

HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Jammu)

CIRCULAR

No: 14 /GS

Dated:23.03.2020

Having regard to the suspension of public transport and certain other restrictions imposed by the Government and in order to prevent spread of Corona-virus (Covid-19), High Court of Jammu and Kashmir has been pleased to issue the following directions:-

A) With respect to the High Court :-

1. Next date of hearing of Cases listed upto 31st March, 2020 in the Advance List of the High Court shall be published in the Advance Cause List, which shall be uploaded on the High Court Website.

2. **Hearing of Urgent Cases:-**

- i) In case of urgent matters, parties/counsel shall, after informing the opposite parties/counsel, send Urgency Memo through e-mail to the concerned Registrar Judicial by 3.00 pm of the previous day of the date on which the matter is listed and upon satisfaction about the urgency, the Court may hear such matter(s). The e-mail IDs are given as under:-
 - (a) Registrar Judicial Jammu:- soniagupta265@gmail.com
 - (b) Registrar Judicial Srinagar:- massarat.shaheen@gmail.com
- ii) On the date and time fixed, the case shall be heard through video conferencing.
- iii) In the event, Video Conferencing is not available, in case of exceptional urgency, remote hearing of the cases may be conducted using Video Call facility.
- iv) The Advocates/Litigants shall telephonically mention their matter(s) by providing:-
 - a) Title, Number and Stage of the matter(s).
 - b) Mobile Number (associated with whatsapp) of the litigants/advocate from which he intends to appear through Video call.
 - c) Grounds of urgency through e-mail/whatsapp message/SMS by 3:00 PM of the previous day of the date fixed and upon satisfaction about the urgency, the Court may hear such matter(s) through Video Conferencing/Video Call.
 - d) The e-mail Ids for furnishing the information as mentioned above.

12

- v) Request for Video Calls must include Photograph of Party and the Lawyer. Courts would save the request and whensoever possible, download the same and keep it in the concerned file.
- vi) Video calling shall be initiated, terminated and controlled at the High Court end only.
- vii) Registrar Judicial of both wings shall arrange mobile handsets enabled with WhatsApp mobile app for video calls and shall also notify the mobile numbers which shall be used for video calling on the official website of the High Court as well as to the concerned party. Registrar Computers shall also ensure that technical manpower is available for operationalizing the video calls.
- viii) The concerned Advocate/Litigant shall ensure that the room from where he/she intends to appear before the Court through Video Call is free from all sorts of disturbances like external noises, poor lightening, improper acoustics etc.
- ix) As the proceedings through Video Call shall be conducted as judicial proceedings hence same courtesies and protocols will be observed as are being observed during judicial proceedings in the Court. All the relevant statutory provisions applicable to judicial proceedings shall apply.
- x) No other person except the litigant/advocate shall be allowed in the room from where litigant/advocate is appearing through Video Call and if in the opinion of litigant/advocate the presence of any other person is very urgent/indispensable, requisite permission must be obtained from the Court.
- xi) The Advocate/Litigant allowed to be heard through Video Conference /Call has to be available and ready at least 30 minutes before the schedule time and no other recording device is permitted except the one installed in the Court/Video Conferencing Room.
- xii) Keeping in view the current emergent situation and extreme need of social distancing, wherever possible the Counsel appearing in the matters may be allowed to join the Video Conferencing from their own offices.

3. Prohibition to Filing:-

The filing counter of both wings of the High Court shall remain closed for filing of all ordinary matters. The Registrar Judicial of both wings of the High Court shall not accept any ordinary filing of suits, appeals, petitions, applications etc., till further orders. For the purposes of computation of limitation expiring during such period of filing prohibition, the same be

lv

deemed as expiring on the date of resumption of filing by the further orders of the Court.

4. Staff:-

- i) In order to de-congest the sections/rooms of the Registry and on account of suspension of public transport by the Government coupled with imposition of certain other restrictions, the officials working in the Registry, shall be permitted to function in batches of minimal staff on rotation basis till 31st of March, 2020.
- ii) The roster in this regard, in respect of Judicial Branches of the High Court shall be prepared by the concerned Registrar Judicial.
- iii) In respect of the Administrative Branch of the High Court, the roster shall be prepared by the Registrar General.
- iv) Roster with regard to personal staff of the Judges, shall be prepared by the concerned Registrar Judicial as per the directions of the Judge concerned.
- v) All officials shall remain available on telephone and electronic means of communication at all times and would be deemed to be on duty. In case of emergency they may be called upon to report to the duty immediately.
- vi) It shall be open to the Judge concerned, the Registrar General and the Registrar Judicial concerned as the case may be to permit any staff member to work from his/her home or to leave the office before the closure of duty hours.

5. General Directions:-

- i) The Jammu and Kashmir State Judicial Academy shall suspend all its training programmes till 31st March, 2020.
- ii) Registrar Judicial of both the Wings of the High Court shall ensure sanitization of the complexes and availability of sanitizers in Court rooms and all other Sections of the Registry for the staff, and at some conspicuous places in the complexes for the Advocates and visitors.
- iii) Thermal screening of the visitors to the Court complexes shall be ensured through the officials of the Health Department posted in the respective Wings of the High Court.
- iv) All official functions involving gathering shall stand deferred.
- v) The Lawyers' Chambers, Canteens and the Bar rooms will not remain operational till further orders.
- vi) Considering the importance of the safety measures for health, all concerned shall cooperate with the instructions of the staff on duty, in the interest of all.

h/v

B) With respect to District Courts.

1. Next date of hearing of Cases listed upto 31st March, 2020 in the Courts shall be notified and uploaded on the Website of the concerned District Court. The concerned Presiding Officer shall ensure the uploading/notifying of next date(s) of hearing and other details of the cases.
2. The Principal District & Sessions Judges shall nominate one or more District & Sessions Judge(s) and one or more Civil Judges / Judicial Magistrate 1st Class, as per the requirement, on rotation basis to take up bail/remand and other extremely urgent Civil/Criminal matters.
3. **Hearing of Cases:-**
 - i) The Courts/Magistrates shall use Video Conferencing in the cases especially those relating to remand.
 - ii) In cases of exceptional urgency when Video Conferencing is not available, remote hearing by use of Video Call method may be adopted.
 - iii) The concerned Judicial Officer shall arrange mobile handsets enabled with whatsapp mobile app for his/her Court and shall also notify the mobile numbers to be used for Video calling on the official website of the concerned District Court.
 - iv) The Advocates/Litigants shall telephonically mention their matter(s) by providing:-
 - a) Title, Number and Stage of the matter(s).
 - b) Mobile Number (associated with whatsapp) of the litigants/advocate from which he intends to appear through Video call.
 - c) Grounds of urgency before the concerned Court through e-mail/whatsapp message/SMS by 3:00 PM of the previous day of the date fixed and upon satisfaction about the urgency, the Court may hear such matter(s) through Video Conferencing/Video Call.
 - d) The e-mail Ids for furnishing the information as mentioned above.
 - v) Request for Video Calls must include Photograph of Party and the Lawyer. Courts would save the request and whensoever possible, download the same and keep it in the concerned file.
 - vi) Video Calling shall be initiated, terminated and controlled at the Court end only and its recording shall be maintained by the Court concerned for its internal use.

- vii) Hearing through video calling shall commence at 11:00 am on the date notified and video call shall be placed from the Court end only on the whatsapp number provided by the Advocate/litigant.
- viii) The advocate/litigant allowed to be heard through Video Conferencing/Calling has to be available and ready at least 30 minutes before the scheduled time and Advocate/Litigants shall ensure that robust internet connectivity, sufficient power back, adequate lightening, proper acoustics etc., are available the end from where video call is being answered.

4. Prohibition to filing:-

The Courts shall not entertain any ordinary filing of suits, appeals, petitions, complaints, applications, etc, till further orders. For the purposes of computation of limitation expiring during such period of filing prohibition, the same be deemed as expiring on the date of resumption of filing by the further orders of the Court.

5. Special Directions for Criminal Cases:-

- i) Interim bail orders shall stand extended till the next date as notified on the website.
- ii) Personal appearance of accused person(s) shall stand exempted in all Criminal trials till next date as notified on the website.
- iii) In view of the exceptional circumstances of the public health emergency on account of COVID-19, the physical appearance of accused person(s) at the time of seeking his/their police or judicial remand to be exempted. Appearance of accused wheresoever required shall be through video conferencing.
- iv) Special Traffic Magistrates shall deal with only urgent matters pertaining to release of seized vehicles and defer all other routine matters for the present.

6. Special Directions for Civil Cases:-

- i) Interim injunction orders, wherever in force shall stand extended till the next date as notified on the website.
- ii) Personal appearance of any party or person wherever required shall stand deferred till the next date as notified on the website.

7. General Directions:-

- i) In order to de-congest the sections/offices of the Courts and on account of suspension of public transport by the Government coupled with imposition of certain other restrictions, the Presiding Officers and the Officials working in the Courts, shall be permitted to function in batches of

minimal strength on rotation basis till 31st of March, 2020. The roster relating to the Court officials, shall be prepared by the concerned Presiding Officer of the Court.

- ii) All Court officials and Presiding Officers of the Courts, would always remain available on Call and would be deemed to be on duty. In case of any urgency, they may be called upon to report back to the duty immediately. Record with respect to roster of all such court staff and Presiding Officers of the Courts shall be maintained by each District
- iii) The unit criteria applicable to the Subordinate Courts would remain suspended for the month of March, 2020.
- iv) The Judicial Officers shall take all necessary measures to sanitize the Court buildings and premises on daily basis. It shall be ensured by all the Principal District Judges that sanitizers are available in their respective Districts for the visitors as well as the staff particularly those manning windows (filing counters, enquiries, front-offices) where there is constant public dealing.
- v) Crowding in the Courts shall be avoided.
- vi) Thermal Scanners (non-touch) be procured at the earliest and the same be put to use at the existing check points of the Court Complexes.
- vii) The District Bar Associations and Advocates be asked to advise the litigants not to visit the Courts unless their presence has been directed by the Court.
- viii) Lok Adalats, Legal Services Programmes and Mediations Programmes shall not be held till further orders.
- ix) A help line be established in every District and Muffasil Court Complex for updating the litigants/lawyers about their cases and answering queries.
- x) A dedicated team (comprising a Senior Judicial Officer and a Senior Ministerial Staff) be constituted in each District Court Complex for taking stock of the situation on a day-to-day basis and to take appropriate remedial steps.
- xi) The Canteens, Lawyers' Chambers and the Bar rooms will not remain operational till further orders.

(Sanjay Dhillon)
23/3/2020
Registrar General

No:42777-825/GS

Dated: 23.03.2020

Copy of the above forwarded to:

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K, Jammu
2. Secretary to Hon'ble Mr/Mrs Justice _____
..... for information of their Lordships.

3. Registrar Vigilance, High Court of J&K, Jammu.
4. Registrar Rules, High Court of J&K, Jammu.
5. Registrar Computers, High Court of J&K, Jammu.
6. Registrar Judicial, High Court of J&K, Srinagar/Jammu.
.....for information.
7. All Principal District and Sessions Judges of the Union Territories of Jammu and Kashmir and Ladakh with the request to circulate the same within their respective jurisdictions.
8. Director Information, Government of Union Territory of Jammu and Kashmir with request to give wide publicity to the Circular in print and electronic media.
9. Secretary, Jammu and Kashmir High Court Bar Association, Jammu/Srinagar.
10. Secretaries of all District Bar Associations.
11. In-charge NIC for uploading the same on the official website of the High Court.

Registrar General
20/05/2020