

OFFICE OF DISTRICT AND SESSIONS JUDGE, JHAJJAR.

ORDER

Keeping in view the prevailing situation of COVID-19 in District Jhajjar, in compliance of directions contained in letter No. 120/RG/Spl./Misc. dated 03.01.2022 issued by the Hon'ble Punjab and Haryana High Court, Chandigarh and in consultation with Hon'ble Administrative Judge of Jhajjar Sessions Division, District Administration, Jhajjar including Civil Surgeon, Jhajjar as well as Presidents of District Bar Association Jhajjar and Bar Association, Bahadurgarh and in order to ensure safety of Judicial Officers, Staff, Advocates and litigants and in supersession of earlier directions issued by this office, the following fresh directions are issued to check the spread of pandemic Corona Virus/Omicron variant:-

1. Undertrial prisoners shall be produced in the Courts through video conferencing mode only. However, in case there is any requirement of physical presence of a particular undertrial prisoner in any Court, the concerned Court shall pass a specific order qua that aspect.
2. Accused at the time of first remand shall be produced in the Room, especially established for the purpose. The accompanying police official shall bring Corona test report of himself/herself and of accused at the time of production.
3. Urgent nature of cases i.e. bail matters, stay matters, petitions under Section 13-B of Hindu Marriage Act, Executions under MNT 125 Cr.P.C, refund voucher matters, superdari matters, and other connected matters/any matter which the Court deems fit and proper shall be heard through Video Conferencing Mode or through 'Whatsapp' video calling through the mobile number of any official of the concerned Court as per the convenience of the Court and the counsels as directed earlier vide this office order bearing Endst.

No. 8473-96 dated 03.05.2021 (copy enclosed as Annexure-'A'). Physical hearing can be permitted if all concerned are fully vaccinated.

4. Arguments may be heard in the cases which are matured for disposal and do not require any recording of evidence (except by receiving documents), as well as time bound cases by virtual mode. Physical mode can be permitted if all concerned are fully vaccinated.
5. Evidence may be recorded only in the time bound cases and the cases taken on priority basis like the cases under the POCSO Act/Rape cases, cases under Juvenile Justice Act in which the accused/juvenile is in custody and also in cases of all other categories wherein accused is/are in custody for over six months, by virtual mode. Physical mode can be permitted if all concerned in physical presence are fully vaccinated.
6. Family Court would continue to function at District Headquarter Jhajjar, as well as, at Camp Court, Bahadurgarh, as per its own schedule.
7. Any matter under Section 138 of Negotiable Instruments Act, in which there is compromise and any matter under MACT or HMA/125 MNT cases, in which there is compromise and the applications for issuance of refund vouchers would be taken up for hearing and disposal, on filing of an application by concerned parties. Any litigant who intends to withdraw his/her case can also move an application in this regard.
8. Protection Petitions, in which petitioners intend to seek protection, shall be entertained, only if petitioners file their RTPCR report (not more than 72 hours earlier) and they are fully vaccinated, holding Vaccination Certificate, at the time of their first appearance before

the court. The Advocates appearing for petitioners in these petitions would strictly ensure the meticulous compliance of COVID-19 guidelines.

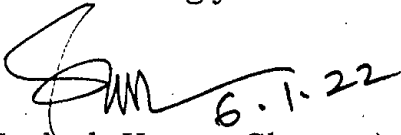
9. The Advocates shall maintain the norms of social distancing and the guidelines of Ministry of Home Affairs on the subject, while appearing in the Courts. Advocates shall also avoid overcrowding and in case of utmost necessity, they may appear along with one Assistant (either Clerk or junior Advocate). Ordinarily, the litigating parties shall not be allowed to accompany Advocates at the time of hearing of the case, unless his/her presence is must or required by the Court(s). Every person appearing before the Court(s) shall compulsorily use masks and hand sanitizers and shall carry certificate showing that he/she is fully vaccinated.
10. There shall be double check by the Naib Court of each Court. He/she shall allow entry to only those parties/witnesses whose presence in person is ordered by the Court concerned.
11. All the Judicial Officers, Staff, Advocates and litigants etc. except disabled persons/pregnant women are advised to use stairs instead of lifts.
12. The timings for fresh institution of cases and fresh application of certified copies shall be allowed from 10.00 am to 01.00 pm. No fresh institution/application shall be handed over directly to the Reader of the Court or official(s) in Suvidha Center. The same shall be put up in the boxes provided separately in the Suvidha Centre. The files/applications shall be taken out after proper sanitization on the next working day for being assigned/dealt with. Only urgent matters i.e. bail matters, stay matters, petitions under Section 13-B of Hindu Marriage Act, Execution Petition under MNT 125 Cr.P.C, refund voucher matters or any other matter which the

concerned Court deems fit and proper are required to be put up on the same day after proper sanitization and placing them in the UV boxes for at least two hours.

13. The other routine matters/cases except the cases mentioned above fixed upto 21.01.2022 in various Courts functioning in Sessions Division, Jhajjar shall be taken up and adjourned by the Court(s) concerned to suitable dates as per the roster maintained in their respective Court and shall be uploaded thereafter on CIS on day to day basis.
14. The guidelines/advisory and other SOPs issued by the Government of India and Haryana Government from time-to-time as well as instructions contained in the Hon'ble High Court bearing No.110 Spl. E.II/L80(a) dated 08.02.2021 (copy enclosed as Annexure-'B') shall be followed strictly.
15. The Deputy Commissioner, Jhajjar shall ensure installation of Sanitization machines at the conspicuous places of Judicial Courts Complex, Jhajjar and Sub Division, Bahadurgarh.
16. The Secretary, Municipal Committee, Jhajjar and Bahadurgarh are directed to get the Judicial Complexes Jhajjar and Bahadurgarh sanitized on weekly basis or prior thereto as per situation of COVID-19/OMICRON prevailing in District Jhajjar.
17. Police Security Officials deputed in the Judicial Complexes at Jhajjar and Bahadurgarh are directed to check regarding wearing of mask and vaccination certificate at the entrance gate.
18. Proper hand sanitization and temperature checking shall be conducted by the officials of this office deputed for the purpose at the entry gate(s) at Headquarter Jhajjar and Sub Division, Bahadurgarh.

19. The above said directions/arrangements shall come into force with immediate effect till 21.01.2022 on which date situation shall be reviewed afresh as per prevailing situation of COVID-19/OMICRON in District Jhajjar.
20. A copy of this order be uploaded on the website of this Sessions Division.

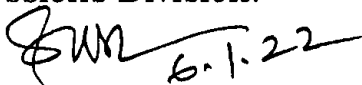
All concerned be informed accordingly.


(Sudesh Kumar Sharma),
District & Sessions Judge,
Jhajjar.

Endst. No. 260-87 / Dated. 06-01-2022 /

Copy forwarded to the following for information and necessary action:-

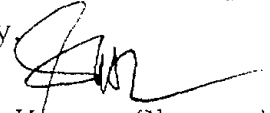
1. The Registrar General, Hon'ble Punjab & Haryana High Court, Chandigarh.
2. The Special Secretary to the Hon'ble Administrative Judge of Jhajjar Sessions Division.
3. All the Judicial Officers posted in this Sessions Division including CJM-cum-Secretary, DLSA, Jhajjar.
4. The Deputy Commissioner, Jhajjar.
5. The Superintendent of Police, Jhajjar.
6. The Civil Surgeon, Jhajjar.
7. The District Attorney, Jhajjar.
8. The Superintendent, District Prison, Jhajjar.
9. The Bar Presidents, Bar Associations Jhajjar and Bahadurgarh.
10. The Secretaries, Municipal Committee, Jhajjar and Bahadurgarh.
11. The Superintendent Gr.II (Judicial Branch) of this office.
12. System Officer of this office with the direction to upload the order on the website of this Sessions Division.


(Sudesh Kumar Sharma),
District & Sessions Judge,
Jhajjar.

OFFICE OF THE DISTRICT AND SESSIONS JUDGE, JHAJJAR.**ORDER**

Since a complete lockdown has been imposed in District Jhajjar during the period 03.05.2021 to 10.05.2021 as per order dated 02.05.2021 of the Government of Haryana and keeping in view the prevailing situation of Covid-19 in District Jhajjar, in compliance of the directions issued by the Hon'ble High Court vide letter No.80/RG/Spl./Misc. dated 17.04.2021 and in continuation of this office order bearing Nos.7474-98 dated 14.04.2021 and 8086-8100 dated 27.04.2021, it is directed that during the aforesaid period or till further orders whichever is earlier, all the Courts functioning in this Sessions Division shall hear only urgent nature of cases as mentioned in this office order dated 14.04.2021 through permissible virtual modes as mentioned in Hon'ble High Court email dated 17.04.2020 (copy enclosed) as per technical and practical feasibility. All the Judicial Officers are directed to provide WhatsApp mobile numbers of one or more officials of their respective Courts to facilitate the Advocates to contact on those numbers for WhatsApp video call/hearing. A consolidated Court wise list of WhatsApp numbers of the above officials shall be uploaded on the official website of this Sessions Division. However, the Court may hear any case physically by passing a specific order in which it deems fit and proper.

All concerned be informed accordingly

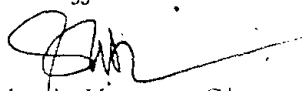

(Sudesh Kumar Sharma),
District & Sessions Judge,
Jhajjar. n 3-5-21 cn

Endst. No. 84-13-96 /

Dated. 3-5-21 /

Copy is forwarded to the following for information and necessary action:-

1. The Registrar General, Hon'ble Punjab and Haryana High Court, Jhajjar.
2. All the Judicial Officers posted in this Sessions Division.
3. The Deputy Commissioner, Jhajjar.
4. The Superintendent of Police, Jhajjar.
5. The Superintendent, District Jail, Jhajjar.
6. The District Attorney, Jhajjar.
7. The Presidents, Bar Associations, Jhajjar and Bahadurgarh.


(Sudesh Kumar Sharma),
District & Sessions Judge,
Jhajjar. n 3-5-21 cn

Annexure - B

No. 110 S/L E II/L.80 (a)

From

The Registrar General,
Punjab and Haryana High Court,
Chandigarh.

To

All the District and Sessions Judges in the State of Haryana,

Dated, Chandigarh, the 8/2/2021

Subject: Guidelines of preventive measures to contain spread of COVID-19-Covid appropriate behaviour-reg.

Sir/Madam,

I am directed to refer you on the subject cited above and to send herewith a copy of Letter No.38/2/2021-1JJ-II dated 14.01.2021 received from the Additional Chief Secretary to Government, Haryana, Home and Administration of Justice Department, Haryana for information and necessary action.

Yours faithfully,

Encl: As above.

P. S. S. S.
8.2.2021
Assistant Registrar (E-II)
for Registrar General

Encl: No. 110 S/L E II/L.80(a) dated 8/2/2021

Copy alongwith copy of Letter No.38/2/2021-1JJ-II dated 14.01.2021 of the Additional Chief Secretary to Government, Haryana, Home and Administration of Justice Department, Haryana is forwarded to following for information and necessary action, if any:-

1. The Superintendent, Exclusive Cell, Punjab and Haryana High Court, at Chandigarh.
2. The Superintendent, Gazette-II Branch, Punjab and Haryana High Court at Chandigarh.

P. S. S. S.
8.2.2021
Assistant Registrar (E-II)
for Registrar General

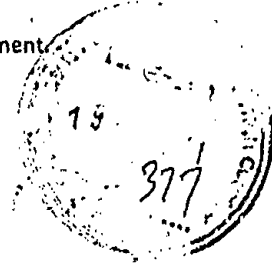
No. 36/2/2021-1JJ-II

From.

The Additional Chief Secretary to Government,
Haryana, Home and Administration of Justice Department.

To

1. All the Head of the Departments in Haryana.
2. All the Commissioners of Police in Haryana.
3. All the Deputy Commissioners in Haryana.
4. All the Superintendent of Police in Haryana.



Dated Chandigarh, the 14.01.2021

**Subject: Guidelines of preventive measures to contain spread of COVID-19-
Covid appropriate behaviour-reg.**

I am directed to refer to the subject noted above and to say that the State of Haryana is facing the situation of COVID-19 and has been able to prevent major search in number of cases. Though the number of cases are decreasing, there is need to prevent the spread of infection. Guidelines and SOPs have been issued from time to time by the Ministry of Home Affairs, Government of India as well as the State Government and its authorities regarding basic preventive measures to be followed at all time, which include use of face covers/masks to be mandatory apart from other basic measures. It has come to the notice of the Government that the basic preventive measure regarding use of face covers/masks is not being followed properly and nasal area is not fully covered. Mere wearing of masks would not suffice if the nasal area is exposed. The Government have considered the matter and it has been decided that the basic preventive measures are to be followed to reduce the risk of infection with COVID-19, which include:-

- i) Use of face covers/masks to be mandatory.
- ii) Face covers/masks to be used properly not exposing the nasal area.
- iii) Physical distancing of at least one meter to be followed at all time.
- iv) Levying of fines/penalties on defaulters for not wearing mask/face cover, or not wearing mask/face cover properly exposing the nasal area or for not following physical distancing norms.
- v) Practice frequent hand washing (for at least 40-60 seconds) even when hands are not visibly dirty and use of alcohol based hand sanitizers (for at least 20 seconds).
- vi) Respiratory etiquettes to be strictly followed. This involves strict practice of covering one's mouth and nose while coughing/sneezing with a tissue/handkerchief/flexed elbow and disposing off used tissues properly.
- vii) Self-monitoring of health by all and reporting any illness at the earliest.
- viii) To make the general public aware about following the above 'COVID appropriate behaviour' through advertisement in electronic and print media.

2. The above instructions be brought to the notice of all the concerned for strict compliance. Any lapse on part of the concerned person shall be viewed seriously and action will be taken against the erring officers/officials in accordance with the Rules.

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21/1/2021
JR(EH)
AS
Superintendent, Jail and Judicial-II,
for Additional Chief Secretary to Government, Haryana,
Home and Administration of Justice Department.