

Working of District Courts in times of Pandemic

Mechanism for functioning of District Courts covered during the period of Lockdown

The Registrar General , High Court of Judicature at Allahabad vide letter no . 1108/ LXXXVII-CPC/ e courts / Allahabad dated 20 May 2020 has issued the mechanism /modalities for functioning of District Courts . For better administration during the Pandemic crisis , District Courts have been covered under different zones i.e. Red , Orange and Green zones .

General Guidelines

- (1) Sanitization is the pre supposition for the commencement of work of courts . The process of sanitization is to be carried out with the help of District Magistrate , CMO and other administrative officers . No sanitization will result in non opening of the court . If sanitization is not carried out then such a report is to be sent to the District Magistrate and High Court.
- (2) Ensure thermal scanning with the help of District Magistrate , administrative officers and CMO .
- (3) The above mentioned guidelines to be publicized through Media , Official websites , Bar association and other modes .
- (4) Establishment of a dedicated helpline for advocates and litigants to be published on District Court website .
- (5) Dress Code for male counsel – White Shirt and light coloured trouser along with band .
Lady counsel – sober attire along with band .
- (6) Judicial officer are exempted from wearing coat and gown .

Common Guidelines for all three zones (Red , Orange and Green) .

- (1) District Judge to ensure minimal entry of staff in Court premises .
- (2) Judicial officer and court staff shall leave the premises once the work is completed .
- (3) Facility of virtual court to be made if demanded .
- (4) Judicial service centre shall be used for receiving fresh cases / Applications from the advocates / Litigants . Applications shall contain the details of advocates / litigants including their mobile number . Defects in the pleadings to be conveyed to the Counsel on the same day .
- (5) Computer section shall inform the Counsels about the functioning of e courts app.
- (6) Written argument can also be submitted to the Judicial Service Centre .

- (7) District Court's official e mail to be created and to be used for receiving Bail/ Anticipatory Bail or other urgent applications.
- (8) Copy of bail / anticipatory bail to be provided to prosecution .
- (9) Arrangements of only 4 chairs . Masks are compulsory . Sanitizer shall be arranged at the door of courtrooms.
- (10) Party to the case as such can appear (if they are not ill) . Presiding officer can restrict their entry into the courtroom or to the point from which arguments are addressed by the advocates .

Norms for Green Zone

- (1) All the Courts (District Court and Outlying Courts) shall be open to take up matters as instructed .
- (2) Judicial officer shall ensure :
 - (a) All cases , except recording of evidence in civil and criminal matters .
 - (b) Urgent matters to have priority .
 - (c) Judicial work in respect of under trial prisoner shall be done through video conference only .
 - (d) Administrative work and pending work is to be completed .

Common norms for Orange and Red Zones

- (1) The following parent courts and courts dealing with special jurisdiction shall take up matters as detailed below :
 - (a) District Judge .
 - (b) Principal Judge Family Court .
 - (c) Courts dealing with special jurisdiction .
 - (d) Chief Judicial Magistrate .
 - (e) Civil Judge (S.D.)
 - (f) Civil Judge (J.D.)
- (2) During the above period , Judicial officer shall ensure / undertake :
 - (a) Admission of new / pending matter .
 - (b) Pending / Fresh bail .
 - (c) Pending and fresh application bail .
 - (d) Matters involving release of vehicle , disposal of petty offence cases (For Orange zone only) .
 - (e) Urgent injunction matters pending/ fresh .
 - (f) Receiving and disposal of Police Report U/S 173 of Code of Criminal Procedure , 1973.
 - (g) Disposal of applications of investigating officer such as matter involving NBW process U/Ss 82 , 83 of Code of Criminal Procedure , 1973 and Statements under S 164 of Criminal Procedure , 1973.

- (h) Judicial work in respect of under trial prisoner shall be done through video conference only.
- (i) Delivery of pending orders / judgment , if the arguments are already complete .
- (j) Pending official work.
- (k) Any other administrative work.