

AMENDMENT TO RULE 184 OF THE CRIMINAL RULES OF PRACTICE

Rule 184 of Criminal Rules of Practice 1982 deals with the maintenance of Property Register. In Rule 184 clause (3) it says “The register shall be renewed every year and the undisposed of items in the previous year shall be carried forward under the same number”. It is represented by the Kerala Criminal Judicial Staff Association that the Rule creates considerable strain, work load and responsibility due to the following reasons:

(i) In almost all Criminal Courts in Kerala, the pending property items extends from 2000 to 5000 and above normally.

(ii) In addition to the normal work, the carry forwarding of pending property items in every year to the new register requires huge work load and wastage of stationery, which are waste process, as property register is a permanent record and more over it will take, normally, more than six months to renew the register.

(iii) Only four clerks are available in a Magistrate Court, who are inadequate to cope with the situation including the comparison of the renewed register.

(iv) Huge numbers of registers are required for the process, which occupy considerable space in the office.

Hence, in order to avoid the aforesaid difficulties and inconvenience, we humbly request that recommendations may kindly be issued to amend the aforesaid Rule for carry forwarding and renewing of registers once in every five years.

The Commission on a serious consideration of the matter represented, is of the view that it is just and proper to recommend amendment of existing Rule 184 as shown below:

In Rule 184 (3) for the words “every year”, the words “every five years” may be substituted.

As the Rules have been framed by the Hon’ble High Court of Kerala, Government may take up the matter amending the Rule with the High Court appropriately.