

OFFICE OF THE CHIEF METROPOLITAN MAGISTRATE,
ESPLANADE ,MUMBAI

No.CMM/OC/16/2020

Date: 06.06.2020

OFFICE CIRCULAR

- Reference:-** a. Standard Operating Procedure(SOP) dated 03.06.2020 for subordinate Courts in the State of Maharashtra, and other Districts Issued by the Hon'ble High Court, Bombay.
- b. Hon'ble City Civil & Sessions Court's Order bearing O.W.No. 84/2020 dated 05.06.2020

1. Apropos of the above, the Courts of Addl. Chief Metropolitan Magistrates and Metropolitan Magistrates, Mumbai, will be functioning in shifts, as listed below.

Sr. No.	Name Of Centre	No.of Courts working in a day	Morning Shift (10.30 a.m to 01.30 p.m)	Afternoon Shift (02.00 p.m to 05.00 p.m)
1	Esplanade	2	1	1
2	Mazgaon	2	1	1
3	Dadar	2	1	1
4	Girgaon	2	1	1
5	Bandra	2	1	1
6	Kurla	2	1	1
7	Andheri	2	1	1
8	Borivali	2	1	1
9	Vikhroli	2	1	1
10	Ballard Pier	1	1	-
11	Mulund	1	1	-
12	Vile Parle	1	1	-
13	Shindewadi	1	1	-
14	JJB (Juvenile Justice Board)	1	1	-
15	CSTM(Chhatrapati Shivaji Maharaj Terminus)	1	1	-
16	MCT (Mumbai Central)	1	1	-

- 2) The Centre Heads are requested to make their arrangement of Judicial Officers by rotation in shift wise with fifteen percent staff as required for Judicial as well as Administrative work at their centre.
- 3) The Office working hours shall be of four hours in each shift i.e. half an hour before and after the Judicial working hours.
- 4) As per the direction of Hon'ble High Court, Bombay, all Judicial Officers are requested to deal with all bail applications which are filed prior to lockdown and pending; apart from the work mentioned in the earlier circulars. All Judicial Officers are requested to hear the matters where witness action is not required e.g. cases kept for argument/ judgement/ order.
- 5) The learned Judicial Officer who is working in Court will attend remand work of that centre and disposal of his own court.
- 6) Cases in which substantial evidence is recorded and either of the parties to the proceeding agree to examine the witness through Video Conferencing or on Commission, the concerned Judge in his discretion may allow such examination, with a rider that the witnesses shall not be compelled to attend the Court for such examination.
- 7) The cases listed on board should be kept moderate in numbers and is to be decided by the concerned Presiding Officer.
- 8) The learned Judicial Officers shall ensure utmost use of the facility of Video Conferencing and persuade the Advocates to use the same by appraising them of the benefits of the facility.
- 9) The hearing and final arguments shall preferably be done via video conferencing and/or by accepting the written notes of arguments submitted by either of the parties. The Concerned centres of Courts are requested to provide their court's e-mail ID to the parties, for e.g.(Esplanade centre E-mail ID is, chief.mm1@gmail.com and cmm-mum.mh@bhc.gov.in) . The parties shall be asked to send the written arguments to the email address of the centres or , can be permitted video conferencing facility for final arguments.

- 10) The learned Judicial Officers may devote some time for adjusting the board so as to reduce crowd in the Court building/hall.
- 11) The learned Judicial Officers may not pass any adverse order owing to the absence of the parties to the proceedings.
- 12) The learned Judicial Officers may also generally refrain themselves from taking coercive action ,such as passing ex-parte orders, issuance of warrants to the accused and witnesses, etc.
- 13) The learned Judicial officers may give priority to the cases which are posted for delivery of judgements.
- 14) The staff of Establishment Section, Confidential Section, Statistical Section, Registrar and Deputy Registrar's Office, Court Manager's office, E- Court Room, News paper registration section, etc. shall attend the office on alternate working days. The staff attached to Server Section, Filing Section and Cash Section shall attend daily.

(Sayali T.Dande)
I/c Chief Metropolitan Magistrate,
Esplanade, Mumbai

Annexure : A : Precautions to be adopted by Staff / Advocates / Litigants at Metropolitan Magistrate Courts at Mumbai.

B : Administrative Guidelines for Metropolitan Magistrate Courts, Mumbai.

Copy respectfully submitted to :-

- 1) The Hon'ble Registrar General , High Court of Judicature at Bombay
- 2) The Hon'ble Principal Judge, City Civil & Sessions Court, Mumbai

C.C.to:-

- 1) All Addl. Chief Metropolitan Magistrates & Metropolitan Magistrates, Mumbai
- 2) Registrar, Esplanade, Mumbai
- 3) Presidents/Secretaries of Advocates' Bar Association of all the centres of Courts
- 4) Municipal Commissioner, Mumbai
- 5) Commissioner of Police, Mumbai
- 6) Chief Police Prosecutor, Mumbai
- 7) Superintendents of all Jails in Mumbai , Navi Mumbai and Thane.
- 8) Dy.Registrar/Asstt.Registrars/ Sr. Judicial Clerk/Controlling Judicial Clerks of all centres of courts
- 9) All departments of establishment
- 10) Office Circular file

**PRECAUTIONARY MEASURES TO BE
ADOPTED BY STAFF/ ADVOCATES /LIGITANGS
AT METROPOLITAN MAGISTRATE COURTS AT MUMBAI**

Reference : SOP issued by the Hon'ble High Court on 03rd June 2020

1. All precautionary measures issued as by the Government / Hon'ble High Court below shall be followed scrupulously –

- (a) By the Government of India vide order No.40-3/2020-DM-I(A) dated 30.05.2020.
- (b) By the Government of Maharashtra vide order No.DMU/2020/CRe.92/DisM-1 dated 31.05.2020.(Mission Begin Again)
- (c) By the Government of Maharashtra vide letter No.NYAYIK2020/PReA.KReA.58/AReOGYA 5, Public Health Department dated 30.05.2020.
- (d) Amendments to Guidelines by Maharashtra Government vide DMU/2020/CRe.92/DisM-1 dated 04th June 2020.(Mission Begin Again)
- (e) SOPS', Cleanliness Tips, Guidelines on Disinfection of Common Public Places including Offices / Courts issued by the Hon'ble High Court.

2. Persons who may have symptoms of fever, sore throat, cough, running nose or breathing difficulty are advised to self-restrain themselves from presently visiting the Court premises. Any visitor found with temperature above 38 degree Celsius or having apparent symptoms of Covid-19 or coming from containment zone shall not be allowed entry in the Court premises.

3. A minimum of 2 (two) Mtr. gap between people has to be maintained while queuing and on entering the Court building.

4. Hand sanitizers shall be provided in office premises (especially at the entry) and near high contact surfaces. Hand wash facilities should be installed. Water including liquid soap may be made available.

5. As far as possible, owing to the current Pandemic, an arrangement be made to have only one entry and one exit point in order to manage all visitors (including Advocates and staff members) entering the Court premises.
6. Two guards should be deputed at the entry gate in consultation with respective police stations, one of whom shall do thermal scanning with the help of contact-less Infra-red temperature gun and other for sanitizing the hands of the persons entering the Court premises. One guard should be deputed at the exit point to restrict the entry therefrom.
7. Sanitization shall be carried out periodically in the entire Court building with the assistance of the Local Bodies.
8. Sanitizer facility shall also be provided at the entry of the office / chamber of the Judges and at the entry of all the departments of the Courts. The entry shall be manned to ensure that the persons entering the Court premises are wearing masks and use the sanitizer before entry.
9. It shall be ensured that all washrooms in the premises of Court do have liquid soap. The washrooms including the taps, handles and door knobs shall be cleaned with disinfectants at regular intervals during the day.
10. The Staff Members working in the departments, Court halls and chambers of Judges shall ensure that the tables, chairs, telephones, keyboards, handles, knobs, etc., are wiped regularly with disinfectants. The Staff using computers shall be advised to ensure their keyboards and mouse are not used by others and are wiped regularly.
11. Notices and other Sign Boards with necessary instructions shall be displayed at appropriate and conspicuous places, including washrooms and lifts, in the Courts.
12. Covid Precaution Committee formed at every centre shall oversee the arrangements on a day to day basis.
13. The members of the Bar may be requested to avoid overcrowding in the court premises and to maintain social distancing.

14. Each and every visitor (including Advocates and staff members) desirous of entry in the Court Hall shall be advised to download Aarogya Setu App in their mobile handsets. Any exemption in this regard shall be considered by the concerned ACMM/ MM (Incharge Administration) or the Judicial Officer authorized by him, upon his subjective satisfaction as to the cause put forth for such exemption.
15. Entry of strangers and persons unconnected with any Court related work, in the Court shall be prohibited. All measures which are put in place shall be strictly implemented. Any sort of disobedience in this regard may attract penal provisions.
16. Respective Bar Associations of Metropolitan Magistrate Courts may issue instructions to all their members to strictly abide by the lockdown and social distancing norms, failing which, the concerned ACMM/ MM (Incharge Administration) may take such action as he deems fit and proper in the circumstances.
17. Necessary directions may be issued that the members of the Bar may not enter the Court halls unless the matters in which they have been engaged are called in for consideration. Overcrowding of the corridors may also be avoided.
18. The Bar Rooms in all Courts shall remain closed till further orders.
19. If any Advocate or litigant is found violating the above said guidelines, the concerned ACMM/ MM (Incharge Administration) shall report the same to the Chief Metropolitan Magistrate- only by e-mail - cmm-mum.mh@bhc.gov.in. Any violation of the norms may entail the closure of such Court by the Chief Metropolitan Magistrate till further order.
20. For any clarification or query, please contact concerned ACMM/ MM (Incharge Administration).

(S.T. Dande)
I/c Chief Metropolitan Magistrate,
Esplanade, Mumbai

Date : 06th June 2020

ADMINISTRATIVE GUIDELINES
FOR METROPOLITAN MAGISTRATE COURTS, MUMBAI

Reference : SOP issued by the Hon'ble High Court on 03rd June 2020

1. The Concerned ACMM/ MM (Incharge Administration) may fix a particular time slot and dedicated Staff, for accepting filing of cases. As far as possible, after verification of the cases filed, such files shall be kept isolated for a reasonable time period.
2. All Advocates and staff shall observe social / physical distancing norms and the seating arrangements in the Court halls and departments be adjusted accordingly. No visitor(s) other than Advocates and parties in person whose matters are listed shall be allowed in the Court premises.
3. In order to minimize the physical contact, the Information Kiosk Machine/s be switched off until further orders.
4. The services of Class-IV employees and contractual servants viz. Sweepers shall be monitored by controlling AR / JC of the respective centre to ensure proper upkeep of the Court building and the surrounding area neat and tidy, as well as to sanitize the same with disinfectants with the help of local bodies.
5. Beyond the office hours, as stated in the manner aforementioned, the concerned staff may be called for routine correspondence as well as to furnish the necessary information for submission and compliance to the higher authorities.

Date : 06th June 2020

(S.T. Dande)
I/c Chief Metropolitan Magistrate,
Esplanade, Mumbai