

(J.H.C. Sch. 1-7)

FROM:

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REGISTRAR GENERAL

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Letter No. 2534/Accts./S&D

Dated: 18/12/23

To

All the Principal District & Sessions Judge,
including Judicial Commissioner, Ranchi
State of Jharkhand.

Subject: - Regarding sending of proper TCR (Trial Court Records) as per Civil/Criminal Court Rules.

Madam/Sir,

With reference to subject mentioned above Hon'ble Court has been pleased to direct that all the judicial officers working in your Judgeship under be impressed upon to send the TCR (Trial Court Records) properly as per Civil/Criminal Court Rules ensuring that no irrelevant papers be sent when TCR is called for. The Hon'ble Court has further been pleased to direct that the Learned Trial Court may send file as per Rule 96 of the Criminal Court Rule containing:-

- (i) Title-page.
- (ii) Table of Contents.
- (iii) Order-sheet.
- (iv) Papers showing how the proceedings were initiated together with any sanction to the proceedings granted under Sections 195, 196 or 197 of the Criminal Procedure Code, that is to say, the petition of complaint, the first information, or other report to the Police or order of the Magistrate under Section :190 (1) (c), Criminal Procedure Code, on which the proceedings were taken, and, if there has been a police investigation, the final report of the Police under-Section 173 of the Criminal Procedure Code.
- (v) Statement, if any, of the accused under Section 252, Criminal Procedure Code, in Summons cases only.
- (vi) (a) Deposition of witnesses for the prosecution examined at the trial in 'chronological order, except that, when a witness has been cross-examined, or re-examined in a later stage of the proceedings, such cross-examination; or re-examination shall be attached to his original deposition.
(b) Deposition of witnesses who are absent at the, trial, which had been admitted in evidence under Section 32 of the Evidence Act, or otherwise.
- (vii) Report of the Chemical Examiner or Assistant Chemical Examiner to Government admitted under Section 293 Criminal Procedure Code, in Warrant cases-For Warrant cases only.
- (viii) List of articles connected with the offence which have been proved and exhibited but which cannot be attached to the record .e.g., any weapons used in commission of an offence, stolen property, etc.
- (ix) The charge with a record thereon that it has been read and explained to the accused and plea of the accused in Warrant cases-For Warrant cases only.
- (x) Any document or documents, connected with the offence charged, or in respect of which the charge is made, e.g., statements made by the accused, which form the subject of a charge of giving false evidence, etc.-For Warrant cases only.
- (xi) Any confession or statement made by the accused before a trial and recorded under Section 164, Criminal Procedure Code-For Warrant cases only.

- (xii) Examination of the accused under Section 254, Criminal Procedure, Code, in Summons cases or under Section 313 Criminal Procedure Code, in Warrant cases and any written statement filed by the accused during the trial.
- (xiii) The deposition of the witnesses examined for the defence in chronological order.
- (xiv) Memorandum of argument, if any, submitted under Section 314 of the Code of Criminal Procedure.
- (xv) Judgment, finding and sentence.

The following papers shall be subsequently added to complete the record

- (a) Copy of the judgments or order of the Appellate or Revisional Court or Courts.
- (b) Warrant returned by the Jail authorities after execution of sentence.
- (c) Any petition, or other paper bearing on the offence charged and material to elucidate, or justify the decision in Warrant cases only."

And in civil matters as per Rule 213 & 214 of the Civil Court Rules containing:-

- (a) Table of Contents.
- (b) Order-sheet.
- (c) The plaint or application, together with any schedule annexed thereto.
- (d) The written statement of the defendant or the counter petition.
- (e) Memorandum of the Issues.
- (f) All the evidences, oral and documentary, upon which the subject matter of the suit is decided.
- (g) Lists of documents admitted in evidence
- (h) Award of arbitrators or petitions of compromise, if given effect to in the decree; also the return or report and the map and field-book (if any) of a Commissioner in matters relating to immovable property, if referred to or given effect to in the decree, but not any portion of the evidence taken by such Commissioner; also, in the case of Minors or Lunatics, any order of the Court sanctioning a compromise as beneficial to the Minor or Lunatic.
- (i) The preliminary decree (if any), with the further directions (if any) given and the judgment upon which the preliminary decree is founded.
- (j) The Judgment.
- (k) The final decree.
- (l) The copy of the judgment and decree of the Appellate Court or Courts (if any)".

The Hon'ble court has further been pleased to direct that the scientific and/or forensic reports even if not exhibited must be sent along with the TCR. In addition, Case Diary and other relevant documents if called for by the Appellant Court may also be sent.

You are therefore, requested to take the necessary action(s) in this regard.

Thanking You!

Yours sincerely,

Registrar General

Mr. D.J. Sraikella
19.10.23

all R.O.s of the Court's are
impressed to send TCR
as per rule & ensure
compliance in letter & spirit

Seen
SDJM
20/10/23