

OFFICE OF THE DISTRICT JUDGE OF SOUTH 24-PARGANAS

Order No.443- G Dated-Alipore, the 30th day of June, 2020

With the pandemic of Covid-19(Corona virus) in the backdrop, the courts of the Judgeship of South 24-Parganas resumed normal functioning in a limited form from 15.06.2020 vide order No.436-G dated 11.06.2020 of this office and in view of the Notification No.1597-RG dated 05.06.2020 of the Hon'ble High Court at Calcutta. The functioning of the courts in a limited form during this period was closely monitored and certain impediments came to the notice of the undersigned. The reported cases of Covid-19 are increasing manifold not only in this district of South 24-Parganas but in the entire State of West Bengal. Moreover, the public transport system is yet to be regularized.

The learned Judicial Officers have expressed their views regarding normal functioning of the courts in a limited form in the coming days. The generalized view of the learned Judicial Officers is that: (i) *All those attending the courts to strictly adhere to the guidelines of ICMR and advisories issued by the Government from time to time in c/w Covid-19.* (ii) *The courts may function on alternate days with skeletal staff.* (iii) *Extremely urgent matters like bail matters, interlocutory matters may be taken by video-conferencing or physical mode as the situation demands and put-up petitions may be allowed.*(iv) *Recording of evidence only in POCSO cases may be allowed where custody trial is going on and mutual divorce cases may also be allowed.*

The Secretary, Alipore Bar Association in his letter dated 22.06.2020 and 30.06.2020 had made several suggestions/recommendations. Some of which being, (i) *Disposal of uncontested succession certificate and ex-parte matters upon affidavit, disposal of consent divorce matters, put-up of all criminal matters, affidavits, all criminal filing, surrender etc.* (ii) *No client should enter court rooms without accompanying conducting Advocates.* (iii) *ALL vendors and photocopy shops and food stalls should be open.*(iv) *ALL the Presiding Officers and staff will be present but matters would be taken up by the Officer in the alternate days, as may be decided upon consultation with the Presiding Officers.* (v) *Sanitization of court complex has also been emphasized in the said letter.*

The Criminal Bar Association of Sealdah in its communication (via e-mail) dated 27.06.2020 apart from the sanitization of courts and bathrooms, have suggested the following: (i) *allowing of put-up of urgent matters, hearing of bail matters, hearing in cases u/s 125 of CR.P.C. and D.V Act and N.I. Act, Mat suit, injunction u/s 144(2) of Cr.P.C. Similarly, the Diamond Harbour Criminal Court Bar*

Association in its letter dated 08.06.2020 have suggested that: (i) filing should be allowed, withdrawal of cheques in MACC & in Execution maintenance cases, as well as Mat Suits(13B, Divorce suits) as admissible.

This order pertains to resuming of normal functioning of the courts of this Judgeship in a limited form, including the Juvenile Justice Board, South 24-Parganas and the Commercial Court at Alipore with effect **from Wednesday, July 1, 2020** and this order shall be effective **till Saturday, July 18, 2020**. Matters covered by this order will abrogate matters pertaining to the same aspects contained in previous order(s) passed by this office and is issued after meeting the representatives of Alipore Bar Association today (30.06.2020) and upon consideration of the suggestions/ recommendations submitted by the wings of the Bar Association of Alipore, Sealdah, Baruipur, Diamond Harbour and Kakdwip. At the time of issuing this order the pandemic of Covid-19 was kept in the drop curtain and measures to be adopted to break the chain of transmission of Covid-19 and maintaining the Covid-19 Protocol has been given absolute importance. Although all endeavor has been made to include the suggestions/recommendations of the Bar Associations, yet all the recommendations could not be considered and certain restrictions has been imposed in functioning of the courts, since the present circumstances demands so.

Close monitoring of functioning of the courts of this Judgeship in a limited form for the period from 15th June-30th June, 2020 and upon review of the situation, this order is issued taking note of the suggestions/recommendations of the learned Judicial Officers and Bar Associations. All efforts have been given to encompass all the aspects of normal functioning of the courts of this Judgeship in a limited form with effect from July 1, 2020 and which shall continue till July 18, 2020.

I. Mode of functioning of the courts of the Judgeship of South 24-Parganas:

- (i) The court of the District Judge at Alipore, Child Friendly Court (POCSO) at Alipore, Child Rights Court (1st ADJ, Alipore), all the POCSO Courts of the Sub-divisions (ADJ, Baruipur and ADJ, Diamond Harbour/1st ADJ, Sealdah/1st ADJ, Kakdwip), E.C.Act(Special) Court & ADJ, Alipore, CBI (Special), 2nd Court, Alipore, Juvenile Justice Board, South 24-Parganas and Commercial Court at Alipore will remain functional on all the working days and hence seating of the courts on rotational basis does not arise.

(ii) All other courts except those stated in point no.(i) will take seat on rotational basis, in the manner stated below:

Wednesday, July 1, 2020:

Alipore: ADJ, 3rd, 4th, 6th, 8th, 10th Court.

Alipore: ADJ, FTC-I, II, III, IV.

Alipore: Civil Judge (Senior Division), 1st, 2nd, 3rd, 4th, 5th Court.

Alipore: Civil Judge (Junior Division), 1st, 2nd, 3rd Court.

Alipore: Civil Judge (Junior Division), 1st and 2nd Additional Court.

Sealdah: ADJ, 2nd Court, ADJFTC-I, CJ(SD), 1st Court of CJ(JD),

Additional Court of CJ (JD).

Baruipur: ADJFTC, 1st Court of CJ (SD), 1st and 2nd Court of CJ (JD).

Diamond Harbour: ADJFTC-I & II, CJ (SD), 1st & 2nd Court of CJ (JD), 1st Additional Court of CJ (JD).

Kakdwip: Civil Judge (Junior Division).

Thursday, July 2, 2020:

Alipore: ADJ, 11th, 12th, 13th, 17th, 18th Court.

Alipore: ADFTC-V, VI, VII, VIII Court.

Alipore: Civil Judge (Senior Division), 6th, 7th, 9th Court.

Alipore: Civil Judge (Junior Division), 4th, 5th, 6th Court.

Alipore: Civil Judge (Junior Division), 3rd Addl. Court.

Sealdah: ADJFTC-II, Small Causes Court, 2nd Court of CJ (JD).

Baruipur: 2nd Court of CJ (SD), 3rd Court of CJ(JD).

Diamond Harbour: ADJFTC-III & IV, 3rd Court of CJ (JD) and 2nd Additional Court of CJ (JD).

- *The schedule of July 1, 2020 will be followed on July 3, 2020, and the schedule of July 2, 2020 will be followed on July 4, 2020 and so on till July 18, 2020.*
- *The vacant courts will remain functional on those days when the court in charge of the said vacant court(s) will take seat.*
- *Matter pertaining to any vacant court will be heard by the court in charge of the said vacant court.*

The Magistrates of the Criminal Courts will take seat in the manner stated below:

Alipore:

Name of the Court	Dates of Judicial Seating
Chief Judicial Magistrate	On all working days
Additional Chief Judicial Magistrate	1 st , 2 nd , 3 rd , 6 th , 7 th , 14 th , 15 th and 18 th of the month.
Judicial Magistrate, 1 st Court	3 rd , 4 th , 7 th , 8 th , 10 th , 15 th , 17 th and 18 th of the month.
Judicial Magistrate, 2 nd Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th , 17 th and 18 th also on 11 th (on holiday remand duty)
Judicial Magistrate, 3 rd Court	3 rd , 4 th , 8 th , 9 th , 13 th , 14 th and 16 th of the month.
Judicial Magistrate, 4 th Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th , 16 th and 18 th of the month.
Judicial Magistrate, 5 th Court	The presiding Judge is on maternity leave and hence Ld. J.M 7 th Court shall continue to remain in charge of the court of Ld. JM 5 th Court for all purposes. The dates fixed for this court are on 3 rd , 4 th , 8 th , 9 th , 14 th and 15 th of the month.
Judicial Magistrate, 6 th Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th , 17 th and 18 th of the month. He shall also hold the holiday remand file on the 5 th of the month.
Judicial Magistrate, 7 th Court	3 rd , 4 th , 8 th , 9 th , 14 th , 15 th and 17 th of the month.
Judicial Magistrate, 8 th Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th , 16 th and 18 th of the month.
Judicial Magistrate, 9 th Court	3 rd , 4 th , 8 th , 9 th , 14 th , 15 th and 16 th of the month. He shall also hold the holiday remand file on the 12 th of the month.
Judicial Magistrate, 10 th Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th and 16 th of the month.

Sealdah:

Name of the Court	Dates of Judicial Seating
ACJM, 3 rd and 5 th Judicial Magistrate	01.07.2020 and 16.07.2020
3 rd , 5 th and 4 th Judicial Magistrate	02.07.2020
3 rd , 5 th and 4 th Judicial Magistrate	03.07.2020
5 th , 3 rd and 4 th Judicial Magistrate	04.07.2020
Ld. Judicial Magistrate 5 th Court	05.07.2020(holiday remand duty)
6 th , 2 nd and 1 st Judicial Magistrate	06.07.2020 and 17.07.2020
6 th , 2 nd and 1 st Judicial Magistrate	07.07.2020
2 nd , 6 th and 1 st Judicial Magistrate	08.07.2020
2 nd , 6 th and 1 st Judicial Magistrate	09.07.2020
ACJM, 4 th and 5 th Judicial Magistrate	10.07.2020 and 18.07.2020
Ld. Judicial Magistrate 4 th Court	11.07.2020(holiday remand duty)
Ld. Judicial Magistrate, 4 th Court	12.07.2020(holiday remand duty)
5 th , 4 th and 6 th Judicial Magistrate	13.07.2020
5 th , 2 nd and 4 th Judicial Magistrate	14.07.2020
ACJM, 1 st and 3 rd Judicial Magistrate	15.07.2020

Baruipur:

Name of the Court	Dates of Judicial Seating
Smt. Nabanita Nandy Judicial Magistrate	1 st to 18 th June, 2020, which includes the holiday remand files.

Diamond Harbour:

Name of the Court	Dates of Judicial Seating
Sri Mandip Saha Roy, ACJM	3 rd , 4 th , 8 th , 9 th , 14 th , 15 th , 16 th , 17 th and 18 th of the month.
Judicial Magistrate, 1 st Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th , 16 th , 17 th and 18 th of the month.
Judicial Magistrate, 2 nd Court	3 rd , 4 th , 8 th , 9 th , 14 th , 15 th , 17 th and 18 th of the month and on 5 th as on holiday remand duty.
Judicial Magistrate, 3 rd Court	1 st , 2 nd , 6 th , 7 th , 10 th , 13 th and 16 th of the month and also on 11 th and 12 th as on holiday remand duty.

Kakdwip:

Name of the Court	Dates of Judicial Seating
Sri Abir Chatterjee, ACJM	1 st , 2 nd , 6 th , 7 th , 8 th , 9 th , 10 th , 13 th , 14 th , 16 th and 18 th of the month.
Sri Anindya Ray, ACJM-cum-CJ(Senior Division)	3 rd , 4 th , 6 th , 7 th , 8 th , 11 th , 12 th , 15 th and 17 th of the month including the holiday remand files.
Sri Arif Ahmed, Judicial Magistrate	1 st , 2 nd , 3 rd , 4 th , 5 th , 9 th , 10 th , 13 th , 15 th , 16 th , 17 th and 18 th of the month including holiday remand files.

**The Remand File will be taken up by the Ld. Magistrate concerned as per Roster.*

- (iii) Considering the present scenario, matters will be heard though Video-conferencing and or physical form and or Hybrid manner, in the sense that, one or more parties may be represented by video-link and one or more other parties may be represented in physical manner or vice-versa. However, the manner a matter will be heard will be the sole discretion of the learned Judge concerned. The video-link of all the courts is provided in separate sheets annexed with this order.
- (iv) The number of matters that will be listed on a particular day for hearing by a particular court will be decided by the learned Judge concerned.
- (v) The time frame of hearing of matters on working days will be decided by the court hearing the matter(s).

- (vi) Divorce on mutual consent (Section 13B of Hindu Marriage Act) will be heard, preferably through Video-conferencing.
- (vii) The District Judge's Court will hear the bail matters through Video-conferencing mode only. The number of matters will be decided by the Ld. District Judge taking into consideration of the number of matters filed.
- (viii) The hearing of bail matters at District Judge's Court will be conducted through Video-conferencing or through Hybrid manner as per suitability. However, those who intend to conduct hearing in physical form are required to submit a petition to the District Judge's Court, one day prior to hearing.
- (ix) If exorbitant numbers of cases are filed, the respective Ld. Judge has right to restrict the same.
- (x) Ex-parte hearing on affidavit will be allowed, depending upon the urgency of the matter. However, the manner of hearing will be the discretion of the Ld. Judge concerned.
- (xi) Uncontested Probate and Succession matters, urgent ad-interim petitions will be heard in the manner as decided by the Ld. Judge concerned.
- (xii) The number and manner of hearing bail applications, affidavit to be taken up will be decided by the learned Chief Judicial Magistrate, South 24-Parganas and learned Additional Chief Judicial Magistrate concerned of the respective station(s).
- (xiii) Put-up applications and petitions (*under bailable sections and release of articles etc.*) and (*under non-bailable sections where Section 41A of Cr.P.C have been complied*) will be taken up by the Ld.CJM/ACJM concerned.
- (xiv) In Maintenance Execution cases, withdrawal of deposit may be allowed as per law.
- (xv) Hearing in cases u/s 125 of Cr.P.C. and D.V Act, which have already been fixed ex-parte will be conducted.
- (xvi) UTP's to be produced through Video-conferencing mode only, unless directed to be produced physically by the learned court concerned.
- (xvii) Urgent mentioning may be allowed, if the learned Judge concerned so desires.
- (xviii) If any matter is heard in physical form, only the learned Advocate(s) on record will be permitted to enter the court room. After the hearing is completed, the next matter will be taken up and thereafter the learned Advocate of the

next case listed will be permitted to enter the court room. Cases where physical presence of the parties is required, same will be allowed. But the Advocate on record has to accompany their clients. Only 5(five) persons including Ld. Advocates will be permitted to remain present in the court room at a time and all inside the court room have to strictly adhere to the Covid-19 Protocol and wearing of mask/face shield is mandatory.

(xix) All the learned Judges are requested to ensure that the Diary, Cause List, CIS pertaining to their courts is updated on a priority basis.

(xx) It is expected that the learned courts will not pass any adverse order considering the present scenario.

II. Filing of matters

- (i) Filing of suit and petitions will be allowed by both physical manner and through online as per the provisions laid down in C.R.O and Cr.R.O.
- (ii) Matters may be filed at the counters of the Filing Section and or through the e-mail addresses provided in separate sheets enclosed herewith.
- (iii) In respect of bail matters, the copy of such petitions or applications should be filed after previous service to the office of the learned Public Prosecutor.
- (iv) In a petition for urgent hearing, an affidavit of service showing that the service of the petition or application on the party or parties likely to be affected by the order is to be submitted before the court concerned.
- (v) Any petitioner or applicant appearing in any manner, whether online or in physical form must file a Vakalatnama.
- (vi) The learned Advocates to provide their mobile number and e-mail address at the time of filing.
- (vii) The mode of hearing of all petitions and applications for urgent hearing will be decided by the learned Judge concerned.

III. Copies of order:

Certified copies will be provided to the applicant as per the provisions laid down in Civil Rules and Orders.

IV. Gates :

1. At present only two gates will be used to access the District Judge's Court at Alipore. The main gate towards Mominpur (Gate-A) shall act as the Entry point and the gate towards Gopalnagar (Gate-B) shall act as Exit point for al the Judge's, court staff, Advocates and law clerks.
2. The Sub-divisional courts to follow the same rule as above and should have only one entry and exit point to access the courts.
3. Adequate number of police personnel to be deputed at the both the gates to avoid unwanted entry into the court premises.
4. The Sub-divisional Civil Judge (Junior Division) concerned at the Sub-divisions to contact with the S.P concerned to ensure that proper deployment of police personnel is made on all working days. He/she to co-ordinate with the ACMOH concerned and ensure that adequate Medical Team equipped with Thermal Guns are deployed at the Entry point.

V. General

1. Litigants may be allowed to enter the court premises only if required to be present before any court in c/w with any case. It is expected that the learned Advocates will advice their clients not to visit the courts, if the same can be avoided.
2. No litigants will be allowed to enter the court rooms until normalized of this pandemic situation. However, if the physical presence of any party is required, the same may be permitted. But the Ld. Advocate on record needs to accompany his/her client.
3. All entrants into the court complex to mandatorily undergo thermal screening by the Medical Team deployed.
4. All the Judges and staff/Advocates/law clerks to be allowed entry only if using face cover/masks. The face cover/mask has to be worn at all times inside the court premises.
5. All attending the courts to strictly adhere to the WHO norms, ICMR guidelines and advisories issued by the MOH (Ministry of Health), Government of India and State Government from time to time to combat the spread of deadly Covid-19 (Corona virus), like use of masks, maintaining social distancing, use of hand sanitizers/hand wash, undergoing thermal screening.

6. Considering the significance of maintaining personal hygiene, all persons entering the court premises are expected to carry personal sanitizer dispenser.
7. Spitting here and there is strictly prohibited.
8. It is expected that the learned Advocates shall maintain the social distancing norms in the Bar rooms. Unwanted gathering of the Advocates are to be avoided in the Bar rooms/Sheresta of the learned Advocates. However, this has to be monitored by the Libraries and members of the Bar.
9. The number of Advocates to be permitted inside the court room during the time of hearing in physical form will be decided by the learned Judge concerned.
10. Number of people in the elevators will be restricted, duly maintaining social distancing norms.
11. Crowding in the Court corridors, Filing counters, Copying and Nezarath department is strictly prohibited and specific markings have been made by the PWD with sufficient distance to manage the queue and ensure social distancing in the court premises.
12. No vehicle, other than that on duty of the Courts and belonging to the Judges, staff, learned Advocates and law clerks will be allowed to park inside the court premises. The vehicle belonging to litigants will not be allowed to enter the court premises at point of time. Such restriction of entry of vehicles is to be strictly monitored and controlled by the Office of the Chief Inspector of the respective court.
13. District Nazir, Alipore/Nazir of the respective Sub-divisions to ensure that sanitization of the courts/ departments/staff quarters/Bar Library/Sherestas/washrooms within the court complex are made on a regular basis by the concerned department of PWD/Fire & Emergency Services, Government of West Bengal following the guidelines of sanitization.
14. Based on the report submitted by the learned Registrar, District Judge's Court, South 24-Parganas, Alipore and recommendations of the Bar Association(s) and upon consideration of the present scenario, the food and tea stalls/ refreshment services, photocopier shops, stationery shops within the Court premises of all the courts under this Judgeship will resume their operation on rotational basis with 50% of its strength. The typists (both typewriter and computer) and stamp vendors will operate on rotational basis. Where the number of typists/vendors/food

stalls/stationery shops and the like is of odd number, (example 5), 3(three) of them will operate on July 1, 2020 and 2(two) will operate on July 2, 2020 and so on. The shop owners shall co-ordinate amongst them and decide their respective dates of operation. However, all must strictly abide by the ICMR guidelines and advisories issued by the Government in c/w Covid-19 like maintaining social distancing, use of mask and sanitizers without fail.

The District Nazir, Alipore and Nazir of the respective subdivisions to take all necessary steps to ensure that such canteens/food stalls/refreshment services, photocopier shops and the like operates strictly on rotational basis, following Covid-19 Protocol. They are to monitor the same under the supervision of the learned Registrar/Judge-in-Charge, Nezarath Department concerned.


The above arrangement of functioning of the courts of this Judgeship in a limited form is made considering the contentment of the society at large. The situation will be reviewed on 18.06.2020 and upon consideration of entire facts and circumstances during this rampant of Covid-19 further guidelines will be issued by this office in connection with the same.

Enclo: As stated.

Sd/-Uday Kumar
District Judge
South 24-Parganas

Copy forwarded for information and taking necessary & appropriate action to:

1. All the Ld. Judicial Officers of the Judgeship of South 24-Parganas.
2. The Judge, Commercial Court at Alipore.
3. The Principal Magistrate, Juvenile Justice Board, South 24-Parganas.
4. The Registrar, District Judge's Court, South 24-Parganas, Alipore.
5. All the Ld.ADJ/CJ(JD) on probation at Alipore, South 24-Parganas.
6. The Secretary/President, Civil/Criminal Court Bar Association, Alipore/Sealdah/Baruipur/Diamond Harbour/Kakdwip, with a request to circulate this order amongst to the learned Advocates.
7. The Chief PP/GP South 24-Parganas, Alipore.
8. The District Magistrate, South 24-Parganas, Alipore, with a request to make necessary arrangement to provide adequate number of thermal guns/sanitizers/masks for the District Court at Alipore.
9. All the departments of the Office of the District Judge, Alipore and departments under the control of the Registrar, District Judge's Court, South 24-Parganas, Alipore.
10. The Superintendent of Police, Baruipur Police District/Diamond Harbour Police District/Sundarban Police District, with a direction to ensure that adequate police force is deputed at the Court premises within their jurisdiction, for smooth running of the Courts.
11. The Deputy Commissioner of Police, South Calcutta Division, 34 Park Street, Kolkata-700016/ C.I, Kolkata Police Lock-Up, District Judge's Court, Alipore, with a direction to ensure that adequate police force is deputed at the District Judge's Court complex for smooth running of the Courts.
12. The CMOH, South 24-Parganas, Department of Health & Family Welfare, M.R.Bangur Hospital Complex, 241 Deshapran Sasmal Road, Tollygunge, Kolkata-700033, with a request to ensure that properly equipped Medical Team(s) are present at the respective court complex of the Sadar(Alipore) and all the Sub-Divisions.
13. The SDLSC, Baruipur/Diamond Harbour/Kakdwip.
14. The Secretary, DLSA, South 24-Parganas, Alipore.
15. The Nodal Officer/ System Officer/System Administrator/ Executive Assistant/ Assistant Registrar/Sheristadar/Head Clerk/ Nazir, District Judge's Court, Alipore.


District Judge
South 24-Parganas
District Judge
South 24-Parganas
Alipore

Email Id's of Judicial Officer's of South 24 Parganas

Sl. No.	District & Sub-division	Name & Designation of the Judicial Officer	JUDICIAL OFFICERS e-MAIL ID
1	South 24 Parganas, Alipore (Civil)	SRI. UDAY KUMAR, DISTRICT JUDGE, ALIPORE	alpcvlcrt@gmail.com
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