CHAPTER XXVIII

RECORDS

Classification of Records

1. For the purpose of the preparation, maintenance, preservation and destruction of records, original proceedings are divided into the following classes :­

Class I ­ Includes records of ­

1. All Regular Suits ;
2. Suits for possession of immovable property under Rent Act, namely, the Bombay Rents Hotel and Lodging House Rates Control Act, 1947 (Bombay Act No. LVII of 1947), the C.P. And Berar Regulation of Letting of Accommodation Act, 1946 (No. XI of 1946) and the Hyderabad House (Leave, Eviction and Lease) Control Act, 1954 (No. XX of 1954), whether heard by a Small Cause Court or a Regular Court.
3. Proceedings under the Hindu Marriage Act, Indian Succession Act (except under part VII of the Act), Land Acquisition Act, Insolvency Act, Guardians and Wards Act and Lunacy Act ; and
4. Such other cases as the High Court may from time to time direct to be included in this class.

Class II ­ Includes records of ­

1. Proceedings in execution of decrees ;
2. Small Cause Suits except Suits for possession of immovable property under the Rent Acts mentioned at item (b) of Class I above ; and
3. Miscellaneous proceedings not included in Class I.

Note : In case of doubt as regards proper classification, the matter should be referred to the District Judge who should issue suitable instructions, if necessary, after consulting the High Court.

*Arrangement of Record in Files*

1. The record of every proceeding in Class I shall be arranged and kept in the following files :­

File 'A' shall contain the following papers, which shall be arranged in the following order :­

1. Judgment of final order;
2. Preliminary and final decree ; and
3. Any other papers of historical, sociological or scientific value, which the Presiding Judge may, with the previous permission of the District Judge, order to be placed in File 'A'.

File 'B' shall contain the following papers, which shall be arranged in the following order :­

1. Plaint or Petition ;
2. Roznama of Proceeding ;
3. Summons or Notice with return thereto in cases in which an ex­parte order is passed against a defendant ;
4. Written Statements ;
5. Applications for particulars, and particulars supplied together with the admissions regarding documents and facts ;
6. Interrogatories and their answers;
7. Memorandum of issues ;
8. Reference to Arbitration and Award, if decree is passed in terms thereof;
9. Any other of the Court sanctioning a compromise as beneficial to minor or

lunatic ;

1. Petition of compromise, if given effect to in the decree;
2. Findings certified to the Appellate Court ; and
3. Copy of Judgment, decree or order passed in appeal or revision, if any.

File 'C' shall contain the following papers, which shall be arranged in the following order :

1. Documents admitted in evidence ;
2. Oral Evidence ;
3. Affidavits when treated as evidence; and
4. Registered addresses of parties.

File 'D' shall contain the following papers, which shall be arranged in the following order :

* 1. Warrant of attachment before judgment;
  2. All summons and notices [except those mentioned at item (c) of File 'B']
  3. Lists of witnesses and documents;
  4. Petitions relating to attendance of witnesses or adjournment or calling for and sending papers or records;
  5. Documents not exhibited;
  6. Powers of attorney;
  7. Vakalatnamas and means of appearance;
  8. Interlocutory proceedings not specified as included in any other file; and
  9. all other papers not including in File 'A', 'B' and 'C'.

1. Record of every proceeding in Class II shall consist of only three files to be styled and marked B, C and D. File B in such cases shall contain papers required to be included in files A and B of Class I as indicated in paragraph 517 above, and files C and D shall include respectively the papers required to be included in file C and D of Class I as indicated in paragraph 517 above.

Exceptions : In the following instances, there shall be the File 'A' which' however, will include only the documents indicated in such instance ­

1. Where immovable property has been sold under a decree, the proclamation of sale, the Lilav Yadi or Memorandum of auction, the other confirming the sale and copy of sale certificate shall be included in file 'A'.
2. Kabja Pavti and the order directing the delivery of possession in execution of decrees for possession of immovable property shall be included in file 'A'.

*Preparation of Records*

1. The arrangement of the record and the distribution of the papers in the proper files should commence from the date of institution of the suit or proceeding and this shall be continued from day to day as the case proceeds.
2. (a) Each file of every record shall have prefixed to it a title page of the following description :
   1. Name of the Court.
   2. Case number.
   3. Names of Parties.
   4. Date of Decision.
   5. Numbers of Exhibits included in the file.
   6. Category of the file (as 'A','B','C' and 'D').
   7. Each of the files, A,B,C and D shall be checked to see that all the papers in the record have been properly marked and kept in appropriate files. Each file shall be separately paged and indexed.
3. The following rules should be observed in marking and preparing exhibits recorded in the Court :
   1. all documents, including applications and affidavits, except those not admitted in evidence, and the depositions of witnesses shall be serially exhibited. The exhibit number should be marked in large figures in red ink on the top of the outer sheet.
   2. All exhibits except original documents should as far as possible be of fool

scape size.

* 1. Exhibits of smaller size should be attached to a sheet of fool scape size.
  2. Where an exhibit consists of more sheets of paper or documents than one, the number of such sheets or documents should be shown in brackets below the number of the exhibit.
  3. Where an exhibit is too bulky or awkward to be included in the file of exhibits a sheet of fool scape size should be placed in the file indicating the number of the exhibit and of what it consists and stating that the particular exhibit is separately kept.

1. A number of extracts from the Record of Rights, assessment receipts or municipal receipts, are produced by parties, and subsequently exhibited after they are duly proved. In order to facilitate quick reference and appreciation of evidence it is desirable to adopt the following procedure in numbering such extracts or receipts as exhibits in suits and other proceedings :
   1. All extracts from the Record of Rights or receipts should first be carefully sorted out, and then grouped together according to the properties to which they relate and the parties who produce them.
   2. When the extracts or receipts are sorted out and grouped as above, each group should be exhibited under one single common number.
   3. The extracts or receipts in the same group should thereafter be sub­ numbered as for instance Ex. 3(1), Ex. 3(2), etc.
2. Whenever an exhibit has been removed, a sheet of fool scape size should be inserted stating the number of the exhibit removed and the purpose for which it has been removed and the name of the person or the designation of the officer in whose custody it is or, if removed and entered as an exhibit in another case, its number in that case.
3. All share certificates, debentures, promissory notes and other valuable securities should be enclosed in a separate envelope or packet which should be securely fastened and sealed and the packet marked outside to show the numbers of the exhibits contained within and the name of the clerk who enclosed them in the packet and a sheet as above should be inserted in the file in lieu of the original and an entry made thereon to show where the original exhibit has been placed.
4. When a succession certificate or a power­of­attorney is produced, it need not, unless the Court requires it, be filed. It is not filed, it may be returned after inspection; but a note thereof should be made in Roznama and the fact of the production endorsed on the document over the signature of the Judge or Clerk of the Court.

Documents

1. (1) All documents tendered in evidence shall be accompanied by a list in the

form given as No. 5 in Appendix­ of the first schedule of the Code of Civil Procedure.

* 1. If any document is written in pencil or is torn, mouth eaten or damaged in any other way, a clear note to that effect must be made in the list and any such document shall be brought to the notice of the Judge by the clerk whose duty it is to receive it.
  2. When a document produced is written in pencil or is torn, mouth eaten or damaged in any other way, the Court may, if it deems desirable, ask for a true copy thereof either written in ink or typed.

1. (1) As soon as the list is filed, the Bench Clerk should endorse on the back of each document the particulars mentioned in clauses (a), (b) and (c) of rule 4(1), Order XIII, Civil Procedure Code.

Note : Occasionally, documents are produced which are of great historic value such as old sanads or grants, and such documents may be seriously impaired or damaged by the usual endorsements. It is important that the identity of a document produced in Court and acted upon should be placed beyond question in view of a possible appeal or other future proceeding. But where a document of historical interest is in question, the Court before which it is produced, should make every possible endeavor to prevent its being defaced by marks of any kind. Some means of avoiding disfigurement would generally suggest themselves. The parties may agree to a photographic copy being substituted for the original or the document may be enclose in a sealed cover are in a lock and sealed sealed box, the necessary particulars being endorsed on the outside. Careful measures should also be taken for the safe custody of such documents.

* 1. If any document presents a suspicious appearance, a note of it should be made in the list as well as in the Roznama and if the Court sees sufficient cause, it may impound the document under Order XIII, rule 8 of the Civil Procedure Code, if any document appears to have been executed on unstamped or insufficiently stamped paper, action should be taken under the Bombay Stamp Act.

1. If a document included in the list is referred to in the proceedings before it is tendered in evidence and formally proved, it should be immediately marked for identification. When it is tendered in evidence, it should be detached from the list. If rejected, it should be endorsed as prescribed by Order XIII, rule 6, Civil Procedure Code, and returned. If admitted, the endorsement referred to in the above rule should be

completed and signed by the Judge (Order XIII, rule 4, Civil Procedure Code) and the document should be assigned the appropriate exhibit number and filed in the record and all references to it in the depositions and judgment should bear that number. Every document should be further marked with the letter 'P' or 'D', according as it is tendered by the plaintiff or the defendant. The number assigned to each document should be endorsed on the list of documents mentioned above.

1. The provisions of Order XIII, rules 6 and 7, Civil Procedure Code, do not apply to Vakalatnama, summons and other formal documents. All such documents, should, when filed, be endorsed with the number and year of the case, and the number of exhibit assigned to it in the Roznama and placed on the record.
2. When any person, who has filed a general power of attorney authorising him to appear, apply or act in any Court on behalf of a party to a suit, appeal or any other proceeding, desires to have the power of attorney returned to him during the pendency of such suit, appeal or proceeding, it may be returned to him unless sufficient reasons appear to the contrary, provided he tenders a duly certified copy thereof at his expense to be substituted for the original.
3. When a plaint is returned before registration for presentation to the proper court, all documents filed with it should also be returned. If it is returned after registration, unadmitted documents should be returned along with it. The return of other documents will be governed by the provisions of paragraph 528.
4. (1) An application for return of a document admitted in evidence and placed on record may be presented to the Court, which admitted it on record or to the District Court, if the record is sent to that court. The document may be returned to the person entitled to receive it after obtaining a receipt in writing in the usual form. Such receipt should be filed with the record in place of the document returned. A note as regards the return of the document should be made in the Roznama as well as in the list of documents.
   1. If a party wants the return of a document by registered post, it may be so returned at the party's risk, provided the charges of postage and registration are remitted and an advance receipt is sent along with the application.
   2. In any case, in which an appeal or revision application lies, no document shall be returned until the period allowed for preferring such appeal or revision has

elapsed, or until such appeal or revision, if preferred, has been disposed of, unless the person applying for the return of the document delivers a certified copy to be substituted for the original and undertakes to produce the original if he is required to do so. No document shall, however, be returned which has been declared to be wholly void.

1. The provisions of the foregoing paragraphs 516 to 528 shall apply mutatis mutandis to the records of appeals and revision applications.

Transmission of Records to the District Record Room.

1. The records of (i) Suits, (ii) Miscellaneous Judicial Cases, (iii) Execution Cases, (iv) Insolvency Petitions, (v) Regular Appeals, (vi) Miscellaneous appeals and (vii) Miscellaneous Cases, should be forwarded to the Record keeper of the District Court on the 25th of third month after the month in which the said cases are decided along with a list in the form prescribed below.

General Record Register of the Court of

Part I­ Suits including Execution.

Part II­ Miscellaneous Applications.

Part III­ Appeals.

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Serial* |  | *No. and year of suit,* | | |  | *Date of* |  | *No. of Papers* | *No. of Papers* | *No. of exhibits* |
| *No.* |  | *appeal or miscellaneous* | | |  | *Decision* |  | *in the case as* | *filed after* | *not to be* |
|  |  | *application together with* | | |  |  |  | *per Roznama* | *decision* | *destroyed* |
| *1* |  | *names of parties* | | |  | *3* | *4* | | *5* | *6* |
|  |  |  |  |  |
|  |  | *2* |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  | |  |  |  |  |  |  |  |  |  |
|  | |  |  |  |  |  |  |  |  |  |
|  | | |  |  |  | |  |  |  |  |
| *Date of receipt* | | | *Shelf or* |  | *No. and year of* | |  | *Date of* | *If destroyed to* | *Remarks* |
|  |  |  | *cupboard* |  |  | *appeal, if any* |  | *destruction* | *what extent* |  |
|  | *7* | | *8* |  | *9* | |  | *10* | *11* | *12* |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |

1. In forwarding the records to District Court, the Civil Judges dispatching them should choose the most economic and expedient mode of dispatch. The Civil Judges should also see that the cost of conveyance is kept down as low as possible. It is not necessary to forward the records in any particular way but proper precautions should be taken for their safety. Whenever expedient, they may be dispatched by Registered Post with an acknowledgment.
2. In case the record of any case specified in the list referred to in paragraph 530 is not sent, a note should be made in the remarks column of the list against that case showing why the record has not been sent.
3. Before the record of any suit, darkhast of other proceeding is forwarded by the court in which it originated, to District Court record room, it would be ascertained that the final order passed in that suit, darkhast or other proceeding is duly noted in the Register of Suits, darkhasts or other proceedings, and a remark to the following effect should be made in the list mentioned above and signed by the Clerk of the Court :­

“I have ascertained that the final orders passed in the proceedings entered in the list are duly noted in the relevant registers which are to be permanently preserved.”

*Custody of Records*

1. When the records with the prescribed lists are received in the record room, the Record keeper shall verify whether the records correspond with those entered in the list, that their classification and arrangement have been properly carried out and that the contents of each file are correct. He shall bring discrepancies, if any, to the notice of the Judge concerned through the Officer in charge of the record branch. The Record keeper should make an endorsement as regards the correctness or otherwise of the record received and send a copy of the endorsement so made to the civil Judge concerned so as to reach him within 15 days from the date of the receipt of the record in the record­room.
2. The Record keeper of the District Court should further examine one out of every ten cases received by him and should endorse on the Roznama of each case examined by him and in the General Record Register that he has checked the punching of the stamps.
3. A test inspection of cases received by the Record Keeper of the District Court should be made by the Clerk of the Court of the District Court at the end of each quarter.

A note of the inspection shall be made in the inspection book kept in the Record Room. The book shall after each inspection be submitted to the District Judge or any Judge appointed by the District Judge for the purpose.

1. Records, which should have been sent with the prescribed list but which have not been so sent, should be entered by the Record Keeper in the record room Register of dispatch of Civil records and a note should be made against the entry that the record has been detained in the Court.
2. On the 25th of each month, the Record keeper should submit to the Clerk of the Court a report showing for each Court what records which should ordinarily have reached the record room are yet to be received. The Clerk of the Court shall submit the report to the District Judge for his orders.

Arrangement of Records in the Record room

1. (1) The records shall be kept on sturdy racks. All precautions should be taken to see that the records are not destroyed by white ants, insects etc. The legs of the racks should be kept submerged in iron or lead receptacles which should contain some disinfectant. Any damage noticed in this respect should be immediately brought to the notice of the Presiding Judge.
   1. Each rack should bear a number. Each shelf in a rack should also be

numbered.

* 1. (a) All the records of a suit or other proceeding shall be kept together in one bundle. The bundle shall also contain the papers of appeal or revision application arising from that proceeding.
     1. Cumbrous or bulky records should be separately kept.
  2. The bundles be tied in rumals of such colors as may be prescribed, each of which should bear a label showing the nature of records kept in it and the year or years to which they relate.
  3. The records should be arranged according to the dates of their disposal.
  4. On each rack, there should be affixed to it a card showing the number of rack, the number of the shelves, the category of records kept on each shelf and the year or years to which they pertain, Each shelf should also bear a label giving particulars of the

record kept.

* 1. A chart of record room should be prepared showing on it the numbers of racks and the nature and category of records kept on each of them. The chart so prepared should be fixed at the entrance of the record room.
  2. The record, which is due for destruction in any year, should be taken out and kept on separate racks, until it is destroyed.

1. When a record is removed from the record room for any purpose, the Record Keeper shall insert a memorandum in the prescribed form in its place in the bundle and note in the Record Room Register of dispatch of Civil records, the number of the case, the names of the parties, the designation of the court to which it is sent and the date of its removal and shall obtain the signature of the receiving court or Officer in the appropriate column of the Register. If the record is required by a Court at an outstation, the signature taken shall be that of the Clerk who acts as the dispatching clerk. On return of the records, the Record Keeper shall note in the same Register the date of return.
2. In the first week of each quarter, the Record Keeper shall prepare and submit to the District Judge through the Clerk of the Court a statement showing all the records which, whether for the purpose of appeal or otherwise, had been out of the record room for more than four months on the last day of the preceding quarter. A blank report should also be submitted.
3. The lists received along with the records should be bound at the end of the year. The lists so bound will serve as record room registers.
4. The appellate record of the District Court and records of execution proceedings shall be kept with the record of the original suits, but shall not be stitched to the files of those suits.

Exception : The records of execution proceedings held in a District other than that in which the decrees were passed, shall be kept in the record room of the former District in a separate bundle labelled “Execution in Suits disposed of in other Districts”.

*Preservation and Destruction of Records.*

1. The following rules for the destruction of records are famed under section 3 of the Destruction of Records Act, 1917 (V of 1917)
   1. A Files shall be preserved forever.

B Files shall be destroyed at the end of 30 years. C Files shall be destroyed at the end of 12 years. D Files shall be destroyed at the end of 3 years.

Note : When the papers maintained in files 'B', 'C' or 'C' become liable for destruction, the District and Sessions Judge shall give a notice to that effect to the Director of Archieves and Archaeology, Maharashtra State, Bombay, requesting him to inspect the files for selection of documents of historical value, if any. As soon as may be, after the receipt of such notice, the Director of Archives and Archaelogy shall inspect the files and select documents which in his opinion need to be preserved permanently in his custody. If the Director of Archieves and Archaelogy fails to do so and remove the documents within a period of six months from the date of the receipt of such notice, the District and Sessions Judge, may proceed with the destruction of documents.

1. he above periods shall be calculated from the date of the final decree or order, which, in cases in which appeal or revision applications are filed, will be that of the appellate or revisional Court. In respect of Civil Suits in which an application for restoration of suit to file or for setting aside expartee decree is field, the period shall be calculated from the date of the final order in such application. Where an appeal or revision application is filed against such final order, the period shall be calculated from the final order of such Appellate or Revisional Court.
2. Cumbrous and bulky exhibits, such as account books and the like, which cannot be conveniently kept with the record of the cases in which they have been used, but which have to be preserved separately, e.g., in boxes and bundles, may be destroyed, under the orders of the District Judge, after the expiry of one year from the date of the final decision of the Court. In such cases, one month's clear notice of the intended destruction, shall be served, before the expiry of the said period on the parties concerned or on their lawyers.
3. The work of destruction of records should be done regularly once a year preferable in the summer vacation. It is the duty of the members of the establishment in charge of the record room to sort out and destroy records. If assistance is necessary, clerks and bailiffs from any court at the District headquarter should be employed.

1. The destruction of useless records should be effected by tearing them into small pieces which should be disposed of according to the standing orders of Government issued from time to time.
2. The records of Election Tribunals constituted under section 86 of the Representation of People's Act, 1951, are to be sent to the District Judge of the District concerned. The records of the trial of an election petition should ordinarily be preserved for a period of five years unless a longer period is fixed in any particular case by the Election Commission (Vide Election Commission letter No, 86/55/11578, dated 1st October 1955).
3. The several registers and files prescribed by the High Court are classified as follows for the purpose of destruction of records :

|  |  |  |
| --- | --- | --- |
| *Sr.No.* | *Nature* | *Classification* |
|  |  |  |
| 1 | Register of suits | A |
|  |  |  |
| 2 | Register of Applications for Execution | B |
|  |  |  |
| 3 | Register of Applications requiring Judicial enquiry | A |
|  |  |  |
| 4 | Register of Applications not requiring Judicial enquiry | C |
|  |  |  |
| 5 | Register of Insolvency petitions | A |
|  |  |  |
| 6 | Daily Registers of plaints received | D |
|  |  |  |
| 7 | Register of rejected plaints | C |
|  |  |  |
| 8 | File of plaints returned for presentation to the proper Court | B |
|  |  |  |
| 9 | Register of Sale Certificates | C |
|  |  |  |
| 10 | Register of Darkhasts transferred to the Collector for Execution | B |
|  |  |  |
| 11 | Register of Decrees received for execution | C |
|  |  |  |
| 12 | Daily Court fee Register | C |
|  |  |  |
| 13 | Process fees Register | C |
|  |  |  |
| 14 | Register of cases in which Nazir is appointed guardian­ad­litem | C |
|  |  |  |
| 15 | 'A','B','C','C' Registers of decided cases | D |
|  |  |  |

|  |  |  |
| --- | --- | --- |
| *Sr.No.* | *Nature* | *Classification* |
|  |  |  |
| 16 | Register of interim applications | D |
|  |  |  |
| 17 | Register of Commissions issued | D |
|  |  |  |
| 18 | Inward and Outward Registers (both regional and English) | C |
|  |  |  |
| 19 | Register of Stamp duty and Penalty | C |
|  |  |  |
| 20 | Copying Fee account and Registers relating thereto. | C |
|  |  |  |
| 21 | Forms A,C,D,F,G,H,I,J,K,L,regarding accounts. | C |
|  |  |  |
| Note : Before the registers in Form 'C' and 'G' are destroyed, all the outstanding items | | |
| therein including amounts lapsed to Government should be transferred to new registers | | |
| in the same forms under the initials of the Judge of the Court and these new registers (to | | |
| be called the permanent registers C and G)should be preserved permanently. | | |
|  |  |  |
| 22 | Memo Books | C |
|  |  |  |
| 23 | Daily and Weekly Boards | D |
|  |  |  |
| 24 | Correspondence file of ephemeral importance | C |
|  |  |  |
| 25 | Maharashtra Government Gazettes | C |
|  |  |  |
|  | Instructions issued for guidance on examination of accounts | B |
| 26 | (from the date of receipt) |  |
|  |  |  |
|  | Reports of Enquiry Officers and final orders in Departmental | B |
| 27 | enquiries (from the date of final orders) |  |
|  |  |  |
|  | Correspondence and office copies of correspondence relating to | D |
|  | preparation of Paper Books in proceedings before Appellate and |  |
| 28 | Revisional Courts |  |
|  |  |  |
|  | Other Miscellaneous correspondence (From the date of disposal | D |
| 29 | of the subject to which such correspondence relates) |  |
|  |  |  |
| 30 | Register of Civil Appeals | A |
|  |  |  |
| 31 | Register of Miscellaneous Appeal | A |
|  |  |  |

1. The following records shall be destroyed after a period of six years :­
   1. Receipt Books for money deposited in the Mamlatdar's Treasury.
2. Account Books of postage stamps.
3. Office copies of contingent Bills and Travelling Allowance Bills.
4. Miscellaneous reports of Civil Judges to District Judges.
5. Office copies of monthly, half­yearly and Annual Returns of every description and the original monthly, half yearly and Annual Returns submitted by the Subordinate Courts to the District Courts.
6. Officer copies of Returns of unanswered letters.
7. Post­books (tapal books).
8. Receipts of registered letters and Money­orders.
9. Lawyer's applications for leave etc.
10. Bailiff's process serving and receipt book.
11. Applications for copies and translations.
12. Receipt books of documents given to section­writers to copy.
13. Counterfoils of Court Fees Refund Certificates.
14. Sine die lists.
15. The Diary of miscellaneous work.
16. Receipt books of documents returned to parties.
17. Muster rolls.
18. Statements of dead stock articles.
19. Fee account books kept under rules 4 and 7 (paragraph 488).
20. Statements relating to the Annual Reports on the administration of Civil Justice.
21. Audit Notes and objections (not containing instructions for

guidances from the date of receipt).

1. Office copies of replies or explanations to Audit Notes and objections (from the dates of such replies or explanations).
2. Letters from Superior Courts calling for reports or explanations and office copies of the reports or explanations submitted to the Superior
   1. Statement, depositions and other records of Departmental enquiries (Other than reports of Enquiry Officers and final orders). (From the date of final Order).
   2. Correspondence and office copies of correspondence relating to administrative subjects, such as buildings, accommodation, strength of staff etc. and miscellaneous correspondence, (From the date of disposal of the subject to which such correspondence relates).
3. Any other file or document not specially provided for, may be destroyed

with the permission of the District Judge, after such period as he may determine.

* 1. Notwithstanding anything contained in the rules above,the District Judge or the Civil Judge, with the permission of the District Judge, may preserve the papers mentioned in the sub­paragraphs 7 and 8 above for a longer time than that prescribed above , if in his opinion , it is necessary to do so .

11.Notwithstanding any contained in the rules above, the civil judge with the permission of the District Judge may destroy the Maharashtra Government Gazettes at the end of 12 years. The destruction of Maharashtra Government Gazettes notwithstanding anything contained in sub­paragraph (5) would be as follows ­

The Gazettees may be handed over to the local libraries for preservation or other such institutions which, in the opinion of the Civil Judge concerned, would preserve them. If there are no such institutions, the Gazettees should be sold as waste paper to the approved dealer and the sale proceeds should be credited to the Government.

1. (i) The Inspection Notes and replies to the questions are prepared by the District and Sessions Judge or Inspecting District Judges for being forwarded to the High Court be destroyed after 3 years from the date of their full compliance by them ;
2. Inspection Notes and important correspondence made on the basis of inspection notes which have entailed administrative representation, departmental enquiry or proceedings may be preserved as permanent record.
3. The answer papers of Departmental Examinations for the current year only shall be preserved , provided that no representation or writ petition in respect of any other particular year is pending . Is case such representation /writ petition is pending the answer papers of such year shall be retained till the decisions of such pendig represetation /writ petition .

Notification

The Honourable Chief Justice and Judges of the High Court at Bombay in exercise of the powers under Articles 227 and 235 of the Constitutions of India and all other enabling powers in that regards are hereby please to direct that the provisions of Civil Mannual are made applicable a mutatis and mutandis to the Maharshtra State Co­ operative Courts and also to maintain the registers as provided in the manual . No. P.0705of 2003 High Court Appellate Side ,Bombay dt 11/12/2003 M.G.G.Pt. IV.C.,2004 P.51.

­­­­­­­­­­­­