

## **HIGH COURT OF KARNATAKA, BENGALURU**

May 21, 2021

### **STANDARD OPERATING PROCEDURE (SOP) FOR THE DISTRICT AND TRIAL COURTS WITH EFFECT FROM 24TH MAY, 2021 TILL FURTHER ORDERS**

In view of the fact that large number of Covid-19 positive cases reported everyday in all districts and deaths caused due to covid-19, the functioning of the District and Trial Judiciary will have to be restricted for some time. Hence, following Standard Operating Procedure shall be implemented in all District and Trial Courts (including Family Courts, Labour Courts, Court of Small Causes, Industrial Tribunal) from 24th May, 2021 till further orders.

1. As far as possible, filing of cases should made through e-filing. E-filing can be made either by using the CIS Software or by sending scanned copy to e-mail ID of respective Districts as per annexure appended to this notification.
2. For physical filing, adequate numbers of counters shall be set up outside the main court building. The location of filing counters shall be such that Advocates can wait in the queue while maintaining social distancing. The open space may be covered by water proof pandal. Separate filing counters shall be provided for criminal and civil matters, payment of court fee and process fee. The places used for filing counters in the pandemic in year 2020 shall be used, as for as possible.

3. The following protocol for physical filing shall be followed with necessary adaptation to local conditions, namely:
  - a. Para-legal volunteers will be deputed near the filing counters to monitor use of masks and maintaining social distancing;
  - b. The officials deputed to work in filing counters will be provided with required number of proper masks, gloves and sanitizers before commencing the work;
  - c. The officials in the filing counter shall insist on the advocates / parties-in-person / advocates' clerks mentioning their mobile number, email ID in the vakalathnama / presentation form for further correspondence only with regard to status of the case;
  - d. After scrutiny, intimation shall be sent to the concerned, either for rectification of the objections or for informing the date of hearing on their registered mobile number/email-ID.
  
4. The Principal District and Sessions Judge shall take steps for setting up additional counters for filing of interlocutory applications and for payment of process fee, Court fee and for submitting challans. The counters shall be set up preferably near the filing counters, but away from the main Court building. Exclusive counter shall be set up for

Government Advocates/Prosecutors for filing of the pleadings, interlocutory applications etc.

5. In respect of payments/disbursements of Court Deposits, the procedure laid down by the Division Bench of Hon'ble of High Court of Karnataka in Writ Petition No 7338 of 2020 vide order dated June 24, 2020 shall be followed by all the Courts.  
<https://karnatakajudiciary.kar.nic.in/noticeBoard/wp-7338-2020-24062020.pdf>.
6. In respect of physical presence of the parties to record compromise in the civil cases, physical presence of the petitioners to file petitions under Section 13B of the Hindu Marriage Act, 1955 and Section 28 of the Special Marriage Act, 1954 and the acceptance of the sureties in criminal cases, the procedure laid down by the Division Bench of Hon'ble of High Court of Karnataka in W.P. No. 7338/2020 vide order dated July 10, 2020 shall be followed by all the Courts.  
<https://karnatakajudiciary.kar.nic.in/noticeBoard/wp-7338-2020-10072020.pdf>
7. Specified time shall be allocated for acceptance of sureties, execution of bonds and for execution of Indemnity Bonds of claimants. Judicial Officers shall endeavour to follow the guidelines laid down by the High Court of Karnataka in the order dated May15, 2020, made on the Memo in Criminal Petition No.2039 of 2020 and order dated July 10, 2020 in Writ Petition No.7338 of 2020, copies of which have already been circulated, in which it is specifically observed that the personal presence of the sureties is not required.

8. Entry of litigants, parties-in-person, advocates to the Court Complexes shall be prohibited, except the entry of Police Officers and accused for the purpose of remand. Parties-in-person and Advocates will be permitted to enter only for the purpose of physical filing. However, they shall not unnecessarily enter the court offices. Wherever, the accused is produced physically for remand, advocates are permitted to enter the premises for appearance in those particular cases.
  
9. The Advocates, parties-in-person and others whose entry is permitted by this SOP for filing of cases (as per clause-8 supra), shall scrupulously maintain the norms of physical/social distancing by always maintaining a minimum distance of six feet and shall scrupulously follow the directions and guidelines issued by the High Court from time to time as well as the advisories/SOP issued by the Principal Health Secretary, Government of Karnataka and guidelines issued by the Government of India from time to time.
  
10. Every person entering the Court Complexes, shall be subjected to thermal scanning and at entry points, an enquiry will be made with him/her as to whether he/she has any symptoms of COVID-19. If it is found that anyone has any symptoms of COVID-19, he/she shall not be given entry into the Court Complex.

11. All the District Courts and Trial Courts will take-up only the emergent/urgent matters/bail applications/ petitions which shall be heard only through video conferencing. In part heard cases where evidence is recorded, final arguments may be heard only through video conferencing.
12. In the case of extreme urgency, a request for taking of the case which is already filed/filing of interlocutory application in the fresh or already filed cases, can be made by sending email to the registered email IDs of the respective courts as specified in annexure to this Notification. The memo stating the details of urgency with all material particulars shall be forwarded by email. The concerned Principal District Judges/ Principal Judges may, if satisfied about the existence of the extreme urgency, direct that the case/IA will be heard by concerned Judicial Officer by video conferencing hearing.
13. The Unit Heads shall take steps to sanitize the Court premises once in a week regularly.
14. Recording of evidence shall be postponed for the time being.
15. Each court shall formally list maximum 15 (fifteen) date given cases in the forenoon session and 15 (fifteen) cases in the afternoon session. The cases shall be assigned next dates. The cases fixed on a particular date which are not listed shall be assigned next date by using auto dating option on CIS. No case shall remain undated.

- 15A. The Judicial Officers shall make all possible efforts to deliver judgments in cases where judgments are reserved. The pronouncement of judgments shall be made after informing the advocates through video conferencing.
16. The recording of the statement under Section 164 Cr.P.C shall be preferably done through video conferencing as per the guidelines issued by the Karnataka High Court and Supreme Court of India. The Courts shall follow the guidelines laid down by the Apex Court and the Video Conferencing Rules framed by this Court published in the e-gazette dated June 25, 2020. However, considering facts of a particular case, the courts will have discretion to record the statement by allowing personal presence of the witness.
17. Requisition for recording statement under section 164 Cr.P.C. shall be sent only through email-ID of the concerned Court and any order passed thereon shall be communicated to the concerned through SMS/email.
18. As far as possible, in the cases of accused in jail, their statements under Section 313 of the Code of Criminal Procedure, 1973, be recorded only through video conferencing.
19. The Courts are requested not to pass any adverse orders on the ground of absence of Advocates and the accused

who are on bail. As far as possible warrants shall not be issued to accused on bail who remain absent.

20. The Principal District & Sessions Judges/Chief Judge shall make arrangements for issuing of certified copies at local level.
21. Bar Association premises /Canteens/any other food outlets located within the court precincts, shall be kept closed until further orders. However, separate counter shall be maintained in the Bar Association for the purpose of selling stamps only.
22. Entry of Typists/Job Typists, Xerox operators, Notaries/Oath Commissioners to the Court precincts is prohibited.
23. The itinerary arrangements made to any of the vacant Courts by directing the Presiding Officers of the Courts to itinerate such courts and also the itinerary arrangement made by directing the Presiding Officers of the Courts to itinerate to the Taluks/Villages, are hereby suspended, with immediate effect and until further orders. However, as far as possible, the emergent matters pertaining to itinerary Courts/Taluks/Villages shall be heard through Video Conference in the regular courts itself.
24. The Principal District & Sessions Judges shall ensure that minimum number of staff members, not exceeding 50 to 60% shall be called on every day, and exemption can be

granted to remaining staff on rotation basis. The person/s with visual disability or bench mark disabilities may be granted exemption.

25. The Principal District & Sessions Judge shall ensure that separate arrangements shall be made in each Court for conducting remand proceedings in a structure away from the main Court building, shads, lounge for witnesses etc.

For the city of Bengaluru; the Remand Court at Gurunanank Bhavan at Bengaluru Urban District shall continue to function till further orders.

26. Safety measures to be followed in the Court complexes are as follows:

a) **Lifts:** Avoid using lifts. In case, lifts are to be used, including the attendant number of persons entering lifts shall be less than 50% of the total capacity of the lifts. Control buttons to be sanitized with 70% alcohol-based disinfectant (wiped with a clean dry cotton cloth), avoid spraying of disinfectant on electric circuit. Frequency of cleaning be based on usage and occupancy of lifts with at least 2(two) times per day.

b) **Stairways:** Avoid touching side railings while using staircase, as they may be contaminated. Sanitize hands with 70% alcohol-based disinfectant if railings of staircase have been touched. Regularly sanitize the railings of staircase with 7% Lysol or any 70% alcohol-

based disinfectant. Frequency of cleaning be based on usage OR at least once in 2 (two hours).

- c) **Door handles & Knobs:** It should be cleaned on priority and at least once in 2 (two) hours with 7% Lysol or any 70% alcohol-based disinfectant. Door handles include all places right from Building entrance, to Court hall, personal chambers, various offices, toilets, etc. Sanitization of Door Handles, Taps and Faucets in toilets and washrooms to be done frequently (based on usage or at least once in 2 hours).
- d) Partitions fixed on dais and witness box as well as to the place of sitting of the accused to be cleaned on the inner side every time for a new witness with 7% Lysol or any 70% alcohol-based disinfectant (by spray). There shall be a gap of few minutes after disinfection, before the witness box and accused dock is again occupied. The outer surface of window shields for witness box shall be cleaned at least 2 (two) times per day. Court officers and others to wear face shields along with face mask.
- e) Only the chamber/office room occupied by a confirmed COVID-19 person shall be sanitized with 1% sodium hypochlorite, all other branches can continue to work as usual, following social distancing, hand sanitization and proper wearing of face mask.
- f) Parking of two wheelers and four wheelers of Judicial Officers, Staff members, and Government officers is

allowed inside the Court compound. The litigants and advocates are not allowed to park their vehicles inside the Court compound. The Advocates shall be allowed to do so only when they make a visit only for filing of cases.

27. The Hon'ble Supreme Court of India in SUO MOTU WRIT (CIVIL) NO 5 of 2020 in RE: GUIDELINES FOR COURT FUNCTIONING THROUGH VIDEO CONFERENCING DURING COVID-19 PANDEMIC, has passed an order on June 6, 2020, which is to the following effect:

***“5. Faced with the unprecedented and extraordinary outbreak of a pandemic, it is necessary that Courts at all levels respond to the call of social distancing and ensure that court premises do not contribute to the spread of virus. This is not a matter of discretion but of duty. Indeed, Courts throughout the country particularly at the level of the Supreme Court and the High Courts have employed video conferencing for dispensation of Justice and as guardians of the Constitution and as protectors of individual liberty governed by the rule of law. Taking cognizance of the measures adopted by this court and by the High Courts and District Courts, it is necessary for this court to issue directions by taking recourse to the jurisdiction conferred by Article 142 of the Constitution.”***

28. The Principal District Judges/Principal Judges are free to take such additional measures as the local conditions may require.

29. In case of any emergent situation, the Hon'ble Chief Justice will take decisions regarding permitting closure of Courts for sanitization.

BY ORDER OF HON'BLE THE CHIEF JUSTICE,

Sd/-  
(T.G. SHIVASHANKARE GOWDA)  
REGISTRAR GENERAL I/c

<b>ANNEXURE</b>		
<b>1</b>	<b>Bengaluru City</b>	ccc-blru@hck.gov.in
	<b>Court of Small Causes, Bengaluru</b>	scc-blr@hck.gov.in
	<b>Chief Metropolitan Magistrate Courts</b>	cmm-blr@hck.gov.in
	<b>Family Courts</b>	nyayadegula-blr@hck.gov.in
	<b>Mayo Hall Court</b>	cccmayohall@gmail.com
<b>2</b>	<b>Bengaluru Rural</b>	pdj-blr@hck.gov.in
<b>3</b>	<b>Bagalkot</b>	bgkpdjphfilingbgk@gmail.com
<b>4</b>	<b>Ballari</b>	filingpdjballari@gmail.com
<b>5</b>	<b>Belagavi</b>	efilingbgv@gmail.com
<b>6</b>	<b>Bidar</b>	pdj-bidar@hck.gov.in
<b>7</b>	<b>Chamarajanagara</b>	pdjchamarajanagar@karnataka.gov.in
<b>8</b>	<b>Chikkaballapura</b>	pdjcbpur@karnataka.gov.in
<b>9</b>	<b>Chikkamagaluru</b>	pdj-chikkmluru@hck.gov.in
<b>10</b>	<b>Chitradurga</b>	filingcta@gmail.com
<b>11</b>	<b>D.K. Mangaluru</b>	pdjmangaluru@karnataka.gov.in
<b>12</b>	<b>Davanagere</b>	dvg@gmail.com
<b>13</b>	<b>Dharwad</b>	filingdharwad@gmail.com
<b>14</b>	<b>Gadag</b>	pdj-gadag@hck.gov.in
<b>15</b>	<b>Hassan</b>	pdjhassan@karnataka.gov.in
<b>16</b>	<b>Haveri</b>	filinghaveri@gmail.com
<b>17</b>	<b>Kalaburagi</b>	pdjkalaburagi@karnataka.gov.in
<b>18</b>	<b>Kodagu-Madikeri</b>	pdj.kodagu@gmail.com
<b>19</b>	<b>Kolar</b>	pdjkolar.filing@gmail.com
<b>20</b>	<b>Koppal</b>	kplclosure@gmail.com
<b>21</b>	<b>Mandya</b>	pdjmandya@karnataka.gov.in
<b>22</b>	<b>Mysuru</b>	pdj-mysuru@hck.gov.in
<b>23</b>	<b>Raichur</b>	pdjraichur@karnataka.gov.in
<b>24</b>	<b>Ramanagara</b>	pdjdistrictcourtramanagara@gmail.com.
<b>25</b>	<b>Shivamogga</b>	shimogapdjclosure@gmail.com
<b>26</b>	<b>Tumakuru</b>	pdj-tumakuru@hck.gov.in
<b>27</b>	<b>Udupi</b>	pdj-udupi@hck.gov.in
<b>28</b>	<b>U.K. Karwar</b>	pdjuttarakannada@karnataka.gov.in
<b>29</b>	<b>Vijayapura</b>	pdjvjp@gmail.com
<b>30</b>	<b>Yadgiri</b>	pdj-yadgir@hck.gov.in