**HIGH COURT FOR THE STATE OF TELANGANA :: HYDERABAD**

**ROC.NO.723/SO/2019** **Dt.14.08.2019**

**CIRCULAR No.16 /SO/2019**

Sub: COURTS – CRIMINAL COURTS – Instructions to avoid delay in numbering the Charge Sheets – Issued.

Ref:1) High Court's Circular in Roc.No.6018/OP.Cell-E/2000, dt.09.01.2001.
2) High Court's Circular in Roc.No.780/SO/2018, dt.17.09.2018.

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Instances have come to the notice of the High Court, that several Criminal Courts are keeping the Charge-sheets pending for a long time without numbering or returning them with appropriate objections.

Attention is invited to the High Court's Circular 1st cited, wherein all the Unit Heads were requested to ensure expeditious numbering of Charge-sheets, if they are in order, or to return them with proper endorsements, by giving specific instructions to the concerned in this regard. All the Unit Heads are further requested to obtain the information from the concerned Magistrates, and to furnish the same to the High Court in the prescribed proforma in respect of charge-sheets which have remained unnumbered.

Attention is also invited to the High Court's Circular 2nd cited, wherein the High Court seriously deprecated the practice adopted by the Judicial Officers in deliberately delaying registration of cases to keep the disposal on par with the institution, or more than the institution, and directed all the Unit Heads in the State to promptly register all the cases filed by the advocates and the litigant public in the courts and to avoid delay while numbering the Cases.

Therefore, while reiterating the earlier circular instructions all the Unit Heads and the Judicial Officers in the State are instructed to ensure expeditious numbering of charge-sheets within three (3) days of filing, if they are in order, or to return them, if they are defective with proper endorsement by giving specific instructions to the concerned, and whenever resubmitted and found to be in order, to take cognizance within two (2) days. Further instructed to take all possible objections, at the first instance only, and the practice of taking piecemeal objection at various stages is deprecated.

The Unit Heads are further requested to obtain the information from the Judicial Magistrate of First Class/Chief Metropolitan Magistrate Courts in their Unit by 5th of every month and submit the consolidated report to the High Court by 10th of every month in the following proforma.

| Sl. No. | Name of the Court | No. of Charge-sheets filed | No. of charge-sheets numbered | No. of charge-sheets returned | No. of charge-sheets pending. |
|---|---|---|---|---|---|
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Above mentioned Circulars are enclosed herewith, for ready reference.

Any deviation to the above said instructions shall be viewed seriously.

Receipt of this circular shall be acknowledged.

**REGISTRAR GENERAL**

To

All the Unit Heads in the State of the Telangana. {with a request to communicate the same to all the Presiding Officers in their Unit}
The Director, Telangana State Judicial Academy, Secunderabad.
The Section Officers, E-Section and O.P.Cell.

HIGH COURT OF ANDHRA PRADESH:: AT HYDERABAD

ROC.NO.6018/OP.CELL-E/2000 DT.9.1.2001.

CIRCULAR

Sub: COURTS - Criminal Courts in A.P. State - Instructions to avoid delay in numbering the Charge Sheets - Reg.

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Instances have come to the notice of the High Court, that several Criminal Courts are keeping the charge-sheets pending for long time without numbering or returning them with appropriate objections. The High Court deprecates the said practice and desires that if the charge sheets are in Order, they should be numbered without any delay, and if there are any tenable objections, they should be returned at the earliest for compliance of such objections.

If there is any delay in taking cognizance of the offences referred to in the charge-sheets, there is every likely-hood of the accused suffering in incarceration and the image of the institution is likely to be eroded.

There is any amount of necessity to number the charge-sheets immediately or return them with objections, if any, to convey the Investigating Officers and the accused regarding the promptness of the court in rising to the occasion.

The Judicial Magistrates have to ensure the maintenance of relevant register indicating the date of the presentation of the charge-sheet and the date of numbering it, and personally see that the charge-sheet are numbered or returned within the shortest possible time from the date of filing of the said charge-sheets.

It is also essential that all the Unit Heads shall, either during the periodical visits or during the inspections, point out the delays, if any, in numbering such charge-sheets and that get the necessary data, indicating the particulars regarding the numbering of charge-sheets presented, number of charge sheets numbered and the number of charge-sheets remained unnumbered etc., and issue specific instructions to number then expeditiously, unless and until they are not in order.

All the Unit Heads are, therefore, requested to ensure expeditious numbering of charge-sheets, if they are in order, or return them with proper endorsements, by giving specific instructions to the concerned in this regard.

The Unit Heads are further requested to obtain the information from the concerned Magistrates and furnish the same to the High Court in the prescribed Proforma in respect of charge sheets remained unnumbered as on 31.12.2000.

| Sl. No. | Name of the Court | No.of Charge Sheets Remained pending | Reasons |
|---|---|---|---|
| (1) | (2) | (3) | (4) |

The above said information should reach the Registry by 27.1.2001.

SD/-G.YETHIRAJULU
REGISTRAR GENERAL

HIGH COURT OF JUDICATURE AT HYDERBAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

R.O.C.No.780/SO/2018 Dated:17.09.2018

CIRCULAR No.16/2018

The Hon'ble High Court, while considering reduction of pendency of cases in Subordinate Courts, after comparing the statement of disposal of pre-2009 and pre-2014 cases, noticed that there is alarming increase in pendency of cases in all the Districts from March, 2018 to June, 2018. Therefore, Circular dated 03.08.2018 was issued by the High Court directing that disposal of cases shall necessarily be more than the institution in every Court. It was further directed in the Circular instructions that all the Unit heads in both the States of Telangana and Andhra Pradesh shall make every endeavour to ensure that from August, 2018 onwards, the disposal shall necessarily be more than institution in every Court in their respective Units and that failure to achieve the target fixed would be viewed seriously and the Officers concerned as well as the respective Unit Heads would be held responsible.

After issuing the above Circular instructions, instances have come to the notice of the High Court by way of representations from the Presidents of Advocate Associations of Andhra Pradesh, Members of the Bar Council of Andhra Pradesh and the Federation of Bar Association, Telangana State, that in order to comply with the above Circular instructions of the High Court, Judicial Officers are not registering the newly instituted cases till the pendency is reduced to keep the disposal of cases more than institution and thereby deliberately delaying registration of newly instituted cases and causing hardship to both the advocates and the litigant public at large.

The High Court seriously deprecates the said practice being adopted by the Judicial Officers in deliberately delaying registration of cases to keep the disposal on par with the institution or more than the institution.






Therefore, all the Unit Heads in both the States of Telangana and Andhra Pradesh and the Judicial Officers in both the States entrusted with the duty of numbering and registration of cases are hereby directed to immediately desist from such practice of delaying the registration and numbering of cases.

They are directed to promptly register all the cases filed by the advocates and the litigant public in the Courts and avoid delay while numbering the cases.

Judicial Officers shall 1) register the case within three days from the date of filing of the case, if it is in order and if any defects are noticed, the same shall be returned with objection within three days from the date of filing the case. 2) If the case is represented after complying with the objection, the same shall be registered within two days from the date of representing the case if the objection is complied with 3) all possible objections shall be taken at the first instance and the practice of taking various objections at various stages shall be avoided.

In order to curb the said unusual practice of deliberately delaying the registration of cases, the High Court hereinafter will monitor the registration of cases by the Subordinate Courts. Therefore, all the Courts which are entrusted with the duty of numbering the cases shall furnish monthly information relating to filing and registration of cases to the District Court on 1st of every month and the District Court shall forward the same to the High Court on or before 3rd of every month along with the statement relating to filing and registration of cases in the District Court to the High Court in the tabular form as shown below.

| Sl. No. | Date of filing the case in the court | Date of registration | Date of return | Date of representation of the case | Date of registration of the case |
|---|---|---|---|---|---|
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The above instructions of the High Court shall be scrupulously followed without any deviation and any infraction of the instructions will be viewed very seriously and if it is found that the Circular instructions are deliberately violated, appropriate action would be taken against the concerned Judicial Officer.

REGISTRAR GENERAL 17/9

To

1. The Principal Private Secretary to the Hon'ble the Chief Justice (with a request to place the above Circular before His Lordship)
2. P.S. to all the Hon'ble Judges
   (with a request to place the above Circular before His Lordship)
3. All the Unit Heads in both the States of Telangana and Andhra Pradesh
   (with a request to communicate the same to all the Judicial Officers working in their Unit).
4. The Registrar (Judicial), High Court of Judicature at Hyderabad
5. The Registrar (Administration), High Court of Judicature at Hyderabad
6. The Registrar (IT-cum-CPC), with a request to upload the circular in High Court website.
7. The Director, Judicial Academy for the State of Telangana and Andhra Pradesh.
8. The Section Officer, OP cell, E.Section.