

**OFFICE OF THE DISTRICT JUDGE, HOWRAH.
ENGLISH DEPARTMENT**

Order No. 122 /G

Dated : 14.09.2020

A written "mass" representation has been submitted on 10th September, 2020 by the members of the Criminal Court Bar Library, Howrah forwarded by the President, wherein they have stated **"Learned Lawyers are ready to die by Corona but not by starving"**.

They along with the Howrah Bar Association (Civil) have appealed in writing for immediate normal functioning of the Courts.

The licensees who are running "eating house" in the Court premises have also submitted a written prayer for permission to start their operation, as they are also facing extreme financial hardship.

The prayer of all the stakeholders and their condition due to the pandemic situation is to be seriously and carefully looked into, so that steady and sure steps can be taken towards normalization.

The following measures shall be taken towards normal functioning till 30th September, 2020 on trial basis.

(a) Considering the situation that local train services have not been resumed till date, the function of process servers (service of summons etc.) cannot be started till the local train services is resumed and public transport is normalized. But in the Criminal Trials, the Investigating Officer/ or the Officer/ Inspector in charge of a police station may take necessary steps to produce the witness(s) / accused person(s) wherever it is possible and practicable.

(b) **On and from 16th September, 2020 all Courts and offices under the Judgeship of Howrah, i.e., Sadar, Uluberia and Amta, shall be functional, on all working days with normal working hours and duties.**

(c) Bail matters, ad-interim injunction applications and urgent hearing, where both sides are present, shall be conducted without delay. Daily cases are also to be heard and disposed of, where both sides are present, without delay.

(d) The stamp vendors, typists, notary and the "eating houses" (licensees) can operate during Court hours, **on maintaining extreme hygienic condition and by strictly implementing covid safely protocol. Use of mask and sanitizer is a must.**

(e) **Considering the strength of lawyers in a court premises**, it is the duty of the lawyers to ensure that strict covid safety protocol is maintained in the premises. The officers and staff will whole heartedly co-operate in implementing the safety measures in the Court premises.

(f) Only the litigants whose physical presence is a must **in cases fixed for hearing** in Courts shall be permitted to enter the court premises on identification by their respective Advocates at their own responsibility and on strictly following covid protocol.

(g) Only one person should be permitted to enter in a department at a time. People waiting to enter, should wait outside maintaining social distancing norms.

(h) The Presiding Officers should ensure that **only two** Ld. Advocates from each sides are allowed inside the court rooms at the time of hearing and Ld. Advocates waiting outside should wait maintaining social distancing norms. The officers should also ensure that the Ld. Advocates do not crowd in the court rooms, when the court is not sitting. While making any query also, the Ld Advocates should maintain the **"one at a time policy"** for their own safety and others. Senior Advocates having cases fixed for hearing may sit in the court rooms during hearing.

(i) Air conditioning of court rooms (a public place) will not be used for the time being, following the Health advisory guidelines of the Health Ministry.

(j) Considering the prayer of the Civil Bar, that Senior Advocates are facing difficulties, if the gate next to the SBI ATM is kept closed, it is **unanimously decided** that the following gates shall be kept open during court hours.

- (i) Main Gate near District Judge's Court,
- (ii) Gate near CJM Court,
- (iii) Small Gate near new Construction,
- (iv) The Gate near SBI (ATM) **in limited manner (with chain).**

(k) Matters relating to number of affidavits, put up etc. in a day shall be decided by the Chief Judicial Magistrate/ Additional Chief Judicial Magistrate, keeping in mind the covid safety protocol.

(l) Concerned authorities to be approached for ensuring safety measures within the court premises, including sanitization on regular basis. The respective Bars and Ld. Advocates having their personal "Sheresta" shall take steps for sanitization, at their own initiatives **as agreed.**

(m) All persons entering the court premises should strictly follow social distancing norms and use of mask, sanitizer and gloves is mandatory **at their own cost.**

(n) Production of accused will be through video conferencing only. The Nodal Officer along with SO & SA to assist all concerned.

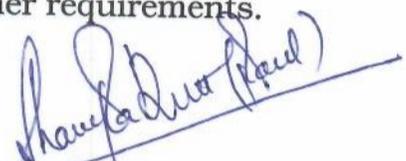
(o) All vehicles including cycles and motor bikes entering the premises **should be sanitized by their respective owners on regular basis.**

(p) It is seen that the Ld. Advocates through their respective office bearers have expressed their serious concern regarding the safety measure to be taken in the present circumstances. Keeping in mind all the doubts expressed, **the available infrastructure and facilities** and also the necessity to move towards normalization of the courts to ensure justice to the people, the office bearers of all the wings of the

Bar are requested to co-operate with the administration of this judgeship to ensure that social distancing norms and personal safety measure are strictly followed by one and all in the Court premises, court rooms, departments and most important, in the rooms used by all the Bar Associations.

(q) **Any violation of safety measures and the directions herein may lead to withdrawal of relaxations permitted.**

(r) The next review meeting shall be held on **30.09.2020** at 1.30 p.m. Ld Chief Judicial Magistrate and Ld Registrar, Civil Court will follow up the matter with the concerned authorities for thermal gun, sanitization and CPVF volunteers and any other requirements.


Shampa Dutt (Paul)
District Judge, Howrah

No. 860 - XII(2) dated, Howrah 14th September, 2020.

- 1) Let a copy of this order be sent to the learned Registrar General, High Court, Appellate Side, Calcutta (by email) for kind information.
- 2) Let a copy of this order be sent to the three wings of the Bar.
- 3) Let a copy of this order be uploaded on Website of Howrah District Court for information of all concerned.


Shampa Dutt (Paul)
District Judge, Howrah.