.P. Advocates Welfare Fund – Depositing of Advocates Welfare Fund Stamp amount in online Account in lieu of Welfare fund Stamp – Reg.

Ref: High Court Circular No.12/2006, dated 10.7.2006.

\*\*\*

The Secretary, Bar Council of the State of A.P., and Ex-Officio Secretary, A.P. Advocates Welfare Fund has informed that due to change in the structure of Inter City Service charges of State Bank of India, the A.P. Advocates and Clerks Welfare Fund Account Committee has opened a new S.B. Account bearing No.30192744810 in the State Bank of India and requested to accept the challans for the amounts deposited in the above said account apart from the challans of the State Bank of Hyderabad and Andhra Bank.

Therefore, in continuation of the instructions contained in the reference cited circular, all the Presiding Officers of the Subordinate Courts and the Scrutiny Officers of the High Court of A.P., are directed to accept the challans evidencing deposit of Rs.30/- in the said S.B.Account No.30192744810 of the State Bank of India instead of the previous account apart from the challans of the State Bank of Hyderabad and Andhra Bank.

The Unit Heads are requested to communicate this circular to all the Subordinate Courts under their control.

Receipt of this circular be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

- 1) The Registrar (Judicial), High Court of A.P., Hyderabad.
- 2) The Registrar (Vigilance), High Court of A.P., Hyderabad.
- 3) All the Unit Heads in the State of A.P.
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Section Officers of the Judicial Sections, High Court of A.P., Hyderabad.
- 6) The Accounts Officer, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.2390/E1/2005****DT:18.11.2005****CIRCULAR**

Sub: Attestation of Affidavits by the Judicial Magistrate of First Class Certain – Instructions – Issued.

\*\*\*

It has been brought to the notice of the High Court that some of the Judicial Magistrates of First Class are refusing to attest the Affidavits in cases relating to the loss of Education Certificates, etc., where such attestation is made compulsory by law in certain cases, to obtain duplicate certificates from the concerned authorities. Refusal by the Judicial Magistrates of First Class to attest such Affidavits is resulting in great hardship to the general public.

To avoid hardship to the General Public, the High Court hereby directs the Judicial Magistrates of First Class in the State to entertain the attestation of Affidavits, where such attestation is to be done by the Judicial Magistrate of First Class only, whenever approached by any individual, duly following the below mentioned instructions scrupulously.

1. Unless the Magistrate concerned personally knows the deponent, or the deponent is identified or introduced by an Officer of the Gazetted rank or by an Advocate who is regularly practicing in his Court, or by person known to the Presiding Officer on whose identification if satisfied with regard to particulars of person he may do, the applications shall not be entertained.
2. The Officer or the Advocate identifying the Deponents shall disclose the necessary facts as to how and since how long he knows the deponent and he must further certify that he personally knows the deponent and that he will take full responsibility for any mis-statement or wrong identification.
3. The deponent shall be personally present and shall be required to sign in the presence of the Magistrate.
4. A copy of the affidavit with photograph of the deponent shall be kept in the Office of the Court concerned, for record purposes.
5. A Register shall be maintained mentioning the date of receipt of the application, full details of the applicant and the source of identification etc....

6. The Judicial Magistrates of First Class shall satisfy themselves that no middle men or brokers approach them either through staff within judiciary or through Advocates and others.

Sd/-

**REGISTRAR (VIGILANCE)**

To

- 1) All the Unit Heads in the State.  
(with a request to communicate the Circular to all the Officers in their respective Units)
- 2) The Section Officer, Special Officer's Section, High Court of A.P.,  
Hyderabad. (two copies for Codification purpose)
- 3) Spare.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****CIRCULAR****ROC.NO. 2453/2005-C.I(1)****DT:25.01.2005**

Sub: Public Services –APJMS – Representation Petition of the A.P. Judicial Employees Association, Hyderabad represented by its General Secretary, requesting for relaxation of educational qualifications prescribed in APJMS Rules, 2003 – Relaxation of Educational qualifications – Instructions – Issued.

Ref: Representation Petition dt.16.12.2004 from the General Secretary, A.P. Judicial Employees Association, Hyderabad.

\*\*\*

The A.P. Judicial Employees Association, Hyderabad represented by its General Secretary has submitted a representation to the High Court requesting relaxation of educational qualification from Intermediate to S.S.C., in favour of the in-service employees who were appointed prior to issue of revised APJMS Rules, 2003 for promotion to the categories 4 to 9, as per Rule 36(B) of A.P. Judicial Ministerial Service Rules, 2003.

After careful consideration of the representation petition of the A.P. Judicial Employees Association, Hyderabad, the High Court hereby relaxes the educational qualification from Intermediate to S.S.C., in favour of employees who were appointed prior to issue of revised A.P. Judicial Ministerial Service Rules, 2003 for promotion to the category of posts which carry a scale of pay less than that of a Junior Assistant.

All the District and Sessions Judges and other Unit Officers under the control of High Court are hereby requested to follow the above, while giving promotions to the employees who were appointed prior to issue of revised APJMS Rules, 2003 to the category of posts which carry a scale of pay less than that of a Junior Assistant.

Receipt of this circular be acknowledged.

Sd/-  
**REGISTRAR (ADMN.)**

To

All the District Judges/Unit Officers.

Copy to:

The General Secretary, A.P. State Judicial Employees Association,  
Criminal Court's Building, Nampally, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****CIRCULAR****ROC.NO. 2452/2005-C.I(6)****DT:18.03.2006**

Sub: Public Services – Appointment of Spouses/Children/dependants of the deceased employees on compassionate grounds – Certain instructions – Issued.

\*\*\*

Instances have come to the notice of the High Court that there is abnormal delay in considering and finalizing the applications of the spouses/children/dependants of the employees, for their appointment on compassionate grounds. Such delay definitely affects the object of providing immediate succor to the family members of the deceased employees.

Therefore, all the Unit Heads/competent authorities are hereby directed to strictly adhere to the following instructions:

1. The applications which are complete in all respects, must be processed and orders of appointment be issued within (15) days of the receipt of this communication.
2. Where appointment orders have been issued but posting has not been given on the pretext of verification of antecedents, etc., necessary action must be taken within a maximum period of two weeks.
3. If the applicant has not supplied the requisite documents for more than six months despite reminders, then the case should be closed and the applicant be informed accordingly.
4. Where the application has been made by the widow of the deceased for appointment of minor child on compassionate ground, she may be informed that minor cannot be appointed and if she so desires she may apply for such appointment on compassionate grounds.
5. All pending applications must be positively disposed of by the competent authorities within a maximum period of three months. It

shall be the personal responsibility of the competent authorities to take necessary action because there is no fun of keeping such applications pending for months and years together.

Any deviation of the instructions mentioned in the Circular will be viewed seriously.

Sd/-

**REGISTRAR GENERAL  
FAC REGISTRAR (ADMN.)**

To

1. All the District Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Criminal Courts Building Complex, Red Hills, Nampally, Hyderabad.
5. The Special Judge for Essential Commodities Act Cases, Hyderabad.
6. The Special Judge for Economic Offences Court, Hyderabad.
7. The Special Court under the Prevention of Corruption Act for Speedy Trial of Cases of Embezzlement of Scholarship Amounts in Social Welfare Department, Hyderabad (City Criminal Courts Complex, Red Hills, Nampally, Hyderabad.)
8. The Special Officer, High Court of Andhra Pradesh, Hyderabad.  
(With a request to incorporate the Circular in the compendium of Circulars)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 665/2005-RC****DT:15.6.2006****CIRCULAR**

Sub: PUBLIC SERVICES –Appointment to various categories of posts –  
Reservation of Roster Points under Rule 22(2)(e) of the Andhra  
Pradesh State and Subordinates Service Rules for local and non-  
local candidates – Instructions- Issued.

Ref: Circular Memo.No.46614/Ser-A/2005-1, dated: 27.5.2005, issued  
by G.A(Ser-A) Department, Government of A.P.

\*\*\*

All the District Judges/Unit Heads are hereby directed to implement  
scrupulously, the instructions in the enclosed Circular Memo No.46614 /Ser-  
A/2005-1, dated: 27.5.2005 of the Govt. of Andhra Pradesh, regarding  
reservation of Roster Points under Rule 22(2)(e) of the Andhra Pradesh State  
and Subordinate Service Rules while making appointments by direct recruitment,  
as and when the new 100 point Cycle of Roster Commences, after completion of  
the existing cycle of Roster Points in the various categories of posts.

Receipt of this circular with the enclosure may be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

1. All the District and Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad..
5. The Special Judge for Essential Commodities Act Cases, Hyderabad.
6. The Special Judge for Economic Offences, Hyderabad.
7. The Special Judge for Embezzlement of Scholarship Amount Cases  
Hyderabad.
8. The Section Officer, Establishment Section, High Court of Andhra  
Pradesh, Hyderabad.
9. The Section Officer, 'C' Section, High Court of Andhra Pradesh,  
Hyderabad.
- 10.The Section Officer, Special Officer's Section, High Court of Andhra  
Pradesh, Hyderabad.
- 11.Spare...

**J.558/5.**

**GOVERNMENT OF ANDHRA PRADESH  
GENERAL ADMINISTRATION (SER.A) DEPARTMENT**

**Circular Memo No.46614/Ser.A/2005-1**

**Dated:27-05-2005**

Sub: Public Service – Method of appointment to various categories of posts – Appointments in accordance with special service Rule and implementation of the rule of reservation including for Local and Non local candidates – maintenance of the registers indicating the roster points – Instructions – Issued.

\*\*\*

The appointments to Public Service are made (a) By Direct Recruitment (b) By promotion (c) By transfer and (d) on contract basis. The method of appointment is prescribed in the special service rules governing the posts. The appointment shall be strictly in accordance with the methods prescribed in the rules. In case of direct recruitment, the selections and recruitment should be through the respective recruiting agency. The minimum percentage earmarked for direct recruitment is 30% of the total cadre strength of the posts.

2. In making direct recruitment, the rule of reservation shall be followed as per the roster points indicated in rule 22(2)(e) of A.P. State and Subordinate Service Rules. The recruitment should be as per the percentage prescribed for the local candidates in accordance with the Andhra Pradesh Public Employment, (Organisation of local cadres and regulation of direct recruitment) Order, 1975, also called the Presidential Order on Six Point Formula vide G.O.Ms.No.674, G.A.(SPF-A) Department, dated 20.10.1975. According to para-8 of the Presidential order, the reservation in the matter of direct recruitment shall be made as per the percentage prescribed for the local candidates. The percentage of reservation is as follows:

- a) 80% of the posts to be filled by direct recruitment shall be reserved for the local candidates, in respect of the category of posts belonging to lower division clerk or equivalent category or lower than that of lower division clerk.

**The remaining 20% of the posts shall be filled by open competition wherein the local and non local candidates can compete.**

- b) 70% of the posts to be filled by direct recruitment shall be reserved for the local candidates in respect of the category of posts which are above the lower division clerk and all other non-gazetted category posts.

**The remaining 30% of the posts should be filled by open competition wherein the local and non local candidates can compete.**

- c) 60% of the posts to be filled by direct recruitment, in respect of the categories, Mandal Revenue Officers, Assistant Executive Engineers, Assistant Agricultural Officers, Motor Vehicle Inspectors and Inspector of Police, should be filled by the local candidates. The direct recruitment to the posts of Inspector of Police and Motor Vehicle Inspectors is dispensed with.

**The remaining 40% of the posts should be filled by open competition wherein the local and non local candidates can compete.**

3. In G.O.Ms.No.763, G.A.(SPF-A) Department, dated -15-11-75, G.O.Ms.No.8, G.A.(SPF-A) Department, dated 8-1-2002 and in G.O.Ms.No.124, G.A.(SPF-A) Department, dated 07-03-2002, instructions were issued about the procedure to be followed in making the selections for the recruitment to the local candidates and to the unreserved vacancies. "The unreserved vacancies" shall mean the over and above percentage of vacancies prescribed for the local candidates. This unreserved vacancies are open to the both local and non local candidates. In the unreserved vacancies, even the local candidates can also be selected. While making the selections as per the percentage prescribed for the local candidates and for the unreserved vacancies, the rule of reservation as per the roster points prescribed under rule 22(2) (e) of A.P. State and Subordinate Service Rules shall be implemented. In making selections, the unreserved vacancies, which are open to all (local and non local candidates) shall be finalized before making selections for the local candidates as per the prescribed percentage.

4. In making the direct recruitment the percentage prescribed in the Presidential Order (Six Point Formula) for the local candidates and for the unreserved (both Local and Non-local) vacancies, respective points shall be maintained. The **unreserved** vacancies to which both local and non-local candidates can compete shall be filled up first before making selections for the local candidates as per the percentage. A clear cut off line should be drawn between unreserved (both local and non-local) and the vacancies meant for local candidates. The recruitment should be strictly in accordance with percentage duly following the rule of reservation (as per rule 22(2)(e) of A.P. State and Subordinate Service Rules). The un-filled unreserved (both local and non-local) vacancies and the vacancies for the local candidates as per the prescribed percentage shall be filled in the next recruitment. To illustrate for appointments to the post of Junior Assistants the roster points for unreserved and local candidates vacancies, which is 20:80 as indicated in the Annexure, shall be followed. All Departments are already maintaining Registers, containing roster points for posts having some element of direct

recruitment. In such Registers, the Departments should clearly mention against each roster point whether it is meant for unreserved or for locals only as illustrated in the Annexure. The Departments should also mention against each roster point, method of appointment. The Departments shall strictly adhere to provisions of Presidential Order while filling roster points meant for direct recruitment and that, each roster point meant for locals shall go to locals only.

5. The selection of candidates for the unreserved (both local and non-local candidates) and for local candidates should be strictly as per merit duly following rule of reservation. In the vacancies meant for local candidates, only local candidates should be selected and appointed.

6. Compassionate appointments are made to the dependents of the deceased Government employees and also to the dependents of the general public who were killed in extremist violence. Such appointments shall be treated as direct recruitment and the rule of reservation and also the percentage prescribed for the local and unreserved (both local and non-local) candidates as per the Presidential Order shall be followed.

7. In case of compassionate appointments to the dependents of deceased Government Employees, the dependents can be considered for compassionate appointment at the local area to which the applicant belongs as a local candidate, or at the place of working of the deceased employee as per the choice of the applicant. In case the applicant is a local candidate at the place of working of the deceased employee, the applicant should be considered as a local candidate, otherwise the applicant should be treated as a non-local candidate for the unreserved vacancy only.

8. The Departments of Secretariat, the Heads of Departments and all the District Collectors are requested to ensure that the above instructions are complied with strictly.

**MOHAN KANDA**  
**CHIEF SECRETARY TO GOVERNMENT**

To

All Departments of Secretariat.  
All Heads of Departments.  
All District Collectors.

//Forwarded by Order//

Sd/-  
**SECTION OFFICER**

## ANNEXURE

(1)		(2)	(3)
ROSTER POINTS:			Method of Appointment Whether by direct recruitment or compassionate appointment
Point	1	<b>Unreserved</b> (Both Local and Non-Local)	
Point	2	-do-	
Point	3	-do-	
Point	4	-do-	
Point	5	-do-	
Point	6	-do-	
Point	7	-do-	
Point	8	-do-	
Point	9	-do-	
Point	10	-do-	
Point	11	-do-	
Point	12	-do-	
Point	13	-do-	
Point	14	-do-	
Point	15	-do-	
Point	16	-do-	
Point	17	-do-	
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**MOHAN KANDA**  
**CHIEF SECRETARY TO GOVERNMENT**

**HIGH COURT OF ANDHRA PRADESH:: HYDERABAD**

**Endt.Roc.No.665/SO/2005**

**Dt.13.6.2005**

**COMMUNICATED**

**Sd/-**  
**SECTION OFFICER**

To  
The Section Officers, Establishment Section, C-Section and  
Recruitment Section

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD**

**ROC.NO. 1880/1999-C.1(3)**

**DT:19.6.2006**

**CIRCULAR**

Sub: Public Services –APJMS/APGSS/APLGS- Forwarding of the applications of the employees working in the Subordinate Courts requesting for Unit Transfers – Certain instructions- Issued.

Ref: High Court's Circular Roc.No.1880/99-C.1(3), dt.18.09.1999 and dt: 01.10.2004.

\*\*\*

In continuation of the High Court's Circular cited above, I am directed to instruct the Principal District Judges (Unit Heads) to forward the applications of the employees working in your control for Unit transfers only in the months of July and January (before 31<sup>st</sup> July and 31<sup>st</sup> January) every year. The applications received after the above said dates will not be considered.

The instructions should be strictly adhered to.

Sd/-  
**REGISTRAR GENERAL  
FAC REGISTRAR**

**(ADMN.)**

To

All the Unit Heads.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 609/2005-C.1****DT:19.10.2006**

Sub: Public Services –APJMS – Procedure to be followed while giving promotions – Assessment of the merit to be confined to the appraisal of Annual Confidential Reports – Regarding.

Ref: High Court's Circular Roc.No.2536/98-C.1(1), dt.23.03.1999.

\*\*\*

**CIRCULAR**

It is brought to the notice of the High Court that some of the Unit Heads are conducting written test and/or oral interview while considering the cases of eligible candidates for promotion, conducting such written test and/or oral interview to assess the merit and ability of the employees for the purpose of considering them for promotion to non-selection posts and, further conducting written test for promotion to selection posts cannot be sustained. In this connection, attention of the Unit Heads is invited to the High Court's Circular in ROC.No.2536/98 C.1(1), dt.23.03.1999, wherein the High Court gave guidelines to be followed while considering the cases of employees for promotion. It is directed by the High Court in its resolution dated 20.09.2006 that the Unit Heads should not conduct written test and/or oral interview in case they are not contemplated by the rules and have to confine assessment of the merit of the individuals to the appraisal of Annual Confidential Reports.

Receipt of the circular may be acknowledged.

Sd/-

**REGISTRAR (MANAGEMENT)**

To  
All the Unit Officers in the State.

**J.558/6.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 840/2007-C.3****DT:12.04.2007****CIRCULAR**

Sub: Public Services –APJMS/APGSS/APLGS – Transfer of Staff members – Regarding.

- Ref: 1. High Court's Circular Roc.No.778/1996-C.1(3),  
dt.22.03.1996.  
2. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.22.03.1996.  
3. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.03.09.1996.

\*\*\*

The Hon'ble the Chief Justice, High Court of A.P., Hyderabad has been pleased to direct all the unit Heads of Subordinate Judiciary to comply with the instructions contained in circulars 1<sup>st</sup> and 2<sup>nd</sup> referred above and send information to this Registry, by 28<sup>th</sup> April 2007 in the proforma 3<sup>rd</sup> referred above (copy enclosed).

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

All the Unit Heads/District Judges in the State.

**ROC.No.779/96-CI(3)****Dated 3.9.1996****PROFORMA**

Sl.No.	No.of Persons Category-wise	No. of years of Service put up in one seat before transfer	Persons retained and reasons for retention
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**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 840/2007-C.3****DT:21.04.2007****CIRCULAR**

Sub: Public Services –APJMS/APGSS/APLGS – Transfer of Staff members – Regarding.

- Ref: 1. High Court's Circular Roc.No.778/1996-C.1(3),  
dt.22.03.1996.  
2. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.22.03.1996.  
3. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.03.09.1996.  
4. High Court's Circular Roc.No.840/2007-C.(3),  
dt.12.04.2007.

\*\*\*

In continuation of the High Court's Circular 4<sup>th</sup> referred above, all the Unit Heads of Subordinate Judiciary are hereby instructed to transfer Class IV Employees within the same place.

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

All the Unit Heads/District Judges in the State.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 840/2007-C.3****DT:21.08.2007****CIRCULAR**

Sub: Public Services –APJMS/APGSS/APLGS – Transfer of Staff members – Regarding.

- Ref: 1. High Court's Circular Roc.No.778/1996-C.1(3),  
dt.22.03.1996.  
2. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.22.03.1996.  
3. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.03.09.1996.  
4. High Court's Circular Roc.No.840/2007-C.1(3),  
dt.12.04.2007.  
5. High Court's Circular Roc.No.840/2007-C.1(3),  
dt.21.04.2007.

\*\*\*

The Hon'ble the Chief Justice, High Court of A.P., Hyderabad has been pleased to direct all the District Judges/Unit Heads of the subordinate judiciary that they should now comply with the directions given in the circulars and transfer the retained employees or who have been brought back on deputation. If any particular employee/employees is/are to be retained for extraordinary reason, then prior permission must be obtained from the High Court by giving specific reasons. Non-compliance of the directions given by the High Court will be viewed seriously.

Report compliance at the earliest.

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

All the Unit Heads/District Judges in the State.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 952/2007-RC****DT:17.12.2007****CIRCULAR**

Sub: PUBLIC SERVICES – Outsourcing of supporting services in the  
Judicial Department – Further instructions – Issued.

Ref: 1. High Court's Circular Roc.No.143/2001-RC,  
dt.11.04.2001.

2. Circular Memo No.17944/668/A2/SMPC/2007,  
dated 6.10.2007 from Finance (SMPC) Department,  
Government of A.P.

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The attention of all the Unit Heads is invited to Government's Circular Memo 2<sup>nd</sup> cited (copy enclosed) and are directed to implement the rule of reservation as per the existing 100 point roster already prescribed in Rule 22 of the A.P.State and Subordinate Service Rules and the provisions of the Presidential Order in all appointments to be made on contract basis, in future.

Sd/-

**REGISTRARGENERAL**

To

1. All the Prl. District and Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.
4. The Chief Judge, City Small Causes Court, Hyderabad.
5. Prl./Private Secretary to Hon'ble Chief Justice, High Court of A.P.
6. The Section Officer, Special Officer's Section, High Court of A.P.

**GOVERNMENT OF ANDHRA PRADESH  
FINANCE (SMPC) DEPARTMENT**

**Circular Memo No.17944/668/A2/SMPC/2007 Dt:06-10-2007**

Sub:Public Services – Outsourcing of supporting services in the Government Departments – Guidelines – Further Instructions – Issued.

Ref: 1.G.O.Rt.No.4459, Finance (SMPC) Department, dt.27.12.2006.  
2. Circular Memo.No.8999-A/319/A2/SMPC/2007,dt.21.04.2007.  
3. Circular Memo.No.14863-F/547/A2/SMPC/2007, dt.14.06.2007.

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In the references cited Government have issued guidelines for outsourcing the supporting services in the Government Departments as well as Quasi- Governmental Organizations. Government have reviewed the issue and decided to provide Rule of Reservation and implement the Presidential Order in all outsourcing appointments in the State. Hence the following further instructions issued.

1. Rule of Reservation as per the existing 100 point roster already prescribed in Rule 22 of the Andhra Pradesh State and Subordinate Service Rules by the State Government shall be followed in all outsourcing appointments.
2. Presidential order should be followed in all appointments on outsourcing.

All the Departments of Secretariat and Heads of Departments are requested to follow the above instructions scrupulously. If any violation in this regard will be viewed seriously and the concerned appointing authorities will be held responsible.

**I.Y.R.KRISHNA RAO  
PRINCIPAL SECRETARY TO GOVERNMENT (R&E)**

To

All the Departments of the Secretariat.  
All the Heads of Departments.  
All the District Collectors  
All District Employment Officers  
All the District Labour Officers.  
SF/SCs.

//Forwarded by Order//

Sd/-  
**SECTION OFFICER**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 840/2007-C.3****DT:08.02.2008****CIRCULAR**

Sub: Public Services –APJMS/APGSS/APLGS – Transfer of Staff members of subordinate courts – Further Instructions Issued.

- Ref: 1. High Court's Circular Roc.No.778/1996-C.1(3),  
dt.22.03.1996.
2. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.22.03.1996.
3. High Court's Circular Roc.No.779/1996-C.1(3),  
dt.03.09.1996.
4. High Court's Circular Roc.No.840/2007-C.1(3),  
dt.12.04.2007.
5. High Court's Circular Roc.No.840/2007-C.1(3),  
dt.21.04.2007.
6. High Court's Circular Roc.No.840/2007-C.1(3),  
dt.21.08.2007.
7. High Court's Letter Roc.No.840/2007-C.1(3),  
dt.20.12.2007.

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In continuation of the Circular Instructions issued vide references 1 to 7 cited, all the District Judges/Unit Heads are hereby instructed that transfer of staff members of subordinate judiciary be effected only, if it is necessary and it should be in consultation with the Hon'ble Portfolio Judge of the District concerned.

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

1. The Principal Secretary to the Hon'ble the Chief Justice (with a request to place before his Lordship for kind perusal).
2. All the Personal Secretaries to the Hon'ble Judges (with a request to place before their Lordships for kind perusal).
3. All the Registrars.
4. All the District Judges/Unit Heads in the State.
5. All the Officers of the High Court.
6. The Section Officer, Special Officer's Section.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC No.442/2009-RC****Dated: 30-03-2009****CIRCULAR**

**SUB:-PUBLIC SERVICES** – Implementation of Rule of Reservation and maintenance of Roster Registers in the appointments to be made under A.P. Judicial Ministerial Service and A.P.Last Grade Service in all the Subordinate Courts in the State – Instructions – Issued.

**REF:-**High Court's Circular Roc No.283/2003-RC, dated: 11.7.2003.

**-o0o-**

Certain guidelines were issued to all the Unit Heads vide High Court's Circular cited for implementation of Rule of Reservation and maintenance of Roster Registers in the appointments to be made in all the Subordinate Courts in the State.

The High Court re-considered the matter and the following instructions are issued for implementation of Rule of Reservation and maintenance of Roster Registers in the appointments to be made by Direct Recruitment in all the Subordinate Courts in the State:

- (i) *The 100 point roster/cycle which is in currency must be operated strictly as it is, in every Unit.*
- (ii) *Only such of the vacancies which remained unfilled during the past three consecutive recruitments by the respective candidates against the earmarked points in the worked out rosters/cycles shall be filled by the candidates belonging to the respective categories, following the procedure prescribed under Rule 22 of the A.P.State and Subordinate Service Rules 1996.*

All the Unit Heads are directed to follow the above instructions strictly.

**Receipt of this Circular may please be acknowledged.**

**Sd/-  
REGISTRAR GENERAL**

**To**

1. All the Prl. District Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.
5. The Spl. Judge for Economic Offences, Hyderabad.
6. The Spl. Judge for Essential Commodities Act, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC No.464/2009-RC****Dated: 09-04-2009****CIRCULAR**

**SUB:-PUBLIC SERVICES** – Appointment to various categories of Posts – Reservation of Roster Points under Rule 22(2)(e) of the A.P.State and Subordinate Service Rules for locals and non-locals – Revised instructions – Issued.

**REF:-**1.Government's Circular Memo No.46614/Ser.A/2005-1, dated: 27.5.2005 from the Chief Secretary to Government, G.A.(Ser-A) Department, Hyderabad.

2.High Court's Circular Roc No.665/2005-RC, dated: 15.6.2006.

**-o0o-**

The High Court vide its Circular second cited, directed all the Unit Heads in the State to implement scrupulously, the instructions issued in the Government's Circular Memo first cited, regarding reservation of Roster Points under Rule 22(2)(e) of the Andhra Pradesh State and Subordinate Service Rules while making appointments by Direct Recruitment, as and when the new 100 point cycle of Roster commences, after completion of the existing cycle of Roster Points in various categories of Posts.

The matter has been re-considered by the High Court and all the District Judges/Unit Heads are directed that reservation is to be worked out against the vacancies available at any recruitment following the prescribed percentage of reservation in favour of local candidates. For instance, if 30 vacancies are filled up at a recruitment, 24(80%) vacancies must be reserved in favour of local candidates and 6 vacancies shall be available for local as well as non-local candidates.

**Receipt of this Circular may please be acknowledged.**

**Sd/-****REGISTRAR GENERAL****To**

1. All the Prl. District Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.
5. The Spl. Judge for Economic Offences, Hyderabad.
6. The Spl. Judge for Essential Commodities Act, Hyderabad.

**J.558/7.**

**HIGH COURT OF ANDHRA PRADESH : AT HYDERABAD****ROC.NO.725/2009-C.1****Dt.01.05.2009****CIRCULAR**

Sub: Public Services – Andhra Pradesh Judicial Ministerial Service Rules – Order dt.19-03-2009 in W.P.No.5072/2009 on the file of the Hon'ble High Court of A.P., Hyderabad, to consider the cases of eligible candidate for promotions to various categories of Posts in Andhra Pradesh Judicial Ministerial Service Rules 2003 to the employees who were appointed and continuing in the service as per requisite educational qualifications prescribed in Andhra Pradesh Judicial Ministerial Service Rules, 1964 – Reg.

- Ref: 1. High Court's order dt.17.10.2008 in W.P.No.11450/2005.  
 2. Representation dt.03.11.2008 of the A.P. Judicial Employees Association, Hyderabad, addressed to the High Court.  
 3. High Court's order dt.20.01.2009 in W.P.No.470/2009.  
 4. High Court's order dt.02.03.2009 in W.P.No.4067/2009.  
 5. High Court's order dt.19.03.2009 in W.P.No.5072/2009.

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Some of the employees, who were appointed as per the Andhra Pradesh Judicial Ministerial Service Rules, 1964 and continuing in the service and working in District and subordinate Courts, filed Writ Petitions requesting for relaxation of educational qualifications as prescribed in Andhra Pradesh Judicial Ministerial Service Rules, 2003 for promotion to various category of posts.

**The Hon'ble High Court issued directions** in Writ Petition No.11450/2005, Dt.17.10.2008 filed by some of the L.D. Clerks of the unit of the District Judge, Prakasam at Ongole, for their promotion to the posts of U.D.Clerk/Senior Assistant; in W.P.No.470/2009 dt.20.01.2009 filed by a Senior Assistant of the unit of the District Judge, Karimnagar, for promotion to the post of Superintendent; in W.P.No.4067/2009, dt.02.03.2009 filed by a Junior Assistant of the unit of the District Judge, Guntur for promotion to the post of Senior Assistant; and in W.P.No.5072/2009 dt.19.03.2009 filed by a Senior Assistant of the unit of the District Judge, Rangareddy District, for

promotion to the post of Superintendent, in the references 1<sup>st</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> cited respectively, **to consider the cases of the petitioners for promotion even though they do not have a pass in Intermediate, if they are otherwise eligible and qualified by passing Departmental Tests as prescribed.**

Therefore, all the Unit Heads are directed to follow the directions of the Hon'ble High Court issued in the aforesaid writ petitions scrupulously while effecting promotions to the category of posts upto Superintendents as specified in APJMS Rules 2003, to the employees who were appointed under the erstwhile Rules 1964.

Receipt of the Circular together with the copies of the orders passed in the Writ Petitions may be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the Unit Heads.
2. The Principle Secretary to the Hon'ble Chief Justice, High Court of A.P., Hyderabad.
3. All the Personal Secretaries to the Hon'ble Judges, High Court of A.P., Hyderabad.
4. All the Registrars, High Court of A.P., Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of A.P., Hyderabad.
6. The Standing Counsel, High Court of A.P., Hyderabad.

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH : AT  
HYDERABAD**

**(Special Original Jurisdiction)**

**FRIDAY, THE SEVENTEENTH DAY OF OCTOBER  
TWO THOUSAND AND EIGHT**

**PRESENT**

**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

**AND**

**THE HON'BLE SRI JUSTICE P.V.SANJAY KUMAR**

**WRIT PETITION NO.11450 OF 2005**

Between:

1. E.Prakash Rao, S/o. E.Subbaramaiah, R/o Kandukur, Principal Junior Civil Judge Court, Kandukur, Prakasam District.
2. N.Prabhakar Rao, S/o N.Jangaiah, R/o. Kanigiri Personal Assistant Junior Civil Judge Court, Kanigiri, Prakasam District
3. Sri K.Raghava Rao, S/o. K.Koteswara Rao, R/o Ongole, LD Clerk in the Court of Special Sessions Judge for Trial of Offences under SC & ST, (Prevention of Atrocities) Act, Prakasam at Ongole.
4. Smt. Meenakshi Devi, W/o A.Suryaprakasa Rao, R/o Ongole, ASCJ Court, Ongole, Prakasam District.
5. M.Purnachander Rao, S/o. M.Venkatasubbaiah, R/o Ongole, LDC, District Court, Ongole, Prakasam District.

...PETITIONERS

And

1. The District & Sessions Judge, Prakasam District at Ongole.
  2. The Registrar (Administration), High Court of Andhra Pradesh, Hyderabad.
  3. P.Krishna Rao
  4. K.V.Subba Rao
  5. G.Radha Krishnaiah
  6. P.Narasimha Rao
  7. S.Shakir Ahmed
  8. M.Singaiah
- (RR.3 to 8 impleaded as per Court Order dt.19.12.2007 in WPMP No.33814/07)

RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the action of the first respondent in applying the new rules even in respect of vacancies arose prior to coming to force of new rules as illegal, arbitrary and consequently direct that the first respondent to consider the claims of the petitioners for the vacancies arose prior to new rules under the

qualifications prescribed under the old rules and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

**Counsel for the Petitioner: SRI O.MANOHER REDDY**

**Counsel for the Respondents 1 & 2: SMT. M.BHASKARA LAKSHMI (SC FOR APHC)**

**The Court made the following Order:**

**ORAL ORDER: (PER GR.J)**

In substance, the five petitioners seek promotion as Upper Division Clerks/Senior Assistants. The petitioners are working as Lower Division Clerks in various Courts in Prakasam District in the State, having been appointed as such with effect from 28.6.1982, 25.12.1993, 16.6.1994, 21.9.1981 and 6.11.1983 respectively. They do not have an Intermediate qualification and possess only a pass in the 10<sup>th</sup> class, which was the requisite qualification for appointment to the category of LDC prior to the substitution of the erstwhile Andhra Pradesh Judicial Ministerial Service Rules, 1964 (for short 'the 1964 Rules') issued in G.O.Ms.No.206, Home (Courts-A) Department, dated 17.2.1964 by the Andhra Pradesh Judicial Ministerial Service Rules issued in G.O.Ms.No.129, Law (L.A. & J.Home-Courts-D) dated 12.11.2003. The currently operative Rules (2003 Rules) came into effect from 5.12.2003. The 1964 Rules and the 2003 Rules have been issued in exercise of the powers conferred on the Governor by the proviso to Article 309 of the Constitution of India.

Rule 39 of the 2003 Rules, which is the repeal and savings provision enjoins that the 1964 Rules as amended from time to time are repealed. The proviso to Rule 39 states that nothing in these rules shall effect the appointments made in accordance with the repealed rules, prior to the coming into force of the 2003 Rules.

Rule 8 of the 2003 Rules mandates that no person shall be eligible for appointment to the categories specified in Column (1) of Annexure-1 to the Rules by the method specified in Column (2), unless such person possesses the qualifications specified in the corresponding entry in column (3) thereof.

Annexure-I relating to the substantive provisions in Rule 8 sets out the methods of appointment and qualifications for the several categories of service covered in the constitution of the service in the 2003 Rules. Insofar as the posts of Junior Assistants are concerned, Annexure-I at Serial No.4 enjoins that appointment to this category, whether by direct recruitment or by promotion, requires the possession of a pass in Intermediate examination conducted by the A.P. State Board of Intermediate Examination or any equivalent examination.

Note (2) following the Annexure reads:

**"A person appointed to a post in accordance with the rules applicable to him at the time of his appointment shall not be required to acquire higher qualifications prescribed for that post subsequent to his appointment."**

On an interactive analysis of the provisions of Rule 8 with Serial No.4 in the Annexure and Note (2), the position is clear that a Junior Assistant duly appointed under the 1964 Rules shall not be required to acquire the higher qualification, of a pass in intermediate examination, which is the current prescribed qualification for appointment to the post of Junior Assistant.

Insofar as the post of Senior Assistant is concerned, the qualifications for promotion to the said post are set out at Serial No.3 of the Annexure to the 2003 Rules. To the extent relevant and material for the purposes of this case, it requires to be noticed that (at Serial No.3 to the Annexure), in the prescription of qualifications, it is enjoined that a candidate for eligibility for

promotion as a Senior Assistant (i) must have passed the Civil Judicial Test Parts I and II and Criminal Judicial Test and (ii) must have passed the Accounts Test for Subordinate Officers, Part-I. Notes (1) and (2) do enjoin an exemption from the requirement from passing the Civil and Criminal Judicial Tests and for preference to Law graduates respectively, but that is not an area which concerns us in this case.

There is no prescription that for promotion as Senior Assistant a candidate must have a pass in the intermediate examination. That is a qualification prescribed only for appointment as Junior Assistant under 2003 Rules.

In view of the provisions of Rule 8 r/w the qualifications enumerated for the appointment to the post of Senior Assistant by promotion at Serial No.3 in the Annexure read with Note (2), the position is clear that since the petitioners are and continue to be members of the Andhra Pradesh Ministerial Judicial Service as Junior Assistants, if they are otherwise eligible for promotion as Senior Assistants by either having the qualifications of a pass in the Civil and Criminal Judicial Tests or are exempted from having these qualifications, they would be eligible to be considered for promotion notwithstanding that they have not a pass in the Intermediate qualification.

It is represented by Smt. M.Bhaskara Lakshmi, the learned Standing Counsel appearing for the 1<sup>st</sup> and 2<sup>nd</sup> respondents that even after the filing of the writ petition and earlier too, a number of persons were already promoted as Senior Assistants and the relief **in specie** as sought by the petitioners if granted would adversely impact the seniority of the persons earlier appointed and no such relief could be granted since the petitioners have not chosen to implead all the parties likely to be so affected. The petitioners are seen to have impleaded Respondents 3 to 8 as respondents to the Writ Petition and the record discloses that except Respondent No.6, the other respondents i.e.,

3, 4, 5, 7 and 8 have been served. It is represented by Smt Bhaskara Lakshmi that the 6<sup>th</sup> respondent has since retired from service.

From the particulars furnished by Smt. Bhaskara Lakshmi, it is seen that on 19.5.2005, 15 individuals including the Respondents 3 to 8 were promoted as Senior Assistants and thereafter they were further promoted to the post of Superintendent on various dates in the years 2006, 2007 and 2008. Apart from the above 15 individuals, 18 persons were promoted in February, March and September 2006 as Senior Assistants; some of whom were also further promoted to the post of Superintendent, in the years 2007 and 2008. Again in August, September and November 2007, six individuals from the categories of LDCs and Typists were promoted as Senior Assistants. In 2008, five more individuals were promoted from the categories of LDCs, Personal Assistants and Typists as Senior Assistants.

Except for Respondents 3 to 8, none of the others promoted as Senior Assistants before or during the pendency of the writ petition have been impleaded as respondents to the writ petition. It further requires to be noticed that in May 2005, of the 15 individuals promoted, one Smt. D.Aruna Kumari, LDC promoted as Senior Assistant on 19.5.2005 ranks senior to the Respondents 3 to 8.

In the aforesaid circumstances, grant of relief to the petitioners as prayed for which has the effect of granting them seniority in the category of Senior Assistants, over persons earlier promoted (who are claimed to be juniors to the petitioners in the category of LDCs or equivalent posts), would require affording of fair and reasonable opportunity to such affected persons before any relief is granted to the petitioners.

Based with this piquant situation, the learned counsel for the petitioners states that the petitioners would eschew their claim for seniority consequent on consideration and promotion as Senior Assistants and would

be satisfied with the limited relief of a direction to the respondents to consider their cases for promotion as Senior Assistants prospectively.

In the light of the submission made, and the restricted relief sought, this could be considered even without the persons already promoted as Senior Assistants arrayed as party respondents to the writ petition.

On the analysis above, the petitioners are declared to be entitled to consideration and appointment as Senior Assistants if they are otherwise qualified, even though they do not have a pass in the Intermediate examination, which is the requisite qualification under the 2003 Rules for appointment to the post of Junior Assistant.

Accordingly, the Writ Petition is allowed to the extent of directing the respondents to consider the cases of the petitioners for appointment to the post of Senior Assistants with effect from the dates on which their juniors in the category of LDCs have been so promoted without any entitlement to the petitioners for seniority or monetary benefits (if considered for such promotion from an anterior date). The petitioners shall however be entitled to monetary benefits prospectively from the date orders of appointment/promotion are given to them to the category of Senior Assistants. Since the 3<sup>rd</sup> petitioner (K.Raghava Rao) is stated to have retired from service, the 3<sup>rd</sup> petitioner shall be entitled, if appointed as a Senior Assistant pursuant to the directions herein, to re-fixation and grant of terminal benefits, treating the said petitioner as having retired in the category of Senior Assistant.

Writ Petition is allowed as above. There shall be no order as to costs.

That Rule Nisi has been made absolute as above.  
Witness the Hon'ble Sri Anil R.Dave, The Chief Justice on this Friday,  
the Seventeenth day of October, Two thousand and Eight.

Sd/-  
T.LAKSHMI HEMALATHA  
ASSISTANT REGISTRAR

// TRUE COPY//

Sd/-  
SECTION OFFICER

To

1. The District & Sessions Judge, Prakasam District at Ongole.
2. The Registrar (Admn.). High Court of A.P., Hyderabad.
3. Two C.D. Copies.
4. One CC to Sri O.Manohar Reddy, Advocate. (OPUC)
5. One CC to Smt. M.Bhaskara Lakshmi, Advocate (OPUC)

HIGH COURT

DATED: 17/10/2008

ORAL ORDER

W.P.No.11450 OF 2005

Allowing the Writ Petition  
Without Costs.

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH : AT  
HYDERABAD  
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTIETH DAY OF JANUARY  
TWO THOUSAND AND NINE**

**PRESENT  
THE HON'BLE SRI JUSTICE V.ESWARAIAH  
AND  
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION NO.470 OF 2009**

Between:

M.S.Satyavaraprasad S/o. Subba Rao,  
working as Senior Assistant  
O/o.Senior Civil Judge, Manthani, Karimnagar District.

...PETITIONER

And

- 1.The High Court of A.P., rep. By its Registrar (Management) A.P.,  
Hyderabad.
- 2.The Principal District &Sessions Judge, Karimnagar, Karimnagar  
District.

... RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction especially one in the nature of writ of Mandamus declaring a) the proceedings of the respondent No.2 in order Dis.No.200/PR.15/ADM/DCK/2009,dt.9.1.2009 is unjustified and illegal b) Non consideration of the claim of the petitioner for promotion as Superintendent while considering the case of the others who are juniors to the petitioner is in violation of Article 14 & 16 of the constitution of India,

**Counsel for the Petitioner: SRI M.SURENDER RAO**

**Counsel for the Respondents: SMT. M.BHASKARA LAKSHMI  
(SC FOR APHC)**

**The Court made the following Order:**

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

**AND**

**THE HON'BLE MR JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION NO.470 of 2009**

**ORDER:** (per Hon'ble Sri Justice V.Eswaraiah)

This writ petition is filed seeking a Writ of Mandamus declaring the proceedings of the 2<sup>nd</sup> respondent, dated 09-01-2009, as illegal and arbitrary.

It is the case of the petitioner that he was appointed as a Steno – Typist on 08-11-1983. Thereafter, he was promoted as senior Assistant on 09-03-2001. As he is fully qualified and eligible for being considered for promotion as Superintendent, he made a representation, dated 23-10-2008, before the 2<sup>nd</sup> respondent requesting to consider his case for promotion to the post of Superintendent. In the said representation, he also referred the order made by a Division Bench of this Court in W.P.No.11450 of 2005, dated 17-10-2008. The 2<sup>nd</sup> respondent through impugned order, dated 09-01-2009, rejected to consider his case for promotion to the post of Superintendent, as he did not possess intermediate decree as per the amended APJMS Rules, 2003. Aggrieved by the same, this writ petition has been filed.

It is not in dispute that the Division Bench of this Court in W.P.No.11450 of 2005, dated 17-10-2008, held that there is no prescription of possessing intermediate for promotion to the post of Senior Assistant from Junior Assistant it is stated that the petitioner has been appointed as a Steno-typist on 08-11-1983 and was promoted as Senior Assistant on 09-03-2001. At that time, under APJMS Rules, 1964, the minimum qualification intermediate was not prescribed and that the minimum qualification was only 10<sup>th</sup> class for the post of Junior

Assistant. It is also not in dispute that though the petitioner did not possess qualification of intermediate, he was promoted to the post of Senior Assistant on 09-03-2001, as there was no requirement of possessing the qualification of intermediate for such promotion. The present rules of A.P. Judicial Ministerial Service Rules, 2003 in G.O.Ms.No.129, dated 12-11-2003 have come into force from December 2003 onwards. As per the present Rules, even for appointment to the post of Junior Assistant, one must have passed intermediate examination. The appointment to the post of Junior Assistant is by way of direct recruitment or promotion. If the present Rules are applicable, the petitioner is not even entitled to be appointed for the post of Junior Assistant. The fact remains that under the old Rules, he was appointed as a Junior Assistant and was also promoted to the post of Senior Assistant. The post of superintendent can be filled by way of promotion from the post of Senior Assistant. The qualification prescribed for promotion to the post of Superintendent is that one must have passed translation test i.e., translation from English to the regional language and translation from the regional language to English. It is stated that the petitioner passed the said translation test.

The only question that arises for consideration is as to whether new Rules apply for those persons, who are already holding the posts under the old Rules.

The petitioner is presently holding the post of Senior Assistant and to continue him as a Senior Assistant, no such passing of intermediate is required even under the new Rules. For promotion from the post of Senior Assistant to Superintendent, the only requirement is passing of Translation test. Therefore, we are of the opinion that the principle laid down by this Court in W.P. No. 11450 of 2005, dated 17-10-2008 is squarely applicable to the case of the petitioner to consider

his case for promotion to the post of superintendent from Senior Assistant.

Having regard to the facts and circumstances of the case, the writ petition is allowed setting aside the impugned order passed by the 2<sup>nd</sup> respondent, dated 09-01-2009. Accordingly, the 2<sup>nd</sup> respondent is directed to consider the case of the petitioner for promotion to the post of Superintendent without insisting upon passing intermediate degree, if he is otherwise eligible and qualified by passing departmental tests. There shall be no order as to costs.

**That Rule Nisi has been made absolute as above witness the Hon'ble'Sri Anil R. Dave, The Chief Justice on this day the Tuesday, the Twentieth day of January' Two Thousand and Nine.**

**SD/  
B.S. CHIRANJEEVI  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**Sd/-  
SECTION OFFICER**

**To**

1. The Registrar (Management), High Court of A.P., Hyderabad.
2. The Principal District & Sessions Judge, Karimnagar, Karimnagar District.
3. Two CD copies
4. One CC to Sri M. Surender Rao, Advocate (OPUC).
5. One CC to Smt. M.Bhaskara Laxmi, SC for A.P.H.C, Advocate (OPUC).

HIGH COURT

DATED: 20/01/2009

ORDER

W.P.No.470 OF 2009

Allowing the Writ Petition  
Without Costs.

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH : AT HYDERABAD  
(Special Original Jurisdiction)**

**MONDAY, THE SECOND DAY OF MARCH  
TWO THOUSAND AND NINE**

**PRESENT  
THE HON'BLE SRI JUSTICE V.ESWARAIAH  
AND  
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION NO.4067 OF 2009**

Between:

B.Balanagaiah, S/o Subbaramaiah,  
Bapatla, R/o T.Nagar, Suryalanka Road, Bapatla, Guntur District.

...PETITIONER

And

- 1.The District & Sessions Judge, Guntur District at Guntur.
- 2.The Registrar (Admn.), High Court Building, High Court of Andhra Pradesh, Hyderabad.

... RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1<sup>st</sup> Respondent in not considering the petitioner for promotion of Senior Assistant as illegal, arbitrary and un-constitutional and consequently direct the respondent to consider the petitioner for the post of Senior Assistant as per qualification prescribed under the old rules.

**Counsel for the Petitioner: SRI CHALLA AJAY KUMAR  
Counsel for the Respondent No. 1 & 2: SMT. M.BHASKARA  
LAKSHMI (SC FOR APHC)**

**The Court made the following Order:**

**THE HON'BLE SRI JUSTICE V.ESWARAIAH  
AND  
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**W.P. NO.4067 OF 2009**

**ORDER:** (per Hon'ble Sri Justice V.Eswaraiah)

Heard both the learned counsel appearing for the parties.

2. It is the case of the petitioner that he was appointed as Process Server in 1972, and in the year 1979, while he was working in Tenali, he appeared in A.P.P.S.C. Group – IV examination and passed the same. Thereafter, basing on that qualification, he was appointed as a Junior Assistant and as such, since 11-11-1981, he was working in the Judicial Department, Guntur, in the same cadre. It is stated that he has put an application for his promotion as senior Assistant stating that he has passed the relevant departmental examination except passing criminal judicial test. In the year 2005, he was promoted as Senior Assistant by the District Judge, Guntur, with a condition that he should pass the relevant examination, within one year and accordingly, he was posted to Macherla Court.

3. It is further stated that in the examination conducted in January 2006, he could not attend the examination. Hence, he could not pass the same. As he could not pass the examination, he was reverted from the Senior Assistant to the Junior Assistant on 01.06.2006. Thereafter, he has passed the criminal judicial test and is eligible for promotion, but his case was not considered for promotion on the ground that he has not passed Intermediate.

4. It is further stated that at the time of his appointment to the post of the Junior Assistant, the qualification of the intermediate is not required and therefore, for the promotion from the post of Junior Assistant to Senior Assistant, the qualification of intermediate is not necessary. It is further stated that he has made representations before the learned District Judge and the High Court to consider his case for promotion from the Junior Assistant to Senior Assistant as he has passed all the departmental tests and that the qualification of Intermediate is not required for promotion.

5. The petitioner, therefore, seeks to issue a Writ of Mandamus declaring the action of the 1<sup>st</sup> respondent in not considering his case for promotion from the post of Junior Assistant to Senior Assistant as arbitrary and illegal and to direct the respondents to consider his case for the post of Senior Assistant as per the qualifications prescribed under the old A.P.Judicial Ministerial Service Rules, 1964 (for brevity 'the Rules, 1964').

6. The learned counsel, appearing for the petitioner, brought to our notice about the Judgment of a Division Bench of this Court in W.P.No.11450 of 2005, dt.17.10.2008, in the case of certain employees of the judicial department, who were working as a Junior Assistants, seeking promotion to the Senior Assistants. With similar grounds as raised by the petitioner, a Division Bench of this Court has disposed of the said writ petition holding that the Junior Assistants, appointed under the erstwhile Rules, 1964, are not required to acquire higher qualification of passing intermediate, which is the prescribed qualification for appointment of the Junior Assistant by the replaced Rules, 1964, vide G.O.Ms.No.129, Law (L.A. & J-Home-courts-D), dated 12.11.2003. Following the aforesaid judgment, this Court also disposed of W.P.No.470 of 2009, dated 20.01.2009, which relates to the case of promotion from Senior Assistant to Office Superintendent.

7. We are of the opinion that the judgment delivered by a Division Bench of this Court in W.P.No.11450 of 2005, squarely applies to this case also, and it is just and proper for the 2<sup>nd</sup> respondent-Registrar (Administration), High Court of Andhra Pradesh, Hyderabad, to communicate the said judgment, delivered in W.P.No.11450 of 2005, dated 17.10.2008, to all the Unit Heads so that each employee need not approach this Court under the extraordinary jurisdiction of Article 226 of the Constitution of India.

8. Accordingly, we dispose of the writ petition directing the respondents to consider the case of the petitioner in the light of the judgment rendered by this Court in W.P.No.11450 of 2005. There shall be no order as to costs.

**SD/-**  
**T.S.VASANTHA KESAVULU**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**Sd/-**  
**SECTION OFFICER**

**To**

1. The District & Sessions Judge, Guntur District at Guntur
2. The Registrar (Admn.), High Court Building, High Court of Andhra Pradesh, Hyderabad.
3. One CC to Sri R.Challa Ajay Kumar, Advocate (OPUC).
4. One CC to Smt. M. Bhaskara Laxmi, Advocate (OPUC).
5. Two CD copies

HIGH COURT

DATED: 2/3/2009

ORDER

W.P.No.4067 OF 2009

Disposing the W.P.,  
Without costs

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH : AT  
HYDERABAD  
(Special Original Jurisdiction)**

**THURSDAY, THE NINETEENTH DAY OF MARCH  
TWO THOUSAND AND NINE**

**PRESENT  
THE HON'BLE SRI JUSTICE V.ESWARAIAH  
AND  
THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION NO.5072 OF 2009**

Between:

E.Narahari, s/o Late E.Veeraiah, O/o VIth Metropolitan Magistrate, Medcharla,  
Ranga Reddy District.

...PETITIONER

And

1. The High Court of A.P., Rep by its Registrar Administration, Hyderabad.
2. The District & Sessions Judge, Ranga Reddy, Ranga Reddy District.

... RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction especially one in the nature of writ of Mandamus declaring a) the proceedings of the respondent No.2 in order Dis.No.1549/2009, dt.2.3.2009 is unjustified and illegal b) Non Consideration of the claim of the petition for promotion as Superintendent while considering the case of the others who are juniors to the petitioner is in violation of Article 14 & 16 of the constitution of India, and pass such other order or orders.

**Counsel for the Petitioner: SRI M.Surender Rao**

**Counsel for the Respondents: SMT. M.BHASKARA LAKSHMI (SC FOR APHC)**

**The Court made the following Order:**

**ORDER:** (per Hon'ble Sri Justice V.Eswaraiah)

Petitioner, a Senior Assistant in the Court of VI Metropolitan Magistrate, Medchal, Ranga Reddy District, seeks a Writ of Mandamus to declare the order of the District Judge, Ranga Reddy District dated 02.03.2009 vide order D.Dis.No.1549/2009 in rejecting the claim of the petitioner for promotion to the post of Superintendent (Category 3) on the

ground that the academic qualification of the petitioner is SSC and in view of the orders of the High Court of Andhra Pradesh in Roc.No.285 & 1696/2004-C1(1) dated 10.03.2005, as illegal, arbitrary and contrary to the Andhra Pradesh Judicial Ministerial Services Rules, 2003 (for short 'Rule 2003') issued in G.O.Ms.No.129 Law (L.A. & J-Home-Courts-D) Department dated 12.11.2003.

2. It is the case of the petitioner that he joined the service as a Bailiff in the unit of Ranga Reddy District on 26.02.1982 and promoted as Junior Assistant in the month of June 1984 and further promoted as UDC on 12.09.1996. His probation was also declared and he is an approved probationer. It is stated that he passed all the Departmental tests including Civil Judicial Test Part – I & II; Accounts test for Subordinate Officer Part – I; Translation test and that he is presently working as Senior Assistant in the Court of VI Metropolitan Magistrate, Medchal, Ranga Reddy District. His academic qualification is only SSC but he has passed all the departmental tests and he is fully eligible and qualified for the next promotion to the post of Superintendent. It is stated that though he is the senior most among the Senior Assistants, his case was not considered for promotion to the post of Superintendent while considering the cases of Ch.Atchyuthamaraju, M. Narasimhababau and K.Dinakar, who are juniors to him. Therefore, he has filed a representation before the District Judge but the said representation has been rejected by order dated 02.03.2009 on the ground that he is having academic qualification of SSC alone and for promotion to the post of Superintendent, the qualification of Intermediate is required. It is stated that the posts in City Civil Court and the Court of District & Sessions Judges were governed by the Andhra Pradesh Judicial Ministerial Service Rule, 1964 (for short 'Rules 1964') issued in G.O.Ms.No.206 dated 07.02.1964. The educational qualification required for all the posts in Division – IV was minimum general educational qualifications i.e. SSC or SSLC as the case may be.

3. Under Rule 20 of Rules 1964 the minimum general educational qualifications are prescribed and the words 'minimum general educational qualification' are defined under Rule 2 (m) as follows:

*"Minimum general educational qualification"* means the qualification prescribed in the schedule to General Rules for the time being in force.

Under Schedule II of the Andhra Pradesh State and Subordinate Rules, 1996 a candidate is said possess the Minimum General Educational Qualification if he has passed one of the following examinations:-

- (1) Secondary School Certificate Examination conducted by the Board of Secondary Education, Andhra Pradesh, Hyderabad.
- (2) .....
- to
- (31) .....

4. At the time of appointment of petitioner either as Bailiff or as Senior Assistant, the minimum general educational qualification required was only SSC. The Rules 1964 issued under G.O.Ms.No.206 dated 07.02.1964 are superceded by the Rules 2003 issued under G.O.Ms.No.129 dated 12.11.2003. The post of Senior Assistant (UDC) is shown under Category 3 and the post of Superintendent under Category 2 of Rule 5 of the Rules 2003. The post of Superintendent will be filled by promotion from the post of Senior Assistants (Category 3); Junior Assistants (Category 4); Personal Assistants (Category 5) and Typists (Category 6) from the combined seniority lists. Under Rule 6 the method of appointment of Superintendents is by promotion of Senior Assistants (Category 3). Rule 8 prescribes the qualification for appointment to various categories specified in the annexure. Under Annexure to Rule 8 the post of Superintendent is to be filled up by promotion and the required qualification is as follows:

Must have passed Translation Test i.e.,

- (i) Translation from English to Regional Language and
- (ii) Translation from Regional Language to English.

Similarly various qualifications are prescribed for promotion to the post of Senior Assistant, Junior Assistant, Personal Assistant, Typist, Examiner, Copyist and Field Assistant. Note: 1 and Note: 2 of the Annexure are extracted as under:

Note: 1: - A person who has appeared for the test on the date of occurrence of the vacancy in the higher post and passed the same subsequent thereto shall be treated as qualified on the date following the date of completion of the test or tests, if as on that date there is a vacancy in higher category remaining unfilled for want of a test qualified candidate.

Note: 2: - A person appointed to a post in accordance with the rules applicable to him at the time of his appointment shall not be required to acquire higher qualifications prescribed for the post subsequent to his appointment.

As perused from Note 2 it is clear that a person who is appointed to a post in accordance with the rules applicable to him at the time of appointment shall not be required to acquire higher qualifications prescribed to that post subsequent to his appointment. Therefore, to consider the case of petitioner for promotion to the post of Superintendent, the qualification of Intermediate is not required.

5. This Court while considering the case of employees, who were working as Junior Assistants, disposed of W.P.No.4067 of 2009 on 02.03.2009 considering the earlier order of the Division Bench of this Court in WP.No.11450 of 2005, dated 17.10.2008 at Paras 6 and 7, which are extracted as under:

**J.558/10.**

"6. The learned counsel, appearing for the petitioner, brought to our notice about the Judgment of a Division Bench of this Court in WP.No.11450 of 2005, dated 17.10.2008, in the case of certain employees of the judicial department, who were working as a Junior Assistants, seeking promotion to the Senior Assistants. With similar grounds as raised by the petitioner, a Division Bench of this Court has disposed of the said writ petition holding that the Junior Assistants, appointed under the erstwhile Rules, 1964, are not required to acquire higher qualification of passing intermediate, which is the prescribed qualification for appointment of the Junior Assistant by the replaced Rules, 1964, vide G.O.Ms.No.129, Law (L.A. & J-Home-Courts-D), dated 12.11.2003. Following the aforesaid judgment, this Court also disposed of W.P.No.470 of 2009, dated 20-01-2009, which relates to the case of promotion from Senior Assistant to Office Superintendent.

7. We are of the opinion that the judgment delivered by a Division Bench of this Court in W.P.No.11450 of 2005, squarely applies to this case also, and it is just and proper for the 2<sup>nd</sup> respondent-Registrar (Administration), High Court of Andhra Pradesh, Hyderabad, to communicate the said judgment, delivered in W.P.No.11450 of 2005, dated 17.10.2008, to all the Unit Heads so that each employee need not approach this Court under the extraordinary jurisdiction of Article 226 of the Constitution of India."

6. This Court in W.P.No.470 of 2009 dated 20.01.2009 considered the case of Senior Assistant for promotion to the post of Superintendent and allowed the said writ petition while setting aside the impugned order directing the respondents to consider his case for promotion to the post of Superintendent without insisting upon possessing intermediate qualification, if he is otherwise eligible and qualified by passing departmental tests.

7. Smt. M.Bhaskara Lakshmi, learned standing counsel for the High Court, submits that the case of petitioner is rejected pursuant to the orders of the High Court dated 10.03.2005 issued in Roc.No.285 & 1696/2004-C.I(1) on the ground that higher qualification for future promotion subsequent to the implementation of revised Rules 2003 cannot be exempted.

8. We have perused the said order. We are of the opinion that there was no any requirement of exemption of higher qualification in respect of the candidates who have been appointed under Rules 1964 for their promotion

under Rules 2003, if they have possessed required qualification as per Rules 1964. Under Rules 1964 holding of SSC qualification alone is required whereas under Rules 2003 pass in departmental tests is additionally required for promotion. Therefore, the order of the High Court is quite contrary to the Rules and the aforesaid judgments of this Court.

9. The grievance of the petitioner, therefore, is justified and the writ petition deserves to be allowed. However, as mentioned in Para 2 above three other Senior Assistants were already promoted as Superintendents and they are not impleaded as parties in this writ petition. Thus, following the ratio in W.P.No.11450 of 2005 dated 17.10.2008, in that respect, the consideration of petitioner's case for promotion, however, shall not affect the seniority of the already promoted Senior Assistants as above.

The impugned order is accordingly set aside and the writ petition is allowed as prayed for. We direct the first respondent to issue fresh circular and communicate the same to the unit heads to consider the cases of eligible candidates for promotion to various categories in accordance with the aforesaid judgments of this Court.

There shall be no order as to costs.

That Rule Nisi has been made absolute as above

Witness the Hon'ble Sri Anil R.Dave, The Chief Justice on this Thursday, the nineteenth day of March, Two Thousand and nine.

Sd/-  
**LALITHA B.PHILIPS**  
**ASSISTANT REGISTRAR**

**// TRUE COPY//**

Sd/-  
**SECTION OFFICER**

To

1. The Registrar Administration, the High Court of A.P., Hyderabad.
2. The District & Sessions Judge, Ranga Reddy, Ranga Reddy District.
3. One CC to Sri M.Surender Rao, Advocate. (OPUC)
4. Two C.D. Copies.
5. One CC to Smt. M.Bhaskara Lakshmi, Advocate (SC FOR APHC)

HIGH COURT

DATED: 19/03/2009

ORDER

W.P.No.5072 of 2009

Allowing the W.P.  
Without Costs.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1071/2009-C.1****DT: 30.06.2009****CIRCULAR**

Sub: Public Services – A.P. Judicial Ministerial Service – A.P. State and Subordinate Service Rules – A.P.G.S.S./A.P.L.G.S. – Instructions with regard to interpretation of Rule 28 of A.P. State and Subordinate Service Rules, 1996 and Rule 33 of A.P.J.M.S. Rules, 2003 in view of the Orders, dt.30-10-2008 in W.P.No.24609 of 2007 and Orders, dt.25.3.2009 in W.P.No.6063 of 2009 on the file of the Hon'ble High Court of A.P., Hyderabad – Relinquishment of Rights by members – Regarding.

- Ref: 1.High Court's Order, dt.30.10.2008 in W.P.No.24609/2007.  
 2. High Court's Order, dt.25.3.2009 in W.P.No.6063/2009.  
 3. Letter, dt.25.3.2009 from Sri G.Vidya Sagar, Advocate, Standing Counsel, High Court of A.P., Hyderabad.

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It is noticed by the High Court that some of the employees working in the Subordinate Courts were initially relinquishing their right of promotion to the higher posts voluntarily due to personal grounds and accordingly the appointing authorities i.e., the District Judges/Unit Heads, were accepting their relinquishment. Subsequently the employees are submitting applications seeking for promotions to the higher posts by withdrawing their earlier applications submitted for relinquishment of promotion to the higher posts.

In Writ Petition No.24609/2007, dt.30.10.2008 filed by a Process Server of the Unit of the District Judge, Nellore, who relinquished right of promotion earlier for his promotion to the post of Record Assistant/Field Assistant and also in Writ Petition No.6063/2009, dt.25.3.2009 filed by a Field Assistant of the Unit of the District Judge,

Krishna at Machilipatnam, who relinquished right of promotion earlier for his promotion to the post of Junior Assistant, in the references 1<sup>st</sup> and 2<sup>nd</sup> cited respectively, the Hon'ble High Court issued directions to consider the cases of the petitioners for promotion to the higher posts in accordance with their eligibility and as per the applicable rules as and when vacancies arise.

Therefore, all the District Judges/Unit Heads are hereby directed to follow the observations of the Hon'ble High Court in W.P.No.24609 of 2007 (Reported in 2009(I) A.L.T.462 D.B) scrupulously in the matters of relinquishment of rights by members for promotions.

Receipt of this Circular may please be acknowledged.

Sd/--

**REGISTRAR (ADMINISTRATION)**

To

1. All the District Judges/Unit Heads.
2. The Principal Private Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. All the Registrars, High Court of A.P., Hyderabad.
4. The Standing Counsel, High Court of A.P., Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 725/2009-C.1****DT: 12.08.2009****CIRCULAR**

Sub: Public Services – Andhra Pradesh Judicial Ministerial Service Rules – Order dt.19.03.2009 in W.P.No.5072/2009 on the file of the Hon'ble High Court of A.P., Hyderabad to consider the cases of eligible candidate for promotions to various categories of Posts in Andhra Pradesh Judicial Ministerial Service Rules, 2003 to the employees who were appointed and continuing in the service as per requisite educational qualifications prescribed in Andhra Pradesh Judicial Ministerial Service Rules, 1964 – Regarding.

Read: High Court's Circular in ROC.No.725/09, dt.1.5.2009.

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In continuation of the High Court's Circular read above, all the Unit Heads are directed to follow the directions of the Hon'ble High Court issued in W.P.No.11450/2005, dt.17.10.2008, W.P.No.470/2009, dt.20.01.2009, W.P.No.4067/2009, dt.02.03.2009, particularly in W.P.No.5072/2009, dt.19.03.2009 scrupulously while effecting promotions to the category of post of Administrative Officers also as specified in APJMS Rules, 2003, to the employees who were appointed under the erstwhile Rules, 1964.

Receipt of the Circular may be acknowledged.

Sd/--

**REGISTRAR (ADMINISTRATION)**

To

1. All the Unit Heads.
2. The Principal Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. All the Registrars, High Court of A.P., Hyderabad.
4. The Section Officer, Special Officer's Section, High Court of A.P., Hyderabad.
5. The Standing Council, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.551/2009-C6****DATED:07.09.2009****C I R C U L A R**

Sub: Public Services – A.P.J.M.S./A.P.G.S.S/A.P.L.G.S –  
Compassionate Appointment of Son/Daughter/Spouse of  
the Judicial Employees who retire on Medical Invalidation  
– Constitution of Selection Committees – Instructions –  
Issued.

Ref: 1.G.O.Ms.661, G.A (Ser.A) Department, dt.23.10.2008.  
2. G.O.Rt.No.4000, G.A(Ser.G) Department, dt.13.08.2009.

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In pursuance of G.O.Ms.661, G.A(Ser.A) Department, dt.23.10.2008 and G.O.Rt.No.4000, G.A(Ser.G) Department, dt.13.08.2009, the High Court is pleased to constitute the following District and State Level Committees for scrutiny of the proposals relating to the compassionate appointments to the dependants of the Judicial employees, who retire from service on medical invalidation.

**District Level Committee:**

<b>The District Judge</b>	<b>... Chairman.</b>
<b>The Additional District Judge</b>	<b>...Member/Convener</b>

Note: In case if there are more than one Additional District Judge in District Headquarters, I Addl. District Judge in the district headquarters will be the Member/Convener.

<b>The District Medical &amp; Health Officer</b>	<b>Member.</b>
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**State Level Committee:****A.P.J.M.S/A.P.L.G.S. Committee of the Hon'ble Judges.**

As and when any judicial employee applies for retirement on medical grounds, the concerned Unit Officer shall refer the case to the above District Level Committee for scrutiny. After scrutiny of the proposal by the above District Level Committee, the District Judge shall send the proposal to the

High Court for placing the same before the State Level Committee for approval. After approval by the High Court only, the concerned District Judge shall issue necessary orders permitting the employee to retire on grounds of medical invalidation, and to appoint the dependant of such employee, who is permitted to retire on medical invalidation, as per the other existing instructions issued on the scheme.

All the Unit Heads and Unit Officers are, therefore, requested to strictly follow the above procedure while processing the cases of compassionate appointments to the dependants of the Judicial employees who retire from service on medical invalidation. It is further informed that as per G.O.Rt.No.4000, G.A (Ser.G) Department, dt.13.08.2009, the orders issued in G.O.Ms.661, G.A(Ser.A) Department, dt.23.10.2008 shall have prospective effect only.

Receipt of this Circular together with copies of G.Os., may please be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRARION)**

To

- 1) All the District Judges/Unit Heads.
- 2) All the District Medical and Health Officers.
- 3) The Principal Private Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 4) All the Registrars, High Court of A.P., Hyderabad.
- 5) The President, A.P.State Judicial Employees Association, Hyderabad.
- 6) The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, Hyderabad.

**J.558/11.**

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Services – Subordinate Services – Revival of the scheme of compassionate appointments to the dependents of Government employees who retire on medical invalidation, as per the judgment of Supreme Court of India in Civil Appeal No.4210/2003 dated 12.08.2008 filed by V.Sivamurthy and others – Orders – Issued.

**GENERAL ADMINISTRATION (SER.G) DEPARTMENT**

**G.O.Ms.No.661**

**Dated.23.10.2008.**

**Read the following:-**

1. G.O.Ms.No.504, G.A.(Ser.A) Department, Dated 30.7.1980.
2. G.O.Ms.No.309, G.A.(Ser.A) Department, Dated 4.7.1985.
3. G.O.Ms.No.214, G.A.(Ser.A) Department, Dated 9.6.1998.
4. Govt. Memo.No.36299/Ser.A/99-1, G.A.(Ser.A) Department, Dated 25.6.1999.
5. Judgment Dated 12.10.2001 in W.P.No.13489/2000 and batch of Hon'ble High Court of Andhra Pradesh.
6. G.O.Ms.No.202, G.A.(Ser.A) Department, Dated 27.4.2002.
7. G.O.Ms.No.203, G.A.(Ser.A) Department, Dated 27.4.2002.
8. G.O.Ms.No.305, G.A.(Ser.A) Department, Dated 17.7.2002.
9. G.O.Ms.No.44, G.A.(Ser.A) Department, Dated 17.2.2003.
10. G.O.Ms.No.251, G.A.(Ser.G) Department, Dated 28.8.2004.
11. G.O.Ms.No.100, G.A.(Ser.G) Department, Dated 3.3.2005.
12. Suo-moto contempt of Hon'ble High Court, Dated 12.10.2001
13. G.O.Ms.No.246, G.A.(Ser.G) Department, Dated 30.5.2006.
14. G.O.Ms.No.124, P.R&R.D.(Mdl.II) Department, Dated 2.4.2008.
15. The judgment of Hon'ble Supreme Court of India in Civil Appeal No.4210/2003 filed by V.Sivamurthy with CA Nos.4208-4209, 4213, 4226 of 2003, Dated 12.08.2008.

**ORDER:-**

In the reference first read above, the Scheme of compassionate appointments to the dependents of Government employees who retired on medical invalidation was introduced in the State. The appointments under the scheme were to the post of Junior Assistant or to a post whose pay scale is equal to or less than to that of Junior Assistant.

2. In the reference second read above, the benefit of compassionate appointments was confined to the cases where Government servants retire on medical grounds five years before attaining the age of superannuation irrespective of the age of superannuation prescribed for the posts and services.

3. In the reference third read above, orders were issued prescribing suitable safeguards and procedures duly constituting the Medical Teams, District Level committee of Officers and State Level Committee of Officers to prevent any misuse of the scheme of compassionate appointments to the dependents of Government employees who retire on Medical invalidation.

4. In the reference fourth read above, it was clarified that the benefit of compassionate appointment will be applicable only to those Government employees who retire on Medical Invalidation five years before they attain the age of superannuation. Therefore, the required period of five years of left over service is to be reckoned from the date of issue of orders of retirement on Medical invalidation. It is further clarified that in cases where the Government employees who do not have five years of service before they attain the age of superannuation at the time of considering such cases by the State Level Committee or District Level Committees, the respective Committees, after scrutiny of Medical Invalidation Certificates in those cases, may recommend only for retirement of such Government employees on medical invalidation as per the certificate issued by the Medical Board.

5. The Full Bench of the Hon'ble High Court of Andhra Pradesh in its common Judgment dated 12.10.2001 in W.P. 13489/2000 held that the appointment on compassionate grounds on Medical Invalidation does not satisfy the requirement of Article 16 of the Constitution of India and any policy decision taken by the State is unconstitutional.

6. In the reference sixth to eighth read above, orders were issued dispensing with the scheme of compassionate appointment in Medical Invalidation cases. The issue was examined by the Cabinet Sub-Committee on service matters based on several representations, keeping in view of the hardship pleaded by the Government employees who retired on medical invalidation, the Cabinet Sub-Committee on service matters in its meeting held on 23.01.2003 made certain recommendations to consider appointment to the post of Panchayat Secretary on contract basis with a basic pay of Rs.2870/- + H.R.A. + D.A to the dependants of Government employees who retired on medical invalidation before issue of G.O.Ms.No.202, G.A.(Ser.A) Department, dated 27.4.2002.

7. In the reference 9<sup>th</sup> read above, the cases of dependants of Government employees who retired on medical invalidation and whose cases could not be considered by 27.4.2002 were considered for appointment on contract basis to the post of Executive Officer, Special Category-V (Panchayat Secretary) under Rule 9 of A.P. State and Subordinate Service Rules, 1996.

8. In the reference 10<sup>th</sup> read above, orders were issued to consider the dependants of Government employees who retired from service on medical invalidation before 27.4.2002, for appointment to the post of Panchayat Secretary on contract basis, taking into consideration the date of issue of

medical invalidation certificate for reckoning the left over service of 5 years from the date of issue of medical invalidation certificate.

9. In the G.O. 11<sup>th</sup> read above, orders were issued that the dependents of Government employees who retired on medical invalidation before 27.4.2002 and who possess the academic qualification below 10<sup>th</sup> class only shall be considered for appointment to any of the posts in A.P. Last Grade Service on contract basis and on fixed pay of Rs.2600/- p.m.

10. In the G.O. 13<sup>th</sup> read above, orders issued in G.O.Ms.No.44, G.A. (Ser.A) Department, dated 17.2.2003 and G.O.Ms.No.100, G.A.(Ser.G) Department, dated 3.3.2005 were withdrawn.

11. Aggrieved by the above orders, certain Panchayat Secretaries have approached Hon'ble APAT and APAT rejected the request of the applicants. Further, the applicants approached Hon'ble High Court and the Hon'ble High Court in its interim order dated 19.12.2007 in W.P.M.P.NO. 18401/2007 in W.P.NO.14637/2007 and batch cases have directed the respondents to consider the cases of petitioner for appointment as Panchayat Secretaries/V.R.Os/J.As and made it clear that such appointments shall be purely on "contract basis", as they were originally appointed and continuing.

12. In the reference 14<sup>th</sup> read above, the 1198 terminated Panchayat Secretaries were appointed on contract basis based on the interim orders of Hon'ble High Court dated 19.12.2007 in W.P.M.P.NO. 18401/2007 in W.P.NO.14637/2007 and batch cases.

13. The Hon'ble Supreme Court of India, in V.Siva Murthy V/s State of Andhra Pradesh in (Civil Appeal No. 4210 of 2003 with CA.Nos.4208-4209, 4213, 4226 of 2003, dated 12.08.2008) upheld the scheme of compassionate appointment to the dependants of Government employees who retired on Medical Invalidation and held among others, as follows:

"We therefore, allow these appeals, set aside the judgment of the High Court (dated 12.10.2001). We also set aside the orders of the Tribunal though on different grounds. We uphold the validity of the compassionate appointment scheme (contained in G.O.Ms.No.504, G.A.(Ser.A) Department, dated 30.7.1980, G.O.Ms.No.309, G.A.(Ser.A) Department, dated 4.7.1985 and G.O.Ms.No.214, G.A.(Ser.A) Department, dated 9.6.1998, as clarified in Govt. Memo No.36299/Ser.A/99, dated 25.6.1999) providing that the period of five years of left over service should be reckoned from the date of issue of the order of retirement on medical invalidation and not from the date of application for retirement on medical invalidation.

As the scheme was withdrawn by Govt. Memo dated 27.4.2002, to give effect to the impugned decision of the High Court, the state Government is at liberty to revive the scheme with or without modifications."

14. After careful consideration, Government issue the following orders on reviving the scheme of compassionate appointments on medical invalidation of Government employee.

1. This concession of compassionate appointment shall be allowed only in exceptional cases where the appointing authority is satisfied that the condition of the family is indigent and in great distress and when there is no other earning member in the family. The word "family" consists of the members as defined in sub-rule 12 (b) of Rule 50 of A.P. Revised Pension Rules, 1980.
2. The candidate eligible for appointment under this measure shall be the spouse of the Government servant or any one of the dependant children of the employee who retired on medical grounds.
3. The eligible person shall be appointed to the post of Junior Assistant or equivalent post or any other lower post.
4. Applications for appointment from such persons shall be entertained within a period of one year from the date of retirement of Government servant on medical invalidation.
5. The compassionate appointments shall be treated as direct recruitment and temporary appointments to start with.
6. The candidates to be appointed on compassionate grounds under these scheme shall possess the age and other qualifications as per rules in force.
7. The temporary appointment of a spouse or child can be considered for regular appointment without subjecting them to the normal process of recruitment. However;
  - a) A formal notification of vacancy shall be made to the Employment Exchange.
  - b) After filling up the vacancy, the appointing authority will furnish all relevant particulars of the candidate to the Employment Exchange.

- c) Such appointments should be made under intimation to the Director of Employment and Training excepting in case of High Court.

15. The appointments on compassionate grounds under this scheme shall be in the same unit of appointment. While making these appointments the provisions contained in the Andhra Pradesh Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 1975 (Presidential Order on SPF) shall be applicable. The benefit of compassionate appointment on medical grounds shall be confined to the cases, where Government servants retired on medical ground, shall have left over service of 5 years before attaining the age of superannuation irrespective of the age of superannuation prescribed for the posts and services. The required period of 5 years of left over service is to be reckoned from the date of issue of orders of retirement on medical invalidation.

16. The appointing authority on receipt of the application from the Government employee for retirement for retirement on Medical Invalidation, shall refer the case to the Medical Board.

(i) At District level, a team of Doctors shall furnish the medical report to a District Level Committee of officers. Accordingly, Government hereby constitute the medical team (Medical Boards) as follows:-

- (a) Where there are teaching hospitals, other than Ranga Reddy and Hyderabad Urban Districts, the medical team (Medical Board) shall consist of the Superintendent of the Govt. General Hospital and two doctors of the cadre of Civil Surgeon, nominated by the Superintendent of Government General Hospital, among them one should be a specialist in the disease/illness with which the employee is suffering and seeking Medical Invalidation and in case of a lady employee seeking a Medical Invalidation, of the two civil surgeons, one should be a lady civil surgeon.
- (b) In the case of Ranga Reddy and Hyderabad Urban districts, the Medical Boards already existing in Osmania General Hospital and Gandhi General Hospital shall constitute the team of Doctors (Medical Board) respectively.
- (c) In all other districts, the District Co-coordinator of the District Head Quarters Hospitals of Andhra Pradesh Vidya Vidhana Parishad and two civil surgeons nominated by the District Co-ordinator, of whom one shall be from the specialty of the disease with which the employee is suffering from, shall constitute the medical team. In case, it is a woman employee seeking Medical Invalidation, of the two civil surgeons, one should be lady civil surgeon. Also where the District Head Quarter Hospital of Andhra Pradesh Vidya Vidhana Parishad does

not have necessary expertise to decide the matter for want of the concerned specialist doctor, it may refer the case to the nearest teaching hospital for obtaining their opinion before making their recommendations.

- (d) As and when a Government employee seeks and applies for retirement on medical grounds, the concerned appointing authority shall refer the case to the team of doctors (Medical Board) mentioned above.
- (e) The Medical Board shall give its report based on the detailed clinical examination and relevant investigations in a Govt. Hospital/Govt. Institutions like NIMS, SVIMS etc.
- (f) The benefit of compassionate appointment shall be extended in case where a Government servant totally cease to be employable and become a burden on his family i.e., when a Government servant is totally incapacitated on account of serious illness/accident.
- (g) Accordingly, the disease for which medical invalidation shall be allowed may be any one of the following:-

1. Paralysis

- (i) All 4 limbs  
 (ii) One side upper limb and lower limb  
 (iii) Both lower limbs

2. End stage Renal diseases  
 3. End stage Liver diseases  
 4. Cancer with metastasis stage or secondaries  
 5. Dementia – Mental Disorder  
 6. Severe Parkinson disease  
 7. Loss of limbs (hands or legs) in case of drivers

(ii) The appointing authority under whom the employee seeking medical invalidation is working, shall, after receipt of the Medical Boards recommendations refer the matter to a District Level Committee of officers for scrutiny and its recommendations. Government hereby constitute the District Level Committee of the officers with the following:-

1. District Collector ..... Chairman  
 2. The District Medical & Health Officer ..... Member  
 3. The District Head of the Department in ..... Member/Convener  
 which the employee is seeking retirement  
 on Medical Invalidation.

The District Level Committee shall consider the Medical Invalidation report given by the Medical Board constituted in para 16 (i) above and scrutinize the proposal for compassionate appointment on Medical Invalidation strictly in accordance with the guidelines and conditions stipulated in the existing instructions on the scheme. The committee is also competent to seek at its discretion personal presence of the employee seeking retirement on medical invalidation before considering the proposal.

(iii) For scrutiny and for making recommendations in respect of cases of Government employees of Heads of Departments/Secretariat Departments, a State Level Committee of officers is hereby constituted with the following:-

- |                                                                                                                                         |     |                  |
|-----------------------------------------------------------------------------------------------------------------------------------------|-----|------------------|
| 1. Special Chief Secretary/<br>Principal Secretary to Government<br>Nominated by the Government                                         | ... | Chairman         |
| 2. Principal Secretary/Secretary to Govt.,<br>Health Medical & Family Welfare Dept.,                                                    | ... | Member           |
| 3. Principal Secretary/ Secretary to Govt.,<br>Of the Department in which the employee<br>Is seeking retirement on Medical Invalidation | ... | Member           |
| 4. Principal Secretary/ Secretary to Govt.,<br>Finance Department                                                                       | ... | Member           |
| 5. Principal Secretary/ Secretary to Govt.,<br>G.A.(Ser.) Department,                                                                   | ... | Member           |
| 6. Secretary to Govt., Law Department                                                                                                   | ... | Member           |
| 7. Director of Medical Education                                                                                                        | ... | Member           |
| 8. Dy.Secretary/ Jt. Secretary/ Addl.<br>Secretary to Government, HM&FW Dept.                                                           | ... | Member/Convener. |

The State Level Committee shall consider the medical Invalidation report given by the Medical Board constituted in para 16 (i) above and scrutinize the proposal for compassionate appointment on Medical Invalidation strictly in accordance with the guidelines and conditions stipulated in the existing instructions on the scheme.

(iv) The District Collectors who are heading the District Level Committees shall send the recommendations of the District Level Committees to the concerned District Head of the Department.

(v) In cases of Government employees of Heads of Departments / Secretariat Departments, the proposals shall be placed before the State Level Committee of officers directly through H.M.& F.W. Department in Secretariat based on the recommendations of the Medical Board.

(vi) In respect of employees working in the Heads of Departments/Secretariat Departments, the Convener of State Level Committee of officers shall send the recommendation of the State Level Committee in each case to the concerned Prl. Secretary/Secretary to Government of the Secretariat Department or to the Heads of Departments concerned for issue of appropriate orders.

(vii) Only where the State Level Committees of officers makes a clear recommendation for retirement on medical invalidation, the concerned Department of Secretariat, Head of the Department shall issue necessary orders permitting the Government employees to retire on grounds of medical invalidation and to appoint the dependants, such Government employees who are permitted to retire on medical invalidation as per the other existing instructions on the scheme. Such compassionate appointments will be confined only to the Department in which retirement of the employee on medical invalidation was ordered. In case of Departments of Secretariat, it is Single Unit except Law and Finance Departments.

17. The Compassionate appointments on medical invalidation shall be limited to 5% of Direct Recruitment vacancies in a unit of appointment.

18. All such cases where appointments under medical invalidation grounds were made, must be reported in detail by the District Head of the Department along with copies of the orders justifying the appointment orders under medical invalidation to the concerned Administrative Department in Secretariat.

19. All the Departments of Secretariat, all the Heads of Departments, all the District Collectors and all the appointing authorities shall follow the above instructions scrupulously without any deviation.

20. Necessary amendments to the Article 442 of Andhra Pradesh Pension Code shall be issued separately by Finance (Pension) Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.RAMAKANTH REDDY  
CHIEF SECRETARY TO GOVERNMENT

J.558/12.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD**Endt.Roc.No.1658 /SO-3/2008DT:07.11.2009**"COMMUNICATED."**Sd/-  
REGISTRAR GENERAL

To

- 1) All the Registrars, High Court of A.P., Hyderabad.
- 2) The Pri. Pvt. Secretary to the Hon'ble the Chief Justice (with a request to place the same before the Hon'ble the Chief Justice), High Court of A.P., Hyderabad.
- 3) The Section Officers, Establishment Section and C-Section, High Court of Andhra Pradesh, Hyderabad.

**GOVERNMENT OF ANDHRA PRADESH****ABSTRACT**

Public Services – Judicial Department – Retirement of employees of Judicial Department on Medical Invalidation and providing compassionate appointments to their dependents – Constitution of Committees – Orders – Issued.

**GENERAL ADMINISTRATION (SER.G) DEPARTMENT**

[G.O.Rt.No.4000

Dated: 13.08.2009.]

Read the following

1. G.O.Ms.No.661, G.A. (Ser.G) Department, Dated 23.10.2008.
2. From the Registrar (Admn.), High Court of A.P., Letter Roc.No.551/2009-C.6, dated 28.04.2009.

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**ORDER:-**

In the G.O first read above, orders have been issued reviving the scheme of compassionate appointments to the dependents of Govt. employees who retired on Medical Invalidation and these orders shall have prospective effect only.

2. In the letter second read above, the Registrar (Admn.), High Court of A.P., has reported that the District Judges are the appointing authorities of employees working in Judicial Department in various Districts and High Court is the Head of the State Judiciary and all the Subordinate Courts are under the administrative control of the High Court according to Article 227 of Constitution of India. It is, therefore, essential to keep the judiciary independent from the executive regarding the appointment at District Level. Hence, he has requested the Govt. to delegate the power of nominating the Committees regarding the compassionate appointment on Medical Invalidation to the High Court of Andhra Pradesh.

3. The Government, after careful consideration, hereby empower the Registrar (Admn.), High Court of Andhra Pradesh to constitute committees to consider the report of the Medical Board and make recommendation regarding the employees of the Judicial Department for their retirement on Medical Invalidation and providing compassionate appointment to their dependants.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.VEERABHADRAIAH  
SECRETARY TO GOVERNMENT (SER)

To

The Registrar (Admn.), Hon'ble High Court of Andhra Pradesh, Hyderabad  
All the District Judges in the State.

Copy to

The Law (E) Department,  
The Home (Courts.D) Department,  
P.S to Chief Secretary to Govt./PS to Pri. Secretary to C.M/  
Secretary to Govt. (Ser)/ Secretary to Govt. (Law)  
Sf/Sc

/// Forwarded :: By Order //

Sd/-  
SECTION OFFICER

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 1652/2005-B2****DT:15.09.2005****CIRCULAR**

Sub: Public Services – A.P. State Higher Judicial Service/A.P. State Judicial Service – Applications for payment of Full Additional Charge Allowance when they are holding the Full Additional Charge of the additional post – Instructions – Issued.

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It is noticed that some of the Judicial Officers in the State of Andhra Pradesh in their applications for payment of Full Additional Charge Allowance are showing only main cases which are disposed off during the period when they are holding the Full Additional Charge of another post, but not interlocutory or bail applications etc.

Therefore, all the District Judges are requested to instruct all the Judicial Officers under their control to furnish the number of interlocutory applications and bail applications disposed off in addition to the main proceedings on the file of the Full Additional Charge Court while submitting the applications for Full Additional Charge remuneration.

Sd/-  
**REGISTRAR (ADMN.)**

To

1. The District Judge, Anantapur, Chittoor, Cuddapah, Guntur, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Adilabad, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar, Hyderabad and Warangal.
  2. The Chief Judge, City Civil Court, Hyderabad.
  3. The Chief Judge, City Small Causes Court, Hyderabad.
  4. The Metropolitan Sessions Judge, Hyderabad.
  5. The Spl. Judge for Economic Offences, Hyderabad.
  6. The Spl. Judge for Essential Commodities Act, Hyderabad.
  7. The Director, A.P.Judicial Academy, Secunderabad.
  8. The Presiding Officer, Labour Court, Guntur, Anantapur, Godavarikhani, Visakhapatnam, Warangal.
  9. The Presiding Officer, Labour Court-I,II and III, Hyderabad.
  10. The Presiding Officer, Wakf Tribunal, City Civil Court Compound, Hyderabad.
  11. The Chairman, Industrial Tribunal – I & II, Hyderabad.
  12. The Chairman, Addl. Industrial Tribunal, Hyderabad.
  13. The Chairman, State Transport Appellate Tribunal, Hyderabad.
  14. The Chairman, Sales Tax Appellate Tribunal, Hyderabad.
  15. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
- Spare....

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 2284/2006-B4****DT:07.12.2006****CIRCULAR**

Sub: Public Services – A.P. State Higher Judicial Service/A.P. State Judicial Services – Applications to purchase/acquire/dispose of the immovable properties - Certain instructions – Issued.

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It is noticed by the High Court that most of the Judicial Officers have been submitting applications for permission to purchase/acquire immovable properties like House/Flats/Plots by obtaining loan from the recognized financial institutions as the main source for the said purpose.

Therefore, all the Judicial Officers in the State are requested to submit the income tax returns for the last four financial years along with the application for permission to purchase/acquire/dispose of the immovable property.

The application shall be forwarded through the Unit Heads concerned. The Unit Heads are requested to verify the applications regarding furnishing of necessary information for grant of permission, before forwarding them to High Court, so as to avoid unnecessary correspondence.

The Unit Heads are informed to communicate the circular among the officers working under their jurisdiction and obtain their acknowledgements.

Receipt of the circular may please be acknowledged.

Sd/-  
**REGISTRAR GENERAL  
FAC. REGISTRAR (ADMN.)**

To

The list of addresses enclosed.

//FORWARDED BY ORDER//

Sd/-  
SECTION OFFICER

01. The District Judge, Anantapur, Chittoor, Cuddapah, Guntur, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Adilabad, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar, Hyderabad and Warangal.
02. The Chief Judge, City Civil Court, Hyderabad.
03. The Chief Judge, City Small Causes Court, Hyderabad.
04. The Metropolitan Sessions Judge, Hyderabad.
05. The Special Judge for Economic Offences, Hyderabad.
06. The Special Judge for Essential Commodities Act, Hyderabad.
07. The Director, A.P. Judicial Academy, Secunderabad.
08. The Presiding Officer, Labour Court, Guntur, Anantapur, Godavari Khani, Visakhapatnam, Warangal.
09. The Presiding Officer, Labour Court –I, II & III, Hyderabad.
10. The Presiding Officer, Wakf Tribunal, City Civil Court Compound, Hyderabad.
11. The Chairman, Industrial Tribunals –I & II, Hyderabad.
12. The Chairman, Addl. Industrial Tribunal, Hyderabad.
13. The Chairman, State Transport Appellate Tribunal, Hyderabad.
14. The Chairman, Sales Tax Appellate Tribunal, Hyderabad.
15. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
16. The Member Secretary, A.P. State Legal Services Authority, High Court Buildings, Hyderabad.
17. The Secretary, A.P. High Court Legal Services Committee, High Court Buildings, Hyderabad.
18. The Chairman, Co-operative Tribunal, Hyderabad.
19. The Chairman, Co-operative Tribunal, Vijayawada.
20. The Director of Prosecutions, Hyderabad.
21. The Registrar, Spl. Court under A.P. Electricity (Amendment) Act, 2000, Secunderabad, Block M6, A.P. Housing Board Buildings, Near Exhibition Grounds, Hyderabad.
22. The Registrar, Spl. Court under A.P. Land Grabbing (Prohibition) Act, Hyderabad.
23. The Registrar, Lokayukta & Upa-lokayukta, Basheer Bagh, Hyderabad.
24. The Registrar, A.P. State Consumer Disputes Redressal Commission, Eruvaka Building, Hyderabad.
25. The Commissioner (Legal Affairs), Chief Commissioner of Land Administration, Hyderabad.
26. The Assistant Director (Law), A.P. Police Academy, Himayat Sagar, Hyderabad.
27. The Registrar, A.P. Administrative Tribunal, Purani Haveli, Hyderabad.
28. The Chief Legal Advisor, Addl. D.G.P., C.I.D., Hyderabad.
29. The Spl. Judge under Prevention of corruption Act for the Speedy Trial of cases of Embezzlement of Scholarship Amounts in the social Welfare Department etc., Criminal Courts Complex, Hyderabad.
30. The Prl. & Pvt. Secretary to the Hon'ble Chief Justice, High Court of Andhra Pradesh, Hyderabad.
31. The P.S. to the Registrar General.
32. The P.S. to the Registrar (Admn.).
33. The P.S. to the Registrar (Vigilance).
34. The P.S. to the Registrar (Judicial).
35. The P.S. to the Registrar (Management).
36. The Section Officers, B-Spl. Section and D-1 Section and Special Officer's Section, High Court of A.P., Hyderabad.
37. The Chairman, Permanent Lok Adalat, Hyderabad, Karimnagar, Kadapa, Guntur, Visakhapatnam and Chittoor.

With a request to place the same before the Hon'ble Registrars.

38. The Presiding Officer, Debts Recovery Tribunal, B-1412, Sector-6, CAD, Cuttack, Orissa State.
39. The Secretary, District Legal Services Authority, Adilabad, Anantapur, Chittoor, Cuddapah, Guntur, Hyderabad, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar and Warangal.

Spare.....

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 283/2007-B4****DT:13.02.2007****CIRCULAR**

Sub: Public Services – A.P. State Higher Judicial Service/A.P. State Judicial Services – Applications seeking permission for purchase/sale of immovable properties – Particulars of the income derived by them out of the properties shown in the properties and Relations Statement – Instructions – Issued.

\*\*\*

It is noticed by the High Court that most of the Judicial Officers in the State of Andhra Pradesh are not giving particulars of the Income regarding house rents and agricultural income derived by them out of the Properties shown in Col.No.8 of Annexure-I of the Annual Statement of properties and Relations.

Therefore, all the Judicial Officers in the State are directed to furnish the income derived from the House rents and agricultural income etc shown in Col.No.8, Annexure-I, of the Annual Statement of Properties and Relations every year promptly. All the District Heads are directed to scrutinized the statement of properties and relations submitted by the officer before forwarding them to the High Court so as to avoid unnecessary correspondence.

The Unit Heads are informed to communicate the circular among the officers working under their jurisdiction and obtain their acknowledgements.

Receipt of the circular may please be acknowledged.

Sd/-  
**REGISTRAR GENERAL  
FAC. REGISTRAR (ADMN.)**

To

The list of addresses enclosed.

//FORWARDED BY ORDER//

Sd/-  
SECTION OFFICER

01. The District Judge, Anantapur, Chittoor, Cuddapah, Guntur, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Adilabad, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar, Hyderabad and Warangal.
02. The Chief Judge, City Civil Court, Hyderabad.
03. The Chief Judge, City Small Causes Court, Hyderabad.
04. The Metropolitan Sessions Judge, Hyderabad.
05. The Special Judge for Economic Offences, Hyderabad.
06. The Special Judge for Essential Commodities Act, Hyderabad.
07. The Director, A.P. Judicial Academy, Secunderabad.
08. The Presiding Officer, Labour Court, Guntur, Ananthapur, Godavari Khani, Visakhapatnam, Warangal.
09. The Presiding Officer, Labour Court -I, II & III, Hyderabad.
10. The Presiding Officer, Wakf Tribunal, City Civil Court Compound, Hyderabad.
11. The Chairman, Industrial Tribunals -I & II, Hyderabad.
12. The Chairman, Addl. Industrial Tribunal, Hyderabad.
13. The Chairman, State Transport Appellate Tribunal, Hyderabad.
14. The Chairman, Sales Tax Appellate Tribunal, Hyderabad.
15. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
16. The Member Secretary, A.P. State Legal Services Authority, Nyaya Sadan, City Civil Court Buildings, Purani Haveli, Hyderabad.
17. The Secretary, A.P.H.C. Legal Services Committee, High Court Buildings, Hyderabad.
18. The Secretary, Law (LA & J.SC.F) Dept, A.P.Secretariat, Hyderabad.
19. The Chairman, Co-operative Tribunal, Hyderabad.
20. The Chairman, Co-operative Tribunal, Vijayawada.
21. The Director of Prosecutions, Hyderabad.
22. The Registrar, Spl. Court under A.P. Land Grabbing (Prohibition) Act. Hyderabad.
23. The Registrar, Lokayukta & Upa-lokayukta, Basheer Bagh, Hyderabad.
24. The Registrar, A.P.State Consumer Disputes Redressal Commission, Eruvaka Building Hyderabad.
25. The Commissioner (Legal Affairs), Chief Commissioner of Land Administration Hyderabad.
26. The Presiding Officers, Debts Recovery Tribunals, Cuttack.
27. The Assistant Director (Law), A.P.Police Academy, Himayat Sagar, Hyderabad.
28. The Registrar, A.P. Administrative Tribunal, Purani Haveli, Hyderabad.
29. The Chief Legal Advisor, Addl. D.G.P., C.I.D., Hyderabad.
30. The Spl. Judge under Prevention of corruption Act for the Speedy Trial of cases of Embezzlement of Scholarship Amounts in the social Welfare Department etc., Criminal Courts Complex, Hyderabad.
31. The Chairman, Permanent Lok Adalat, Hyderabad, Karimnagar, Kadapa, Guntur, Visakhapatnam and Chittoor.
32. The Prl. Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh Hyderabad.
33. The P.S. to the Registrar General.
34. The P.S. to the Registrar (Management).
35. The P.S. to the Registrar (Vigilance).
36. The P.S. to the Registrar (Judicial).
37. The Section Officers, Establishment Section, D-1 Section and Special Officer's Section High Court of A.P., Hyderabad.

Spare.....

} With a request to place the same before the Hon'ble Registrars.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 666/2007-B2****DT:19.4.2007****CIRCULAR**

Sub: Public Services – A.P. State Higher Judicial Service/A.P. State Judicial Service – Applications from Judicial Officers for grant of Full Additional Charge Allowances either due to retirement, leave or transfer etc. – Certain instructions – Issued.

\*\*\*

It has been noticed by the High Court while considering the applications for grant of Full Additional Charge Allowance submitted by the Judicial Officers in the State which are being forwarded by the Unit Heads that most of the Judicial Officers are not furnishing the required information as called for by the High Court from time to time. The High Court hereby directs all the Unit Heads to follow the instructions mentioned hereunder while forwarding such applications to the High Court.

1. To furnish separate Statements of Work done in the prescribed format by the Judicial Officers in the regular post as well as in the additional post.
2. To forward the applications after relinquishment of the charge of the additional post held by the officer.
3. To furnish the regular leave period availed by the officer during the period of Full Additional Charge with details.
4. Whether the officer held Full Additional Charge of the post due to transfer, retirement or leave etc.
5. Additional pay is not admissible for the period exceeding six months.
6. The application for grant of Full Additional Charge Allowance shall be forwarded to the High Court together with remarks of the Unit Heads.
7. The application shall be forwarded through the Unit Head concerned.

Receipt of the circular may be acknowledged.

Sd/-

**REGISTRAR GENERAL  
FAC. REGISTRAR (ADMN.)**

To

(As per list)

01. The District Judge, Anantapur, Chittoor, Cuddapah, Guntur, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Adilabad, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar, Hyderabad and Warangal.
02. The Chief Judge, City Civil Court, Hyderabad.
03. The Chief Judge, City Small Causes Court, Hyderabad.
04. The Metropolitan Sessions Judge, Hyderabad.
05. The Special Judge for Economic Offences, Hyderabad.
06. The Special Judge for Essential Commodities Act, Hyderabad.
07. The Director, A.P. Judicial Academy, Secunderabad.
08. The Presiding Officer, Labour Court, Guntur, Ananthapur, Godavari Khani, Visakhapatnam, Warangal.
09. The Presiding Officer, Labour Court –I, II & III, Hyderabad.
10. The Presiding Officer, Wakf Tribunal, City Civil Court Compound, Hyderabad.
11. The Chairman, Industrial Tribunals –I & II, Hyderabad.
12. The Chairman, Addl. Industrial Tribunal, Hyderabad.
13. The Chairman, State Transport Appellate Tribunal, Hyderabad.
14. The Chairman, Sales Tax Appellate Tribunal, Hyderabad.
15. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
16. The Member Secretary, A.P. State Legal Services Authority, Nyaya Sadan, City Civil Court Buildings, Purani Haveli, Hyderabad.
17. The Secretary, A.P. High Court Legal Services Committee, High Court Buildings, Hyderabad.
18. The Chairman, Co-operative Tribunal, Hyderabad.
19. The Chairman, Co-operative Tribunal, Vijayawada.
20. The Spl. Judge under Prevention of corruption Act for the Speedy Trial of cases of Embezzlement of Scholarship Amounts in the social Welfare Department etc., Criminal Courts Complex, Hyderabad.
21. The Chairman, Permanent Lok Adalat, Hyderabad, Karimnagar, Kadapa, Guntur, Visakhapatnam and Chittoor.
22. The Prl. Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
23. The P.S. to the Registrar General.
24. The P.S. to the Registrar (Administration):
25. The P.S. to the Registrar (Vigilance).
26. The P.S. to the Registrar (Judicial).

} With a request to place  
the same before the  
Hon'ble Registrars.

Spare.....

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 2110/2005-C.1/5****DT:25.10.2005****CIRCULAR**

Sub: A.P.Chief Justice Relief Fund – Certain instructions with regard to furnishing of service particulars of the employees working under their control, while forwarding their applications for sanction of Financial Aid from A.P.Chief Justice Relief Fund – Regarding.

Ref: High Court's Circulars in Roc.No.756/01-C1/5, dt.5.07.2001 and 14.9.2001.

\*\*\*

In spite of the instructions issued in the High Court's circulars referred above, it is still observed that some of the Unit Heads and Unit Officers in the district are forwarding the applications of the employees working under their control, for sanction of Financial Aid from the A.P. Chief Justice Relief Fund, without mentioning the detailed information required.

Therefore, all the Unit Heads are requested to furnish the particulars of the individuals in the flowing format, while forwarding their applications for sanction of financial aid from the A.P Chief Justice Relief Fund.

Service	Due date for retirement	The amount required as financial aid	Take Home salary	Reimbursement claimed/not claimed	Whether the individual is a regular subscriber to the A.P.Chief Justice Relief Fund	Authentication for the required amount such as Estimation Certificate and medical bills etc.	Whether the treatment taken by the applicant/ dependants as in patient or out-patient.

Sd/-  
**REGISTRAR (ADMN.)**

To

All the Unit Heads &amp; Unit Officers.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 2111/2005-C.1/5****DT:25.10.2005****CIRCULAR**

Sub: A.P.Chief Justice Relief Fund – Certain instructions to all the Unit Heads to send contribution particulars of the employees retired from service in the proforma prescribed, while forwarding the applications of the individuals for refund of their amount contributed towards A.P. Chief Justice Relief Fund – Regarding.

\*\*\*

It is noticed that some of the Unit Heads while forwarding the applications of the retired employees of their unit for refund of amount contributed by them towards A.P.Chief Justice Relief Fund are not furnishing the amount contributed by the employee and whether any financial aid from the said fund was granted during their service and if so the balance.

So, all the Unit Heads are requested to furnish the contribution particulars of retired employee from their respective units along with the application in the following format.

Sl.No.	Period of contribution to A.P.Chief Justice Relief Fund.		Total No. of months.	Subscription at the rate of Rs.	Total amount Rs.	Whether financial aid sanctioned or not	If sanctioned state the amount and No. of instalments recovered.
	From	To					
1.							
2.							
3.							
<b>Grant Total</b>							

Sd/-  
**REGISTRAR (ADMN.)**

To

All the Unit Heads &amp; Unit Officers.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 924/2007-C-5****DT:23.04.2007****CIRCULAR**

Sub: A.P.Chief Justice Relief Fund – Certain instructions with regard to furnishing of service particulars and contribution particulars of the deceased officers and employees of the Subordinate Judiciary while forwarding their applications, for sanction of relief from A.P.Chief Justice Relief Fund – Regarding.

\*\*\*

It is noticed that some of the Unit Heads while forwarding the applications of the spouses of the deceased officers/employees of their units, who died while in service, for sanction of relief from A.P. Chief Justice Relief Fund, are not furnishing the service particulars and correct contribution particulars of the deceased officers/employees and causing much inconvenience to the High Court in sanctioning the relief from the said fund.

Therefore, all the Unit Heads are requested to furnish the service particulars and the contribution particulars of the deceased officers/employees from their respective units, in the following format.

Sl. No	Name of the deceased officer/employee and designation	Date of appointment of the deceased employee	Period of contribution to A.P.Chief Justice Relief Fund.		Total No. of months	Subscription at the rate of Rs.	Total amount Rs.	Whether financial aid sanctioned or not.	If sanctioned state the amount and No. of instalments recovered
			From	To					
1	2	3	4		5	6	7	8	9

All the Unit Heads are further requested to submit the following documents while forwarding the applications to the High Court.

1. Copy of death certificate duly attested by the Unit Heads concerned.
2. Original nomination of the deceased officer/employee duly attested by the Unit Heads concerned.
3. In the absence of nomination, legal heir certificate issued by the concerned MRO duly attested by the Unit Heads concerned shall be furnished.
4. Whether the applicant/legal heirs of the deceased officer/employee have availed any relief from the A.P.Chief Justice Relief Fund prior to their sending applications.

The receipt of the Circular may be acknowledged.

Sd/-  
**REGISTRAR GENERAL**  
**FAC REGISTRAR (ADMN.)**

To

All the Unit Heads & Unit Officers.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 433/2004-DII(B),DATED:22.07.2004****CIRCULAR**

Sub: BUILDINGS – Maintenance of Court buildings and residential quarters for the Judicial Officers – Submission of legible original estimates – Request – Regarding.

\*\*\*

It is noticed that the estimates being submitted by the Unit Heads enclosed to their letters addressed to the High Court requesting according of administrative sanctions for works of maintenance of Court buildings and residential quarters for the Judicial Officers in their respective Units, are unclear and illegible, causing great inconvenience in considering the proposals by the High Court.

All the Unit Heads are, therefore, directed to submit distinctly clear and legible typed/computerized original estimates for consideration of the High Court. This will greatly facilitate the High Court in considering the proposals.

The receipt of the letter may kindly be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the District and Sessions Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.

**J.558/14.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD**

**ROC.NO. 433/2004-DII(B),DATED:3.08.2004**

**CIRCULAR**

Sub: BUILDINGS – Maintenance of Court buildings and residential quarters for the Judicial Officers – Submission of legible original estimates – Request – Regarding.

Ref: High Court's Circular Roc.No.433/2004-DII(B),Dt.22.7.04.

\*\*\*

In modification of the circular cited in the reference, all the Unit Heads are, hereby directed to submit distinctly clear and legible typed/computerized original estimates for consideration of the High Court. This will greatly facilitate the High Court in considering the proposals.

The receipt of the circular may kindly be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the District and Sessions Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 433/2004-DII(B)****DATED:8.11.2004****CIRCULAR**

Sub: BUILDINGS – Maintenance of Court buildings and residential quarters to the Judicial Officers – Further instructions – Issued.

Ref: High Court's Circular Roc.No.433/2004-DII(B),Dt.3.8.2004.

\*\*\*

In continuation of the Circular instructions issued by the High Court in the reference cited, the Unit Heads are further instructed to submit the proposals in respect of repairs to be carried out to the Court buildings and residential quarters and other works in their Units together with the following information for consideration of the High Court.

1. Year of construction of court buildings/residential quarters.
2. When the repairs were last effected.
3. Necessity and Justification for the proposal.
4. Amount spent on such repairs.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the District and Sessions Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD**

**ROC.NO.438/2005-DII(B)**

**DATED:28.11.2005**

**CIRCULAR**

SUB:-BUILDINGS – Submission of estimates regarding the flooring to the Official residences of the Judicial Officers – Guidelines – Issued.

\*\*\*

It is noticed that some of the Unit Heads are submitting estimates for repairing/replacing the flooring to the Official residences of the Judicial Official Officers with marble.

The High Court has decided that repairs/replacement to the existing flooring to the Official residences of the Judicial Officers in the State must be with Tandur Blue, Shabad Stone, Bethamcherla stone, Cuddapah stone etc., instead of marble.

Therefore, all the Unit Heads are directed to submit their respective estimates for repairs/replacement to the existing flooring at the Official residences of the Judicial Officers with Tandur Blue, Shabad Stone, Bethamcherla Stone, Cuddapah Stone etc., instead of marble, as and when necessity arises.

All the Unit Heads are requested to follow the above guidelines scrupulously.

Sd/-  
REGISTRAR (MANAGEMENT)

To

All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 617/2006-DII(B),DATED:10.08.2006****CIRCULAR**

Sub: BUILDINGS – Maintenance of Court buildings and residential quarters for the Judicial Officers – Submission of legible estimates – Request – Regarding.

Ref: High Court's Circular Roc.No.433/2004-DII(B),Dt.3.8.04.

\*\*\*

The attention of all the Unit Heads is invited to the High Court's circular cited, and are directed to submit distinctly clear and legible **typed/computerized** original estimates together with proper justification for each of the proposal as instructed therein, to facilitate the High Court to process the same.

The receipt of the circular may kindly be acknowledged.

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

1. All the District and Sessions Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 617/2006-DII(B),DATED:29.08.2006****CIRCULAR**

Sub: BUILDINGS – Maintenance of Court buildings and residential quarters for the Judicial Officers – Further Instructions – Issued.

\*\*\*

It is brought to the notice of the High Court that some of the Unit Heads are submitting proposals after getting civil works done and later requesting for ratification of the same.

**The High Court after careful consideration hereby issues instructions to all the Unit Heads that in future no Judicial Officer should get any civil work or works done without obtaining prior sanction from the High Court.**

The receipt of the circular be acknowledged.

Sd/-  
**REGISTRAR (MANAGEMENT)**

To

1. All the District and Sessions Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****CIRCULAR****ROC.NO.617/06-DII(B)****DATED:05.09.2006**

All the Unit Heads are instructed to submit a statement of requirement of funds in their Units for the years 2006-2007 and 2007-2008 in the proforma appended hereto for taking follow up action by 12.9.2006.

This is to be treated as most urgent.

Sd/-

REGISTRAR (MANAGEMENT)

To

1. All the Unit Heads
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Nampally, Hyderabad.

**STATEMENT SHOWING THE REQUIREMENT OF FUNDS FOR THE  
CONSTRUCTION/MAINTENANCE OF THE COURT BUILDINGS/  
RESIDENTIAL QUARTERS (ONGOING WORKS).**

**SPILL OVER WORKS**

S.No.	Name of the work	Amount sanctioned by the High Court	Amount already spent	Amount required for the year 2006-2007	Amount required for the year 2007-2008	Status
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**STATEMENT SHOWING THE REQUIREMENT OF FUNDS FOR  
THE CONSTRUCTION/MAINTENANCE OF THE COURT BUILDINGS/  
RESIDENTIAL QUARTERS (NEW WORKS)**

**(NEW WORKS)**

S.No.	Name of the work	Estimated cost (Proforma estimates)	Necessity and Justification	Amount required for the year 2006-07	Amount required for the year 2007-08
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**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****CIRCULAR****ROC.NO.617/06-DII(B)****DATED:13.09.2006**

In continuation of High Court's Circular Roc.No.617/06-DII(B), dated 05.09.2006, all the Unit Heads are instructed to submit the proforma estimates and the statement of requirement of funds in their Units for the years 2006-2007 and 2007-2008 in consultation with the R & B Department because the decision has already been taken at the level of High Court and State Government to entrust the civil and electrical works of the Judicial Department in the State to the R & B Department.

The above information shall be furnished to the High Court by 18.09.2006 without fail.

Sd/-  
REGISTRAR (MANAGEMENT)

To

1. All the Unit Heads in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Nampally, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.499/2006-DII(B)****DATED:18.06.2007****CIRCULAR**

Sub: COURTS –Running of shops/stalls in the Court premises – Certain instructions – Issued.

\*\*\*

It is noticed by the High Court that the shops or stalls licensed within the court premises have affected the atmosphere inside the courts. It is also observed that many original licencees have sub-let the premises licensed to them.

**The High Court after considering the above, is of the opinion that there should not be any shops or stalls inside the Court premises anywhere in the State, in view of the fact that there is already shortage of space and by explosion of litigation and increase in number of lawyers and litigants, the space is required by the Courts for their own use.**

Wherever the period of licence is over, the licencees should be removed immediately and wherever the licences are in force, such licencees be continued till the period of licence is over. No further allotment shall be made and no licences shall be renewed.

All the Unit Heads are therefore, instructed to follow the above instructions scrupulously.

Receipt of the circular may be acknowledged.

Sd/-

**REGISTRAR (MANAGEMENT)**

To

All the District and Sessions Judges.  
The Chief Judge, City Civil Court, Hyderabad.  
The Metropolitan Sessions Judge, Red Hills, Nampally, Hyderabad.

**J.558/15.**

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****CIRCULAR****ROC.NO.1095/06-DII(B).****DATED:05.7.2007**

SUB:- BUILDINGS – Representations submitted by the Bar Associations -Certain instructions Issued.

\*\*\*

It is observed by the High Court that whenever any representations are submitted by the Bar Associations/others to the Unit heads, the Unit Heads are referring the matters to the High Court instead of giving replies to the bar Associations by following circular instructions issued by the High Court on different subjects from time to time. Such references by the Unit Heads result in waste of precious time and unnecessary correspondence causing inconvenience to the High Court.

All the Unit Heads are therefore, instructed to refrain from making unnecessary correspondence to the High Court, and to take appropriate steps at their level by following the Circular instructions issued by the High Court from time to time.

Receipt of the circular be acknowledged.

Sd/-  
REGISTRAR (MANAGEMENT)

To

1. All the Unit Heads
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Nampally, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH:HYDERABAD**

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**ROC.NO. 263/2007- DIIB****DT. 20.7.2007****CIRCULAR**

Sub: COURTS - Construction of court buildings and residential quarters for the Judicial Officers in the State- Furnishing of progress reports regularly – Instructions - Issued.

@@@

It is observed by the High Court that whenever any sanctions are issued either for construction of Court Buildings and residential quarters for the judicial officers in the State or for its maintenance, the progress reports in respect of such works are not being furnished regularly to the High Court by the Unit Heads resulting in slow progress of the works and also escalation of cost.

The High Court after careful consideration, and in order to speed up the works, issues the following instructions to all the Unit Heads for compliance.

1. In each District, the Unit Head will form a committee comprising I Addl. District Judge, Prl. Senior Civil Judge and Prl. Junior Civil Judge to monitor the progress of construction/maintenance works besides quality at the District Head quarters and other places in the Unit, the Senior Officer and the Officer concerned will monitor the work and submit the status report to the Prl. District and Sessions Judge.
2. The Unit Head shall submit the progress report once in a week after commencement of works and till completion of the works.
3. The Unit Head shall be in touch with R&B officials and any delay in commencement of works shall be looked into and take follow-up action for completion of the works.

**Receipt of the circular be acknowledged.**

Sd/-  
**REGISTRAR(MANAGEMENT)**

To  
All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.499/2006-DII(B)****DATED:23.04.2008****CIRCULAR**

Sub: BUILDINGS – Permission to run one canteen and one Xerox machine only for the convenience of Advocates as well as others in the Court premises – Instructions – Issued.

Ref: 1. High Court's circular Roc.No.55/98-DII(B), Dt:3.9.99.  
2. High Court's circular Roc.No.499/06-DII(B), Dt:18.6.07.

\*\*\*

In supersession of the circulars 1<sup>st</sup> & 2<sup>nd</sup> cited, the High Court hereby issues the following instructions, with regard to running of one canteen and one Xerox machine only in the Court premises.

1. The Unit Heads are permitted to run one canteen and one Xerox machine in the court premises wherever space is available.
2. The Unit Heads of the concerned Districts shall invite sealed tenders and conduct open auction among the persons who submitted the tenders and entrust the running of one canteen and one Xerox machine to the highest bidder.
3. The Unit Heads shall credit such amount to the Government account.
4. The period of running of the canteen and Xerox machine by the highest bidder shall be for a period of two years.
5. The Bar Associations can also participate in the open auction after submitting the tenders.
6. The Unit Heads shall provide separate electrical meters to the canteen and the Xerox machine. Till the meter is provided, the payment shall be made on the basis of consumption recorded in

the sub-meter multiplied by the rate applicable for total consumption in the complex.

7. As far as water charges are concerned, they may take water from the main pool and pay water charges proportionately as fixed by the Unit Heads.
8. While enjoying the extra amenities for running canteen and Xerox machine, the persons who are in charge of the above, shall not cause any disturbance or inconvenience to the working of the court, failing which, action will be taken against them by the Unit Heads for cancellation of the permission granted.
9. While granting permissions to the highest bidder, Unit Heads shall keep in view the atmosphere of court premises so that the scenic beauty, aesthetic appearance and the elevation of the building are not affected.

Sd/-

**REGISTRAR (MANAGEMENT)**

To

1. All the Unit Heads.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Nampally, Hyderabad.
4. The Principal Private Secretary to the Hon'ble the Chief Justice.
5. All the Registrars.
6. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.499/06-DII(B)****DATED:08.08.2008****CIRCULAR**

Sub: BUILDINGS – Permission to run one canteen and one Xerox machine only by the Bar Association for the convenience of Advocates as well as others and job typists in the Court premises – Instructions – Issued.

- Ref: 1. High Court's circular Roc.No.55/98-DII(B), Dt:3.9.99.  
2. High Court's circular Roc.No.499/06-DII(B), Dt:18.6.07.  
3. High Court's circular Roc.No.499/06-DII(B), Dt:23.4.08.

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In supersession of the circulars cited, the High Court hereby issues the following instructions, with regard to running of one canteen and one Xerox machine only in the Court premises.

1. The Unit Heads are directed to permit the Bar Association to run one canteen and one Xerox Machine only in the Court premises on payment of nominal rent fixed by the Units Heads.
2. The Unit Heads are further directed that if any representation is made for allotment of space for the job typists, the unit head shall consider the same as to the number of job typists that may be accommodated as per the need and send proposals to the High Court for approval of the concerned portfolio Judge. On such approval permission be granted after fixing a reasonable rent.
3. The Bar Association shall fix separate electricity meter for running one canteen and one Xerox machine only and to pay the electricity charges directly to the A.P.Transco.

4. The Unit Heads are directed to collect the water charges proportionately from the Bar Association for the water consumed for running the canteen.
5. The Unit Heads are further directed that there shall not be any shop/shops/stalls like coffee/tea vending equipment, Book Stall, Fruit Juice stall, Telephone booth or any other stall in the court premises.
6. While running canteen and Xerox machine, the persons who are in charge of the above, and the job typists shall not cause any disturbance or inconvenience to the working of the court, failing which, action will be taken against them by the Unit Heads for cancellation of the permission granted.
7. If the Bar Association intends to run the canteen and Xerox machine through outsiders, they shall ensure that the licensees of the canteen and Xerox machines whom the Bar Association have permitted should enter into agreement with the Unit Heads.
8. While permitting the Bar Association to run the above, and allotting the space to the job typists, Unit Heads shall keep in view the atmosphere of court premises so that the scenic beauty, aesthetic appearance and the elevation of the building are not affected.

Sd/-

**REGISTRAR (MANAGEMENT)**

To

1. All the Registrars, High Court of Andhra Pradesh, Hyderabad.
2. The Principal Private Secretary to the Hon'ble the Chief Justice.
3. All the Unit Heads.
4. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.938/OP CELL-E/2005****DT:13.07.2005****CIRCULAR**

Sub: Courts – Civil & Criminal – Return of records/documents submitted by various public offices/officers after following the procedure as contemplated under Order. XIII, Rule.5(2),(3) & 9 of the Code of the Civil Procedure – Instructions – Issued.

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It is brought to the notice of the High Court, that several original records/documents submitted by various public offices/officers mainly the Revenue, Registration and Stamps Department, in pursuance of the summons issued or otherwise, are lying in various Courts for a long period even after completion of the trial. Thereby lot of inconvenience is being experienced by those departments as the original records/documents are held up in the Courts, which are required by the respective Departments in their day to day functioning.

In this connection, the attention is drawn to the provisions contained in Order.XIII, Rule.5(2),(3) & 9 of Civil Procedure Code. So, all the Presiding Officers are requested to follow the above provisions and return the documents, as far as possible.

Receipt of this Circular shall be acknowledged.

Sd/-  
**REGISTRAR (ADMN.)**  
**FAC REGISTRAR (VIGILANCE)**

To

1. All the Unit Heads in the State of Andhra Pradesh, (with a request to communicate the same to all the Presiding Officers in the District.)
2. The Director, A.P, Judicial Academy, Secunderabad.
3. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5176/OP CELL-E/2004****DT:03.08.2005****CIRCULAR**

Sub: Courts – Civil– Deputation of certain staff to be designated as Court Fee Examiners to check the Suits and other Civil cases in Subordinate Courts in the District – Instructions – Issued.

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The High Court used to depute three 'Court Fee Examiners' and three 'Asst. Court Fee Examiners', from the High Court establishment to the Subordinate Courts, as contemplated under section 16 of A.P. Court Fees and Suits Valuation Act.

The High Court having re-examined this aspect has decided to depute staff members working in Subordinate Judiciary to act as Court Fee Examiners for the purpose of discharging the duties of the Court Fee Examiners envisaged under section 16 of the A.P. Court Fees and Suits Valuation Act, in respect of Subordinate Courts other than the District & Addl. District Courts.

Therefore, the Prl. District Judges are directed to identify such personnel from the category-II, who are well acquainted with related work, and depute them as Court Fee Examiners to the Subordinate Courts in the their respective Districts and see that checking of Court Fee in all courts in the District other than the District Courts, is completed by the end of March 2006.

The Prl. District Judges are directed to issue proceedings for such deputation to the respective courts in the District, duly fixing the periods of checking in each court, depending upon the number of cases to be checked, with a direction to report back after completion of checking work in the said Court/Courts or after the expiry of the period fixed, whichever is earlier.

The Court Fee Examiners so deputed shall cover atleast 2/3<sup>rd</sup> of the pendency of the Suits, Appeals and other Civil cases while checking the sufficiency or otherwise of the court fee paid, having due regard to the

Pleadings, in the light of the provisions of Court Fee Act, and issue Check-slips, wherever necessary. (they must check atleast 100 cases per day). The Court Fee examiners so deputed shall prepare two copies of each check slip and submit the same to the District Court. The District Court, in turn, while keeping one copy for record purpose, send another copy to the respective court for keeping in the respective case bundles to be posted before the bench to decide the question raised after hearing both sides. The orders, so passed, shall be communicated to the District Court. The District Court shall open a Register and make necessary entries in the columns prescribed and monitor the same.

Each Court shall also open a Register which is now prescribed and make entries regarding check slips.

As regard the District Courts and Addl. District Courts, the High Court will depute Court Fee Examiners and Assistant Court Fee Examiners from time to time, to examine the correctness of valuation of Suits, Appeals and other Civil Cases and court fee paid therein in the cases pending in District Courts and Addl. District Courts.

Receipt of this circular shall be acknowledged.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

1. All the Unit Heads in the State of Andhra Pradesh,  
(with a request to communicate the same to all the Presiding Officers in the District.)
2. All the Personal Secretaries to the Hon'ble Judges.  
(with a request to place the same before their Lordships for perusal)
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1158/SO/2004****DT:23.09.2005****C I R C U L A R N O . 6 / 2 0 0 5**

Sub: Counter Claim Case – Prescribing a column 6A in the Register of suits – Instructions – Issued.

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All the Presiding Officers of the subordinate courts are directed to insert the below mentioned column. No.6A in the existing suits register format after the column No.6 and make necessary entries with regard to counter claims/set off in the Register of Suits.

**6A. Counter Claim/Set Off**

1. Filed by:
2. Date of filing:
3. Advocates Name:
4. Counter claim/set-off for:
5. Court fee paid:
6. Result:

Sd/-

**REGISTRAR GENERAL**

To

1. All the P.S's to the Hon'ble Judges (with a request to place before the Hon'ble Judges for His Lordship kind perusal)
2. All the Registrar, High Court of Andhra Pradesh, Hyderabad.
3. The Presiding Officers, Wakf Tribunal, City Civil Court Compound, Hyderabad.
4. The Presiding Officers, Labour Courts of Hyderabad, I, II & III, Visakhapatnam, Guntur, Ananthapur, Warangal & Godavari Khani.
5. All the Units Heads in the State.
6. The Director, A.P, Judicial Academy, Secunderabad.
7. The Secretary, A.P.State Legal Service Authority, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.558/SO/2006****DT:14.06.2006****C I R C U L A R N O . 7 / S O / 2 0 0 6**

Sub: Suits – Framing of issues – Judgment of the High Court of A.P. dated 2.3.06 in A.S.No.246/02 directing to issue instructions to the Subordinate Courts for framing issues properly – Instructions issued - Reg.

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When A.S.No.246/02 came up for hearing, the High Court has noticed that immediately after filing the written statement, no serious attention is being paid by either side in the Court below nor due assistance is given at the time of framing issues. The Court while disposing of the above A.S.No.246/02 vide Judgment dt.2.3.06 observed as follows:-

"Before parting, we are very often coming across a situation where it is noticed that the issues as framed at the inception are not correctly representing the dispute in between the parties. We are conscious of the fact that immediately after filing any written statement, no serious attention is being paid by either side in the Court below nor due assistance is given at the time of framing issues. No draft issues are being filed at that stage. No attempt is made to point out whether the issues as framed are proper at the stage of commencement of trial. It is only after proceeding with the trial or may be at a later stage, including arguments stage, it is noticed that the issues are not properly framed and it requires reframing. This is a clear instance where the Court below totally lost sight of the core dispute, which arises between the parties, in regard to the adoptions as set up by them in their respective pleadings and yet, we do not find any issue framed thereon. To avoid such lapses or late realization, in every case, before commencement of trial, a specific date has to be posted for hearing both the sides once again on the issues, to see if they have been properly framed or needs any reframing and it is only after such exercise is done, the trial should be allowed to commence and proceeded with. Even at the hearing, both the sides can be called upon to file any draft issues for warranting reframing. This exercise ultimately can safely avoid orders of remand by Appellate Courts, as is being done in this case."

Therefore, all the Unit Heads are directed to instruct all the Subordinate Courts under their control to follow the aforesaid directions scrupulously.

Receipt of this Circular may be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

1. All the Registrars.
2. All the Unit Heads in the State of A.P.
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Section Officer, E-Section & O.P.Cell, High Court of A.P.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.83/SO/2007****DT:26.03.2007****C I R C U L A R N O . 5 / S O / 2 0 0 7**

Sub: Registration and Stamps Department – Records – Return of Book-1 volumes, file volumes and thumb impression registers in the High Court and Civil Courts submitted by the Sub-Registrars and District Registrars – Instructions - Reg.

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It is brought to the notice of the High Court that the Subordinate Courts are not returning the Book-I volumes, file volumes and Thumb impression Registers (all permanent records) submitted to the various courts in connection with the verification of cases even after lapse of several years and in some cases decades and this is causing inconvenience in issuing certified copies to the public by the Sub-Registrars and District Registrars of the Registration & Stamps Department.

On considering the matter, the High Court hereby directs all the Presiding Officers of the Subordinate Courts to follow Rule 148 of the Registration Rules framed under the Registration Act, 1908 which lays down the procedure for production of Register books (maintained with the Sub-Registrars) in courts and also further directs to adhere to Rule 132 of Civil Rules of Practice and Circular Orders, 1980 which lays down the procedure for return of original documents.

The Unit Heads are hereby requested to issue necessary instruction to the Subordinate Officers working under their control to follow the above said instructions scrupulously and any deviation in this regard will be viewed seriously by the High Court.

Sd/-  
**REGISTRAR GENERAL**

To

All the Unit Heads in the State of A.P.

(with a request to communicate the same to Judicial Officers under their control)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.405/SO/2007****DATED:23.04.2007****CIRCULAR NO.6/2007**

Sub: Commissioners and Receivers – Procedure to be followed in appointment of Commissioners/ Receivers and fixing and payment of fee – Reg.

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It has been brought to the notice of the High Court that the Junior Lawyers who are appointed as Commissioners and Receivers are not showing interest in executing the warrants and filing the reports in time.

The High Court hereby directs all the Judicial officers of the Subordinate Courts to follow Order XXVI Rule 15 of Civil Procedure Code and Rules 135 and 136 of Civil Rules of Practice and Circular Orders, 1980 scrupulously while appointing the Commissioners and Receivers and fixing their fees, and in the matter of filing the reports.

All the Unit Heads are directed to issue necessary instructions to the Judicial Officers working under their control to follow the above said instructions strictly.

Sd/-

**REGISTRAR GENERAL**

To

1. All the Unit Heads in the State (with a request to communicate the same to Judicial Officers under their control).
2. The Director, A.P. Judicial Academy, Secunderabad.
3. The Registrar (Vigilance), High Court of A.P., Hyderabad.
4. The Section Officer, 'E' Section, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

Sub: Chief Justices' Conference, 2007 – Resolution for improvement in Administration of Civil Justice System – Implementation of the resolutions – Reg.

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**CIRCULAR NO.10/SO-1/2007****ROC.NO. 305/SO-1/2007****DATED:19.07.2007**

In the Chief Justices' Conference, 2007, it has been resolved on the Agenda Item No.15 as under:

- "(a) The time frame relating to filing of written statements under Order VIII Rule 1 of CPC should be strictly adhered to and only in exceptional cases the Courts should permit filing of written statements beyond the upper time limit of the 90 days.
- (b) xxxxxx
- (c) The provisions relating to (a) examination of parties (Order X Rule 2 of CPC) (b) Discovery and inspection (Order XI of CPC) (c) ISSUES (Order IVX) Rule 2 of CPC) and (d) ex-parte injunctions (Order XXXIX Rule 3 and 3A) should be strictly implemented.
- (d) It has been experienced that the entire pleadings of the parties are almost reproduced in the affidavits of witnesses instead of confining them to the facts required to be proved by the witnesses. The court should carefully scrutinize the affidavits before serving copy on the opposite parties and wherever it is found that the scope of the affidavits has been unnecessarily enlarged, such affidavits should be rejected with heavy costs.
- (e) As far as service of summons is concerned, the Court should resort to the amended provisions of CPC providing service of summons through courier, fax, e-mail, etc.
- (f) Frequent adjournments be avoided."

Therefore, all the Presiding Officers of the Subordinate Courts are hereby instructed to strictly follow the above resolutions.

The Unit Heads are directed to circulate this circular to the Judicial Officers working under their control.

Receipt of the circular be acknowledged.

Sd/-  
REGISTRAR GENERAL

To

- 1) All the Unit Heads in the State.
- 2) The Registrar (Vigilance), High Court of A.P., Hyderabad.
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Member Secretary, A.P. State Legal Services Authority, Hyderabad.
- 5) The Member Secretary, A.P. State Legal Services committee, Hyderabad.
- 6) The Section Officers, 'E' Section & 'O.P.Cell'

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1341/SO-1/2007****Dated:22.09.2007****CIRCULAR NO. 18/2007**

It has come to the notice of the High Court that inspite of the provisions contained in Section 12 of the Legal Services Authorities Act, the Subordinate Courts are entertaining petitions under Order XXXIII of Civil Procedure Code, 1973 for declaring the petitioners as indigent persons without directing the parties to approach the concerned Legal Services Authority to avail the benefit of free legal services being extended under the Legal Services Authorities Act.

Therefore, all the Judicial Officers are directed to advise the parties, who approach the courts under Order XXXIII of Civil Procedure Code, 1973 to avail the benefit of free legal aid under the Legal Services Authorities Act and to direct them to approach the District Legal Services Authority/Mandal Legal Services Committee, concerned.

The above instructions should be scrupulously followed and any deviation will be viewed seriously.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.(with a request to circulate this circular to all the Judicial Officers under their control)
- 2) The Member Secretary, A.P. State Legal Services Authority, City Civil Court compounds, Hyderabad.
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) All the Registrars, High Court of A.P., Hyderabad.
- 5) The Pri. Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 6) The Section Officers, 'E' Section & O.P. Cell, High Court of A.P., Hyderabad.

**J.558/17.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.2103/OP CELL-E/2006****DT:28.09.2007****CIRCULAR**

Sub: Courts – Civil– Strict adherence of Rule provision as Contemplated under Order XXI Rule 22 (1) (a) of Civil Procedure Code – Instructions – Issued.

Read: High Court's Order Dt.11.8.2006 in C.R.P.Nos.2519, 2520, 3287 and 3312 of 2006.

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The Honourable High Court, while allowing the C.R.P.Nos.2519, 2520, 3287 and 3312 of 2006, dated 11.8.2006, has been pleased to observe that repeated orders are coming forth from various courts, where the execution laid for the first time after two years of passing of decree, orders are being passed in execution without issuing a notice to the Judgment Debtors, which is quite contrary to the mandatory procedure as contemplated under the provisions Order XXI Rule 22 Civil Procedure Code, which prescribed that whenever an execution is laid beyond two years from the date of decree, notice to be issued to the Judgment-debtor before any orders are passed.

In the above circumstances, the High Court hereby directs all the Presiding Officers of the Courts to strictly follow the provision Order XXI Rule 22 (1) (a) Civil Procedure Code, in all the cases where an execution is laid more than two years after the date of the decree, the court executing the decree shall issue a notice to the person against whom execution is applied for requiring him to show cause, on a date to be fixed, why the decree should not be executed against him. Such procedure of prior issuance of notice is mandatory and is a condition

precedent. Further, the Office should point out such requirement before any matter is passed before the court immediately on processing.

When the orders are being passed in the matters of this nature, not only the court but the ministerial officials concerned should be vigilant to see that such mandate is followed strictly, since the lapse is though primarily attributable on judicial side, but gets its responsibility extended to the administrative and ministerial side.

Receipt of this circular shall be acknowledged.

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the Principal District and Sessions Judges/Unit Heads in the State of Andhra Pradesh. (with a request to communicate the same to all the Presiding Officers in the District.)
2. The Personal Secretary to the Hon'ble the Chief Justice. (with a request to place before the Hon'ble the Chief Justice for his Lordship's kind perusal)
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Member Secretary, A.P. State Legal Services Authorities, City Civil Courts Compounds, Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC NO.3715/OP CELL-E/2007****DT:7.12.2007****CIRCULAR**

Sub: Courts – Civil – Publication of court notices in the Newspapers where the parties resides in accordance with the rule provision as contemplated under Order V, Rule 20 of the Civil Procedure Code – Instructions – Issued.

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It is brought to the notice of the High Court that court notices are being published in Newspapers which are having circulation at far away places instead of Newspapers situated in the District where the parties resides, contrary to the rule provisions as contemplated under Order V, Rule 20 (1-A) of the Civil Procedure Code, 1908 and proclamations of sale under Order 21 of the Civil Procedure Code, 1908.

The High Court, while deprecating the said practice, hereby directs all the Judicial Officers in the State to strictly adhere to the rule provisions as contemplated under Order V, Rule 20 (1-A) of the Civil Procedure Code, 1908 and proclamations of sale under Order 21 of the Civil Procedure Code, 1908, which deals with the publication of notices in Newspapers, without giving room for comments.

Receipt of this circular shall be acknowledged.

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the Principal District and Sessions Judges/Unit Heads in the State of Andhra Pradesh (with a request to communicate the same to all the Presiding Officers in the District.)
2. The Personal Secretary to the Hon'ble the Chief Justice.  
(with a request to place before the Hon'ble the Chief Justice for His Lordship's kind perusal)
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Member Secretary, A.P. State Legal Services Authorities, City Civil Courts Compounds, Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

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Sub: CIVIL RULES OF PRACTICE AND CIRCULAR ORDERS,  
1980 – Strict Compliance of Rules 30 & 31 of Civil Rules  
of Practice and Circular Orders, 1980 by the C.M.Os of  
the Subordinate Courts – Instructions – Issued.

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**ROC.NO. 8/SO-1/2008****DATED:22.01.2008****CIRCULAR NO. 1 /SO/2008**

It is brought to the notice of the High Court that the Chief Ministerial Officers of the Subordinate Courts are entertaining defective vakalats while checking the complaints and other proceedings without following the provisions of Rules 30 and 31 of Civil Rules of Practice and Circular Orders, 1980.

Hence, all the Presiding Officers of the Subordinate Courts are requested to instruct the concerned to strictly follow Rules 30 and 31 of Civil Rules of Practice and Circular Orders, 1980, while checking the complaints, vakalats and other proceedings. Any deviation in this regard will be viewed seriously.

Receipt of this circular be acknowledged.

Sd/-  
REGISTRAR GENERAL

To

- 1) All the Unit Heads in the State.(with a request to circulate a copy of this circular to all the Judicial Officers under their control)
- 2) All the Registrars, High Court of Andhra Pradesh, Hyderabad.
- 3) The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Member Secretary, A.P. State Legal Services Authority, Hyderabad.
- 6) The Section Officers, E-Section and O.P. Cell.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1013/SO-1/2005****DATED:19.11.2008****CIRCULAR NO. 10 /2008**

Sub: Section 89 of the Code of Civil Procedure 1908 –  
Settlement of cases through mediation – Refund of  
Court Fee – Reg.

Ref: High Court's letter Roc.No.1013/SO-1/2005, dt.8.7.2008.

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The attention of all the Unit Heads is invited to Section 66 A of the A.P. Court Fees and Suits Valuation (Amendment) Act, 2005, which reads under:

**"Refund of Fee:-** Where the Court refers the parties to the suit to any one of the mode of settlement of dispute referred to in Section 89 of the Code of Civil Procedure 1908 (Central Act 5 of 1908) the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector, the full amount of the fee paid in respect of such plaint."

A copy of the Act No.22 of 2005 for ready reference and a copy of the letter of the Member Secretary, Andhra Pradesh State Legal Services Authority are herewith communicated. All the Unit Heads are requested to inform the Judicial Officers within their Unit about the amendment.

The receipt of the circular may be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of Andhra Pradesh, Hyderabad.
- 2) The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 3) All the Unit Heads in the State. (with a request to circulate a copy of this circular to all the Judicial Officers under their control)
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Member Secretary, A.P. State Legal Services Authority, Nyaya Seva Sadan, City Civil Court Compound, Hyderabad -2.

**GOVERNMENT OF ANDHRA PRADESH**  
**A.P. STATE LEGAL SERVICES AUTHORITY**  
**Nyaya Seva Sadan, City Civil Court Compound**  
**Purani Haveli, Hyderabad – 500 002**  
**Ph.23446700, 23446702, 23446703 Fax:23446701**  
**E-Mail: apslsauthority@yahoo.com**  
**E-Mail: apslsauthority@rediff.com**

**Y.REDDERPA REDDY**  
 Member Secretary

Roc.No.166/APSLSA/LSW/2008, Dated:01.11.2008

To  
 The Registrar General,  
 High Court of Andhra Pradesh,  
 High Court Buildings,  
 Hyderabad.

Sir,

Sub:- Section 89 CPC – Settlement of Cases through Mediation – Refund of Court Fee – Amendment to A.P. Court Fees and Suits Valuation Act – Regarding.

- Ref: 1. Our Letter Roc.No.4960/APSLSA/LSW/2008,  
 dt.16.07.2008.  
 2. High Court Lr.Roc.No.1013/SO-I/2008, Dt.11.07.2008.

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I am directed by the Hon'ble Executive Chairperson, A.P.State Legal Services Authority, to state that the A.P.Court Fees and Suits Valuation (Amendment) Act, 2005 has been brought in inserting Section 66-A providing that the plaintiffs shall be entitled to a certificate from the Court authorizing him to receive back from the Collector, the full amount of the fee paid in respect of such plaint where the cases referred by the Court are settled before any one of the modes of settlement referred to u/s 89 CPC. In view of the said amendment, the letter cited become infructuous.

I am also directed to inform that **Hon'ble Sri Justice S.B.Sinha**, Judge, Supreme Court of India and Chairman, Mediation & Conciliation Project Committee, in his letter dt.1<sup>st</sup> October, 2008 mentioned "**If the Mediation is successful the parties are entitled to refund of Court Fee paid**".

I am directed by Her Lordship to request the Hon'ble High Court that the same may kindly be communicated to all the courts in the State with suitable instructions to issue certificate as required under the newly inserted section 66A of A.P. Court Fees and Suits Valuation Act so that the plaintiff can get refund of court fee paid if any in the suit immediately after settlement of the matter under Alternative Dispute Resolution method.

Encl: As above.

Yours faithfully

Sd/-  
 MEMBER SECRETARY

**A.P.COURT FEES AND SUITS VALUATION (AMENDMENT) ACT, 2005**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 24<sup>th</sup> October 2005 and the said assent is hereby first published on the 26<sup>th</sup> October 2005 in the Andhra Pradesh Gazette for general information.

**Act No.22 of 2005**

***Ac Act further to Amend the Andhra Pradesh Court Fees and Suits Valuation Act, 1956.***

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-sixth Year of the Republic of India as follows:

**1. Short title extent and commencement: -**

- (1) This Act may be called the Andhra Pradesh Court Fees and Suits Valuation Act (Amendment) Act, 2005.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall deemed to have come into force with effect on and from the 16<sup>th</sup> August, 2005.

**2. Insertion of new Section 66-A:-**

In the Andhra Pradesh Court Fees and suits Valuation Act, 1956 (Act VII of 1956), after Section 66, the following new Section shall be inserted, namely:-

**"66-A Refund of Fee: -** Where the Court refers the parties to the suit to any one of the mode of settlement of dispute referred to in Section 89 of the Code of Civil procedure 1908 (Central Act 5 of 1908) the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector, the full amount of the fee paid in respect of such plaint."

**3. Repeal of Ordinance 18 of 2005:-** The Andhra Pradesh Court Fees and Suits Valuation (Amendment) Ordinance 2005 is hereby repealed.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.1644/SO-3/2008****DATED: 19.11.2008****CIRCULAR NO. 11/2008**

Sub:Execution of requests for service of Summons/Notices under the Hague Convention on Service Abroad of Judicial or Extra-Judicial Documents in Civil and Commercial Matters, 1965 - Reg.

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It is hereby informed that the Government of India is a party to the Hague Convention on Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 1965 w.e.f. 1<sup>st</sup> August, 2007 and under the Convention, India, being a signatory, is obliged to serve Summons/Notices received from the other State parties to the Convention, in India.

It is brought to the notice of the High Court that the bailiffs or the process servers are not making sincere efforts to serve the Notices/Summons received from abroad on the noticees in India and they are being returned with the remarks "Gone out for meeting and his return is not known" or "Party was not available".

Therefore, all the Unit Heads are requested to give instructions to all the Judicial Officers under their control to instruct the concerned to make sincere efforts in serving on the noticees, the Summons/Notices received from the other State Parties to the Convention.

Sd/-  
**REGISTRAR GENERAL**

To

1. All the Registrars, High Court of Andhra Pradesh, Hyderabad.
2. The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. All the Unit Heads in the State. (with a request to circulate a copy of this circular to all the Judicial Officers under their control)
4. The Director, A.P. Judicial Academy, Secunderabad.
5. The Member Secretary, A.P. State Legal Services Authority, Nyaya Seva Sadhan, City Civil Court Compound, Hyderabad-2.
6. The Addl.Legal Adviser, Ministry of Law and Justice, Department of Legal Affairs Shastri Bhavan, New Delhi-110001.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.1644/SO-3/2008****DATED:09.04.2009****CIRCULAR NO. 2/2009**

Sub: Conceptual Aspect of the Hague Convention on Service Abroad of Judicial and Extra Judicial documents in Civil or Commercial Matters - Reg.

Ref: High Court's Circular Roc.No.1644/SO-3/2008, dt.19.11.2008.

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In continuation of the High Court's Circular dated 19.11.2008, all the Unit Heads are requested to give instructions to all the Judicial Officers under their control to make sincere efforts in serving on the noticees, the Summons/ Notices received from the other State Parties to the Convention, in India.

Therefore, all the Unit Heads are hereby directed to follow strictly High Court's earlier circular instructions for making sincere efforts to serve the Summons/Notices received from abroad and attending the international request without delay.

For convenience of reference and due compliance, the copies of the Conceptual Aspects of the Hague Convention on Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters and the Conceptual Aspects of the Hague Convention on the taking of evidence abroad in Civil or Commercial Matters are herewith circulated and the copies of the same be furnished to all the officers in the Unit.

Receipt of this circular may kindly be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

1. All the Registrars, High Court of Andhra Pradesh, Hyderabad.
2. The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. All the Unit Heads in the State. (with a request to circulate a copy of this circular to all the Judicial Officers under their control)
4. The Director, A.P. Judicial Academy, Secunderabad.
5. The Member Secretary, A.P. State Legal Services Authority, Nyaya Seva Sadhan, City Civil Court Compound, Hyderabad-2.
6. The Addl. Legal Adviser, Ministry of Law and Justice, Department of Legal Affairs Shastri Bhavan, New Delhi-110001.

**CONCEPTUAL ASPECTS OF THE HAGUE CONVENTION ON SERVICE ABROAD OF  
JUDICIAL AND EXTRA JUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL  
MATTERS.**

The convention provides for channel of transmission to transmit a judicial or extra-judicial document from one State Party to the Convention to another State Party for service.

The Convention does not provide any substantive rules relating to the actual service, hence the domestic laws shall prevail. If the proceedings take place in India, the law of India will determine if there is a need to transmit documents abroad for service. If the answer is in affirmative the Convention applies and its channels of transmission *must* be observed.

For service the documents are required to be routed through the Central Authority which in case of India is M/o Law and Justice (Art 3). In certain Convention States, attorneys, solicitors or private process servers are authorized to send such requests. In India no such agencies other than Ministry of Law have been designated as Central Authority. However, in no case can a private person forward a request to a Convention State outside India.

The Convention does not apply when address of person to be served is unknown. However, it is to be noted that where the address is correct but the person to be served is not available, the documents cannot be returned to Central Authority stating "Person not available". We have come across a couple of such cases and matter had to be taken up with the High Courts, when the Hague Secretariat indicated its displeasure about the same.

The Convention as can be seen from the title applies to judicial and extra-judicial documents. Judicial documents, under the Convention, include Writs of Summons, Defendants' reply, decisions and judgments delivered by a judicial authority etc. "Extra-Judicial documents" differ from judicial documents; they are not directly related to a trial and form strictly private documents. They requires the involvement of an "authority or judicial officer". The extrajudicial documents include objections to marriage, Consents for adoption and acceptance of paternity and the like. If the law of a State Party does not require extrajudicial documents to be served, then the Convention does not require it to be changed. Convention only says it *may also* be used for extra-judicial documents.

What would be term "in Civil or Commercial Matters" used in the Convention. At the global forum these words have been left for individual interpretation i.e. without reference to the law of the requesting State or the requested State or to the laws of both the States cumulatively. In the grey area between private and public law, the historical evolution would suggest a broad, liberal interpretation of these words. It has been accepted that the matters such as bankruptcy, insurance and employment may fall within this concept. In some States tax issues were also considered to fall within the scope of the Convention.

Mode of Service – the Central Authority is required to execute the request for service or cause it be executed by:

- a) Informal delivery to the addressee who accepts it voluntarily; or
- b) By a method provided for under the law of the requested State; or
- c) By a particular method requested by the applicant, unless it is incompatible with the law of the requested State.

The mode of service is to be indicated in the Model form annexed to the documents. So far as service by a method provided for under the law, so far as India is concerned, would be what we call substituted service.

Alternative channels of transmission – the Convention, besides service through Central Authority provides for service through the following channels:-

- a) the Consular or diplomatic channels (see Art 8 and 9)
- b) postal channel {see Art 10(a)}
- c) direct communication between judicial offices or other competent persons of the State of origin and the State of destination (see Art.10(b); and
- d) direct communication between an interested party and judicial officers, officials and other competent persons of the State of destination {see Art 10(c)}

Language – Under Article 5(3), the Central Authority of the requested State may request a translation of the documents in its own language. It would, therefore, be advisable that before a request is made to a Convention State and to avoid delay, it is ascertained whether the requested State has made it mandatory that the documents should accompany translation in its language. This could be verified from the Hague Secretariat website [www.hcch.net](http://www.hcch.net).

Time of execution of Request – the Convention does not prescribe a time limit for service. The Request Form, however, provides prompt service. Further it would also depend on the date of appearance specified in the process.

Date of Service – This gives rise to a complex situation, which has not been specifically addressed by the Convention, when two different channels of service have been used (e.g. through Central Authority and the postal channel) and where the result is service of the documents on the defendant on two different times. According to Belgian Court of cassation, the time of appeal runs from the first service on the defendant whereas according to French Court of cassation, the second service causes a second time for appeal to run.

Refusal – The Central Authority may refuse execution of the request when-

- a) it is of the opinion that the request does not meet the formal and substantive requests of this Convention (see Art.4). This would only be a temporary refusal, for the requesting State may subsequently complete all the formalities; and
- b) when the Central Authority considers that the execution of the service would, infringe the sovereignty or security of the State. This would be an absolute refusal (see Art.13). Refusal cannot be claimed on the ground of exclusive jurisdiction over the subject matter of the action or the internal law does not permit the action upon which application is based.

Protection to defendants – The Convention contains two key provisions which protect the defendant, prior to judgment by default and after the judgment by default. Art.15(a) applies in the cases where a writ of summons or equivalent document had to be transmitted abroad under the provisions of the Convention for the purpose of service and the defendant has not appeared. In such a situation judgments shall not be given until it is established that the document was served in accordance with the law of the requested State or actually delivered to the defendant or at the defendant residence by another mode provided by the Convention and also that in either of these cases the service or delivery was effected in sufficient time to enable the defendant to defend. Article 16 applies when the defendant has not appeared and the time of appeal has expired.

**Reservation – India has made certain reservations in respect of certain Articles of the Convention. Under Article 5, it has been emphasized that all requests for service of document should be in English language or accompanied by an English translation. India also has made a reservation under Article 10 to the effect that the service shall not be effected through postal channel nor shall the state of origin effect service of judicial documents directly through the judicial officers etc. Reservation under the Article has also been made to the extent that any person interested in a judicial proceeding shall not effect service of judicial documents directly through the Judicial Officers and other officers of the State of destination.**

**The service of documents through diplomatic or Consular channel will be limited to the Nationals of the State in which the documents originate.**

**In terms of Article 15, Indian Courts may give judgment if all conditions specified in the second paragraph of the Article are fulfilled; and for the purposes of Article 16 an application for relief will not be entertained, if filed after the expiry of one year following the date of the judgment.**

#### **CONCEPTUAL ASPECTS OF THE HAGUE CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

The Hague Convention on Taking of Evidence Abroad in Civil and Commercial Matters came into force for India w.e.f. 8.4.2007. Chapter 1 of the Convention provides for a mechanism where the judicial authority of a State Party may request the competent authority of another State Party, by means of a Letter or Request, to obtain Evidence. Chapter 2 provides for an option for diplomatic or consular agents and commissioners to take evidence, subject to certain requirements and subject to prior permission of the appropriate authority of the State in which the evidence is to be taken.

The Letter of Request need not be in compliance with any standard form as is the case with Service Convention. Also the Letter of Request does not need any legalisation nor are any similar formalities required. A letter of request has to be in the language of the authority requested to execute it or be accompanied by a

translation into that language. However, under paragraph 2 of article 4 of the Convention, a Contracting State shall accept the letter in either English or French, or a translation into one of these languages unless it has made the reservation authorised by Article 33. It would, therefore, be advisable that before a request is forwarded to any foreign Court, it ascertained whether the requested State has made any reservation, by visiting Hague Secretariat Web Site.

The time frame for execution of the request though not specifically provided by the Convention under Article 9, yet Para 3 of the said Article does provide that the requests shall be executed expeditiously. It is, therefore, suggested that since India has to meet International commitments and should not be caught on a wrong foot, the Courts in India should invariably give priority to the requests received from abroad for execution. The Hague Secretariat has already taken exception to the delays in execution of requests. We would, therefore, request that the Hon'ble High Courts may kindly sensitise their subordinate courts about the obligations under Hague Conventions and also the priority that need to be given to the requests received there under.

The Convention further provides that appropriate measures of compulsion as provided by the internal law could also be requested by the State of origin so as to obtain evidence. While the Convention provides for use of compulsion at the same time under Article 11 it is provided that the person concerned may refuse to give evidence in so far as he has privilege or duty to refuse to give evidence under the law of the State of execution or under the law of the State of origin and the privilege or duty has been specified in the Letter or at the instance of the requested authority has been otherwise confirmed to that authority by the Requesting Authority. The execution of Letter of Request may be refused on the ground that in the State of execution, the execution of the Letter does not fall within the functions of the judiciary or the State addressed considers that its sovereignty or security would be prejudiced thereby. Here we would like to clarify that the judiciary by itself is not empowered to refuse the execution and it shall only be the State addressed who can refuse execution of a request on the these grounds.

The execution of Requests shall not, however, give rise to any reimbursement of taxes or costs of any nature. The costs may be claimed by the State of Execution when the same relates to the reimbursement of the fees paid to the experts and

interpreters and the cost occasioned by the use of a special procedure requested by the State of origin under Article 9. Under Article 26 also fees and costs could be claimed from the State of origin in connection with the execution of Letters of the Requests, for the service of process necessary to compel the appearance of a person to give evidence, the costs of attendance of such persons and the cost of any transcript of the evidence, as per the law of the State.

The Convention also provides that the parties and their representatives (lawyers) if so desired by the Requesting Authority may be present at the time of the execution of the Letter of Request. Where such a request has been made in that case the Requesting Authority may ask for information regarding the time and place of execution (Article 7). Similarly the members of the judicial personnel of the Requesting Authority may also be present at the time of the execution of a Letter of Request. This, however, would be pursuant to a declaration and in such cases prior authorization of the competent authority designated by the declaring State may be required.

In execution of the Letters of Requests received from abroad the Indian Law would prevail. The Requesting Authority may also request special method or procedure for execution of the request (Art.9.2). However, the request should not be incompatible with the law of the State requested or impossible to perform due to some practical difficulties. The Convention also provides for Taking of Evidence by diplomats, consular agents of the Requesting State in the State of their accreditation. Such persons may take the evidence from the nationals of the State, he represents (Art.15). However, a Contracting State may declare that prior permission of the State where he is located shall have to be taken. Evidence by the diplomats/agents may also be taken from nationals of the host State and the third State (Art.16). This, however, would again be subject to permission by the authority of host State in which he exercises his functions and also that he complies with the conditions which the competent authority has specified in the permission. Evidence may also be taken by Commissioners, which may be appointed by Judicial Authority of the requesting or the requested State (Art.17). This again would be subject to the permission from the competent authority designated by the State where the evidence is to be taken and also that such Commissioners comply with the conditions specified in the permission. Where evidence is to be taken by the diplomatic officers pursuant to

Articles 15,16 or 17 which have already been explained above, they may apply to the competent authority for appropriate assistance to obtain the evidence by compulsion. Here again the declaration may contain such conditions as the declaring State may deem fit to impose.

It would be essential to mention here that as stated earlier, the Courts are mandated to take evidence in accordance with the Indian laws. It is, therefore, imperative that so far as not prohibited by Indian laws, the Indian Courts may not blue-pencil the request for taking of evidence. In other words, the Courts may not change/alter the request originating from the requesting State.

The Convention also provides for pre-trial discovery of documents under Article 23. So far as our understanding goes, the Indian laws governing the requests for taking of evidence in civil and commercial matters does not provide for pre-trial discovery of documents. In other words, the discovery of documents cannot be in cases where a trial is contemplated. The provisions of CPC which govern the proceedings of civil nature apply to proceedings that have commenced before a Court.

The Hague Secretariat also encourages Taking of Evidence by video link. Though a sound technology/infrastructure, to give effect to the same, is yet to be evolved in the Courts. The suggestions of the Hague Conventions appear to be pragmatic and need a consideration by the Competent Authorities within the judiciary and the Government. The taking of evidence through video link has already received judicial recognition from Apex Court in Dr.Prafful Desai v. State of Maharashtra.

Reservation – We have already earlier informed that the judicial authority of a requesting State may be present at the time of the recording of evidence. However, we have made a reservation in this regard stating that prior authorisation will be required. Where evidence is to be recorded from the nationals of the State where the diplomat/consular agent is located and also the nationals of a third State, India has made a declaration that prior permission shall be required. In case any compulsion is required to be applied to obtain the evidence, in that event also prior permission shall be required.

**J. 558/19.**

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 2700/2007-C1****DT: 06.05.2009****CIRCULAR**

Sub: Public Services – Payment of Tom Tom charges with respect to attachments and sale proclamation in civil cases filed in the Subordinate Courts – Regarding.

Ref: Memorandum dt.24.11.2007 from the A.P. Judicial Class IV Employees state Association, Chittoor.

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The Andhra Pradesh Judicial Class IV Employees State Association, Chittoor, represented by its General Secretary, has brought to the notice of the High Court that Tom Tom charges in attachment and sale proclamation in Civil Cases is being paid Rs.10/- only to the concerned person, but nobody is coming forward to do the same. Hence, the Association requested the High Court to enhance the Tom Tom charges to Rs.70/-.

The High Court, after consideration of the request of the A.P. Judicial Class IV Employees State Association, has resolved to enhance the Tom Tom charges with respect to attachments and sale proclamation in civil cases pertaining to Subordinate Court to Rs.70/- in the place of the existing charges.

All the Unit Heads are, therefore, requested to enhance the Tom Tom charges with respect to attachments and sale proclamation in civil cases pertaining to Subordinate Courts to Rs.70/- in the place of the existing charges.

Receipt of this Circular may please be acknowledged.

Sd/--

**REGISTRAR (ADMINISTRATION)**

To

1. All the Unit Heads.
2. The Principal Private Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. All the Personal Secretaries to the Hon'ble Judges, High Court of A.P. Hyderabad.
4. All the Registrars, High Court of A.P., Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of A.P., Hyderabad.
6. The General Secretary, Class –IV Employees State Association, Chittoor.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.3233/E1/2004****DT:23.07.2004****C I R C U L A R**

Sub: Cases – Criminal – Transfer of Criminal cases from the regular courts of Judicial Magistrate of First Class at the District Head Quarters to the Courts of Special Judicial Magistrate of First Class for trial of cases under PCR Act (Mobile Courts) and to the Courts of Special Judicial Magistrate of First Class for Excise Cases at the District Head Quarters – Certain instructions – Issued.

Ref: 1. High Court's Circular No.5003/E1/1999, dt.1.2.2000.  
2. G.O.Ms.No.119, Revenue (Service-II) Dept., dt.29.2.2000.

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The High Court, in the year 2000, after perusing less number of cases on the files of the of Special Judicial Magistrate of First Class for trial of cases under IPC & PCR Act, 1955 (Special Mobile Court), issued instructions to all the District and Sessions Judges in the State, vide Circular 1<sup>st</sup> cited, to transfer certain number of Criminal cases from the files of the courts of Judicial Magistrate of First Class at the District Head Quarters, from time to time, to the courts of Special Judicial Magistrate of First Class for trial of cases filed under IPC & PCR Act, 1955 (Mobile Court) at the District Head Quarters. Even after the said instructions, the High Court find that in most of the said Mobile Courts the pendency is very less.

In Excise Courts at the District Head Quarters also, the High Court finds that after transfer of Excise cases to the respective regular Judicial Magistrate of First Class functioning away from the District Head Quarters, the pendency of cases on the files of the said courts has become reduced considerably and in some Districts the pendency of cases on the files of the Excise Courts is less than the pendency of cases on the files of the regular Judicial Magistrate of First Class at the District Head Quarters and there is every need for transfer of Criminal Cases from the files of Regular Judicial Magistrate of First Class at the District Head Quarters to the Excise Courts.

In this connection, as per the Notification issued by the Government in the G.O. 2<sup>nd</sup> cited, the Special Judicial Magistrate of First Class for Excise Cases also to act as Magistrates of First Class in respect of such cases, which are assigned to them by the Chief Judicial Magistrate/Chief Metropolitan Magistrate. As per the said Notification if the pendency of cases on the files of the regular courts of Judicial Magistrate of First Class at the District Head Quarters is heavy some cases may be transferred to the Excise Courts at their District Head Quarters, depending upon the workload on the files of the Excise Courts.

Therefore, all the District and Sessions Judges and the Metropolitan Sessions Judges of Hyderabad, Visakhapatnam and Vijayawada are once again hereby directed to take steps for transfer of certain number of criminal cases from the files of regular courts of Judicial Magistrate of First Class functioning at the District Head Quarters to the files of the of Special Judicial Magistrate of First Class for trial of cases under IPC & PCR Act, 1955 (Mobile Court) and also to the Special Judicial Magistrate of First Class for trial of Excise cases functioning at the District Head Quarters, depending upon the pendency of cases in the regular Courts and also in the above said two Special Courts.

However, the Unit Heads are requested to instruct the Presiding Officers of the said Special Courts, to give priority in disposal to the cases, for which the above said Special Courts are constituted.

While acknowledging this circular, the Unit Heads are requested to send a report as to the action taken by them in this regard.

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the District and Sessions Judges in the State.
2. The Metropolitan Sessions Judge, Hyderabad, Vijayawada and Visakhapatnam.
3. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification purpose)
4. The Personal Secretaries to all the Hon'ble Judges.  
(with a request to place the same before their Lordships for kind perusal)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.4026/OP CELL-E/2004****DT:29.10.2004****CIRCULAR**

Sub: Courts – Criminal – Conviction Warrants – Proof of age –  
Prevention of tampering - Certain instructions – Issued.

Ref: Letter No.SA2/628/2004, dated 20.8.2004, from the  
Director General & Inspector General of Prison &  
Correctional Services, Andhra Pradesh, Hyderabad.

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It is brought to the notice of the High Court by the Director General and Inspector General of Prison and Correctional Services, Andhra Pradesh, Hyderabad that the Prison authority take the age mentioned in the Committal Warrants issued by the Courts as the age of convicts for all purposes and that in the recent past it was noticed that the age of convicts were tampered by some one for extraneous considerations, so as to extend the benefit of premature release of convicts in the light of latest guidelines issued by the Government.

On a careful consideration of the subject and in order to prevent such tampering in future, the High Court hereby directs all the Presiding Officers dealing with the Criminal matters, to mention the age in words also in addition to the numerical number in the Committal Warrants issued by the Courts, invariably.

Receipt of this Circular may kindly be acknowledged.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

1. All the Unit Heads in the State of Andhra Pradesh,  
(with a request to communicate the same to all the Presiding Officers under their control.)
2. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 59 /SO/2005**  
**.06.2005****DT:30****CIRCULAR NO. 2 /SO/2005**

Sub: Reference – Under Code of Criminal Procedure, 1973, Code of Civil Procedure, 1908 and other enactments – Procedure to be followed while forwarding the references to High Court as laid down in the respective Acts/Rules – Instructions – Issued.

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The High Court has noticed that the Judicial Officers are forwarding the references under Section 395 of Criminal Procedure Code, 1973, Code of Civil Procedure, 1908, Contempt of Court Rules or under other laws, without following the procedures laid down in the respective Acts/Rules such as details of case pending before the Court, parties names etc., and are also not routing such references through the Prl. District & Sessions Judges of the concerned district. In some cases, the Judicial Officers are giving their own affidavits instead of reference order as required under respective Acts/Rules.

Therefore, all the Judicial Officers are hereby directed to strictly follow the procedures laid down in the respective Acts/Rules viz., Code of Criminal Procedure, 1973, Code of Civil Procedure, 1908, Contempt of Court Rules or any other laws while forwarding the references. They are also further directed to route such references to the High Court through the Prl. District & Sessions Judge of the concerned district.

The Unit Heads are requested to communicate this circular to all the Judicial Officers working under their control.

The receipt of this circular may be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.
- 2) The Section Officers, 'E' Section, O.P. Cell.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.856/SO/2005****DATED:21.07.2005****CIRCULAR NO. 4 /2005**

Sub: Entertaining requests for remanding the accused to judicial custody or applications for bail whenever and wherever an accused is produced before the Judicial Magistrate – Instructions – Reg.

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The attention of the Unit Heads is invited to Rule 5 (4) of the Criminal Rules of Practice and Circular Orders, 1990, the decision reported in *Dr. P.C.Kakar Vs. Director General of Police* (1986 (1) APLJ 203), and the Circular Orders of the High Court in Roc.No.236/SO/88, dated 29.2.1988.

The High Court has held in Dr.P.C.Kakar's case that the constitutional guarantee of liberty under Article 21 and Article 22 (2) of the Constitution of India and the mandatory provisions in Sections 57 and 167 of the Code of Criminal Procedure, 1973 cannot be disregarded by police authority and that it is also not open to the Magistrate before whom the accused is produced within 24 hours but beyond Office hours or at his residence or on a holiday, to say that necessary facilities for passing an order remanding the accused to judicial custody or for granting bail, are not available at his residence.

In spite of the above, instances are often brought to the notice of the High Court where Judicial Magistrate are refusing to entertain requests for remanding the accused to judicial custody or applications for bail on the ground that necessary facilities for remanding the accused to judicial custody or for granting bail are not available at their residences, when the accused are produced beyond office hours or at their residences or on a holiday. The Judicial Magistrates are directing as a matter of course to produce the accused before the Court on the

next working day. Such refusal to consider remand or bail by the Magistrates is resulting in prolonged detention of the accused in police custody not authorized by law and deprivation of the right to liberty due to non-consideration of his plea for bail, more particularly even in cases involving bailable offences only.

Therefore, all the Unit Heads are hereby directed to issue strict instructions to all the Judicial Magistrates within their jurisdiction,--

1. not to refuse to entertain requests for remanding the accused to judicial custody or applications for bail whenever and wherever an accused is produced before them even beyond office hours or on a holiday or at the residence,
2. to forthwith pass appropriate orders in accordance with law in such cases,
3. to designate a staff member in their respective courts to be on duty to be available to them to render necessary ministerial assistance for consideration of any request for remand or application for bail beyond office hours or on a holiday or at the residence.
4. to direct the designated staff member to be available at the residence of the Judicial Magistrate immediately whenever required and sent for, and
5. that the staff members be assigned such duty by rotation for one week at a time.

The Unit Heads are requested to ensure that the above instructions are followed scrupulously and any deviation will be viewed seriously.

Sd/-  
REGISTRAR GENERAL

To

All the Unit Heads.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1061/OP CELL-E/2005****DT:26.07.2005****CIRCULAR**

Sub: Courts –Criminal – Strict adherence of sections 82, 83 followed by Sec.299 of the Code of Criminal Procedure, 1973 in the cases where accused are absconding and NBWs are remain unexecuted – Instructions – Issued.

Ref: High Courts Circular Roc.No.946/SO/1978, dt.28.08.1978 (Page No.135 of Volume-I of Codification of Circulars).

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The High Court has noticed that NBWs are pending un-executed in large number of criminal cases for a long time in the State that too for more than a decade. It is so even in P.R.C. and Sessions cases. The cases are being adjourned form time to time without resorting to the procedure contemplated under Sections 82 and 83 of Cr.P.C. The common reason that is being assigned is that the warrant is not returned. In this connection, the attention of the Presiding Officer of the Criminal Courts is draw to sec.82 of Cr.P.C. which prescribes that whenever criminal court has reason to believe that any person against whom a warrant has been issued by it has absconded or is concealing himself so that such warrant cannot be executed, such court may publish a written proclamation requiring him to appear. So return of warrant is not a *sine quo non* for initiating action against the accused under Sec.82 Cr.P.C. When a warrant is pending for a long time un-executed, that fact itself is sufficient to show that the accused has been absconding. Even otherwise, the police can be directed to return the warrant if the accused is absconding and the criminal courts can proceed as per the procedure prescribed under sec.82 and 83 of Cr.P.C.

The attention of the Presiding Officers of the Criminal Courts is also drawn to Section 299 Cr.P.C where under they are expected to record the statements of the witnesses, where the accused are absconding in order to preserve the evidence. If the cases are kept pending for long time on the ground that the

warrants are not executed or not returned naturally, the object of preserving the human testimony fails as the witnesses may not survive or their memories may fail.

It is also noticed that "long pending cases register" is not maintained by the Sessions Courts and Assistant Sessions Courts. In this connection, the attention of the Sessions Courts are drawn to Rule 23 of Criminal Rules of Practice, which speaks about the procedure to be followed by the Sessions Judge where accused are absconding after committal of the case. It further shows that Rules 19 to 22 are equally applicable to the Sessions Courts also and also about the recording of evidence of witnesses under section 299 Cr.P.C.

Therefore, all the Presiding Officers of the criminal courts at all levels in the State are directed to resort to the procedure prescribed under sections 82, 83 and 299 Cr.P.C. and whenever the court is reason to believe that the accused are absconding and there is no reasonable prospectus of their apprehension in near future as contemplated under sec.82 Cr.P.C. irrespective of the fact whether the warrants are returned or not. If once the court comes to such conclusion, it can direct the police to return the warrant and even without waiting for the same, can proceed under section 82, 83 and 299 Cr.P.C. All the criminal courts including the Sessions Courts are directed to maintain the long pending registers and remove the cases from the regular register and transfer them to the long pending register, after following the procedures.

Any deviation to the above said provisions and this circular will be viewed seriously.

Receipt of this circular shall be acknowledged.

Sd/-  
**REGISTRAR (ADMN.)**  
**FAC REGISTRAR (VIGILANCE)**

To

1. All the Unit Heads in the State of Andhra Pradesh, (with a request to communicate the same to all the Presiding Officers in the District.)
2. All the Personal Secretaries to the Hon'ble Portfolio Judges, (with a request to place the same before their Lordships for perusal.)
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

**ROC.NO. 206/SO/2006**

**DATED:05.06.2006**

**CIRCULAR NO. 5/SO/2006**

Sub: Criminal Cases – Acceptance of vakalat/memo of appearances – Instructions – Issued.

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It was brought to the notice of the High Court that the Presiding Officers of the subordinate courts who are dealing with criminal cases are not accepting vakalats filed in the criminal cases and insisting the Advocates/parties to file memo of appearances only.

Therefore, all the Unit Heads are directed to instruct the Judicial Officers working under their control to accept vakalats also in criminal cases and not to insist for filing of memo of appearances only.

Receipt of this circular be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Prl. District and Sessions Judges in the State.
- 2) The Metropolitan Sessions Judge, Hyderabad, Visakhapatnam, Vijayawada, Cyberabad.
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Section Officer, E-Section.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD**

**ROC.NO. 375/SO/2006**

**DATED:09.06.2006**

**CIRCULAR NO. 6/SO/2006**

Sub: Committal of cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act – Reg.

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All the Presiding Officers of the Special Courts constituted under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act are instructed to open a separate Sessions Case Register, as a permanent register, for the purpose of registering the cases filed under the said Act.

The unit heads are directed to communicate this circular to all the concerned working under their control.

Receipt of this circular may be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars.
- 2) All the unit heads in the state.
- 3) All the Special Courts constituted under the Schedule Castes & Schedule Tribes Act.
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Section Officers, E-Section & O.P. Cell.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

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**ROC.NO.853/SO/2007****DATED:25.07.2007****CIRCULAR NO. 14/SO/2007**

It has been brought to the notice of the High Court that some of the Judicial Officers dealing with criminal cases are not following Rule 175 of Criminal Rules of Practice and Circular Orders, 1990 and circular instructions issued in Roc.No. 3515/OP Cell-E/2003, dated 30.7.2003, as regards the mentioning of the exact remand period already under gone by the accused in the conviction warrants which is causing inconvenience to the jail authorities in calculating the said remand period for set off. It is also brought to the notice of the High Court that the age of the accused as on the date of his/her conviction is not being mentioned in the judgments and warrants, as a result of which the aged convicts are unable to reap the benefits given to them by the Government from time to time.

Therefore, all the Presiding Officers of the subordinate courts dealing with criminal cases are directed to strictly follow Rule 175 of Criminal Rules of Practice and Circular Orders, 1990 and the circular instructions issued in Roc.No. 3515/OP Cell-E/2003, dated 30.7.2003 and mention clearly in the judgment and warrants, the actual remand period undergone by the accused and the age of the accused as on the date of conviction duly cross checking the age stated by the accused at the time of conviction with the age mentioned in the charge sheet. Any deviation in this regard will be viewed seriously.

All the Unit Heads are instructed to circulate this circular to all the Judicial Officers working under their control.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.
- 2) The Registrar (Vigilance), High Court of A.P., Hyderabad.
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Member Secretary, A.P. State Legal Services Authority, Hyderabad.
- 5) The Prl. Private Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 6) The Section Officers, E-Section, O.P. Cell, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1513/SO-1/2007****DATED: 06.10.2007****CIRCULAR No.19/SO-1/2007**

Sub: Submission of entire record in Criminal Cases against which appeals have been filed – Reg.

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Instances have come to the notice of the High Court that the entire record in the criminal cases, against which appeals have been filed, in the High Court are not being sent to the High Court, as a result of which much inconvenience is being felt while adjudicating the appeals.

Therefore, all the Unit Heads are directed to issue necessary instructions to the Judicial Officers working under their control to send the entire record in the Criminal Cases against which appeals are filed in the High Court duly indexed, including the non-material part of the record to the High Court.

The aforesaid instructions are to be followed scrupulously and any deviation will be viewed seriously.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.
- 2) All the Registrars, High Court of A.P., Hyderabad.
- 3) The Prl. Private Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 4) The Director, A.P. Judicial Academy, Secunderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.3279/OP CELL-E/2007****DT:4.12.2007****C I R C U L A R**

Sub: **ACB cases** – Recording of statements U/Sec.164 Cr.P.C by the JFCM/MMs. And transmitting to the courts of the Special Judge for ACB Cases in the State of A.P. – Certain instructions for retention of a copy of statements U/Sec.164. Cr.P.C.in ACB Cases at the time of forwarding the same to Special Courts – Issued – Reg.

Ref: Lr.C.No.99/RPC(c)/2007, Dt.11.10.2007 from the Director General, Anti-Corruption Bureau, Andhra Pradesh, Hyderabad.

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It is brought to the notice of the High Court that after recording the statements under section 164 Criminal Procedure Code, 1973 in ACB cases and while sending the statements to the concerned ACB courts, the Judicial Magistrate of First Class/Metropolitan Magistrates are not retaining a copy of the statements recorded by them in their courts. For any reason such statements are lost in transit and subsequently not traced by the postal department, it would not be possible for the prosecution to rely upon the said statement during the trial. Therefore, the Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad requested to issue instructions to the Judicial Magistrate of First Class/Metropolitan Magistrates, who record the statements U/sec.164 Cr.P.C to retain copies of such statements in their respective courts while forwarding the original to the Special Court for trial of Anti Corruption Bureau cases, so as to enable the Investigating Officer of the Anti Corruption Bureau to approach the Judicial Magistrate of First Class/the Special Courts for Anti Corruption Bureau

cases and request for obtaining the same under the provision of the A.P. Criminal Rules of Practice and Circular Orders, 1990.

Considering the above request, the High Court hereby directs all the Judicial Magistrate of First Class/Metropolitan Magistrates, who records the statement U/s.164 Criminal Procedure Code in **ACB Cases**, to retain a copy of such statement in their respective courts while forwarding originals to the court of Special Judge for ACB cases.

Receipt of this Circular shall be acknowledged.

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the Principal District and Sessions Judges/ Unit Heads in the State of Andhra Pradesh, (with a request to communicate the same to all the Presiding Officers in the District.)
2. The P.S. to the Hon'ble the Chief Justice, (with a request to place before the Hon'ble the Chief Justice for His Lordship's kind perusal.)
3. The Director, A.P, Judicial Academy, Secunderabad.
4. The Member Secretary, A.P. State Legal Services Authorities, City Civil Courts Compounds, Hyderabad.
5. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 384/E1/2006****DATED: 22.09.2008****CIRCULAR**

Sub: Courts – Criminal – Video Piracy cases – Establishment of a Special Court for trial of Video Piracy cases with jurisdiction over the entire State – Entertaining pre cognizance matters by the respective Judicial Magistrate of First Class Courts – Instructions – Issued – Reg.

- Ref: 1.G.O.Ms.No.63, Law (LA & J Home Courts.C) Department, dt.6.6.2007.  
 2.G.O.Rt.No.1333, Law (LA & J Home Courts.C) Dept., Dt.21.8.2007.  
 3.High Court's Circular Roc.No.384/E1/2006, dated 5.2.2008.  
 4. Representation made by the Secretary, Andhra Pradesh Film Chamber of Commerce, Hyderabad, Dated 9.9.2008.

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It has been brought to the notice of the High Court that after establishment of a Special court in the cadre of Additional Chief Metropolitan Magistrate at Hyderabad, for trial of Video Piracy cases and consequential Notification issued by the Government, conferring the powers to the said Court to exercise jurisdiction over the entire State for trial of the said cases, much inconvenience is being faced by the Investigating Officers, Witnesses as well as the Accused to attend the Special Court at Hyderabad, incurring lot of expenditure as well as loss of man power, etc.

Further, the Secretary, Andhra Pradesh Film Chamber of Commerce, Hyderabad, while stating impediments that are being faced by the Investigating Officers, Witnesses and Accused in Video Piracy cases, has requested the High Court to authorize the local Judicial Magistrate of First Class, to accept the remand of the accused involved in Video Piracy cases and to file Charge Sheets and transfer the same to the Special Court at Hyderabad for trial.

J. 558/21.

The High Court having taken into consideration of the difficulties that are being faced by the Investigating Officers, Witnesses and the accused relating to the Video Piracy cases, hereby authorize all the Judicial Magistrate of First Class in the State, to entertain pre-cognizance matters like production of the accused, passing remand orders, entertaining Bail applications and passing orders thereon and such related matters prior to the taking of cognizance in respect of the Video Piracy cases, arising from the areas under their jurisdiction, before commencement of trial, by the Special Court, for trial of Video Piracy cases established at Hyderabad.

All the District and Sessions Judges are requested to issue appropriate directions to the above said effect to all the Judicial Magistrate of First Class, in their respective Units.

Sd/-

**REGISTRAR (VIGILANCE)**

To

- 1) All the District and Sessions Judges in the State.
- 2) All the Chief Judicial Magistrates in the State.
- 3) The Metropolitan Sessions Judges, Hyderabad, Vijayawada and Visakhapatnam.
- 4) The Chief Metropolitan Magistrates, Hyderabad, Vijayawada and Visakhapatnam.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.No. 977/SO/2003****Dt:29-10 - 2004****CIRCULAR No. 7 /SO/2004**

Sub: Court Fee Stamps – Non-availability of Non-Judicial stamps  
 – Amount deposited in lieu of Non-Judicial Stamps –  
 Head of Account for remittance of deposit – Instructions  
 – Reg.

Ref: High Court's Circular Roc.NO.977/SO/2003, Dt:20.1.2004 and  
 8.3.2004.

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Circular instructions were issued in the reference cited, to draft the Succession Certificates, final decrees, Sale certificates etc. on judgment paper and instruct the parties/Advocates to deposit amount in the bank due to non-availability of Non-Judicial Stamps. At the time of issuing the said circular, the Head of account to which such amounts are to be deposited was not mentioned in the circular.

Therefore, all the Judicial Officers are hereby instructed to remit the amount deposited towards Non-Judicial stamps for drafting Succession Certificates, final decrees, sale certificates etc., to the following Head of Account and the interest accrued there on be credited to the account of the Chief Justice's Relief Fund.

Major Head	0030 – Stamps and Registration Fee
Sub Major Head	02 – Stamps Non-Judicial
Minor Head	102 – Sale of Stamps
Sub Head	01 – Sale of Stamps

The Unit Heads are requested to communicate these circular instructions to all the courts under their control to follow the above said procedure for remittance of such deposits.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Prl. District & Sessions Judges in the State.
- 2) The Chief Judge, City Civil Court & City Small Causes Court, Hyderabad.
- 3) The Metropolitan Sessions Judge, Hyderabad.
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Accounts Officer, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.12/SO/2002****DT: 30 .12.2004****CIRCULAR NO. 8 /SO/2004**

Sub: Court Fee Stamps – Non-availability of stamps – Stamps worth above Rs.100/- denomination shall not be accepted and in lieu of the same accept the challan issued by the Bank in token of depositing the amount – Clarification issued.

- Ref:1) High Court's Circular Roc.No.12/SO-1/2002, DT:28.2.2002.  
2) High Court's Circular Roc.No.12/SO-1/2002, DT:24.3.2003.  
3) High Court's Circular Roc.No.977/SO-1/2003, DT:20.1.2004.  
4) High Court's Circular Roc.No.977/SO-1/2003, DT: 8.3.2004.  
5) Circular Memo No.GSO.2/24694/2002 dt.21.4.2004 issued by the Commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad.  
6) High Court Circular Roc.No.12/SO/2002, dt:29.6.2004.

\*\*\*

The President, A.P.Stamp Vendors Welfare Sangham has requested to allow them to use court fee stamps worth Rs. 100/- in a required number, where the court fee of Rs.100/- above are payable on plaints/suits etc., instead of depositing the amount and sought for clarification in this regard.

Certain judicial officers have also expressed a doubt whether any amount of court-fee in excess of Rs.100-00, can be paid in the shape of stamp papers of denomination Rs.100-00. Circular Memo No.GSO-2/24694/2002, dated:21.4.2004 of the Inspector General of Stamps and Registration is very clear about the position as per which in case the court fee payable is in excess of Rs.100-00, it has to be paid in the shape of cash only. However, in view of the doubt expressed, it is clarified that court fee in excess of Rs.100-00 shall have to be paid in the shape of cash only, **but not** in the shape of required number of stamps worth Rs.100-00 each.

This clarification is also applicable to the Registry of the High Court of A.P.

The Unit Heads are requested to circulate this to all the Judicial Officers under their control and to make available a copy of this to the President of the concerned Bar Association and also notify on the Notice Board.

Please acknowledge this circular.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of A.P., Hyderabad
- 2) All the Officers, High Court of A.P., Hyderabad
- 3) All the Unit Heads in the State.
- 4) All the Metropolitan Sessions Judges in the State.
- 5) All the Section Officers in Judicial Sections, High Court of A.P., Hyderabad.
- 6) The Section Officers, Accounts, D-I and E-Section, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH:: HYDERABAD****ROC.NO.12/SO/2002****DATED:01.08.2006****CIRCULAR NO.15/2006**

Sub: Court Fee – Depositing of Court fee below Rs.100/- in the Banks - By the Advocates/parties directly – Instructions - Issued.

Ref: 1) Circular Roc.No.12/SO-1/2002, dt:28.2.2002.  
2) Circular Roc.No.12/SO-1/2002, dt:19.6.2003.

\*\*\*

It is brought to the notice of the High Court, that difficulty is being felt for collecting the Court fee below Rs.100/- by the courts directly.

The High Court, on consideration of the above and in modification of the earlier circulars, hereby directs the Presiding Officers of the subordinate courts to instruct the Advocates/parties to deposit the Court fee amount below Rs.100/- also, in the bank accounts opened by the Presiding Officers for this purpose. Hence forth, no cash will be received towards Court fee.

The Unit Heads are requested to communicate this circular to all the courts under their control.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of A.P., Hyderabad.
- 2) All the Officers, High Court of A.P., Hyderabad.
- 3) All the Unit Heads in the State.
- 4) The Chief Judge, City Civil Court and City Small Causes Court, Hyderabad.
- 5) The Metropolitan Sessions Judge, Hyderabad.
- 6) The Director, A.P. Judicial Academy, Secunderabad.
- 7) The Accounts Officer, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 12/SO/2002****DT:31 .08.2005****CIRCULAR NO. 5 /SO/2005**

Sub: Certified copies – Stamp/Folios – Depositing of cash  
in lieu of Stamps/Folios – Orders - Issued.

####

It has been brought to the notice of the High Court that due to shortage of Stamps/Folios, the Advocates/litigant Public are facing difficulty in applying for certified copies of the documents required.

The Presiding Officers of all the Subordinate Courts are therefore, directed to collect cash in lieu of Stamps/Folios on the applications submitted by the Advocates/litigant public for issuing the certified copies in case of shortage of stamps/folios. They are further directed to follow the guidelines mentioned here under in collecting the cash for the above said purpose.

- 1) Maintain a separate Account and Register for this purpose.
- 2) Make an endorsement on the certified copies about the amount deposited and date of deposit.
- 3) Remit the principal amount every month to the following Head of Account, and interest portion thereon to the Chief Justice Relief Fund under intimation to the High Court.

Major Head	0030	- Stamps and Registration Fee
Sub Major Head	02	- Stamps Non-Judicial
Minor Head	102	- Sale of Stamps
Sub Head	01	- Sale of Stamps

The Unit Heads are requested to communicate this circular order to the respective courts under their control and the President, Bar Association of the respective courts.

Receipt of this circular may please be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Unit Heads.
- 2) The Director, A.P. Judicial Academy, Secunderabad.
- 3) The Section Officer, 'E' Section, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.148/SO-1/2008****DATED:20.02.2008****CIRCULAR NO. 3 /2008**

**Sub:** Depositing of Amounts in banks instead of Courts –  
Issuance of certain directions by the Hon'ble High Court  
in Crl. Rev. Case No.1448/2007. – Compliance of the  
orders – Instructions – Issued.

\*\*\*

The Hon'ble High Court while disposing of a Crl. Rev. Case No.1448/2007 dt.24.12.2007 has observed as follows with regard to depositing of amounts in Banks instead of Courts.

"The practice of depositing the amounts into the Court by the parties, especially in maintenance cases and then withdrawal of the same is causing definite inconvenience and hardship to the parties, as cumbersome procedure has to be followed. As such, it would be desirable to direct the parties to deposit the amount into the Savings Bank Account of the other party (wife/children), directly, on the same being furnished by the parties concerned. Hence, the Registry is directed to issue a circular to the Subordinate Courts, directing them to inform the parties to deposit the amount directly into the Savings Bank Account of the party (wife/children), in all maintenance cases, on the same being furnished by the other party, with a further direction to the other party (party receiving the amount) to maintain necessary entries in the Bank Pass Books."

Therefore, the High Court hereby direct all the Unit Heads to instruct the Judicial Officers under their control to follow the above observations/directions scrupulously without any deviation.

Sd/-  
**REGISTRAR GENERAL**

To

1. All the Unit Heads in the State.
2. Prl. Private Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
3. The Director, A.P. Judicial Academy, Secunderabad.
4. All the Registrars, High Court of A.P., Hyderabad.
5. The Section Officer, 'E' Section, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1134/SO/2006****DATED:09.10.2006****CIRCULAR NO.20 /2006**

Sub: Destruction of records – Adherence to Rule 9 of  
Destruction of Records, Rules and circulars issued in this  
regard – Instructions – Issued.

Ref: High Court's Circular Roc.No.1261/SO/92, dt:24.4.1993 (Printed in  
Codification of Circulars Volume-II at page No.149).

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It is brought to the notice of the High Court that the Subordinate  
Courts without following the Rules and Circulars issued from time to time are  
destroying important records/documents filed in the cases.

Therefore, the High Court hereby directs all the Presiding Officers of  
the Subordinate Courts to follow Rule 9 of the Rules for the Preservation and  
Destruction of Records in the Subordinate Courts and circular cited above  
whenever any documents/records pertaining to suits, etc., are to be  
destroyed. Any deviation of this instruction will be viewed seriously.

Receipt of this circular be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of A.P., Hyderabad.
- 2) All the Unit Heads in the State.
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Registrars, Special Court constituted under the Land Grabbing Act,  
B.R.K.Rao Bhavan, Hyderabad.
- 5) The Section Officers, E-Section, O.P. Cell and Vigilance Cell.

**J. 558/22.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5010/OP CELL-E/2004****DT:11.11.2004****C I R C U L A R**

Sub: Courts – Civil & Criminal – Expeditious disposal of old matters – “Fresh Targets” – Instructions – Issued.

Ref: High Court's Circular Roc.No.3609/OP-Cell-E/2004, dt.24.8.2004.

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The year of 2005 is declared as **“The year of Excellence in Indian Judiciary”** by the **Hon'ble the Chief Justice of India**. Taking into account the pendency of old cases in the Subordinate courts, in the State of Andhra Pradesh, and to give effect to the above said declaration, the High Court has fixed the targets for the Judicial Officers in the following manner commencing from November, 2004, till the end of 2005.

1. District Judges and Addl. District Judges: All Pre-2001 cases
2. Senior Civil Judges : All Pre-1999 cases
3. Junior Civil Judges and Judicial Magistrates of First Class : All Pre-2000 cases

The Principal District Judges are directed to take immediate steps for equal distribution of cases covered by the above periods among the courts situated in the same station. In that process Part-heard cases shall not be transferred.

In case, sufficient number of cases covered by the above said periods are not available even after equal distribution, the District Judges, Senior Civil Judges and Junior Civil Judges/Judicial Magistrates of First Class are directed to dispose of all the old available cases at the rate of 120, 90 and 150 cases respectively, during the above said period.

The Principal District Judges are directed to divide the given time in to periods for the purpose of review and for monitoring the progress.

By the end of first six months period i.e., by the time the courts are closed for Summer Vacation i.e., 30-4-2005, at least, 70, 60 and 80 oldest cases have to be disposed of by the District Judge, Senior Civil Judge and Junior Civil Judge/ JMFC respectively.

The Principal District Judges are further directed to call for the progress of the cases from the concerned Officers every quarter, review and issue necessary instructions. The Principal District Judges shall send quarterly reports about the progress of these cases to the High Court.

The Judicial officers shall take effective steps to make unready old cases covered by these periods ready and see that they are also disposed of within the stipulated period and see that no case relating to the above periods is pending by the end of 2005.

Instructions with regard to other steps to be taken in pursuance of the decisions arrived at the recent Unit Heads' conference would be issued shortly.

Receipt of this circular shall be acknowledged.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

1. All the Unit Heads in the State of Andhra Pradesh, (with a request to communicate the same to the Presiding Officers in the District.)
2. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5166/OP CELL-E/2004****DT:26.11.2004****C I R C U L A R**

Sub: Courts – Civil – Fixing up of Time Bound Schedule for disposal of I.As on the file of the Subordinate Courts – Instructions – Issued.

Ref: High Court's Circular Roc.No.6430/OP Cell-E/2001, dt.9.10.2001.

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Certain instances have come to the notice of the High Court that in most of the cases Interlocutory Applications are being disposed of without recording any reasons more especially in cases where counter have been filed, and in some cases I.As are kept pending for months and years together, though some of them are of trivial nature, despite the fact that time limits stipulated in the statutes for disposal of various types of Interlocutory Applications and Judgments of the Apex Court, causing much inconvenience to the parties who moved them.

Hence, the attention of all the Judicial Officers is once again drawn to the Judgment of the Apex Court, A.Venkatasubbaiah Naidu Vs. Chellappan and others (2000) 7) S.C.C. 695) = AIR 2000 Supreme Court 3032 where in it is held that after the period of 30 days, it becomes an appealable order, indicating there by that an appeal can be filed even though application filed under Order 39 Rule 4 is pending adjudication. At the same time, it shall not be a ruse to keep all the applications pending. So, the parties will have to invariably approach the appellate Court against the ad-interim injunction order granted by the Court, and are not disposed of within 30 days.

Therefore, while reiterating the instructions already issued in this regard, under reference cited, all the Judicial Officers in the State are once again directed that a time bound schedule may be fixed for quick disposal of Interlocutory Applications pending on their files by posting them at short intervals, after duly recording reasons more especially in cases where counters have been filed, instead of giving long postings along with the main matters. All the Judicial Officers are, therefore, instructed to adhere to the said instructions and comply with the directions of the Apex Court.

Receipt of this circular shall be acknowledged.

Sd/-

**REGISTRAR (VIGILANCE)**

To

All the Unit Heads in the State of Andhra Pradesh,  
(with a request to communicate the same to all the Presiding in the District.)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1230/OP CELL-E/2005****DT:20.08.2005****C I R C U L A R**

Sub: Cases – Disposal of Cases relating to Senior Citizens by giving priority- Instructions - Issued.

Read:1. High Court's Circular No.4790/99/O.P.Cell-E,  
dt.2.11.1999.  
2. High Court's Circular Roc No.3465/E1/2003,  
dt.5.12.2003.

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Attention of all the Judicial Officers is invited to the High Court 's Circular 1<sup>st</sup> cited, wherein instructions were issued to dispose the matters, in which persons above 65 years are involved, on priority basis. Further, in the Circular 2<sup>nd</sup> cited , the High Court has earmarked certain Fast Track Courts in the districts, where there are more than one Fast Tract Court in the same station, for speedy disposal of cases of Senior Citizens.

Even then, several representations are being received from the Senior Citizens, whose cases are pending since long time and they are requesting the High Court, to issue suitable instructions to the Concerned Judicial Officers for early disposal of their cases, so as to enable them to feel happy at the fag end of their life.

Further, as seen from the statistics received from the districts with regard to the disposal and pendency of cases of Senior Citizens, the High Court noticed that the pendency of such cases are not decreasing in many Districts, as the rate of disposal is less, when compared to the institutions.

In the circumstances, all the Judicial Officers in the state are once again directed to give priority for disposal of cases of Senior Citizens pending on their files.

Sd/-  
**REGISTRAR (VIGILANCE)**

To.

All the Unit Heads in the State.  
(with a request to communicate the said Circular to all the Judicial Officers in their Districts.)

The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.980/OP CELL/2006****DT:09.05.2006****C I R C U L A R**

Sub: Disposal of cases relating to Intellectual Property Rights on top priority basis – Reg.

Ref: Resolution passed in the Chief Justices' Conference held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi.

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All the Unit Heads are hereby informed that in the Conference of the Chief Justices held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi, it was resolved that cases relating to Intellectual Property Rights be identified and disposed of on priority basis.

Therefore, all the Unit Heads are directed to give necessary instructions to the Senior Civil Judges and Junior Civil Judges under their control to identify and dispose of cases relating to Intellectual Property Rights filed under the enactments such as Patents, Industrial Designs, Copyright, Trade Marks, Knowhow and Confidential Information, etc., on priority basis.

These instructions should be followed scrupulously and any deviation in this regard will be viewed seriously. A comprehensive report in this regard has to be sent within 15 days from the date of receipt of this circular.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.981/OP- CELL/2006****DT:09.05.2006****C I R C U L A R**

Sub: Disposal of cases relating to rape and sexual harassment on top priority basis – Reg.

Ref: Resolution passed in the Chief Justices' Conference held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi.

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All the Unit Heads are hereby informed that in the Conference of the Chief Justices held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi, it was resolved that cases of rape and sexual harassment be heard by earmarked Courts on priority basis.

Therefore, all the Unit Heads are directed to give necessary instructions to the Judge, Mahila Courts, Assistant Sessions Judges and Judicial Magistrate of First Class under their control to give top priority for disposal of cases relating to rape and sexual harassment.

These instructions should be followed scrupulously and any deviation in this regard will be viewed seriously. A comprehensive report in this regard has to be sent within 15 days from the date of receipt of this circular.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

All the Unit Heads in the State.

**J. 558/23.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.981/OP CELL/2006****DT:15.06.2006****C I R C U L A R**

Sub: Disposal of cases both Civil and Criminal in which Injunctions/Stay Orders have been granted by the Appellate Courts i.e., District and Sessions Courts including Fast Track Courts and Subordinate Courts in the District, on top priority basis – Reg.

Ref: Resolution passed in to Chief Justices' Conference held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi.

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All the Unit Heads are hereby informed that in the Conference of Chief Justices' held on 9<sup>th</sup> and 10<sup>th</sup> March, 2006 at New Delhi, it was resolved that cases in which proceedings before the trial Court have been stayed by the Sessions Courts/Fast Track Courts and Civil Cases in which Injunctions/Stay Orders have been granted by Subordinate Courts be identified and disposed of expeditiously. It was further resolved that Sessions cases in which accused are in jail for more than three years also be identified and disposed of expeditiously.

Therefore, all the Unit Heads are directed to give necessary instructions to all the Addl. District and Sessions Judges including Fast Track Courts, Senior Civil Judges and Junior Civil Judges in the District, to identify the cases in which proceedings before the trial Court have been stayed by the Sessions Courts/Fast Track Courts and Civil Cases in which Injunctions/Stay Orders have been granted by Subordinate Courts and dispose off them expeditiously. Further, Sessions Cases in which accused are in jail for more than three years also be identified and disposed of expeditiously.

All the Unit Heads are further directed to call for the details of cases stayed by the Appellate Courts in the District, and furnish the same to the High Court in the given proforma, for placing before the Honourable the Chief Justice.

**PROFORMA****NAME OF APPELLATE COURT:**

Sl. No.	Case No. and Date of order in which Injunction/Stay granted by the Appellate Court.	Trial Court Case No. in which proceedings are pending.	Name of the Trial Court.

It is further directed to furnish the details of Sessions Cases, if any, in which accused are in jail for more than three years and reasons for the delay in disposal of such cases in the given proforma.

Sl. No.	Name of the Sessions Court/Fast Track Court	Case No. and name of the Accused detained more than three years.	Reason for the delay in disposal of the case.

The above said information shall be furnished to the High Court on or before 30-6-2006, without fail.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1660/OP CELL-E/2006****DT:02.08.2006****C I R C U L A R**

Sub: Disposal of Stayed Matters by the High Court –  
Communication of Order copies – Return of Lower  
Court Records to the concerned Courts – Certain  
Instructions - Issued.

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All the Judicial Officers in the State are hereby informed that the High Court of Andhra Pradesh is making special efforts for disposal of Stayed Matters and one day in a week has been allotted for disposal of such cases. The High Court is also sending Order Copies/Lower Court Records in the disposed off matters to the respective courts, immediately. Still several letters are being received in the High Court stating that they have not received order copies/ Lower Court Records in the disposed matters. On verification by the Registry, it is noticed that Order Copies/Lower Court Records in such cases have already been sent to the respective courts. It seems that the Subordinate Courts are addressing the High Court in this regard, without proper verification at their end.

In this connection, to avoid unnecessary correspondence between the High Court and Subordinate Courts and also to take immediate steps for disposal of connected cases pending on their files, the following instructions are issued.

1. As soon as Order copy/Lower Court Records in the matters disposed off by the High Court, are received, necessary entries to that effect shall be made in the connected case Register and also on the docket sheet of the connected case bundle.
2. Before addressing the High Court for copy of Order/Lower Court Record, first they shall make sure that they have not received Order Copy/Lower Court Record, from the High Court.
3. If the Order Copy/Lower Court Case Records are received from the High Court, in the matters already transferred to the other courts,

immediate steps shall be taken to send the said Order Copy/Lower Case Record to the respective Court to which the case has been transferred.

4. Like wise if the case is received by transfer from other courts, before addressing the High Court, first they have to enquire whether the Order Copy/Lower Case Records have been received by the original Court from which the said case has been transferred to their courts.
5. if the case records pertaining to Trial Courts are received by the District Court/Appellate Court from the High Court, immediate steps shall be taken to send those records to the concerned Trial Courts.
6. Correct information with regard to the Stayed Matters shall be furnished as and when required by the High Court.
7. It is the duty of the Parties/Advocates to produce copy of order of the High Court in which stay has been granted by the High Court. If they are unable to produce the same, even after giving proper time, such cases shall be deleted from the list of Stayed Matters and the officer may take steps to proceed further with regard to the disposal of the case, pending on their files.
8. To have correct and instant information about the Stayed Matters, it is advised to maintain a separate Register for Stayed matters, with the prescribed columns (1) Lower Court Case number, (2) High Court Main Case Number and Miscellaneous Case Number and date of Interim Order (Stay Order) (3) Date and Dis.No. in which Lower Court Records were sent to the High Court (4) Date of final disposal of the main case by the High Court and (5) Date of receipt of Order Copy/ Lower Court Records from the High Court.

All the Judicial Officers in the State are hereby directed to follow the above instructions scrupulously and any deviation in this regard will be viewed seriously.

Sd/-

**REGISTRAR (VIGILANCE)**

To

- |                                                                                                                                                                                                                                                                                                      |   |                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. All the Principal District and Sessions Judges in the State.</li> <li>2. The Chief Judge, City Civil Court, Hyderabad.</li> <li>3. The Chief Judge, City Small Causes Court, Hyderabad.</li> <li>4. The Metropolitan Sessions Judge, Hyderabad.</li> </ol> | } | <p>With a request to communicate the same to all the Courts in the District/Unit</p> |
| <ol style="list-style-type: none"> <li>5. The Director, A.P. Judicial Academy, Secunderabad. (for information)</li> <li>6. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification)</li> </ol>                                                               |   |                                                                                      |

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1793/OP CELL-E/2006****DT:09.08.2006****C I R C U L A R**

Sub: Courts – Civil & Criminal – Furnishing of Statistical statements pertaining to all Courts in the District – Pendency of cases in each Court as on 31-07-2006 - Disposal of cases by each officer during every fortnight from 1-8-2006- Called for.

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As per the directions of the Hon'ble the Chief Justice, all the Principal District and Sessions Judges and Unit Heads of the Districts in the State are hereby directed to send statistical statements i.e., cases pending in each Court as on 31-07-2006 and disposals of each Judicial Officers on fortnightly basis from 01-08-2006 onwards. The first statement i.e., disposal of cases by each officer from 01-08-2006 to 15-08-2006 be sent to the High Court by 20-08-2006 and the second statement for the next fortnight be sent by 05-09-2006. This process shall be repeated after every 15 days.

All the Principal District and Sessions Judges and Unit Heads of the Districts in the State are therefore directed to obtain information from each Court/officer and furnish the consolidated (Court-wise) statement in the prescribed format enclosed herewith, to the High Court, for every fortnight, within the stipulated period mentioned above, through **INTERNET** to the below mentioned e-mail address.

rkarthikeyanaphc@Gmail.com

Any deviation in this regard will be viewed seriously.

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the Principal District and Sessions Judges/Units Heads in the State of A.P.
2. All the Presiding Officers of the Special Courts and Tribunals in the city of Hyderabad.

HIGH COURT OF ANDHRA PRADESH :: HYDERABADROC.NO.2354/OP CELL-E/2006DT:09.11.2006CIRCULAR

Sub: Courts – Criminal – Disposal of Petty/Challan cases –  
Strictly following Section 258 of the Code of Criminal  
Procedure – Instructions – Issued.

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The Arrears Committee headed by Honorable Justice S.B.Sinha, Judge, Supreme Court of India, has been pleased to review the category-wise statistical information furnished by the High Court of Andhra Pradesh in respect Subordinate Judiciary in the State. Further, the Arrears Committee impressed upon the High Court the need to give necessary instructions to Subordinate Judiciary to scrupulously follow, in appropriate matters, the provisions of Section 258 of the Code of Criminal Procedure, 1973 in the event the police failing and/or neglecting to serve notices upon the accused.

In the above circumstances, the High Court, hereby directs all the Presiding Officers dealing with petty cases, especially the Challan cases, in the Metropolitan cities and Towns to give limited opportunities to the police to secure presence of accused strictly in accordance with law. In case, the police machinery fails to secure presence of the accused, the Magistrate may, except for reasons recorded otherwise, in suitable matters, stop the proceedings relying on provisions like Section 258 of the Code of Criminal Procedure, 1973.

In order to monitor the above instructions, all the Unit Heads are instructed to furnish Court-wise monthly progress reports of petty/challan cases in which proceedings are stopped, in the given FORMAT, for appraising the Arrears Committee.

Receipt of this circular shall be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

1. ALL THE UNIT HEADS IN THE STATE OF A.P.,  
(with a request to communicate the same to all the Presiding Officers in the District.)
2. The Director, A.P. Judicial Academy, Secunderabad.
3. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh (for codification).

**Format**

SL. NO.	NAME OF THE MAGISTRATE COURT	NUMBER OF PETTY/CHALLAN CASES PENDING AT THE BEGINNING OF THE MONTH	NUMBER OF CASES IN WHICH PROCEEDINGS STOPPED AFTER APPLYING SECTION 258 OF Cr.P.C	REMARKS, IF ANY

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.3436/E1/1997****DT:12.01.2007****C I R C U L A R**

Sub: Cases – Priority to the cases filed under SCs & STs (POA) Act, 1989 by the Special Sessions Courts to try the cases under SCs & STs (POA) Act, as well as the Courts designated under the said Act – Certain instructions – Issued.

Read:1.High Court's Circular Roc.No.3436/E1/1997, dt.5.2.1998.

2. High Court's Letter Roc.No.3436/E1/1997, dt.8.2.2006.

3.D.O.Lr.No.11017/50/2001-JUS (M), dt.22.12.2006 from the Additional Secretary, Ministry of Home Affairs, Government of India, New Delhi.

\*\*\*

Attention of all the Special Sessions Judges for trial of cases under SCs & STs (POA) Act, 1989 and the Additional District and Sessions Judges, designated under the said Act, is invited to the references 1<sup>st</sup> and 2<sup>nd</sup> read, wherein the High Court issued specific instructions to give priority to the cases filed under the SCs & STs (POA) Act, 1989 for expeditious disposal.

The Additional Secretary, Ministry of Home Affairs, Government of India, New Delhi in the reference 3<sup>rd</sup> read above, has informed that the Parliamentary Committee on the Scheduled Castes and Scheduled Tribes on the Ministry of Home Affairs, while considering the matter pertaining to Atrocities on SCs & STs suggested that the Sessions Courts notified as Special Courts should give top priority to the atrocity cases, which will help to bring down the pendency. On the said recommendations the Government of India requested the High Court to impress upon the courts and the Law enforcing agencies to ensure speedy trial of cases so as to bring down the pendencies.

J. 558/24.

The High Court having considered the above request of the Government of India, hereby instruct all the Special Sessions Judges for trial of offences under SCs & STs (POA) Act, 1989, and also the Additional District and Sessions Judges, designated under the said Act, to give priority to the cases filed under SCs & STs (POA) Act, 1989, for expeditious disposal of the cases.

The above Officers are further directed to submit monthly statement relating to the pendency of such cases at the beginning, Institutions and Disposals during the month and pendency at the end, to the High Court in the first week of the succeeding month.

**Please acknowledge the receipt of the Circular.**

Sd/-

**REGISTRAR (VIGILANCE)**

To

1. All the District and Sessions Judges in the State.
2. The Metropolitan Sessions Judges, Hyderabad, Visakhapatnam and Vijayawada.

(With a request to communicate the Circular to all the Special Sessions Judges and Additional District and Sessions Judges designated to try the cases under SCs & STs (POA) Act, 1989)

Copy to:

1. The Section Officer, O.P. Cell Section, High Court of A.P., Hyderabad.  
(for information and necessary follow up action)
2. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, (for codification purpose)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.3902/E1/1998****DT:09.08.2007****C I R C U L A R**

Sub: Courts – Special Courts for trial of cases under the Prevention of Corruption Act in the State of Andhra Pradesh – Certain instructions for speedy trial and disposal of cases filed under the Prevention of Corruption Act without frequent adjournments – Reg.

Ref: 1. High Court's Circular Roc.No.1354/E1/1998. dt.29.1.1998.  
2. High Court's Circular Roc.No.1354/E1/1998. dt.29.10.2001.  
3. High Court's Circular Roc.No.3902/E1/1998. dt.1.9.2003.  
4. High Court's Circular Roc.No.3902/E1/1998. dt.11.9.2003.  
5. High Court's Circular Roc.No.3902/E1/1998. dt.18.12.2003.  
6. High Court's Circular Roc.No.3902/E1/1998. dt.6.8.2005.  
7. Letter D.O.No.J/11015/1/2007-JR, dt.12.6.2007 from Sri Rajiv Agarwal, Additional Secretary (Justice), Government of India, Ministry of Home Affairs, New Delhi.

\*\*\*

Attention of all the Special Judges for trial of SPE & ACB Cases in the State is invited to the references cited.

It is further informed that the Additional Secretary (Justice), Government of India, Ministry of Home Affairs, New Delhi addressed a letter to the High Court, wherein he stated that the 2<sup>nd</sup> Administrative Reforms Commission has made certain recommendations in its 4<sup>th</sup> report titled "Ethics in Governance" and one of the recommendations of the said report is on speeding up trials under the Prevention of Corruption Act, which is as under:

**"It has to be ensured that the proceedings of courts trying cases under Prevention of Corruption Act are held on a day to day basis, and no deviation is permitted."**

**"The Supreme Court and High Courts may lay down guidelines to preclude unwarranted adjournments and avoidable delays."**

The High Court having considered the above said letter of the Government of India, hereby directs all the Special Judges for trial of SPE & ACB cases in the State to try and dispose of the cases filed under Prevention of Corruption Act pending before them expeditiously without granting frequent adjournments and see that the schedule fixed for production of witnesses is not cancelled.

In this regard, the Director General, Anti Corruption Bureau, Hyderabad is also being requested to give suitable instructions to the investigating officers to cause production of the witnesses on the day fixed in schedule and appear themselves before the Court without fail and to co-operate with the Presiding Officers in disposal of ACB cases.

The above circular instructions should be followed by the concerned Special Judges scrupulously without fail.

Please acknowledge the receipt of this Circular.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

1. The Principal Special Judge for trial of SPE & ACB cases, Hyderabad.
2. The Additional Special Judge for trial SPE & ACB cases, Hyderabad.
3. The Special Judges for trial of SPE and ACB Cases Vijayawada, Nellore and Visakhapatnam.

Copy to:

The Director General, Anti Corruption Bureau, M.J.Road, Hyderabad.  
(with covering letter)

HIGH COURT OF ANDHRA PRADESH :: HYDERABADROC.NO.1938/OP CELL-E/2008DT:25.08.2008C I R C U L A R

Sub: Courts – Civil & Criminal – Disposal of old cases –  
Targets fixed – Instructions – Issued.

Ref: High Courts Circular Roc.No.5010/OP Cell-E/2004,  
dt.11.11.2004.

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The High Court in the year 2004, in order to bring down the huge accumulation of old cases, had fixed targets to all the Judicial Officers in the State i.e., all Pre-2001 Cases in the District Courts, all Pre-1999 Cases in the Senior Civil Judges Courts and all Pre-2000 cases in the Junior Civil Judges Courts, by the end of 2005 and necessary instructions have been issued to all the Judicial Officers for disposal of old cases, vide Circular cited. These measures worked out tremendously and yield expected results.

Now, the Hon'ble Chief Justice, after going through the analyzed reports prepared by the Registry in respect of half-yearly statistical statements pertaining to all the Subordinate Courts in the State concerning the period from 1.1.2008 to 30.6.2008, have been pleased to observe that most of the old matters as per the targets fixed in the year 2004 have been disposed off, but still some old cases remain pending for long time.

In the circumstances, the High Court once again has fixed the targets to all the Judicial Officers in the State, for disposal of old cases in the following manner, so as to clear off all the identified old cases by the end of February 2009.

1. All District Judges/Addl. District Judges including the Presiding Officers of the Tribunals and Special Courts: **All Pre-2004 Cases.**
2. All Senior Civil Judges: **All Pre-2002 Cases.**
3. All Junior Civil Judges and Judicial Magistrate of First Class: **All Pre-2003 cases.**

All the Judicial Officers shall take effective steps for disposal of old cases and see that no case relating to the above said periods is pending on their files, by the end of February, 2009. At the same time, they have to give priorities for disposal of certain nature of cases like Senior Citizen cases, Atrocities Against Women cases, cases of Under Trial Prisoners etc., for which instructions have been issued by the High Court for speedy disposal of the said cases.

In case, if sufficient number of cases covered by the above said periods are not available, the Judicial Officers are directed to dispose of old cases available on their files.

The Principal District Judges/Unit Heads are directed that they may take steps for distribution of old cases covered by the above, said periods among the courts situated in the same station, for speedy disposal. In that process, part heard cases and cases in which trial has been started should not be transferred. While transferring cases from one Court to another, the District Judges shall follow the instructions issued by the High Court from time to time with regard to the transfer of cases to the Fast Track Courts or to the Special Courts. If old cases pertaining to the said periods are pending due to stay orders of the High Court or Appellate Courts the details of such cases be furnished to the High Court for taking necessary action.

Therefore, the Principal District Judges/Unit Heads are directed to issue necessary instructions to all the Judicial Officers for disposal of old cases on their files and send the progress in disposal of those cases in the proforma given below, every month, to the High Court for review. The monthly progress reports of each Districts shall reach the High Court by 10<sup>th</sup> of every succeeding month.

Receipt of this circular shall be acknowledged.

Sd/-  
**REGISTRAR (VIGILANCE)**



**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 2540/2005-C4(Con.), dt.28.12.2005.****CIRCULAR**

Sub: ENQUIRIES – Departmental enquiries against the staff of the Subordinate Judiciary – Certain instructions to the Unit Heads and Unit Officers – Reg.

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The High Court has been receiving appeals against the final orders passed by Unit Heads in Departmental Enquiries under A.P.C.S.(C.C.&A) Rules, 1991. It has been noticed that there is no uniform practice in assigning a nomenclature to enquiry files. Some Unit Heads are putting P.R.Nos. and others as D.E. Nos. Some Unit Heads are not at all assigning any nomenclature or number.

The High Court is of the view that a uniform practice should be followed throughout the state. Therefore, all the Unit Heads are requested to use the nomenclature as Departmental Enquiry Number together with number of the year (D.E.No.\_\_\_\_\_year)

This shall come into force with effect from 1-1-2006.

Sd/-  
**REGISTRAR (ADMN.)**

To

- 1) All the District Judges and Unit Officers in the State.
- 2) The Section Officer, Special Officer's Section.
- 3) Spare
- 4) Stock

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 5420/E1/2002****dt.19.3.2004.****CIRCULAR**

Sub: Fast Track Courts – Transfer of M.V.O.Ps from the files of regular Addl. District and Sessions Courts functioning away from the District Headquarters to the Fast Track Courts functioning at Tirupathi, Madanapalle, Kakinada and Vijayawada – Instructions – Issued.

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The High Court having considered the proposal for transfer of M.V.O.Ps from the files of the regular Addl. District and Sessions Courts functioning away from the District Headquarters to the Fast Track Courts functioning at the same place, decided to transfer 200 MVOPs upto the value of Rs.1.00 lakh from the regular Addl. District and Sessions Courts functioning at Tirupathi, Madanapalle and Kakinada to the Fast Track Courts functioning at the same places.

The District and Sessions Judges, Chittoor and East Godavari are directed to transfer 200 MVOPs upto the value of Rs.1.00 lakh each to the Fast Track Courts functioning at Tirupathi, Madanapalle and Kakinada from the files of the regular Addl. District and Sessions Courts functioning at the same places.

With regard to the Fast Track Courts functioning at Vijayawada, the District and Sessions Judge, Krishna at Machilipatnam is directed to retain only 50 MVOPs on the file of the Court of the Special for trial of cases under SPE & ACB-cum-III Addl. District and Sessions Judge-cum-Addl. Metropolitan Sessions Court at Vijayawada and transfer the remaining MVOPs either to the other regular courts without any monetary limit or in case of Fast Track Courts, it shall be upto the value of Rs.1.00 lakh.

The action taken in this regard may please be intimated to the High Court.

Sd/-  
REGISTRAR (VIGILANCE)

To  
The District and Sessions Judges, Chittoor, East Godavari at Rajahmundry and Krishna at Machilipatnam.

Copy to:

1. The II Addl. District and Sessions Judge, Madanapalle, Chittoor District.
2. The III Addl. District and Sessions Judge, Tirupathi, Chittoor District.
3. The III Addl. District and Sessions Judge, Kakinada, East Godavari District.
4. The II Addl. District and Sessions Judge-cum-Metropolitan Sessions Judge, Vijayawada.
5. The Special Judge for SPE & ACB Cases, Vijayawada.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5967/E1/2003****DT:05.07.2004****C I R C U L A R**

Sub: Courts – Fast Track Courts in the cadre of Senior Civil Judge-cum-Assistant Sessions Judge – Entrustment of Original Suits (money suits) to the Fast Track Courts in the cadre of Senior Civil Judge-cum-Assistant Sessions Judge – Certain instructions - Issued.

Ref: High Court's Letter Roc.No.5967/E1/2003, dt.10.3.2004.

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Attention of the District Judges is invited to the reference cited, wherein the High Court has requested the concerned District Judges to transfer Sessions Cases and other Criminal Cases triable by Assistant Sessions Judges which are ready for trial and also transfer Appeal Suits and CMAs from the regular Senior Civil Judges Courts functioning at their respective stations to the files of newly sanctioned Fast Track Courts in the cadre of Senior Civil Judge-cum-Assistant Sessions Judge. The District Judge, East Godavari sought permission to transfer Original Suits and Small Cause Suits from the files of Prl. And Additional Senior Civil Judges' Courts Rajahmundry to the newly established Fast Track Court at Rajahmundry on the ground that Senior Civil Judge at District Head Quarters is not having appellate jurisdiction.

Having considered the above said proposal and in order to provide sufficient work to the Fast Track Courts and to reduce the work load on the regular Senior Civil Judges Courts, particularly Original Suits (Money), the High Court has decided to entrust the Money Suits to all the Fast Track Courts in the cadre of Senior Civil Judge-cum-Assistant Sessions Judges functioning in the respective Districts.

Therefore, all the respective District Judges are hereby instructed to transfer Money Suits to all the Fast Track Courts in the cadre of Senior Civil Judge-cum-Assistant Sessions Judges functioning in their respective Districts, depending upon the work load on the files of the said Fast Track Courts.

The Unit Heads are requested to inform the High Court as to the number of such cases transferred to the Fast Track Courts in the cadre of Senior Civil Judge.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

The District Judges: Adilabad, Cuddapah, East Godavari, Guntur, Krishna, Kurnool, Mahabubnagar, Nellore, Nizamabad, Rangareddy, Visakhapatnam, Warnagal and West Godavari Districts.

The Chief Judge, City Civil Court, Hyderabad.

HIGH COURT OF ANDHRA PRADESH :: AT HYDERABADROC.NO. 4335/E1/2000dt.9.8.2004.CIRCULAR

Sub: Fast Track Courts – Transfer of M.V.O.Ps upto the value of 2 lakhs to the Addl. District and Sessions Judge Courts (Fast Track Courts) away from the District Head Quarters where no regular Addl. District and Sessions Judges Courts are functioning – Certain instructions – Issued.

Ref: 1. High Court's Circular in Roc.No.4335/E1/2000, dt.9.12.2003.  
2. High Court's Circular in Roc.No.5420/E1/2002, dt.9.3.2004.

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In the reference 1<sup>st</sup> cited, the High Court has issued instructions to the District and Sessions Judges to transfer 200 MVOPs of value upto one lakh each to Fast Track Courts functioning at District Head Quarters.

Subsequently, in the reference 2<sup>nd</sup> cited, the High Court has issued instructions to the concerned District and Sessions Judges, to transfer 200 MVOPs, upto the value of one lakh to each of the Fast Track Court functioning away from the District Head Quarters from the files of the regular Addl. District and Sessions Judge Courts functioning at the same places.

While so, some of the Bar Associations, where Fast Track Courts in the cadre of Addl. District and Sessions Judge is functioning and at which place no regular Addl. District and Sessions Judge Court is not functioning, requested the High Court to transfer MVOPs, to the said Fast Track Courts functioning at their places. The High Court having considered their representations decided to entrust MVOPs upto the value of Rs.2 lakhs to Fast Track Courts functioning away from the District Head Quarters where no regular Addl. District and Sessions Judge's Court is functioning.

Hence, the respective District and Sessions Judges are hereby directed to transfer MVOPs upto the value of Rs.2 lakhs from the files of the District Court and Addl. District Courts (including Fast Track Courts) relating to the said area to the Fast Track Courts in the cadre of Addl. District and Sessions Judge away from the District Head Quarters where no regular Addl. District and sessions Judge Court is functioning at those places.

Compliance of this circular please sent to the High Court immediately.

Sd/-  
REGISTRAR (VIGILANCE)

To

The District and Sessions Judges, Ananthapur, Adilabad, East Godavari at Rajahmundry, Khammam, Mahabubnagar, Medak, Nizamabad, Rangareddy, Nalgonda, Visakhapatnam, Warangal and West Godavari Districts.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****dt.21.9.2004.****CIRCULAR**

Sub: Fast Track Courts – Transfer of M.V.O.Ps upto the value of Rs.3 lakhs from the files of regular District and Sessions Courts and Addl. District Courts to all the Fast Track Courts functioning in the State – Orders – Issued.

- Read:1.High Court's Circular in Roc.No.4335/E1/2000,  
dt.9.12.2003.  
2. High Court's Circular in Roc.No.5420/E1/2002,  
dt.19.3.2004.  
3.High Court's Circular in Roc.No.4335/E1/2000,  
dt.9.8.2004.

\*\*\*

Attention of all the District and Sessions Judges in the State is invited to the references 1 to 3 read above. The High Court, vide Circular 1<sup>st</sup> read, has issued directions to all the District Judges to transfer 200 MVOPs upto the value of Rs.1.00 lakh to each of the Fast Track Courts functioning at the District Head Quarters. Subsequently, the High Court vide reference 2<sup>nd</sup> read, has issued instructions for transfer of 200 MVOPs upto the value of Rs.1.00 lakh from the regular Addl. District and Sessions Courts functioning at Tirupathi, Madanapalle and Kakinada to the Fast Track Courts at the same place.

In the reference 3<sup>rd</sup> read, the High Court having considered the representations of some of the Bar Associations, issued instructions to the respective District Judges to entrust M.V.O.Ps upto the value of Rs.2.00 lakhs to the Fast Track Courts in the cadre of Addl. District and Sessions Judge functioning away from District Head Quarters where no regular Addl. District and Sessions Courts are functioning. With regard to Nizamabad District, separate instructions were issued for transfer of MVOPs to the Fast Track Courts at Nizamabad.

Now, the matter has been once again considered by the High Court and decided to transfer MVOPs upto the value of Rs.3.00 lakhs to all the Fast Track Courts functioning at District Head Quarters and the Fast Track Courts functioning away from the District Head Quarters including the places where no regular Addl. District and Sessions Courts are functioning.

Hence, all the District Judges are hereby directed to transfer MVOPs upto the value of Rs.3.00 lakhs from the regular District Courts and Addl. District Courts to all the Fast Track Courts at the District head Quarters and also away from the District Head Quarters. These orders shall also apply to the Fast Track Courts functioning away from the District Head Quarters, where no regular Addl. District and Sessions Courts is functioning and such cases shall relate to the claimants residing within the jurisdiction of such Fast Track Court.

The Compliance of this circular be intimated to the High Court.

Sd/-  
REGISTRAR (VIGILANCE)

To

- 1) All the District and Sessions Judges in the State of A.P.
- 2) The Chief Judge, City Civil Court, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****dt.4.01.2005****CIRCULAR**

Sub: Fast Track Courts – Transfer of cases from Regular Courts  
to Fast Track courts – Certain instructions – Issued.

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Attention of all the Unit Heads is invited to the subject cited. The High Court while perusing the disposal of cases in the Fast Track Courts, noticed that the workload in the Fast Track Courts in the cadre of Addl. District and Sessions Judges, is increasing and in certain Courts the pendency is alarming and it is not possible to the said Courts to cope up with the work due to lack of sufficient staff. The High Court having considered the same decided that the pendency in all the Fast Track Courts shall not exceed 500 cases at any given point of time.

Therefore, all the Prl. District and Sessions Judges in the State are hereby directed to monitor the pendency in all the Fast Track Courts in their respective Units from time to time and provide work to the said Courts at regular intervals and see that the pendency shall not exceed 500 cases in the Fast Track Courts and they shall withdraw the cases if the work is unmanageable and distribute the same among the regular Addl. District Courts functioning at the same station. These orders will also apply to the Fast Track Courts functioning away from the District Head Quarters where no regular Addl. District Court is functioning.

The Unit Heads are further directed that they shall not transfer Bail applications and Title suits to the Fast Track Courts. While transferring the cases to the Fast Track Courts they shall see that cases of all types viz., Sessions Cases, Crl. Appeals, Civil Appeals and MVOPs upto the value of 3 Lakhs are to be covered. In case of MVOPs, priority may be given to the old cases instead of fresh cases.

All the Unit Heads are hereby directed to strictly adhere to the above instructions and acknowledge the receipt of the circulars orders.

Sd/-  
REGISTRAR (VIGILANCE)

To  
All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 3465/E1/2003****dt.05.01.2005****CIRCULAR**

Sub: Fast Track Courts – Entrustment of cases relating to the Disabled to the Earmarked Fast Track Courts and giving priority to such cases where no Earmarked Court is functioning – Certain instructions – Issued.

Ref:1. High Court's Circular Roc.No.3465/E1/2003, dt.5.12.2003.  
2. D.O.Lr.No.K 12011/2/2003-JUS(M)/506, dt.20.10.2004 of the Hon'ble Minister for Law & Justice, Government of India, New Delhi.

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Attention of the all the District Judges is invited to the reference 1<sup>st</sup> cited, wherein the High Court has earmarked 16 Fast Track Courts in the State exclusively to deal with the cases of Senior Citizens and cases involving Sexual Harassment of Women.

Now, the Hon'ble Minister for Law & Justice, Government of India, in his letter 2<sup>nd</sup> cited, has suggested to give priority to the cases in which persons with 40% or more Disability as per the Disability Act is or are the main Petitioner (s) or the main Defendant(s).

The High Court having considered the same hereby direct the Unit Heads to transfer all the pending cases in which, persons with 40% or more disability as per the Disability Act is or are, the main petitioner(s) or main defendant (s), from the files of the regular District Courts/Addl. District Courts to the Earmarked Fast Track Courts dealing with Senior Citizens and Sexual Harassment of Women cases, in their respective Districts. Where no such Earmarked Fast Track Courts are there, all the Subordinate Courts are hereby directed to give priority to the cases relating to the Disabled.

The Unit Heads are requested to inform the High Court as to the number of such cases transferred to the earmarked Fast Track Courts and the number of cases relating to the Disabled pending in all the Courts in the District at the earliest.

Sd/-  
REGISTRAR (VIGILANCE)

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.3902/E1/1998****DT:06.08.2005****C I R C U L A R**

Sub: Courts – Special Courts for trial of SPE & ACB cases in the State of Andhra Pradesh – With drawal of Non-ACB cases from the files of the Special Courts for trial of SPE & ACB cases and to transfer them to the Fast Track Courts functioning at the respective places – Instructions – Issued.

- Ref:1. High Court's Circular Roc.No1354/E1/1998. dt.29.1.1998.  
 2. High Court's Circular Roc.No.1354/E1/1998. dt.29.10.2001.  
 3. High Court's Circular Roc.No.3902/E1/1998. dt.1.9.2003.  
 4. High Court's Circular Roc.No.3902/E1/1998. dt.11.9.2003.  
 5. High Court's Circular Roc.No.3902/E1/1998. dt.18.12.2003.  
 6. Letter No.98/Spl.C/A1/2003-12, dated 17.6.2005 from the  
 Prl. Secretary to Government (Poll), General Admn.(Spl.C)  
 Department, Secretariat, Hyderabad.

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In the circulars issued by the High Court from time to time vide references 1 to 3 cited, the Special Judges for trial of SPE & ACB Cases in the State were directed to give priority for disposal of SPE & ACB cases pending on their files, besides, the concerned District Judges were also instructed not to transfer any fresh Civil and Criminal cases to the Special Courts unless exigency arises to do so. In the High Court's circular 4<sup>th</sup> and 5<sup>th</sup> cited, the Special Judges were directed to send monthly reports regarding the pendency of cases in the Special Courts.

While so, the Prl. Secretary to Government (Poll), General (Admn.) (Spl.C) Dept., Secretariat, Hyderabad in his letter 6<sup>th</sup> cited, stated that the Director General, Anti Corruption Bureau has informed the Government that in all the 5 Special Courts, 1010 ACB cases are pending and on an average 77 cases per year are getting disposed off

in all the 5 Special Courts put together during the last 5 years and at this rate it would take more than 13 years time to clear off the existing pendency of 1010 cases, leaving aside the new cases that are going to be Charge Sheeted in coming years and hence requested for removal of the Non-ACB Cases from the 5 Special Courts.

The High Court, having considered the said proposal of the Director General of ACB, and also keeping in view of the less disposal of ACB Cases by the Special Courts decided to remove all Non-ACB cases from the files of the 5 Special Courts for the trial of SPE & ACB Cases in the State.

Therefore, the High Court hereby directs the Chief Judge, City Civil Court, Hyderabad, and the District and Sessions Judges at Krishna, Nellore and Visakhapatnam to take out all the Non-ACB Cases from the files of Special Courts for trial of SPE & ACB Cases in their respective Units and transfer such cases to the Fast Track Courts functioning at those places.

The above said Unit Heads are further directed to intimate the action taken in this behalf to the High Court immediately.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

1. The District and Sessions Judges, (1) Krishna at Machilipatnam  
(2) Nellore and (3) Visakhapatnam
2. The Chief Judge, City Civil Court, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5967/E1/2003****DT:06.08.2005****C I R C U L A R**

Sub: Fast Track Courts – Transfer of Original Suits (Title) from regular Courts to the Fast Track Courts – Certain instructions - Issued.

Ref: 1. High Court's Circular Roc.No.5967/E1/2003, dt.5.7.2004.  
2. High Court's Circular Roc.No.4335/E1/2000, dt.4.1.2005.

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The High Court in order to provide sufficient work to the Fast Track Courts and to reduce the workload on the regular Senior Civil Judge Courts, particularly Original Suits decided to entrust the **Money Suits** to all the Fast Track Courts in the cadre of Senior Civil Judges-cum-Assistant Sessions Judges functioning in the respective Districts and accordingly issued instructions in the reference 1<sup>st</sup> cited. In the reference 2<sup>nd</sup> cited, all the Prl. District and Sessions Judges in the State were directed to monitor the pendency in all the Fast Track Courts in their respective Units from time to time and provide work to the said Fast Track Courts at regular intervals and see that the pendency shall not exceed 500 cases. While so, some of the District Judges have sent proposals for transfer of Original Suits (Title) from regular courts to Fast Track Courts.

The High Court having considered the said proposals, hereby directs all the Unit Heads to transfer Original Suits (Title) from regular Courts to the Fast Track Courts subject to condition that if the other cases viz., Sessions cases, Criminal Cases, Civil Appeals and MVOPs are not available in regular Courts for transfer to the Fast Track Courts and the over all pendency in the Fast Track Courts shall not exceed 500 cases.

The District Judges are hereby directed to follow the above instructions scrupulously, while transferring the Title Suits to the respective Fast Track Courts.

Sd/-

**REGISTRAR (VIGILANCE)**

To

All the Unit Heads in the State.

(with a request to communicate these orders to the Presiding Officers of the Fast Track Courts in their respective Districts.)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****dt.08.8.2005.****CIRCULAR**

Sub: Fast Track Courts – Disposal of Cases – Priority to the Sessions Cases and other Criminal Cases – Certain instructions – Issued.

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The High Court while reviewing the performance of the work of the Presiding Officers of the Fast Track Courts, observed that the Presiding Officers of the Fast Track Courts are disposing only MVOPs neglecting the Sessions Cases and Criminal Cases and the officers ignored the fact that the Fast Track Courts are meant for disposal of long pending sessions cases and criminal cases particularly in which the Under Trial Prisoners are involved.

The High Court viewed such deviation of the Presiding Officers seriously and hereby directs all the Presiding Officers of the Fast Track Courts to give first priority to the Sessions Cases, Criminal cases and then to civil cases and MVOPs, while disposing the cases.

Any deviation from the above instructions will be viewed seriously by the High Court.

Sd/-  
REGISTRAR (VIGILANCE)

To

All the Unit Heads in the State ( with a request to communicate the circular to all the Presiding Officers of the Fast Track Courts in their respective Units.)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****Dt.29.9.2005.****CIRCULAR**

Sub: Fast Track Courts – Transfer of M.V.O.Ps upto the value of Rs.5.00 lakhs from the files of the regular District Courts and Addl. District Courts to the Fast Track Courts functioning in the State – Orders – Issued.

Ref:1.High Court's Circular Roc.No.4335/E1/2000, dt.21.9.2004.  
2. High Court's Circular Roc.No.4335/E1/2000, dt.4.1.2005.

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Attention of all the Unit Heads in the State, is invited to the circular instructions under references 1<sup>st</sup> and 2<sup>nd</sup> cited, wherein, all the District Judges were directed to transfer M.V.O.Ps, upto the value of Rs.3.00 lakhs from the regular District Courts and Addl. District and Sessions Judges Courts to all the Fast Track Courts functioning in the State, including the Fast Track Courts functioning away from the District Head Quarters where no regular Addl. District and Sessions Judge's Court is functioning. It was further directed that while transferring M.V.O.Ps priority may be given to the old cases instead of fresh cases and the pendency of all cases in the Fast Track Courts, shall not exceed 500 cases.

While so, the High Court has received representations from Bar Associatins, requesting to transfer M.V.O.Ps upto the value of Rs.5.00 lakhs to the Fast Track Courts in the cadre of Addl. District and Sessions Judge, functioning in the State.

The High Court, having considered the said proposal, hereby directs all the Unit Heads in the State to transfer the M.V.O.Ps upto the value of Rs.5.00 lakhs to the Fast Track Courts in the cadre of Addl. District and Sessions Judge, in the state subject to the condition that such M.V.O.Ps shall be transferred to the said Fast Track Courts when Sessions Cases, Criminal Cases and other Civil Cases are not available, for transfer, from the regular Courts and the over all pendency in the Fast Track Courts shall not exceed 500 cases.

The Unit Heads are hereby directed to strictly adhere to the above instructions, while transferring the M.V.O.Ps, to the Fast Track Courts functioning in the respective Units.

Sd/-  
REGISTRAR (VIGILANCE)

To

All the Unit Heads in the State.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****Dt.16.11.2006****CIRCULAR**

Sub: Fast Track Courts – Disposal of Sessions cases on priority basis – Disposal of a minimum number of five sessions cases per month – Certain Instructions – Issued.

Read:1.High Court's Circular Roc.No.4335/E1/2000, dt.30.3.2001.  
2.High Court's Circular Roc.No.4335/E1/2000, dt.12.8.2002.

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Attention of the Presiding Officers of the Fast Track Courts in the State is invited to the circular instructions of the High Court read above.

The Fast Track Courts are mainly established to dispose of Sessions cases and other Criminal Cases, which are more than two years old and ripe for trial, preferably the cases in which Under Trial Prisoners are involved. Subsequent to the establishment of Fast Track Courts in the State, the High Court from time to time has been issuing circular instructions to all the Presiding Officers of the Fast Track Courts to give top priority to disposal of Sessions Cases. More so, the Hon'ble Supreme Court of India in its Judgment dated 6.5.2002 in Transferred Case (Civil) No.22 of 2001 has given a direction that priority shall be given by the Fast Track Courts for disposal of Sessions Cases, which are pending for a long period of time and/or those involving Under Trials.

However, the High Court while reviewing the monthly disposals of the Presiding Officers of the Fast Track Courts in the State, has observed that some of the Presiding Officers are not giving priority to disposal of Sessions Cases.

Therefore, all the Presiding Officers of the Fast Track Courts are hereby directed to give preference for disposal of Sessions Cases and shall dispose of a minimum number of five (5) Sessions Case per month, depending upon the pendency of Sessions Cases.

All the Presiding Officers of the Fast Track Courts in the State shall follow the above circular instructions scrupulously.

Sd/-  
REGISTRAR (VIGILANCE)

To

All the Unit Heads in the State ( with a request to communicate the same to all the Presiding Officers of the Fast Track Courts in their respective Districts.)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 4335/E1/2000****Dt.14.08.2007****CIRCULAR**

Sub: Fast Track Courts – Disposal of cases by the Fast Track Courts – Transfer of Sessions Cases and Motor Vehicle Original Petitions to the Fast Track Courts – Instructions – Issued.

Read:1.High Court's Circular Roc.No.4335/E1/2000,  
dt.29.9.2005.  
2. High Court's Circular Roc.No.4335/E1/2000,  
dt.16.11.2006

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The High Court in its circular 2<sup>nd</sup> cited, directed the Presiding Officers of the Fast Track Courts to give preference for disposal of Sessions cases and shall dispose of a minimum number of five (5) sessions cases per month depending upon the pendency sessions cases in that particular station. However, as seen from the monthly disposal statements of the Presiding Officers of the Fast Track Courts, it is observed that some of the Presiding Officers of the Fast Track Courts have not disposed minimum required number of cases as directed. It is also observed that sufficient number of Sessions cases are not being transferred by the District and Sessions Judges to the Fast Track Courts, as the said Courts are mainly established to dispose of sessions cases and other Criminal cases.

In order to serve the purpose of establishment of the Fast Track Courts and to make their functioning more effective, the High Court decided to entrust only Sessions Cases and Motor Vehicle Original Petitions (upto Rs.5.00 lakhs) to the Fast Track Courts in the cadre of Additional District and Sessions Judges, so as to reduce the pendency of Sessions Cases and Motor Vehicle Original Petitions to the maximum extent.

Therefore, all the District and Sessions Judges in the State are hereby directed to make over sufficient number of Sessions cases to the Fast Track Courts to enable them to dispose of a minimum number of five (5) Sessions

Cases in a month. Where pendency of Sessions Cases in a particular station is not substantial, then out of number of Sessions Cases pending, majority of such cases may be distributed to the Fast Track Courts instead of entrusting all other category of cases which can be retained by the regular District and Sessions Courts, as these Courts are having sufficient staff to handle different types of cases. The District and Sessions Judges are further directed to transfer Motor Vehicle Original Petitions (upto Rs.5.00 lakhs) as per the earlier circular instructions to the said Fast Track Courts.

In so far as Hyderabad city is concerned, the Chief Judge, City Civil Court, Hyderabad, is directed to transfer only Civil Appeals and Motor Vehicle Original Petitions to the Fast Track Courts in the cadre of Additional District and Sessions Judges in his Unit.

The Unit Heads are directed to monitor the pendency of cases in the Fast Track Courts constantly from time to time and to make over sufficient number of Sessions Cases and Motor Vehicle Original Petitions to the said Courts and see that the pendency in the Fast Track Courts shall not exceed 500 cases at any given point of time.

Sd/-  
REGISTRAR (VIGILANCE)

To

1. All the Unit Heads in the State.
2. The Chief Judge, City Civil Court, Hyderabad.

(With a request to communicate the same to all the Presiding Officers of the Fast Track Courts in their respective Units).

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

**ROC.NO. 1643/SO/1995**

**DT: 04 .04.2005**

**CIRCULAR NO. 1/SO/2005**

Sub:- Family Courts Act, 1984 - Numbering of cases in the Family Courts as FCOPs – Orders- Issued.

Ref:- High Court Roc No. 1643/ SO/ 1995, Dt 16-6-2004

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Vide reference cited, all the Family Courts in the State were directed to number the cases filed before the Family Courts as original Petitions. Now the High Court has taken a decision to number the cases filed before the Family Courts as FCOPs (Family Court Original Petitions) with a view to easy identification.

Therefore, all the Presiding Officers of Family Courts in the State are directed to number the cases filed before the Family Courts as FCOPs (Family Court Original Petitions)

Receipt of this circular may kindly be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the P.Ss to the Hon'ble Judges (with a request to place before the Hon'ble Judges for their Lordships' kind perusal)
- 2) All the Registrars.
- 3) All the Family Courts in the State.
- 4) All the Unit Heads in the State.
- 5) The Director, A.P. Judicial Academy, Secunderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 1010/2005-D1(1)****DT: 10 .04.2006****CIRCULAR**

Sub:- Funds – 2014 – Administration of Justice – Utilization of the funds under contingencies of various Minor Heads – Reg.

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I am to state that the High Court in its circular dated 14.11.2005 has requested all the Unit Heads to plan for the expenditure to be incurred during the Financial year 2005-06 under contingencies of various minor heads up to 31.3.2006 and that the requisitions for any additional funds required may be forwarded along with reasons, before 15.12.2005.

It was also requested to plan for spending the budget allotted under 132-Other Office Expenses before the end of December, 2005, so that the proposals for purchase of various items i.e., furniture, stationery etc., in excess of the financial powers delegated to the Unit Heads can be forwarded to the High Court well in advance for according permissions during the months of January and February, 2006.

Inspite of the above clear instructions, most of the District Judges requested the High Court for allotment of additional funds under various contingencies even in the last week of March also. The District Judges addressed the Registry, at the fag end of the financial year, seeking permission of the High Court for purchase of various items of furniture, stationery etc., without following the earlier instructions of the High Court and without sufficient relevant information. Consequently, delay was caused to process the proposal due to unnecessary further correspondence.

Further, the High Court is unable to estimate the probable savings for proper utilisation of the said amounts.

I am therefore directed by the Hon'ble the Chief Justice to address all the District Judges stating that the High Court has taken adverse view of the

demands being put up in the months of February and March. I am further directed to make it clear that in future no such practice will be entertained by the High Court.

All the Unit Heads are requested to communicate this circular to all the Subordinate Courts in their Units.

Kindly acknowledge the receipt of the circular.

Sd/-  
REGISTRAR GENERAL

To

1. All the District & Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Nampally, Red Hills, Hyderabad.
5. The Special Judge for Economic Offences, Hyderabad.
6. The Special Judge under the Prevention of Corruption Act for speedy trial of cases of embezzlement of scholarships amount in Social Welfare Department, Hyderabad.
7. The III Addl. M.S.J-cum-Spl. Judge for Trial of cases under E.C.Act, Hyderabad.
8. The Spl. Judge for CBI Cases, Hyderabad and Visakhapatnam.
9. The Spl. Judge for SPE & ACB Cases, Vijayawada, Nellore.
10. The Judge, Family Court, Tirupathi, Vijayawada, Kurnool, Visakhapatnam, Warangal, Hyderabad and Secunderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 770/2007-D1(1)****DT: 26.7.2007****CIRCULAR**

Sub:- Funds 2007 – 08 – Utilization of Funds under the Heads  
131 – Service Postage, Telegram and Telephone charges  
and 132 – Other Office Expenses – Certain Instructions –  
Reg.

Ref: 1. High Court's Circular No.2974/2005-D1(3), dt.18.4.2007.  
2. High Court's proceedings Roc.No.770/2007 D1(1),  
dt.7.7.2007 and 9.7.2007.

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Funds under various contingent heads of different Minor Heads have been allotted by the High Court to all the Unit Heads in the State vide High Court's proceedings 2<sup>nd</sup> cited, keeping in view the expenditure incurred during the last financial year 2006-07 and the reasons furnished by the Unit Heads as against their original demands for the current financial year 2007-08.

In this connection, I am to state that voice VPN System (similar to Centrex) has been provided to the telephones of all the Subordinate Courts as well as to the official residences of all the Judicial Officers. A circular in the reference 1<sup>st</sup> cited was also issued by the High Court requesting to make telephone calls through voice VPN System (i.e., 11 digit numbers) between the courts in the state including High Court, which does not incur any call charges. Recently fax machines were also provided to all the stations so as to make use of the same through VPN System, without incurring any call charges.

In view of the above facility of the voice VPN System the Unit Heads are requested to see that the expenditure is reduced under the Head 131 – Service Postage, Telegram and Telephone Charges.

It is observed by the Registry that some of the Unit Heads are making purchases merely to spend the available budget, though the items purchased are not absolutely and urgently required. Therefore, all the Unit Heads are requested to plan the expenditure properly under the Head 132 – Other office expenses and see that the funds are spent only for the essential requirements like purchase of Stationery, Annual Maintenance of Xerox, Fax Machines, Air Conditioners etc., and other day-to-day needs, as there is paucity of funds and it is not possible for the Registry to allot additional budget under this head.

Kindly acknowledge the receipt of the circular.

Sd/-  
REGISTRAR GENERAL

To

1. All the Prl. District & Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Spl. Judge for Economic Offences, Hyderabad.
4. The Chief Judge, City Small Causes Court, Hyderabad.
5. The Metropolitan Sessions Judge, Hyderabad.
6. The III Additional Metropolitan Sessions Judge-cum-Spl. Judge for Trial of Cases under E.C.Act, Hyderabad.
7. The Spl. Judge for CBI Cases, Visakhapatnam and Hyderabad.
8. The Spl. Judge for SPE & ACB Cases, Nellore and Vijayawada.
9. The Special Judge under the Prevention of Corruption Act for speedy trial of cases of embezzlement of scholarships amount in Social Welfare Department, Hyderabad.
10. The Judge Family Courts: Hyderabad, Secunderabad, Warangal, Visakhapatnam, Tirupathi, Kurnool and Vijayawada.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1268/SO/2006****DATED: 17.11.2006****CIRCULAR NO.30/2006**

The Hon'ble Supreme Court of India in its judgment in Civil Appeal Nos. 10074-75 of 2003, dated 18.4.2006 (reported in 2006 (5) SCC 72) has observed that the courts should be careful to ascertain and follow the *ratio decidendi* and not the relief given on the peculiar fact situation obtaining in the cases.

In view of the observations made by the Apex Court, all the Presiding Officers of the Subordinate Courts are directed to follow the instructions of the Hon'ble Supreme Court scrupulously.

**Sd/-  
REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of A.P., Hyderabad.
- 2) All the Unit Heads (with a request to communicate the same to all the Judicial Officers under their control)
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Section Officers, E - Section & O.P. Cell, High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1046/SO-1/2007****DATED: 23.07.2007****CIRCULAR NO.11/SO/2007**

I am directed to inform that it has been observed on different occasions that the Heads of the District Units are not sending information sought for by the High Court within the prescribed time and are not seeking extension of time by assigning cogent reasons, which is wholly unacceptable.

Therefore, the Unit heads are instructed not to violate the time limit fixed by the High Court for supply of information and if, for any good reason, the information sought for cannot be supplied within time, then the concerned Unit Head must seek extension of time from the High Court.

These instructions should be followed scrupulously and any deviation will be viewed seriously.

Further, the Unit Heads are also requested to inform the above instructions to the subordinate Judicial Officers of their Units.

Receipt of this circular be acknowledged.

**Sd/-  
REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State of Andhra Pradesh.
- 2) All the Registrars, High Court of A.P., Hyderabad.
- 3) The Prl.Private Secretary to the Hon'ble the Chief Justice,  
High Court of A.P., Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 1628/SO/2005****DATED: 10.07.2006****CIRCULAR NO.13/2007**

Sub: Indian Stamp Act – Document produced not duly stamped to be impounded by the Court – Instructions – Issued.

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In view of Sections 33, 35, 38 of Indian Stamp Act, when a document is produced into Court not duly stamped, the Court is bound to impound the same or send it to the Collector for recovery of deficit stamp duty and penalty.

In view of the same all the presiding Officers of the Courts concerned are directed to take the following steps.

- 1) To ensure that the documents which are produced in the Court and which are liable to stamp duty are properly stamped.
- 2) In case any document is not properly stamped the same shall be impounded and the Presiding Officer shall ensure that an endorsement on the document impounded is made by the Chief Ministerial Officer.
- 3) If a party produces a document in the Court which is insufficiently stamped and pays the penalty to the Court as required under Section 33 of the Indian Stamp Act, the same shall be endorsed on the document.
- 4) Where a party requests to receive an insufficiently stamped document in evidence, the document shall not be received in evidence, unless, the party pays the required stamp duty and penalty.

- 5) If the party requests the Court to send the document to the Collector, for collection of the stamp duty and penalty, the Court may consider such request and send the document to the Collector.

If the stamp duty and penalty is not paid or insufficiently paid on a document produced into Court and no request is made to send the same to the Collector, such document shall not be returned to the party. The same shall be sent to the Collector for appropriate action.

Therefore, all the Presiding Officers of the Subordinate Courts are directed to follow the above instructions scrupulously.

The Unit Heads are requested to communicate this circular to all the Subordinate Courts under their control.

Receipt of this circular be acknowledged.

**Sd/-**  
**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.
- 2) The Director, A.P. Judicial Academy, Secunderabad.
- 3) The Section Officer, 'E' Section and O.P. Cell

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 1755/2008-D1(3)****DT: 05.09.2008****CIRCULAR**

Sub:- Identity Cards – Issue of Identity Cards to the retired Judicial Officers – Reg.

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I am to state that a requisition has been received from a Retired Judicial Officer for issue of an Identity Card on payment basis, so as to enable to show the same to the Railway or Medical Authorities or to any Authority whenever required.

In this connection, I am to state that powers have been delegated to the Prl. District Judges of the Districts and the Chief Judge, City Small Causes Court, Hyderabad to sanction reimbursement of Medical expenses incurred by the pensioners for treatment as out-patients in certain hospitals and to sanction the reimbursement of expenses incurred by the retired Judicial Officers or family pensioners who settled in the Districts or in the twin cities of Hyderabad and Secunderabad as the case may be, for in-patient treatment as well as out-patient treatment vide G.O.Ms.No.107, Law (LA & J SC-F) Department, dated 14.7.2006.

Therefore, all the Prl. District Judges of the Districts and the Chief Judge, City Small Causes Court, Hyderabad are hereby directed to issue Identity Cards to the retired Judicial Officers on receipt of requisitions along with the photographs subject to condition that charges for making of the Identity Cards shall be borne by the concerned retired Judicial Officers.

I am further directed to inform you that the card should have standardized format including blood group particulars and a register giving details of cards issued be also maintained by the concerned issuing Authority.

A model format of the card and the particulars that are to be entered in a register to be maintained are communicated herewith.

Kindly acknowledge the receipt of the circular.


Sd/-  
REGISTRAR GENERAL

To

1. All the District & Sessions Judges in the State.
2. The Chief Judge, City Small Causes Court, Hyderabad.

**FORMAT OF THE IDENTITY CARD**

**Front Side**

ANDHRA PRADESH JUDICIARY DISTRICT COURT _____	
Name: Name of the Father/Husband: Designation at the time of retirement:	
	<b>DISTRICT JUDGE</b>

**Back Side**

Date of issue: Address with Telephone No.:
Date of Birth as per Service Records:
Date of retirement:
Blood Group:
Signature of the Holder:
<hr/> <b>If found please drop this in the nearest Post Box</b>

## PARTICULARS TO BE MAINTAINED IN THE REGISTER

1. Name of the retired Officer :
2. Name of the Father/Husband :
3. Address with Telephone Number :
4. Date of Birth as per Service Records :
5. Designation of the Judicial Officers at  
the time of retirement :
6. Blood Group :
7. Date of Retirement :
8. Date of issue of the Identity Card :
9. Signature of retired Officer :
10. Remarks :

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 39 /SO/2006****DT: 15.03.2006****CIRCULAR NO. 3 /SO/2006**

Sub: Land Acquisition Act, 1894 – The expression 'Court' occurring in Sections 18 or 30 of the Land Acquisition Act is referable to the Principal Court of civil jurisdiction and not to any Tribunal – Instructions – Issued.

Ref: Judgment of the High Court in A.S.No.2174/91,  
dt:10.11.2005

&&&&

Under Section 18 of the Land Acquisition Act, the Collector has to make reference to the "Court" for determining the quantum of compensation and other disputes and under Section 30 when there is a dispute regarding apportionment of compensation. As per Section 3 (d) of the Act the expression "Court" means The Principal Civil Court of Original Jurisdiction, unless the appropriate Government has appointed (as it is hereby empowered to do) a special judicial officer within any specified local limits to perform the functions of the Court under this Act.

So in all matters where there is a reference to the Court under the Land Acquisition Act, it is the Civil Court, but not a Tribunal. But, it has come to the notice of the High Court that certain civil courts, which are dealing with the matters referred under the Land Acquisition Act are being described as Land Acquisition Tribunal or Senior Civil Judge-cum-Land Acquisition Tribunal or Appellate Tribunal.

Therefore, all the Presiding Officers of the Civil Courts dealing with the matters referred under Land Acquisition Act are directed not to refer to such Courts as Land Acquisition Tribunals or Appellate Tribunals.

The Unit Heads are directed to ensure that the above instructions are implemented without any deviation.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State. (with a request to communicate this circular to all the Judicial Officers in their Unit.)
- 2) The Director, A.P. Judicial Academy, Secunderabad.
- 3) The Section Officers, 'E' Section and O.P. Cell

**IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT HYDERABAD**

**THURSDAY, THE TENTH DAY OF NOVEMBER  
TWO THOUSAND AND FIVE**

**PRESENT  
THE HON'BLE MR. JUSTICE B. PRAKASH RAO  
AND  
THE HON'BLE DR. JUSTICE G. YETHIRAJULU  
APPEAL SUIT NO. 2174 OF 1991**

(Appeal under Section 54 of land Acquisition Act against the Judgment and Decree dated 2-7-1990 in O.P. No. 56/1988 on the file of the Court of the Subordinate Judge-cum-Land Acquisition Appellate Tribunal, Parvathipuram.)

Between:

Special Deputy Collector  
(Land Acquisition), Parvathipuram.

Appellant/Petitioner

And

1. Nemani Umamaheswara Rao
  2. Gottapu Tavitinaidu
  3. Bonu Laxmunaidu
  4. Marada Kurminaidu
  5. Sanchana Ramulu
  6. Sanchana Gangayya
  7. Golagana Laxmunaidu
  8. Bonu Appalawamy
  9. Galavilli Laxmayya
  10. Munchupilli Rangababu
  11. Manchupalli Govindarao
- ... Respondents/Claimants

For the Appellant: **GOVT. PLEADER FOR LAND ACQUISITION**

For the Respondent No.1: **MR. K.SOMESWAR KUMAR, ADVOCATE.**

**THE COURT DELIVERED THE FOLLOWING JUDGMENT:**

Contd...

**THE HON'BLE SRI JUSTICE B.PRAKASH RAO**

**AND**

**THE HON'BLE DR. JUSTICE G.YETHIRAJULU**

**A.S.NO.2174 of 1991**

**JUDGMENT** (per the Hon'ble Sri Justice B.Prakash Rao):

Heard the learned Government Pleader for Land Acquisition appearing on behalf of the appellant and also the learned counsel appearing on behalf of the respondents.

This appeal is preferred by the Special Deputy Collector (Land Acquisition Officer), Parvathipuram, being aggrieved by the order and decree dated 02-07-1990 in L.O.P.No.56 of 1998 on the file of the Subordinate Judge-cum-Land Acquisition Appellate Tribunal, Parvatipuram, enhancing the compensation at the instance of the respondents-claimants, arising out of a reference under Section 18(1) of the Land Acquisition Act, 1894 (for short 'the Act').

Few facts, which are necessary for disposal of this appeal are that in pursuance of the notification issued under Section 4(1) of the Act, an extent of 2.16 hector of land situated in Balagudaba village of Parvatipuram Mandal, was acquired for the purpose of excavation of low level canals under Janjavathi Reservoir Project scheme. The Land Acquisition Officer after holding an enquiry passed an award on 20-08-1988, which was marked as Ex.A-1, whereunder the market value was fixed at Rs.9,500/- per acre. The claimants made a claim of Rs.80,000/- per acre. Being not satisfied thereof, the claimants sought for a reference.

In the Court below during the course of the trial, PW-1 was examined and Exs. A-1 and A-2 were marked on behalf of the Land Acquisition Officer and RWs.1 to 5 were examined and Exs.B-1 to B-4 were marked on behalf of the claimants. After considering the evidence and other material available on record, the Court below enhanced the market value from Rs.9,500/- to Rs.16,000/- per acre. Hence, the present appeal is preferred by the Land Acquisition Officer.

Having heard the learned counsel on either side and on perusal of record, it is to be seen that RWs. 1 to 5 in the Court below deposed that the lands acquired are valuable lands and they fetch more value and there is increase in price from time to time. In support of their claim, the claimants mainly relied on Exs.B-1 and B-2, which are certified copies of the sale deeds dated 06-06-1987 and 25-02-1987. Under Ex.B-1 the value consideration for which the land was sold comes to Rs.13,500/- per acre, whereas under Ex.B-2 the value consideration comes to Rs.10,500/- per acre. The Court below, apart from this evidence, after considering Ex.B.3, observed that the trend of prices raising from day to day definitely shows the true market value of the land acquired and accordingly fixed up the market value at Rs.16,000/- per acre. It was also observed that the village is nearer to the town and it is having potential value and the land is being used as house sites.

Having regard to the reasons given by the Court below and evidence available on record, we do not find any error in the impugned order. Therefore, there are no grounds to allow this appeal.

Accordingly, the appeal is dismissed. No order as to costs.

Sd/-

**P.EKAMBARAM**  
**DY.REGISTRAR**

**Date: 10-11-2005**

**NOTE:**

It came to the light of this Court that in some of the cases, including the present one, the reference Court is being designated as "Subordinate Judge-cum-Land Acquisition Appellate Tribunal". In fact, there is no such land acquisition tribunals either in the provision of law or in the Constitution.

Any reference made either under Section 18 or 30 of the Land Acquisition Act, 1894 would only 'to the Court' and not 'to the Tribunal', much less "Appellate Tribunal" as defined under Section 3(d) of the Act.

In view of the same, the Registry is directed to issue necessary instructions to the courts below to describe the courts dealing with the land acquisition matters as only 'Court' and not as 'Tribunal' much less 'Appellate Tribunal'.

Sd/-

**P.EKAMBARAM  
DY.  
REGISTRAR**

**//TRUE COPY//**

Sd/-

**SECTION OFFICER**

To

1. The Subordinate Judge-cum-Land Acquisition Appellate Tribunal, Parvathipuram, Vizianagaram District. (with records).
2. The Registrar (Vigilance), High Court Buildings, Hyderabad.
3. Two CCs to the Govt. Pleader for Land Acquisition, High Court of A.P., Hyderabad (O.U.T).
4. Two C.D. Copies.

High Court

Dated:10.11.2005

JUDGMENT  
A.S.No.2174 OF 1991

DISMISSING THE APPEAL AND WITHOUT COSTS.

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****ROC.NO.6886/B.SPL.****DATED:05.01.2005****Circular**

According to the A.P. Leave Rules, 1933, Earned Leave/Leave on Half-pay/E.O.L. on Private Affairs has to be availed of by the Officers only after prior sanction of the said Leave by the competent authority.

Under the Rules prior permission of the competent authority is also required to avail Leave Travel concession (L.T.C) by the Officers and their family members, together or separately, before commencement of the journey.

Several instances have been noticed by the High Court that leave applications for sanction of Earned Leave/Half-pay Leave on private Affairs, permission to avail Leave Travel Concession are being received in the High Court from the Judicial Officers just before the commencement or after the commencement of the Leave/Leave Travel Concession applied for by them without giving minimum time required for obtaining necessary orders before availment of the leave, due to which the Registry is forced to make correspondence for obtaining information in that regard.

All the Judicial Officers, are hereby instructed to submit their applications for grant of Earned Leave/Half-pay Leave on Private Affairs and also permission to avail Leave Travel Concession, sufficiently in-advance, so that the aforesaid applications reach the High Court atleast

15 days in advance to enable the Registry to obtain orders and communicate them in advance.

All the District and Sessions Judges/Unit Officers are further instructed to forward the Leave applications LTCs of the Judicial Officers working in their respective units, to the High Court atleast 15 days in advance, specifying the nature of leave intended to be availed by the Officer in the case of L.T.Cs and duly certifying the leave title along with specific remarks, for incharge arrangements be made during the absence of the Officer, for processing the said applications.

Sd/-

**REGISTRAR (VIGILANCE)**

**NOTE: The Prl. District and Sessions Judges/Unit Heads are requested to communicate the above Circular to all the Judicial Officers working in their Unit under proper acknowledgement.**

**To**

1. The Prl. District and Sessions Judges in the State Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khammam, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District at L.B.Nagar, Hyderabad, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru.
  2. The Prl. Secretary to the **Hon'ble the Chief Justice** and Personal Secretaries to the Hon'ble Judges (for placing before their Lordships' kind perusal).
  3. The Personal Secretaries to the **Registrars**, High Court of A.P., Hyderabad.
  4. The Chief Judge, City Civil Court, Hyderabad .
  5. The Metropolitan Sessions Judge, Hyderabad.
  6. The Chief Judge, City Small Causes Court, Hyderabad.
  7. The Chairman, Various Tribunals and Labour Courts.
  8. The Director, Andhra Pradesh Judicial Academy, Secunderabad.
- Spare.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 1798 /2007-C1****DT: 01.08.2007****CIRCULAR**

Sub: Public Services – APLGS – Representation of Class-IV employees Association – Class IV Employees of the Subordinate Courts who are posted at the residence of Judicial Officers and other officials are not allowed weekly off and holidays on festivals days – Instructions – Issued.

Ref: Representation dt.30.7.2007 of A.P. Judicial Class IV Employees Association.

&&&&

The Andhra Pradesh State Judicial Class – IV Employees Association has submitted the above representation stating that the members of their cadre, who are posted at the residence of Judicial Officers and other officials, are not allowed weekly off and holidays on festival days.

After careful consideration of the said representation, the High Court hereby instructs all the Unit Heads to advise the officers within their jurisdiction to ensure that, at least, one weekly off is allowed to every Class IV employee posted at the residence of the Judicial Officers.

Sd/--

**REGISTRAR (MANAGEMENT)**

To

1. All the District Judges/Unit Heads.
2. The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad.
3. The General Secretary, A.P. State Judicial Class-IV Employees State Association, Chittoor.
4. The Section Officer, Special Officer's Section, High Court of Andhra Pradesh, Hyderabad (To incorporate the circular in compendium of circulars)
5. Spare .....
6. Stock

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 490 /2007-C1****DT: 22.3.2007****CIRCULAR**

Sub: Public Services – APJMS-APGSS-APSDSS and APLGS – Applications of the staff members of the Subordinate Judiciary applying for short spells of leave – Instructions – Issued.

&&&&&

Instances of applying leave in short spells, on flimsy grounds by certain staff members of the Subordinate Judiciary, have come to the notice of the High Court, as it is detrimental to the regular functioning of the Courts.

Therefore, all the District Judges and Unit Officers are directed to issue an office order, directing their respective staff members working in all the courts in their unit, "not to apply for Earned Leave or Commuted Medical Leave for short spells" duly appraising them that any deviation to the said office order would be viewed seriously.

Sd/--

**REGISTRAR (MANAGEMENT)**

To

1. All the District Judges and Unit Officers in the State.
2. Spare.
3. Stock

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****ROC.NO.2541/2009-B.SPL.****DATED:04.04.2009****C I R C U L A R**

All the Judicial Officers in the State of Andhra Pradesh are informed that according to the Andhra Pradesh Leave Rules, 1933, Earned Leave/Leave on Half Pay/Extra-ordinary Leave/on private affairs has to be availed of by the officers only after prior sanction of the said leave by the Competent Authority. Under the Leave Travel Concession Rules, prior permission of the Competent Authority is required to avail Leave Travel Concession by the officers before commencement of journey.

Several instances have come to the notice of the High Court, that leave applications for sanction of Earned Leave/Half Pay Leave on Private affairs and permission to avail Leave Travel Concession are being received in the High Court from the Judicial Officers just before the commencement or after the commencement of the Leave/Leave Travel Concession applied for by them without giving minimum time required for obtaining orders permitting them to avail Leave Travel Concession and sanction of leave by making alternative incharge arrangements and communicating the sanction proceedings in advance to them, before availment of the leave, due to which the Registry is forced to make unnecessary correspondence in that regard.

In view of the above the following instructions are to be strictly followed by all the Judicial Officers while applying leave.

1. All the Addl. District and Sessions Judges, Senior Civil Judges and Junior Civil Judges are here by instructed to submit their Leave/Leave Travel Concession applications through the concerned Prl. District and Sessions Judges well in advance, so as to reach the applications to the High Court atleast 15 days in advance to enable the Registry to obtain orders and communicate them in advance.
2. Broadly indicate the details of nature of personal work/affairs whenever they apply for leave.

3. To avail the minimum leave to the extent possible during the Court working days while availing Leave Travel Concession.
4. To avail Casual leave proportionately during the particular Calendar Year.
5. Shall avoid requests for conversion of Casual Leave already granted into Regular Leave.
6. All the Principal District and Sessions Judges/Unit Heads are strictly instructed to forward such leave applications to the High Court along with the following information:
  - a) Alternative incharge arrangements to be made during the leave period of the officers.
  - b) Leave Title.
  - c) Medical Certificate issued by the Medical Officer not below the rank of Civil Assistant Surgeon in case of Medical Leave.

Any deviation from above instructions will be viewed seriously.

**NOTE: (A) All the Pri. District and Sessions Judges/Unit Heads are requested to communicate the above Circular to all the Judicial Officers working in their Unit.**

**(B) Receipt of this circular be acknowledge.**

**Sd/-  
REGISTRAR (VIGILANCE)**

**To**

1. The Pri. Secretary to the **Hon'ble the Chief Justice** and Personal Secretaries to the **Hon'ble Judges** (for placing before Their Lordships kind perusal)
2. The Personal Secretaries to the **Registrars**, High Court of A.P., Hyderabad (for placing before the Registrars for information)
3. The Chief Judge, City Civil Court, Hyderabad
4. The Chief Judge, City Small Causes Court, Hyderabad
5. The Metropolitan Sessions Judge, Hyderabad, Vijayawada, Visakhapatnam and L.B.Nagar, Rangareddy District.
6. The Director, Andhra Pradesh Judicial Academy, Secunderabad

7. The Member Secretary, Andhra Pradesh State Legal Services Authority, Hyderabad.
8. The Secretary, Andhra Pradesh High Court Legal Services Committee, High Court, Hyderabad

**9. THE PRL. DISTRICT AND SESSIONS JUDGES:**

Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khammam, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru.

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****ROC.NO.1203/2009-B.SPL.****DATED:14.10.2009****C I R C U L A R**

**SUB: ALTERNATIVE INCHARGE ARRANGEMENTS –**  
District and Sessions Judges, Senior Civil Judges and  
Junior Civil Judges – Making alternative incharge  
arrangements during the leave  
period/trainings/transfers – Issued.

**READ: 1.High Court's Circular Roc.No.3811/1996-B.Spl., dated**  
**19.07.1996**  
**2. High Court's Letter Roc.no.1203/2009-B.Spl., dated**  
**16.02.2009.**

**-oOo-**

It has come to the notice of the High Court that most of the Prl. District and Sessions Judges/Addl. District and Sessions Judges during their absence on any reason are not handing over charge of their posts to the other District and Sessions Judges who are available in the station and most of the Unit Heads are not making alternative incharge arrangements during the leave period of Senior Civil Judges and Junior Civil Judges and thereby causing inconvenience in smooth functioning of the Courts and also causing inconvenience to the Advocates as well as to the litigant public, dislocating the pending work.

Keeping in view of the above problem, the High Court called for first nearest Court and 2<sup>nd</sup> nearest court to all Courts functioning in the each District from the concerned Unit Heads for making alternative incharge arrangements during the leave period/Training/Transfer. In turn all the Unit Heads have submitted the proposed incharge arrangements.

The High Court of Andhra Pradesh, Hyderabad accepted the alternative incharge arrangements proposed by all the Unit Heads in the State of Andhra Pradesh submitted in response to the High Court's Letter Roc.No.1203/2009-B.Spl., dated 16.02.2009 and hereby directed the Unit Heads to follow the

said relief arrangements strictly without fail. The Unit Heads are requested to place the officer of the 1<sup>st</sup> nearest court as incharge or full additional charge, in case for any reason officer of the 1<sup>st</sup> nearest Court is not available, officer of the 2<sup>nd</sup> nearest court shall be placed as incharge or full additional charge as the case may be.

**NOTE: The copy of alternative incharge arrangements suggested by Unit Head which was accepted by the High Court is enclosed**

**Sd/-  
REGISTRAR (VIGILANCE)**

**To**

1. All the Prl. District and Sessions Judges in the State of Andhra Pradesh.
2. The Chief Judge, City Civil Court, Hyderabad
3. The Metropolitan Sessions Judge, Hyderabad
4. The Chief Judge, Chief Judge, City Small Causes Court, Hyderabad

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****Roc.NO.40/SO/2006****Dt:15.03.2006****CIRCULAR NO.2 /SO/2006**

Sub: Hindu Marriage Act, 1955 – Instructions to follow the Section 23 (4) of the Act and Rule 16 (c) – Reg.

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The attention of the Judicial Officers trying the proceedings under the Hindu Marriage Act is drawn to Section 23 (4) of the Act and Rule 16 (c) of the Rules framed under Hindu Marriage Act, which speak about the supply of copies of the orders and decrees. For convenience they are extract hereunder:

**Section 23 (4):**

"In every case where a marriage is dissolved by a decree of divorce, the Court passing the decree shall give a copy thereof free of cost to each of the parties."

**Rule 16(c):**

"The Court shall, after passing a decree dissolving a marriage under the Hindu Marriage Act, 1955, fix a date not later than two weeks, on which the parties to the proceedings or their counsel are given copies of the decree of the dissolution of the marriage and entry to that effect shall be made in the diary maintained by the Court of the Proceedings for the day."

The High Court directs all the Judicial Officers to observe the above said provisions and supply the copies of orders and decrees as contemplated under the above provisions of the Law.

**J. 558/31.**

Any deviation would be viewed seriously. The Unit Heads are instructed to communicate the copies of this circular to all the officers in their unit and to ensure that the same is followed.

**Sd/-  
REGISTRAR GENERAL**

**Enclosures:**

**Copy of the Judgment  
C.M.A. No.544 of 97, dt: 2.12.2005.**

**To**

- 1) All the Family Courts in the State.
- 2) All the Unit Heads in the State.(with request to communicate this circular and copy of the Judgment to all the Judicial Officers in your unit)
- 3) The Director, A.P. Judicial Academy, Secunderabad.
- 4) The Member Secretary, A.P. Legal Services Authority, Hyderabad.
- 5) The Section Officer, E-Section, High Court of A.P.

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
FRIDAY, THE SECOND DAY OF DECEMBER  
TWO THOUSAND AND FIVE**

**PRESENT  
THE HON'BLE MR. JUSTICE D.S.R.VARMA  
AND  
THE HON'BLE MR. JUSTICE P.SWAROOP REDDY  
CIVIL MISCELLANEOUS APPEAL NO.544 OF 1997**

Appeal under Section 19(1) of Family Courts Act against the order/decreed in OP No.1647 of 1995 dated 21/11/1996 on the file of the Court of the Judge Family Court at Hyderabad.

Between:

A.Nagajyothi W/o A.V.Krishna Kumar  
H.No.2-282-B, Balaji Nagar, Cuddapah.

**(Respondent)/APPELLANT**

And

A.V.Krishna Kumar S/o Ramabhadra Sarmā  
B-1, Dwarakamayee Enclave, Karkhana, Secunderabad.

**...(Petitioner)/RESPONDENT**

**Counsel for the Appellant: MR.B.ADINARAYANA RAO**

**Counsel for the Respondent No.: MR.T.GOPALA KRISHNA MURTHI.**

**The Court delivered the following JUDGMENT:**

**THE HON'BLE SRI JUSTICE D.S.R.VARMA**

**AND**

**THE HON'BLE SRI JUSTICE P.SWAROOP REDDY**

**C.M.A.No.544 of 1997**

**J U D G M E N T :**

**(per P.Swaroop Reddy, J.):**

This appeal is filed against the order of the learned Judge, Family Court, Hyderabad in O.P.No.1647 of 1995. The wife, who was the respondent in the petition, is the appellant herein.

2) The facts of the case, in brief, are as follows: The petitioner-husband, who is the respondent herein, filed the petition for divorce under section 13(1)(ia)(ib) and (III) of the Hindu Marriage Act, on the ground of cruelty, desertion and mental disorder, contending that their marriage took place on 1-5-1985 at Nellore according to the Hindu rites. They lived as wife and husband at 'Dwarakamai' and the marriage was consummated. A child was born to them on 12-12-1986. The respondent went back to her parents house in May, 1986 on the ground of ill health, came back and again she finally went back on 12-5-1989 along with the child without the knowledge and consent of the petitioner. Thereafter, in spite of his best efforts, she failed to join him. Therefore, in spite of his best efforts, she failed to join him. Therefore, he got issued a legal notice on 17-8-1989 asking the respondent to join him. The respondent got issued a reply notice stating that unless the petitioner puts up separate residence, away from Hyderabad, she would not join him. Thereafter, she sent another reply stating that she is ready to stay with the petitioner in a separate residence at Hyderabad also, but away from his parents. The petitioner agreed for the same and got issued a legal notice to her on 26-6-1990; but the respondent did not join.

3) By being away from 12-5-1989, till the date of the petition, for two years and one month, the respondent deserted the petitioner. The respondent used to go to her parents house frequently without the knowledge and consent of the petitioner and his parents; in spite of several letters from the petitioner, the respondent failed to join him, on account of fickle mindedness and mental imbalance, which shows the mental illness of the respondent. The respondent filed a maintenance case before the learned Judicial Magistrate of First Class, Bapatla. The petitioner filed a divorce petition, earlier, in City Civil Court, Hyderabad in O.P.No.397 of 1991 on the ground of desertion only and the same was allowed; as against the same, the respondent preferred an appeal before this Hon'ble Court, which was allowed holding that the petition was filed within two years of desertion, as against the same the respondent preferred Special Leave Petition before the Hon'ble Supreme Court, which was dismissed. Thereafter, the present petition is filed by him on the ground of desertion, cruelty and mental disorder.

4) The respondent filed her counter denying several allegations in the petition, admitting that since 12-5-1989, she is staying with her parents. She further stated that she was ill treated, harassed, confined in a room and was directed to cook food in the same room, not allowed to mingle with other family members; the allegations of cruelty and unsound mind are incorrect; as she is apprehending danger to her life, she was residing with her parents; there are differences between herself and her mother-in-law, as such she insisted for separate residence.

5) On behalf of the petitioner PWs 1 to 3 were examined and Exs. P-1 to P-18 were marked and on behalf of the respondent RWs 1 and 2 were examined; but no exhibited were marked on her behalf.

6) On the basis of the material on record, the learned Judge allowed the petition, mainly on the ground of desertion, holding that there is desertion

and the material on record reveals that the respondent is not at all willing to join the petitioner and as against the same the present appeal is filed.

7) Now, the point for consideration is whether there are any grounds for allowing the appeal.

8) The petition was allowed on 21-11-1996 and the appeal was filed on 5-3-1997. On 31-3-1997 there was an order of this Court restraining the petitioner-husband from contacting a second marriage. But, it appears that even before that the petitioner contacted the second marriage, as there was no stay.

9) There is n dispute about the respondent wife deserting the petitioner on 12-5-1989; but, the question is whether she was justified in deserting the petitioner-husband?

10) Even according to the counter filed on behalf of the respondent and as per the notices that were exchanged between the parties, the respondent deserted the petitioner initially contending that she would join the petitioner, if he puts up a separate residence, that, too, away from Hyderabad. Thereafter, she contended that, at least, if he can put up the separate residence at Hyderabad, she would join him; but in spite of that, she did not join him.

11) Ex P-4 the reply notice issued on behalf of the respondent clearly shows that she refused to join, as she is suspecting danger to her life. The respondent, as RW-1, in her evidence stated that her mother-in-law and her daughter harassed her. As she suffered jaundice, obtained permission from the petitioner and went to her parents; whenever she went, she used to take permission from the petitioner and her mother-in-law; on the last occasion on 12-5-1989, she left the house of the petitioner by taking permission and went to her parents house. In October, 1991, she went to the house of the petitioner, but was not allowed to enter the house. Then she came back.

The petitioner or his relatives never came to take her back, in spite of her writing several letters. Even during the pendency of the earlier divorce petition, she expressed her willingness to join him. She is not suffering from any mental illness. In her cross examination, she has admitted that after leaving the house of the petitioner on 12-5-1989, she never joined the petitioner and she is staying with her parents at Bapatla. She admitted that in her reply, Ex P-4, she stated that she is suspecting danger to her life and staying with her parents. In her examination in chief she never said that there is any danger to her life at the house of the petitioner; as such her plea that as there was danger to her life, she is not willing to join the petitioner, as mentioned in Ex P-4, must be incorrect. She admitted in her legal notice that she has stated that the petitioner is her enemy number No.1 and she sought for police protection.

12) As per the evidence of PW-1, immediately after the marriage, the respondent started saying that she wanted to marry an Engineer or Doctor and during honey-moon, the respondent did not cooperate; after the marriage, at Hyderabad, the respondent always wanted to go to her parents house and live there; every time he was struggling to get her back; from the date of marriage till 12-5-1989, the respondent stayed with him only for two years and six months; she used to behave with him in an un-predictable manner like a lunatic and she was quarrelling with his parents and other family members without any reason. After the marriage, the sister of the respondent got admission in a Medical College and the parents of the respondent used to speak in his presence that they committed a mistake in getting the respondent married to a bank clerk. The respondent was a short tempered lady; she is of suicidal tendency; she used to try to catch running electric fan; used to jump from running Scooter, while going along with him. PW-1 has stated about other things with regard to desertion, which is the main ground, on which the petition was allowed. On 12-6-1989, she finally left him his knowledge and consent; he admitted their daughter in a school at Yousufguda; for which his father-in-law protested for it and abused him in

filthy language; during that night the respondent and her parents stayed at Kukatpally at her relatives house; the petitioner and his friend Sri Ramachandra Rao went to Kukatpally to request the respondent not go to her parents house; but she flatly refused to join the company of the petitioner; next day also, the petitioner and his friends went and requested the respondent not to go; but she refused. Later in spite of several requested and attempts, she never joined the petitioner. In the cross-examination, it was suggested to PW-1 that on 12-5-1989, the respondent went to her parents house with his knowledge and consent. Thus, the material on record shows the respondent was not willing to live in the company of the petitioner and she herself deserted the petitioner; without there being any reasonable cause for the same. Added to it, the petitioner also got married again, after the divorce petition was decreed in his favour and as there was delay in filing the appeal. In view of all these circumstances, we hold that there are no grounds to allow the appeal.

13) While decreeing the divorce petition, the learned trial Judge, has not passed any order for permanent alimony to the respondent. Now, on behalf of the respondent, during the course of the arguments, it was submitted that in case the appeal is dismissed, a reasonable permanently alimony may be granted. In fact, about the quantity of permanent alimony also, there were arguments on both sides. The respondent-husband is working as a Manager in State Bank of India and his salary is said to be Rs.28,000-00 per month. He has some properties, at least, two Flats, though it is contended that his sisters have share in the Flats, his share must be substantial in the Flats.

14) Considering all these circumstances and fact that the daughter of the parties is now, admittedly, studying Engineering and shortly, she has to be got married, we feel alimony of Rs.4.50 Lakhs (Rs. Four Lakhs and fifty thousand only) purpose of education and marriage of the daughter and further amount of Rs.2,000-00 (Rs.Two thousand only) per month to the appellant/wife towards her maintenance would be appropriate. Accordingly, we direct the respondent-husband to pay alimony of rs.4.50 Lakhs (Rs.Four

Lakhs and fifty thousand only) for the purposes referred to above and continue to pay Rs.2,000-00 (Rs. Two thousand only) per month, to the appellant-wife towards her maintenance from the date of this order. The alimony has to be deposited within three months from today in the Savings Bank account of the appellant-wife, to be furnished to the learned Counsel for the appellant-wife, by the learned counsel for the respondent-husband.

15) Accordingly the appeal is dismissed with the above directions. No costs.  
(Per D.S.R.Varma, J)

16) I am in respectful agreement with the judgment rendered by my learned Brother. However, I would like to add the following observations.

17) It is on record that/the husband got married soon after he obtained a decree for divorce and undisputedly, it was before the appellant-wife obtained the order of suspension. It is further on record that at a later point of time, having taken advantage of the said situation, the respondent contracted second marriage and had children too. This is, in fact, one factor among others for this Court to dismiss this appeal.

18) The noteworthy factor is that in some cases, the husband having obtained a decree for divorce is contracting second marriage soon after the completion of statutory period of appeal, within the said period, the wife who is aggrieved by the said decree, is not able to file an appeal and obtain interim orders of suspension of the decree for divorce passed by the Family Courts, as a result of which, the successful husband is contracting second marriage, thereby making the appeal filed by the wife almost infructuous.

19) This situation could be avoided if the Rules made by the High Court, as provided under Sections 14 and 21 of the Hindu Marriage Act, 1955, have been followed.

20) Rule 16-C of Rules of Regulate Proceedings under the Hindu Marriage Act, 1955 issued under notification in Roc.No.875/SO/87, dt.9-8-1988, published in R.S. to Part-II, A.P.Gazette dated: 6-10-1988 reads as under:

**J. 558/32.**

"16-C: The Court shall, after passing a decree dissolving a marriage under the Hindu Marriage Act, 1955, fix a date not later than two weeks, on which the parties to the proceedings or their counsel are given copies of the decree of the dissolution of the marriage and entry to that effect shall be made in the diary maintained by the Court of the proceedings for the day."

21) Further sub-section (4) of Section 23 of Hindu Marriage Act, 1955, postulates that:

"In every case where a marriage is dissolved by a decree of divorce, the Court passing the decree shall give a copy thereof free of cost to each of the parties."

22) Strict compliance of the above provisions would avoid the unpleasant trend of a spouse getting married during the interregnum period of order in divorce petition and filing of appeal.

23) In view of the above, we direct the Registry to issue a Circular suitably to all the Family Courts and other Courts dealing with matters filed under Hindu Marriage Act, 1955 to strictly adhere to the Rules to Regulate the proceedings under the Hindu Marriage Act, 1955 and sub-section (4) of Section 23 of the Hindu Marriage Act, 1955.

SD/-  
D.LAXMINARAYANA  
DEPUTY REGISTRAR

//TRUE COPY//

Sd/-  
SECTION OFFICER

To

1. The Judge, Family Court at Hyderabad (with records)
2. The Registrar (General), High Court of Andhra Pradesh, Hyderabad (for favour of Lordship)
3. The Special Officer's Section, High Court of Andhra Pradesh, Hyderabad.
4. Two C.D.Copies
5. The Section Officer, E-Section, High Court of Andhra Pradesh, Hyderabad.
6. One Cc to B.Adinarayana, Advocate (OPUC)
7. One Cc to P.V.Vidyasagar, Advocate (OPUC)

HIGH COURT

DATED: 2/12/2005

JUDGEMENT

Civil Miscellaneous Appeal No.544 of 1997

Dismissing the Civil Miscellaneous  
Appeal WITHOUT COSTS.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD**

\*\*\*\*

**ROC.NO. 1836/SO-3/2008****DATED: 12.12.2008****CIRCULAR NO. 12/SO/2008**

Sub: NRIs – Marriage disputes of Indian women with overseas Indians – Communication of Court order to the Emigration Authorities – Reg.

Ref: (1) From the Min. of Home Affairs, GOI, New Delhi, Lr.No.15011/81/2008-ST/W, dt.30.10.2008.

(2) Letter No.575/NRI/2008-1, dt.26.11.2008 of General Administration Department, Government of A.P., Hyderabad.

\*\*\*\*

In the reference 1<sup>st</sup> cited, the Government of India have requested all the States/Union Territories to pass on information regarding Court orders against the accused NRIs to Emigration Authorities to prevent such people from leaving the country against such Court orders and the said request of the Government of India is brought to the notice of the High Court by the General Administration Department, A.P. Secretariat, Hyderabad vide reference 2<sup>nd</sup> cited.

In the circumstances stated, all the Judicial Officers are hereby instructed to pass on information regarding the Court orders against the accused NRIs to Emigration Authorities to enable the authorities concerned to take necessary steps so that no NRI accused in marriage disputes/problems related to Indian Women leaves the country against such Court orders.

The above instructions are to be followed scrupulously.

The Unit Heads are therefore requested to communicate this circular to all the Judicial Officers working in their respective Units for due compliance.

The receipt of the circular may please be acknowledged.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Registrars, High Court of A.P., Hyderabad.
- 2) The Prl. Pvt. Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 3) All the Unit Heads in the State. (with a request to circulate a copy of this circular to all the Judicial Officers under their control)
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Member Secretary, A.P. State Legal Services Authority, Nyaya Seva Sadhan, City Civil Court Compound, Hyderabad – 2.
- 6) The Special Secretary to Government (Protocol), General Administration Department, A.P. Secretariat, Hyderabad.

HIGH COURT OF ANDHRA PRADESH :: HYDERABADROC.NO. 2734/2007-C5DATED: 20.12.2007CIRCULAR

Sub: MEDICAL REIMBURSEMENT – Medical Reimbursement claims of the employees working in the Subordinate Courts – Instructions – Issued.

Ref: G.O.Ms.No.74, HM & FW (K1) Department, dt.15.3.2005.

\*\*\*\*\*

Sub Para 7 of Para 9 of G.O.Ms.No.74, HM & FW (K1) Department, dt.15.3.2005, reads as follows:-

**Powers are delegated to all the district level officers of all the Departments in the State to sanction the medical reimbursement claims upto a value of Rs.25,000/- (Rupees Twenty Five Thousand only), subject to scrutiny done by the District Medical Board/District Hospital Superintendent/ Superintendent of Teaching Hospitals. If the claim is over and above of Rs.25,000/- the claim should be referred by the concerned Department in the districts to Director of Medical Education, A.P. Hyderabad for scrutiny, and the sanctioning authorities for sanction of claims of medical reimbursement over and above Rs.25,000/- are Heads of Departments/ District Collectors, after getting scrutiny report of Director of Medical Education, Nizam's Institute of Medical Sciences, Hyderabad or Sri Venkateswara Institute of Medical Sciences, Tirumala. The case may be and where relaxation of rules are not required.**

As per the Para referred above, the claims over and above Rs.25,000/- should be referred by the concerned Unit Heads directly to the Director of Medical Education, Hyderabad for scrutiny and after receipt of the scrutiny reports, the same may be sent to the High Court for issue of sanction orders.

Therefore, all the Unit Heads are hereby requested to exercise the above said delegated powers scrupulously to avoid inconvenience and delay.

Receipt of the circular may be acknowledged.

Sd/-  
REGISTRAR (ADMN.)

To

All the Unit Heads & Unit Officers.

HIGH COURT OF ANDHRA PRADESH :: HYDERABADROC.No. 707 /SO/2005Dt:23-09-2005CIRCULAR NO. 7 /SO/2005

Sub: MV ACT – Compensation amount – Depositing of the compensation amount in fixed deposits with Nationalized Banks and opening of the Bank Account by the petitioner at the nearest place of his native place – Instructions – Issued.

\*\*\*

The Chairman, Motor Accident Claims Tribunals in the State are hereby directed to follow the following instructions with regard to the compensation amount received:

"1. Motor Accidents Claims Tribunals shall not retain compensation amounts for more than 15 days and after 15 days any amounts received by them shall be deposited by them in fixed deposits with nationalized banks for such periods as they deem it reasonable on the facts and circumstances of each case.

2. They shall Follow Rule 471 (5) and (6) of the Andhra Pradesh Motor Vehicles Rules, 1989, prescribing opening of bank accounts by the petitioner/petitioners (decree holder or holders) at the banks situated to the nearest place of their native place or place of residence and to send the cheques or bank pass books of the petitioner or petitioners (awardee/awardees) direct to the respective banks ordinarily without insisting for any separate proof of residence than the place disclosed by the bank pass book/bank pass books except incases where the Tribunal opines that the facts and circumstances of the case require insistence on such proof."

Receipt of this circular may kindly be acknowledged.

Sd/-  
REGISTRAR GENERAL

To

- 1) All the P.S's to the Hon'ble Judges (with request to place before the Hon'ble Judges for his Lordship kind perusal)
- 2) All the Registrars, High Court of A.P., Hyderabad.
- 3) All the Units Heads in the State.
- 4) The Director, A.P. Judicial Academy, Secunderabad.
- 5) The Secretary, A.P. State Legal Services Authority, Hyderabad.
- 6) The Section Officers, E – Section, O.P.Cell, High Court of A.P.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.No. 2622/2007-C.3****Dt:16-11-2007****CIRCULAR**

Sub: Public Services – APJMS/APLGS/APGSS/ - Issuance of  
**"NO OBJECTION CERTIFICATE"** for obtaining  
**"INDIAN PASSPORT"** – Certain instructions Issued.

\*\*\*\*\*

It is noticed by the High Court that several applications of the employees working in Subordinate Courts are being received for issuance of **"NO OBJECTION CERTIFICATE"** for obtaining **"INDIAN PASSPORT"**. The District Judges/Unit Heads are requested to send a report keeping in view the following guidelines, while forwarding the applications of the employees working under their respective control, for issuance of **"NO OBJECTION CERTIFICATE"** for applying for grant of passports.

- I) Whether any disciplinary proceedings are pending or contemplated against the individual.
- II) Whether any Vigilance case is pending or contemplated against individual, and
- III) Whether there are grounds to believe that the applicant could figure adversely on the security record of the Government.

The District Judges/Unit Heads are further requested to send along with the report, the following information/certificates, after obtaining the same from the employees/applicants of their units:-

- 1. 3 Passport size photos of the applicant.**
- 2. Declaration of the applicant U/s 6 (2) of the Passports Act, 1967.**
- 3. Declaration of the applicant, to the effect that no disciplinary proceedings and/or Vigilance case is pending or contemplated against him.**

4. ***Declaration of the applicant whether any proceedings for commission of an offence by him are pending before any criminal Court in India and whether any warrant or summon for the appearance or a warrant for the arrest has been issued by a Court under any law for the time being in force or any order prohibiting the departure from India has been made by any such Court against the applicant.***
5. ***Copy of the Identity card of the applicant duly attested by the Unit Head.***

All the District Judges/Unit Heads are requested to follow the guidelines and instructions scrupulously.

Receipt of the same may please be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the District Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.
5. The Special Judge for trial of Economic Offences, Hyderabad.
6. The Special Judge for Essential Commodities Act, Hyderabad.
7. The Special Judge for Special Court under the Prevention of Corruption Act for speedy trial of cases of Embezzlement of Scholarship amounts in SW Department, Hyderabad, City Criminal Courts Complex, Red Hills, Nampally, Hyderabad.

Spare.....

(with a request to circulate this to all Judicial Officers and staff members under their control).

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.No. 1928/2007-B4****Dt:23-11-2007****CIRCULAR**

Sub: Public Services – A.P.State Higher Judicial Service/ A.P. State Judicial Service - Issuance of **"NO OBJECTION CERTIFICATE"** for obtaining **"INDIAN PASSPORT"** – Certain instructions – Issued.

\*\*\*\*\*

It is noticed by the High Court that several applications of the Judicial Officers are being received for issuance of **"NO OBJECTION CERTIFICATE"** for obtaining **"INDIAN PASSPORT"**.

All the District Judges/Unit Heads in the State of A.P., are requested to scrupulously follow the instructions mentioned hereunder while forwarding applications to High Court for issue of NO OBJECTION CERTIFICATE for obtaining Indian Passport.

1. 3 Passport size photographs of the applicant, attested by the unit head.
2. Declaration of the applicant as envisaged U/Sec. 6 (2) of the Passports Act, 1967.
3. Declaration of the applicant, to the effect that no disciplinary proceedings and Vigilance case is pending or contemplated against him.
4. Copy of the Identity card of the applicant.
5. Name of the father/husband of the applicant.
6. Purpose for obtaining PASSPORT.

Receipt of the circular may be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

(As per list)

01. The District Judge, Anantapur, Chittoor, Cuddapah, Guntur, East Godavari at Rajahmundry, West Godavari at Eluru, Krishna at Machilipatnam, Kurnool, Nellore, Prakasam at Ongole, Visakhapatnam, Vizianagaram, Srikakulam, Adilabad, Karimnagar, Khammam, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nizamabad, Ranga Reddy at L.B.Nagar, Hyderabad and Warangal.
02. The Chief Judge, City Civil Court, Hyderabad.
03. The Chief Judge, City Small Causes Court, Hyderabad.
04. The Metropolitan Sessions Judge, Hyderabad.
05. The Special Judge for Economic Offences, Hyderabad.
06. The Special Judge for Essential Commodities Act, Hyderabad.
07. The Director, A.P. Judicial Academy, Secunderabad.
08. The Presiding Officer, Labour Court, Guntur, Ananthapur, Godavari Khani, Visakhapatnam, Warangal.
09. The Presiding Officer, Labour Court -I, II & III, Hyderabad.
10. The Presiding Officer, Wakf Tribunal, City Civil Court Compound, Hyderabad.
11. The Chairman, Industrial Tribunals -I & II, Hyderabad.
12. The Chairman, Addl. Industrial Tribunal, Hyderabad.
13. The Chairman, State Transport Appellate Tribunal, Hyderabad.
14. The Chairman, Sales Tax Appellate Tribunal, Hyderabad.
15. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
16. The Member Secretary, A.P. State Legal Services Authority, Nyaya Sadan, City Civil Court Buildings, Purani Haveli, Hyderabad.
17. The Secretary, A.P. High Court Legal Services Committee, High Court Buildings, Hyderabad.
18. The Secretary, Law (LA&J.SC-F) Department, A.P. Secretariat, Hyderabad.
19. The Chairman, Co-operative Tribunal, Hyderabad.
20. The Chairman, Co-operative Tribunal, Vijayawada.
21. The Director of Prosecutions, Hyderabad.
22. The Registrar, Spl. Court under A.P. Land Grabbing (Prohibition) Act, Hyderabad.
23. The Registrar, Lokayukta & Upa-lokayukta, Basheer Bagh, Hyderabad.
24. The Registrar, A.P. State Consumer Disputes Redressal Commission, Eruvaka Building, Hyderabad.
25. The Commissioner (Legal Affairs), Chief Commissioner of Land Administration, Hyderabad.
26. The Assistant Director (Law), A.P. Police Academy, Himayat Sagar, Hyderabad.
27. The Registrar, A.P. Administrative Tribunal, Purani Haveli, Hyderabad.
28. The Chief Legal Advisor, Addl. D.G.P., C.I.D., Hyderabad.
29. The Spl. Judge under Prevention of corruption Act for the Speedy Trial of cases of Embezzlement of Scholarship Amounts in the social Welfare Department etc., Criminal Courts Complex, Hyderabad.
30. The Chairman, Permanent Lok Adalat, Hyderabad, Karimnagar, Kadapa, Guntur, Visakhapatnam and Chittoor.

Spare.....

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.No. 2622/2007-C.3****Dt:05.02-2009****CIRCULAR**

Sub: Public Services – APJMS/APLGS/APGSS/ - Issuance of  
**"NO OBJECTION CERTIFICATE"** for obtaining  
**"INDIAN PASSPORT"** – Further instructions – Issued.

Ref: High Court's Circular in Roc.No.2622/2007-C.3, dt.16.11.2007.

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In continuation of the High Court Circular cited, all the District Judges/Unit Heads are further instructed to send the PASSPORT SIZE PHOTOGRAPHS of the applicant duly attested by the concerned District Judges/Unit Heads of the Subordinate Judiciary with office seal along with their applications for issuance of **"NO OBJECTION CERTIFICATE"** for obtaining **"INDIAN PASSPORT"**

All the District Judges/Unit Heads are requested to follow the guidelines and instructions scrupulously.

Receipt of the same may please be acknowledged.

Sd/-

**REGISTRAR (ADMINISTRATION)**

To

1. All the District Judges.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.
5. The Special Judge for trial of Economic Offences, Hyderabad.
6. The Special Judge for Essential Commodities Act, Hyderabad.
7. The Special Judge for Special Court under the Prevention of Corruption Act for speedy trial of cases of Embezzlement of Scholarship amounts in SW Department, Hyderabad, City Criminal Courts Complex, Red Hills, Nampally, Hyderabad.

Spare..... Stock.....

(with a request to circulate this to all Judicial Officers and staff members under their control)

Copy to

1. P.S. to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.

HIGH COURT OF ANDHRA PRADESH :: AT HYDERABADROC.NO.602/SO/2006Dated:19.06.2006CIRCULAR NO.8 /SO/2006

Sub: Women Prisoners – Disposing of the cases of women prisoners whose children are in prison with their mothers on priority basis – Instructions – Issued - Reg.

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The Hon'ble Supreme Court of India in R.D.Upadhyay Vs. State of A.P and others (Writ Petition (c) No.559 of 94 reported in 2006 (3) Supreme today at page No.546) while dealing with cases of women under trial prisoners, ordered as follows:

"The courts dealing with cases of women prisoners whose children are in prison with their mothers are directed to give priority to such cases and decide their cases expeditiously."

Therefore, all the Presiding Officers of the subordinate courts are hereby directed to follow the above said directions of the Hon'ble Supreme Court of India and expeditiously dispose of the cases of women prisoners whose children are in prison with their mother on top priority.

The Unit Heads are requested to circulate this circular to all the subordinate courts under their control.

Receipt of this circular be acknowledged.

Sd/-  
REGISTRAR GENERAL

To

- 1) All the Unit Heads in the State of A.P.
- 2) The Director, A.P. Judicial Academy, Secunderabad.
- 3) The Member Secretary, A.P. Legal Services Authority.
- 4) The Section Officers, "E" Section and "OP Cell".

HIGH COURT OF ANDHRA PRADESH :: AT HYDERABADROC.NO.2332/OP.CELL-E/2007Dated:7.12.2007C I R C U L A R

Sub: Directions of the Honourable Supreme Court of India- Mentally ill Under Trial prisoners languishing in various psychiatric hospitals/nursing homes – General directions to avoid such mentally ill persons languishing in psychiatric hospitals for long period – Instructions – Issued.

Read: Orders dated 3.11.2007 in W.P.(CrI.).No.296/2005 with W.P.(CrI.).No.18/2006 with CrI.M.P.No.2594/2006 of the Honourable Supreme Court of India.

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The Hon'ble Supreme Court of India in its Orders Dt.3.11.2007 in W.P (CrI.).No.296/2005 with W.P (CrI.).No.18/2006 with CrI.M.P.No.2594/2006 has been pleased to note that in a series of cases the under trial prisoners, who are mentally challenged, have been lodged in various asylums and in many cases they are neither produced before the Court nor their cases being called out periodically in the Court for the purpose of ascertaining whether they are in a position to face trial or defend their cases. The honourable Supreme Court of India, after going through the reports submitted by various High Courts regarding the details of Under Trial prisoners languishing in various psychiatric hospitals/nursing homes across the country, have been pleased to consider it justified proper, as there are large number of mentally ill Under Trial Prisoners lodged in various psychiatric hospitals/nursing homes, issued the following general directions to avoid such mentally ill persons languishing in psychiatric hospitals for long period.

Whenever a person of unsound mind is ordered to be detained in any psychiatric hospital/nursing home under Section 330(2) of the Code, the reports contemplated under section 39 shall be submitted to the concerned Court/Magistrate periodically. The Court/Magistrate shall also call for such reports if they are not received in time. When the reports are received the Court/Magistrate shall consider the reports and pass appropriate orders wherever necessary. In regard to prisoners covered by sub-section (1) of Section.30 of the prisoner Act, 1900, the procedure prescribed by sub-section (2) and (3) of that Section read with Section 40 of the Mental Health Act, 1987 shall be followed.

2. Wherever any under trial prisoner is in jail for more than the maximum period of imprisonment prescribed for the offence for which he is charged (other than those charged for offences for which life imprisonment or death is the punishment), the

Magistrate/Court shall treat the case as closed and report the matter to the medical officer in charge of the psychiatric hospital, so that the Medical Officer in charge of the hospital can consider his discharge as per Section 40 of the Act.

3. In cases where, the under trial prisoners (who are not being charged with offence for which the punishment is imprisonment for life or death penalty), their cases may be considered for release in accordance with sub-section (1) of Section 330 of the Code, if they have completed five or more years as impatient.
4. As regards the under trial prisoners who have been charged with grave offences for which life imprisonment or death penalty is the punishment such persons shall be subjected to examination periodically as provided in sub-section (1), (3) and (4) of Section.39 of the Act and the officers named therein (visitors, Medical Officer in charge of the hospital and the examining medical officer respectively) should send the reports to the Court as to whether the under trial prisoner is fit enough to face the trial to defend the charge. The sessions Courts where the cases are pending should also seek periodic reports from such hospitals and every such case shall be given a hearing at least once in three months. The Sessions Judge shall commence the trial of such cases as soon as it is found that such mentally ill person has been found fit to face trial.

In the circumstances, the High Court hereby directs all the judicial Officers in the State to follow the above instructions scrupulously as contained in the order Dt.3-11-2007 in W.P(Crl.)No.296/2005 with W.P.(Crl.)No.18/2006 with Crl.M.P.No.2594/2006 (copy of Order is enclosed).

Receipt of this circular shall be acknowledged.

SD/-  
REGISTRAR (VIGILANCE)

To

- 1) All the Principal District and Sessions Judges/Unit Heads in the State of A.P (with a request to communicate the same to all the presiding Officers in the District).
- 2) The P.S. to the Honourable the Chief Justice. (With a request to place before the Honourable the Chief Justice for His Lordship's kind perusal).
- 3) The Director A.P./ Judicial Academy , Secunderabad.
- 4) The Member Secretary, A.P. State Legal Services Authorities, City Civil Courts Compounds, Hyderabad.
- 5) The Section Officer, Special Officer's Section, High Court of A.P., (for codification).

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.110/SO-I/2008****Dated:15.02.2008****C I R C U L A R N O . 2 / 2 0 0 8**

Sub: Grant of bail to Under Trial Prisoners – Issuance of certain directions by the Hon'ble High Court in taken up W.P. No. 11375/2006 – Compliance of the orders – Instructions – Issued.

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The Hon'ble High Court while disposing of taken up W.P. No.11375/2006, dt.30.7.2007 and 12.12.2007, has observed as follows with regard to the release of the Under Trial Prisoners on bail:

1. While granting bail, the learned Magistrate or the Learned Sessions Judge as the case may be, has to necessarily exercise the discretion regarding the nature and extent of solvency and the number of sureties that are required to be produced by the remand prisoner in a judicious way on their being oppressive as the object of surety is not to penalize the accused but only to secure his presence at the trial. Such discretion has to be exercised in a fair and objective manner keeping in view the mandate of Section 440 Cr.P.C. that the amount of the bond shall be fixed due regard to the circumstances of the case and it shall not be excessive. The social and economic status of the prisoner and his affordability to secure the sureties with the required extent of solvency shall also be kept in mind.
2. The attitude of granting bail with one hand the denying the same with the other by fixing higher number of sureties and excessive amount of bond beyond the reach and capacity of the prisoners who are poverty stricken, needs to be deprecated. The approach of the Learned magistrate or the learned Sessions Judge as the case may be, should be fair, objective and judicious in fixing the amount of bond and the number of sureties which will facilitate the fruition of the order of bail, but not frustrate the same.

**No hard and fast guidelines can be prescribed which can be of general application and the case of every individual prisoner has to be dealt with on its own merits.**

The Hon'ble High Court further directed that whenever an accused has been granted bail and is not able to produce surety before the Court, his case should be taken up by the Magistrate/Sessions Judge concerned immediately for trial and the trial should be continued on a day to day basis. If for any reason the trial is not taken up on daytoday basis, the Magistrate/Sessions Judge concerned shall record the reasons, in the docket proceedings, for not doing so.

Therefore, the High Court hereby direct all the Sessions Judges and the Judicial Magistrate of First Class in the State to follow the above observations/directions scrupulously without any deviation.

Receipt of the circular may please be acknowledged.

Sd/-  
REGISTRAR GENERAL

To

1. All the District and Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. the Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judges, Hyderabad,
5. All the Presiding Officers of the Special Courts and Tribunals in twin cities of Hyderabad and Secunderabad. (for information)
6. All the Registrars, High Court of A.P., Hyderabad.
7. The Director, A.P. Judicial Academy, Secunderabad.
8. The Section Officers, E and O.P. Cell Sections, High Court of A.P., Hyderabad.

(With a request to communicate the circular to all the Judicial Officers in their respective Districts/Units)

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.726/SO/2006****DATED:7.7.2006****CIRCULAR NO.11/2006**

Sub: Handcuffing and chaining of under trial prisoners –  
Implementation of Order No.461 of APPM – Instructions –  
Issued.

Ref: circular Memo No. 17967/Leg.I/A2/2006, dt.24.6.2006.

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The attention of all the Presiding Officers of the Subordinate Courts is drawn to the reference cited (copy enclosed) wherein instructions are issued for implementation of Order No.461 of APPM. All the Presiding Officers are hereby instructed to follow the said instructions scrupulously.

All the Unit Heads are requested to communicate this circular to all the subordinate courts under their control.

Receipt of this circular be acknowledged.

Sd/-

**REGISTRAR GENERAL**

To

- 1) All the Unit Heads in the State.
- 2) The Director, A.P.Judicial Academy, Secunderabad.
- 3) The Section Officers, E- Section and O.P. Cell, High Court of Andhra Pradesh, Hyderabad.

IMMEDIATE

**GOVERNMENT OF ANDHRA PRADESH  
HOME (LEGAL-I) DEPARTMENT**

Circular Memo No.17967/Leg.I/A2/2006

Dated:24.6.2006

Sub: Suits –A.P.H.C., Hyderabad – W.P.No.10490 of 2006 taken up on News Paper Clipping of Eenadu dt.23.5.2006 – Judgment of the Andhra Pradesh High Court, Hyderabad dt.13.6.2006 – Instructions to all concerned – Issued.

- Ref: 1.From the A.P.H.C., Hyderabad, Notice in W.P.No.10490/2006, dt.9.6.2006.  
2. Government Memo No.17967/Leg.I/A2/2006, dt.21.6.2006.  
3. From the A.P.H.C., Hyderabad Orders in W.P.No.10490/2006, dt.13.6.2006 received through Fax on 23.6.2006.

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The Director General of Police, A.P., Hyderabad, the Director General of Prisons A.P.Hyderabad and all the Collectors of Andhra Pradesh are informed that the Hon'ble Andhra Pradesh High Court, Hyderabad in its order dt.13.6.2006 in W.P.No.10490 of 2006 reference 3<sup>rd</sup> cited has requested the Advocate General to act as an amicus and the Learned Advocate General has ensured the Hon'ble Court that he will get in touch with the Senior Officers of the Government and the Departments and see that atleast in future the provisions contained in APPM Order No.461 are rigorously implemented by all the concerned and the officers and officials of the Police as well as Jail Department are sensitized in the matter of giving full respect to the human rights of the persons who are not accused of committing grave crimes or not considered dangerous to the Society.

The order No.461 of APPM is read as follows:

The use of handcuffs or leg chains should be avoided and if at all, it should be resorted to strictly in accordance with the law mandated in judgment of the Supreme Court in Prem Shanker Shukla Vs. Delhi Administration (1980, 3 SCC 526) and Citizen for Democracy vs State of Assam (1995, 3 SCC 743). The points to be observed in this regard are as follows:

1. When an accused is in Court during the trial, he must be held to be in the custody of the Court. If an accused is so dangerous that it is necessary to handcuff him, representation should be made to the Court, and the Court will issue appropriate instructions in the matter. Accused persons while in Court during trial should not be handcuffed except with the permission of the Court.
2. Under-trial prisoners and other accused persons shall not be handcuffed and chained without specific permission of the Court and only if there is a reasonable apprehension, either due to heinous nature of the crimes with which they are charged or from their character or behaviour that such persons will use violence or will attempt to escape or that an attempt to escape or that an attempt will be made to rescue them. The same principle shall be applied to convicts proceedings, in public place while in police custody vindictivity is to be differentiated from necessity.
3. Whenever non-convicted accused persons are handcuffed with Court's permission, the fact and the reasons for it shall be stated in the Station House general diary, the sentry relief book, and in the remand diary forwarded to the Magistrate.
4. The prisoners either convicted or under trial and confined in a sub-jail shall not be handcuffed, whenever they are taken out in the precincts of the sub-jail for food or other necessities, rather the entire guard including the guard commander shall be present. If there are more number of prisoners, the guard in-charge should inform the officer in-charge of the police station to send two or three constables to assist the sub-jail guard during the period when the prisoners are taken out. The officer in-charge of police station shall provide extra manpower as required by the guard-in-charge.
5. Whenever, it is considered necessary to handcuff certain prisoners confined in sub-jail, while they are taken out, the written orders of the Magistrate should be obtained and the permission granted by him should be maintained in a book to be kept by the guard officer.

6. With regard to a refractory, violent or dangerous prisoner, the officer in-charge of the sub-jail guard or the senior police officer present may control him only by utilising more personnel and by such force as may be necessary, while rushing a messenger to the concerned Court or Magistrate for permission to handcuff him.
7. Under-trial-prisoners or accused persons in Hospital should not be handcuffed without permission of the Court. In no case should prisoners or accused persons who are aged and bed ridden in hospital or women prisoners, juvenile prisoners or civil prisoners be handcuffed or fettered. If necessary extra guard should be provided.
8. The restriction on use of handcuffs is not to place any embargo on use of minimum force to control a violent prisoner.

All the Officers in the address entries are therefore requested to implement rigorously and adhere to the above provisions of the APPM in future giving full respect to the Human Rights of the persons.

M.A.BASITH,  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General of Police, Andhra Pradesh, Hyderabad.  
The Director General of Prisons and Correctional Services, A.P., Hyderabad.  
All the Collectors.  
All the Superintendents of Police.

Copy to:

The Advocate General, A.P., Hyderabad.  
The Government Pleader for Home, Andhra Pradesh High Court, Hyderabad.

//FORWARDED BY ORDER//

Sd/-  
SECTION OFFICER

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.4578/76-D1(1)****DATED:13.7.2006****CIRCULAR**

Sub: Purchase of Furniture, Stationery and other items required for District Courts and Subordinate Courts – Purchases in anticipation of ratification of the High Court – Certain Instructions – Issued.

Ref:1.G.O.Ms.No.148, Finance & Planning (FW:Admn.I.TFR), Dept.,  
dt: 21.10.2000.

- 2.High Court's Circular Roc.No.4578/76-D1(1), dated 19-12-2002.
- 3.High Court's Circular Roc.No.3557/2003-D1(4), dated 07-4-2004.
4. High Court's Circular Roc.No.1010/2005 D1(1), dated 14-11-2005.
5. High Court's Circular Roc.No.1010/2005-D1(1), dated 10-4-2006.

\*\*\*\*

It is observed by the High Court that some Unit Heads are forwarding their proposals for ratification of High Court for purchase of Furniture, Stationery and other items made by them in excess of the delegated powers, at the fag end of the Financial Year even in cases where sufficient time to seek permission of the High Court is available. Some times the Unit Heads are making such purchases merely to spend the available budget though the items purchased are not absolutely and urgently required.

All the District Judges are therefore requested to send necessary proposals for purchase of various items in excess of the financial powers delegated to them, well in advance i.e., on or before 31.10.2006 so as to avoid unnecessary complications.

The Unit Heads are further requested to follow the earlier instructions of the High Court and the prescribed procedure for purchase of various items and forward their proposals along with sufficient relevant information, to process the proposals without any unnecessary further correspondence.

They are also informed that requests for ratification will not be considered hereafter, under any circumstances.

The above instructions have to be followed scrupulously.

Sd/-

**REGISTRAR GENERAL**

To

1. All the District and Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judges, Hyderabad,
5. The Spl.Judge for Economic Offences, Hyderabad.
6. The Spl.Judge under the prevention of Corruption Act for Speedy Trial of Cases of Embezzlement of Scholarships amount in Social Welfare Department, Hyderabad.
7. The III Addl.MSJ-cum-Spl.Judge for Trial of Cases under EC Act, Hyderabad.
8. The Spl.Judge for CBI Cases, Hyderabad and Visakhapatnam.
9. The Spl.Judge for SPE & ACB Cases, Vijayawada, Nellore.
10. The Judge, Family Court, Tirupathi, Vijayawada, Kurnool, Visakhapatnam, Warangal, Hyderabad and Secunderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.681/2007-D1(3)****DATED:13.7.2007****CIRCULAR**

Sub: Law Books – Delegation of Financial Powers for the purchase of Law Books to the District & Subordinate Courts in the State – Reg.

Ref: 1. G.O.Ms.No.737, Home (Courts.D) Department, dt.31.10.1994.  
2.High Court's Proceedings Roc.No.3128/03-D1(3), dt.2.12.2003.

\*\*\*\*

Government of Andhra Pradesh through the G.O. 1<sup>st</sup> cited have issued orders delegating enhanced Financial Powers to the High Court of A.P. and the Subordinate Courts in respect of certain items of expenditure. Full Powers were delegated to the District Court for purchase of Law Books and Periodicals under item No.8 of the Annexure enclosed.

In order to regulate the expenditure, the High Court issued proceedings in the reference 2<sup>nd</sup> cited restricting the powers of the Unit Heads to incur an amount of Rs.25,000/- only per annum, for purchase of some important Law Books of latest publications for immediate reference as and when required, by negotiating with the publishers for discount on various publications as mentioned therein.

Instances have come to the notice of the High Court that some of the Unit Heads are incurring huge expenditure on purchase of Law Books/Journals even though the powers delegated are restricted by the High Court in the proceedings 2<sup>nd</sup> cited.

Therefore, all the Unit Heads are hereby directed not to order for Law Books or Journals in violation of the High Court's proceedings 2<sup>nd</sup> cited. In case of any urgent requirement beyond the limit, the Unit Heads are requested to obtain prior permission of the High Court.

Deviation of the above instructions will be viewed seriously.  
Kindly acknowledge the receipt of the circular.

Sd/-  
**REGISTRAR GENERAL**

To

1. All the District and Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judges, Hyderabad,

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO.717/2008-D1(3)****DATED:22.8.2008****CIRCULAR**

Sub: Law Books – Delegation of Financial Powers for the purchase of Journals/Law Books to the District & Subordinate Courts in the State – Reg.

Ref: 1. G.O.Ms.No.737, Home (Courts.D) Department, dt.31.10.1994.  
2.High Court's Proceedings Roc.No.3128/03-D1(3), dt.2.12.2003.  
3. High Court's Circular Roc.No.681/2007-D1(3), dt.13.7.2007.

\*\*\*\*

Attention is invited to the High Court's proceedings, in the reference 2<sup>nd</sup> cited, restricting the powers of the Unit Heads to incur an amount of Rs.25,000/- only per annum, for purchase of some important Law Books of latest publications for immediate reference as and when required, by negotiating with the publishers for discount on various publications as mentioned therein.

In the High Court's Circular, in reference 3<sup>rd</sup> cited, all the Unit Heads are directed not to order for Law Books or Journals in violation of the High Court's proceedings 2<sup>nd</sup> cited and in case of any urgent requirement beyond the limit, the Unit Heads were requested to obtain prior permission of the High Court.

Since certain instances of violation of High Court's proceedings, in the reference 2<sup>nd</sup> cited and the Circular in the reference 3<sup>rd</sup> cited have come to the notice of the High Court, all the Unit heads are hereby directed not to place any orders for supply of Law Books/Journals with M/s Deccan Law House, Vijayawada, until further orders.

All the Unit Heads are further directed not to place any orders for Books and Journals beyond the financial limit (i.e., Rs.25,000/- per annum)

I am to enclose herewith the copies of the High Court's proceedings and the High Court Circular 2<sup>nd</sup> and 3<sup>rd</sup> cited, for ready reference.

Any deviation of these instructions will be viewed seriously.

Kindly acknowledge the receipt of the circular.

Sd/-

**REGISTRAR GENERAL**

To

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |   |                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. All the District and Sessions Judges in the State.</li> <li>2. The Chief Judge, City Civil Court, Hyderabad.</li> <li>3. The Metropolitan Sessions Judges, Hyderabad.</li> </ol>                                                                                                                                                                                                                                                                                                                                                            | } | <p>With a request to circular a copy of the above circular to the Special Judges for Trial of cases under SCs &amp; STs (POA) Act and Family Court Judges</p> |
| <ol style="list-style-type: none"> <li>4. The Chief Judge, City Small Causes Court, Hyderabad.</li> <li>5. The Spl.Judge for Economic Offences, Hyderabad.</li> <li>6. The Spl.Judge under the prevention of Corruption Act for Speedy Trial of Cases of Embezzlement of Scholarships amount in Social Welfare Department, Hyderabad.</li> <li>7. The III Addl.MSJ-cum-Spl.Judge for Trial of Cases under EC Act, Hyderabad.</li> <li>8. The Spl.Judge for CBI Cases, Hyderabad and Visakhapatnam.</li> <li>9. The Spl.Judge for SPE &amp; ACB Cases, Vijayawada, Nellore.</li> </ol> |   |                                                                                                                                                               |

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 2700/2007-C.1****DATED: 17.042008****CIRCULAR**

Sub: Public Services – Memorandum dt.24.11.2007 from the A.P. Judicial Class – IV employees State Association, Chittoor with regard to certain grievances – Certain Instructions – Issued.

Ref: Memorandum dt.24.11.2007 from the A.P. Judicial Class-IV Employees State Association, Chittoor.

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The Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad has been pleased to direct all the Unit Heads of Subordinate Judiciary to consult the police authorities of the concerned District for providing the Home Guards for safe guarding the Court premises.

Sd/-

**REGISTRAR (MANAGEMENT)**

To

**All the District Judges/Unit Heads.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.1358/SO/2006****DATED:17.11.2006****CIRCULAR NO.28/2006**

In continuation of the circular in Roc.No.1114/OP Cell-E/2002, dated:14.2.2002, the attention of all the Unit Heads in the State is invited to the provisions of Andhra Pradesh Prohibition of Smoking and Health Protection Act, 2002, the Andhra Pradesh Prohibition of Smoking and Health Protection Rules, 2002 and G.O.Ms.No.267, Health, Medical & Family Welfare (J1), dt:29.6.2002 and they are instructed to see the implementation of the provisions of the said Act strictly. Those who violate the provisions of the said Act be penalized as per the provisions of the Act.

**Dt:17.11.2006****Sd/-  
REGISTRAR GENERAL****To**

- 1. All the Unit Heads in the State. (with a request to issue necessary instructions to all the Presiding Officers of their Unit)**
- 2. The Chief Judge, City Civil Court, Hyderabad.**
- 3. Metropolitan Sessions Judge, Hyderabad.**
- 4. The Chief Judge, City Small Causes Court, Hyderabad.**

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD****ROC.NO. 757/SO-3/2007****DT:30 .07.2007****CIRCULAR NO.15 /SO/2007**

Sub: Courts - Criminal – Special Judicial Magistrate of Second Class Courts – Extension of the term of Special Judicial Magistrates of Second Class/Special Metropolitan Magistrates – Reg.

Ref: 1) High Court's Circular Roc.No.469/SO/98, dt 19.4.1999.  
2) High Court's Circular Roc.No.73/SO-3/2001,dt 20.1.2001.

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The attention of all the Unit Heads is invited to the circular instructions issued by the High Court of A.P., in the reference cited. (copies enclosed)

It is noticed that still some of the Unit Heads are forwarding the applications of the Special Judicial Magistrates of Second Class/Special Metropolitan Magistrates for extension of their period for another term. As there is no provision in the Rules for extending the term of the existing Special Judicial Magistrates of Second Class/Special Metropolitan Magistrates, I am directed to instruct all the Unit Heads not to forward the applications of the existing Special Judicial Magistrates of Second Class/Special Metropolitan Magistrates for extension of their term for another period of two years.

All the Unit Heads are, therefore, directed to follow the circular instructions as above scrupulously and not to forward the applications of the Special Judicial Magistrates of Second Class/Special Metropolitan Magistrates to the High Court for extension of their term and also further instructed to send the panel of names of eligible persons only following the rules and the circular instructions cited above.

Sd/-  
**REGISTRAR GENERAL**

To

- 1) All the Unit Heads.
- 2) The Prl. Private Secretary to the Hon'ble the Chief Justice, High Court of A.P., Hyderabad.
- 3) The Director, A.P. Judicial Academy, Secunderabad.

**HIGH COURT OF ANDHRA PRADESH :: AT HYDERABAD**

**ROC.NO. 479/SO-2/2008**

**DT:18.03.2008**

**CIRCULAR NO.4/2008**

Sub: Courts - Criminal – Special Judicial Magistrate of Second Class Courts – Filling up the posts of the Special Judicial Magistrate of Second Class/Special Metropolitan Magistrate – Reg.

Ref: 1) G.O.Ms.No.35, Law (L.A.& J Courts-A) Department,  
dt.22.1.1997.

2) High Court's Roc.No.2589/95/E1,dt 29.3.1997.

\*\*\*

It has come to the notice of the High Court that many courts of Special Judicial Magistrate of Second Class in the State are vacant, since a long time.

Therefore, all the Unit Heads are instructed to take immediate steps to fill up the vacant posts of Special Judicial Magistrate of Second Class in their respective units keeping in view the rules and guidelines issued in this regard.

Sd/-  
**REGISTRAR GENERAL**

To

All the Unit Heads.

**HIGH COURT OF ANDHRA PRADESH ::HYDERABAD**

**ROC.NO.2874/08-D1(3)**

**Dt: 26.06.2008**

**CIRCULAR**

**Sub:** Telephones – Subordinate Courts- Newly Sanctioned Courts Request to accord sanction for installation of new telephones to the newly established Courts- Regarding.

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I am to state that some of the District Judges are addressing letters to the High Court requesting to accord permission for providing new telephone connections to the residences & chambers of the Presiding Officers in respect of the newly sanctioned Courts.

In this connection, I am to inform that separate permission of the High Court is not necessary, since full powers are delegated to the Unit Heads for installation of new telephones for connectivity purposes, as per serial No.36 of G.O.Ms.No.148, Finance & Planning (FW:ADMN.1.TFR) Department, dt.21.10.2000.

Therefore, all the Unit Heads are requested to take necessary steps in this regard at their end.

All the Unit Heads are further requested to furnish the telephone numbers to the High Court after installation of the new telephones in respect of the newly sanctioned courts, so as to enable the Registry to address the BSNL authorities for allotment of VPN numbers.

SD/-  
**REGISTRAR GENERAL**

To

1. All the District & Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH, HYDERABAD**

**M.SATYANARAYANA MURTHY  
REGISTRAR (VIGILANCE)**

**HYDERABAD,  
DT:13.07.2009.**

**ROC.NO.4173/2009-B.SPL.**

Sir,

SUB: NEW GUIDELINES for transfer of Judicial Officers including  
the District and Sessions Judges – Regarding.

-000-

I am to state that New Guidelines relating to Transfer of Judicial Officers including District and Sessions Judges were approved by the High Court with immediate effect.

I am directed to forward herewith the said New Guidelines and to request you to communicate the same to all the Judicial Officers working in Your Unit under proper acknowledgment.

These Guidelines were also placed in the High Court website <http://hc.ap.nic.in>.

**Yours faithfully,**

**Sd/-  
REGISTRAR (VIGILANCE)**

**To**

1. The Personal Secretaries to the **Registrars**, High Court of A.P., Hyderabad (for placing before the Registrars for information)
2. The Chief Judge, City Civil Court, Hyderabad
3. The Chief Judge, City Small Causes Court, Hyderabad
4. The Metropolitan Sessions Judge, Hyderabad, Vijayawada, Visakhapatnam and L.B.Nagar, Rangareddy District.
5. The Chairman/Presiding Officers of Labour Courts and Industrial Tribunals in the State of Andhra Pradesh, the Director, A.P.Judicial Academy, Secunderabad.
6. The Member Secretary, Andhra Pradesh State Legal Services Authority, Hyderabad.
7. The Secretary, Andhra Pradesh High Court Legal Services Committee, High Court, Hyderabad.

**8. THE PRL. DISTRICT AND SESSIONS JUDGES:**

J. 558/36.

Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khammam, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru:

**NEW GUIDELINES FOR TRANSFER OF JUDICIAL OFFICERS INCLUDING DISTRICT AND SESSIONS JUDGES WITH IMMEDIATE EFFECT.**

- i) For the purpose of these guidelines-----
  - a) the Metropolitan Area of Twin Cities of Hyderabad and Secunderabad and the area comprising of Rangareddy District shall be treated as one District
  - b) the three regions in the State will be Coastal Andhra, Rayalaseema and Telangana
- ii) Normal period of incumbency of every Officer in a particular station will be three years;
- iii) Officer will not be posted in the Native Districts or where they had practiced;
- iv) Every Officer shall serve in different regions of the State atleast for one term of three years;
- v) No officer who has already worked in one District for six years will be posted in the same District again;
- vi) Subject to administrative exigencies, request of any Officer having his/her spouse in employment will ordinarily be considered for posting in the same Station/District. This will however, be subject to the other Guidelines;
- vii) The Judicial Officer **completing three years by the end of September of a Calendar Year** and the other Officers making request for transfer are to forward their written representations given three places of their option to be received in the Registry of the High Court on or before 28<sup>th</sup> February of every Calendar Year. Applications not in compliance with these guidelines, will not be considered. The Representations, reached after 28<sup>th</sup> February may not be considered. The representations received after 1<sup>st</sup> June and before 28<sup>th</sup> February will be considered for the current year.

- viii) The Senior Civil Judges and Junior Civil Judges are to submit their representations through the concerned District Judge, who has to offer his specific remarks on the said representations.
- ix) Officer making requests on the grounds of health or education of their children have to furnish all details.
- x) If an officer is not shifted during the General Transfers, he or she will not be disturbed normally till the next General Transfers except on promotion or on a genuine request or for administrative reasons.
- xi) First posting will be in existing vacancies. This will however be subject to the condition that persons who are likely to complete three years of service by the succeeding 1<sup>st</sup> June, may be considered for such posting. All cases of initial posting or posting on transfer will be subject to review at the time of the General Transfers.
- xii) Requests of officers for transfer will be considered only after they complete the first three years of service.
- xiii) Officers employed from other service shall not be posted in Districts where they had worked before their entry into Andhra Pradesh State Judicial Service.
- xiv) No officer shall be sent on deputation to Ex-cadre posts for more than three years. On completion of three years, the officer on deputation shall be recalled and posted in regular service.
- xv) Where there are more Courts of the same category at a particular place, the transferred Judicial Officer shall ordinarily be posted to the existing vacancy. In the case of Principal Court, inter-se-seniority of the Officers working at the place will be followed.
- xvi) Subject to the general policy regarding transfers, as far as possible, officers having good performance, quantitatively and qualitatively, for the last three years shall be accommodated at the place of their choice, while effecting their transfers.

**HIGH COURT OF ANDHRA PRADESH ::HYDERABAD****ROC.NO.2390/2006-D1(3)****Dt: 31.12.2007****CIRCULAR**

**Sub: VEHICLES – Subordinate Courts – Pool Vehicles – Conveyance – Non-Usage of pool vehicles by certain judicial Officers in some of the Districts, pursuant to G.O's issued by the Government according sanction for providing various allowances as recommended by the First National Judicial pay Commission – Certain instructions for use of pool vehicles i.e. Swaraj Mazda/ Maruti van for holding Lok Adalats and Legal Awareness Camps – Regarding.**

- Ref: 1. High Court's Circular Roc.No.4315/93-D 11(A), dated 30-03-96.  
2. High Court's Lr.Roc.No. 910/2002-D1(3), dated 30-03.2002.  
3. High Court's Circular RocNo.510/SO-1/2002, dated 02-09-02.  
4. High Court's Circular RocNo.2232/2004-D1(3), dated 30-11-04.  
5. G.O.Ms.No.106, Law (LA&J SC.F) Department, dated 14.07.06.

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Consequent to the directions issued by the Supreme Court in W.P.No.1022/89 and Review Petition No.249/92, the Government have accorded sanction for purchase of vehicles for providing conveyance to the Judicial Officers in the State. Accordingly during the year 1996, Maruti vans and Swaraj Mazda mini buses were purchased and provided to the respective stations in the State for use of the Judicial Officers as pool vehicles. Certain guidelines were also issued by the High Court from time to time for usage of the said pool vehicles vide references 1<sup>st</sup> to 4<sup>th</sup> cited.

Recently the Government issued G.O.Ms.No.106, Law (LA&JSC.F) Department, dated 14.7.2006 according sanction for providing various allowances to all the Judicial Officers in the State with effect from 01.11.1999 as recommended by the First National Judicial Pay Commission. As per the G.O. the Judicial Officers who use their own car/two wheeler and who opt not to avail pool vehicle facility are entitled to 75/50/25 litres of petrol/diesel, as the case may be, or equivalent price thereof as conveyance allowance.

Subsequently the High Court addressed a letter to all the District Judges requesting to furnish certain information after obtaining the options from the concerned Judicial Officers and as per the information received, most of the District Judges have requested the High Court for retention of the pool vehicles for use of Legal Awareness Camps etc. and in some districts the vehicles are being used by the Judicial Officers as pool vehicles.

In view of the same the High Court is pleased to issue the following guidelines regarding the usage of Pool Vehicles.

- I. The Swaraj Mazda vehicles and Maruti Vans previously allotted as Pool Vehicles can be used for holding Lok Adalats and Legal Awareness Programs subject to availability, with a condition of reimbursing the fuel charges from the District Legal Aid Fund of the respective District.
- II. An account shall be maintained for the amounts received towards reimbursement of the fuel charges and remittance shall be made promptly to the appropriate Head of Account.
- III. The surplus pool vehicles will be under the control of the Prl. District Judges in case of District Head Quarters and under the control of the concerned Officers in case of stations away from Head Quarters.

The receipt of the Circular may be acknowledged.

SD/-  
**REGISTRAR GENERAL**

To

1. All the District Judges in the State except Adilabad, Mahabubnagar and Medak at Sangareddy.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Hyderabad.

Copy to:

The Member Secretary, A.P State Legal Services Authority, Hyderabad.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.2818/07-D1(3)****Dt: 13.02.2008****CIRCULAR**

**Sub: SUBORDINATE COURTS – Vehicles –** Incurring the expenditure towards repairs of vehicles exceeding the Financial powers delegated to the Unit Heads – Seeking ratification of the High Court – Certain Instructions - Issued.

\*\*\*

Instances have come to the notice of the High Court that some of the Unit Heads are incurring the expenditure towards the repairs of the vehicles exceeding the financial powers delegated to them and seeking ratification of the High Court even though there is sufficient time to obtain prior sanction of the High Court.

All the District Judges are therefore requested to obtain prior permission of High Court in future if the expenditure exceeds the financial limits, so as to avoid unnecessary complications.

The above instructions have to be followed scrupulously.

SD/-  
**REGISTRAR GENERAL**

To,

1. All the District & Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Chief Judge, City Small Causes Court, Hyderabad.
4. The Metropolitan Sessions Judge, Nampally, Red Hills, Hyderabad.
5. The Special Judge for Economic Offences, Hyderabad.
6. The Special Judge under the prevention of Corruption Act for Speedy Trial of Cases of Embezzlement of Scholarships amount in Social Welfare Department, Hyderabad.
7. The III Additional Metropolitan Session Judge-cum-Special Judge for Trail of Cases under EC Act, Hyderabad.
8. The Special Judge for CBI Cases, Hyderabad and Visakhapatnam.
9. The Special Judge for SPE & ACB Cases, Vijayawada and Nellore.

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO.5108(1)/2004-B.SPI.****Dt: 05.10.2004****CIRCULAR**

Instances have come to the notice of the High Court that some Unit Heads are coming over to High Court frequently to meet the Hon'ble the Chief Justice / Hon'ble Judges for the purposes like.

1. Fixing up date and time for laying foundation stone/Inauguration of New Courts/ buildings.
- 2.For finalizing the programme of the functions arranged by District Courts; and
- 3.To distribute invitations.

Such kinds of visits by the Unit Heads to the High Court are not essential and are resulting in dislocation of Judicial as well as administrative work.

The High Court upon considering the matter, decided to advise the Unit Heads not to make visits to High Court for such purposes but to correspond on such matter over Phone/Fax with the Registrars concerned and obtain orders.

All the Unit Heads are, therefore, directed to follow the above instructions scrupulously.

Receipt of this Circular be acknowledge.

SD/-  
**REGISTRAR (VIGILANCE)**

To

THE PRL.DISTRICT & SESSIONS JUDGES: -

Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khamma, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District at L.B.Nagar, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godawari at Eluru.

**HIGH COURT OF ANDHRA PRADESH ::HYDERABAD****ROC.NO.5108/2004-B.SPI.****Dt: 05.10.2004****CIRCULAR**

Several instances have come to the notice of the High Court that some of the Judicial Officers are coming over to the Airport or Railway Station for receiving or seeing off the Hon'ble the Chief Justice /Hon'ble Judges during Court hours inspite of earlier instructions issued in this regard. In view of the above the following instructions are issued:

**During the visits of the Hon'ble the Chief Justice or any other Hon'ble Judge or any other dignitaries to any place in the State, no Judicial Officer, except the Protocol Officer and Staff, shall attend on their Lordships at Airport or Railway station during office hours.**

The above instructions should be strictly followed. Any deviations from these guidelines will be viewed very seriously.

SD/-

**REGISTRAR (VIGILANCE)**

**NOTE: The Pri. District and Sessions Judges/Unit Heads are requested to communicate the above Circular to all the Judicial Officers working in their Unit under proper acknowledgement.**

To

1. The Pri. District & Sessions Judges in the State  
Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khamma, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru.
  2. The Pri. Secretary to **the Hon'ble the Chief Justice** and Personal Secretaries to the Hon'ble Judges (for placing before their Lordships' kind perusal)
  3. The Personal Secretaries to the **Registrars**, High Court of A.P, Hyderabad.
  4. The Chief Judge, City Civil Court, Hyderabad.
  5. The Metropolitan Sessions Judge, Hyderabad.
  6. The Chief Judge, City Small Causes Court, Hyderabad.
  7. The Chairman, various Tribunals and Labour Courts.
  8. The Director, A.P. Judicial Academy, Secunderabad.
- Spare

**HIGH COURT OF ANDHRA PRADESH::HYDERABAD****ROC.NO.5899/2005-B.SPL.****DATED:20.09.2005****Circular**

Instances have come to the notice of the High Court that some of the Unit Heads are arranging private vehicles for conveyance/transport of Hon'ble the Acting Chief Justice as and when His Lordship visits the Districts on tour.

All the Unit Heads are hereby informed that whenever the Hon'ble the Acting Chief Justice visits the Districts, only an official vehicle has to be arranged for conveyance/transport of His Lordship.

The Circular should be scrupulously followed.

Sd/-  
**REGISTRAR (VIGILANCE)**

To

**The Sri. District and Sessions Judges in the State:**  
Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khammam, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District at L.B.Nagar, Hyderabad, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru.  
**Spare.**

**HIGH COURT OF ANDHRA PRADESH :: HYDERABAD****ROC.NO. 2974/2005-D1(3)****DT: 18.04.2007****CIRCULAR**

Sub:- Centrex System – Proposal for providing of Voice VPN (similar to Centrex) System to all the courts in the State – Reg.

\*\*\*\*\*

The High Court proposes to change over the existing telephone connections in respect of High Court, all the Subordinate Courts in the State, A.P. Judicial Academy, A.P. State Legal Services Authority and A.P. High Court Legal Services committee into voice VPN ( similar to Centrex) System subject to payment of monthly VPN Charges of Rs.300/- per month per telephone in addition to the existing monthly rentals per month per telephone, that is being paid now.

There will be no change in the existing telephone numbers of the respective courts including the residential telephones of the Judicial Officers but in VPN (similar to Centrex) System a separate number (11 digits) will be given to each telephone so as to make use of the telephones without any call charges between the courts in the State including High Court.

The list of telephone numbers in respect of High Court, Subordinate courts, A.P. Judicial Academy, A.P. State Legal Services Authority and A.P. High Court Legal Services committee along with corresponding VPN numbers of the respective telephones is herewith enclosed.

All the Judicial Officers in the State are therefore requested to make telephone calls through Voice VPN System by following the procedure mentioned hereunder and see that the expenditure be reduced.

1. For VPN Calls dial 11 digits number allotted to the telephones -Which is free of charge.
2. For Non VPN Calls simply dial the telephone numbers as it is done for local calls and for STD calls dial STD code followed by telephone number – The call charges as per the applicable tariff.

The new system may be implemented from 1<sup>st</sup> May, 2007 onwards, initial problems, if any, in utilizing the services may be brought to the notice of Assistant Director (Business Development) on phone 040-24762599 or mobile 94400 00170 or by e-mail to [birao@bsnl.co.in](mailto:birao@bsnl.co.in) or to the local officer at that particular station.

The Director, A.P. Judicial Academy, The Member Secretary, A.P. State Legal Services Authority and the Secretary, A.P. High Court Legal Services Committee are also requested to follow the above procedure.

The Unit Heads are further requested to communicate this Circular and the VPN numbers to all the Judicial Officers working in their respective units.

Kindly acknowledge the receipt of the circular.

Sd/-  
REGISTRAR GENERAL

To

1. All the District & Sessions Judges in the State.
2. The Chief Judge, City Civil Court, Hyderabad.
3. The Metropolitan Sessions Judge, Hyderabad.
4. The Chief Judge, City Small Causes Court, Hyderabad.
5. The Special Judge for Economic Offences, Hyderabad.
6. The III Addl. M.S.J-cum-Spl. Judge for E.C.Act Cases, Hyderabad.
7. The Spl. Judge for CBI Cases, Hyderabad and Visakhapatnam.
8. The Spl. Judge for SPE & ACB Cases, Vijayawada and Nellore.
9. The Judge, Family Court, Tirupathi, Vijayawada, Kurnool, Visakhapatnam, Warangal, Hyderabad and Secunderabad.
10. The Director, A.P. Judicial Academy, Secunderabad.
11. The Member Secretary, A.P. State Legal Services Authority, City Civil Court Compound, Hyderabad.
12. The Secretary, A.P. High Court Legal Services Committee, High Court Buildings, Hyderabad.
13. The Special Sessions Judges: Kadapa, Nizamabad, Nellore, Mahabubnagar, Prakasam, Karimnagar, Krishna, Kurnool, Medak, Guntur, Tirupathi and Secunderabad.
14. The Chairman, LRAT-cum-IV Addl. District Judge, Kakinada, East Godavari.
15. The Chairman, LRAT-cum-III Addl. District Judge, Karimnagar.
16. The Chairman, LRAT-cum-II Addl. District Judge, Suryapet, Nalgonda.
17. The Chairman, LRAT-cum-II Addl. District Judge, L.B.Nagar, Rangareddy
18. The Chairman, LRAT-cum-II Addl. District Judge, Warangal.
19. The Chairman, LRAT-cum-II Addl. District Judge, Eluru, West Godavari.

**HIGH COURT OF ANDHRA PRADESH : AT HYDERABAD****ROC.NO.695 /WRC/2008****DT.15.12.2008****CIRCULAR**

Sub: Method of Assessment of work of the Judicial Officers – Revised Circular Instructions – Issued.

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In supercession of the previous circulars issued on this subject, the High Court is pleased to issue the following instructions.

These instructions will come into force with effect from **I Period of 2009.**

**I. PERIOD OF REVIEW & GROUPING:**

The Qualitative and Quantitative out turn of work of the Judicial Officer shall be assessed twice in a year i.e., once in SIX months and Quarterly for Fast Track Courts.

The Periods of Review and grouping of the Districts are shown at **Annexure –I.**

**II. QUANTITATIVE ASSESSMENT:****A) Units prescribed for each Cadre of Judicial Officers in a month of 22 working days:**

- |                                                                                                                                                                                                           |               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1) Principal District Judges                                                                                                                                                                              | : 8 units     |
| 2) Addl. District & Sessions Judges and<br>Chairman of Tribunals                                                                                                                                          | : 9 units     |
| 3) Senior Civil Judges                                                                                                                                                                                    | : 9 units     |
| 4) Chief Metropolitan Magistrates<br>(in the cadre of Senior Civil Judges)                                                                                                                                | :15 units     |
| 5) Junior Civil Judges/Judicial Magistrates of<br>First Class including Rent Controllers and<br>Railway Magistrates                                                                                       | : 15 units    |
| 6) Spl. Judicial Magistrates of First Class dealing with the cases<br>under PCR Act and IPC Cases, Municipal Courts and Special<br>Munsif Magistrates sanctioned Under G.O.Ms. No. 406,<br>dt. 27.6.1990. | :15 units (*) |

- 7) Presiding Officers of the Fast Track Courts in the Regular cadre of District Judges/ Senior Civil Judges. : 12 units
- 8) Retired Officers Presiding over the Fast Track Courts in the cadre of District Judges/ Senior Civil Judges/on Adhoc basis : 14 Cases on contest

(\* To maintain equilibrium, the Unit Heads are empowered to transfer cases from Regular courts).

**(the table showing the Units fixed for contested matters is shown as Annexure-II).**

**B) THE OFFICERS DEALING WITH CIVIL AND CRIMINAL MATTERS SHALL MAKE EVERY ENDEAVOUR TO DISPOSE OF CIVIL AND CRIMINAL MATTERS PROPORTIONATE TO THE PENDENCY OF CASES OF THE RESPECTIVE BRANCHES.**

**C) IF THE PERIOD IS LESS THAN ONE MONTH, THE OUT TURN OF WORK OF THE OFFICER WILL NOT BE ASSESSED.**

**D) Remarks for the out turn of work:**

- 1. VERY GOOD** : Where the out turn is above twice the norms fixed
- 2. GOOD** : Where the out turn is above one and half and up to twice the norms fixed.
- 3. SATISFACTORY** : Where the out turn is up to the norms and one and half times of the norms fixed.
- 4. AVERAGE** : Where the out turn of work is less than the norms fixed but not less than the half.
- 5. POOR** : Where the out turn is less than half of the prescribed norms.

**E) DISPOSAL OF OLD MATTERS:**

**(i) Identification of old 100 Cases:** Each Judicial Officer has to identify the first 100 oldest Main cases, such as ORIGINAL SUITS, APPEAL SUITS, RENT CONTROL APPEALS, CIVIL MISCELLANEOUS APPEALS, TENANCY APPEALS, LAND GRABBING CASES, SESSIONS CASES, CRIMINAL APPEALS, CRIMINAL REVISION PETITIONS, COOPERATIVE TRIBUNAL APPEALS, ORIGINAL APPEALS etc., available for disposal i.e. (all matters ready for trial, irrespective of the pendency of any IA's or MP's therein but

excluding stayed matters and those at appearance stage) on his/her file in proportion to the pendency in different categories in his/her Court (as illustrated in **Annexure –III**) and communicate the same to the Unit Head and also to the High Court in the prescribed proforma (as indicated in **Annexure-IV**) at the beginning of the period, at the same time keeping such list in the notice board every month duly deducting the disposed of identified cases.

**(ii)** The Presiding Officers of Spl. Courts for which they are constituted should give priority for disposal of those cases only, irrespective of the pendency of other category of cases and even in identifying 100 old matters for disposals unlike as mentioned in Clause-i.

**(iii)** Question of Identification of 100 cases does not arise where the pendency is less than 100 cases (excluding stayed matters and NBWs).

**(iv) TRANSFER IN THE MIDDLE OF THE PERIOD AND MAKING UP IDENTIFIED CASES:**

If the Officer, who takes charge in the middle of the period, found that the Identified cases have been disposed of partly or fully by his/her predecessor, he/she has to necessarily identify again the oldest matters including the pending identified cases available by then, in proportion to the balance of days in that particular period, and, every endeavour shall be made to dispose of those Identified cases.

If an officer happens to work at more than one place in a period, his/her out-turn of work at both the places will be reviewed separately according to the actual number of working days and disposal in respect of identified old matters (proportionately) and other regular cases. If an officer, on transfer, is unable to turn out the required units of work by the time he received the transfer proceedings, he/she may give a detailed explanatory note for short fall of units, and hand it over to the Chief Ministerial Officer concerned, to be transmitted along with the Work Review Statements at the end of the period.

**(v) EVERY OFFICER SHALL CONCENTRATE ON THE OLD PENDING CASES AND SHALL MAKE EVERY ENDEAVOUR TO DISPOSE OF OLD CASES.**

(a). Out of the **8 units** to be secured by the Prl. District & Sessions Judges, **6 units** shall be by disposal of Main Cases, such as ORIGINAL SUITS/ APPEAL SUITS/ RENT CONTROL APPEALS/ CIVIL MISCELLANEOUS APPEALS/ TENANCY APPEALS/LAND GRABBING CASES/ SESSIONS CASES/ CRIMINAL APPEALS/CRIMINAL REVISION PETITIONS etc.. (**shown in Annexure – V**)

(b). Out of the **9 units** to be secured by the Addl. District & Sessions Judges/ Presiding Officers of the Tribunals/ Spl. Courts/ Labour Courts etc.. **7 units** shall be by disposal of Main Cases, such as ORIGINAL SUITS/ APPEAL SUITS/ RENT CONTROL APPEALS/ CIVIL MISCELLANEOUS APPEALS/ TENANCY APPEALS/ LAND GRABBING CASES/ SESSIONS CASES/ CRIMINAL APPEALS/ CRIMINAL REVISION PETITIONS etc.. (**as shown in Annexure – V**).

(c). Out of **9 units** to be secured by the Senior Civil Judges, **6 units** shall be from the Suits and Appeals etc.. (**shown in Annexure –VI**).

(d) Out of **15 units** to be secured by the Chief Metropolitan Magistrates/ Junior Civil Judges, **13 units** shall be from the Main Cases like Suits and Criminal Cases (**shown in Annexure – VII**).

(vi) Out of the first 100 Old matters, if the Judicial Officer is unable to dispose of atleast 20 old matters on contest during the period under review then the out turn of work of the Officer will be assessed as '**TOTALLY UNSATISFACTORY**', irrespective of the number of units otherwise secured, and an adverse entry will be made in his/her personal record unless there are some exceptional reasons beyond the control of the Officer.

**(vii) IF AN OFFICER IS TRANSFERRED FROM ONE STATION TO ANOTHER STATION DURING THE SAME PERIOD AND UNABLE TO DISPOSE OF PROPORTIONATE NUMBER OF IDENTIFIED CASES.**

The Quantitative Assessment will be made in respect of such officers considering the average disposal of the Judicial Officers in his/her two

stations for the period under review for the Quantitative Assessment. For those Officers whose Quantitative assessment is TOTALLY UNSATISFACTORY, an adverse entry has to be made in the personal record of the Officer.

(viii) If an Officer's Quantitative performance is found to be **POOR** consecutively for three Periods, he/she may be subjected to appropriate action on an overall Assessment of his/her performance by the High Court.

**HOWEVER, CASES DIRECTED BY THE HIGH COURT TO BE DISPOSED OF URGENTLY SHALL BE GIVEN PREFERENCE SHOWING THEM AS IDENTIFIED CASES.**

**2) QUANTITATIVE ASSESSMENT OF OFFICERS WORKING IN COURTS HAVING LESS PENDENCY:**

(a) The Presiding Officers of the Courts/Tribunals/ Spl. Courts etc., irrespective of their cadre, having pendency of cases less than the Units required to be secured for the particular period, shall at least dispose of the cases commensurate with the institution. If the disposal is twice the institution, out turn will be recorded as VERY GOOD, if the disposal is above one and half and upto twice the institution, it will be recorded as GOOD; if the disposal is between the number of cases instituted and upto one and half times of the said number, it will be recorded as SATISFACTORY; if the disposal is less than institution, it will be recorded as UNSATISFACTORY.

(b) With regard to the Work Review Files of the Officers, who do not come under any of the above norms, and which require an accurate assessment, *the Registry may put up a leading note before the Honourable Portfolio Judges suggesting remarks as 'RECORDED'*. The work of such officers shall be assessed with reference to the quality of the judgment, if any.

**3) R.T.C. MOBILE COURTS/ MOBILE COURT UNDER M.V. ACT;**

No standard units are prescribed for RTC Mobile Courts. However, disposal in those courts shall at least keep pace with the Institution. Otherwise, the out turn of work of the Officer will be treated as UNSATISFACTORY.

**4) NEWLY RECRUITED JUDICIAL OFFICERS:**

For those Judicial Officers who are newly recruited in the middle of the period, their Quantitative Assessment of the work for the first three months or balance of the period, in which he/she is appointed for first time will be noted as 'RECORDED'.

**5) INSENTIVES:****(a) Preference for disposal of cases of U.T. Prisoners and cases U/Sec. 125 Cr.P.C. not included as Identified Cases.**

Apart from disposing of 100 oldest identified main cases, preference should be given to the Under Trial Prisoners cases and Matters Under Sec. 125 Cr. P.C. pending for more than one year while disposing of the other Criminal Matters. For disposal of such contested matters of U.T. Prisoners and maintenance cases, a weightage of 25% in Units prescribed for such category of cases will be given. The Officers are to give priority for the oldest cases and not to the latest from the list of above two categories to secure weightage.

**(b) Units for Lok Adalat Cases:**

One fifth (1/5) Unit will be provided for each main case referred to and settled in Lok Adalat subject to the condition that the Judicial Officer securing minimum requisite number of quota as prescribed.

**(c) Units for Batch Cases:**

If cases of any category are disposed of in a batch, for the first case in the batch, full rate of unit prescribed will be given and for the rest of the cases in the batch, 50% of the rating fixed for that category of cases, subject to a maximum of two and half times of the rating will be given to that category.

**(d) Units for hostile cases:**

If the material witnesses in Sessions Cases/ C.C.s/S.T.Cs, turned hostile, half of the rating will be given.

### **III QUALITATIVE ASSESSMENT:**

#### **a) Submission of two Judgments of choice:**

For Assessing Qualitative performance of the District Judges, they are instructed to send, at the time of submitting the work review statements itself, two selected contested judgments of their own choice, from two categories of main cases disposed of, out of which, at least one judgment shall relate to the oldest 100 identified and disposed of cases.

#### **b) Sending of two judgments by Unit Heads:**

The Unit Heads shall identify two contested judgments of Senior Civil Judges and Junior Civil Judges/ Judicial Magistrates of First Class from two categories of main cases disposed of, out of which at least one judgment should relate to the oldest 100 matters identified and disposed of in each period, and initially scrutinize such judgments, either by themselves or with the assistance of Additional. District Judges working at the respective places and forward them to the High Court, duly filling up the opinion form, prescribed in **Annexure – VIII.**

#### **C) Sending only clear and legible copies of judgments:**

The copies of the Judgments should be clear and easily readable.

The copy must be true replica of the Original judgment, duly correcting

all the mistakes, if any, made in the original judgment, and

The copy must either be a Xerox Copy or a Typed One. It should be made on a White paper or Judgment paper but not on manifold paper.

#### **d) Guidelines for Qualitative Assessment:**

1. Marshalling of facts
2. Appreciation of evidence
3. Appreciation of law
4. Power of expression
5. Reasons for decision etc.,

**e) Qualitative Assessment – Gradation:**

On Qualitative performance, there shall be GRADATION as follows:

- i) Very Good
- ii) Good
- iii) Satisfactory
- iv) Average
- v) Poor

The Reviewing authority shall express a specific opinion on each and every clause in the Opinion Form.

**IV. OTHER INSTRUCTIONS:****a) Time for sending review Statement of District Judges to High Court:**

The Review Statements of the work of the District Judges in duplicate should reach High Court within 10 days after completion of the period.

**b) Time for sending Review Statements of other Officers to District Judges:**

The review Statements of Senior Civil Judges and Junior Civil Judges, Judicial Magistrates of First Class, should reach their Unit Heads, in triplicate, within a week of completion of period, and initial scrutiny of Quantitative and Qualitative assessment by Unit Heads is to be completed in two weeks.

**c) Time for sending Review Statements of other Officers to High Court:**

Review Statements of Senior Civil Judges and Junior Civil Judges, Judicial Magistrates of First Class, should reach the High Court in duplicate within 30 days of the completions of the period through District Court on completion of all requisites i.e., the initial scrutiny of the Unit Head/ Addl. district Judges, with their opinion form.

**d) Check list of Statements:**

While forwarding the Review Statements to the High Court, all the Officers, must necessarily answer the **Check List** covered by **Annexure –IX** to make sure that all the statements are appended.

The receipt of this circular may be acknowledged.

**Sd/-**  
**REGISTRAR (VIGILANCE)**

To

1. All the District & Sessions Judges in the State.
  2. The Chief Judge, City Civil Court, Hyderabad.
  3. The Chief Judge, City Small Causes Court, Hyderabad.
  4. The Metropolitan Sessions Judges at Hyderabad, Vijayawada and Visakhapatnam.
- (The above Unit Heads are requested to communicate the copies of this circular to all the Judicial Officers and Administrative officers working under their control, **forth with.**)
5. The Presiding Officers of Labour Courts at Guntur, Anantapur, Warangal, Godavarikhani, Visakhapatnam, Hyderabad –I, II & III.
  6. The Chairman, Industrial Tribunals - I and II, Hyderabad.
  7. The Chairman, Addl. Industrial Tribunal –cum- Addl. Labour Court, Hyderabad.
  8. The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.
  9. The II and III Member, Tribunal for Disciplinary Proceedings, Hyderabad.
  10. The Chairman, Sales Tax Appellate Tribunal, Hyderabad and Visakhapatnam.
  11. The Presiding Officer, State Transport Appellate Tribunal, Hyderabad.
  12. The Spl. Judge for trial of CBI Cases, Hyderabad & Visakhapatnam.
  13. The Spl. Judge for trial of cases under Economic Offences, Hyderabad.
  14. The Chairman, Land Reforms Appellate Tribunal, East Godavari at Kakinada, West Godavari at Eluru, Warangal, Karimnagar, Nalgonda and Ranga Reddy District at L.B.Nagar.
  15. The Chairman, Cooperative Tribunal, Hyderabad & Vijayawada, Visakhapatnam and Warangal.
  16. The Spl. Judge for trial of cases under SCs and STs (POA) Act, Guntur, Chittoor, Hyderabad, Nellore, Mahabubnagar, Prakasam at Ongole, Kurnool, Medak, Kadapa, Karimnagar, Nizamabad, Krishna at Machilipatnam, Anantapur, Khammam, Warangal, Nalgonda, East Godavari, Srikakulam, Vizianagaram, Visakhapatnam, West Godavari at Eluru, Ranga Reddy District at L.B.Nagar and Adilabad.
  17. Judge, Family Court, Hyderabad and Secunderabad.

18. Judge, Family Court, Kurnool, Krishna at Vijayawada, Tirupathi, Warangal, Visakhapatnam, Guntur, Karimnagar, Visakhapatnam (Additional), West Godavari at Eluru, Anantapur, Ranga Reddy District at L.B.Nagar, Khammam, Vizianagaram, Kadapa, Hyderabad (Additional Court), Nellore, Prakasam at Ongole, Adilabad, Srikakulam, Mahabubnagar, Nalgonda, Medak at Sanga Reddy and East Godavari at Kakinada.
19. Spl. Sessions Judge for trial of Offences for drawls and misappropriation of amounts (embezzlement) in Social Welfare & other Departments at Hyderabad.
20. A.P.Wakf Tribunal, Hyderabad.
21. Spl. Judge for trial of cases under E.C. Act., Hyderabad.
22. The Section Officer, Special Officer's Section (for codification)

### ANNEXURE-I

#### PERIODS OF REVIEW AND GROUPING OF DISTRICTS

As the period of Assessment is once in six months, all the Districts in the State are divided into six groups as follows:

GROUP	DISTRICT NAME	PERIODS	
		I	II
GROUP-I	HYDERABAD RANGA REDDY MEDAK	1 <sup>st</sup> January to 30 <sup>th</sup> June	1 <sup>st</sup> July to 31 <sup>st</sup> December
GROUP-II	WARANGAL MAHABUBNAGAR NIZAMABAD KARIMNAGAR ADILABAD NALGONDA	1 <sup>st</sup> February to 31 <sup>st</sup> July	1 <sup>st</sup> August to 31 <sup>st</sup> January
GROUP-III	CHITTOOR KADAPA KURNOOL ANANTAPUR	1 <sup>st</sup> March to 31 <sup>st</sup> August	1 <sup>st</sup> September to 28 <sup>th</sup> February
GROUP-IV	SRIKAKULAM VIZIANAGARAM VISAKHAPATNAM KHAMMAM	1 <sup>st</sup> April to 30 <sup>th</sup> September	1 <sup>st</sup> October to 31 <sup>st</sup> March
GROUP-V	EAST GODAVARI WEST GODAVARI KRISHNA	1 <sup>st</sup> May to 31 <sup>st</sup> October	1 <sup>st</sup> November to 30 <sup>th</sup> April
GROUP-VI	GUNTUR PRAKASAM NELLORE	1 <sup>st</sup> June to 30 <sup>th</sup> November	1 <sup>st</sup> December to 31 <sup>st</sup> May

**GENERAL INSTRUCTIONS TO BE FOLLOWED BY ALL THE CHIEF MINISTERIAL OFFICERS WHILE FORWARDING STATEMENTS:**

1. If an officer happens to be transferred in the middle of the period, copy of statements relating to that officer be sent to his new station for on ward transmission to High Court for the purpose of Average Calculation for Quantitative Assessment.
2. In Statement I-A – AFT Column should tally with the cases shown in other statements of year wise, identified cases and other than identified cases and also with details of cases shown in list.
3. Other than identified case wise list shall be furnished showing separately, main cases and other than main cases.
4. District Judge should assess the Officer's Quantitative assessment on total units secured by the Officer in his Main Post as well as Full Additional Charge posts.
5. The Officer must submit his explanation if the Officer fails to dispose of 20 identified cases on contest only (not included otherwise or Lok- Adalat if any).

**ANNEXURE-II**

**LIST OF UNITS FIXED FOR CONTESTED MATTERS FOR ALL SUBORDINATE JUDICIAL OFFICERS WORKING IN THE STATE OF ANDHRA PRADESH :**

<b>COMPUTER CODE AND NATURE OF CASE</b>	<b>FULL NAME OF THE CASE</b>	<b>SHORT NAME OF THE CASE</b>	<b>UNITS PRESCRIBED</b>
010101	Title Suits	OS(T)	1.00
010102	Money/ Other Suits	OS(M/Oth)	0.50
010103	Small Causes Suits	SCS	0.25
010201	For passing final decree	FDP	0.50
010202	I.A. (Under Order 39, Rules 1, 2 & 4 CPC)	IA ( Or 39, R 1,2 & 4)	0.50
010203	I.A. (Under Or.22, Rules 3 & 4 CPC)	IA (Or. 22, R 3 & 4)	0.25
010204	I.A. ( Under Or 40, Rule 1 CPC)	IA (Or. 40, R 1)	0.50
010205	I.A. (Under Or 34,Rule 5 CPC)	IA (Or. 34, R 5)	0.25
010206	I.A. (Under Sec.151 CPC)	IA (S.151)	0.00
010207	Civil Miscellaneous Petition	CMP	0.00

010301	EA (Under Or 21, Rule 58 CPC)	EA (Or.21 R 58)	1.00
010302	EA (Under Or 21, Rule 97 CPC)	EA (Or.21R 97)	1.00
010303	EA (Under Or 21, Rule 99 CPC)	EA (Or.21, R 99)	1.00
010304	Under Or. 38, Rule 8 CPC	EA (Or. 38 R 8)	0.50
010305	Under Sec. 47 CPC	EA (S 47)	0.25
010306	Under Or. 21, Rule 90 CPC)	EA (Or. 21 R 90)	0.50
010307	EA (Oth)	EA (Oth)	0.00
010401	All E.P.s when orders pronounced	EP	0.50
010501	Under Insolvency Act, other than Debtors Petition	IP (Debtor Petition)	0.50
010502	Under Insolvency Act by Debtor.	IR (Debtors)	0.25
010503	Under Insolvency Act (I.P)	IP	0.25
010504	Under Sec. 11(4) & S.14 of R.C. Act.	RC	0.50
010505	Election Petition under various Acts	EOP	1.00
010506	Application under Act 45/1987	IP (A/Act 45)	0.25
010507	Application under Sec. 9 of RC Act	IP ( A/S. 9 RC Act)	0.25
010508	Application under Sec. 53 & 54 of Insolvency Act	IP ( S 53 & 54)	0.50
010601	Sec.110 A of MV Act 1939 or Sec. 166 of MV. Act 1988	MVOP ( S 166 of MV Act)	0.50
010602	Sec. 92-A of MV Act. 1939 of Sec.140 of MV. Act 1988	MVOP ( S 140 of MV Act)	0.25
010603	Land Grabbing (Prohibition Act)	LGOP	1.00
010604	A.P. (Telangana Area) Public Societies Registration Act	A.P. (T.A) PSR Act	1.00
010605	Land Acquisition	LAOP	0.50
010606	Other OPs excluding OPs under Sec.24, Or 33, R 44 CPC	OP (oth)	0.50
010607	O.P.s Under Sec.24 Or 33, R 4 CPC	OP (S.24, Or 33 R 4)	0.00
010608	Rent Controller Cases	RCC	0.50
010609	Tenancy Cases	ATC	0.50
010701	Civil Appeals/ Money	AS (M)	0.25
010702	Civil Appeals/ Title	AS (T)	0.50
010703	Civil Miscellaneous Appeals	CMA	0.25

010704	Rent Control Appeals	RCA	0.50
010705	Under Municipalities Act	MCA	0.25
010706	Civil Appeals/ Under Insolvency Act	IPA	0.50
010707	Civil Appeals/ Cooperative Tribunal Appeals	CTA	0.50
010708	Land Reforms Tribunal Appeals	LRA	0.25
010709	Civil Appeals/ Tenancy Appeals	TA	0.25
010710	Civil Appeals/ Forest Appeals	FA	0.25
020101	Session Cases	SC	1.00
020201	Criminal Revision Petitions	CRL. RP (Maintenance)	0.25
020202	Other Criminal Revision Petitions	CRL RP (Oth)	0.25
020301	Calender Cases/ IPC & Food Adulteration Act	CC (IPC/FA Act)	0.75
020302	Calender Cases / Other Acts	CC (Oth Acts)	0.50
020303	Calender Cases / Arising under EC Act	CC (EC Act)	0.75
020401	Summary Trial Cases	STC	0.25
020501	Maintenance Cases	M.C	0.50
020601	Criminal Appeals from Asst. Sessions Judges	CRLA	0.50
020602	Criminal Appeals from Junior Civil Judges	CRLA	0.50
020701	Criminal Misc. Petitions	CRLMP	0.00
020801	Preliminary Registered Cases	PRC	0.00
030101	STAT/ Sales Tax Appeals	STAT (Sales Tax)	0.25
030201	Industrial Tribunal & Labour Court Under Section 10 (i) of ID Act/ Employment & Workmen	ID S.10(1)/E&W)	3.00
030202	Industrial Tribunal & Labour Court Under Section 10 (i) of ID Act/ Other Reference	ID (S.10(1)/Oth)	1.00
030203	Industrial Tribunal & Labour Court Under Section 2-A (i) of ID Act	ID(S.2-A)	1.00
030204	Industrial Tribunal & Labour Court Under Section 33(1) (a) , S 33(1)(b) Or S 33 (2) of ID Act.	ID (Proceeding (S.33 1a,1b,2)))	0.50
030205	Industrial Tribunal & Labour Court Under Section 33(c)(2) of ID Act	ID(Proceeding (S.33(c)(2)))	0.25

030206	Industrial Tribunal & Labour Court Under Section 33 -A of ID Act	ID (Proceeding(S.33-A))	1.00
030207	Industrial Tribunal & Labour Court Under Section 75 of the Employees State Insurance Act	ID (Proceeding (S.75ESI Act))	0.50
030208	Proceedings CI- VII/ Employees State Insurance Act	ID (Proceeding (CI-VII/ESI Act))	0.25
030209	Industrial Tribunal & Labour Court under Standing Orders Act	ID(Standing Or.)	0.50
030210	Industrial Tribunal & Labour Court / Second Appeals under Shops & Establishment Act	ID (SA under S & Estb. Act)	0.50
030301	Tribunal for Disciplinary Proceedings/ Enquiry Cases	TEC	3.00
030401	STAT ( Transport) appeal or Revision Petitions)	STAT (Transport)	0.25
040101	Spl. Judge for SPE & ACB Cases / Sessions Cases	SPE & ACB(SC)	1.00
040201	Spl. Judge for SPE & ACB Cases / Calender Cases/ Trap Cases	SPE & ACB (CC/Trap)	1.00
040202	Spl. Judge for SPE & ACB Cases / Calender Cases/ Asset Cases	SPE & ACB (CC/Assets)	4.00
040203	Spl. Judge for SPE & ACB Cases / Calender Cases/ Conspiracy , Fraud or Misappropriation Cases	SPE & ACB (CC/Con./Fraud/Misc. App)	5.00
050101	Spl. Judge for Economic Offences/ Calender Cases	SPL EO(CC)	0.75
050201	Spl. Judge for Economic Offences/ STCs	SPL EO(STC)	0.25

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**ANNEXURE - III**

**EXAMPLE PROFORMA**

**IDENTIFICATION OF 100 OLD MAIN CASES (EXCEPT MVOPs) FOR  
DISPOSAL FROM THE TOTAL CASES ON THE FILE OF THE  
COURT/TRIBUNAL.**

<b>COMPUTER CODE</b>	<b>NAME OF THE CASE</b>	<b>TOTAL NO. OF CASES FOR TRIAL(or) HEARING</b>	<b>PROPORTIONATE NUMBER OF IDENTIFIED CASES</b>
010702	AS (T)	52	13
010701	AS (M)	25	6
010703	CMA	40	10
010101	OS(T)	49	12
010102	OS(M)	40	10
010705	RCA	40	10
01037	EP	20	5
010709	TA	11	3
010603	LGOP	16	4
010505	ELECTION OP	7	2
020101	SESSION CASES	40	10
020601	CRL. APPEAL	50	12
020201	CRL. RP.	10	3
..	..	..	..
..	..	..	..
..	..	..	..
..	..	..	..
	<b>TOTAL</b>	<b>400</b>	<b>100</b>

**ANNEXURE-IV**  
**STATEMENT NO. I(E)**

DISPOSAL OF THE OLDEST HUNDRED CASES AS **IDENTIFIED MAIN CASES** (ANNEXURE – V, VI & VII OF THE CIRCULAR OF METHOD ASSESSMENT)

EXAMPLE PROFORMA

S.NO.	COMPUTER CODE	CASE NO.	NATURE OF THE CASE & PROVISION OF LAW	DISPOSALS	
				AFT	OTHERWISE

**Note: Compulsorily Furnish:** Case-wise explanatory note for Non-disposal of the remaining identified cases (not reproduction of docket).

Signature of the C.M.O.

Signature of the Officer.

**STATEMENT NO. I(E)(I)**

DISPOSAL OF THE **OTHER THAN IDENTIFIED MAIN CASES**  
(ANNEXURE – V, VI & VII OF THE CIRCULAR OF METHOD OF ASSESSMENT)

EXAMPLE PROFORMA

S.NO.	COMPUTER CODE	CASE NO.	NATURE OF THE CASE & PROVISION OF LAW	DISPOSALS	
				AFT	OTHERWISE

**Note: Compulsorily furnish** the case wise list of other than identified main cases.

Signature of the C.M.O.

Signature of the Officer.

**ANNEXURE-V****MAIN CASES FOR DISPOSALS IN THE CATEGORY OF DISTRICT JUDGES:**

<b>SL.NO.</b>	<b>FULL NAME OF THE CASE</b>
1.	Title Suits
2.	Money/ Other Suits
3.	Civil Appeals/ Money
4.	Civil Appeals/ Title
5.	Civil Miscellaneous Appeals
6.	Rent Control Appeals
7.	Under Municipalities Act
8.	Civil Appeals/ Under Insolvency Act
9.	Civil Appeals/ Cooperative Tribunal Appeals
10.	Land Reforms Tribunal Appeals
11.	Civil Appeals/ Tenancy Appeals
12.	Civil Appeals/ Forest Appeals
13.	Rent Controller Cases
14.	Tenancy Cases
15.	Land Grabbing (Prohibition Act)
16.	A.P. (Telangana Area) Public Societies Registration Act
17.	Land Acquisition
18.	Other OPs excluding OPs under Sec.24, Or 33, R 4 CPC
19.	All E.P.s when orders pronounced
20.	Small Causes Suits
21.	For passing final decree
22.	Under Insolvency Act (I.P)
23.	Election Petition under various Acts
24.	Application under Act 45/1987
25.	Application under Sec. 53 & 54 of Insolvency Act
26.	Sec.110 A of MV Act 1939 or Sec. 166 of MV. Act 1988
27.	Sec. 92-A of MV Act. 1939 of Sec.140 of MV. Act 1988

28.	STAT/ Sales Tax Appeals
29.	Industrial Tribunal & Labour Court Under Section 10 (i) of ID Act/ Employment & Workmen
30.	Industrial Tribunal & Labour Court Under Section 10 (i) of ID Act/ Other Reference
31.	Industrial Tribunal & Labour Court Under Section 2-A (i) of ID Act
32.	Industrial Tribunal & Labour Court Under Section 33(1) (a) , S 33(1)(b) Or S 33 (2) of ID Act.
33.	Industrial Tribunal & Labour Court Under Section 33(c)(2) of ID Act
34.	Industrial Tribunal & Labour Court Under Section 33 -A of ID Act
35.	Industrial Tribunal & Labour Court Under Section 75 of the Employees State Insurance Act
36.	Proceedings CL- VII/ Employees State Insurance Act
37.	Industrial Tribunal & Labour Court under Standing Orders Act
38.	Industrial Tribunal & Labour Court / Second Appeals under Shops & Establishment Act
39.	Tribunal for Disciplinary Proceedings/ Enquiry Cases
40.	STAT ( Transport) appeal or Revision Petitions)
41.	Spl. Judge for SPE & ACB Cases / Sessions Cases
42.	Spl. Judge for SPE & ACB Cases / Calender Cases/ Trap Cases
43.	Spl. Judge for SPE & ACB Cases / Calender Cases/ Asset Cases
44.	Spl. Judge for SPE & ACB Cases / Calender Cases/ Conspiracy Fraud or Misappropriation Cases
45.	Spl. Judge for Economic Offences/ Calender Cases/STCs
46.	Session Cases
47.	Criminal Revision Petitions
48.	Criminal Appeals
49.	Maintainance Cases
50.	Calender Cases
51.	Summary Trial Cases

**ANNEXURE-VI****MAIN CASES FOR DISPOSALS IN THE CATEGORY OF SENIOR CIVIL JUDGES:**

<b>SL.NO.</b>	<b>FULL NAME OF THE CASE</b>
1.	Title Suits
2.	Money/ Other Suits
3.	Civil Appeals/ Money
4.	Civil Appeals/ Title
5.	Civil Miscellaneous Appeals
6.	Rent Control Appeals
7.	Under Municipalities Act
8.	Rent Controller Cases
9.	Tenancy Cases
10.	Land Acquisition
11.	Other OPs excluding OPs under Sec.24, Or 33, R 4 CPC
12.	All E.P.s when orders pronounced
13.	Small Causes Suits
14.	For passing final decree
15.	Under Insolvency Act (I.P)
16.	Election Petition under various Acts
17.	Sec.110 A of MV Act 1939 or Sec. 166 of MV. Act 1988
18.	Sec. 92-A of MV Act. 1939 of Sec.140 of MV. Act 1988
19.	Session Cases
20.	Maintainance Cases
21.	Calender Cases
22.	Summary Trial Cases

**ANNEXURE-VII****MAIN CASES FOR DISPOSALS IN THE CATEGORY OF JUNIOR CIVIL JUDGES:**

<b>SL.NO.</b>	<b>FULL NAME OF THE CASE</b>
1.	Title Suits
2.	Money/ Other Suits
3.	Civil Appeals/ Money
4.	Civil Appeals/ Title
5.	Rent Controller Cases
6.	Tenancy Cases
7.	OPs
8.	All E.P.s when orders pronounced
9.	Small Causes Suits
10.	For passing final decree
11.	Insolvency Petitions
12.	Election OPs
13.	MVOPs
14.	Maintainance Cases
15.	Calender Cases
16.	Summary Trial Cases

**ANNEXURE-VIII**

**OPINION FORM FOR ASSESSING THE QUALITATIVE PERFORMANCE  
OF SENIOR CIVIL JUDGE/JUNIOR CIVIL JUDGE**

**1. PARTICULARS FOR ASSESSMENT:**

- 1. Name of the Officer :
- 2. Designation :
- 3. Station – Working since :
- 4. Case Numbers :
- 5. Nature of cases :
- 6. Date of filling :
- 7. Dates of commencement of trial :
- 8. Dates of closure of trial :
- 9. Dates of Judgment :

**Note: The above information shall be furnished by the officer concerned along with the copies of the judgments for Qualitative Assessment.**

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**(to be filled in by the District Judge)**

**II. ASSESSMENT:**

- a) Marshaling of facts :
- b) Appreciation of evidence :
- c) Appreciation of Law :
- d) Power of expression :
- e) Reasons for decision :
- f) Sentence awarded :
- g) Any other specific remarks :

**OVERALL GRADATION:**

**Signature of the District Judge**

**ANNEXURE IX****CHECKLIST****LIST OF ENCLOSURES:**

1. Statement No. I(A) : Pendency, Institutions and Disposal of cases during the Period (**Officer-wise**)  
(DJs, SCJs & JCJs)(Revised list enclosed)
2. 1. Statement No. I(B) :Pendency, Institutions and Disposal of cases during the Period (**Officer-wise**)  
(tribunals & Special Courts)  
(Revised list enclosed)
3. Statement No.I(C ) : Pendency and contested disposals – year-wise and (**Officer-wise**).  
(DJs, SCJs & JCJs)
4. Statement No. I(D) : Pendency and Contested disposals – Year-wise and Officer-wise .  
(tribunals & Special Courts)
5. Statement No.I(E) :Disposal of oldest 100 identified Main Cases  
(Annexure IV of the circular)
6. Statement No.I(E)I :Disposal of other than identified Main Cases  
(Annexure IV of the circular)
7. Statement No.I(E)II :Disposal of other than Main Cases  
(Annexure IV of the circular)
8. Statement NO.I(F) :Disposal of cases of under trial prisoners & cases under Section 125 Cr.P.C pending for more than one year.
- 9.Opinion form filled-in by the Unit Head :
10. Unit Calculation table for identified main cases:
- 11.Unit Calculation table for other than identified main cases:
- 12.Unit Calculation table for other than main cases:
- 13.Unit Calculation table for both consolidated:

14. Neat and legible (Xerox/Typed) copies (not on manifold papers) of two contested Judgments (atleast one from the Identified cases) of each Officer, and in case of District Judges, Copies of Two selected contested Judgments of Officer's Own choice.

15. Explanation for non disposal of remaining identified cases .

16. Personal explanation of the Officer concerned for less Disposal i.e., below 20 cases of identified cases.

17. Personal explanation of the Officer for not securing the minimum required units in main cases & other than main cases as per the circular.

18. List of cases settled & referred through Lok-Adalat.

N.B. : Put ✓ mark if enclosed.



Total No. of working days during the Period(Excluding Saturdays and Public Holidays)

Type of Leave/ Training/Vacation	From Date	To date	No. of days
C.L O.H O.D (for which the officer availed) E.L. Training Vacation.....			

No. of witnesses examined:

### Summary of Review

1. Total number of days worked :
2. Total number of actual days worked :
3. Total number of units required to  
Secure :
4. Total number of units secured in  
Main Cases :
5. Total number of units secured in  
other than Main Cases :
6. Aggregate total units secured :
7. Remark of the Officer :

Signature of the C.M.O.

Signature of the Officer.



Total No. of working days during the Period (Excluding Saturdays and Public Holidays)

Type of Leave/ Training/Vacation	From Date	To date	No. of days
C.L O.H O.D (for which the officer availed) E.L. Training Vacation.....			

No. of witnesses examined

No. of Exhibits marked

**Summary of Review**

- 1. Total number of days worked :
- 2. Total number of actual days worked :
- 3. Total number of units required to Secure :
- 4. Total number of units secured in Main Cases :
- 5. Total number of units secured in other than Main Cases :
- 6. Aggregate total units secured :
- 7. Remark of the Officer :

Signature of the C.M.O.

Signature of the Officer.

**STATEMENT NO.I( C)****PENDENCY AND CONTESTED DISPOSALS YEAR WISE AND OFFICER WISE  
(PRESIDING OFFICERS OF THE FAST TRACK COURTS)**

Name of the Officer :

Designation &amp; Station :

Period : From: To:

CATEGORY OF CASES	YEAR-WISE PARTICULARS OF PENDENCY & DISPOSALS(AFT)											TOTAL	
	..	..	..	..	..	1998	1999	2000	2001	2002	2003		2004
(YEARS TO BE MENTIONED FROM OLDEST TO LATEST)													
<b>CIVIL</b>													
AS	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
CMA's	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
Ops	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
ATAs	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
<b>CRIMINAL</b>													
SCs	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
CRL.													
Appeals	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												
CCs	: Pendency at the beginning :												
	Disposals (AFT)												
	Pendency at the end												

Signature of the C.M.O.

Signature of the Officer.

**STATEMENT NO.I( D)****PENDENCY AND CONTESTED DISPOSALS YEAR WISE AND OFFICER WISE  
(IN RESPECT OF TRIBUNALS/SPECIAL COURTS)**

Name of the Officer :

Designation &amp; Station :

Period . : From: To:

CATEGORY OF CASES	YEAR-WISE PARTICULARS OF PENDENCY & DISPOSALS(AFT)													TOTAL
	..	..	..	..	..	1998	1999	2000	2001	2002	2003	2004	2005	
(YEARS TO BE MENTIONED FROM OLDEST TO LATEST)														
(ACT-WISE) : Pendency at the beginning :														
Disposals (AFT)														
Pendency at the end														

Signature of the C.M.O.

Signature of the Officer.

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**UNIT CALCULATION TABLE FOR  
IDENTIFIED MAIN CASES**

1. Name of the Officer :  
 2. Designation :  
 3. Station :  
 4. Date of assumption of charge  
of that post :  
 5. Period under Review : From: To:

**EXAMPLE PROFORMA**

COMPUTER CODE	CATEGORY OF CASES	REVISED UNITS PRESCRIBED	TOTAL NO. OF CASES DISPOSES OF AFT	UNITS SECURED
010702	AS(T)			
010701	AS(M)			
010703	CMA			
020101	SC : CONTEST HOSTILE			
020201	CRLRP (MAINTANENCE)			
020202	CRLRP (Oth)			
020301	CC(IPC/FAACT): CONTEST HOSTILE			
020302	CC (Oth ACT) : CONTEST HOSTILE			
020601	CRLA			
020701	CRLMP			

Note: Batch cases will be shown separately with case numbers.

Signature of the C.M.O.

Signature of the Officer.

**UNIT CALCULATION TABLE FOR  
OTHER THAN IDENTIFIED MAIN CASES**

1. Name of the Officer :  
 2. Designation :  
 3. Station :  
 4. Date of assumption of charge  
 of that post :  
 5. Period under Review : From: To:

**EXAMPLE PROFORMA**

COMPUTER CODE	CATEGORY OF CASES	REVISED UNITS PRESCRIBED	TOTAL NO. OF CASES DISPOSES OF AFT	UNITS SECURED
010702	AS(T)			
010701	AS(M)			
010703	CMA			
020101	SC : CONTEST HOSTILE			
020201	CRLRP (MAINTANENCE)			
020202	CRLRP (Oth)			
020301	CC(IPC/FAACT): CONTEST HOSTILE			
020302	CC (Oth ACT) : CONTEST HOSTILE			
020601	CRLA			
020701	CRLMP			

Note: Batch cases will be shown separately with case numbers.

Signature of the C.M.O.

Signature of the Officer.

**UNIT CALCULATION TABLE FOR  
OTHER THAN MAIN CASES**

1. Name of the Officer :  
 2. Designation :  
 3. Station :  
 4. Date of assumption of charge  
 of that post :  
 5. Period under Review : From: To:

**EXAMPLE PROFORMA**

COMPUTER CODE	CATEGORY OF CASES	REVISED UNITS PRESCRIBED	TOTAL NO. OF CASES DISPOSES OF AFT	UNITS SECURED
010702	AS(T)			
010701	AS(M)			
010703	CMA			
020101	SC : CONTEST HOSTILE			
020201	CRLRP (MAINTANENCE)			
020202	CRLRP (Oth)			
020301	CC(IPC/FAACT): CONTEST HOSTILE			
020302	CC (Oth ACT) : CONTEST HOSTILF			
020601	CRLA			
020701	CRLMP			

Note: Batch cases will be shown separately with case numbers.

Signature of the C.M.O.

Signature of the Officer.

**CONSOLIDATED UNIT CALCULATION TABLE FOR  
BOTH IDENTIFIED + OTHER THAN IDENTIFIED  
MAIN CASES+ OTHER MAIN CASES**

1. Name of the Officer :  
 2. Designation :  
 3. Station :  
 4. Date of assumption of charge  
 of that post :  
 5. Period under Review : From: To:

**EXAMPLE PROFORMA**

COMPUTER CODE	CATEGORY OF CASES	REVISED UNITS PRESCRIBED	TOTAL NO. OF CASES DISPOSES OF AFT	UNITS SECURED
010702	AS(T)			
010701	AS(M)			
010703	CMA			
020101	SC : CONTEST HOSTILE			
020201	CRLRP (MAINTANENCE)			
020202	CRLRP (Oth)			
020301	CC(IPC/FAACT): CONTEST HOSTILE			
020302	CC (Oth ACT) : CONTEST HOSTILE			
020601	CRLA			
020701	CRLMP			

Note: Batch cases will be shown separately with case numbers.

Signature of the C.M.O.

Signature of the Officer.

**STATEMENT****LIST OF CASES REFERRED AND SETTLED THROUGH LOK-ADALAT**

Name of the Officer :

Designation &amp; Station :

Period : From: To:

S.NO.	CASE NO:	UNITS EARNED

**Note: The cases bearing No's with PRC, FIR, Crime No. etc.. will not be treated as Lok Adalat. For every Lok-Adalat Case 0.20 unit shall be given.**

Signature of the C.M.O.

Signature of the Officer.

**STATEMENT NO I(F)****CASES OF UNDER TRIAL PRISONERS AND CASES UNDER SECTION 125 CR.P.C. PENDING FOR MORE THAN ONE YEAR:****EXAMPLE PORFORMA:**

S.NO	CASE NO.	NATURE OF CASE OF DISPOSAL	STAGE

**NOTE:** Detailed explanatory note for nod disposal of under trial prisoners and cases under Section 125Cr.P.C pending for more than one year.

