

**STANDARD OPERATING PROCEDURE (SOP) FOR PARTIAL RESUMPTION OF
PHYSICAL COURTS IN BONGAIGAON DISTRICT**

In pursuance of the Notification No. 74, dated 13th October, 2020 issued by Hon'ble Gauhati High Court and after discussion with all stakeholders it is hereby notified to all concerned that functioning of limited physical court shall resume in all courts of Bongaigaon and North Salmara, Abhayapuri w.e.f. 19.10.2020. Accordingly, a Standard Operating Procedure for resumption of hearing of the matters through physical appearance before the courts at Bongaigaon and Abhayapuri sub-division is prepared. The SOP may be modified after observing the situation for the first 15 days of its coming into effect or as per the direction of the Hono'ble Gauhati High Court.

The salient features of the guidelines are:

- **Regulations relating to entry in the court building for attending physical hearings**
 - 1) Entry into the court building, for the purposes of attending physical hearings shall stand restricted to:-
 - Only one Advocate per party whose vakalatnama is on record or who has been duly authorized by such advocate to appear and whose case is listed for hearing that day.
 - Party-in-person where such party is pursuing the case himself/herself without any legal assistance.
 - 2) No entry in the court blocks shall be permitted to:-
 - Interns or law students associated with the Advocate concerned.
 - Relative of any party-in-person/litigant.
 - 3) The Advocates, Party-in-person and registered clerks above the age of 65 years, pregnant women and those suffering from co-morbidities are suggested to refrain from appearing in courts.
 - 4) Persons displaying symptoms of flu, fever, cough etc. shall not be permitted entry inside the court complex.

5) Following mandatory norms are to be followed by all concerned who are permitted to enter the court building/court room:-

- Wearing of mask all times.
- Undergoing thermal scanning at the designated entry points and random checking inside the court blocks.

● **At the time of Physical hearings:**

1. During the time of physical hearing of a particular case, one counsel and one litigant from each side shall be allowed to enter the courtroom at a time as per the time-slot given in the cause list which shall be published at least 2 (two) days prior to the date of hearing.

2. Multiple sets of one chair and table are being placed inside the courtrooms, in the areas the marketed for learned advocates/parties-in-person, and it shall be incumbent upon the users to maintain minimum prescribed physical distancing norms between each set, which should not be removed from their positions.

3. The learned advocates and the litigants shall wait outside the courtrooms in the designated waiting areas for their turn to appear before the court.

4. Entrants into the courtrooms are advised to use sanitisation devices for sanitising their hands and also the papers and other items/articles that they may seek to carry into the courtrooms with them.

5. While attending/appearing before the courts physically, strict social distancing norms, Covid-19 protocols and the guidelines of this SOP along with other instructions issued by the Hon'ble Gauhati High Court and Government from time to time are also to be scrupulously followed by all the stakeholders including the learned advocates inside the courtrooms.

● **Sanitization of the Court building/Ejlas etc during interval/break of Court hearing:**

1) All areas in the premises including the following shall be disinfected completely using user friendly disinfectant mediums between every shift and during intervals/breaks of the Court proceeding.

- Entrance Gate of building, office etc.
- Meeting room, Conference halls/open areas available/verandah/entrance gate, cabins, building etc.
- Equipment, furnisher.

- Washroom, toilet, sink; water points etc.
- Walls/all other surfaces.
- Areas around Ejlas and witness dock.

2) Used Masks and Gloves are to be safely disposed.

- **Guidelines for Litigants:**

Following mandatory norms are to be followed by all concerned who are permitted to enter the court building/court room:-

1. Wearing of mask all times.
2. Undergoing thermal scanning at the designated entry points and random checking inside the court blocks.
3. Sanitizing the hands before/at the time of entry.
4. Strict adherence to the norm of social distancing within the court-complex.
5. Social/ physical distancing by maintaining a minimum distance of six feet.
6. Adherence to all the directions/ guidelines/ SOPs/ advisories issued by the Government in respect of the Covid-19 pandemic.

- **Guidelines for Advocates for Physical Hearing:**

1. Physical courts shall function from all the Courts at Bongaigaon and North Salmara, Abhayapuri Sub-Division.
2. The cause list with time slots for every Court shall be published in advance in the official website of the Bongaigaon District Judiciary. The counsels shall have the liberty to opt for either mode of hearing, i.e. Physical or Virtual. However, the same must be communicated to the concerned court/Nodal Officer beforehand.
3. Bongaigaon Bar Association shall render due assistance in this regard by deputing Advocate(s) on rotational basis to facilitate smooth and better management.
4. Once the matter is over, learned Advocate/party-in-person shall immediately leave from the designated exit point.
5. As far as possible presence of litigants in the court room should be dispensed with by the respective courts and they may be allowed to be represented by Id. Counsel engaged by them.

6. Courts calling for the case diaries should fix a separate date for receipt of case diary and hearing should be fixed at least one day after receipt of case diary in such cases.

- **Time-slot/Staggered Entry:**

Entry time to any Courtroom shall be regulated as per the time slots mentioned in the cause list for different Courts. No person shall be permitted entry inside the court building before the designated time-slot as per the cause list.

- **Matters to be taken up by the Courts:**

1. Category of cases as stated in Notification No. 74 dated 13.10.2020 issued by Hon'ble Gauhati High Court will be taken up. (Special cause list of such matters which may be taken up by respective courts shall be uploaded in the official website of Bongaigaon District Judiciary.)
2. The number of cases to be fixed in the daily cause-list for courts conducting proceedings through physical mode shall be the discretion of the Presiding Officers of that court.
3. Party/Litigant/Counsel's preference of physical or virtual hearing in courts must be communicated beforehand. Cases where any of the party/counsel is not interested in physical hearing of their cases, the same shall be taken up through videoconferencing only.
4. In order to facilitate videoconferencing for the learned advocates/parties-in-person, dedicated VC facilitation Centre is located at the ground floor of the building.

- **Guidelines for officers and employees of the establishment:**

1. Every employee shall wear mask and they are advised to sanitize their hands frequently, especially after handling any document/case record etc.
2. Mandatory thermal scanning of everyone entering and exiting the workplace is to be done and the employees are directed to inform the concerned authority if any person is found to have any symptoms of flu, fever, cough etc.
3. Self-monitoring of health by all the employees and reporting any illness at the earliest to the immediate supervisory officer.

4. Employees such as older or pregnant employees and employees, who have underlying medical conditions, are to take extra precautions. They shall preferably not to be exposed to any front-line work requiring direct contact with the public.
5. Large gathering or meetings of 10 or more people to be discouraged. Seating at least 6 feet away from others on job sites and in gatherings, meetings and training sessions.
6. There shall be strict ban of gutka, tobacco, pan masala etc. and spitting shall be strictly prohibited.
7. There shall be total ban on non-essential visitors.

For any kind of Assistance:

Stakeholders are hereby informed to contact the following persons/officers for any assistance or clarification:

Name of Persons/Officers	Designation	Contact Number
Sri Nayan Jyoti Choudhury	Addl. Chief Judicial Magistrate, Bongaigaon	9954664201
Smt. Halima Khatun	LD Assistant, District & Sessions Judge Establishment	9707772391
Sri Abhijit Medhi	UD Assistant, CJM Establishment	9854421739
Sri Sankarjyoti Das	Copyist, SDJM (M), North Salmara, Abhayapuri	9101005932

This SOP is subject to any instructions issued in this regard by the Hon'ble Gauhati High Court.

Sd/-

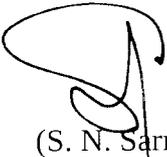
(S. N. Sarma)
District & Sessions Judge,
Bongaigaon, Assam

Memo No-DJB-XIII-46/2020/

Dated Bongaigaon the 16th October, 2020

Copy forwarded for information to:

1. Registrar General, Hon'ble Gauhati High Court.
2. The Deputy Commissioner, Bongaigaon.
3. The Superintendent of Police, Bongaigaon.
- ✓ 4. All Judicial Officer Stationed at Bongaigaon and North Salmara, Abhayapuri.
5. President/Secretary, Lawyers' Association, Bongaigaon.
6. President/Secretary, North Salmara Sub-Divisional Lawyers' Association, Abhayapuri
7. Office File.



16/10/2020

(S. N. Sarma)

District & Sessions Judge,
Bongaigaon, Assam