

## HIGH COURT OF JHARKHAND AT RANCHI

### The Standard Operating Procedure for functioning of the District Courts & Sub-Divisional Courts of Jharkhand

*In furtherance of several guidelines issued by this Court from time to time to contain the spread of COVID-19, considering the prevailing situation of coronavirus in the State and in view of the suggestions of the Principal District & Sessions Judges of the State of Jharkhand, the system of Virtual Courts in the State of Jharkhand shall continue for the time being with further modification that a parallel system of physical and virtual Courts shall be introduced in three phases:*

Phase	Proportion of physical Courts	Proportion of virtual Courts
Phase -I	1/4	3/4
Phase – II	1/3	2/3
Phase – III	1/2	1/2

*The Duration of each phase shall be decided by this Court from time to time considering the situation of spread of corona virus in the State as well as the review of functioning of parallel Courts. The Standard Operating Procedure for functioning of the District Courts & Sub-Divisional Courts of Jharkhand in Phase -I, Phase – II and Phase – III are as follows:-*

#### Phase - I

1. System of 'Drop-box' for the purpose of filing shall be continued.
2. (a) The Court of Principal District & Sessions Judge;  
(b) One Court in the cadre of Additional District & Sessions Judge/Special Court;  
(c) the Court of Chief Judicial Magistrate;  
(d) the Court of Additional Chief Judicial Magistrate;

(e) the Court of Sub-Divisional Judicial Magistrate;

(f) the Court of Civil Judge (Jr. Division);

will run in physical mode on rotational basis. The Principal District & Sessions Judge shall prepare a roster in his discretion for physical Courts in such a way that on each working day, one Court from each cadre is conducted in physical mode to take up the proceedings mentioned in category- (B) and (C). The remaining three Officers shall conduct the proceeding mentioned in category- (A) through virtual Courts on days when they do not have their roster for physical Court. The Judicial Officers and supporting staffs conducting the physical Court proceeding shall not be burdened with running of virtual Court on the same day. Such physical Courts shall conduct the proceedings mentioned in category (B) and (C) only.

3. Courts, other than aforesaid Courts, will continue to conduct their proceedings mentioned in category- (A) through virtual Court.

A. Model of Proposed Roster Arrangement Under Phase - I.

Si. No.	Day	Physical Courts	Virtual Courts.
1.	Monday	A. The Court of Principal District & Sessions Judge. B. The Court of Chief Judicial Magistrate. C. The Court of Sub-Divisional Judicial Magistrate.	D. Remaining Courts
2.	Tuesday	A. One Court in the cadre of Additional District & Sessions Judge / Special Court. B. The Court of Additional Chief Judicial Magistrate. C. The Court of Civil Judge (Jr. Division).	D. Remaining Courts
3.	Wednesday	A. The Court of Principal District & Sessions Judge.	D. Remaining Courts

		<p>B. The Court of Chief Judicial Magistrate.</p> <p>C. The Court of Sub-Divisional Judicial Magistrate.</p>	
4.	Thursday	<p>A. One Court in the cadre of Additional District &amp; Sessions Judge / Special Court.</p> <p>B. The Court of Additional Chief Judicial Magistrate.</p> <p>C. The Court of Civil Judge (Jr. Division).</p>	D. Remaining Courts
5.	Friday	<p>A. The Court of Principal District &amp; Sessions Judge.</p> <p>B. The Court of Chief Judicial Magistrate.</p> <p>C. The Court of Sub-Divisional Judicial Magistrate.</p>	D. Remaining Courts
6.	Saturday	<p>A. One Court in the cadre of Additional District &amp; Sessions Judge / Special Court.</p> <p>B. The Court of Additional Chief Judicial Magistrate.</p> <p>C. The Court of Civil Judge (Jr. Division).</p>	D. Remaining Courts

4. **1/4** of total number of Courts in Judgeship will function physically at both District & Sub-Divisional Level and **3/4** through virtual mode under Phase -I subject to discretion of the Principal District Judge. The Principal District Judge shall prepare the aforesaid roster in such a way that above mentioned proportion is satisfied as far as possible.

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## Phase - II

1. For the purpose of filing, the resources of proposed 'E-Seva Kendra' can be utilized in addition to regular filing process.
2. (a) The Court of Principal District & Sessions Judge/Principal Judge of Family Court;  
  
(b) Two Courts in the cadre of Additional District & Sessions Judge/Special Court (ADJs)/Additional Principal Judge of Additional Family Court;  
  
(c) the Court of Chief Judicial Magistrate;  
  
(d) the Court of Additional Chief Judicial Magistrate;  
  
(e) Two Courts in the Cadre of Civil judge (Sr. Div.);  
  
(f) the Court of Sub-Divisional Judicial Magistrate;  
  
(g) the Court of Civil Judge (Jr. Division);  
  
(h) Two Courts in the cadre of Judicial Magistrate First Class

will run in physical mode on rotational basis. The Principal District & Sessions Judge shall prepare a roster for physical Courts in such a way that on each working day, two Courts from each cadre are conducted in physical mode to take up the proceedings mentioned in category- (B) and (C). The remaining Officers shall conduct the proceeding mentioned in category- (A) through virtual Courts on days when they do not have their roster for physical Court. The Judicial Officers and supporting staffs conducting the physical Court proceeding shall not be burdened with running of virtual Court on the same day. Such physical Courts shall conduct the proceedings mentioned in category (B) and (C) only.

3. Courts, other than aforesaid Courts, will continue to conduct their proceedings mentioned in category- (A) through virtual Court.

B. Model of Proposed Roster Arrangement Under Phase - II.

Si. No.	Day	Physical Courts	Virtual Courts.
1.	Monday	<p>A. The Court of Principal District &amp; Sessions Judge.</p> <p>B. One Court of Additional District &amp; Sessions Judge.</p> <p>C. The Court of Chief Judicial Magistrate.</p> <p>D. One Court of Civil judge (Sr. Div.)</p> <p>E. The Court of Sub-Divisional Judicial Magistrate.</p> <p>F. One Court of Judicial Magistrate First Class</p>	G. Remaining Courts
2.	Tuesday	<p>A. The Court of Principal Judge, Family Court.</p> <p>B. Court of Special Judge.</p> <p>C. The Court of Additional Chief Judicial Magistrate.</p> <p>D. One Court of Civil judge (Sr. Div.)</p> <p>E. The Court of Civil Judge (Jr. Division)</p> <p>F. One Court of Judicial Magistrate First Class.</p>	G. Remaining Courts
3.	Wednesday	<p>A. The Court of Principal District &amp; Sessions Judge.</p> <p>B. The Court of Additional Principal Judge, Additional Family Court</p> <p>C. The Court of Chief Judicial Magistrate.</p>	G. Remaining Courts

		<p>D. One Court of Civil judge (Sr. Div.)</p> <p>E. The Court of Sub-Divisional Judicial Magistrate.</p> <p>F. One Court of Judicial Magistrate First Class</p>	
4.	Thursday	<p>A. The Court of Principal Judge, Family Court.</p> <p>B. Court of Special Judge.</p> <p>C. The Court of Additional Chief Judicial Magistrate.</p> <p>D. One Court of Civil judge (Sr. Div.)</p> <p>E. The Court of Civil Judge (Jr. Division)</p> <p>F. One Court of Judicial Magistrate First Class.</p>	G. Remaining Courts
5.	Friday	<p>A. The Court of Principal District &amp; Sessions Judge.</p> <p>B. One Court of Additional District &amp; Sessions Judge.</p> <p>C. The Court of Chief Judicial Magistrate.</p> <p>D. One Court of Civil judge (Sr. Div.)</p> <p>E. The Court of Sub-Divisional Judicial Magistrate.</p> <p>F. One Court of Judicial Magistrate First Class</p>	G. Remaining Courts
6.	Saturday	<p>A. The Court of Principal Judge, Family Court.</p> <p>B. The Court of Additional Principal Judge, Additional Family Court.</p> <p>C. The Court of Additional Chief Judicial</p>	G. Remaining Courts

		Magistrate. D. One Court of Civil judge (Sr. Div.) E. The Court of Civil Judge (Jr. Division) F. One Court of Judicial Magistrate First Class.	
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4. **1/3** of of total number of Courts in Judgeship will function physically at both District & Sub-Divisional Level and **2/3** through virtual mode under Phase -II subject to discretion of the Principal District Judge. The Principal District Judge shall prepare the aforesaid roster in such a way that above mentioned proportion is satisfied as far as possible.

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### Phase – III

1. For the purpose of filing, the resources of proposed 'E-.Seva Kendra' can be utilized in addition to regular filing process.
2. A Parallel system of Virtual Court shall be adopted wherein **50 %** Courts of each cadre will function physically, at both District & Sub-Divisional Level and **50%** Courts of each cadre through virtual mode on rotational basis under Phase -III subject to discretion of the Principal District Judge. The Principal District Judge shall prepare a roster in this regard. The Principal District Judge shall prepare the aforesaid roster in such a way that above mentioned proportion is satisfied as far as possible.

#### C. Model of Proposed Roster Arrangement Under Phase -III.

Si. No.	Day	Physical Courts	Virtual Courts.
1.	Monday	50 % Courts of each cadre	50 % Courts of each cadre
2.	Tuesday	50 % Courts of each cadre	50 % Courts of each cadre
3.	Wednesday	50 % Courts of each cadre	50 % Courts of each cadre
4.	Thursday	50 % Courts of each cadre	50 % Courts of each cadre
5.	Friday	50 % Courts of each cadre	50 % Courts of each cadre
6.	Saturday	50 % Courts of each cadre	50 % Courts of each cadre

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CATEGORY- (A)

The matters which can be taken up in the virtual Courts with prior intimation to both the parties.

1. Criminal Appeal at the stage of arguement.
2. Admission of Criminal Appeal.
3. Family Court Matters to be decided by the Presiding Officer.
4. Admission and Hearing of Revision Application.
5. Bail/Anticipatory Bail Applications.
6. Framing of Charge where accused is in cutody.
7. Miscellaneous Criminal Applications pending for hearing.
8. Criminal Cases, Appeals, Civil Suits, Miscellaneous Cases at the stage of Arguement.
9. Cases of no evidence in which arguements of both the sides are heard.
10. Petitions under section 227,232,239,245,256,257,258,321, 451 and 457 of CR.P.C.
11. Recording of Statement under section 313 Cr.P.C. wherein accused is in custody.
12. Admission of Civil Suits/Appeals.
13. Miscellaneous Civil Applications pending for hearing.
14. Cases fixed for commitment.
15. Direction to police with regard to compliance under section 156 (3) of Cr.P.C.

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**CATEGORY- (B)**

**The matters which can be taken up in the Physical Courts.**

1. Criminal Appeal at the stage of arguement.
2. Family Court Matters to be decided by the Presiding Officer.
3. Admission of Criminal Appeal.
4. Admission and Hearing of Revision Application.
5. Inquiry/Recording of Evidence.
6. Cases in which arguements of both the sides are heard and Judgment can be delivered.
7. Appointment of Commissioners under Order 26 of CPC and Section 284 of Cr.P.C.
8. Mediation and Conciliation process in Civil and Criminal Cases.
9. Framing of Charge where accused is on bail.
10. Recording of Statement under section 313 Cr.P.C. where accused is on bail.
11. Cases of no evidence in which arguements of both the sides are heard.
12. Cases fixed for commitment.
13. Bail/Anticipatory Bail Applications.
14. Miscellaneous Criminal Applications pending for hearing.
15. Framing of Issues.
16. Admission of Civil Suits/Appeals.
17. Direction to police with regard to compliance under section 156 (3) of Cr.P.C.

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CATEGORY-(C)

The matters which can be taken up in the absence of Litigants and Advocates:

1. Cases fixed for cognizance order.
2. Cases fixed for acceptance of Final Form where service report from informant has been received.
3. Cases which may disposed of with the aid of Section 203 and 204 of Cr.P.C.
4. Direction to comply the procedure under section 207 of cr.P.C.
5. Release of accused.

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## General Guidelines

1. The Presiding Officers shall prepare the Cause-list pertaining to their roster and same shall be published on-line as well as through Notice Board in advance. The website of the District Court be maintained in such a manner so as to have a regular updates on:-
  - List of Cases date wise.
  - Court Number and Name of the Judges in rotation.
  - Arrangement of Physical Courts.
  - Arrangement of Virtual Courts.
  - Copy of orders/Judgments.
2. The Principal District & Sessions Judge will ensure that video conferencing rooms for the Judicial Officers and the Bar members operate in their respective judgeships with the infrastructure/ equipments so that the lawyers who may not have such infrastructure can avail these facilities to participate in virtual proceedings mentioned in category- (A) for the time being.
3. The Principal District & Sessions Judge shall ensure that “ **Covid-19 Management : User Manual**” pertaining to Case Information System (CIS) provided by the eCommittee, Hon'ble Supreme Court of India in June 2020 is utilized by the Judicial Officers. All the Judicial Officers along with their Bench Clerks/Office Clerks shall be imparted training relating to “**Covid-19 Management : User Manual**”.
4. The Advocates whose case are listed in physical Court (s) on a day shall be given reasonable time to appear in virtual court (s) in case they have matters listed in virtual Courts on same day. The Principal District Judge shall make arrangement for such Advocates in V. C. rooms already situated inside the Court premises for the use by Bar Members.

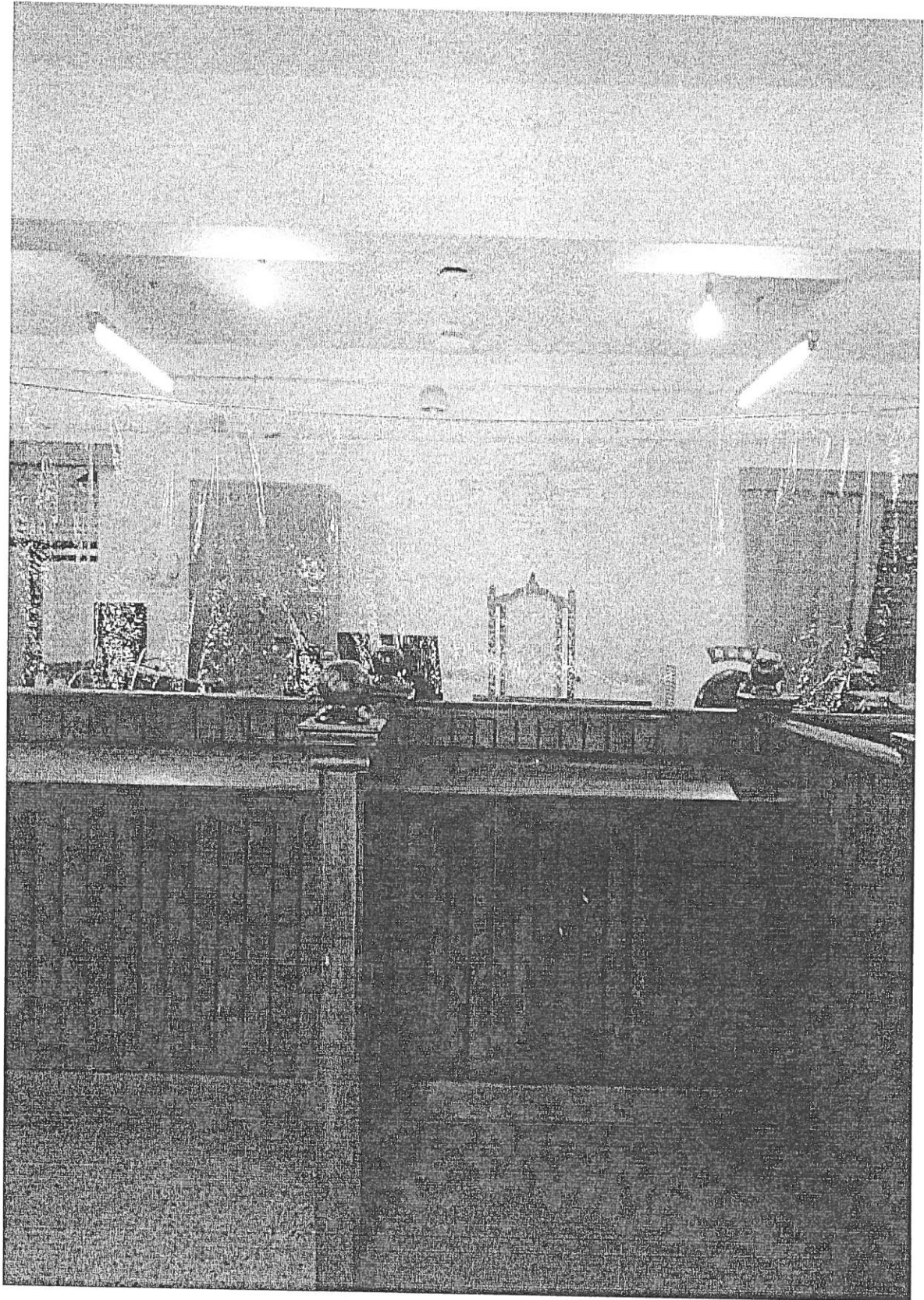
5. The Principal District & Sessions Judge shall ensure that Court rooms used for physical running of Court are **properly screened with transparent curtain [ copy of model annexed ]** and that such rooms are having minimum sitting arrangements. It shall also be ensured by the Principal District Judge that proper/ routine sanitization is done in such Court rooms.
6. The Principal District & Sessions Judges shall ensure that e-mail addresses of all the PPs, APPSs, District Prosecution Officer, Government Pleaders etc. be uploaded of the official website of the District Court in order to facilitate them by sending e-copies of the brief.
7. System Officer in each district shall function as a help line and shall ensure that virtual Courts are running properly.
8. Only three persons should be allowed to enter in the Physical Court i.e. concerned lawyers and the litigants followed by maintaining social distancing norms and other safety measures issued by the Central & State Government from time to time. Further, proper sitting arrangements shall also be made for the other advocates and litigants in the waiting area of the Court premises , maintaining Social distancing and other safety measures at the same time.
9. Deposition of witnesses with limited number may be started while maintaining social distancing and other safety measures issued by the Central & State Government from time to time.
10. Under Trial Prisoners strictly be produced through video conferencing except under order of the Court.
11. Social-Distancing protocol should strictly be maintained in areas such as Judges Gallery, Nazarat, Copying Department, Accounts Department, Stationary Office and any other areas where public in general has access.

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## Guidelines For Lawyers Chambers

1. The Following Guidelines shall apply to the Lawyers Chamber Block (s) situated inside the Court Complex/Premise of District Courts.
2. The Lawyers Chamber Block would follow the timing 10 AM TO 5 PM (Monday to Saturday except holidays) followed by sanitisation of the Block (s) on Sundays and Holidays.
3. The Block (s) shall have entry only for Learned Members and Staff on production of proximity Card or Letter of Authority who would submit themselves to thermal-screening.
4. The Entrants who are found symptomatic during thermal- screening shall be denied entry into the Block (s).
5. Entrants not wearing mask shall be denied entry into the Block (s).
6. In terms of Social-Distancing norms and in order to avoid over-crowding, the Bar Association may prepare and circulate plan detailing the 'Odd-Even' Chamber numbers of Block (s) which would alternately open up on Weekdays.
7. There will be a single entry point to Block (s) fitted with hand sanitizer machine and manned by the Bar Association.

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Model of Screening of Court Room with Transparent Curtain