

The Nagaland Police Manual
Part IV

COURT OFFICE AND FIGURE PRINT RULES

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Court Office and Figure Print Rules

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APPENDIX -I

APPENDIX -II

SECTION I - COURT OFFICE **Prosecution Staff (Rules 1 to 7)**

1. Prosecution Staff : The prosecuting staff of each district-consists of –

(a) The Public Prosecutor appointed under Section 24 of the Criminal Procedure Code, who conducts prosecutions before the Sessions Court and in important cases before the Magistrates - All Government pleaders are ex officio public prosecutors. In districts and subdivisions where criminal work is specially heavy another pleader or advocate is appointed to be public prosecutor, and relieves the Government pleader of the conduct of prosecutions. In addition any District Magistrate, or Subject to the control of the District Magistrate, any sub divisional Magistrate, may in the absence of the public prosecutor or where no public prosecutor has been appointed, appoint any officer of police in the State of Nagaland not below the rank of an Inspector to be public prosecutor for the purpose of any case.

(b) An Inspector or Sub-Inspector of police at the headquarters station of every district and sub-division.- These officers are styled court officers. They are assisted by a staff of Sub-inspectors, Assistant Sub-Inspectors and Constables according to requirements.

Under the provisions of Section 302 of the Criminal Procedure Code, State Government have prescribed that police officers not below the rank of Sub-Inspectors shall conduct prosecutions.

2. Duties of court officers:

(a) The Court Inspector at district headquarters will be responsible for the prosecution of all police cases before Magistrates at headquarters, and will assist the circle Inspectors and sub-divisional Court Sub-Inspectors with advice relating to the prosecution of cases when required by them to do so. He will conduct prosecutions at sub-divisions only when so ordered by the Superintendent of Police. The sub-divisional court officer will be similarly responsible for the prosecution of all police cases in his sub-division.

- (b) The Superintendent of Police must not depute the headquarters Inspector to take up cases at a subdivision without satisfying himself that there are no urgent cases at headquarters for him to conduct, or without informing the District Magistrate of the proposed deputation.
- (c) Should a sub-divisional Magistrate, sub-divisional police officer or circle Inspector consider that any cases at a sub-division ought to be conducted by the headquarters Court Inspector, he will apply to the Superintendent of Police for the services of that officer.
- (d) When on a case coming before the Magistrate, it appears to him that the Court Inspector or Sub-Inspector should prosecute personally, he may order him to prosecute. The officer so ordered will inform the Superintendent of Police. If the Superintendent of Police finds that a particular Magistrate habitually makes use of this power unnecessarily, he should bring the fact to the notice of the District Magistrate.
- (e) The Court Inspector whether at district or sub-divisional headquarters will not be employed on clerical duties or the upkeep of registers, but he should exercise general supervision over the work of his subordinates, and will be held generally responsible for the efficient working of the court office.
- (f) The Officer-in-charge of a court office being responsible for the work of his subordinates must arrange to be kept promptly informed of everything that goes on his office, Prisoners must be produced before him directly they are brought to the court office and all papers and property received in the court office must also be shown to him without delay.
- (g) The headquarters Court Inspector will appear in appeals in police cases before the District Magistrate when such appeals are contested or when the circumstances of a particular case demand it, and the public prosecutor is not engaged to appear.
- (h) The Court Inspector at headquarters may not be taken into mufassil by Magistrates without reference to the Superintendent of Police.
- (i) Court officers will have the use of law books, law reports and the Assam Gazette in the Magistrate's library and such books, reports and gazettes may be issued to them from the Magistrate's library on their own requisition.
- (j) Court Inspectors and Sub-Inspectors must make themselves thoroughly acquainted with the contents of the Case diaries and with all particulars connected with those cases which they have to prosecute. If the case diaries do not contain full details of evidence the court officers should ascertain from the witnesses the facts they will prove, and prepare themselves for the proper conduct of the case.
- (k) All applications made to a Magistrate by a Court Inspector, or Sub-Inspector in the course of a trial should be in writing and should be filed in the same way as is done by private parties.

3. Assistance of legal practitioners or other police officers:

(a) When any other officer or person is employed by the Magistrate to conduct the prosecution of a police case, the court officer must give him all information needful to enable him to conduct the prosecution efficiently.

(b) No prosecuting Inspector or Sub-Inspector may leave the prosecution of police cases in the hands of legal practitioners engaged by private persons without the express sanction of the Superintendent of Police or the Magistrate. He may take instructions from legal practitioners so engaged, and allow them to assist him.

4. Court constables: One or more constables will be placed on duty in courts when police cases are being tried, and in all other criminal courts when available. Their duties are-

(a) to guard prisoners in the dock.

(b) to look after exhibits produced before the court.

(c) to keep order in the court.

(d) to assist the court officer in any way that he may direct.

5. Relation of court officer to superior police officers: The Court Inspector at the headquarters station of the district is directly subordinate to the Superintendent of Police and in sub-divisions to the Deputy or Assistant Superintendent of Police, if any, in charge of the sub-division. The Sub-Inspector in charge of a court office is subordinate to the circle Inspector and sub-divisional police officer, if any, who is responsible to the Superintendent of Police for the working of the police in his circle or sub-district, respectively.

6. Criticism of judicial work: All court officers must observe the instructions given in Part I, and should occasion arise for them to draw attention to what appears to them a judicial error or irregularity on the part of Magistrate they must do so in temperate and respectful language.

7. Court officer's qualifications: No officer may be appointed to hold charge of a court office unless he-

(a) has passed completely all the departmental examinations in Law and Procedure prescribed for his work;

(b) holds at least a "Proficiency" certificate in the "Finger Print Identification" system.

Prosecution of Cases (Rules 8 to 22)

8. Prosecution of non-cognizable cases and cases under Section 353, Indian Penal Code.

Although Section 24 of the Police Act (Act V 1861), empowers a police officer to lay any information before a Magistrate and to apply for any legal process as may by law issue against any person committing an offence, prosecution for non-cognizable offences, or for an offence under Sec. 353, IPC, when the public servant assaulted a police officer, must not be instituted, as a rule, without the previous permission of a Superintendent of Police. The court officer will report to the Superintendent of Police, whenever a police officer institutes a non-cognizable case without authority.

9. Cases against police officers to be reported to the superintendent of police: Whenever a complaint, cognizable or non-cognizable, is made against a police officer, the court officer will immediately send to the Superintendent of Police direct a copy of the complaint together with a copy of the order passed by the Magistrate thereon. The report of any judicial enquiry held, the result of each day's hearing and the final orders of the court when the case is proceeded with, will similarly be sent to the Superintendent of Police. Should the complaint be lodged at a sub-divisional headquarters, the court officer will send copies also to the sub-divisional police officer.

10. Prosecution of cases instituted by Government officers: When a prosecution is instituted by a Government officer and the charge is of a cognizable offence, the prosecution will ordinarily be conducted by the police.

11. Prosecution of police officers under Act V of 1861.

No prosecution of a police officer under Section 29 of the Police Act (Act V 1861), may be instituted except under orders of the District Magistrate or Superintendent of Police. The court officer will be responsible for the prosecution of such cases.

12. Prosecution of bad livelihood and gang cases.

(I) Cases under Section 109, Criminal Procedure Code -

The court officer on receipt of an accused person arrested under Section 55, Criminal Procedure Code, with a view to proceedings under Section 109 of that Code must at once adduce before the Magistrate evidence to prove the circumstances which justified the arrest. It is to be observed that this evidence, if believed is sufficient to justify the initiation of proceedings and no more evidence is essentially necessary for this purpose. It will however be the duty of the court officer to see that

there is no delay in producing further evidence required to prove identity and the character or antecedents of the accused person, etc. The examination of witnesses to prove the reasons for the arrest must not, however, be delayed pending enquires on these points.

(II) Cases under Section 110, Cr. P. C.-

(a) In the report for proceedings under Section 110, Criminal Procedure Code no more should be stated than what the prosecution propose to endeavor to prove. Before trial a note shall be prepared for the use of the prosecuting officer of the evidence obtainable from records and to be given by each witness, and this evidence should be grouped, so far as circumstances permit, according as it relates to prevalence of crime, suspicion in particular cases, movements under surveillance, association free living without apparent means of livelihood, general repute' or any other facts it is proposed to prove.

(b) In the case of bad livelihood proceedings against gangs, it is essential that the evidence should not only be generally arranged in the manner described in clause (a), but it should also be clearly stated and briefed as against each individual accused.

(c) When the case comes up for trial, the first witness called should be the investigating officer, who

should give a straight forward account of the reasons for and history of the enquiry against the accused in order to show the court that a fair and painstaking endeavour has been made to ascertain the criminals responsible before proceedings were instituted. The police station records should be produced, and the evidence available from them described, followed by any facts ascertained in the course of enquiry to which the investigating officer can depose.

(d) The court should then be informed of the different points it is proposed to establish against the accused, and the witnesses should be called in groups so far as possible, in a corresponding sequence.

(III) Gang cases –

The prosecution of gang cases both in the Magistrate's court and the Sessions court will be placed in the hands of the public prosecutor. Ordinarily all officers who took part in the investigation must be cited as witnesses and examined at an early stage of the proceedings in order to give the court an idea as to how the case started and how the evidence was collected and sifted.

13. Court officer responsible for orders under Sections 106 and 356 Cr. P. C.

(a) Section 106, Cr. P. C., lays down the offences for which an order for security to keep the peace may be passed on conviction. Court officers are specially enjoined to see that in all such cases in which the cause of friction is likely to recur and on particular in cases of riot arising from a dispute about land, an application is made to the Magistrate for an order under Section 106, Cr. P. C., binding down the persons convicted.

(b) The court officer should move the court for an order under Section 356, Cr. P. C., in the case of all offenders who have been previously convicted of an offence punishable under Sections 215, 489-A, 489-B, 489-C or 489-D of the Indian Penal Code, or of any offence punishable under Chapters XII and XVII of that code with imprisonment for three years or upwards Such previous conviction

or convictions must first be established to the satisfaction of the court and set out in the charge as required by Section 211 Cr, P. C.

14. Responsibility of court or other prosecuting officers for orders under Section 357 Cr. P. C.

Whenever a court imposes a fine, or confirms in appeal, revision, or otherwise sentence of fine, or a sentence of which fine forms a part, in any criminal case in which any person has met with his death or any serious personal injury at the hands of police as a result of ill-treatment, the court officer or any other officer responsible for the prosecution of the case will move the court to order the whole or any part of the fine recovered to be applied in compensation for the injury caused by the offence committed and forthwith send a report to the Superintendent of Police showing the steps taken and the orders passed.

15. Excise and opium cases.

On the institution of any excise or opium cases sent up by the police without the cognizance of the Deputy Commissioner or sub-divisional officer as the case may be, the court officer should at once inform him so that the Excise Department may, if they choose, watch the proceedings. The procedure as to prosecution by

court officers will be the same as in other police cases. But in excise cases sent up by excise, officers the following procedure should be followed:

(a) In cases in which the employment of an officer to prosecute is not considered necessary, the excise officer, though not formally prosecutor, will assist the court.

(b) In cases in which the employment of an officer is considered necessary by the Deputy Commissioner or sub-divisional officer. or in his absence by the senior officer in charge of his office, the police should undertake the prosecution; except when the case is of such importance or intricacy that it is considered necessary to engage a pleader.

16. Rewards under Opium, Excise and other Acts: Rewards can be granted for successful detection of cases under certain sections of the following special Acts:-

(i) Indian Opium (Act, I of 1878.)

(ii) Narcotic Drugs and Psychotropic Substances Act 1985.

(iii) Indian Arms Act, XI of 1878.

(iv) Indian Explosives Act, IV of 1884, as amended by Act VI of 1908

It is the duty of the court officer, when the circumstances are appropriate, to bring the rules connected with the distribution of rewards to the notice of the convicting magistrate and to apply for the authorized rewards on behalf of the police officers concerned.

17. Employment of Government pleader in magistrate's court: The Superintendent of Police should apply to the Magistrate of the district to retain the services of the Government pleader, or other local pleader, for the prosecution of important cases in Magistrate's courts or to support an important appeal before the District Magistrate. The court officer or other police officer acquainted with the case should, if necessary, be present to assist the pleader throughout the case.

18. Duty of superintendent of police in the prosecution of cases: The Superintendent of Police and his assistant, where he has one, should themselves take an active and personal interest in the prosecution of cases of all kinds. It will often be useful for him to be present at the trial of important police cases whether before the Magistrate or before a Sessions court. No important case should

go to the sessions for trial, which the Superintendent of Police has not personally mastered and carefully discussed with the Government pleader and investigating officer.

19. Distribution of cases amongst magistrates: The Superintendent of Police will see that the court officer does not burden himself with more cases than he can properly manage, and when necessary, will move the District Magistrate to arrange work so that not more than one case to be prosecuted by the court officer is called up by the different courts at one time.

20. Court officer's daily under-trial report.

(a) A statement in Form No. which will include sessions cases (in the district headquarters only) as well as non-police cases the prosecutions of which are conducted by the court office staff will be submitted daily to

the Superintendent of police by the court officer who will fill in the first four columns on his arrival in court. The Superintendent of Police will return it after seeing that all cases are being conducted by the correct prosecuting officers and that the senior prosecutor is conducting the most important cases. On the following day the court officer will fill in the remaining columns and will resubmit it, together with the current day's report. In forwarding the former the Superintendent of Police should invite the District Magistrate's attention to any sentence which is, in his opinion inadequate. to any matter requiring special attention and to any cases which have been remanded too often.

(b) In sub-divisions where there is a Court Inspector he will submit as above the report to the Assistant or Deputy Superintendent of Police in charge of the sub-division, if any, when present at headquarters, who will forward it through the sub-divisional officer to the Superintendent of Police. In the absence of the Assistant or Deputy Superintendent of Police from headquarters or if there is no such officers in charge of the subdivision the Court Inspector will himself send it to the Superintendent of Police through the sub-divisional officer after filling in all the columns of the form.

(c) If there is a Sub-Inspector in charge of a sub-divisional court office he will send the report to the Superintendent of Police through the circle Inspector, the Gazetted Police Officer in charge of the sub-division, where there is one and the sub-divisional officer. In the absence of the circle Inspector and the Gazetted Police Officer from the headquarters or if there is no Gazetted Police Officer at all in the sub-division the Court Sub-Inspector will himself send the report to the Superintendent of Police through the sub-divisional officer after filling in all the columns.

(d) When there are G.R.P. cases the Prosecuting Inspector at District Headquarters and the Sub-Inspector in charge of a sub-divisional court, will prepare a separate daily under-trial report for such cases and submit it to the Superintendent of Police, who after necessary scrutiny will forward it with his comments to the District Magistrate concerned.

Appeals and Withdrawal of Cases (Rules 21 to 25)

21. Appeals to High Court and to Sessions: When an appeal is preferred to the High Court against the orders of a Sessions Judge in a serious case, the Superintendent of Police should on receipt of notice of the appeal from the District Magistrate, inform him of any particularly important facts connected with the case that should be brought to the notice of the Legal Remembrancer and of any reasons why the latter should be asked to enter appearance for the State even through the

appellant is unrepresented. He should also consider, in consultation with the Magistrate the propriety of deputing the investigating officer or the public prosecutor personally to instruct the counsel representing the State in the High Court. Unless otherwise instructed by a magistrate, a public prosecutor is required to appear in all appeals before the Sessions Judge in which the appellant is represented by a pleader or counsel. The Superintendent of Police should bring to the notice of the magistrate any other cases in which he considers it desirable that the State should be represented. Such cases include those in which police officers have been convicted of mol practices, either cognizable or non-cognizable. He should also report for the orders of the magistrate any case in which the public prosecutor fails to appear though required to do so by

rule or specific instructions, or in which he considers that the conviction has not been supported properly. A complete brief, i. e. copies of Judgment, depositions, note-sheets, etc., will be prepared by the magistrate when a public prosecutor or a Court Inspector is required to represent the State in appeals or references under Section 122Criminal Procedure Code, 1973.

22. Instructing the Government pleader in sessions cases:-

(a) Whenever a case committed to sessions the case diaries, copies of the depositions and of the exhibits and a copy of the order of commitment should be made over to the public prosecutor within seven days after commitment. These should be return by him at the close of the trial with such remarks as he may wish to make. He should treat the case diaries as confidential documents.

(b) In all cases committed to sessions, whether from the sadar or outlying sub-divisions, the headquarters Court Inspector should ascertain by personal communications with the public prosecutor whether the papers furnished to him under sub-rule (a) above are complete in all details, and if not, the Inspector should supplement them with any information that may be required.

(c) If the public prosecutor requires the presence of particular officers acquainted with the facts of the case these officer should be brought in. He should be supplied with all necessary papers and information in good time, so that if further evidence in his opinion is required upon any particular point a reference may be made to the Magistrate with a view to its being obtained before the case comes on for trial.

(d) The District Magistrate and the Superintendent of Police should frequently in personal interview satisfy themselves that the provisions of this rule are carefully complied with and that the public prosecutor receives all the aid that he needs to enable him to prosecute successfully.

23. Notice of appeals in police cases.

District Magistrates will give immediate notice to the Superintendent of Police of all appeals and of all applications for revision of sentence in which the High Court issues a rule or when an explanation is called for by the court of Sessions, and act in concert with him in such cases.

24. Withdrawal of State cases: The procedure of withdrawal of pending police cases should not be resorted to except in the following cases:-

(a) Cases in which during the course of the proceedings in Court it has been found that wrong persons have been sent up owing to obvious mistakes during investigation.

(b) Cases which are so weak and are bound almost certainly to end in acquittal and which in the first instance should not have been sent to Court.

(c) Cases in which it is not desirable for reasons of State to proceed. If the investigating Officers as well as the prosecuting Inspectors and the superior officers of the Police exercise adequate vigilance during the course of the investigation and the preparation of the brief, occasions for action under (a) and (b) above should not ordinarily arise. As regard (s) there may be rare cases in which it may not be in the public interest to go on with the prosecution of a particular case but cases of this nature would also be

exceptional. In any case where for one of the reasons stated above the Superintendent of Police considers that the pending case should be withdrawn under [Section 321 of the Cr. P. C.] they should make a report through the District Magistrate to Government in the Home Department and await the sanction of Government for the withdrawal of the Court Inspector from the prosecution of the case. The Court before which the case is pending should be informed of the fact that a report has been made to Government and should be requested for an adjournment until the reply of Government is received, On no account is a District Magistrate or a Superintendent of Police to withdraw criminal cases pending in Court on his own authority.

The same remarks *mutatis mutandis* apply to criminal cases which are still in the investigation stage or in which in a charge-sheet has been submitted to the Court but the actual hearing has not started. The Investigating Officer is of course competent to submit a final report for approval of higher officers if the evidence is inadequate for further proceeding in the case but the District Magistrate or the Superintendent of Police should not for any other reason stop the investigation or withdraw the charge-sheet in a case in which the investigation has been completed and the charge-sheet submitted but proceedings in the Court have not commenced.

25. Appeals against acquittal and applications for further enquiry: Under Section 464, Criminal Procedure Code, the District Magistrate has power to call for the record of any proceeding before any inferior criminal court in his jurisdiction, and under Sections 398,399 and 400, Criminal Procedure Code, he has certain powers of ordering further enquiry, or ordering commitment to sessions or moving the High Court in revision Whenever the Superintendent of Police thinks that there is proper occasion for the exercise of these powers, he should move the district magistrate for the purpose.

In cases of acquittal where there has been a grave miscarriage of justice and the Superintendent of Police thinks that an appeal is necessary and is likely to be successful, he should with the least possible delay send the District Magistrate a full note on the case so as to enable that officer to move the Local Government to appeal to the High Court under Section 378, Criminal Procedure Code. It should be noted that as a matter of practice the Local Government declines to appeal against an order of acquittal unless moved to do so within a period of less than three months from the date of the order. Hence, the need for prompt action.

Instruction regarding evidence

(Rules 26 to 33)

26. Production of diaries: Every page of the case diaries and any connected papers received with them must be stamped with the date immediately on receipt in the court office. The case diaries may be sent for and referred to by any criminal court; but the accused or his agent is not entitled to call for or to see them unless the police officer who made them uses them to refresh his memory, or the court uses them to contradict such police officer.

Care must be taken that case diaries called for by the court under Section 172, Criminal Procedure Code, but not put in as evidence, are not attached to the record, and that they are returned by the court as soon as done

with. *Mutatis mutandis*, the same instructions will apply to any reports of a confidential nature, not admitted in evidence, the publication of which is obviously undesirable.

27. Attendance of witnesses: The following rule framed by the High Court with regard to the attendance of witnesses in court is reproduced below for the guidance of court officers:-

The police officer attached to the court, or some other responsible officer of the court, specially appointed to the duty, shall be required to make over to the bench clerk, not later than 12.30 p.m., or, if early morning sittings are being held not later than 7.30 a.m., a list, verified, dated and initialed by him, of the witnesses who, up to 12 noon, or, if early morning sittings are being held, up to 7 a.m., are in attendance for examination. The bench clerk will enter in the register of attendance of witnesses the names of the witnesses entered in the list, and also of those who, though not so entered, are actually examined. The omissions of the name of a witness from the list shall be no bar to such witness being examined if presented for examination; but no cost shall be allowed to any witness on account of his expenses for the day's attendance if he is neither entered in the list, nor actually examined.

Note - This rule in no way affects the obligation on the part of witnesses to attend punctually at the time for which they are summoned.

28. Expenses of complainant and witnesses attending court:

(a) The travelling expenses of complainants and witnesses attending court in railway or district police cases are payable by the criminal courts in accordance with the rules framed by Government under Section 544, Criminal Procedure Code. When necessary court officers will help them to obtain payment.

(b) When the complainant or a witness in a case is a Government servant and no expenses are paid to him by the court; the prosecuting officer shall see that a certificate of attendance is given him by the court to enable him to draw his travelling expenses.

29. Statement of witnesses under Section 161, Criminal Procedure Code:

Statements of witnesses recorded by the police under Section 161, Criminal Procedure Code, should be kept distinct from the case diary and any other police papers of the case. The date of receipt in the court office should be stamped on every page immediately on receipt and they should be kept in secure custody unless their production is required by a court competent to demand them for the benefit of the accused. Thus when any court sends for the police diaries, only the diary recorded under Section 172 is to be sent, and not the statements of witnesses recorded under Section 161 unless the production of the latter is demanded by the court under the 1st proviso to Section 162 (1), Criminal Procedure Code. For rules of evidence applicable see Part V. All court officers should commit to memory the instructions contained in those rules regarding case diaries recorded under Section 172, and statements of witnesses recorded under Section 161, Criminal Procedure Code.

30. Confession.

For instructions regarding the recording and verification of confessions, their object and value, etc. *See* Part V.

31. Witnesses to house search: Upon receipt in the court office of the list of property found on a search made under Section 103 or 165 Criminal Procedure Code, the date of receipt will at once be stamped on it.

The police have no power under the law to compel the attendance in court of witness to a search but if any court appears to entertain doubts regarding the identity of the articles given in the list of properties, the prosecuting officers should request the court to summon the witnesses to the search.

32. Interviewing convicts and application for conditional pardon.

(a) With reference to the instructions contained in Part V it is most important that the court officer should at once report to the Superintendent of Police when he thinks that a convicted prisoner can be interviewed with advantage.

(b) All applications for conditional pardon of approvers should be made in plain paper.

33. Finger prints and photographs of approvers: Approvers in important cases should have their photographs and finger prints (3 sets) taken without delay. There have been many cases of approvers: absconding at important stages of an investigation or trial.

Instructions Regarding Certain Police Papers and Records

(Rules 34 to 39)

34. Concise memoranda: Investigating officers are required to dispatch the charge sheet form with the original file of cases diaries to the court officer in time to reach him at least one day before the date fixed for the trial of the case.

On receipt of the charge sheet form which should be marked with the date stamp as is done with case diaries, the court officer, if an Inspector, will submit direct, or if a sub-inspector through the circle Inspector when that officer is at headquarters and the sub-divisional gazetted police officer, if any, to the Superintendent of Police a concise memorandum in Form No. 2 showing the dates on which the investigation commenced and closed, the date fixed for hearing, the main features of the case, the points to be proved, the evidence to prove them and the name of the officer who will prosecute or watch the case. If the case is to be prosecuted by a junior sub-inspector, the court officer, after preparation of the memorandum, will make over the charge sheet and other connected papers to him with such instructions as may be necessary to enable him to prosecute the case.

The court officer will return the original file of the case diaries to the investigating officer when the case is finally disposed of.

35. Prosecution of maliciously false cases and the duties of the court officer in connection therewith: When a final report in false cases accompanied by a complaint in writing for the prosecution of the informant or complainant under Sections 182 and 211 of the Indian Penal Code is submitted by the station police as laid down in Part V, the court officer shall first prepare a précis of the case from the investigation officer's diaries.

This précis will contain-

- (i) a brief history of the facts of the case,
- (ii) a list of the witnesses who will prove the case false together with the points each one of them will depose to, and
- (iii) a short criticism of the evidence. The court officer at headquarters will submit this direct to the Superintendent of Police. The court officer in sub-divisions will submit it through the Deputy or Assistant Superintendent of Police in charge, if any. The précis will be filed, with the record of the case in Superintendent of Police's office.

After submitting the précis the court officer will request the Magistrate receiving the police papers to satisfy himself as to the correctness or otherwise of the report by reference to the case diaries and immediately enter up the report in the general register. Immediately after the case is disposed of as false the written complaint will be put up to the Magistrate.

36. First information reports and Final Report Forms by whom to be laid before the Magistrate.

First information reports and final report forms must be laid as they come in, before the District Magistrate or Magistrate in charge of police cases at headquarters and before the sub-divisional officer at sub-divisions by such officers as are detailed below:-

(1) *First information reports* - By the 2nd court officer (Sub-Inspector or Assistant Sub-Inspector) both at Headquarters and sub-divisions.

(2) *Charge sheets* - By the officer who prosecutes or watches the case.

(3) *Final report forms* - By the 2nd court officer (Sub-Inspector or in his absence assistant sub-inspector) at the headquarters and at sub-divisions where there is a Court Inspector. At the headquarters and sub-divisions where the officer-in-charge of the court office is a sub-inspector this duty will devolve on him. The final report forms will not be submitted for the orders of the Magistrate until they have been subjected to the scrutiny of the circle Inspector.

The officer putting up these forms before the Magistrate is responsible for obtaining the latter's initial or order either on the forms or on the magistrate's general register as the case may be.

37. Copies of judgment to be sent to the criminal investigation department.

(a) Superintendents of Police must obtain copies of judgments in the following cases and send them to the Deputy Inspector General of Police in charge of the Criminal Investigation Department as soon as possible after their delivery-

- (i) Gang cases.

(ii) Special report cases ending in acquittal or discharge, in which there has been miscarriage of justice or any criticism made against the Police. In no other case need a copy of the Judgment be set, unless specially called for from the office of the Criminal Investigation Department, since the Superintendents of Police are themselves expected to take action in cases where this is necessary and must realize their responsibility for taking such action.

(iii) Cases in which Europeans figure as accused.

(b) The court officers of the places where the trials are held are responsible for the prompt supply of copies of such judgments to the Superintendent of Police of the district.

38. Custody of case diaries and other police papers.

All case diaries and any other papers connected with cases, will invariably be regarded as confidential and kept under lock and key in a secure box or locked almirah until the case to which they relate is finally disposed of by the orders of a magistrate or a judge, and appeal, if preferred has been decided, or the period allowed for appeal has expired. Each prosecuting officer will, for this purpose, be supplied with a box or almirah with a good lock and the key should always be kept by him. No Assistant Sub-Inspector, constables or outsider will be allowed to see the case diaries unless specially authorized by Superintendent of Police. All covers containing case diaries will be subscribed with the words "case-diaries" all will be opened only by the court Sub-Inspector or Inspector or any person specially authorized by him or his superior officers in writing.

No copies of such papers may be given without the order of the Superintendent of Police or Magistrate.

39. Court officer's connection with records: As soon as the police papers of a case are laid on trying Magistrate's table, the court officer's responsibility with regard to them ceases. He should, therefore, take care, whenever necessary, to make copies of such papers as are likely to be filed with the judicial proceedings previous to their being put in. He has no concern with the custody of the judicial records of cases or with the record office. He is on no account to retain in his possession the records of a case under trial unless ordered in writing to do so by the trying Magistrate. If he subsequently requires a copy of any portion of the record, he should make an application to the trying Magistrate and ask to be allowed to take the copy in the presence of a responsible official of the court.

Bail and recognizance (Rules 40 to 42)

40. Bail and recognizance bonds.

(a) The duty of drawing up bail and recognizance bonds and getting them duly executed devolves on the court officer.

(b) Witnesses, parties to cases, and sureties, who are required to execute bonds, shall be taken to the court office after the Magistrate's orders are passed, to have the bonds drawn up and executed.

(c) A register of bail and recognizance bonds should be kept by the court officer in Form No. 3, Court officers will obtain in column 9 of the register an acknowledgment of the receipt of bail and recognizance bonds made over to the Magistrate's office to be filed with the record.

(d) The forms to be used by the court officers for bail and recognizance bonds are prescribed in Schedule V of the Code of Criminal Procedure, 1898 (Act V of 1898).

(e) Whenever a case is committed to the court of sessions, the prosecutor and witnesses should be bound over to appear "at the next criminal sessions commencing on". It should be carefully explained that failure to attend will be severely dealt with.

41. Sureties.

(1) Court officers should make careful enquiries into the position in life of proposed sureties and, if there is any objection to their being accepted, a report should be at once made for the orders of the Magistrate dealing with the case.

(2) If any person who offers himself as a surety habitually makes a business of standing security the fact should be brought to the notice of the Magistrate.

(3) In proceedings under Sections 109 and 110, Code of Criminal Procedure, the prosecuting officer will apply in writing to the court as soon as the order to give security is passed, not to accept the securities offered without first affording him an opportunity of objecting, is necessary, to any of such securities, and of producing evidence, if required, in support of the objection.

(4) The fitness or unfitness of a security is a matter for the Magistrate's discretion, and such discretion is not limited to any particular kind of unfitness; e.g. pecuniary unfitness is not the only kind of unfitness which a Magistrate is entitled to take into consideration.

42. Money security: When money is deposited by a party as security under Section 513, Code of Criminal Procedure, 1898, the court officer will be answerable for its being promptly deposited in the treasury for safe custody. As money security cannot be taken for good behaviour, the sureties in such cases should be approved by the Magistrate.

Absconders, warrants and other processes (Rules 43 to 52)

43. Court officer to apply at once for warrant.

Whenever the charge sheet contains the names of absconders the court officer will at once apply formally, in writing for the issue of warrants against all the absconders named therein and, if the trying Magistrate refuses to issue warrants against all or any of these absconders without giving reasons for his action, or postpones the issue of warrants or declines to pass orders, the court officer will ask the Superintendent of Police to move the district or Sub-divisional Magistrate to withdraw the case under section 408 to 412 of the Code of Criminal Procedure, 1973, to his own file and then to issue warrants for the arrest of the absconding accused.

44. Issue of warrants and action to be taken on them by the police.

(a) The court officer will ask the Magistrate to fix a date, when issuing a warrant, on which the police should return the warrant executed or report that this has not been done. The date should be so fixed as to allow the police a reasonable time for proper action in obedience to the warrant.

(b) If the warrant cannot be executed after due efforts a report to the Magistrate through the court officer must be submitted in time to reach the court without fail not later than the morning of the date fixed, explaining fully the attempts made to execute the warrant and giving all particulars necessary to satisfy the Magistrate that the offender is really absconding and to justify proceedings being taken under Sections 82, 83, 84 and 85, Criminal Procedure Code. A list of property, movable or immovable, belonging to the absconder will also be sent along with this report.

(c) Warrants of arrest will usually be directed to the police for execution, but in cases of urgency may be directed to court peons.

(d) Under Section 72 of the Criminal Procedure Code when issuing a warrant to a police officer, the court may address him either by name, or by the title of his office. A warrant intended to be executed by the police should be addressed not to the court officer but the officer in charge of a police station or outpost. If the officer thus addressed desires to entrust its execution to some other police officer, the endorsement must be by name and designation. It is moreover important that he should make his authority clear by adding the words "Officer in charge" after his signature. Warrants of arrest issued in non-cognizable cases to be executed by the police will be similarly dealt with. The court officer is responsible for the dispatch of warrants to the officer in charge of a police station and outpost to whom they are addressed and it will be his duty to scrutinize all warrants received by him for dispatch, and to bring to the notice of the Presiding Magistrate any case in which the process is unsuitably directed.

(c) Warrants should be sent by the court officer direct to police station except when a special officer is necessary for the duty to be performed, in which case the court officer should take the orders of the Superintendent of Police or Sub-divisional Police Officer or, in their absence, the Magistrate of the district or Sub-divisional Magistrate. They should, When executed, be returned to the court officer direct.

45. Proclamation and attachment.

(a) On receipt of a report of non-execution of a warrant the court officer will apply to the Magistrate for issue of proclamation and attachment under sections 82 and 85, Criminal Procedure Code, respectively, against the absconder. An application for action should be made in all cases whether the accused has or has not any property. Unless an absconder is proclaimed under Section 82, Criminal Procedure Code, a private person cannot arrest him without a warrant (Section 43, Criminal Procedure Code). There is no objection to the proclamation and attachment being issued simultaneously.

(b) Three copies of the proclamation should be obtained from the Magistrate's office-one for the Magistrate's court, one for the police station and the third for the absconder's village.

(c) Police officers must comply strictly with the provisions of Section 82, Criminal Procedure Code, relating to the publication of the proclamation. The court officer will affix the copy for the court house in the presence of witnesses and will submit a report to this effect. The station officer will (i) have the copy for the absconder's village duly read out in a conspicuous part of that village and afterwards posted up at the ordinary place of abode of absconder in the presence of some of the principal resident thereof, (ii) have the third copy put up on the notice board of the police station and (iii) submit a report that action has been taken accordingly giving the names of the witnesses.

(d) On receipt of the report if everything is in order; the court officer will move the Magistrate to record a proceeding stating that the proclamation was duly made and declaring the date on which it was made. The term of 30 days within which the absconder must appear (vide Section 87, Criminal Procedure Code), will run from the date so declared.

(e) Property of absconders other than land paying revenue to Government which is ordered to be attached, will be specified in the warrant of attachment. The court officer therefore must always

take care to annex the list of property of the absconder furnished by the station officer, to his application for orders under Section 82 to 84, Criminal Procedure Code. When it is found that no property is specified in a warrant the court officer will bring the omission to the notice of the Magistrate

46. Disposal of the attached property of proclaimed offenders .

(a) If the accused does not appear within the time specified in the proclamation the Magistrate should be requested by the court officer to record proceedings declaring the property attached, to be at the disposal of the Government.

(b) If, however, the proclaimed person appears within the aforesaid time the court officer should move the Magistrate to pass an order releasing the property from attachment.

47. Recording of evidence under Section 299, Criminal Procedure Code, 1973.

(a) If all measures provided by law to compel the appearance of the absconding accused have failed, the police in important cases should apply to the Magistrate to summon the prosecutor and witnesses to appear before him on a fixed date for the purpose of having their evidence recorded under Section 299, Criminal Procedure Code.

(b) Court officer must report to the Superintendent of Police all persons' proclaimed in form No. 4 and their particulars will be published in the Criminal Intelligence Gazette.

(c) The various steps taken from time to time to cause the appearance of an absconding accused should be briefly noted in the Magistrate's general register of cases (vide Rule 73 below).

48. Dispatch of verification rolls: The court officer will dispatch to the court officer of the district in which the house of the accused is believed to be situated or in which he is believed to have been convicted

or where his antecedents are likely to be known, a verification statement in Form No. 5. This application will be signed by the court officer and be dispatched direct to the court officer concerned. The detachable foil of the form headed. "Notice of application for verification of antecedents of under trial prisoners within the province" will at the same time be sent to the Superintendent of Police concerned for information and necessary action. When however, the court officer from whom the information is required belongs to another province the application will be sent through the Superintendent of Police to whom the officer requiring the information is subordinate, and in such cases the detachable foil will not be sent.

49. Action to be taken by court officer on receipt of verification roll: On receipt of the verification application, which will be sent in a cover with the words "Verification application" prominently marked in red ink, the court officer to whom it is addressed will at once consult his indexes to the conviction register, record in the application the result of his search and will return the application direct to the officer from whom he received it, by return of post, if possible. In no circumstances should it be detained for more than four days. If the search has proved ineffectual, but there are grounds for making a reference to police station registers, the court officer will make the reference returning at the same time the verification statement with a note on it that he has done so, and going his reasons for considering a reference to police station registers necessary. To facilitate searches, court officers are directed to keep their index to the conviction register corrected up to date (See Rule 83 below).

Instances of excessive delay on the part of court officers should be reported for orders.

50. Summonses and warrants against railway servants: A summons on a railway servant should be served through the head of his department. A warrant issued against a railway servant should be entrusted to some Police officer of a superior grade, who will unless immediate execution is necessary, communicate with the railway police and if he finds on proceeding to execute the warrant. that the immediate arrest of the railway' servant would occasion 'risk and inconvenience make all arrangements necessary to prevent escape, and apply to the proper quarter to have the accused relieved, deferring arrest till he is relieved.

51. Court officer to send intimation to police station of surrender of absconder and of cancellation of warrant: When an absconded offender appears in court or is arrested by parties other than the police of the station to which a warrant was sent in the first instance, or when a warrant is cancelled under Section 70, Criminal Procedure Code, the court officer will send intimation to the police station and ask for the return of the warrant. He will also inform the Superintendent of Police of the surrender or capture to enable him to correct his register.

52. Witness arrested on warrant: Witnesses brought up under arrest should be dealt with, not as criminals but simply as persons arrested on civil process.

Custody and Production of Prisoners (Rules 53 to 60)

53. The Hajat register and the custody, escort and release of under-trial prisoners.

(i) A *Hajat* register in Form No. 6 will be kept in each court office and produced daily before the magistrate disposing of police papers who will initial it at the bottom.

(ii) The names of all prisoners to be produced each day before a magistrate should be entered in this register by the court officer. The jailor shall make over the prisoners with their warrants to the court officer's guard for production before the Magistrate.

(iii) Prisoners discharged or acquitted shall be released in open court by order of the magistrate; prisoners remanded or convicted shall be sent to jail with their appropriate warrants; and prisoners enlarged on bail or on their own recognizance, if present in court shall be released there. The court officer obtaining the trying Magistrate's initials opposite their names below his order in Column 4 of the *hajjat* register in attestation of the release, even if he is the officer referred to in clause (i),

(iv) Whenever the trial of a prisoner, who is detained pending the result of such trial, is adjourned for any reason, and a day fixed by the magistrate for the rehearing of the case, it will be the duty of the court officer to ensure the punctual attendance of the prisoner on the day fixed.

(v) The court police are responsible for escorting prisoners under trial from the jail or lock-up to a magistrate's court and for guarding them while there; also for taking back to the jail under safe escort prisoners sentenced to imprisonment by a Magistrate, or remanded in custody. When there is a reasonable expectation that under-trial prisoners will use violence or that an attempt will be made to rescue them, handcuffs may be used, but not otherwise. The court officer's guard will take the *hajjat* register with them to the jail after the courts have closed and obtain the jailor's receipt therein for the prisoners returned to the jail.

54. Search of prisoners: The court officer or any subordinate officer who has been placed in charge of the *hajjat* register, Form No. 6, will receive all prisoners, namely, those sent from police stations or from a jail for production in court and those brought from the courts on conviction or on being remanded to custody or to be released on bail. He will forthwith search all the male prisoners and have the female prisoners searched by a woman approved by the Magistrate, and will take possession of all properties and offensive weapons found on them. A receipt should be given to the prisoner on whom any article is found and which is taken from him. These articles and any properties and weapons sent by the station police, with the prisoners in charge of their escort will be entered in the *Malkhana* register, Form No. 7 as required by Rule 61. The woman who makes a search under this rule is entitled to a fee not exceeding five rupees per head, the charge being debited to the magistrate's grant for contingencies.

Immediately before the trial of cases, and before the prisoner or prisoners are brought into court and put into the dock it will be joint duty of the prosecuting officer and the police escort in whose custody the prisoner or prisoners are, to make a further and thorough search and satisfy themselves that no offensive weapons or articles capable of being used as weapons or missiles are being carried into court. Similar precautions are to be taken in the case of all other prisoners including those on bail surrendering in court.

55. Interview with under-trial prisoners while in court: Without the written permission of the presiding officer of the court before which a prisoner stands his trial no one will be allowed to have access to him whilst in the precincts of a court awaiting trial. Facilities will however always be given to a licensed legal practitioner who has obtained the aforesaid permission to see a prisoner for whose

defence he is engaged for the purpose of consultation or to get the *Vakalatnama* signed by the prisoners. On no account should a prisoner be left unguarded. Touts should never be allowed to approach an accused under trial.

56. Supply of food and drink to under-trial prisoners in custody and their removal from lock-up.

(a) Prisoners will be supplied with drinking water, whenever required, but no food will be given to a prisoner without the Magistrate's permission. All articles of food shall be carefully examined before they are passed on to prisoners, and no article the introduction of which into a prison is prohibited by any rule under the Prisons Act, 1894, may be given to prisoners or allowed into the lock-up.

(b) The rules in Part V of this Manual regarding the guarding of prisoners in station lock-Ups apply, *mutatis mutandis*, to prisoners in court lock-ups also. No prisoner may be taken out of the lock-up, except with the permission of the court officer or, in his absence, the officer performing his duties.

57. Production of prisoners and properties before the court of sessions: The court police will produce prisoners committed to the sessions and property connected with such cases before that court on the dates fixed for trial. Where the sessions is not held in the district of commitment the prosecuting officer of that district will send all the property required to be produced before the court to the prosecuting officer of the district where the trial is to be held, and communicate to him the date fixed by the Judge for the trial of each case. The latter officer will be responsible for the production of the prisoners and properties in such cases. The Superintendent of Police of the committing district will take steps to have the Government pleader instructed.

58. Attendance of police at session's court.

Court officers will arrange for the attendance of a police officer at the sessions court either on the days fixed for the hearing of appeals or on receipt of information that his services are required for the purpose of escorting to a magistrate any

accused person who has surrendered to his bail in the appellate court and whose sentence has been confirmed or modified.

59. Court officer to inform jail if prisoner is of dangerous character: It is the duty of the court officer to inform the jailor, when any prisoner whether under-trial or convict sent to jail is a desperate character, or is accused of a very heinous offence or has ever suffered from lunacy. This information will always be given by writing the word "dangerous" in red ink in the *hajat* register. It should not be endorsed on jail warrant, which should be drawn up by the magistrate's clerk. Ordinarily this information will be obtained from the charge sheet or chalan sent in by the police with the prisoner.

60. Segregation of confessing prisoners.

(a) In the case of confessing prisoners and persons made witnesses under Section 58, Code of Criminal Procedure, 1973, and also in the case in which a magistrate decides that under-trial persons should be segregated, the court officer will communicate the fact to the jail in order that such persons may be kept apart from other accused persons in the same case.

(b) When the accommodation in a sub-jail is insufficient for the purpose, the court officer should at once

bring the fact to the notice of the superintendent of police who will suggest to the District Magistrate the desirability of keeping such persons in the headquarters jail whenever practicable, and of sending them to the sub-divisional court on the dates on which they may be wanted.

Property Connected with cases (Rules 61 to 63)

61. Custody of property in the court office; The Malkhana and its register.

(a) *The Malkhana* - A secure room known as Malkhana will be provided for the safe custody of property for which the court police are responsible; such as stolen property sent up for identification; property found on under-trial prisoners; property forwarded as exhibits in criminal trial; unclaimed property taken possession of by the police under Section 25 of the Police Act. (Act V of 1861); suspicious property sent in under Section 457, Cr. P. C. and all other property which may be taken charge of the police and sent to court, or for the custody of which in a Malkhana magistrates may pass orders.

The keys of Malkhana should kept by the court officer who is responsible for the safe custody of its contents. He is also answerable that no one tampers with the exhibits of cases sent to court. In the room which should be kept scrupulously clean, there should be a strong box with a good lock for valuables, such as ornaments, money or documents. Every article kept in a Malkhana should be neatly labelled to tally with the number in the register. To avoid the mixing up of articles the year of the register will be entered on the label below the number of Malkhana register entry, thus, M. R. 40/25 on the label of an article will indicate that the article in the Malkhana register of 1925 is entered as No. 40. No private property belonging to a court officer or anybody also should be kept in a Malkhana. Court officers who are in charge of Government money are authorised to keep their cash boxes in district and sub-divisional treasuries.

(b) *The Malkhana Regtster* - All properties received in a Malkhana should be entered in the book called the Malkhana register - Form No. 7.

When property is sent to court, full information concerning it should be furnished so as to enable the court officer to fill in the register.

As soon as the property comes in the Magistrate's order concerning it should be obtained and recorded in Column 9 of the register. Similarly the disposal order of a property should be initiated by the Magistrate in Column 10 of the Register, which should be put in routine cases along with Fundamental Rules to Magistrate.

At the end of the year, the Malkhana Register number of all properties of cases which are pending with the Magistrate will be entered in red ink on the first page of the new Malkhana Register, and will be struck off as the properties are disposed of, the final orders being also entered in the old register.

A special Register of property for cases which at the moment are not actually under-trial, but which may in future be subject to revival, such as cases against absconders, or against persons who have been held to be

temporarily insane, etc., should be maintained similarly to the Malkhana Register. This register will not be re-written annually, but will be maintained until all the properties entered therein are disposed of finally.

The Court Inspector at Sadar and the Circle Inspector at a sub-divisional headquarters shall certify that all outstanding entries have been correctly brought forward.

(c) The Court officer shall put up his Malkhana register for a thorough inspection once a month by the Superintendent of Police at headquarters, and by the Sub-Divisional Police Officer or Circle Inspector, as the case may be, at each sub-divisional headquarters.

(d) All exhibits in the Excise and Opium Act cases shall be entered separately in a second part of the same register and the Court Officer shall take steps for their disposal as soon as the cases concerning them are completed.

62. Disposal of property kept in the Malkhana.

(a) After a case is disposed of, the court's order for the disposal of the property connected with it should be taken but except where the property is live-stock or subject to speedy and natural decay, such order should not be carried out for one month, or, when an appeal is presented, until such appeal has been disposed of.

If however the court orders the delivery of such property to any person claiming to be entitled to the possession thereof, on his executing a bond engaging to restore the property to the court if the order of disposal passed by it is modified or set aside on appeal, the property should be immediately delivered to such person.

(b) In cases where any property sent up is not ordered to be sold, confiscated or destroyed but given back to the owner the order for its return will be written across the forms or in the column of remarks in the register and the authority sanctioning it should be entered. A judicial officer ordering the disposal of any property should initial his order and the receipt of the person receiving the property must be taken in the register.

(c) When any property is no longer required by the court, such portion of it as consists of cash, bullion, gold and silver ornaments, or other valuable articles of small compass, should be deposited in a treasury, articles other than cash being kept in a separate small box in charge of the treasurer.

(d) Orders should be taken to convert perishable property kept in a Malkhana into cash at the earliest date the law allows.

(e) In the case of property which has been proclaimed under Section 457, Cr. P. C., the date of expiry of the period of proclamation should be entered in the remarks column of the register so as to enable the court officer to obtain orders regarding its disposal.

(f) Police officers are not entitled to any commission for the sale of Unclaimed or other property.

(g) Court and other prosecuting officers should move Magistrates and sessions judges ordering property to be confiscated, etc., to direct that interesting exhibits, such as articles which indicate new methods of committing crimes should be sent for disposal to the Deputy Inspector General of Police in charge of the C. I. D., Nagaland. After he has done with item the latter officer will send cash of these articles to the Principal, Police Training School or the Director, North Eastern Police Academy to be kept in the Criminal Museum as appear useful for the training of constables or cadets.

63. Concerning License Weapons:-

(i) As soon as a license to possess arms is cancelled, or the licensee dies, an order, with full particulars of the arms covered by the license shall be issued by the Magistrate by registered post to the licensee or to the heir of the deceased licensee directing him to deposit the same at the Police Station in which he lives within 14 days of the receipt of the order and warning him that in the event of his failure to do so he will be prosecuted under the Indian Arms Act, 1939. A copy of such order should be sent to the officer in-charge of the Police Station for information and guidance.

(ii) Within 14 days from the date of deposit at the Police Station, the Officer in-charge shall forward the weapon with the license to the Court officer with a chalan in triplicate,

(iii) **Malkhana Arms Register** - On receipt of the weapon in the Court, the Court Officer shall acknowledge receipt in the duplicate copy of the chalan and return it to the Police Station to be filed. He shall then make the necessary entries in the Arms Register of the Malkhana (Form No. 8 and make over the triplicate copy of the chalan to the assistant in-charge of licenses (with the license, if received), after endorsing on it the date of deposit in the Malkhana and the number of the entry in the Arms Register of the Malkhana. The assistant in-charge of licenses shall enter the date of deposit and the number of the entry in the Arms Register of the Malkhana, in his Arms Register and shall file the triplicate copy of the chalan,

(iv) The description of arms and ammunition in the Malkhana Register must be full and detailed, so that it may be impossible at any time for other weapons to be substituted without detection. All names, numbers and marks which the weapon may bear must be recorded in addition to other full particulars, viz., whether rifle or smooth bore single or double barrel, muzzle or breach leader, number of chambers in the case of revolvers, numbers of cartridges that fit in the magazine in the case of automatic weapons, etc.

The stock must be verified, item by item, whenever the Malkhana is inspected, and the weapons should be so numbered and arranged as to facilitate verification.

(v) Every officer on assuming charge of a Court office shall personally compare the arms in stock in the Malkhana, item by item with their descriptions in the Arms Register of the Malkhana, and shall enter a certificate to this effect in the register. in his own hand signed and dated.

(vi) The Magistrate in charge of licenses shall inspect the Court Malkhana twice a year and shall compare the arms in stock with the Arms Register of the Malkhana and. with his Arms Register.

(vii) If a license, which has been cancelled, is subsequently renewed, the Magistrate shall issue to the Court officer an order, over his own signature, to make over the weapon, covered by it, and shall also inform the licensee that the license has been renewed.

(viii) The court officer shall take the order of the District Magistrate for disposal of confiscated or forfeited weapons in accordance with Rule 55, Chapter IV of the Indian Arms Act Manual, 1927. The officer who disposes of the arms and ammunition shall satisfy himself that the number and description of the weapon and ammunition agree with those given in the Malkhana register and shall sign Column 12 of the Register.

(ix) The register should be continued for one year, at the end of which all pending entries will be brought forward in red ink on the first page of the new Arms Register of the Malkhana, and will be struck off as the weapons are disposed of, the final orders being also entered in the old Register.

Note - The word "arms" is used in this rule to indicate arms, ammunition and military stores as defined in Section 2 of the Arms Act, 1959 (54 of 1959).

64. Property found on prisoners and their disposal.

(a) The property found on search of a prisoner's person unless it has any concern with the case should be given over to any person in the presence of witnesses on the request and on the receipt given by the accused.

(b) An accused person is entitled to use such property in any lawful way he likes save that he may not take it with him into the lock-up or jail, if he is remanded to custody, where he should be allowed to take only necessary clothing.

(c) If an accused does not demand the property it will be sent to the court with the prisoner in charge of escort, a list thereof being forwarded with the prisoner's forwarding report.

Station officers should grant receipts to prisoners from whom they take such property and court officers should see that prisoners hold such receipts; printed receipts in Form No. 9, must be granted for money received. Court officers shall report to the Superintendents of Police any breach of this rule.

(d) When an accused is enlarged on bail by the court or when the case against a prisoner in custody is disposed of, the court's order as to the disposal of such property should be obtained and forthwith carried out. If the accused has been sentenced to imprisonment the property should be sent to the jailor unless the prisoner disposes of it otherwise. If the prisoner has sentenced to a fine which has not been realized a distress warrant should immediately be obtained and the property found in possession of the man be attached and sold in payment of the fine.

Books and Registers (Rules 65 to 95)

65. Keeping of books, registers and files in the court office: A list of books, registers and files to be kept up in the court office is given in Appendix A. The senior court officer will be generally responsible for

the maintenance of these registers, but prosecuting officers must, as far as possible, be relieved of the duties of writing registers, the work being done by assistant sub-inspectors.

All pages of court officer's registers issued in manuscript should be carefully numbered, and each book should be signed at the commencement by a responsibility officer to be told off for the duty by the Superintendent of Police. This officer should also certify to the number of pages in each book. No certificate is required as regards printed paged registers.

66. Magistrate's general register of cases, (Form No. 10).

(a) The principal objects of this register are that a magistrate having jurisdiction may have clearly laid before him all cognizable cases reported to the police, that his final orders may be taken on every individual case, and that facilities may be obtained in making out crime returns.

(b) Cognizable cases in which a magistrate issues process on complaint made to him or of his own motion, but in which no first information has been laid to the police or enquiry conducted by them, will not be entered in the general register.

(c) The duty of dealing with cases submitted in final report form should, if possible, be undertaken by the Deputy Commissioner at headquarters and must be undertaken by the sub-divisional magistrates in subdivisions. If for any reason the Deputy Commissioner is himself unable to undertake the duty he will make it over to an Assistant Commissioner or to a senior Extra Assistant Commissioner.

(d) The senior court officer is responsible that the register is properly written up, but in order to leave the senior officer free to prosecute cases the actual writing of the register and its submission to the magistrate should, at headquarters of districts, ordinarily be entrusted to a competent subordinate officer of the court of not lower rank than an Assistant Sub-Inspector.

67. Custody of first information report and their entries on receipt in the court offices.

(a) The first information report will remain with the court officer until the case comes before a magistrate for enquiry or trial, when it will be made over to the bench clerk of the trying magistrate.

(b) On receipt of the first information report of a case from a police station or outpost the court officer will fill in columns 1 to 8 of the general register and after recording on the top of the first information report its number in the general register, will submit it and the register to the magistrate who will initial column 9 of the register. First information reports of heinous or important cases should, however, be submitted to the magistrate immediately after receipt.

Every case which is reported at a police station during a year, no matter when the crime was committed, will be entered in the general register and will receive a consecutive number for that year, even though the first information may not have been received until after the end of the year. The monthly consecutive number should also be given below the

yearly number, thus -----
119 (yearly number.)
5 (monthly number.)

68. Entries to be made on receipt of final papers.

(a) As soon as the final papers of a case are received by the court officer, whether a charge sheet or final report form, he will fill in columns 10 to 14 of the register and again submit it with the final report charge sheet to the magistrate. The Magistrate, if a charge sheet has been submitted, will either take the case on to his own file or will pass orders, to be entered in column 15 as to which magistrate is to try the case.

(b) When the case has been tried and disposed of, the court officer will enter in column 16 the order of the magistrate as to the commitment, conviction, acquittal, or discharge of the accused, and obtain the magistrate's initial to the entry. The order should make clear how the case is to be shown in the returns, what amount of property is to be entered in the *Khatian* register as stolen and recovered, and how any property or exhibits connected with the case are to be disposed of.

69. Entries to be made when no charge sheet is submitted.

(a) If a charge sheet has not been submitted the magistrate will pass such preliminary order as he may consider necessary, e. g., for further enquiry or for the complainant to produce his witnesses, and such order will be entered in column 15, or if no preliminary order is required he will pass final orders and enter them in column 16.

Here again the entry in column 16 must indicate clearly how the case is to be shown in the returns, what amount of property is to be entered as stolen and recovered in the *Khatian* register, and how any property of which possession has been taken of by the police is to be disposed of.

(b) In cases of alleged theft of property in which investigation has either been refused by the police or in which a final report has been submitted after investigation on the ground that the matter in dispute should be decided by a civil court, no property should be shown as stolen or recovered either in the general or *Khatian* register. Court officer putting up police papers should draw the attention of the magistrate to this when necessary.

Note - No property should be shown as stolen or recovered in the general or *Khatian* register in a case which is decided by a magistrate as civil dispute, even though a charge sheet was submitted by the police.

70. Instructions for entry in column 16.

(a) The order in column 16 for entry of the cases in the returns must take one of the following forms:-

Not investigated..... Enter section.
True Enter section.
Intentionally false Enter section.
Mistake of law Enter section.
Mistake of fact Enter section.
Non-cognizable Enter section.

(b) The above represents the classification recognized for statistical purposes in crime Statement AI prescribed by the Government of India, and all cases must be brought under one or other of the above classes.

Orders such as "dismissed", "struck off as false", "doubtful", are not explicit and do not indicate how the case is to be entered.

If a magistrate notwithstanding treats a case as doubtful it must be entered in the returns as true.

71. Miscellaneous instructions.

(a) The names of all accused persons charged with offences under Chapters XII and XVII and Section 215 and 489 (A to D) of the Indian Penal Code whose real names and residences are not known should be underlined in red ink. The names of persons residing outside the district should be doubly underlined.

(b) Persons who have been arrested and subsequently released by the police on bail and have not been required to appear before a magistrate will not be shown as acquitted.

(c) The entries in columns 10 to 14 relating to a case in which the final report has not been submitted within 14 days from the date of drawing up the first information report, will be made in red ink.

Similarly entries in columns 15 and 16 subsequent to a case having been remanded three times will be made in red ink. Dates of remand should be noted in column 15.

(d) In cases in which the accused are at large and should be arrested, a conspicuous red cross should be made in the column of remarks, so that it may be seen at a glance what cases of this nature are pending.

(e) To ensure absconders not being overlooked, the number of persons charged should always be shown in column 8, and all these persons should be accounted for in column 12, thus:-

Sent up..... Madar Buksh.

Not proved against Sheikh Salim.

Absconded Mahomed Ali.

(f) When an offender who has been previously convicted is sent up for trial the letters "P.C." should be written in red ink in column 12 against his name.

(g) If the case ends in conviction the orders should be entered on conviction and not on expiry of the period allowed for appeal. If a sentence be quashed or modified on appeal, a note of the order should be made in red ink in the general register to ensure entry of the amended order in the khatian register and information should be sent to the police station as required by Rule 80.

(h) Against the name of any convict regarding whom orders under Section 356, Cr. P. C. have been passed, P. R. T. - 356, should be noted the general register in the column of remarks.

(i) In column 17 the court officer will enter a reference to the corresponding entry in the khatian and note the date of the dispatch of the final memorandum.

(j) All railway cases should be distinguished by a conspicuous red ink "R".

(k) The conviction of any wandering gang or any member or member of a wandering gang will be indicated by the letter V in red ink in the Magistrate's general register.

(l) At the end of the year the General Register number of all C8IeI which are pending with the police or before the Magistrates will be entered in red ink on the first page of the new General Register and will be struck off as the cases are finished, the final orders being also entered in the old register.

Cases which, though at the moment not actually under trial, but which may in the future be subject to revival, such as those against absconders, whether or not evidence has been recorded under Section 299, Criminal Procedure Code or against persons who have been held to be temporarily insane should be entered in detail in a separate register similar to the Magistrate's General Register. The register will not be re-written annually, but will be maintained until all the case entered therein are disposed off finally.

72. Non-first information report register for court: A register of cases in which a first information report is not used, will be maintained in court offices in form No. 9. In this register cases under Sections 107, 108, 109 and 145, Cr. P. C. cases under the Police Act (Act V of 1861), etc., that is, cases which are entered in the police station non-first information report register, as also cases in which Magistrates send direct complaints to the police for summary enquiry and report, should be entered. A few pages of the register should be set apart for each police station in the sub-division. All reports by the police in cases which come under the category are to be submitted to the Magistrate through the court office. On receipt of the report the court officer will enter shortly the details of the Case in his register, the entries being made serially for each police station separately and put up to the Magistrate for orders. When the Magistrate's final orders have been passed, they will be noted in the proper column in the register and communicated to the police station concerned in the form of a final memorandum, a separate book being kept for this purpose and cross references made to the non-first information register.

73. Magistrate's Register of un-natural deaths: A register of un-natural death cases will be maintained in Court Offices. On receipt of first information of an unnatural death case from a police station the court officer will enter shortly the detail in the register; and put it up to the Magistrate with the F. I. R. for orders. When the Magistrate's final orders have been passed, they will be noted in the proper column in the Register and communicated to the Police Station concerned by a "Final Memorandum", the same form being used as in General Register cases, but a separate book being kept for this purpose.

74. Submission of final memoranda: (a) A final memorandum in Form No. 11 will be sent by the court officer in the following cases:-

(i) Cases in which a first information report has been used i.e. cases which have been entered in a Magistrate's general register.

(ii) Cases entered in the register maintained in the court office for cases in which a first information report is not used, including cases under Sections 182 and 211, I. P. C. arising out of police cases.

(iii) Cases other than those mentioned above which are required to be entered in the court conviction

register and the village crime note book. These are Magistrates' direct cases and the information can be obtained from Magistrates' records.

The court officer will dispatch the outer and middle foils of the final memorandum to the Superintendent of Police through the Circle Inspector and sub-divisional police officer (if any) the counterfoil being kept in the court office for future reference. In cases of appeal a subsequent final memorandum need only be sent when the orders of the original court are changed by the appellate court.

(b) *Action by the circle Inspector and the sub-divisional police officer in forwarding final memoranda:-* In forwarding to the Superintendent of Police the final memoranda in charge sheet cases and cases under Sections 109 and 110 the circle Inspector and sub-divisional police officer if any, will record their recommendation for surveillance and any remarks they may consider necessary regarding the conduct of the police, the adequacy of the sentence and in cases ending in acquittal or discharge, the failure of the prosecution.

(c) *Action by the Superintendent of Police :-* The Superintendent of Police will note on the final memorandum whether the convict is to be placed under surveillance, whether he is to be made P. R., P. R. T. or P. R. T. - 356 and whether a history sheet is to be opened for him. The outer foil of the memorandum will then be sent to the police station. The final memorandum will not be filed by the Superintendent of Police until final orders regarding all absconders are passed. On the back of the final memoranda of cases ending in acquittal or discharge, the Superintendent of Police, if he takes no other action, should point out to the investigating or prosecuting officer the reasons for the failure of the cases. When the Superintendent of Police makes any observation regarding the prosecution or imparts any instruction to the prosecuting officer in the memorandum a copy of the same will be sent to the court officer.

(d) *Action in the police station :-* The outer foil or the final memorandum with the Superintendent of police's orders thereon forwarded to the police station should be filed with the first information report, case diaries and other papers of the case after proper action has been taken and necessary entries made in the registers concerned.

75. Instructions for writing final memoranda: - In all cases in which the real names or residences of persons charged with offences under Chapter's XII and XVII and Sections 215, 489-A, 489-B, 489-C, and 489-D of the Indian Penal Code, are not known, the entries should be made in red ink. When cases end in acquittal, or discharge, the reason therefore will be noted briefly on the back of the final memorandum and a full copy of judgment will be attached. A copy of any comment made by a magistrate or judge on the conduct of the police, whether complimentary or adverse, must be attached to each copy of the memorandum.

In order to ensure that the descriptive roll of a convict, as given in the court conviction register, should agree with that given in the history sheet continued in Part V of the village crime note book, court officers when sending the final memoranda of cases which have ended in conviction, will note on the back of the outer foil of each final memorandum, the descriptive roll of the convict which has been entered in their court conviction register.

76. Compilation of annual crime returns:- In August or September court officers will compile and check the figures for the annual returns for the first half-year; in November these figures will be brought up to the end of the third quarter and in December up to the end of November to avoid delay in submission of the returns. Sub-divisional court officers must submit the annual crime returns relating to the sub-division in a complete and correct form, together with a short note of important

cases. If, after the returns have been examined at headquarters, the Superintendent of Police considers that in order to reconcile discrepancies the presence of the sub-divisional court officer is necessary, he may direct him to come to headquarters but should not detain him for more than a week. If an assistant sub-inspector or junior sub-inspector attached to the sub-divisional court staff can explain the discrepancies, he should be sent for in preference to the officer in charge of the court.

77. Khatian register:- (a) To facilitate the preparation of the annual crime statements a Khatian register composed of compilation sheets in form No. 12 will be kept at each headquarters and sub-divisional court. Each description of crime to which a separate serial number is assigned in the classified list of crime should have consolidated sheets for all police stations and independent out posts. Offences which are very rare may perhaps not require many sheets while cases entered under serials Nos. 29 and 33 and some others may require more sheets. A reference to the statistics of past years will indicate fairly accurately the amount of space to be allotted for each serial for all police stations and outposts.

(b) (i) Cognizable cases taken up by the police *suo motu* upon report and otherwise than upon report and also cognizable cases of a petty nature in which first Information reports are not sent in, including cases under Sections 109 and 110, Cr. P. C., should be shown in columns 3 to 13 of the Khatian; the total of these columns will give figures for the corresponding columns 4 to 14 of Statement A, Part I. Cognizable cases instituted on complaints made to a magistrate, whether referred by him to the police or not, will, if found true, be shown in column 14 and, if they result in conviction, in column 15 also but nowhere else. If found untrue and dropped by the magistrate, they will not appear in the register or statement. The possible case of a complaint made to a magistrate and referred to and found false by the police which nevertheless is taken up by the magistrate and results in a conviction will appear both in columns 14 and 15.

(ii) Cases in which first information reports are submitted are recorded in the general register of cases, and from this register should be gathered the information for the Khatian with respect to such cases. Cognizable cases instituted by complaint or petition to a magistrate, and referred to the police for investigation, are also entered in the general register, and will be shown in the Khatian in red ink, but will not be entered in Statement A, Part- I.

(iii) Cognizable cases under municipal, railway and telegraph bye-laws, cases under Section 34 of the Police Act (V of 1861), Section 120 of the Indian Railways Act, IX of 1890, and under Sections 109 and 110 C. P.C., are not reported in first information reports, *vide* Part V, and are consequently not entered in the general register of cases. These cases are however entered in the magistrate's register of unimportant cases in which no first information report is used as also in the similar register now maintained in the court office

and for the purpose of their entry in the Khatian and inclusion in the annual Statement A, Part- I, the former register should always be consulted.

(c) Cases pending with the police and before the magistrates and the sessions courts at the close of the year should be shown in columns 3 and 9 of the Khatian and should be brought forward in red ink in the register of the following year.

(d) When entering a case from the magistrate's general register, register of miscellaneous cases, or from the register of non-first information cases, the number of the entry in column 1 of the compilation sheet should be noted in the column of remarks in the register from which the entry is made, thus creating a perfect link between the registers and the compilation sheets.

(e) District and sub-divisional magistrates will direct the ministerial officer who keeps the registers of miscellaneous cases and of cases in which ne first information reports are used to let the court officer have the book for a short time every day and give him a note of the cases decided since the previous day in order that the Khatian may be written up.

(f) At the end of the year separate totals should be made of black ink entries of completed offences and of attempts. Annual Statement A, Parts I and II, will be prepared from these black ink entries in the Khatian. Separate totals must also be made of the red ink entries to show the cases instituted by complaint to magistrate which were referred to the police for investigation and which are not to be entered in Statement A, Part I, but will serve for the preparation of the departmental report.

As attempts, except under Serial No. 29, are not likely to be many in number, it will be sufficient to make a list of cases of attempts in one of the spare columns at the end of the Khatian form.

(g) The Khatian register should never be allowed to fall into arrears. It should be totaled quarterly.

(h) On receipt of intimation that an appeal has been lodged, the court officer will write a large "A" in red ink on the left hand side of column 1 of the Khatian register against the entry concerned, and when the final result of appeal is known, the necessary alterations, if any, will be made in the columns relating to convictions and acquittals, lastly in one of the spare columns of the Khatian register will be entered the number of cases and persons acquitted by the magistrate, Sessions Judge, Or High Court. The court officer will initial his Khatian register twice: first, when he writes "A" opposite case, the and the second time when he enters the final result of the appeal.

(i) After the close of the year, the court officer will satisfy himself by personal enquiries that he has entered in the Khatian register the result of all appeals finally decided up to the 31st December.

(j) The register will be closed on the 31st December. Pending cases will then be brought forward and entered in the register of the new year.

78. Instructions for filling up columns of Khatian register:- The following instructions for filling up certain columns of the Khatian should be carefully followed:-

Column 3 should include all cases either pending with the police for investigation or with Magistrates for trial or final orders.

Column 4 should include not only cases taken up by the police upon report but also cases instituted without report, as for instance on the personal knowledge of the police, on the confirmation of a suspicion, rumour or anonymous or pseudonymous petition, etc., as authorized in Part V of the Manual.

Column 7 should include all cases declared by a magistrate to be maliciously false, whether the order was passed after an enquiry or trial or without any judicial enquiry.

Column 8 should include all cases declared by a magistrate to be false owing to mistake of law or fact, or non-cognizable, whether the order was passed after an enquiry or trial or without any judicial enquiry.

Column 9 should include cases pending with police for investigation cases under trial at the close of the year cases pending final orders of the magistrate, and pending cases in which the police did not send up the accused but the magistrate sent for them for trial of his own motion.

Column 10 should include cases sent up for trial by the police and cases in which the police did not send up the accused person, but a magistrate of his own motion sent for him and tried the case. A case should be shown 'as convicted when any of the accused sent up is finally convicted of a cognizable offence by any competent court. When a case is acquitted on appeal it should be shown as such in columns 11 and 17, necessary corrections being made in these columns.

If a case ends in the conviction of an accused under a non-cognizable section, the case will be shown under columns 4, 6 and 8 of the Khatian and the person in column 25 (and in the spare column for "otherwise disposed of").

Column 11 should include cases which were sent up by the police and cases in which the police did not send up, but a magistrate of his own motion sent for the accused and tried the case. Cases in which the accused died, escaped or was declared a lunatic during trial or in which charges were abandoned compounded or withdrawn (Sections 256, 257, 249, 320, 321, Cr. P. C. should not be included in this column. They must be shown in additional columns provided for the purpose in the remarks column. Acquittals on appeal will also be shown as such in column 11 if they occur during the year.

Column 12 should include all true cases reported as undetected as well as cases in which it is not known whether the offence was or was not committed.

Columns 14 and 15 - Figures will be obtained from the magistrates' office.

Note - The three columns **14, 15** and **16** should contain all cognizable cases instituted direct to a magistrate whether referred to police for investigation or not.

Column 24 - This column should not include persons released on bail by the police under Section 169, Cr. P. C. before the commencement of the year, But if any such persons are subsequently sent up for trial during the year the entry should be corrected, and they should be shown in this column, a note of the fact being made in the remarks column. As regards those not required to appear by a magistrate, i.e., those released on bail under Section 169, Cr. P. C. a note may be made in a spare column so that all persons pending before the police at the end of the year may be accounted for.

Column 26 should include not only all persons arrested by the police in ordinary course but also (a) any person arrested under a magistrate's order after investigation had been refused by the police or after the police had reported the charge to be false, and (b) any accused who appear voluntarily for trial. In cases (a) and (b) a note should be made in the remarks column.

Column 27 should include, besides persons released by the magistrates, persons who died or escaped and were not recaptured before trial, a note being made in the remarks column of those who died or escaped.

Column 28 should contain figures in columns 2S minus columns (26 plus 27).

Column 29 should include all persons convicted of cognizable offence including those dealt with under Section 360 (3) to (6) Cr. P. C., those convicted under a non-cognizable section being shown under a spare column for "otherwise disposed of"

Note - Columns 28, 29 and -30 are meant for persons concerned in true cases only.

Column 30 - Persons concerned in cases abandoned, compounded, withdrawn (including accomplices, pardoned under Sections 306 and 307, Cr. P. C.) and those who died, escaped or became insane during trial should not be shown in this column but in additional columns in the remarks column. Persons acquitted on appeal will be shown as such in the remarks column if the acquittal takes place during the year, necessary corrections being made in this column.

Columns 33, 34 and 35 should be filled up by figures obtained from the magistrate's office.

79. Utilization of spare Columns of Khatian: The spare columns may, with advantage, be headed thus, when necessary:-

(1) Under Serial No. 9:	Column No. 44	cases ending in loss of life
	„ 45	cases of serious riot.
	„ 46	persons bound down under Section 106, Criminal Procedure Code.
(2) Under Serial No. 11:	Column No. 44	by strangulation
	„ 45	by poison
	„ 46	number supposed to have been concerned
	„ 47	murder of legitimate children by mothers.
	„ 48	such cases in which Judge recommends reduction of sentence
	„ 49	such cases in which no such

		recommendation is made.
	„ 50	murder of illegitimate children by their mothers.
	„ 52	murder for gain
(3) Under Serial Nos. 18, 24, 31, 32 and 37.	Column No. 44	cases compromised.
	„ 45	persons acquitted on compromise.
	„ 46	cases withdrawn.
	„ 47	persons acquitted under Section 256 Cr. P.C after appearance before the magistrate.
(4) Under Serial Nos. 2. 8. 9. 10, 27 and 40.	Column No. 44	cases withdrawn.
	„ 45	persons acquitted under Section 256. Cr. P.C after appearance before the magistrate.
(5) Under Serial No. 25.	Column No. 44	house dacoity.
	„ 46	road dacoity.
	„ 47	technical dacoity.
(6) Under Serial No. 29	Column No. 44	attempts Sec . 457, 511 Indian Penal Code.
	„ 45	attempts with thefts Sec. 457, 380 IPC.
	„ 46	attempts without theft Section 457 IPC.
	„ 47	number of charge-sheet forms in cases first refused enquiry.
	„ 48	number of such charge-sheet forms convicted
	„ 49	number of persons sent up in cases first refused enquiry.
	„ 50	number of such persons convicted.
(7) Under Serial No. 33. (Theft ordinary)	Column 46	number of charge-sheet forms in cases first refused enquiry.
	„ 47	number of such charge-sheet forms convicted.
	„ 48	number of persons sent up in cases first refused enquiry.
	„ 49	number of such persons convicted.

(8) Under Serial No. 41	Column No. 44	cases in which Superintendent of Police personally sanctioned prosecution of Police report.
	“ 45	cases in which persons bound down for three years.
	„ 46	cases tried in accused village.
(9) Under Serial No. 41 (Vagrancy and bad character).	Column No. 47	cases in which persons bound down for one year.
	„ 48	cases in which security was accepted.
	„ 49	amount of security ordered.
(10) Under Serial No. 41 (Excise Act).	Column No. 44	cases instituted by police.
	„ 45	cases instituted by excise officer.
	„ 46	amount of fine imposed.
	„ 47	amount of fine recovered.

Note - (i) Against Serial Nos. 18, 19, 20, 24, 26 and 32 the number of cases ending in deaths should be noted in one of the spare columns.

(ii) Spare columns will also be utilized under different serials for noting information such as-

- (1) Cases and persons transferred.
- (2) Cases and persons received by transfer.
- (3) Cases of death and escape, etc. before trial and persons concerned in them.

(4) Cases of death, escape and lunacy during trial and persons concerned in them.

(5) Cases and persons otherwise disposed of.

(6) Charges abandoned and persons discharged.

(7) Number of persons made approver under Sections 306 and 307 Criminal Procedure Code. 1973

(8) Heinous offences supervised by Superintendent of Police, Assistant Superintendents of Police and Deputy Superintendents of Police. Circle Inspectors.

(9) Cases professional.

(10) Number of persons supposed to have been concerned in professional cases.

(11) Number of persons pending on police bail under Section 169 Criminal Procedure Code at the close

of the previous year and not required by a magistrate to appear during the year.

(12) Number of cases of attempts.

(13) Result of cases committed to the sessions for trial, i.e. –

Number of cases committed.

Number acquitted.

Number convicted.

Number persons committed.

Number acquitted.

Number convicted .

80. Register of appeals: A register in form No. 13 will be maintained in all court offices. In the Sadar Court office register should be shown all cases of appeals heard at the headquarters of the district and by the High Court. The sub-divisional court office register should show only such appeals as are heard at the sub-divisions by the sub-divisional or other magistrates of the first class empowered under Section 407, Criminal Procedure Code to hear appeals.

The orders of Government require magistrates to send early notice of appeals to the Superintendent of Police - The court officer, on receipt of the notice, will make the necessary entry in the register and also in the general and Khatian registers, and then acknowledge receipt of the notice.

On hearing the result of the appeal, the court officer will also make the necessary entries and corrections in the general and Khatian registers. He will also communicate the result of the appeal to the Superintendent of Police, and note the fact in the column of remarks in the appeal register.

The appeal register should be put up once a week at headquarters before the Superintendent of Police, and at sub-divisions before the sub-district police officer or circle Inspector. These officers will satisfy themselves that cases on appeal are properly conducted and that no failure of justice has occurred owing to the State not being represented.

81. Register of persons convicted of heinous offences, Form No. 14: The Register will be kept in English at all headquarters (as for the procedure to be followed in sub-divisional Courts see the following rule) –

In it will be entered the names of all persons convicted of the following offences:-

(1) Offences or attempt at, or abetment of offences under Chapters XII and XVII, I. P. C.-Punishable with whipping or with imprisonment for three years or upwards and also offences under Sections 356 and 215, I. P. C.

- (2) Murder and culpable homicide Sections 302 and 304, I. P. C.
- (3) Criminal conspiracy, when the offence which is the object of the conspiracy is exclusively triable by the Court of sessions Section 120-B, I. P. C.
- (4) Personating a public servant, or attempt at or abetment of the offence Sections 170 and 171 I. P. C.
- (5) Causing hurt or attempt at or abetment of-Section 328, I. P. C.
- (6) Swindling or attempt at or abetment of-Section 417, I. P. C.
- (7) Offences or attempt at or abetment of, relating to forgery or currency notes and bank notes Sections 489-A, 489-B, 489-C and 489-D, I. P. C.
- (8) Offences mentioned in the schedule to the Indian Criminal Law Amendment Act (XIV of 1908) when the trial has proceeded according to the provisions of that Act.
- (9) Bad livelihood - [Sections 109 and 110, Cr. P. C. (See under Rule 13 for text)].
- (10) Gambling-Sections 3, 4 and 11 of the Public Gambling Act (III of 1867).
- (11) Excise Law
- (12) Arms Act, 1959 (Act 54 of 1959), Sections 25 (1) (a to m)
- (13) Offences under the Explosive Substances Act (VI of 1908).
- (14) Offences in connection with Political agitation punishable with rigorous imprisonment for a term of one year or upwards.

82. Instructions regarding the maintenance of conviction register.

(a) *Entries when to be made* - Entries will be made as soon as sentence is passed. If, on appeal, the sentence is modified or quashed, necessary corrections will be made by noting in the column of the remarks the date and purport of the order of the appellate court. The names of identifying officers will be entered from the records of the case and from the release notice of the prisoner which should be sent to the police station through the headquarters, or sub-divisional court officer. Convictions at the sessions will be registered at the court by which the case was committed.

(b) *Extracts when to be forwarded* - Extracts of entries regarding criminals residing in another district or changing their residence will be forwarded to the Superintendent of the district in question for entry in the headquarters court conviction register. In doing so the court officer will note in the remarks

column of the magistrate's general register of cases the number and date of the memorandum under which he has forwarded the copy to the aforesaid Superintendent of Police and also the number and date under which the verification statement is sent to the native district of the accused. After entry the communication will be returned with a note stating the page and volume of the register in which the contents have been duly entered. Such extracts will be sent after orders as to P. R. have been passed, when the convict is likely to be made P. R. or any appeal preferred has been disposed of, or the period of such appeal has expired.

(c) **Entries of unidentified persons to be marked** - In cases in which the real names and residences of persons convicted of offences under Chapters XII and XVII and Sections 215, 489-A, 489-B, 489-C and 489-D of the Indian Penal Code are not known, and cannot be ascertained, the letter "U" in red ink will be entered above the convict's name, and under it, as divisor, the serial number of the entry in the register of unidentified persons.

(d) **PR prisoners how to be entered** - When a convict is made —P. R or PR
T T

by a Superintendent of Police or is ordered by a magistrate to notify after release from jail, his residence or change of residence, under Section 356, Cr. P. C., the letters "PR 356", as the case may be, will be entered against his name in the remarks column in red ink.

(e) **Entries of convictions how to be made at sub-division** - At subdivisions, entries of convictions which are to be made as they occur during the month on loose sheets of the printed form will be forwarded in original to the headquarters court with a certificate from the sub-divisional officer, as laid down in Rule 84 within the first week of the following month, to be filled with the conviction sheets of the sadar sub-division at the end of the entries for the same month.

83. Index to the conviction register: An index to the conviction register in Form No. 15 for the whole district will be kept at headquarters courts only in the prescribed forms –

1. Name of convict, with aliases, if any, and caste.
2. Father's name.
3. Page and volume of register in which the conviction is entered.

The page and volume and year of the index should be entered under each man's name in the conviction register.

In column 3 of the index should be entered the page and volume of the conviction register against each name.

At the close of each month after the sub-divisional conviction sheets (vide proceeding rule) are received, the sadar court officer will prepare an index for the whole district.

The index for every five years will be kept in a bound book.

The sadar court officer should search the index of this register in the case of every accused person sent up to see whether he has been previously convicted or not, and he should certify on the back of the charge sheet form that he has done so.

Sub-divisional court officers are not required to give such certificates as there will be no index to the conviction register maintained at subdivisions.

They will be required to note carefully the certificate given by the station officer and when they find that a person is sent up for trial charged with an offence under Chapter XII or XVII of the Indian Penal Code punishable with imprisonment for 3 years or more, from a police station or outpost other than that in which he resides or has his home, a verification roll in Form No. 5 will be sent direct to the sadar court officer for necessary action as laid down in Rule 50.

84. Weekly verification by magistrate and the Custody of the conviction register.

(a) *Weekly verification by magistrate* - The conviction sheets should be put up once a week, for examination and signature, before the sub-divisional magistrate at sub-divisions and at headquarters before the magistrate to whom the duty is made over by the Deputy Commissioner.

The sub-divisional magistrate and at headquarters the magistrate to whom the duty is made over will certify at the close of each month, that the entries in the monthly conviction sheet have been checked with the magistrate's general and complaint registers, and that all entries required to be made have been made.

(b) *Custody* - The completed volumes of the register, after they have been neatly bound, will be kept in the magistrate's record room or other safe place, the current volume and the index only being kept by the court officer in his office under safe custody.

85. System of indexing names.

The following system of indexing names is to be adopted. It has been devised with a view to obviate the confusion arising from the uncertainty as to the spelling of vernacular names in English, more specially as regards the employment of vowels and semi-vowels:

(i) The letters of the alphabet are divided into 15 groups of initial letters, and as the number of names under each of these may be large they are further subdivided into a greater or less number of subordinate groups. This system, it will be observed, takes no heed of medial vowels, the determination of the subordinate group being regulated solely by the consonant which terminates the first syllable of the name. Thus, in searching for Maniruddin, the pages allotted to initial letter group (M) must be turned to, the name itself being found on page or pages sub-allotted to subordinate letter group (N), the letter (N) being taken as terminating the initial syllable of Maniruddin. Other examples will be found in the explanation to the key in Appendix B.

Study of the key will show the number of pages to be allotted to each initial letter group; the subordinate letter groups which require separate space and the subordinate letter groups which may be lumped together for the purpose of allotting page space.

(ii) It will be seen that the key gives all the above details for a register containing 586 pages. With a register containing 100 pages only, the distribution for initial letters would be (vowel group) 12 pages; (B, Bh) 12 pages; (Ch, Chh) 3½ pages; (D, Dh) 5½ pages; (G, Gh,) 5½ pages; (H) 4 ½

pages; (J, Jh or Z) 5 ½ pages; (K, Kh) 9 pages; (L) 3 2/3 pages; (M) 9 pages; (N) 4 ½ pages; (P, Ph or F) 5 pages; (R, Rh) 8 pages; (S, Sh) 9 ½ pages; (T, Th) 3 ½ pages. The above figures are given to serve as a guide in allotting space in any register which may be opened. As it would be found inconvenient in practice

to have fractions of pages, the register selected should consist of not less than 300 pages and the whole pages should be allotted.

(iii) It will further be seen from the key that where the vowel, including semi vowel or (B, Bh) are the initial letters of a name, the page-space allotted to these groups has been sub-divided amongst 14 subordinate letter groups. The necessity for such minute subdivision is obvious as each of these two, i.e., vowel and (B, Bh) initial letter groups contains 12 percent of the total number of names registered. If initial letter (L), the number of names under which is relatively small, be referred to in the key, it will be observed that several subordinate letter groups have been lumped together, there being only 5 subdivisions of the page-space allotted to the (L) group, instead of 14 subdivisions, as in the case of the (B, Bh) group.

(iv) As this key represents the result of indexing over 8,000 names, the allotment and sub-allotment of page-space shown in it may be taken as a guide.

(v) It must be understood that words like Maulavi, Shaikh, Syed Meer, Meerza often treated as an integral part of native names are in reality honorifics and must not be taken into account in classifying; thus the name Maulavi Fakiruddin should be indexed as Fakiruddin Maulavi. Where names begin with a compound letter the initial letter only determines the group thus:- Krishna will be found under the (K, Kh) initial letter group and subordinate group (S, Sh) Brojendra under the (B, Bh) initial letter group, subordinate group (J., Jh, Z). The W or O terminating words like Deo, Bhow, Shew or Sheo is for indexing purposes treated as (b) thus, Deo will be entered under initial letter group (D, Dh), subordinate group (B. Bh), and so forth.

Certain proper names which begin with a consonant and contain no other consonant, such as Howa, Dhuia, Doya, Gui, etc., and are not followed by a name, not a class name or honorific, should be indexed under the first group of the initial letters. etc., Howa under initial letter group H, and sub-group letter (B, Bh), Dhuia under initial group (D) and sub-group letter (B, Bh) and so on. When such names are followed by names not class names or honorifics, such as Jaygopal Gyaram. etc., they should be indexed in the usual way. i.e., Jaygopal under initial letter group (J, Jh, Z) and sub-group (G, Gh), and so on.

Certain words which, though identical in themselves are pronounced differently by village people, such as Panchu, Pachu, Lakhan. Luchman, Wilayet, Bilayet etc., should be entered and searched for under the initial and group letters for both spellings. Thus for Panchu. groups (P, Ph and C, Ch) and (P, Ph and N) should be examined, and so on. Names such as Hridoy, Hrishi, which are sometimes spelt with R which is the most distinct sound should be indexed under initial letter group (H) and subgroup ® or (rh) Where persons are convicted under a name and an *alias*, both name and *alias* are to be separately indexed.

86. Cross-references how to be made.

In cases where the same man has been convicted more than once, cross-references should be made against each conviction, thus, the name of Hyder Ali, son of Mean Bux, may be found at page 25, again at page 28, again at page 30. The cross-reference should be marked as below:-

At page 25 –

Cf. 28 - 30 Volume I, Hyder Ali, son of Mean Bux.

At page 28 –

Cf. 25 - 30, Volume I, Hyder Ali, son of Mean Bux.

At page 30 –

Cf. 25 - 28, Volume I, Hyder Ali, son of Mean Bux.

The index must be carefully examined and when the same name occurs in more places than one, cross-references should be noted in red ink on the left of the name, the page, number and year, of conviction register being given in black ink on the right as usual. This will ensure all convictions against Hyder Ali being found.

87. Elimination of names of deceased persons and striking off of those periods acquitted

On appeal: Elimination of names of deceased persons - At the close of each year all station officers will submit to the headquarters court, lists of persons whose names have been removed during the year. The headquarters court officer will, after making the necessary correction in his register, forward the lists to the Superintendent of Police who will satisfy himself that the register and index have been corrected.

Names of persons acquitted on appeal will be struck off the index as soon as intimation is received by the court offices.

88. Register of cases committed to sessions: In order that information regarding cases committed to the sessions and High Court and the results of trials may be available in a concise form and to facilitate the registering of convictions at sessions court, court officers at headquarters of districts will keep up a register of cases committed to the sessions in Form No. 16.

**Books and Registers in court office
(Rules 89 to 95)**

89. Register of processes dealt with by the police: This register should be kept in form No. 17 in two parts or volumes, one for warrants, including fine warrants, and one for summonses and all other processes. The serial number of entries in the register of processes should be annual. When a warrant has been executed or withdrawn or the accused has surrendered, the fact should be noted in the remarks column of the register. This will make it easy to pick out the warrants still pending. At the end of each year all warrants and processes will be brought forward into the new year's register in red ink bearing their original numbers.

The register, at sadar will then be sent to the Superintendent of Police's office, and the red ink entries will be carefully compared with the entries in the absconder's register, so as to ensure that there are no omissions in the latter register.

In sub-divisions instead of sending the register in original a copy of the red ink entries will be sent in January to the office of the Superintendent of Police for comparison with the absconder's register.

90. Receipt book of money, property and prisoners: This will be kept in manuscript at sadar and also at sub-divisional court offices. In it will be entered the names of prisoners sentenced to imprisonment; their warrants, money and personal property, and the receipt for the same will be obtained from the jailor.

91. Registers of papers received and dispatched: Court officers will keep registers of papers received and dispatched in Form No. 18, in which only papers not entered in any other register, such as verification rolls, monthly copies of station cash accounts, etc., will be recorded.

92. Counterfoil book of receipts: A counterfoil book of receipt will be maintained in the same manner as is maintained in Police Stations (Part-V). For every sum received by a court officer he must grant a printed receipt cheque, signed by himself, to the person depositing the money.

93. Magistrate's order to police: A magistrate directing an investigation to be made by the police under Section 155, Cr. P. C., in a case which is not cognizable by the police will send a copy of his order to the court officer for transmission with a copy of the complaint to the officer concerned. In every case referred to the police for investigation under Section 155 or 202, Cr. P. C., a date should be fixed by the magistrate by which the report or an explanation of the cause of delay is to reach him. The complainant will be informed of the date so fixed and directed to appear before the investigating officer at the scene of occurrence. The court officer will bring to the notice of the sub-divisional police officer or circle Inspector at a sub-division or of the Superintendent of Police at the headquarters any irregular order which in turn should be brought to the notice of the Deputy Commissioner by the Superintendent of Police where necessary. All such orders should find entry in the registers of letters received and dispatched.

94. Half-yearly statement of serious crime and reconvicted persons, etc: (a) In the statement of serious crime will be shown all cases under the headings given in Form No. 19 whether reported to the police or a magistrate –

- (i) which have been reported during the half year;
- (ii) which have been declared true by a magistrate during the half year.

Pending cases for the previous half-years, which have been declared to be true during the half-year for which the return is due, will be shown in column 3 (1). Column 7 to 12 of the form refer to cases dealt within the return while the information required by the footnote refers to all cases, true or false, whether included in the return or not.

The number of cases declared true during the corresponding half-year of the previous year shown in column 3 and 3

(a) of that half-year should be shown in column 5 and (a new) column 5 (a) respectively of the return of serious crime under review.

(b) One copy of the return Form No. 19 should be forwarded to the Superintendent of Police, Criminal Investigation Department and not later than the 15th of January and 15th of July, respectively.

(c) On receipt of all the returns, the Superintendent of Police, Criminal Investigation Department, will prepare a review in which he will examine and criticize the figures for the whole province, and where necessary, the figures for any particular district. He should then submit his review to the Director General of Police and Inspector General.

(d) Under the head "Burglary" only cases which come under Nos. 29 and 37 of statement A, Part I, will be included. Thefts and burglary cases not investigated under Section 157 (b), Cr. P. c., will also be included. An explanation of the fluctuations in burglaries and theft should be given whenever possible. The explanation should be supported by figures as far as possible; thus when a rise in price is adduced as an explanation, the actual prices of grain for the periods under comparison should be given.

(e) Riots attended with murder will be shown under the head 'Riot' and not 'Murder'. Similarly dacoities attended with murder will be shown under the head 'Dacoity' and not "Murder".

Note : - In distinguishing between professional and technical dacoities, the intention and not the character of the offenders has to be considered and the assumption must be that every dacoity is professional until it can be shown to be technical. A dacoity committed for the sake of gain is usually professional; a dacoity committed for some ulterior motive, e.g., to enforce a claim or coerce a riot is technical.

95. Statement of false cases: A statement in Form No. 20 showing the number of false cases in which prosecution under Section 182 or 211, I. P. C., were instituted should be submitted to the Superintendent of Police, in charge of the Criminal Investigation Department, along with the half-yearly statement of serious crime. The Superintendent of Police will scrutinize the statement for the whole province carefully and submit the same to the Director General of Police and Inspector General pointing out any cases in which proper action has not been taken by the Magistrate in order that this may be brought to the Commissioner's notice.

Miscellaneous (Rules 96 to 103)

96. Disposal of counterfeit coins and forged currency notes.

(a) *Disposal of counterfeit coins* - The High Court and the State Government have made the rules that all judicial officers when passing orders under Sections 427, 457 or 458, Cr. P. C., for the disposal of counterfeit coins or any implements; such as purchase for repairing dies, dies, for striking, and moulds for casting coins, should consider whether the coins or implements should not be forwarded to the nearest treasury Or sub-treasury officer for transmission to the Master of the mint. The remittance to the mint should be made through the Special Superintendent of Police in charge of the Criminal Investigation Department, and should be accompanied by a statement showing the number and date of the case to which the coins or implements relate.

(b) *Disposal of forged currency notes* - Forged currency notes detected by the police or sent, to them for enquiry should be forwarded after the completion of the investigation or trial, If any, in any court, to the Superintendent of Police in charge of the Criminal Investigation Department, Kohima for transmission to the Currency Officer, Calcutta, for disposal: this procedure should be brought to the notice of the magistrate or-judge when passing orders as to the disposal of exhibits.

97. Change of court office staff:

(a) A particular officer, if found specially useful for court work may be kept in that duty subject to the restrictions laid down in Part III.

(b) The rules regarding making and taking over charge of an office (vide Part V) must be carefully observed by court officers. The relieving officer must furnish the officer relieved with a receipt for all Government property in the magistrate's Malkhana. Full details respecting each article should be given. Deficiencies will be made good by the relieving officer if they are discovered after he has taken over charge.

98. Stationery and furniture for court office.

(a) The court officer will indent on the Superintendent's office for all stationery, rubber stamps, law books, and police forms required by him, High Court and Nagaland Government executive forms must be obtained through the magistrate's office. Service labels will be obtained from the magistrate.

(b) Furniture, such as chairs, tables and benches required for court officer will be supplied by the Superintendent of Police and an authenticated list of all articles so supplied will be hung up in those offices. There should be a height measuring apparatus in all court offices.

99. Monthly cash account - how checked: On receipt of the cash account from a police station or out-post the court officer will obtain from the cashier of the district magistrate or sub-divisional magistrate, as the case may be, a certificate that all sums remitted to the magistrate have been duly accounted for, and after examining the Malkhana register and any other relevant papers, he himself will record a certificate to the same effect in regard to monies remitted to his own office. He will then transmit the cash account to the office of the Superintendent of Police. The audit and comparison with the registers in the magistrate's or sub-divisional office should, as far as possible, be done by somebody unconnected with the keeping of the accounts. The certificate referred to will be given in Form No. 21.

100. Instructions for sending manuscripts to the Government examiner of questioned documents and for obtaining expert opinion on arms, etc.

(a) Instruction for the guidance of police and other officers in sending documents for examination by the Government examiner of questioned documents should as per the directives issued from the concerned authority on questioned documents, from time to time.

It should be remembered that the opinion of the Government examiner questioned documents should only be sought for when it is essentially necessary.

(b) All requisitions for expert examination of arms, ammunition and weapons used in heinous case should be sent in duplicate to the Central Forensic Science Laboratory, 30, Gora Chand Lane, Calcutta-14 or to any other institution, as may be specified by Government from time to time by the Court Officers concerned and should accompany the arms, etc. to be examined with a clear description of the weapon and a concise statement of points on which opinion is sought.

If necessary, a brief history of the case in duplicate may also be given, but in order that this may not embarrass the expert in giving his unbiased opinion, it should be sent in a separate sealed envelope addressed to the Director, by name.

Summons to secure the expert's attendance in court should also be sent to the Director for service.

Before sending exhibits for examination, the court officers should obtain permission in writing from the Magistrate dealing with the case. This permission will cover not only the examination of the articles; but their being taken to pieces, if necessary, for the purpose of examination;

Before dispatching exhibits for examination, a careful note should be kept of their description and condition and of every mark by which they can be identified. The articles should then be carefully packed, sealed and dispatched by special messenger or by registered parcel post. A list of contents should accompany each package.

When expert opinion in such cases is deemed necessary, the Deputy Inspector General of Police in charge of Criminal Investigation Department should be consulted.

101. Summons to police officers: Whenever a summons to appear as a witness in a criminal case is issued against a police officer it should be served upon such officer through the Superintendent of Police of the district, or the sub-divisional police officer. Prosecuting officers should always see that police witnesses are not unnecessarily detained.

The High Court has intimated that, upon a proper application being made in each case to the Judge exercising the original criminal jurisdiction of the court, the convenience of public officers summoned as witnesses in cases before the High Court from the mufassil will always be duly considered.

Note - A civil court may, if it considers that the summons may be most conveniently so served on a public officer either as a defendant or witness, send it for service to the head of the office in which the officer is employed together with a copy to be retained by officer summoned.

102. Court officer responsible for processes served by the police: Ordinarily warrants of arrest, fine warrants, orders issued under Section 83, 84 and 85, Criminal Procedure Code, 1973 and such warrants are executed by the police in both cognizable and non-cognizable cases and should be entered in the register of processes served by the police.

The court officer will be responsible for keeping this register and for the issue of all processes to be executed by the police. Summonses in criminal cases other than session cases are not ordinarily served by the police.

103. Extradition: If an offender has escaped from India, the District Magistrate should be moved to take action for his extradition.

SECTION II - FINGER PRINT RULES

Definitions

(Rule 104)

104. Definitions - (1) Finger prints -

(a) Finger prints include those of the thumbs and are either 'rolled' or 'plain'.

(i) "Rolled print": - A rolled print is obtained by placing the inked thumb or finger on the paper so that the plane of the nail is at right angles to the plane of the paper. The thumb or finger is then to be pressed lightly on the paper and turned over so that the bulb which originally faced, say to the left, faces to the right, the plane of the nail being again at right angles to the paper.

(ii) "Plain print": - A plain print is obtained by lightly pressing the inked thumb or finger upon the paper without any turning movement.

(b) Search and record slips:-

(i) "Search slips" - A search slip (Form No. 22 issued in making references to a finger Print Bureau for identification of a person.

(ii) "Record Slip": - A record slip (Form No. 31 is required for record in the bureau, which provides space for rolled prints of ten digits, as well as for the plain prints of the four fingers of both hands on one side, and the person's name, parentage, and conviction, etc. on the other side.

II. Classification of prisoners and suspects:-

(a) By the district police:-

(i) 'Identified' means a person whose name, residence and antecedents are fully known to or have been ascertained by the police.

(ii) 'Unidentified' means a person whose real name, residence and antecedents are not known to or could not be ascertained by the police. Every person who is a foreigner to the district will be considered to be "Unidentified" in that district, until his residence is traced and verified.

(b) By the Finger Print Bureau :-

(i) 'Traced' means a person whose previous convictions or antecedents are traced from the records of a Finger Print Bureau.

(ii) 'Un traced' means a person whose previous convictions or antecedents cannot be traced by a Finger Print Bureau.

III. Finger Print qualifications:-

There are two classes of such officers, viz., the "Proficient" and the "Expert" :-

(i) "Proficient" - Proficient means an officer of or above the rank of Sub-Inspector who has received a certificate of 'Proficiency' in the finger print system from the Special Superintendent of Police in accordance with Rule 107.

(ii) "Expert" - Expert means an officer of or above the rank of Sub-Inspector who holds "Expert's Certificate" in the finger print system from the Deputy Inspector General of Police. (*Vide* Rule 107)

IV. Classification of P. R. Convictions -

(a) 'P. R. Convict' is a convict whose finger print slip is to be, or has been, prepared for record in the Finger Print Bureau. (*Vide* Rule 127)

(b) 'P. R. T.' Convict is a P. R. convict who is liable to transfer for release from the jail of the district in which he is incarcerated to other jails, viz., to the jail of the native district or of domicile (if the prisoner is a foreigner to the district) or to the jail of the district where he was last convicted (if the prisoner is unidentified).

V. Slips relating to P. R. convicts:-

'P. R. slip' is the slip is prepared by a court officer for each person made P R. under Rule 127 and submitted to the Superintendent of the local jail to be attached to the prisoner's warrant to commitment. It afterwards becomes the release notice. (*Vide* Rule 132)

The Finger Print Bureau (Rules 105 to 113)

105. Duties of tile bureau and system of record:- The Finger Print Bureau and its charge:-

(a) With a view to the identification of prisoners by means of finger impressions a Finger Print Bureau is maintained at Dimapur. Its main duties are to receive finger impression slips for search and record, to make search and answer references to classify, test, index and arrange the slips received for record and to train officers in finger print work.

(b) The bureau is worked under the general control of the Superintendent of Police in charge of the Criminal Investigation Department but under the direct charge of an Inspector who is assisted by a staff of Sub-Inspectors. Officer employed in classification and search work will never be below the rank of Sub-Inspector. The Inspector and his assistants must always be experts in the art of deciphering finger impressions. During the absence of the Inspector the charge of the bureau automatically devolves on the senior Sub-Inspector present.

(c) All correspondence with the bureau should be addressed to the Superintendent of Police in charge of the Finger Print Bureau, Nagaland.

(d) The Deputy Inspector General of Police, in-charge of Criminal Investigation Department, etc., Nagaland, will inspect the working of the Finger Print Bureau at least once a year. At this annual inspection particular attention should be paid to the following points amongst others:-

(i) The capabilities and keenness of the Experts.

(ii) The rectification of any flaws which have been found in the working of the system, either in the Court offices or in the Bureau itself.

(iii) Conditions of the collections, with special reference to the necessity or otherwise of further sub-classification.

(iv) The adequacy and completeness of the Expert's inspections of Court offices.

The inspection should be recorded in an inspection book and a copy forwarded to the Director General of Police and Inspector General of Police Nagaland.

106. Duties of the Inspector: The Inspector will be responsible for the stored and classified records and will keep the keys of the almirahs in which they are filed. He carry on all routine correspondence with regard to the finger print slips which he receives. Besides the duties specially mentioned in the following rules the Inspector will –

(a) examine carefully all finger print slips received and see that the impressions are decipherable and that the slips are complete;

(b) distribute among the experts available all finger print slips . received and supervise their classification and arrangement;

(c) regulate the tours of inspection of district court offices, and depute experts as required to give evidence in courts or do other miscellaneous work;

(d) appear in court to give evidence in criminal cases of special importance requiring expert evidence when ordered by the Special Superintendent of Police to do so and give expert opinion on all impressions sent to the bureau for the purpose.

(e) attach a red slip in Form No. 24 to the record slips in accordance with the orders contained in Rule III and note in the index register the date of elimination of all finger print slips (vide Rule 112)

(f) maintain the registers prescribed;

(g) arrange for the periodical revision of the record slips already stored, and classified, with a view to checking and correcting mistakes in their classification, arrangement or filing. This should be done quinquennially or earlier, if so ordered by the Deputy Inspector General of Police in charge of CID or the Superintendent of Police in charge of the Finger Print Bureau;

(h) arrange for the elimination of record slips, as required under Rules 112 and 113;

(i) instruct and examine under the direction of the Special Superintendent of Police, officers deputed to the bureau for qualifying themselves as 'proficient's' and experts.

107. The Expert's and the proficient's training: A. *The Expert's Course:* -

(a) Not more than two Sub-Inspectors in all will be deputed to the bureau annually to qualify themselves as "Experts". Ordinarily they should pass the tests laid down by the Inspector in charge of the bureau under direction of the Superintendent of Police in charge of the bureau within a year of their joining the bureau. For the first nine months they should learn the theory of the art and the rules in the Police Manual relating to

finger prints. In the last three months they should learn the practical work of an expert, and should accompany for the purpose of training, the touring expert when the latter goes out to districts for inspection of P. R. work in court offices.

(b) At the close of the training an examination will be held by the Inspector in charge of the bureau under the supervision of the Superintendent of Police in charge of the Finger Print Bureau or the Deputy Inspector General of Police in charge of CID. On passing this examination an officer will be granted the "Expert Certificate" under the signature of the Deputy Inspector general of Police in charge of CID, declaring him competent to examine, classify and give expert opinion on finger impressions.

The certificates so granted will remain in force :-

(i) as long as the officers are attached to the bureau;

(ii) for a period of two years from the date of the officers leaving the bureau after which they will cease to be experts and will surrender their certificates to the Special Superintendent of Police.

These Certificates can however be renewed if the officers serve in the bureau again at any period of their service for a period of not less than three months and satisfy the Special Superintendent of Police that they have retained their knowledge are still fit to hold the certificate.

B. The Proficient's course –

(a) Sub-Inspectors will be deputed to the Finger Print Bureau every year according to requirements. They will be taught, -

(i) the correct method of taking finger prints;

(ii) the method of comparing finger prints, that is to say, how to recognize the different types and to distinguish differences in prints of the same type;

(iii) and the orders regarding the preparation of P. R. and record slips and the finger prints rules applicable to court offices.

(b) At the end of three weeks an examination will be held by the Inspector in charge of the bureau under the supervision of the Superintendent of Police in charge of the Finger print Bureau or Deputy Inspector General of Police in charge of CID and officers passing this examination will be given certificates of proficiency under the signature of the Superintendent of Police or Deputy Inspector General of Police in charge of CID, which will qualify them to hold the post of Proficient in a district.

(c) (i) Officers will be deputed for the above purposes to the bureau twice every year - once in the month of May and again in November. They should join the bureau positively on the 15th of the month.

(ii) Besides the Inspectors and Sub-Inspectors actually doing court duties who should always be proficient's, *vide* Part IV, every district should have extra officers according to requirements who are considered competent for court duties, trained as proficient's to fill up vacancies caused by transfer, leave or other casualties. On return from the bureau after qualifying for the post of a "proficient" each officer will be employed in a sadar court office for at least a fortnight before being-placed on other duties. He should devote this period entirely to finger print work.

(iii) Sanction of Inspector General of Police should be obtained in every case of deputation one month prior to the date of joining the bureau. Ordinarily not more than two officers should be deputed from a district at a time.

Note I - Police officers deputed to the State Finger Print Bureau for a course of training in the finger print system will be treated as being on duty.

Note II - The names of officers who are declared 'Experts' or 'Proficient's' will be declared in the Office of the Director General of Police and Inspector General of Police and a note be made in the officers' service books and in the remarks column of the gradation list.

108. Duties of Inspector's assistants: The general duties of the Inspector's assistants will be :-

(a) to help the Inspector whenever their services are required;

(b) to search for record slips of persons whose search slips have been received in the bureau for identification;

(c) in accordance with the instructions given in the next rule to 'classify and arrange in its proper pigeon-hole and in its proper order, every record slip received and to check the classification and arrangement of such slips;

(d) to appear in court, and give expert evidence in criminal and civil cases, and to give expert opinion on impressions received in the bureau for the purpose;

(e) to inspect twice a year the finger print work of each district headquarters court office, and to test the record slips pending in districts for test as detailed in Rule 131. Sub-divisional court offices will be inspected only when the Special Superintendent of Police so orders. The expert's notes will be written in the court office inspection book and a copy will be submitted to the Special Superintendent

of Police for information through the Superintendent of Police of the district with his marginal notes and remarks on officer concerned, as soon as possible and in any case so as to reach the Special Superintendent of Police not more than three weeks after the date of inspection. Expert should take the opportunity of their periodical inspection of court offices to examine the proficiency in finger print work of the court office staff, a report as to which will be included in the inspection notes. When visiting a district, experts will report themselves to the Superintendent of Police or the officer in charge of his office.

109. How record slips are to be dealt within the bureau: (a) *Action on receipt of record slips* - When a record slip is received at the bureau, it must be carefully examined. If the prints clear, and the slip is in other respects correct and complete, it will be accepted, and the counter-foil of the dispatch cheque accompanying the slip will be returned as a token of acknowledgment. If not fit for record, it will be returned with a memorandum in Form No. 29 explaining what is required.

(b) *Classification and arrangement of record slips* - (i) All classification, sub-classification and arrangement of finger print slips should be done in accordance with the instruction contained in Sir Edward Henry's Treatise on Finger Print.

(ii) An accepted record slip will be made over to an expert to classify and to mark the arrangement as above. It will then be entrusted to another expert, who will check and attest the correctness of the classification and arrangement with his initials, and after indexing the slip, will place it in the record in its proper order and its proper pigeon-hole.

(iii) Record slips of re-convicted prisoners whose finger print slips are already on record will be attached to the previous slip.

(c) *Procedure on receipt of summons for a record* – (i) Every summons asking for the production of a record slip must be accompanied by a duplicate slip prepared by the prosecuting court officer at whose instance a summons is issued. No record slip should be sent out of the bureau until a duplicate is received.

(ii) Whenever such a summons, accompanied by a duplicate finger print slip is received, the Inspector will himself dispatch the record slip in question after comparison with the duplicate by registered post addressed to 'the Magistrate by name, and at the same time notify the Superintendent of Police concerned. The duplicate slip above referred to will temporarily take the place of the original slip dispatched to the Magistrate. Necessary entries will be made on the duplicate finger print slips as well as in the register of requisitions for record slips.

(iii) A fee of Rs. 200 per diem per case in addition to other charges consisting of travelling allowance and pay of the officer summoned, must be-paid to the court in advance in all civil cases in which the parties, or any of them, apply to the bureau for the services of an expert. Fee at this rate (Rs. 200) will also be charged for the examination of documents sent to the bureau for expert opinion. In either cases the fee will be credited to Government. In criminal cases experts will be summoned in the ordinary course of their duties, and no fee should be realized by the court.

(iv) *Cost of photographic enlargement of finger prints in private cases* – When a requisition for photographic enlargement of finger prints is made to the Finger Print Bureau in private cases the following charges shall be realized from the private party by whom or at whose or at whose instance the requisition is made as per the prevailing market rate in the locality.

The cost mentioned above shall be sent to the Finger Print Bureau along with the requisition and the money thus received by the bureau shall be credited to Government.

In order to prevent experts in finger prints from being unnecessary summoned from the bureau to give evidence in civil courts, exhibits should, whenever possible, be sent to FSL Dimapur addressed to the Superintendent of Police, in charge of Criminal Investigation Department, Nagaland for the written opinion of the bureau experts prior to their being summoned.

110. Action on receipt of search slips in the bureau:-

(a) *Improperly taken search slips to be returned* - Slips submitted to the bureau for search in which the prints have not been taken in their proper sequence, or are so blurred as to render classification, or sub-classification impossible, should be returned without search and fresh slips called for. The matter must also be brought to the notice of the Superintendent of Police of the district concerned.

(b) *Action to be taken in ordinary cases* - When a search slip is correct in all respects, it will be made over to an expert who will proceed to classify. After classification it will be passed to another expert, who will test the classification, and return it to the classifier for searching the bureau record for a slip bearing prints identical with those on the search slip.

(c) *Punctual disposal of search slips* - There should be no delay in making searches, since the disposal of the case concerned, and in many cases its progress also, remains pending the reply.

All slips will, if possible, be returned after search, within 24 hours of receipt.

(d) *Of dissected skins* - When the dissected skins of the fingers' of a corpse are received in the bureau for search in accordance with Rule 118 one set of impressions will be taken for search by the local experts and if there be any clue to the deceased's native province another set will be taken for submission to the bureau of that province. If it is considered advisable in addition to send the impressions for search to other bureau the required number of impressions should be taken and sent. A record of all such applications will be kept in the register of exhibits. (Form No. 26) Necessary details being noted in the remarks column.

(e) *Untraced slips* - When a search has been unsuccessful, the searcher will write on the slip the word "untraced". He will further look up the index register and note on the slips that this has been done. The slip will then be returned to the Inspector for transmission to the district from which it was received.

(f) *Traced slips* - When a search has been successful, the searcher will write on the search slip "traced" and enter on it, from the record slip from which the person in question has been traced, his real name and address and his previous convictions, together with the names of identifying witnesses. He will attach the record slip to the search slip, and make them over to the Inspector in charge.

(g) *Checking of traced slips* -

(i) The Inspector will check the work of the searcher by comparing the two slips to see that the finger prints correspond in every particular, and that the entries have been properly written up. He will then initial the search slip, and after detaching it, will return it to the district from which it was received at the same time reporting that the slip has been traced by the fastest possible means. He will when replaced the record slip in the pigeon-hole from which it was taken.

(ii) If the slip refers to an absconder regarding whom action has previously been taken under the provisions of Rule 111 prompt intimation of his arrest will be sent by telegram direct to the district which reported his absence.

(iii) If the slip refers to a member of a registered criminal tribe, the arrest must similarly be reported to the district in which he is registered.

111. Escape or absconding of P. R. Prisoners.

(a) *To be at once reported to the local bureau* - When a person whose finger prints are on record has been declared a proclaimed offender, or has escaped from jail or from police custody or has absconded after

committing some offence, intimation of the fact must be forthwith sent to the local bureau by the court police. When communicating such information care should be taken to quote the name, caste, parentage, and residence of the convict, the classification number of his finger print slip, the number of the first information report with its date, the name of the police station, and whether proceedings have been, or are being taken under Section 299 Cr. P. C. If the convict's record slip is a waiting test, it should be attached to the report.

(b) *Action in the bureau* - On receipt of such a report in the bureau, a red slip in Form No. 24 duly filled in should be attached to the record slip in question, so that immediate information may be given to the police by whom the absconder is wanted in the event of such absconder's finger prints being subsequently received for search. In such cases a copy of the red slip, together with absconder's classification number, should be sent to all other bureau in which the absconder's finger prints are known to be on record.

112. Deaths amongst P. R. convicts and ex-convicts: During the first week of January each year every Superintendent of Police will forward to the finger print bureau a statement in Form No. 27 showing the deaths among persons whose finger print slips are on record in the finger print bureau. A file containing the office copies or such statements will be maintained in the office of the Superintendent.

The finger print slips of persons reported to have died in jail will be removed from the records and destroyed at once. In other case of reported death, the date of elimination will be entered in red ink in the index register, and the slip will remain on record for another two years when it will be removed and destroyed.

If the record slip of a person whose death is reported was forwarded to other bureau, (vide Rule 130) a statement in Form No. 27 will be sent to the bureau concerned. The death reports received from districts will be preserved for two years.

113. Periodical elimination of record slips: In addition to the removal of slips on receipt of death reports as laid down in the preceding rule the following rule will be observed in eliminating finger print slips on record in the bureau:

(i) For the purpose of elimination, convicted persons whose slips are on record, should be divided into two classes - **Class I** will consist of:-

(a) all persons reconvicted under Chapters XII, XVII, Indian Penal Code;

(b) all coiners (Sections 231 to 253, Indian Penal Code, except Section 241);

(c) all note-forgers (Sections 489-A, 489-B, 489-C and 489-D, Indian Penal Code);

(d) all arms smugglers (Sections 25 and 266 of the Arms Act, 1959 (Act 545 of 1959);

(e) all professional prisoners (Section 328, Indian Penal Code);

(f) all political offenders (Sections 121 to 124-A, Indian Penal Code),

Class II - All others.

(i) Slips of persons of Class I will be preserved until they attain the age of 70 years, and those of Class II will be preserved for ten years from the date of expiry of their last sentence.

- (ii) The date of elimination which will take place once every year will be entered in red ink in the Index register.
- (iii) Before elimination 'of slips the opinion of the Superintendent of Police of the districts concerned should be taken regarding the conduct of the convicts and in case they object to such elimination the slips may be kept in the record for such period as the Special Superintendent of Police thinks fit.
- (iv) Intimation of the removal of the record slip of a foreign convict or of any person whose record slip was transmitted to another bureau, should be sent to the bureau concerned.
- (v) No finger print slips received for record from any other bureau, should be eliminated without consulting the bureau in question.

**Action by the Investigating and Court Police
(Rules 114 to 125)**

114. Points to be noted when preparing finger print slips: The following points should be specially noted in preparing finger print slips:

- (a) Impression must invariably be taken with the tip of the finger pointing to the top of the form.
- (b) The "rolled" prints should show .the complete contour of the bulbs of the fingers; one delta in the case of "loops" and two in the case of —whorls should be visible.
- (c) The "rolled" print of each finger must be taken in the space allotted for that finger and that finger and the impression should not project beyond that space. The impression of the upper phalange of the finger only should appear.
- (d) All names of persons and places should be hand printed in block capitals, all entries should be as concise as possible, and in the case of the record slip the convictions should be entered in chronological order.
- (e) Deformities, cuts, scars, and disease marks interfering with the "legibility; of an impression should be given in definite detail both in the search and record slips, viz.:-
- (1) Position, dimension, direction.
 - (2) Permanent or temporary, cut or puncture, burn or healed sore.

Subjects suffering from open cuts or scars in any of the upper phalanges of the finger should not (if this can be arranged) have the prints of such finger taken until the cuts or scars have healed.

(f) Finger prints of lepers are not to be taken on any account. Persons suffering from a contagious or infectious disease should not have their finger prints taken until they have completely recovered. Whenever an officer abstains from taking a record slip for any of the above reasons he must obtain a medical certificate to support his action, and forward it to the finger print bureau.

(g) The finger print slips of females, whether sent for search or for record, must bear the work "female" in red ink on the side of the slip which contains the impressions.

(h) The finger print slip of one person should be completed before that of another is commenced, otherwise there is a risk of some of the particulars appertaining to one person being entered in the slip of another.

(i) Finger print slips of railway thieves and wandering criminals must bear the words "Railway thief" or "Wandering criminal" as the case may be.

115. Finger print appliances and their preparation.

(a) The appliances for taking finger prints comprise a tin slab, an Indian-rubber roller and a pot of printer's ink which should be kept at each police station, court and reserve office. These must be kept scrupulously clean and free from dust, grit, or hairs the presence of which will spoil any impressions taken. The slabs should be freshly cleaned before use every day, all particles of old ink being rubbed off and a note as to this having been made in the general diary, *vide* Part V. The roller, when not in use, should be wrapped up in a piece of clean oiled paper. Both slab and roller should be periodically cleaned with soap, benzene or kerosene, however, should be used with care on a rubber roller, as it tends to damage the rubber unless wiped off carefully without delay. The pot of ink should be tightly closed when not in use to prevent evaporation.

(b) The slab must be perfectly smooth and should be wiped free of dust before use. A small quantity of the ink should then be put on the slab with the point of a knife and the roller used to bring it down to the finest possible film so that the tin is dimly visible through the ink. Experience has shown that it is easier to start with a small quantity of ink and to increase it as may be found necessary. If too much ink has been put on the slab, a sheet of paper laid on it and rolled over with roller will generally reduce it sufficiently. If the ink is dry and thick it should be thinned with a little oil, when it will be found that with a little preservative it can be worked up smooth on the slab.

An emergency substitute for printer's ink, should this not be available, can be made by mixing lampblack or soot with a small quantity of oil, of indelible ink such as is used for rubber stamps may be used.

116. Taking and record of photographs of convicts and others: In view of the importance of photography as a means of identification of criminals, the photographs of convicts and others should be taken in accordance with the rules framed by the State Government under the Notification of Prisoners Act, 1920 (Act XXXIII of 1920).

(a) In connection with an investigation, inquiry or trial, and

(b) in the case of prisoners accused of classes of offences for which a photographic record is deemed necessary .

I. Classes of criminals to be photographed.

(a) All registered members of criminal tribes who come within the purview of Section 3 of the Identification of Prisoners Act.

(b) Counterfeit coiners (Sections 231 to 235, I. P. C.).

(c) Currency note forgers (Sections 489-A to 489-D, I. P. C.).

(d) The following types of criminals when reconvicted of offences, to which they are addicted, and whose criminal activities extend beyond their native districts and who are likely to revert to crime after release.

(I) Burglars (Sections 454 to 459, I. P. C.).

- (II) Pick-pockets (Sections 379 to 382, I. P. C.).
- (III) Railway thieves (Sections 379 to 382, I. P. C.).
- (IV) Professional dacoits and robbers (Sections 392 to 399, I. P. C.).
- (V) Professional swindlers (Sections 417 to 420, I. P. C.).
- (VI) Smugglers (Section 9 of the Opium Act).

- (e) Persons bound down in selected bad livelihood cases.
- (f) Persons convicted in gang cases (Sections 400 and 401, I. P. C.).
- (g) Murders for gain (Sections 302 and 403, I. P. C.).
- (h) Any person, under order of Magistrate under Section 5 of the Identification of Prisoners Act.
- (i) Approves in important cases (*vide* Rule 35).
- (j) Any other convict for whom a photographic record is deemed necessary by the Superintendent of Police.

2. During the last week of every month the Superintendent of Police should examine the Court Conviction Register for persons whose photo should be taken for record and in the first week of the following month he should send a list of these criminals to the Deputy Inspector General of Police with their full names and *aliases*, particulars of their parentage with *aliases*, residences (Present and former), convictions, names of jail in which they are confined and probable dates of release. In submitting the list the Superintendent of Police will state the number of photos required.

3. In case where the accused whose photograph is to be taken is sentenced to a short term of imprisonment (six months or under) early intimation should be given to the Deputy Inspector General of Police to enable him to arrange for the photographer to visit the jail in question at an early date.

4. Photographs shall ordinarily be taken of the head and shoulder only, in full-face and profile and of quarter plate size. The Photographer will take every precaution to see that the facial characteristics of original are clearly brought out in both positions.

5. A register will be maintained in the photographs Bureau in the following form :-

Serial No.
Name with <i>aliases</i>
Father's name with <i>aliases</i>
Residence (Permanent and former)
Date and place on which photo was taken
C.I.D.H/S. No.
Particulars of convictions
Modus operandi
Distribution of photos to districts -
Remarks

6. The name of the criminal to be photographed as well as the serial number allotted to him in the above register should be written on a slate in large characters which will be photographed with the criminal.

7. In order to ensure that the photo of the right individual is taken, a criminal should be identified by the Jailor, should he be in jail or by police officer not below the rank of Assistant Sub-Inspector if he be at large, and the signature of the Jailor or Police Officer, taken on the slate, together with the date on which the photograph is taken.

8. A card index will be maintained in the photographic Bureau and the names, with aliases of all persons whose photographs have been taken will be indexed - the index card of each individual bearing full particulars of his parentage, address (present and former) and also his negative number i.e., the serial number allotted to him in the register referred to in paragraph 5.

9. A copy of each photograph should be kept, pasted serially in an album and also in the C.I.D. History Sheet of the criminal concerned. The names, father's name with aliases and residence of each criminal should be entered under each photograph in the album.

10. Ordinarily three sets of photographs full face and profile, of each criminal should be sent to the districts concerned (one set to be pasted in the history sheet, another set to be kept pasted in an album at the police station concerned, and the other set for the office of the Superintendent of Police). In special cases, such as those of active criminals whose area of operations is extensive and includes several districts or police station jurisdictions, extra copies will be issued to the Superintendent of Police of the district concerned on demand or as the Deputy Inspector General of Police considers necessary.

11. When any photograph is taken for the purpose of identification by any photographer, other than an officer of the photographic department an officer not below the rank of Sub-Inspector shall be present when the photograph is taken and also when the negative is developed and the prints are taken. When the number of prints required has been completed, the Sub-Inspector shall take possession of the negative and prints and forward the negative in a sealed cover to the Court Officer for safe custody in the Magistrate's Malkhana.

A photograph intended for the purpose of identification should be placed in a sealed cover with eight or ten photographs of other persons, taken under similar circumstances and dispatched to the officer who conducts the identification with instructions that the packed should not be opened until the time of identification and then only in the presence of witnesses whose identification is to be tested.

12. Negatives sent by post should be carefully packed in soft paper and enclosed in a wooden box. Card-board boxes should not be used owing to the danger of damage in transit.

117. Taking of measurements and photographs and the preservation of their records.

Measurements (including finger prints) and photographs should always be taken and the records thereof preserved by police officers in accordance with the following rules framed by the Local Government under Section 8 of the Identification of Prisoner's Act, 1920 (Act XXXIII of 1920).

Rules

1. A Magistrate shall not, under Section 5 of the Act, order a photograph of any person to be taken by a police officer unless he is satisfied that such photograph is required for circulation to different places, or for exhibition, for the purpose of identification to witnesses who cannot easily be brought for test identification to the place where the investigation is proceeding.
2. Measurements and photographs shall invariably be taken in or alongside the court police office or inside a police station or jail or in any other suitable place where proper supervision of criminals, and suspects can be exercised. In no case shall they be taken in view of tile public.
3. Measurements shall be taken in the following manner.

(i) *Finger impressions:-*

(a) Rolled prints of the right hand shall be taken first; each finger being inked and impressed before the next finger is inked, when the rolled prints of the right hand have been taken, the operator shall take the plain prints of four fingers of that hand simultaneously. When the right hand is finished, the operator shall proceed to take rolled and plain prints of the left hand in a similar manner.

The rolled prints shall show the complete contour of the bulb of the fingers.

(b) If a finger is missing or so deformed that it is impossible to obtain an impression, the fact shall be noted in the space allotted for that finger by the words "Missing" or "Deformed". In the case of double fingers the prints of both the fingers shall, if possible, be taken but the print of the more prominent of the two, invariably.

(c) Impressions shall be taken generally with printer's ink.

(d) Before inking, the fingers shall be cleaned with a rag moistened with either kerosene oil or turpentine and rubbed dry. The inking shall be done by a light application of the inked roller just sufficient to allow of a thin film of ink on the ridges of the finger. The inner portion of the phalanges of the fingers only shall be inked.

(e) A rolled print is obtained by placing the inked finger on the paper, so that the plane of the nail is at right angles to the plane of the paper and turned over, so that the bulb which originally faced, say to the left, faces to the right, the plane of the nail being again at right angles to the paper. [For convenience in taking rolled prints, the slip should be folded at the lines indicated, and the fold placed in line with the edge of a table.

(ii) *Foot-print impressions :-*

A tin slab shall be inked with printer's ink by means of a roller. The person to be measured shall be barefooted and shall place each foot in turn first on to inked slab and then upon a sheet of paper, kept ready at hand.

(iii) *Height -*

A measurement of height shall be obtained by making the person to be measured stand erect, barefooted and bareheaded on a measuring standard and recording his actual height.

4. When a person is being photographed under the provisions of Section 3, he shall wear his ordinary every day attire, or, if he has been convicted of personation, the usual attire of the person or class of persons personated.

5. The records of measurement and photographs shall be preserved as follows:-

(1) during investigation, by the investigating police officer,

(2) during trial, by the police officer conducting the prosecution (hereinafter called the court officer);

(3) after the termination of the investigation of trial:-

- (a) if not required to form part of a judicial record and not required to be preserved for permanent record, they shall be filed with the police papers connected with the case and destroyed eventually with those papers;
- (b) if required to form part of a judicial record, they shall be filed with the record;
- (c) if not required to form part of a judicial record but required as a permanent record they shall be preserved by the court officer until dispatched to the Criminal Investigation Department by which department they shall be finally kept.

Note - The rules regarding the safe custody of case diaries shall apply in cases (1), (2) and (3) (a) and (c).

118. Duties of the investigating police - Use of finger print system in investigation.

A. The tracing of a man's identity by means of his finger prints is of the greatest assistance in the detection of crime - It is, therefore, important that all police officers concerned in the investigation of crime and preparation of charge-sheets should have recourse to this aid whenever possible. They will make search slip references (Form No. 22) the various finger print bureau enumerated in Rule 123 to trace out the history and antecedents of all unidentified persons, suspected or accused of a criminal offence.

B. Information to be supplied to court police regarding search references - (a) When no search references are made the police, station they will furnish, when forwarding the accused to court or sending him up on a charge sheet, such information in writing to the court officer as is required for the latter's guidance for making a search reference immediately when necessary according to Rule 123, (b) when a search slip has been issued by the station police, the fact together with the names of the bureau referred to will be communicated to the court officer and the replies will also be sent to the latter.

C. Officers competent to take finger impression - Under the Identification of Prisoners Act (XXXIII of 1920) a police officer taking finger impression must be: -

- (i) an officer in charge of a police station,
- (ii) an officer making an investigation under Chapter XIV of the Criminal Procedure Code,
- (iii) and an officer not below the rank of Sub-Inspector.

Note - Under this Act no court officer below the rank of Sub-Inspector is authorized to take finger prints.

D. Authority for taking finger prints, etc. -

I. Under the Identification of Prisoner Act, a police officer as defined in clause (C) above can take *suo motu* the measurements (including finger impressions) or photographs of any person who has been:-

I. Convicted of offences punishable with rigorous imprisonment for a term of one year or upwards or of any offence which would render him liable to enhanced punishment on a subsequent conviction.

(2) Ordered to give security for his good behavior under Section 117, Criminal Procedure Code.

(3) Arrested in connection with offences punishable with rigorous imprisonment for a term of one year or upwards.

II. A magistrate of the first class can order a person's measurements (including finger prints) and photographs to be taken by a police officer for the purpose of any investigation or proceeding under the Criminal Procedure Code provided that such person has at some time been arrested in connection with such investigation or proceeding.

Under this Act, a district magistrate can or any officer empowered by him this behalf can at any time order the finger impressions of a registered member of a criminal tribe to be taken.

Note - Resistance of refusal by a person to allow the taking of measurements (including finger prints) and photographs under the Identification of Prisoners Act amounts to an offence under Section .186, Indian Penal Code, and the Act provides for the use of all means necessary to secure the taking thereof.

119. Unidentified dead bodies: (a) When the identity of the corpse of a person regarding whose death there is any suspicion of foul play, or who met with death in connection with the commission of an offence, has not been ascertained by ordinary enquiries, the finger prints should be taken by the court police, at the request of the investigating police on a search slip (Form No. 22) and sent to the local bureau for search.

If any conjecture is possible -

(1) as to the identity of the body, the finger impressions forwarded to the bureau, should, if possible, be accompanied by any documents bearing the supposed person's finger impressions that can be obtained. Such documents may often be found amongst revenue records, bonds executed for borrowing money deeds relating to the sale, transfer and mortgage of property, marriage, contracts, etc.

(2) as to any other province to which the deceased belonged, a search slip should be sent to the bureau of that province.

Ordinarily there is not much difficulty in taking impressions from the fingers of corpse, but it sometimes happens that the skin of the fingers is so contracted and wrinkled that decipherable prints cannot be obtained. In such cases the medical officer holding the post-mortem should be asked to dissect the skin from the fingers. Impressions should then be taken as clearly as possible by padding the skin, and the pieces of skin from the ten digits should be carefully sealed up in separate phials containing spirits or wine, packed in a small box and sent to the bureau for examination together with the finger prints so taken. Each phial should bear a label showing the digit to which the dissected skin belongs. The officer sending the skins to the bureau should note as to sex and whether any conjecture could be made from the appearance, dress, etc., regarding the residence of the deceased.

(b) *Photographs* - In addition to the transmission of their finger prints to the various bureau, all corpses whose identity has not been established should, whenever possible, be photographed and the photographs be sent to the Finger Print Bureau, Dimapur or which the Government

authorizes from time to time, with the search slip, for reproduction in the Criminal Intelligence Gazette, A cabinet size photograph should be taken as in most of these cases it will probably be desirable to have a photograph of the whole body. Due care should be paid to decency in photographing corpses.

120. Search for finger prints left upon(article, etc., connected with or surrounding the scene of a crime.

(a) *Cases in which search should be made for finger prints* - In committing crimes culprits often inadvertently leave their finger impressions on articles of all descriptions, and it is desirable that every article which might bear such impressions, more especially glass, metal, polished wood or lacquer work should be most carefully examined by a magnifying glass. Torches abandoned by dacoits should always be examined as good finger impressions are not infrequently found on their charred surface; while upon bottle-torches such impressions are usually clear. In burglary cases finger impressions are often to be found on bamboo matting's near the points of entry or on door posts. In cases of murder immediate search should be, made for blood stained finger impressions.

(b) *Articles to be sent for examination* - When an impression however faint is detected, the investigating officer will ascertain whether the article in question has been touched by anyone since the occurrence. If he is satisfied that the finger print is undoubtedly that of a culprit he should take into his custody either the article or those portions of it which contain the impressions, carefully removing it in the presence of respectable witnesses after putting on it such marks as would make its subsequent identification possible, and should forward it to the Superintendent of Police in charge of the Criminal Investigation Department for examination by the Finger Print Bureau. If however the nature of the article is such that the removal of it or of the requisite portion is impossible a photograph of the impression after intensification, when possible, should be taken with the help of a local photographer who will be assisted by a proficient or local expert, if necessary, and then sent to the Superintendent of Police for examination by the bureau experts. If required, the services of an expert from the Finger Print Bureau may be requisitioned for this purpose, case being always taken in the meantime to protect the impression and the owner should be warned not to touch or move the article in question:

(i) *Study of impression with a view to help the searching expert* - Finger impressions on articles should be carefully studied by investigating officers with a view to an opinion being formed if possible, as to the finger or hand to which the imprint belongs. If due attention is given to ascertaining the exact position of the article before it was handled by the offender, and also as to its position when found after the commission of the offence, it is frequently possible to form an opinion on this point. For instance, when a window has been broken and the shattered glass has been removed by the person breaking it, if the position which the glass formerly occupied is noted it would not be difficult to judge which hand removed the glass and which finger or fingers are likely to have left the imprint on it.

Similarly from the position occupied by a tumbler, bottle, plate or other article, it may be possible to form an opinion as to which hand the offender used in removing or touching.

Occasionally marks are found on article which bear a resemblance to an impression made by the bulb of a finger, but they may be from some other portion of the hand or even from part of the foot. This difficulty will arise in cases where only a single mark is found on an object and every care must

be taken to determine, if possible, whether the impression is from the bulb or base of the fingers, palm of the hand, or from the ball or heel of the foot.

The opinion, if any, so formed should be communicated to the bureau as it will afford great assistance to the experts in making their classification for search. Any clue as to the exact position of one or more digits should be furnished as it will make a satisfactory search possible even though it may take a few days to complete it.

(ii) *Protection of finger prints for examination* - When an article bearing an impression has a flat surface, the finger print can easily be protected by covering it with an inverted lidless cardboard box attached by gummed flaps and sealed down.

Many other ways of protecting finger prints will suggest themselves but care must be taken that adequate protection is afforded.

(c) *Method of intensifying* - Finger marks on glass, polished wood, metal and lacquer work may be intensified by sprinkling the surface with a small quantity of a powder known to Chemists as "grey powder" or in the case of light colored articles of powdered graphite. The article should then be shaken or the powder brushed over it with a camel hair brush. The brush should be drawn lightly across the impressions first vertically and then horizontally until they appear quite clear and decipherable. This treatment has the effect of making visible impressions which cannot be seen with the naked eye. Articles which may have been handled by criminals should always be treated in this way if possible.

(d) *Packing and forwarding of articles bearing prints* - The investigating officer should always remember that while handling articles for packing or for any other purpose he is likely, to impress them with his own finger prints, as well. These therefore should not be handled unless absolutely necessary, when something with a smooth' surface should be slipped underneath. The articles should be carefully lifted into the box in which they are to be packed and nothing with a rough surface should be allowed' to come into contact with the portions bearing impressions. All possible precautions should be taken so that the print may not be damaged during transit.

(e) *Method of dispatch* - In important cases, or when exhibits are very heavy or large they should be sent by a special messenger. Ordinarily the package should be sealed and sent by registered post to the Superintendent of Police in charge of the Criminal Investigation Department. A label should be attached to each article giving the number of the F. I. R. with date and the name of the police station and district and that of the officer forwarding the package~ and every care should be taken that the identity of the article can be proved as in the case of articles sent to the chemical examiner.

(f) *Apparatus required* - In order that the instructions contained in the foregoing clauses may be carried out each police station should be supplied with:

(1) A magnifying glass for reading finger prints.

(2) Four ounces of graphite or grey powder for sprinkling.

(3) A camel hair brush for brushing.

(4) A few cardboard boxes for protecting finger impressions.

121. Photography of finger prints: I. The photographic enlargement of finger print is necessary:-

(a) for the purpose of comparison of impressions on articles by the experts of Finger Print Bureau.

(b) for the inspection and clear understanding of the Judge and Jury in a case in which experts express an opinion which it is necessary to confirm by production in court of the photograph of the impressions on documents or articles relating to the case regarding which evidence is to be placed on record.

The enlargement should be done locally or when this is not possible the articles containing the impressions should be sent to the Finger Print Bureau for the purpose and the latter will have if done by a Photographer at headquarters. Care should always be taken that the identity of the articles containing the impressions from which the enlargement is made can be proved beyond doubt when necessary and that the article is not lost; disfigured, damaged or destroyed. The article should never therefore be parted with and an officer must always be present when the photograph is being taken, and it should be taken back immediately afterwards.

II. As an aid to police investigation also, the photographing of impressions has frequently to be resorted to, before any definite opinion can be expressed. Finger or foot prints which lend themselves best to photography are those which are impressed on glass, glazed earthenware vessels, polished metal articles, tin boxes, paper and occasionally on wood. Finger prints on the ground may be usefully photographed if the impressions are clear. Prints on rough surfaces are, as a rule, of little use. It should be distinctly understood that finger marks which do not disclose clearly defined details when viewed through a magnifying glass are generally useless when photographed. It has already been said that latent impressions can be developed with the aid of powders, but if there is any intention on the part of the investigating officer to forward an impressed article to the Finger Print Bureau for the purpose of an opinion, powder should not be used at the time of discovery, as it sometimes happens that the powder reduces the area available for comparison by obscuring some of the characteristic detail. It is often possible to obtain a satisfactory photograph without the use of powder when the detail is discernible though faint.

122. Duties of proficient's and action to be taken by court police before conviction: *Duties of proficient's* - The proficient's attached to court offices will dispose of all work in connection with the finger print system, under the direct supervision of the officer in charge thereof. Their duties are mainly as follows:

(i) To prepare the record slips and the P. R. slips of the persons mentioned in Rule 127 in the manner required by that rule and Rule 128 and to keep the record slips ready for test.

(ii) To test record slips in the absence of an expert as directed in Rule 131.

(iii) To prepare and dispatch search slips of accused or other persons referred to in Rule 12.

(iv) To keep release notices as required by Rule 132.

(v) To dispose of record slips and release notices in the manner described in Rules 130 to 132.

(vi) To prepare all statements and returns that may be required by the Finger Print Bureau in connection with the finger print system.

(vii) To maintain and keep the registers prescribed in the Appendix.

(viii) To keep in good order and fit for immediate use all instruments for taking finger print.

In court offices where there are two proficient's, the finger print work will be divided between them by a district order in such manner as the Superintendent of Police may deem fit. It is suggested that

the touring experts be consulted in this connection. The officer-in-charge of the court police however, should neither be relieved of all responsibility with regard to finger print work nor of the duty of personally attending Jail parade on Sunday morning (*vide* Rule 134) nor must the specification of the proficient's' duties above be construed to mean that proficient's will have nothing to do except finger print work. The officer-in-charge remains responsible for the work of the "proficient" who is merely to relieve the former of actually having to do the work himself.

123. Examination of certificates forwarded with the charge sheets by court officers: Whatever action may have been taken or whatever information may have been furnished by the investigating officer in the accused forwarding report or elsewhere regarding his antecedents, court officer must carefully examine the certificate given by the former along with the charge sheet in order to be sure whether an accused is 'identified' or not.

124. Search slip references: A. The court police will prepare and send the finger print search slips (Form No. 22) of the following classes of persons sent to court after arrest as suspects or under trial on a criminal charge, regarding whom no search reference has been made by the investigating police, to –

- (a) the Dimapur Finger Print Bureau,
- (b) the bureaux of the state of which the persons are believed to be residents, and
- (c) the bureaux of the state where their operations are believed to extend.

Note - The court officers or the investigating police will ascertain from the language, dialect and dress of a suspect or an under trial prisoner whether he is likely to be a resident of say particular province and whether his operations are likely to extend to any particular province or provinces and will issue his search slip accordingly. If the language, etc. spoken by a suspect or an under trial prisoner is found to be similar to that, used in two or different provinces, search slips will be issued to the Bureaux of all such provinces.

(1) All unidentified persons when they are charged with offences for a conviction in which their record slips are liable to be kept in the bureau or bureaux under Rule 127.

(2) All persons whether 'identified' or 'unidentified'-

- (a) who, though themselves residents, are not natives of the province. and are thus likely to have relations with criminals in other provinces,
- (b) whose operations are known to extend beyond the limits of the province,
- (c) who are members of criminal tribes or wanderers,
- (d) who are charged with-

(i) theft of arms or ammunitions.

- (ii) serious offences against the coinage in circumstances which' render it likely that they are professional coiners.
- (iii) counterfeiting currency notes, bank notes, or Government promissory notes, or offences connected therewith.
- (iv) offences punishable under Sections 215, 363 to 373, 170', 171,419 and 420, Indian Penal Code.
- (v) poisoning of a professional type.
- (vi) offences in connection with political agitation.

(e) who are known or believed to be connected with organized gangs in other provinces, whatever may be offences for which they are arrested in the case.

B. The references detailed in (2) above may also be made by the station police, if necessary. When they have made all the requisite references no action need be taken by the court police in this direction but if the reference made by the station police is incomplete or defective it should at once be rectified by the court police.

C. (a) The names of all these persons for whom search references are made' should be entered in the register of unidentified persons.(Form No. 28)

(b) A few pages of the register according to requirements may be set apart for entry of the names of identified persons.

(c) The names of persons regarding whom search reference are made by the station police should also be entered in this register, the letters P.S. being written in red ink across the entry to show that the reference was made from the police station.

Note - In the case of a woman the search slip must be prepared before a gazetted officer and a note made in the counterfoil of each slip testifying the same. This will apply *mutatis mutandis* in the preparation of a record slip (the note being made on the slip).

125. Court officer to apply for remand to ascertain previous conviction of accused for which search slip and verification roll has been issued.

(a) When a search slip and a verification roll have been issued to ascertain whether an accused has been previously convicted or not, and the replies have not been received when the evidence for the prosecution has been completed, the prosecuting officer should apply in Form No. 29 to the trying court for a remand with a view to the adjournment of the enquiry or trial of the case under Section 309, Criminal Procedure Code, or for postponement of the judgment which is to be delivered under Section 353, Criminal Procedure Code, pending the result of the reference. This application will remain with the judicial record.

(b) The application for remand does not mean that the commencement of a trial is to be delayed. The case will be taken up in the ordinary way and .an adjournment is only necessary immediately before a charge is framed under Section 221, Criminal Procedure Code, as the fact, date, and place of previous conviction, if

any, have to be stated therein under clause 7 of the section, although when such statement has been omitted the court may add it at any time before the sentence is passed.

(c) Although evidence in-respect of the alleged previous conviction can be taken and a finding thereon can be recorded, by the court Criminal Procedure Code, after the accused has been convicted under Section 246 (2) & (3) or Section 248 (1) of the Code, the court officer will nevertheless lose no time in taking steps for adducing evidence in order to prove previous conviction where necessary as soon as possible so that the case may not drag on for any unwarrantable length of time.

(d) If a remand or adjournment applied for is not granted by a Magistrate, the failure to obtain it and the reasons for refusal should be prominently noted in the court officer's daily under trial case report containing an entry of the case for the information of the Superintendent of Police and

Deputy Commissioner. If the reasons appear insufficient the Superintendent of Police will make a note to this effect while forwarding the aforesaid report to the Deputy Commissioner. If the refusal of the remand results in the escape of an accused from enhanced punishment or from the operations of Section 356 Criminal Procedure Code, the fact should always be noted in the remarks column of the statement of reconviction in the next half yearly return of serious crime and in important cases (e.g., where the accused is a habitual or desperate criminal) a report should also be submitted by the Superintendent of Police in charge of the Criminal Investigation Department after the matter has been brought to the Deputy Commissioner's notice as stated above.

126. Method of proving previous conviction.

(a) If, on the return of the search slip from the Finger Print Bureau, it is found that previous convictions have been traced against an accused, steps should be taken to prove these convictions, when necessary, under Section 298 Criminal Procedure Code, which requires-

(i) the filing either of a certified copy of the previous conviction, or of a certificate signed by the Superintendent of the jail in which the punishment or any part thereof was inflicted, or the production of the warrant of commitment under which the punishment was suffered ; and

(ii) the proving of the identity of the accused with the person previously convicted as laid down in clause (c) below.

(b) In the case of a person who has been previously convicted more than once, it will generally suffice to prove the last conviction only, provided that the former convictions were proved in the case in which that conviction was obtained and are mentioned in the former judgment.

(c) (i) The identity of an accused should ordinarily be proved by the evidence of a police officer who is cognizant of the previous conviction, or by a jail officer who can recognize the accused as the prisoner who underwent the previous sentence of imprisonment, but if these witnesses cannot conveniently be obtained, identity may be proved under Sections 45 and 73 of the Indian Evidence Act, 1872 (Act 1 of 1872) as

amended by Act V of 1899, by means of the expert evidence, supplemented by the evidence of the officer who prepared or tested the previous record slip.

(ii) When it is required to prove the identity of an accused person by means of his finger prints, the following procedure will be observed:-

"The prosecuting officer will move the court to issue, under Section 91, Criminal Procedure Code, a summons of the officer-in-charge of the Finger Print Bureau in possession of the traced slip to send by registered post the original finger print slip containing the finger-prints of the convict whom the prosecution alleges the accused to be. A duplicate copy of the slip containing the finger prints and previous convictions of the convict concerned taken by a "proficient" should invariably accompany such summons, and will be retained in the bureau in place of the original slip sent to the court. A summon will be issued at the same time to the Dimapur Bureau for the services of an expert, irrespective of the bureau to which the previous conviction was traced. Except in Sessions cases experts should not be summoned by name, and in no case should finger print experts employed in districts be allowed to give expert evidence without the permission of the Superintendent of Police in charge of the Criminal Investigation Department.

(iii) Any cases in which a Magistrate declines to accept the uncorroborated evidence of a finger print expert should be brought to the notice of the Director General and Inspector-General of Police through the Special Superintendent of Police and if the Magistrate makes any comment on the subject, a copy of the Judgment should accompany the report.

Note 1 - No previous conviction need be proved if the accused admits that he has been convicted before as alleged in the charge framed under (Section 221 Criminal Procedure Code. (See Rule 125)

Note 2 - Where a prisoner is charged under Section 221 Criminal Procedure Code, evidence may be adduced in respect of the same after the accused has been convicted Vide (Section 246 (2) & (3) Criminal Procedure Code). See Rule 124)

Note 3 - For Procedure in case of previous convictions in Sessions cases, see Sections 236 Criminal Procedure Code.

Action by court Police after Conviction (Rules 126 to 134)

127. Result of trial of traced cases to be reported to the bureau: (i) The result of trials of traced cases should be reported without unnecessary delay direct to the bureau or bureaux which traced them in Form No. 30.

(ii) When an accused is convicted and made P. R. in a traced case the record slip of the convict should also be sent to the bureau concerned together with the result of the trial with a dispatch cheque.

(iii) When a person traced by a bureau is not sent up for trial the fact should be communicated to that bureau.

128. Persons whose finger print should be submitted for record in the finger print bureau.

Subject to the exceptions detailed in Rule 114 finger print slips should be prepared for record of the following persons, juvenile or adult, male or female:-

- (a) All persons convicted of offences against property which carry enhanced punishment on reconviction irrespective of the duration of the sentence inflicted, if their real names and antecedents are unknown to the police and cannot be ascertained.
- (b) All persons convicted under Chapters XII and XVII, Indian Penal Code, for an offence punishable with imprisonment for three years or more, outside their home districts or who are likely to revert to crime after release.
- (c) All persons reconvicted under Chapter XII and XVII, Indian Penal Code, for an offence punishable with imprisonment for three years or more.
- (d) All persons convicted under Sections 170, 171, 215, 23i to 254, 328, 417 to 420 and 489-A to 489-D, Indian Penal Code.
- (e) All persons ordered to execute bonds under Sections 109 and 110, Criminal Procedure Code, if,
 - (i) they are convicted outside their home districts, or
 - (ii) are known, or believed, to commit crime in other districts, or
 - (iii) are unidentified.
- (f) All persons convicted under the Arms, Opium and Excise Acts who are believed to be illicit dealers in arms, opium or cocaine.
- (g) on conviction, on any of the offences under the Indian Penal Code as specified in Schedule I of the Criminal Tribes Act (Act VI of 1924). The offences mentioned therein are as follows:-
 - Chapter XII - Sections 231, 232, 233, 234, 235, 239, 240, 242, 243, Indian Penal Code.
 - Chapter XVI - Sections 304, 307, 308, 310, 324, 325, 326, 327, 328, 329, 332, 333, 369, Indian Penal Code.
 - Chapter XVII-Sections 382, 384, 385, 386, 387, 392, 393, 394, 395, 397, 398, 399, 402, 457, 458, 460, Indian Penal Code.
- (h) convicted or suspected persons, where finger impressions can be taken under the Identification of Prisoners Act, 1920 (Act XXXIII of 1920) not provided for above, regarding whom the Superintendent of

Police or Deputy Inspector-General of Police in charge of the Criminal Investigation Department or the Inspector General considers it desirable that there should be a permanent record.

(i) Persons convicted of offences in connection with subversive movements other than those of whose identity there is no doubt.

(j) All persons sent to the Mental Hospital after conviction. The word "Psychiatric case" should be noted on the slips as above.

(k) All adolescents (between the age of 16 and 21) who after conviction are sent to jail or to a special institution. Such adolescent criminals are not to be treated as P. R. or P. R. T. convicts.

(l) All criminals of Foreign Nationals convicted in cases of the types in which finger prints would ordinarily be taken for record under the rules enumerated above. In such cases the name or names of the Bureau or Bureaux, where duplicate slips have been sent for record should be noted on each finger print slip, such slips being sent direct to the Nagaland Bureau at Dimapur as well as to such other Indian Bureaux, as may be necessary. The word "Foreigner" should be noted on the top of each slip in red ink.

Another set of record slips with photographs should be sent to the Criminal Investigation Department, which department will transmit one set of finger prints and photographs to the Director Intelligence Bureau, Government of India, who, in turn, will forward them to the head of the Police in the country of which the Prisoner is a resident. Before the release of such a prisoner, a report should be sent through the same channels to the Director giving information regarding the date, route, boat, etc., on, or by which, the prisoner will be travelling, in order that such information may be transmitted to the country of the man's origin.

(ii) If any foreign criminal is convicted in a coining or note-forgery case which may arouse international interest and in which there is reason to believe that the false coins or notes have been manufactured outside India, a similar report should be sent for the information of the Director.

129. Procedure for making P. R. convicts P. R. T. and their release from Jail: 1. In the following cases a P. R. convict should be made P.R.T.-

(a) Unidentified persons.

(b) Convicts on whom orders under Section 356, Cr. P. C. 1973 have been passed.

(c) Desperate or habitual criminals who are foreigners to the district and not come under the foregoing clauses, if their transfer is thought fit by a Superintendent of Police.

The P. R. slips of these persons should be marked accordingly so that they may be transferred for release to the jail or sub-jail situated at the headquarters of the district or sub-division in which they reside or were convicted, which in each case should be mentioned in the slips with a view that necessary measures may be taken for the watching of the convicts movement on their release. Whenever, the residence of any unidentified P. R. convict is ascertained after conviction, the Superintendent of Police of the district in which the person was convicted should issue a revised P. R. T. slip to the jail to ensure the transfer of the

convict to his native district for release. If however the residence of the convict is verified shortly before his release from jail and there is no time for transfer, the date and place of release should be telegraphed to the Superintendent of Police of the convict's native district to enable him to take such steps as he may consider necessary to prevent the man being lost sight of after release.

2. Jail of release of P. R. T. and PRT prisoners

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(a) When a convict has no fixed residence, the jail of release should be that of the district in which he was last convicted. But in case of a person who has never been previously convicted or of a member of a wandering gang the jail of release should be the jail of the district in which he was sent up for trial.

(b) A prisoner on whom orders under Section 565, Cr. P. C. have been passed should be released from the jail of the district in which he declares his intention to reside.

(c) A tea garden laborer who on conviction is liable to be made P. R. T. should be released from the jail or sub-jail of the district or sub-division, respectively, in whose jurisdiction his garden is situate if he wishes to return to the garden unless the authorities thereof refuse to take him back in which case he should be released from the jail of his native district unless he has abandoned his original domicile as laid down in clause (d). If the laborer is convicted in the district or sub-division from the jail or sub-jail, respectively, of which he is to be released he should be made P. R. and not P. R. T.

(d) P. R. T. convicts who have left their native districts and have become permanently domiciled, in some other district, should be transfer red (if the district of conviction is different from the district of domicile) for release to the jail or sub-jail of the district of domicile and not to those of the district of original residence. If however a man is convicted in the district or sub-division from the jail of which he is to be released on account of his permanent domicile he should be made P. R. and not P.R.T.

If any convict who is to be made P. R. for his local release under this and the foregoing clause has been first made a P. R. T. a revised P. R. slip may be issued when necessary.

(e) Prisoners who are inhabitants of Bhutan or Nepal, should be released from the jail nearest their homes. The P. R. slip of such prisoners should be sent to the police of such States for information.

(f) All P. R. T. prisoners other than those mentioned above, if identified, will be released from the jail of their native district. Only in the case of P. R. T. convicts (except those against whom orders passed under Section 365, Cr. P. C. have been passed) the name of the jail of released be noted against heading 5 of the P. R. slip.

(g) If a P. R. T. prisoner is unfit, by reason of sickness, for transfer, the fact will be communicated by the jail authorities by letter, to the Superintendent of Police of the district to which the prisoner belongs, a copy of the letter being sent to the local police for information. If the Superintendent of the jail has reason to believe, six weeks before a prisoner's date of release, that he will not be fit for transfer, he will send a notice of this to the Superintendent of Police of the district to which the prisoner was to be transferred.

(h) Should any such prisoner become subsequently fit for transfer before the date of release, he will be at once transferred but if, when only a fortnight remains, he is still unfit, a note of the fact will be made in the

release notices which are made over bi-monthly to the Superintendent of Police. If obliged, through illness, to remain in jail up to the date of his release, the prisoner should be released at the jail gate, timely notice being given in writing to - the local police, as well as to the police of the district to which the prisoner would have been transferred, had he not been unfit.

130. Finger impressions of P. R. prisoners when to be taken.

(a) The finger impressions of P. R. prisoner on record slips should be taken as soon as practicable after P. R. order is passed and before such prisoners are transferred from the jail of the district of conviction.

(b) If in any case a P. R. prisoner is transferred to the jail of another district before being made P. R. the P. R. slip of such prisoner should be sent to the Superintendent of Police of the district to which he is transferred who will have the slip completed and the prisoner's finger impressions taken and tested.

These facts should be communicated to the Superintendent of Police of the district of conviction where from the prisoner is transferred.

(c) If a prisoner, who is made P. R. is transferred to the jail of another district before his finger impressions have been taken, the slip should be sent immediately to the Superintendent of Police of the district to which the prisoner has been transferred in order that his finger impressions may be taken there. (See clause A of Rule 132 for the procedure of testing of these slips and their return to the Superintendent of Police of the district of conviction).

(d) If a person is convicted of an offence for which he is liable to be made P. R. and the sentence imposed (e.g., fine, whipping or short period of imprisonment) is such that he will have been released from custody before the P. R. order is passed by the Superintendent of Police, the finger prints should be taken and tested by the court officer proficient's or experts immediately after sentence is passed and the slips submitted to the Superintendent of Police for orders whether they are to be forwarded or not to the Finger Print Bureau for permanent record. The ordinary method of preparation and testing of slips will not be applicable in these cases and a note should be made of it by the officers concerned on the slips.

If the Superintendent of Police does not pass orders declaring the prisoners P. R. the slips should be destroyed.

Note - In case the prisoner is transferred to another jail in the same district the correspondence regarding P. R. should be made directly with the court officer concerned.

131. Preparation and dispatch of record slips to the bureau: (a) *Duty and responsibility of the officer preparing the slips* - The print of both the hands of a convict should be taken by a certified proficient or expert on the record slip (Form No. 31) in the space provided for the purpose after which the latter should write down his name, rank, district and the place and date of taking the prints at the bottom. The subject's name, residence and other details as well as his convictions should be put down on the reverse of the form and the subject should then sign his name or, give his left thumb (rolled) impression, if unable to write. The officer taking the prints is responsible not only for the impressions, but also for the correctness of the convictions and other details entered on the slip. The sentence and the previous convictions, if any, must be verified from the judicial records, and the personal details of the convict from the court officer's and the Jail records. Convictions which cannot be judicially proved as previous convictions under Section 75, I. P. C., or those which are admissible within the meaning of Section 75, I. P. C., or Section 356, Cr. P. C., but are not proved for any reason should also always find entry in the record slip. After preparation of the slip the

officer will put his signature in full at the bottom of certificate No.1 which is a guarantee for the correctness of the convictions and other details.

After having prepared as many record slips as are required under the rules, the proficient or expert will note the words "F. I. taken with his initial and date",

- (i) on the back of the P. R. slip;
- (ii) against the prisoner's name in the jail admission register; and
- (iii) on the history ticket.

When the convict is identified the word "Identified" and when he remains unidentified, the word "Unidentified" must be stamped in red ink on the top of the record slip on the side containing the prints.

(ii) of female convicts:-

The impressions of a female convict should be taken before a gazetted officer, preferably the trying court, if possible. If the impressions are to be taken in the jail the expert or proficient should go to the female enclosure in company with the jailor and there take the prints in the presence of the female warder, the female convict overseer (where such exists) or the female companion, if any, in charge. The word "female" should be noted on the slip as above.

Note. - In testing a female's slip also the above procedure should be followed.

(iii) of "Reconvicted prisoners":-

On the reconviction of a P. R. prisoner, as many fresh record slips as are required by the rules will be prepared and the word "Reconvicted" stamped on each copy in red ink on the side which contains the prints. Care should be taken that all previous convictions are entered chronologically.

(c) *Number of record and P. R. slips to be prepared* - (i) Ordinarily one record slip and one P. R. slip will be prepared for each P. R. convict. In the cases however, where the record slips are also to be submitted to the bureaux of other provinces as laid down in the sub-clause below, one extra slip is to be prepared for each bureau.

(ii) Record slips after being tested should be submitted to the bureau or bureaux by the court police of the district of conviction before release as follows:-

- (1) to the Finger Print Bureau, Dimapur.
- (2) to the Bureaux of the province of which the persons are or are alleged to be residents ;
- (3) to the Bureaux of the provinces where their operations are known or believed to extend, the name of the several bureaux where the slip has been sent for record, being noted in each copy of the finger print slip.

The record slips must be submitted to the Finger Print Bureau before the release of the prisoner from

jail, but after the time of appeal is over or the appeal, if any, has been decided. In case the order of a court of appeal or revision setting aside or altering a sentence is received after the submission of the record slip to the bureau or bureaux the fact should at once be communicated to the bureaux concerned for the necessary correction of the slip.

(d) *Record slips returned as unfit for record* - If a record slip is returned by the bureau as unfit for record, the Superintendent will without delay have the slip completed, corrected, or a fresh slip prepared, and will take suitable notice of the carelessness on the part of the "proficient" or "expert" in sending an incomplete or incorrect slip to the bureau. Such negligence must on no account be overlooked.

132. Testing of record slips.

A. *Slips pending test to be kept in open files.* - All finger print slips taken for record in the bureau will be kept by the court officer in open files arranged according to the dates of release pending test which must be done by an expert deputed from the Finger Print Bureau 'or in case of emergency by a local expert or proficient before dispatch to the Finger Print Bureau. The record slips of prisoners who have been transferred to other jails before their slips have been tested should be sent to the court officer if the transfer was to another jail within the same district, or to the Superintendent of Police if the prisoner was transferred to another district. These slips will be placed by the court officer in his "pending test" file and after test and expiry of the appeal time be returned to the Superintendent of Police of the district of conviction for transmission to the Finger Print Bureau as required by the rules.

B. *Method of testing the slips.* -

- (1) The test should take place in the jail when the prisoner is sentenced to imprisonment and the testing officer should satisfy himself at the outset that the prints are those of the convicts named in the slips.
- (2) The plain impressions should invariably be compared with the rolled impressions with a view to seeing if the latter have been taken in their proper sequence.
- (3) All the rolled impressions should be examined to ascertain if the complete contour of the bulbs of the fingers has been impressed.
- (4) The following points in impressions should be examined:-
 - (a) In case of loops
 - (i) The delta by bifurcation or by divergence;
 - (ii) Ridges from the core to the delta for ridge, counting;
 - (iii) Ridge characteristics, if any.
 - (b) In case of whorls -
 - (i) The two deltas on two sides and cores;
 - (ii) The edges from one delta to another for ridge tracing;
 - (iii) Ridge characteristics, if any.
 - (c) In central pocket loops - Whether cores and deltas have clearly been impressed.

(d) In lateral pockets and twinned loops whether their central ridges and deltas have been clearly impressed so that their differentiation may be ascertained.

(e) In case of arch - whether the impression is sufficiently clear to enable the bureau to trace curving ridges from one side to another.

(f) In case of tented arch whether the ridges near the middle and the adjoining ridges are distinctly impressed for examining re-curving ridge on either side of the axis.

When the testing officer has satisfied himself as regards all these particulars, he should write his name against the entry "impressions tested by". After examining the name, parentage, residence, etc., of the subject, he should go through the convictions noted on the slip and see whether they have been entered in accordance with the entries on the warrant of commitment and High Court Criminal Form No. 38. When fully satisfied with the correctness of all these entries, he will put his signature in full at the bottom of Certificate No. 2 of the record slip [Form No. 31]

The testing officer should also see whether the required number of slips have been taken. Any mistake should be brought to the notice of the Superintendent of Police for necessary action. Record slips of which the prints are blurred or indistinct should be replaced by fresh slips prepared by the expert or proficient. After having tested the slips the expert or proficient will note the word "tested" with his initials and date –

- (i) on the back of the P. R. slip,
- (ii) against the prisoner's name in the jail admission register, and
- (iii) on the history ticket.

C. Procedure to be followed on the visit of a touring expert:-- When an expert from the bureau visit a district for inspection the court officer will send a list of the convicts whose slips are to be tested by the expert to the jailor who will thereupon keep the convicts ready along with the P. R. slips, history tickets, warrants and other connected papers for the expert's inspection.

When an expert visit a district or sub-divisional jail on a day other than Sunday (jail parade day) he will obtain orders from the Superintendent of the Jail for admission therein.

D. Testing of record slips of prisoners likely to be released before visit of touring expert:- Besides the testing of slips of the prisoners quickly passing out of custody as in clause A, pending record slips should be tested by the local proficient's or experts when the prisoners are likely to be transferred to jails of other districts or to be released before the next visit of the touring expert from the bureau.

133. Issue of P. R. Slips: (i) As soon as the Superintendent of Police has passed P. R. or P. R. T. orders regarding a convict on the final memorandum of the case, a P. R. slip should be prepared in Form No. 23 by the court police and sent to the jail where a convict is confined, to be attached to the prisoner's warrant of commitment. Duplicate P. R. slips shall be issued in the case of persons

convicted of offences under Sections 395, 396, 397, 399, 400, 401, 402 and 412, Indian Penal Code, and other inter-district and inter-provincial habitual criminal who are likely to revert crime after release, one being marked in red ink for the Criminal Investigation Department.

After the appropriate columns have been filled in by the jail authorities, these slips will serve as the notices of release from the jail. In cases in which a P. R. slip is prepared, but the convict is not sent to the jail the slip should be filed at once in the court office. The annual serial number and year of issue of the P. R. slip should be noted in column 15 of the court conviction register.

(ii) On the 1st and 16th of every month court officers will send to the local jail (district and sub-divisional) for the release notices of convicts to be released during the following half month, and a list of prisoners who have died during the preceding half month.

In the case of a convict against whom an order under Section 356, Criminal Procedure Code has been passed, the Superintendent of the transferring jail, after filling up the particulars of the, proposed residences the date on which the convict is to be released with the name for the Jail of release in the P. R. T. slip will send it together with the statement of the convict under Section 356, Criminal Procedure Code to the Superintendent of the receiving jail, at least six weeks before the date fixed for his release. The Superintendent of the Jail from which the convict is to be released shall immediately forward it to the Superintendent of Police of the district where the prisoner will be released for necessary action.

(iii) When a P. R. prisoner is released before the expiry of his sentence, and there has been no time to include his name in the fortnightly return, a notice of his release should at once be sent to the Superintendent of Police by the Superintendent of Jail in which the prisoner is confined. Release notices of convicts about to be released will be sent to the Superintendent of Police of the district in which the prisoners were convicted, a record being kept in the counterfoil in case they are P. R. slips.

(iv) Delay on the part of jail authorities in carrying out the above orders will invariably be brought to the notice of the Superintendent of Police who will, if necessary, report the matter to the Inspector General of Police for action.

(v) On receipt of a release notice from the district jail or from a sub-divisional court office, the headquarters court officer will check it with Part IV of the jail parade report (*vide* Rule 135) and enter it in the release notice register under a consecutive serial number. Release notice registers not being kept up at sub-divisions, sub-divisional court officers will forward the notices to the headquarter court officer for necessary action. After the release notice has been entered in the register it will be issued to the police station within which the convict resides, with orders to the officer-in-charge to report a week after the expiry of the prisoner's sentence whether he has returned home or out. Before however, issuing the release notices to the police stations, those of railway and river criminals should "be copied and copies forwarded to the Superintendents of Railway and River Police concerned. On their return from the Thanas, the notices should be filed in monthly bundies, and in case of P. R. slips they should be pasted to the counterfoils.

(vi) In every P. R. slip book there will be two blank pages, which will be divided into twenty parts for showing twenty different years of release.

(vii) On the issue of a P. R. slip to the jail, the number of the slip should be noted in the blank pages of the P. R. slip book against the year in which the convict is to be released. At the end of each year the

slips for the period should be separated and separately filled year by year. When a new book is opened at the commencement of the year, the counterfoil of the P. R. slips of the convicts who are to be released during the year should be stitched into the book.

(viii) The P. R. slips (both the foils) should be divided into two classes, viz., (a) of ordinary convicts and (b) of convicts against whom an order under Section 356, Criminal Procedure Code, has been passed. The former will be destroyed one year after release of the man from jail, and the latter five years after release.

(ix) Superintendent of jails, shall, not later than the first week of each month, send to the Special Superintendent of Police, in charge of the Criminal Investigation Department, direct, after filling in the release portions, the duplicate P. R. slips issued under clause (i) of the rule who are due for release in the following month.

On receipt of the intimation the Criminal Investigation Department will arrange for photographing, before their release, all convicts whose criminality extends beyond their native districts and shall prepare and publish in the Criminal Intelligence Gazette illustrated release notices, reproducing their photographs and containing a brief history of their career and antecedents.

134. Dispatch cheque to accompany P. R. slips and record slips: -(1) In transmitting P. R. slips to the Superintendent of Jailor Police of any district for action or in sending the record slips to any Finger Print Bureau for record or the Superintendent of Police of any district or any court officer for testing, dispatch cheques [Form No. 32] should be used and the slips should be accompanied by the middle and outer foils thereof.

(2) The outer foil should be returned as an acknowledgment of receipt of the slips and the middle foil retained by the receiving officer and filed in yearly bundles according to the consecutive number of the cheques.

(3) At the time of sending the record slips to the bureau the number of the cheque together with the date of its dispatch and the names of the bureau where the slips have been sent for record should be noted in Column 15 of the court conviction register in red ink.

(4) On receipt of the outer foil in a court office from the Finger Print Bureau the classification number of the slips noted by the bureau should be correctly copied into Column 15 of the court conviction register against the name of the convict concerned in red ink.

135. Jail parade as a check on P. R. and F. P. system: (a) A jail parade will be held every Sunday morning at all sub-divisional and district jails. It should be conducted by the court officer himself, or in his absence by such officer as the Superintendent of Police selects who will be assisted by as many of the court staff as he requires. All officers should be present at the jail punctually at 7.30 a.m. The district jail parade should be supervised at least once a month by a gazetted police officer, and all officers and constables stationed at headquarters, not exceeding seven in all at one time, should attend the parade in rotation so as to commit to memory the faces of as many prisoners as possible.

(b) An Assistant Sub-Inspector will be told off to the jail at 2 p.m, every Saturday to fill in Columns 1 to 5 of the Jail parade report [Form No. 33]. He should collect the P. R. slips, history, tickets, warrants, and other connected papers of each prisoner to be parade on the following day and arrange them

in the order in which the prisoners' names appear in the jail parade report. He will particularly see that the names of all prisoners liable to be made P. R. and admitted to the jail up to the preceding Friday are entered in the jail parade report.

(c) As soon as all the prisoners to be paraded have been assembled on Sunday morning the court officer will fill in the columns of the jail parade form, the jail admission register, the jail release diary, the file of jail warrants and other connected papers which should include the release; notice and the prisoners history ticket.

(d) In case of a prisoner marked P. R. the number of the P. R. slip should be noted under the P. R. entry in Column 4 of the jail parade report.

(e) The court officer should see that the entries in the jail admission register and history tickets tally with those on the back of the release notices, and should enter from the latter, in the jail parade report any information not contained in the above register.

(f) In case of a prisoner admitted by transfer it should be seen if a P. R. slip has been received if the man is liable to be made P. R. If no slip has been received or if any P. R. or P. R. T. convict has not had his finger prints taken or tested the court officer should at once report the fact to the Superintendent of Police who will refer the matter to the Superintendent of Police of the district of conviction. If the prisoner was transferred from another jail within the same district the court officer of the place of conviction should be referred to district. In case of impending release the court officer should, however, before making the reference prepare as many finger print slips of the mail as are required for record under the rules. If his finger print slips have already been prepared by the district of conviction these may be destroyed.

(g) In case of prisoners transferred to other jails, the court officer should see that the P. R. prisoners not made P. R. before transfer, and of P. R. prisoners whose finger prints have not been taken or are awaiting test, are at once transmitted to the authorities concerned.

(h) As a check on the due receipt from the jail of release notices for transmission to the police stations, the number and date of receipt of the release notices should invariably be noted against all impending releases in Column 9 of the jail Parade Form, Part IV.

(i) The jail parade report should be put up before the Superintendent of Police, if possible, on the following Monday morning so that necessary orders may be passed early in the week to allow of ample time for their execution before the next report falls due. As soon as all orders passed have been carried out the jail parade report should again be put up before the Superintendent of Police who will compare the entries in Columns 7 and 9 of the report and satisfy himself that all action has been taken. Thereupon, the report should be filed in the Superintendent of Police's office.

(j) Besides giving a chance to police officers to make themselves familiar with the appearance of

known criminals the object of the jail parade is to enable the Superintendent of Police to know what prisoners have been newly admitted into jail, thus affording him an opportunity of correcting any omission in regard to habitual and others who might have escaped being made P. R.

Note - Sub-classification of "Accidentals" in which more than 2 deltas occur:-

"In tracing the ridge in "W by L" the deltas of the "Whorl" are to be taken while the delta of the "Loop" is to be ignored. In "L by W" the Central and Right deltas are to be taken while the Left delta of the "Whorl" is to be ignored. In "W by W" the deltas of the "Whorl" at the centre are to be taken."

Classification and sub-classification of damaged or missing fingers:-

"When the same digits of both hands are missing, they should be classified as "Whorl" and sub-classified as 'I's. If only one finger is missing, it should be classified and sub-classified according to the corresponding finger of the other hand.

Combinations of A (arches) falling in both Index fingers will be arranged in the following order.

(1) A, (2) Aa, (3) Aa, (4) A-a, (5) A - - a, (6) aA-a, (7) Aa -- a, (8) A a- - a, (9) A2a, (10) Aa – a, (11) A - 2a, (12) aA2a, (13) aAa - a, (14) aA - 2a (15) A3a, (16) aA3a.

(1) Index, (2) Thumb and Index, (3) Index and Middle, (4) Index - Ring, (5) Index - - Little, (6) Thumb Index – Middle, (7) Thumb Index – Ring, (8) Thumb Index – Little, (9) Index Middle and Ring, (10) Index – Middle - Little, (11) Index - Ring Little, (12) Thumb Index Middle Ring, (13) Thumb Index Middle - Little, (14) Thumb Index - Ring Little, (15) Index Middle Ring Little, (16) Thumb Index Middle Ring Little.

Groups of *t* and *r* falling in any fingers except Index will be placed immediately after their groups.

The other combinations of T, R, U, and W will also be arranged in the same order.

Method of Sub-classification

Whorls - I, M, O, according the ridge tracing.

Loops - I, O, viz. – Thumb - up to 18 ridges - I and upwards O. Index finger - up to 9 ridges - I and upward O. Middle and Ring fingers - up to 10 ridge - I and upwards O.

Thus there will be the following divisions of records and the slips will be arranged in the order noted below ;-

In both numerators and denominators

1. L = I, O.
2. L = II, IO, OI, OO.
3. L = III, IIO, IOI, IOO, OII, OIO, OOI, OOO

1. W = I, M, O.
2. W = II, IM, IO, MI, MM, MO, OI, OM, OO.
3. W = III, IIM, IIO, IOI, IOM, IOO, OII, OIM, OIO, OOI, OOM, OOO

LW = II, IW, IO, OI, OMM, OO.

WL = II, IO, MI, MO, OI, OO.

LLW = III, IIM, IIO, IOI, IOM, IOO, OII, OIM, OIO, OOI, OOM, OOO.

Either in numerators or denominators

1. Ridge counting of loops or ridge tracing of whorls (as the case may be) in the Index fingers.
2. Ridge counting of loops or ridge tracing of whorls (as the case may be) in the Index and Middle fingers.
3. Ridge counting of loops or ridge tracing of whorls (as the case may be) in the Index, Middle and ring fingers.

T3 Ridge counting of loops in the Thumb, Index and Middle fingers.

Note - Fingers of right hand will be taken in numerators while those of left hand in denominators.

1. At the right-hand side of the fraction = ridge counting of loops or ridge tracing of whorls (as the case may be) in the right little finger.
2. At the right-hand side of the fraction = the first finger as above and second finger will be the ridge counting of either of the following (if loops) taken in the following order of precedence.

(1) Right Ring, (2) Right Thumb, (3) Left Little, (4) Left Ring and (5) Left Thumb.

If however Ring fingers have been taken in the sub-classification already - the ridge counting of the next loop finger according to the above order of precedence will be taken.

Ridge counting or tracing (as the case may be) will be noted on all fingers which are taken in sub-classification except in 1 ridge counting of all loops will be noted.

Sub-classifications of combinations

1 A T 2 Ridge counting of right Middle and Ring fingers

---, ---, --- = -- -1 = -----x Counting of right Little finger.
 1 A, T 2 Ridge counting of left Middle and Ring fingers

1 R U 2 Ridge counting of right Index and Middle fingers
 ---, ---, --- = -- -1 = -----x Counting of right Little finger.
 1 A, T 2 Ridge counting of left Middle fingers

1 A T 1 Ridge counting of right Middle finger
 ---, ---, --- = -- -1 = -----x Counting of right Middle finger
 1 R, U 2 Ridge counting of left Index and Middle fingers

9 9 A T I Ridge counting of right Little finger
 ---, --- ---, = -I = -----x counting of right Little finger
 1 2 A T I Ridge counting of left Middle finger

9 9 R U 2 Ridge counting of right Index and Middle fingers
 ---, --- --- = -- I = -----x counting of right Little finger
 1 2 A T I Ridge counting of left Middle finger

9 9 A T I Ridge counting of right Middle finger
 ---, ---, ---, --- = -- I = -----x counting of right Little finger
 1 2 R, U 2 Ridge counting of left Index and Middle fingers

Lettered combinations of I, 9, 9 will be arranged by ridge.
 I I 2

Counting in the right Little finger, if it is loop otherwise of right Thumb in case it is loop; failing both these to be loops not further sub-division will be made.

In all other pigeon holes in which sub-classifications have been made the slips of

$\frac{A, T, R, U}{A}$ $\frac{A, T, R, U}{T}$ $\frac{A, T}{R}$ $\frac{A, T}{U}$ and of only A or T

Whether in numerator or denominator (without lettered combinations) will be arranged by ridge counting in the right Little finger if it is loop.

APPENDIX – A
Registers in Connection with P. R. Systems

(a) The following registers and forms will be maintained at the sadar court offices in connection with finger print work:-

No.	Name of registers and files	Order with regard to Preservation and destruction
1	2	2
1.	The register of unidentified persons Form No. 28	May be destroyed after two years.
2.	File book of death statements Form No. 27	May be destroyed after five years.
3.	Dispatch cheque books Form No. 32	Ditto ditto.
4.	P.R. Slip book Form No. 23	Vide Rule 133.
5.	Release notice book Form No. 34	To be destroyed after one year.

(b) The following registers and forms will be maintained in the Finger Print Bureau:-

No.	Names of registers and files	Order with regard to Preservation and destruction
1	2	3
1.	Register of search slips received Form No. 38	To be destroyed after five years.
2.	Register of traced cases Form No. 36	Permanent.
3.	Register of F. P. slips received for record Form No. 39	Ditto.
4.	Index register of record slips Form No.37	Ditto.
5.	Death statement of P. R. convicts Form No. 27	To be destroyed after five years.

6. File of search slips Form No. 22	To be destroyed after one year.
7. Register of cases in which experts were employed Form No. 40.	Permanent
8. Register of dispatch of record slips requisitioned for evidence Form 335	Ditto.
9. Register of exhibits received in the Bureau for expert opinion Form No. 26	Ditto.

APPENDIX- II
(Rule 65)

Books, Registers and Files to be kept in the Court Office

No.	Names of register or file	Authority under which kept		Remarks
		Rule	Part	
1	2	3	4	5
1.	General register of cases cognizable by police	66	IV	Is a record of the magistrate's court and must be sent to the magistrate's record room for disposal.
2.	Final memoranda of cases	74	IV	Three years.
3.	<i>Khatian</i> or compilation register	77	IV	Three years.
4.	Register of appeals	80	IV	Three years.

5. Conviction register	81	IV	Permanently
6. Quinquennial index of conviction register	83	IV	Permanently
7. Register of cases committed to sessions	88	IV	Three years
8. Register of processes dealt with by police	89	IV	Is a record of the magistrate's court and must be sent to the magistrate's record room for disposal under the High Court rules.
9. Register of <i>hajjat</i> and under trial prisoners	55	IV	Three years
10. Register of <i>malkhana</i> property	63	IV	Permanently
11. Arms Register of the court <i>Malkhana</i>	64	IV	Permanently
12. Register of unimportant cases in Which the first information report is not used	72	IV	Seven years
13. Magistrate's Register of unnatural deaths	73	IV	Seven years
14. Bail and recognizance register	40	IV	To be destroyed on completion
15. Peon book	..	..	Three years
16. Receipt book of money, property and prisoners	90	IV	Ten years
17. Register of papers received	91	IV	Ten years
18. Register of papers dispatched	91	IV	Ten years
19. Inspection book	..	..	Permanent
20. Counterfoil book of receipts	92	IV	Three years

FILES

1. File of verification rolls	..	..	Three years
2. File of daily returns	..	..	Three years
3. File of weekly returns	..	..	Three years
4. File of half-yearly returns	..	..	Three years
5. File of annual returns	..	..	Three years
6. File of circular and circular memoranda	..	..	Permanently
7. File of Police Gazette	..	..	Ten years
8. File of Supplement to Police Gazette	..	..	Permanently

FORM No. 1

Daily under-trial Case Report of Court Officer

Referred to in Rule 20

1. Name of Magistrate.
2. Name of P. S., number and date of first information, date of final report, section of law.
3. Name of prosecuting officer.
4. Number of witnesses present, divided into.
(a) for prosecution;
(b) for defence.
5. Number of witnesses examined.
6. Number of remands already granted.
7. Reasons for present remand .
8. Number of accused divided into committed to *ha at*, (b) admitted to bail.
9. Final orders - noting sentence and in the case of habitual, the number of previous convictions

proved.

Explanation - This return is to be submitted daily to District Magistrate through Superintendent of Police. In the event of remands not being granted to enable identity to be established or previous convictions proved, the fact will be carefully noted for District Magistrate's information.

FORM No. 2
Court Officer's Concise Memorandum
Referred to in Rule 34

1. Name of Police Station.
2. Number and date of the first information.
3. Number and date of charge-sheet.
4. Section.
Date of diaries.
5. Date of receipt.
6. Name of the complainant.
7. Name of accused sent up, and whether identified.
8. Name of absconding accused.
9. Names of persons reasonably suspected.
10. Detail of previous convictions.
11. Name of investigating officer.
12. Whether finger prints of unidentified accused have been taken.

Below should be given details in the following sequence:

(A) History of case;

(B) Points to be proved;

(C) Evidence available to prove each Point (B) and (C) should be given in parallel columns facing each other.

- N. B.** - (1) Explanation should be furnished of delay, if any of receipt of diaries.
(2) Steps taken against absconders should be always noted.
(3) The reasons for suspecting any person to be clearly given and by whom suspected to be noted.
(4) Description and value of property stolen recovered to be noted.

FORM No.3
Register of Bail and Recognizance Bond
Referred to in Rule 40

1. Consecutive number
2. Details of security and case.
3. Name of party bound down.
4. Date of magistrate's order.
5. Date of bond.
6. Date of expiry of period noted in bond.
7. Names of persons standing security.
8. Number of times each security has stood before.

9. Receipt of magistrate's clerk for bond, after execution and return to the magistrate's office.
10. Remarks.

FORM No. 4
Weekly List of Proclaimed Offenders
Referred to Rule 47

1. Number.
2. Name and father's name.
3. Village.
4. Police Station.
5. Offence.
6. Magistrate passing order with date.
7. Remarks.

Dated _____
The _____ 20

Superintendent of Police

Magistrate's Order

□

FORM No. 5
Application for Verification of Antecedents of Under-trial prisoners
Referred to in Rule 48

B
Notice of Application for verification of
Antecedents of Under-trial Prisoners within the
State.

Serial No.

Date

To

The Superintendent of Police

Sir,

I have the honour to report that the person named below is under-trial in this district in a case under Section _____ Indian Penal Code to be heard on _____, and an application has this day _____ been sent to the Court Officer of _____ for verification of his antecedents and to request that you will be so good as to see that the application is returned duly verified on or before the date fixed for the hearing of the case:

Name with aliases, Father's Name, Village,
Police Station, District

Yours faithfully,

Court Officer

COUNTERFOIL
Application for Verification of
Antecedents of under-trial prisoners

Serial No.

Date of issue

To whom issued

_____ Court

Particulars regarding persons to be enquired into:-

- (1) Name and caste of accused
(with aliases, if any) with
father's name.
- (2) Residence.
- (3) Due for return on
- (4) Remarks.

Court Officer

REVERSE FORM 5-B

1. Details of further information regarding his antecedents and residence obtained on interview or on return of the verification roll as unidentified, after local enquiry:-

2. Date of re-issue:

3. To whom re-issued:

4. Result of further enquiry:

Signature with date of the Officer filling the roll

REVERSE FORM 5-A

1. Name and caste of accused.
(with aliases, if any) with father's name
2. Age and personal description
3. Residence, village, Police Station with
distance and direction of village from PS
4. Name of Village Council Chairman, Goanbura
and principal residents of village.
5. Left home on the
Accompanied by.....
6. Particulars of previous conviction (if any) showing Court by which convicted, date of
conviction, sentence and offence with Section of
Code.
7. Name and addresses of witnesses to prove
previous convictions and identity of accused.
8. Whether the accused is a member of a Criminal
Tribe and has been registered or has escaped
registration and in case of U.P. registered
criminals whether he was present at his
registration.
9. Remarks.

Court Officer



FORM NO.6
Court Officer's Daily Book of Prisoners to be Produce before Magistrate
Referred to in Rule 53

1. Number of warrant.
2. Name of prisoner.
3. Initial of jailor.
4. Initial of court officer.
5. Order of magistrate.

FORM NO. 7
Register of all property Received in the Malkhana
Referred to in Rule 61

1. Serial number.
2. Date of receipt at court.
3. Thana from which sent up.
4. Parties concerned and monthly number of cases, if any.
5. Nature and description of property.
6. Weight.

7. Value, divided into money columns.
8. Court officer's initials acknowledging receipt of property.
9. Order and its date.
10. Manner of disposal with date and acknowledgment of owner.
11. Property if sold, divided into (a) date of sale and name of purchaser, (b) amount realized.
12. Date of remitting money to the treasury.

FORM NO. 8
Arms Register of the court Malkhana
Referred to in Rule 63

1. Date of receipt.
2. Serial number.
3. Full description of arms and ammunition deposited.
(maker's number and maker's name and district symbol and number; single barreled or double barreled or magazine; smooth bore or rifle, hammer or hammerless).
4. License number and year.
5. Number of weapons or quantity of ammunition.
6. Police Station.
7. Owner.
8. From whom received.
9. Initials of receiving Police Officer.

10. Date of receipt of information by Arms Act Clerk.
11. Initial of Arms Act Clerk.
12. Mode of disposal with date.
13. Initial of disposing officers.
14. Remarks of disposing officers.

FORM No. 9
Court Officer's Register of cases in which First Information Reports are not used
Referred to in Rule 72

1. Serial No. for the year.
2. Police station.
3. Police station number.
4. Date of institution.
5. Name of complainant with parentage and residence.
6. Name of accused with parentage and residence.
7. Section of law.
8. Date of arrest in each case.
9. Date of submission of report to magistrate.
10. Date of issue of notice.
11. Magistrate's preliminary order.
12. Magistrate's final order.
13. Remarks

Note - (1) The dates of adjournment of each case should also be noted in column II.

Note - (2) The result of any appeal or application for revision should be entered in the column of remarks.

FORM No. 10
Magistrate's General Register of Cases Cognizable by the Police
 Referred to in Rule 66

(To be maintained in the courts of district and sub-divisional magistrates and to be preserved for seven years).

First information of case.	<ol style="list-style-type: none"> 1. Serial No. for the year. 2. Date of 2. P. S. 3. P.S. Number 4. Occurrence
Date of	<ol style="list-style-type: none"> 5. Information to police 6. Report before Magistrate. 7. Crime as reported to police, with section of Penal Code or other law 8. Names of parties, concerned. 9. Magistrate's initials.
	<ol style="list-style-type: none"> 10. Final report. 11. Submission to magistrate.

Result of Police Investigation

Date of

12. Showing arrests made, etc.

13. Crime established before police with section, etc.

Order passed with date

14. Form of final report.

15. Preliminary.

16. Final.

17. Remarks

N. B. – Note 1. Every order of transfer shall be entered in column 15.

2. The dates of adjournment of each case should be noted in column 15

3. The result of any appeal or application for revision should the column for remarks.

FORM No. 11

Final memo showing the result of the trial and magistrate's final order

Referred to in Rule 74

Counterfoil	For Superintendent's Office	For Police Station
--------------------	------------------------------------	---------------------------

<p><i>Final Memo of cases sent to P. S. and S. P. by court officer for reference.</i></p> <p>Number, description and date of final form.</p> <p>Date of sending Memo. to P. S. Date of sending Memo. to S. P.</p> <p>Whether identified or not.</p> <p>If a reconviction, all former convictions, place of Conviction, crime, sentence, date and place of residence -village, P.S and district.</p>	<p><i>Final Memo. of cases to be sent by the court officer through circle police officer to S. P.</i></p> <p>P. S. P. S. Number and date of first information</p> <p>Complainant.</p> <p>Accused.</p> <p>Section of I.P.C.</p> <p>Number, description and date of final form.</p> <p>Amount stolen.</p> <p>Amount recovered.</p> <p>Final order of magistrate regarding accused, with crime established and sentence if any, with date.</p> <p>Magistrate's orders concerning discharge of bail, sureties, recognizance's, etc.</p> <p>Final order of magistrate regarding, property taken possession of by the police in the case.</p> <p>Magistrate's order of convicted criminal is to be kept under surveillance.</p> <p>Magistrate's orders on each absconded offender; if warrants to issue or not.</p> <p>Remarks on the conduct of police S. P.'s order as to whether the convict is to be placed under surveillance and a history sheet opened.</p> <p>If a reconviction, all former convictions, place of conviction, crime, sentence, date, and place of residence, village, P. S. and district.</p>	<p>The third copy with headings similar to those in the S. P.'s copy.</p>
---	---	---

	Whether finger Impression taken or not No. of history sheet. No. of entry in conviction register. Signature of court officer with date. No. of entry in surveillance register.	
--	--	--

On the reverse of P.S. copy

Descriptive roll of the convict.

1. Name (including aliases, if any and caste of convict.
2. Father's name.
3. Residence:- Former
Present
4. Profession or trade.
5. Age or supposed age.
6. Height.
7. Personal description, including any personal peculiarities, scars, birthmarks, etc.

Court Officer

FORM No. 12
Crime return compilation sheet.
Referred to in Rule 77
P. S. OR INDEPENDENT O. P.

1. Consecutive No.
2. Number of cases in magistrate's general register of cases, or register of unimportant cases, or register of complaints.
3. Number pending from previous year.
4. Number reported in the year.
5. Number in which investigation was refused.
6. Number remaining for investigation.
7. Number proved or declared to be false.
8. Number due to mistakes of law or fact or declared non-cognizable.
9. Number pending at end of year.

Details of cases

- | | |
|------------|--|
| True cases | <ol style="list-style-type: none">10. Convicted.11. Acquitted or discharged.12. Not detected or apprehended .13. Total true cases columns 5 + 10 +11 + 12 |
|------------|--|

14. Total magistrate's true cases.
15. Total magistrate's cases convicted.
16. Grand total of true cases (columns 13 and 14).
17. Number acquitted on appeal or on revision

- | | |
|--|---|
| Result of proceedings for false complaints | <ol style="list-style-type: none">18. False cases in which prosecution instituted.19. Convicted for false complaints20. Pending at close of the year21. Cases in which compensation was awarded under t 250. Cr. P. C. |
|--|---|

22. Cases reported by police as false but declared true cognizable by magistrate.
23. Cases reported by police as true but declared as maliciously false by magistrate.
24. Person in custody pending trial or investigation or on bail under t 170, Cr. P. C. at beginning of year as concerned in cases reported to or in cases taken up by the police.
25. Arrested by the police during the year.
26. Released under 169. Cr. P. C.
27. Released by magistrate's order before trial.
28. Number of persons tried.

29. Number convicted.
30. Number acquitted or discharged.
31. Number of persons evading arrest at close of year.
32. Number in custody pending trial or investigation or on bail at the end of year.

Details of person

Persons magistrate's Cases	33. Number arrested. 34. Number convicted 35. Number acquitted or discharged
For Departmental Reports and returns	36. Number of persons prosecuted for false complaint 37. Number of such persons convicted 38. Number of such persons pending trial at close of year.
Details of property For statement –C	39. Number of cases in which property was stolen 40. Number of cases in which property was recovered 41. Amount of property stolen 42. Amount of property recovered
For departmental report and returns	43. Number of remands shown in magistrate's trial register

REMARKS. Spare columns. (Here add such additional columns as may be necessary)

FORM No. 13
Court officer's register of appeals
Referred to in Rule 80

1. Date of receipt.
2. Date of notice of appeal.
3. Names of parties.
4. Court against whose order, appeal is preferred.
5. Sentence with date and section.
6. Date fixed for hearing of appeal.
7. Result of appeal.

8. Remarks - showing what steps, if any, have been taken to support the conviction.

FORM No.14
Register of persons convicted of heinous offences
Referred to in Rule 81

1. Serial Number.
2. Name (including *alias*, if any) and caste of convict.
3. Father's name.
4. Residence, divided into (a) present, (b) former.
5. Profession or trade.
6. Number in general or complaint registers.
7. Age or supposed age.
8. Height.
9. Personal description including any personal particulars, scars, birthmarks, etc.
10. Of what offence convicted.
11. Date of conviction.
12. Sentence passed and by what court convicted.
13. Date of previous conviction (if any) and section of the law under which convicted and by what court convicted.
14. Name of identifying witnesses.
15. Whether impression taken or not.
16. Date of forwarding extract to native district.
17. Remarks.

FORM No. 15
Index to conviction register
Referred to in Rule 83

1. Name of convict with aliases, if any, and caste.
2. Father's name.
3. Page and volume of register in which conviction is entered.

FORM No. 16
Register of cases committed to sessions

Referred to in Rule 88
(To be kept at headquarters court for the whole district)

1. Serial number (annual).
2. Name of committing officer and court.
3. Date of commitment.
4. Section under which committed.
5. Name of P. S. & date of first information and charge sheet.
6. Names of parties.
7. Date fixed for trial.
8. Final order with section and date.
9. Date fixed for appeal by High Court.
10. Final order of appellate court.
11. Remarks.

FORM No. 17
Register of processes
Referred to in Rule 89

(To be kept in the courts of district and sub-divisional magistrates and to be preserved for three years)

1. Serial number of process.
2. Nature of process.
3. Court from which the process is issued.
4. Number and nature of case.
5. Name of person on whom to be served.
6. Place and distance from court.
7. Number of duplicate processes accompanying the original.
8. Date of deposit *Talabana*.
9. Date of receipt by court officer.
10. Date of delivery to serving officer.
11. Name of serving officer.
12. Number of days allowed for service.
13. Date of actual service.
14. Date of return to court officer.
15. Date of return to court.
16. Signature of clerk of the court.
17. Remarks.

FORM No. 18
Dispatcher's Register of Dak letters
Referred to in Rule 91

- Date of dispatch
by
1. Letter post.
 2. Parcel post.
 3. Packet post.
 4. Weight of cover, parcel or packet.
- Letter
5. Number.
 6. Date.
7. To whom addressed.
 8. Value of stamps affixed to cover parcel or packet divided into money columns.

FORM No. 19
Half-yearly return serious crime
Referred to in Rule 94

Due to the Special. Superintendent of Police
in charge of the Criminal Investigation Department and
on the 15th January and 15th July.

RETURN OF SERIOUS CRIME FOR THE HALF - YEAR
ENDING _____

The _____ 20 _____

DISTRICT _____

The _____ 20 _____

Superintendent of Police.

Return of serious crime for the half-year ending the.....

No. of Cases during the half-year	No. of cases during the corresponding half-year of the previous year	Investigation refused under Section 157, Criminal Procedure Code	Total number of cases reported during the half-year, investigated or supervised personally on the spot by
Crime			

	Re p o r t e d	D e c l a r e d t r u e	Re p o r t e d	De c l a r e d t r u e	Re f u s e d	Su p e r i n t e n d e n t o f P o l i c e	Ass i s t a n t S u p e r i n t e n d e n t o f P o l i c e a n d D e p u t y S u p e r i n t e n d e n t o f P o l i c e	Ins p e c t o r s	Su p e r i n t e n d e n t o f P o l i c e	Assis t a n t S u p e r i n t e n d e n t o f P o l i c e a n d D e p u t y S u p e r i n t e n d e n t o f P o l i c e	Inspe c t o r s
1	2	3	4	5	6	7	8	9	10	11	12
<p>Murder Dacoity and assembly and preparation for dacoity</p> <p>Others..... Robbery..... Swindling....</p> <p>Burglary With theft..... Without theft.... Attempts theft.... Theft.....</p> <p>Riot..... Drugging..... Coining Manufacturing</p> <p>Uttering Note Forgery.....</p> <p>Total.....</p>											

Cont. on next page.
Cont. from previous page.

Total number of case (a) reported, (b) declared true up to date from 1 st January.				<p>Remarks</p> <p>Note:- Here explain the fluctuation in reported cases. Opposite murder state motive and fire arms used, if any. Opposite drugging and swindling, state how many professional, and method employed very briefly. Opposite dacoity, state if technical or name of gang, if committed by professional gang. Opposite robbery, state if mal or Highway. Opposite coining, show number of professional cases and state if any struck coin appeared. Opposite not forgery, state method of production.</p>
This year		Last year		
Crime				
Rep orte d	Dec lare d True	Rep orte d	Dec lare d True	
13	14	15	16	
				17

No. of non-cognizable cases made over to the Police for enquiry under Section 202, Criminal Procedure Code. Superintendent of Police _____

Total number of cases supervised and tested by Assistant Superintendent of Police and Deputy Superintendent of Police _____

Inspector _____

Statement of re-conviction for the half year ending the _____ 20____ .

Previous conviction						
Serial No	Monthly No. of cases with name of Police Station	Name of Convicts with Father's name and residence	Place	Date	Section	Sentence
1	2	3	4	5	6	7

Cont. from previous page.

Present Conviction				Whether provision of Section 565, Criminal Procedure Code, was applied, and if so, the duration of the order.	Whether re-conviction was facilitated by PF system	Remarks If in any section 75 Indian Penal Code or section 565 Criminal Procedure Code was not applied, the name of the station together with that of the trying magistrate should be stated and also whether he was empowered to pass orders under section 565 Criminal Procedure Code, and if not whether application was made for transfer of the case to the file of a competent Reference should also be made to case which should in the Superintendent of Police's opinion, have been committed to sessions under section 348 Criminal Procedure Code.
Place	Date	Section	Sentence			
8	9	10	11	12	13	14

Statement of serious riot cases

General remarks on the figures of rioting and brief particulars of serious riots stating date of occurrence, final report and the results of the judicial proceedings if any, the reason why preventive action previous to the riots, was not taken by the police should be stated and whether previous warning was sent to the persons on whose behalf the riot was committed and. if not, why not. Also state if professional *lathials*

were employed. Reference may also be made here to the extent to which preventive action is being taken under Sections 107 and 145, Criminal Procedure Code, in disturbed areas and whether Section 106, Criminal Procedure Code, has also been resorted to.

FORM NO. 20
Half-yearly return of false cases
Return of false cases for the half-year ending.....
Referred to in Rule 95.

Name of District	Name of Sub Division	Number of cases declared maliciously false during the half-year	Number of prosecutions Pending from Previous half-year	Number of prosecution instituted during the half-year

Cont. on next page

Cont. from previous page.

Result of prosecution of cases in column 4 and 5 during the half-year under report								Number of cases in which compensation, was awarded under Section 250 I.P.C	Remarks (In this column explanation should be given in respect of cases in which no prosecution was instituted and no compensation was awarded)
Convicted		Acquitted		Otherwise disposed of		Pending at the close of the half-year			
Under Section 182 I.P.C	Under Section 211 I.P.C	Under Section 182 I.P.C	Under Section 211 I.P.C	Under Section 182 I.P.C	Under Section 211 I.P.C	Under Section 182 I.P.C	Under Section 211 I.P.C		
6	7	8	9	10	11	12	13	14	15

Note – Total of columns 12 and 13 will correspond with column 4 of the next half-year

FORM NO. 21
Form of certificate for verification of Monthly Cash Accounts
Referred to in Rule 99

P.S

Month of _____ 20__ .

Certified that I have examined the cash accounts for police station.....
.....for the month of..... and find that all sums mentioned
therein, as remitted to this office, as well sums remitted from this office to the Police Station, have been
duly received and are properly accounted for, with the exceptions noted below.

Name

Designation

Court Officer

Sub-Division

Dated

Name

Designation

Magistrate's office

Dated

Name

Designation

Superintendent's office

Dated

N. B:-Each officer's certificate applies 'to receipts and disbursements in his own office order.

Form No. 22
Search Slip
Referred to in Rules 117, 118 and 123.

Bureau Dispatch No.....

Dated

To

THE COURT OFFICER OF

District.....

(Trace Case No.....)

His NoDated the20....

The person named on the reverse
traced

has been.....with the following
untraced

convictions in this Bureau.

Name given by the accused

Name under which traced.....

.....

Father's name

Village.....

Police Station.....

District.....

Date of receipt of slip.....

Search Slip No.....

NAGALAND POLICE SEARCH SLIP OF UNIDENTIFIED PERSON THE OFFICER-IN-CHARGE OF THE FINGER PRINT BUREAU

From District.....Sub-division.....

Name given by the accused.....

Father's name: Village.....

Police Station District.....

State.....

Former residence, if any, village

Police Station..... District.....

State.....

Date of receipt of the accused in the court Office

.....
Date of taking the prints Date of dispatch of the slip

.....
Date and Police Station of arrest.....

And case No.....

Section and law under which sent up

Name (in full) of the Officer taking the impression

.....
Certified that a Verification Roll has been dispatched
to the Superintendent of Police of the District.....

Search Slip
(Counterfoil)

Search Slip No.....

1. Name given by the accused

.....

2. Father's Name.....

3. Police Station Case No.....with

name of the Police Station.....

4. Unidentified Register No.....

5. Date of arrest.....

6. Date of receipt of the accused in

the Court Office.....

7. Date of taking the prints.....

8. Date of dispatch of the slip to the

Bureau.....

<p><i>(In columna)</i></p> <p>No. District</p> <p>Court</p> <p>Date</p> <p>Section</p> <p>Sentence</p> <p>Name under which traced</p> <p>Name of identifying witnesses</p>		<p>Reference should now be made to the district where convicted, to prove identity and previous convictions and the result reported as soon as the case is disposed of. If witnesses to prove identity are not forthcoming the services of an expert should be applied for and the previous convictions proved under Sections 45 and 73. Indian Evidence Act of 1872 as amended by Act V of 1899.</p> <p style="text-align: right;"><i>Officer-in-charge</i> Finger Print Bureau</p>
---	--	--

on the..... and duplicate Finger Print slips to
the following State Bureau on the.....
and that the name has found entry in the Register of
Unidentified Persons under number

The date of hearing of the case is fixed for the
If necessary a remand will be applied for.

Bureau (1)..... (2)..... (3)

*Signature of Court Officer,
or the Officer submitting
the slip*

Name of the issuing Office

(Space for remarks by the Officer-in-charge, Finger Print Bureau).

*Officer-in-charge,
Finger Print Bureau.*

9. Name of the Bureau to which the
 slip sent.....

10. Date of the receipt of result of
 search from the Bureau.....

Seco ndary classi ficati on when Loop s predo minate	Digits taken in <u>R.T R.I.</u> <u>R.M.</u> <u>L.R. R.L</u> pairs L.T L.I. L.M. LR. L.L	Cl as sif ic ati on	Formula representing sub-division in which search to be made	Secondary classificati on when whorls predomina te	<p style="text-align: center;"><i>(Same as in the columns above)</i></p>	<p style="text-align: center;"><i>Officer-in- charge of the Record</i></p>
---	---	------------------------------------	--	---	---	--

SEARCH SLIP (TO BE FILLED UP IN THE BUREAU)	Digit s Primary Details of primary classification on search	<ol style="list-style-type: none"> 1. R. T. 2. R. I. 3. R.M. 4. R. R. 5. R.L. 6. L.T. 7. L.I. 8. L.M. 9. L. R. 10. L. L. 	<p>Classification numbers:-</p> <p>Name under which traced</p> <p>Aliases</p> <p>Son of</p> <p>Date of receipt of the slip</p> <p>Date of reply</p> <p>Remarks, if any</p> <p>Classified by Dated</p> <p>Tested by..... Dated</p> <p>Searched by .....Dated</p> <p>Index consulted by.....Dated</p> <p>Remarks :-</p>
--	---	--	---

(Rolled prints should be fully rolled and should not be blurred on faint). Finger Print Slip of Father's name.....	Right, Right, Right, Right, Right, Thumb Right ring little		Left, Left, Left, Left Thumb Right ring little		Left hand Right hand (Plain prints of the 4 fingers taken simultaneously) (Plain prints of the 4 fingers taken simultaneously)	Finger Print Slip prepared by Rank on at Signature Bureau Inspector's remark, if any: <p style="text-align: right;"><i>Officer-in-charge,</i> Finger Print Bureau</p>
---	--	--	--	--	--	---

Form No. 23
P. R. Slip.
 Referred to in Rules 104 and 133

P.R. SLIP

N. B. - The letters P. R. to be entered in red ink against the name in the Jail admission Register and Jail History Ticket by the Court Officer. The fact of finger prints having been taken, and tested to be noted on back of P.R. slip and the Certificate to be filled up when received by the Station Officer after the P. R. prisoner's release. Professional prisoners to be photographed, Opposite heading 5, Superintendent of Police will note whether the convict is to be sent back to jail of native district for release or to be released from any jail where incarcerated at expiry of sentence.

- (1) Name, father's name.
- (2) Village, place station, district.
- (3) Crime, sentence, date, place of conviction.
- (4) Number and date of case and police station from which sent up.
- (5) Where to be released (i.e., jail in which prisoner may be incarcerated at the expiry of sentence or jail or native district).
- (6) Date of issue to jail or P. R. slip.

Signature of Superintendent of Police District.

To be filled in by the Jail Department before returning this slip as a release notice prior to release of the prisoner

Prisoner's number in Prison Register

Date on which to be released
or date of death

Former residence as stated in warrant.

Village

Police Station

District

Remission, if any, and conditions.

Character of prisoner during imprisonment.

Name of identifying officers or warders.

Jail

The 20.....

Superintendent

1. Name, father's name.
2. Village, police station, district.
3. Crime, sentence, date, place of conviction.
4. Number and date of case and police station from which sent up.
5. Where to be released (i.e., jail in which prisoner may be incarcerated at, the expiry of sentence or jail of native district).
6. Date of Issue to jail of P.R. slip.
7. Date of issue of duplicate P.R. slip to native district.
8. Date of return of P.R. from jail.
9. Date of P. R. slip to police station or native district after release.
10. Date of released convict's return home and number of entry in Village Crime Note Book, Part III, and Surveillance Register.
11. F. P, taken on and dispatch to the F. P. Bureau onwith Cheque No.

Space for noting F. P. taken

Space for noting tested

Signature and designation of officer preparing

Signature and designation of testing officer

F.P. slip

.....

Place

Place

Date

Dated

Certified that the words "F. P. taken" have been noted against the name of the released convict at page under No in Village Crime Note Book Part III, and in his history sheet and that he returned home on His name has also found entry in Surveillance Register under No

Police station

Date

Station Officer

Absconder

Name

Alias

No. and date of first information report

Name of police station

District

Intimation of
arrest to.....

be sent to

Date of arrest

FORM No. 25

Object Memo

No.....

FINGER POLICE BUREAU
POLICE OFFICE,

Dated the..... 20.....

To

THE SUPERINTENDENT OF POLICE.

Returns herewith the Record Slips of the
prisoner named below forwarded with his
dispatch cheque No , dated for reasons
noted against Point.

Requests that the same be resubmitted without
delay after necessary section has been taken.

No.....

Dated the..... 20.....

To

THE OFFICER INCHARGE
FINGER PRINT BUREAU
Nagaland

1. The rolled prints are so faint or blurred that no sub-classification is possible.
2. The rolled prints have not been taken in their proper places.
3. The plain prints have not been taken simultaneously, nor in the place assigned for them.
4. The plain prints of the band do not tally with the order of the rolled prints of that hand.
5. The prints of fingers have not been fully rolled.
6. The Jail Admission Number has not been noted.
7. The name, father's name, age and place of the convict's residence have not been duly noted.
8. The convictions noted on the slip are Incomplete and wanting in the following particulars.
9. The slip has not been signed by a gazetted officer.
10. The officers preparing and testing the slip have not signed their names.
11. The date on which and the place where the slip was prepared and tested have been given.
12. The slip has been submitted before test by another expert or proficient.
13. The slip has been submitted before the time for appeal is over.
14. The slip has been submitted for record without Dispatch Cheque.
15. The slip of this man who was traced in this office has been submitted without the statement prescribed to show the result of traced cases.
16. The Finger Print Slips of foreigners have not been submitted in triplicate,
17. The previous convictions have not been entered, though Section 75, I. P. C., has been applied to the present conviction.
18. The names of identifying officers have not been given.
19. It has not been noted whether the prisoner is "identified" or not.
- 20.
- 21.
- 22.

23.

*Officer in-charge, Finger Print
Bureau, Dimapur.*

FORM No. 26
Register of exhibits, etc., received in the Bureau for expert opinion,
Referred to in Rule 110

Serial No.	Designation of forwarding officer	Nature of exhibit	Names of experts examining the prints	Opinion of experts (in brief)	Remarks
1	2	3	4	5	6

FORM No. 27
Death Statement of P. R. Convicts
 Referred to in Rule 112

Name of convict or ex-convict with No. of his P.B Slip	Father's name	Residence			Last conviction				Death			Classification No. Of F.P. Slip	Remarks (If the prisoner died in jail. The fact should be noted here)
		Village	Police Station	District	Place	Date	Section	Sentence	Place	Date	By whom reported		
1	2	3	4	5	6	7	8	9	10	11	12	13	14

--	--	--	--	--

Dated

The.....20.....

Superintendent of Police District.

FORM NO. 28
 Referred to in Rule 124
Register of unidentified persons sent up by the Police

N.B:- All members of wandering gangs come under this category. Court Officers are held personally responsible that the register is carefully kept up; and Sub-divisional Court Officers must send a copy of each entry of this register to the Sadar Court Officer.

Ser	Distr	Na					If	If			REMARKS
-----	-------	----	--	--	--	--	----	----	--	--	----------------

ial No	ict and sub-division and police station, case number and date.	me, father's name, caste and residence as given by accused.	Name, father's name, caste and residence as ascertained after enquiry	Section of law under which sent up by police.	Date of receipt of prisoners by Court Officer . Date of forwarding F. P. slip to the F. P. Bureau of Calcutta and other provinces where necessary.	Date on which replies received from each F. P. Bureau.	traced by the F. P. B. state name of Bureau by which traced, giving previous convictions, which should include names under which convicted, districts in which convicted and dates of conviction, which sections of law.	convicted or if for any reason it is considered desirable to keep his FP. on record , the number and date of the dispatch cheque forwarding the F. P. slips for record of the F. P. Bureau and the date of receipt by the Bureau	Whether convicted in the present case or not, if convicted, sentence and section of law, and date of forwarding conviction roll to native district.	In the case of a person believed to be a resident of another district or province the date of dispatch of the verification roll to his native district and the result of the enquiry made therein.	(Here should be noted if F.P. slips were not sent to the Bureau and the reason why.) An interview with such persons in jail with the results thereof should also be noted here with the name of the interviewing officer and date
1	2	3	4	5	6	7	8	9	10	11	12

FORM NO. 29
Referred to in Rule 125

APPLICATION FOR REMAND

To
The Magistrate of
Dated the20.....

Sir,
I have the honour to apply for a remand of days
in the case of No
of station, to enable me to

I have the honour to be,
Sir,
Your most obedient servant,

Court Sub-Inspector

Magistrate's order

FORM No. 30
Statement showing the Result of Traced Cases
Referred to in Rule 127

DISTRICT

1. Name and father's name under which seat up
2. Date of receipt of reply from the Finger Print Bureau
3. Place, date, section and term of conviction
4. Has identity been established? If not, state the reason
5. Has previous conviction been proved in Court? If not, state the reason
6. Has enhanced punishment been awarded under Section 75, I.P.C.? If not, state the reason
7. Has fresh record slip been prepared? (Both in case of discharge or acquittal, it is necessary that a new finger print slip should be prepared and submitted)

8. Remarks (here note, if the man is traced by any other Bureau the date of transmission of fresh finger print slip to that Bureau)

Court Officer

Date.....

FORM No. 31
Record Slip
Referred in Rules 131 and 132

P. R. Slip No 20....

Name of the Bureau
with Dispatch Cheque

.....District

No. and date when duplicate
sent to other Bureau.

Index No.

Full Name with alias

Father's or Husband name with alias

Caste Religion

Village Police Station

District..... State

Apparent age on between and

Prisoner's signature or

.....

Left thumb
to be impressed
immediately

after signature
is written.

CONVICTIONS

Nos.	Name under which convicted	District Date and Court	Section Sentence	Name of Jail, admission No. and names of Identifying witnesses
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

1. Certified that the impressions, personal details and convictions (recorded from the Magistrate's general register of cases and conviction register) are correctly taken and recorded.

2. Certified that the impressions have been tested, personal details verified and the convictions compared with those in in the Jail admission register warrant of Incarceration and the History ticket of the prisoner and found to be correct.

Signature in full and rank of officer preparing the slip.

Signature in full and rank of officer testing the slip.

RECORD SLIP

Classification No.

RIGHT HAND

Right thumb	Right Index	Right middle	Right ring	Right little
-------------	-------------	--------------	------------	--------------

FOLD

LEFT HAND

Left thumb	Left Index	Left middle	Left ring	Left little
------------	------------	-------------	-----------	-------------

(Fold)

LEFT HAND

RIGHT HAND

(Plain prints of the four fingers taken
simultaneously)

(Plain prints of the four fingers taken
simultaneously)

Slip prepared on by Rank District

Slip tested on by Rank District

At.....Jail

Classified at Bureau by Date

Tested at Bureau by Date

FORM NO. 36
Dispatch Cheque
Referred to in Rule 134

<p style="text-align: center;"><i>(To be filed in the F. P. Bureau)</i></p> <p>(The cheques should be given a consecutive yearly number)</p> <p style="text-align: right;">..... District .</p> <p>Cheque No</p> <p>Dated.....20.....</p> <p>To</p> <p>.....</p> <p>Forwards <u>FP</u> slips of the prisoners named <u>PR</u></p>	Classification No. of F. P.	Received Dated at
	Name and parentage	The..... 20.....
	Jail admission No. of the jail where the finger print slip was tested	<i>Officer in charge</i>

below for Record
Action

Superintendent of Police.

P.R. Slip
No

DESPATCH CHEQUE
(To be returned to the Superintendent of Police)
The cheques should be given a consecutive
yearly number

..... District.

Cheque No

Dated20...

To

.....

Forwards FP slips of the prisoners named
PR

below for Record

Classification No. of
F. P.
Slip

Name and
parentage

Jail admission
No. of the
jail where
the finger
print slip
was tested

Received
Dated
at

..
The.....
.20.....

*Officer in
charge*

<p>To</p> <p>.....</p> <p>Forwards <u>FP</u> slips of the prisoners <u>PR</u> named</p> <p>below for <u>Record</u> <u>Action</u></p> <p><i>Superintendent of Police.</i></p>	<p>P. R. Slip No.</p>
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FORM No. 33
Jail Parade Report
Referred to in Rule 135

Held at the Jail on the20.....

Instructions - The Sadar or the Sub-divisional Court Officer (or in his absence such officer as the Superintendent of Police selects) will hold the Sunday Jail Parade. On Saturday afternoon at 2 O'clock an English knowing Head constable will attend at the Jail and be permitted to fill in columns 1 to 5 of the Jail Parade Form arranging the names in the four parts detailed below from the Jail Admission Register. He will particularly see that the names of all prisoners liable to be made P. R. and admitted to the jail on the previous day (Friday) are entered in the jail parade report. The convicts named in Parts I, II, and IV of the Jail Parade Report, will be paraded on Sunday morning at the 8 A.M. in there separate batches for police inspection Police officers must be present at the Jail at 7.30 A.M.

Part I should contain the names of prisoners convicted in the district and admitted to jail, since date of last parade (i. e., from the Saturday of one week to the Friday of the following week, both days inclusive).

Part II should contain the names of all prisoners admitted to jail be transfer from the Saturday of one week to the Friday of the week following.

Part III should contain the names of all prisoners transferred to other Jails within the above period, or who have been released on bail or acquitted on appeal or who have died in jail within the same period.

Part IV should contain the names of prisoners to be released between the 4th and 10th day after the date of the parade (i.e., from the Thursday of one week to the Wednesday of the following week, both days inclusive).

Note - Only those prisoners convicted of offences under Chapters XII and XVII I.P.C., punishable with 3 years rigorous imprisonment or upwards and of offences under Sections 170, 171, 251 to 254, 328, 6 to 373, 417 to 420, 489-A, 489-B, 489-C and 489-D, I.P.C., or who are bond down under Sections 109 and 110, C.P.C., will be paraded. Also prisoner convicted under the Arms, Opium and Excise Acts.

N. B:-Those Parts should be clearly numbered off.

PART I

COLUMNS

1. Jail Admission number, name, *alias*, father's name
2. Village, Police Station, district
3. Place, date, section, and term of present and previous convictions
4. Note whether P. R. If so, note entries, recorded on back of P. R. Slips
5. Note entries recorded across name in J.A. Register
6. Note entries recorded on prisoner's History Ticket
7. Remarks and order of Superintendent of Police
8. Names and rank of Police Officers attending parade
9. Action showing how orders have been complied with. In the case of transfers to other districts the number and date of the letter forwarding P. R. or F. P. Slip should be noted, and, in the case of

impending releases, the monthly consecutive number of Releases Notice Register. The Dispatch cheque number forwarding F. P. Slips to the Bureau should also be noted

PART II

COLUMNS

1. Jail Admission number, name, *alias*, father's name
 2. Village, Police Station, district
 3. Place, date, section, and term of present and previous convictions
 4. Note whether P. R. If so, note entries, recorded on back of P. R. Slips
 5. Note entries recorded across name in 7- A. Register
 6. Note entries recorded on prisoner's History Ticket
 7. Remarks and order of Superintendent of Police
 8. Names and rank of Police Officers attending parade
 9. Action showing how orders have been complied with. In the case of transfers to other districts the number and date of the letter forwarding P. R. or F. P. Slip should be noted, and, in the case of impending releases, the monthly consecutive number of Releases Notice Register. The Dispatch cheque number forwarding F. P. Slips to the Bureau should also be noted
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-

PART III

COLUMNS

10. Jail Admission number, name, *alias*, father's name
11. Village, Police Station, district
12. Place, date, section, and term of present and previous convictions
13. Note whether P. R. If so, note entries, recorded on back of P. R. Slips

14. Note entries recorded across name in J.A. Register
 15. Note entries recorded on prisoner's History Ticket
 16. Remarks and order of Superintendent of Police
 17. Names and rank of Police Officers attending parade
 18. Action showing how orders have been complied with. In the case of transfers to other districts the number and date of the letter forwarding P. R. or F. P. Slip should be noted, and, in the case of impending releases, the monthly consecutive number of Releases Notice Register. The Dispatch cheque number forwarding F. P. Slips to the Bureau should also be noted
-

PART IV

COLUMNS

10. Jail Admission number, name, *alias*, father's name
 11. Village, Police Station, district
 12. Place, date, section, and term of present and previous convictions
 13. Note whether P. R. If so, note entries, recorded on back of P. R. Slips
 14. Note entries recorded across name in 7- A. Register
 15. Note entries recorded on prisoner's History Ticket
 16. Remarks and order of Superintendent of Police
 17. Names and rank of Police Officers attending parade
 18. Action showing how orders have been complied with. In the case of transfers to other districts the number and date of the letter forwarding P. R. or F. P. Slip should be noted, and, in the case of impending releases, the monthly consecutive number of Releases Notice Register. The Dispatch cheque number forwarding F. P. Slips to the Bureau should also be noted
-

Name of Prisoner	Sentence with section of Code	Date of release	Date of receipt of release notice	District or station to which sent with date	Date of receipt back from station	Remarks
1	2	3	4	5	6	7

FORM No. 35
Register of dispatch to, and return from, courts of record slips requisitioned for evidence
 Referred to in the appendix

Remarks	9	
Initials of receiving officer	8	
Date of return of slip	7	
Initials of dispatching officer	6	
Date of dispatch of slip	5	
S u m m o n s f o r s l i p	Date	4
	No.	
	Issued by	
Classification No	3	
Sli p rela tin g to	Residence	2
	Father's Name	
	Name	
Sl No	1	

FORM No. 36
REGISTER OF TRACED CASES

REFERRED TO IN THE APPENDIX

Remarks		13	
Classification number		12	
Result of trial		11	
Whether identity established in court or not		10	
Details of previous convictions traced	Term	9	
	Section	8	
	Date		
	Place	7	
Section of law under which sent up			
Residence given by accused (in black ink). Residence under which traced (in red ink)	District	6	
	Police Station		

	Village	5	
	Father's name given by accused (in black ink) Father's name under which traced (in red ink)	4	
	Name given by accused (in black ink) Name under which traced (in red ink)	3	
	District and Sub-division from which slip received	2	
	Serial number with date of receipt of slip	1	

FORM No. 37
Index Register Primary Classification, Secondary Classification
 Referred to in the Appendix

Serial No.	Name	Father's name	Native District	Classification No.	Date when due for elimination	Remarks
1	2	3	4	5	6	7

Register of Search Slips Received
Referred to in the Appendix

1. Serial No.
 2. Name of the accused
 3. Father's name
 4. Date of receipt
 5. Name of the officer to whom made over for search, with date
 6. Date of return of search slip to F.P.B. Inspector by expert
 7. Date of return to district
 8. Whether traced or not
 9. Remarks
-

FORM NO. 39
Register of Finger Print Slips Received for Record
Referred to in the Appendix

Remarks	15	
Classification no.	14	
Date on which this slip returned to F.P B Inspector after test	13	
Name of officer to whom made over for test, with date.	1 2	
Date on which the slip returned to F.P. B. Inspector after classification	1 1	

Name of expert to whom made over for classification, with date		10	
Father's name		9	
Name of the accused		8	
District		7	
District dispatch cheque number with date		6	
Date of	Recording	5	
	Indexing	4	
	Acceptance	3	
	Receipt	2	
Bureau Serial No		1	

FORM NO. 40
Register of cases in which expert were employed
Referred to in the Appendix

Serial No.	Name of the Expert deputed	Designation of the requisitioning officer	Name of the court	Particulars of the case date of attendance	Number of days absent from HQ	Remarks
1	2	3	4	5	6	7

FORM NO. 41
Register of Proficient's and Experts
Referred to in the Appendix

Serial No	Rank and Grade	Name	Date of joining Bureau	Date of qualifying	Date of transfer from Bureau	Date of rejoining	Remarks
1	2	3	4	5	6	7	8