RECORD ROOM
MINISTERIAL STAFF TRAINING

TRAINING FOR THE TRAINERS

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12.3.2016 to 13.3.2016
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RECORDS

- Preparation of Judicial Records
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Record Room -- Record Keeper

- Receiving of the record
- Maintenance of record
- Issuance of goshwaras
- Checking of indexing
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- Cancellation of court fees
- Arrangement of records
- Return of documents
- Issuance of dockets
- Sending of records to Higher courts

- Destruction of records
- Inspection of record
- Handwriting experts
- Wills and documents
Index of Papers, Consigning and Checking of Record

- Work of the Record Keeper commences where work of the courts ends.
- Record is received after decision in the case and on consignment by the Ahlmad.
- Each Civil and Criminal file is received with an Index prefixed to it detailing its contents in the prescribed form.
- Each paper admitted would be entered in the index on the day on which it is so admitted.
- All the civil and criminal files are received in the Record Room, arranged by the Ahlmad in two parts A and B.
Papers included in Part A and B of criminal cases in Magisterial trials.

- **Part-A**
  - (i) The index of papers.
  - (ii) The order sheets.
  - (iii) The final police report.
  - (iv) Petition or complaint
  - (v) All depositions of witnesses and statements of accused persons.
  - (vi) All documentary evidences.
  - (vii) The charge sheet.
  - (viii) The final order of the court.

- All the remaining papers shall be kept in Part-B.
Papers included in Part–A and B of Sessions Cases

- **Part –A** of a Sessions case will contain the following papers:
  - (i) Index of papers.
  - (ii) Order Sheets
  - (iii) Charge sheet.
  - (iv) All depositions of witnesses and statements of accused persons.
  - (v) All documentary evidences.
  - (vi) Judgment.
- **All the remaining papers are to be placed in Part-B of the file.**
Papers included in Part-A and B of APPEAL CASES

- If an appeal is filed in any case, the copy of judgment received along with the file shall be placed after the original judgment.
- In appeal cases the files will be arranged as under:-
  - (i) Index of papers.
  - (ii) Order sheet.
  - (iii) Petition of appeal.
  - (iv) Copy of judgment of the lower court.
  - (v) Any additional evidence taken under Section 428 Cr.PC.
  - (vi) The final order of the court.
- **Part –B** shall consist of all remaining papers not included in Part-A.
Separate index for each part of the decided cases

- Rules 3 and 4 of part F CHAP.XVI A- Vol. IV
- After the decision of the case the Ahlmad should separate the papers and arrange them into two or three parts (Part A, Part A(i), Part B) and for each part there shall be a separate index.
- The index on part A will show all the papers which were originally on the record, while those in Part A(i) and Part B will only show those papers which are transferred to those parts.
- When any paper is transferred to part A1 and B an entry shall be made in remarks column of Part A showing the part to which the paper has been transferred. The Ahlmad shall also enter in red ink the words “Not to be destroyed” in the remarks column of the index of Part A of the record against any paper which is to be preserved under Rule 17, Part F Volume IV.
- The certificate at the foot of the index will be signed and shall then be consigned to the Record Room.
- While consigning the files a challan shall be prepared in triplicate in proforma given in Volume IV, Chapter 16, Part A of High Court Rules and Orders.
• 5-B. (i) The file of every decided case should be consigned to the record room within a period of 15 days from the date of the final orders passed therein and that in case of default, explanation for the delay, duly signed by the Presiding Officer, should accompany the record;

• (ii) on the 15th day of every calendar month, each District & Sessions Judge shall obtain from all Judicial Officers subordinate to him certificates to the effect that all cases decided by each of them during the month immediately preceding have been consigned to the record room within the said period of 15 days, and shall submit a report to the High Court after checking up the relevant registers in order to verify the correctness of the certificates with reference to the entry of the Goshwara number in each case.
Proforma

CHALLAN OF FILES CONSIGNED TO DISTRICT RECORD
Volume IV, Chapter 16, Part A

- Court ______________ in ___________ District

<table>
<thead>
<tr>
<th>Date of Despatch of records to District Record Room</th>
<th>Serial Number</th>
<th>Case Number</th>
<th>Names of parties</th>
<th>Nature of case</th>
<th>Date of decision</th>
<th>Name of village Basta in which record consigned</th>
<th>Signatures in full of Record Room Clerk receiving the file with date</th>
<th>Goshwara number with date</th>
</tr>
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<tr>
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</table>
Record Keeper

- On receipt of the case in the Record Room, the Record Keeper will examine the index and check the entries in column 1, 2 and 6 with the papers and stamps in the record.
- He will then, if the record is complete, sign the certificate to this effect at the foot of the index and enter the case in its appropriate register,
- If any paper, court fee or stamp are missing he will at once bring the deficiency to notice.
• The Ahlmad will prepare a challan of decided cases in triplicate as stated above and will consign the files along with challan in the record room.

• The Record Keeper, after receiving the files, will sign one of the challan and return the same to the Ahlmad concerned immediately and one copy of challan will be returned later after entry of goshwara number with date against each record and signature in full of the Record Room Clerk.

• The 3rd copy of challan shall be kept by the Record Room Clerk.
GOSHWARAS

- The files received from the lower courts will be entered in the **General Register** by the Record Keeper and every **serial number** of the file shall be the Goshwara Number of that file.

- After allotment of goshwara number, the relevant file shall be placed in the **Basta** maintained for each revenue village and block and then again a particular number will be given to the file and will be entered in the General Register also.

- The goshwara numbers given in the challan will be entered in the Court Register by the Ahlmad and **the Ahlmad** will, on the first working day in the months of February, May, August and November, get the same checked from the Presiding Officer of the Court in order to see that entries are correctly made in the Court Registers and will get the signatures of the Presiding Officer in token of their check.
Procedure on receiving the file

- On receipt of the case in the Record Room the Record Keeper will examine the index and check the entries in column 1, 2 & 6 with the papers and stamps in the record.
- He will then, if the record is complete, sign the certificate to that effect at the foot of index and enter the case in the appropriate registers prescribed in High Court Rules and Orders Volume 6, Part B, IV and Part A IV.
Transmission of judicial record

- When record is sent from office to another, a list of the records sent will be prepared in *duplicate* and sent with the file.
- This will be in addition to regular index of paper attached to the record.
- On receipt of the record, the official receiving the same shall check the same and if the file is complete he will note the date of receipt of record.
Checking of record on its passing from one official to another.

- In every office there should be a responsible Despatcher and Receiver of Judicial records, whose duty should be to check the papers in each record which passes through his hands, and either certify, in the manner provided in Part B that the index is correct and the record complete, if this is the case, or immediately bring to notice any deficiency in papers or court-fee stamps. This course will be followed by every succeeding official into whose hands the record passes for any purpose unless such official has been specially exempted by the head of the office from complying with this rule. Heads of offices should only permit exemptions in case in which the purpose for which the record is required is of so temporary or special a nature as to render compliance with the rule unnecessary. The last certifying official will ordinarily be held responsible in the event of any deficiency in papers or court-fee stamps being subsequently discovered.
Requisition of record by High Court and other Courts

- A separate register should be maintained in the Record Room to transmit the record to High Court.
- The requisition received from High Court as well as copy of docket shall be kept in the record room.
- When the file is received back from High Court, the requisition already lying in the record room should be attached with the concerned file.
- It should be ensured that a copy of the order of judgment passed by the High Court is also received along with the file.

- A separate dispatch register regarding the requisition of lower court's files received from the District Courts and other courts should be maintained.
- The same procedure should be adopted on receipt of the file which has been stated above regarding files received from High Court.
Requisition of record by Copying Branch

- When the files are requisitioned by the Copying Branch a ruqua should be prepared and sent along with the file to the copying branch and a note should be kept in the record regarding sending of the file and as and when the file is received back from the copying branch the same should be properly placed.
Dos and Don’ts

- Every endeavour should be made to avoid the record being damaged from pests and other natural factors e.g. during rainy seasons.
- Some times due to the leakage of Record Room buildings the files/record get damaged and a proper attention should be given that the roofs are got repaired.
- Some times files also remain loose from the bundles/bastas in the shapes of heaps and are not put in proper places, which should be avoided, and the files should be placed in the Bastas immediately to avoid the wastage of time and energy of the officials and apprehension of their loss.
Inspection of decided cases

- The decided cases record is open to the inspection of the public subject to the general control of the Head of office.
- The application for inspection of record shall be made in writing and a fee of 2 rupees court fee stamp shall be affixed thereon.
- A separate application shall be made and a separate fee paid for each record, which is desired to be inspected.
Tracing of Record

- In order to trace particulars of a suit or document, counsel may, with the previous permission in writing of the Presiding officer of the Court concerned and in the presence of a court official, inspect the civil and criminal registers of the court, on behalf of parties, free of charge.
Destruction of Record

- Destruction of Records Act, 1917
- Read with the Rules framed thereunder by the High Court
Preservation & destruction of records and registers

- All judicial records and registers, which become liable for destruction as per rules shall be destroyed as soon as the period for their retention has expired. Some records are to be preserved in perpetuity and some records are to be preserved for different periods.
- The reckoning of period is defined in High Court Rules and Order Volume 4, Chapter 16, Part E, Rule 15.
- The destruction of such records and registers shall be carried out under the supervision of Record Keeper and shall be effected by tearing, care being taken that all court fee stamps have been duly cancelled.
- A note shall be given in the index of the files that as to which of the papers have been destroyed.
- A separate record should be maintained with regard to the destruction of the registers.
- The papers shall then be sent to the nearest paper making jail after ascertaining from the jail concerned whether it does require the waste papers. If reply of the jail is in negative the papers should be sold in the open market and the sale proceeds be deposited in the Treasury.
Calculation of the period

- The period of reckoning shall be calculated from the date of final order of the court of first instance, or, in the event of appeal, from the decision of the appeal.

- In cases under Chapter XXXVI of the Cr.PC, in which maintenance is awarded, the period shall be taken to run from the date of last order passed for the enforcement of the award.
Records to be preserved in perpetuity

- **Part A** of all suits and appeals.
- 1. Records of attachment, sale and delivery of immovable property in execution of decree, including all objections, proceedings and orders thereon.
- 3. Part-A of the proceedings under Indian Divorce Act.
- 4. Record relating to the disposal of immovable property forfeited to Govt. under Section 62 IPC.
- 5. Solvency Proceedings.
- 6. Correspondence with other offices on matters connected with the administration of justice. The Heads of offices may, with the previous sanction of the District Judge order the destruction after 3 years of any correspondence.
Records to be preserved for 60 years

- Part-A of proceedings under Section 1 and 8 of Regulation XVII of 1806 are to be preserved for 60 years and thereafter shall be destroyed.
Records to be preserved for 50 years

- Part A of proceedings under the Guardians and Wards Act, under Act XL of 1858 and IX of 1861, other than those in which the petitions have been rejected.
- Records of Solvency proceedings. The period of 50 years shall be reckoned from the date of the order of adjudication.
- Part A of the cases relating to any of the offences specified in Section 44 of Cr. P.C.
- Part A of criminal cases in which the offence is punishable with death, and it is not known as to who the offender is.
- Part A of criminal cases in which a lunatic is concerned, unless the lunatics have been subsequently tried or have died.
Record to be preserved for 20 years

- Copies of Civil, Revenue and Municipal Record received by the court during the trial as evidence between the parties.
- The charge, findings and sentence cases in which conviction has been of an offence for which enhance punishment is provided on a second or subsequent punishment.
- Part-A of cases in which any public servant had been tried whatever may have been the result of the case.
- Part-A of Civil Suits and Appeals other than suits and appeals the records of which is to be preserved in perpetuity where one of the parties is a minor.
- Part A of criminal cases relating to any offences other than those specified in Section 44 of Cr.PC.
The following records shall be preserved for 12 years and shall thereafter be destroyed unless their preservation for a longer period is necessary on the special grounds noted below:

1. Part A of Sessions cases provided that if the sentence had not been fully executed, the record shall be preserved until the return of the warrants and thereafter be destroyed.

2. Part- A of cases under chapter XXXVI of the Cr.PC in which maintenance is awarded.

3. Insolvency proceedings under the Provincial Insolvency Acts where immovable property is involved.

4. Part –A of proceedings under the Guardians and Wards Act. and under Acts XL of 1858 and IX of 1861 in which the petitions have been rejected.
The following record shall be preserved for 6 years and shall thereafter be destroyed unless their preservation for a longer period is necessary on any of the special grounds noted below:

1. Part-A of all civil suits and appeals other than suits and appeals the record of which is to be preserved in perpetuity provided that, if the decree has not been fully executed or become incapable of further execution
2. Part –A of the cases tried by the Magistrates under Section 30 Cr.PC.
3. Records realization of fines in criminal courts
Records to be preserved for 3 years

- years and shall thereafter be destroyed unless their preservation for a longer period is necessary on any of the special grounds noted below:
- 1. Insolvency proceedings under the Provincial Insolvency Acts where no immovable property is involved.
- 2. Records of criminal cases tried by Magistrates and not otherwise provided for in these rules.
- 3. Part- A of appeals from orders passed by the Magistrates.
- 4. All correspondence between District Judge and Subordinate Courts and other records, periodical statements, proceedings, applications etc., not expressly provided in the rules; provided that, in respect of records falling under this clause, heads of offices must exercise their discretion in preserving reports, returns and proceeding likely to be useful in future, as containing the results of inquiries or other information or the options of experienced officers on matters connected with the general administration of justice.
Records to be preserved for 1 year

- The following record shall be preserved for 1 year and shall thereafter be destroyed unless their preservation for a longer period is necessary on any of the special grounds noted below:
  1. Part-B of civil and criminal cases and appeals.
  2. Proceedings of other courts and officers, forwarding notices, proclamations, calling for records etc.

- The papers relating to deposits and payments thereof shall be separated and preserved until such time as the accounts of deposits and repayments concerned have been audited and finally settled.

- That part -B of civil cases and civil appeals in which 1st or 2nd appeal lies to the High Court, shall not be destroyed until the period of limitation for instituting such an appeal has expired or until the appeal, if instituted, is decided by the High Court.
Period for consignment of registers

- All the Civil and Criminal registers shall be consigned to the record room, after their completion and are to be preserved for the period mentioned against each in the table given below.
- The relevant registers are not to be consigned to the record room immediately on their completion but the same are to be kept in the court after the expiry of the period.

**Note:** No register should ordinarily be retained in all courts after the period prescribed for its consignment to the Record Room.
- If the Presiding Officer of court wishes to retain any register for a longer period, he should record his reasons for doing so in writing and communicate them to the Record Keeper concerned.
Destruction of personal files of officers, ministerial and menial servants

- (a) who die while in service shall be preserved for three years after their death and then destroyed, provided there are no outstanding claims on the part of their heirs; and

- (b) who have retired, shall be preserved until their death and then destroyed, provided that no file shall be destroyed before three years from date of retirement when death occurs within three years of retirement.
Destruction of vouchers relating to contingencies

- Vouchers relating to contingencies will be preserved for 3 years and destroyed 1 year after the removal of audit objections, if any.
Registers of Sheriff’s Petty Account shall be preserved and destroyed as per the table: However:

So long as an objection is outstanding and the accounts have not been completely checked and accepted in audit, the documents should not be destroyed even though the period of preservation may have expired.

As and when the process of weeding out of record is taken, it must be ensured that the Record Keeper and Record Clerk carrying out the business go through the High Court Rules and Orders Volume 4, Chapter 16, part-E
Statements of case in which decrees have been satisfied or have become incapable of execution to be sent to record-keeper.

- **Execution Records**

  1. To enable proper destruction of records in accordance with sub-rule(1) of rule 12 of Chapter 16-F, Rules and Orders, Volume IV, all civil courts will, in January, April, July and October each year, send to the record-keeper a list of their execution cases in respect of records which are six years old or are about to become 6 years old in which the decrees have been fully executed or have become incapable of further execution. For the preparation of these lists, reference should be made to civil register No. I (Civil suits) and to civil register No. X (execution of decrees) as prescribed in Part A-IV of Rules and Orders, Volume VI, Part A. Columns 16 to 18 and 20 register No. I show what happened in execution while column 22 of register No.10 contains the date on which an execution case struck off the file and the purport of the final order. It is the duty of each presiding officer to see that the registers of his court are properly maintained, and that the quarterly statement prescribed herein is correctly prepared and despatched to the record-keeper promptly.
REGISTERS
TO BE MAINTAINED BY
THE RECORD KEEPER
<table>
<thead>
<tr>
<th>No. of register</th>
<th>Name of Register</th>
<th>Court in which to be kept</th>
<th>Official by whom to be kept</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CIVIL REGISTERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>XXIV</td>
<td>Register of documents returned.</td>
<td>(a) All Civil Courts (b) All Record Rooms.</td>
<td>Reader Record Keeper</td>
<td></td>
</tr>
<tr>
<td>XXXI</td>
<td>Register of Records under the Muslim Personal Law (Shariat) Application Act, 1937.</td>
<td>Record Room</td>
<td>Record Keeper</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Criminal Registers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Record Keeper's General Register of Decided Criminal Cases.</td>
<td>(a) Record Room District Courts. (b) Record Room General.</td>
<td>Record Keeper</td>
<td></td>
</tr>
</tbody>
</table>
All the Civil and Criminal registers shall be consigned to the record room, after their completion and are to be preserved for the period mentioned against each in the table that follows. The relevant registers are not to be consigned to the record room immediately on their completion but the same are to be kept in the court after the expiry of the period.
## CIVIL COURT DEPOSIT ACCOUNTS REGISTERS AND FORMS

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<tr>
<th>Number</th>
<th>Heading</th>
<th>Period for which it is proposed to preserve the registers etc.</th>
</tr>
</thead>
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<td>Form No.1..</td>
<td>Note Book of Execution Bailiff</td>
<td>3 years</td>
</tr>
<tr>
<td>Form No.2..</td>
<td>Register of Receipts (Cash system)</td>
<td>Permanently</td>
</tr>
<tr>
<td>Form No.3..</td>
<td>Register of Receipts (Voucher system)</td>
<td>Do</td>
</tr>
<tr>
<td>Form No.4..</td>
<td>Register of Disbursement (Cash system)</td>
<td>12 years</td>
</tr>
<tr>
<td>Form No.5..</td>
<td>Cash book (Cash system)</td>
<td>Permanently</td>
</tr>
<tr>
<td>Form No.6..</td>
<td>Receipt Form (Cash system)</td>
<td>6 years</td>
</tr>
<tr>
<td>Form No.7..</td>
<td>Voucher Form (Cash and voucher systems)</td>
<td>One year from the date of last audit</td>
</tr>
<tr>
<td>Form No.8..</td>
<td>Cheque Form (Cash system)</td>
<td>3 years</td>
</tr>
<tr>
<td>Form No.9..</td>
<td>Challan Form (Cash and voucher systems)</td>
<td>6 years</td>
</tr>
<tr>
<td>Form No.11..</td>
<td>Treasury pass Book (Cash system)</td>
<td>Permanently</td>
</tr>
<tr>
<td>Form No.12</td>
<td>Extract register of receipts (Cash system) Form 28 Civil Account Code, Volume I</td>
<td>6 years</td>
</tr>
<tr>
<td>Form No.13</td>
<td>Clearance Register (Cash System)</td>
<td>Do</td>
</tr>
<tr>
<td>Form No.14</td>
<td>List of repayments (Cash system) (Form 47, Civil Account Code, Volume II)</td>
<td>3 years</td>
</tr>
<tr>
<td>Form No.15..</td>
<td>Lapsed Deposits (Cash system) (Form No.29, Civil Account Code, Volume I)</td>
<td>Permanently</td>
</tr>
<tr>
<td>Form No.16</td>
<td>Refund of lapsed deposit (Cash and Voucher system) (Form No.30, Civil Account Code, Volume I)</td>
<td>3 years</td>
</tr>
<tr>
<td>Form No.17</td>
<td>Intermediate Register of money-orders, etc.</td>
<td>One year from the date of last audit.</td>
</tr>
<tr>
<td>Form No.18</td>
<td>Stock Book to Forms of Receipt Books/Cheque Books</td>
<td>One year from the date of last audit.</td>
</tr>
<tr>
<td>New Number</td>
<td>Heading</td>
<td>Old Number</td>
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</tr>
<tr>
<td>Form No.1..</td>
<td>Register of Receipts..</td>
<td>Register A..</td>
</tr>
<tr>
<td>Form No.2..</td>
<td>Register of Disbursement..</td>
<td>Register B..</td>
</tr>
<tr>
<td>Form No.3..</td>
<td>Cash Book..</td>
<td>Register C..</td>
</tr>
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<td>Form No.4..</td>
<td>Treasury Pass Books..</td>
<td>..</td>
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<tr>
<td>Form No.5..</td>
<td>Receipt Form..</td>
<td>Form G..</td>
</tr>
<tr>
<td>Form No.6..</td>
<td>Register of Processes including warrants, etc. etc.</td>
<td>Register D..</td>
</tr>
<tr>
<td>Form No.7..</td>
<td>Note Book of Process Servers</td>
<td>Form H..</td>
</tr>
<tr>
<td>Form No.8..</td>
<td>Payment Order form..</td>
<td>Form I..</td>
</tr>
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<td>New Number</td>
<td>Heading</td>
<td>Old Number</td>
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</tr>
<tr>
<td>Form No.9..</td>
<td>Challan Form..</td>
<td>Form J..</td>
</tr>
<tr>
<td>Form No.9..</td>
<td>Challan Form..</td>
<td>Form K..</td>
</tr>
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<td>Form No.9..</td>
<td>Challan Form..</td>
<td>Form L..</td>
</tr>
<tr>
<td>Form No.10..</td>
<td>Cheque Form..</td>
<td>..</td>
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<tr>
<td>Form No.11..</td>
<td>Statement of lapsed deposit (Form 29, Civil Account Code, Volume I)</td>
<td>..</td>
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<td>Form No.12..</td>
<td>Voucher for Refund of lapsed deposits Form No. 30, Civil Account Code, Volume I</td>
<td>..</td>
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<tr>
<td>Form No.13..</td>
<td>Stock Book of Forms of Receipt Books and Cheque Books</td>
<td>Form M..</td>
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Note.- The main principal which should guide the destructions of accounts records should be that so long as an objection is outstanding and the accounts have not been completely checked and accepted in audit, they and the supporting documents should not be destroyed even though the period of preservation prescribed in the rules may have expired.

(Punjab Government letter No. 8026-FR-53/8147, dated the 4th November, 1953)
THANKYOU