

HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

// C I R C U L A R //

No: A/851

Dated 20.03.2020

In continuation to the earlier circular(s) / directions(s) issued by this High Court, from time to time, in view of the outbreak of the Novel Coronavirus (COVID-19) and the advisory issued by the Government of India, following precautionary measures have been put in place, to avoid the spread of Novel Coronavirus (COVID-19) infection and to avoid mass gathering in the District / Tehsil Court premises of the State of Madhya Pradesh:

1. The working hours of the Court upto 31st March 2020 shall be from 11:00 AM to 2:00 PM and the office hours from 10:30 AM to 2:00 PM.
2. No final argument matters shall be taken for hearing till 31.03.2020.
3. Except medical requirements/emergency, no leave/station leave of any kind shall be permissible to any employee.
4. Employees are directed to stay at home after office hours. The District & Sessions Judge shall ensure surprise checking to be made to ensure that employees are present at their home / town / city and report to the Registry of the High Court.
5. Non-urgent cases should be fixed by the court beyond 31.03.2020 and intimation through SMS be sent to concerning party / advocate in advance.
6. The adjourned dates shall be intimated to the President, Bar Association in advance for circulation / intimation to Bar Members. (Intimation made by the District Judge Ratlam is attached herewith for ready reference).
7. All the District Judges and Judges of Family Courts shall take all possible steps and measures required to prevent spread of COVID -19 at their own discretion with intimation to the High Court and if any approval is required from High Court

the same may be sent for post facto approval. Whenever any Judicial Officer or employee is suspected with COVID -19, the same should be informed forthwith to the Registry of the High Court and take all action required for prevention / cure as per protocol and action so taken should also be communicated to the Registry.

8. A set of compilation of the instruction(s) issued by the High Court and the Government is attached herewith, separately.

By Order of Hon'ble the Chief Justice


20/3/2020
(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

COMPILED ADVISORY / INSTRUCTIONS

DATE: 20.03.2020

Compiled instructions for the Subordinate Courts of the Madhya Pradesh to avoid the spread of Novel Coronavirus (Covid-19) infection:-

1. If any staff member is suffering from the symptoms like flu, cough, cold, fever etc., he shall immediately contact Doctor and be informed to the Doctor / District Judge / OIC accordingly.
2. Staff members, as far as possible, will maintain a minimum distance of one meter among them during working hours.
3. In place of bio-metric attendance, the staff members be directed to sign in the muster to mark their attendance
4. All common areas shall be sanitized daily between 09:30 am to 10:00 am and after 06:00 pm onwards, by the appropriate agency.
5. Administrative Officer will ensure the cleanliness and sanitization in the premises.
6. All canteens, photocopy shops and other shops situated within the District / Tehsil Court premises shall remain completely closed till 31/03/2020.
7. All Advocates, their staff members and litigants be advised to avoid gathering/ assembling at any spot and to leave the premises as soon as their official work is over.
8. Bar Associations also be requested to issue advisory for the safety of Bar members, their staff and litigants.
9. Non essential visits to the Court premises are discouraged and accordingly the entry of casual visitors shall remain restricted until further orders;
10. If any person with a history of travel in last 14 days to a Country or area from where COVID-19 has been reported he must contact the State / District Control Rooms established for the purpose and shall avoid even if he has not symptom of fever, sore throat, cough, running nose or breathing difficulty even then he is required to isolate him in his home after consultation with the State / District Control Room.
11. All stakeholders who may have a travel history to the affected areas / countries, as may be notified from time to time by the Government(s), or who

may have symptoms of fever, sore throat, cough, running nose or breathing difficulty, be advised to self-restrain themselves from presently visiting the Court premises;

12. Courts should not insist on the presence of the parties unless it is unavoidable. All the District & Sessions Judges and Principal Judges, Family Courts would take appropriate measures to regulate entry of the litigants and the general public in the Court Complex to avoid crowding. Thermal Scanner (non-touch) may be procured at the earliest, handlers be trained and they be put to use at the existing entry points.
13. All entrants to the Court premises may be required to subject themselves to thermal-screening and persons detected with high body temperature would be denied entry and further, may be subject to the Standard Operating Procedures (SOPs) prescribed by the Government of India, Ministry of Health from time to time;
14. All the courts subordinate to this High Court will take up only bail matters and matters requiring urgent stay/injunction till 31.03.2020 and rest of the matters including final arguments matters (also time bound matters) shall be postponed beyond 31.03.2020.
15. The unit criteria applicable to Subordinate Courts including Family Courts shall remain suspended from 16.03.2020 till 31.03.2020.
16. No undertrial prisoners will be produced before the Subordinate Courts till 31.03.2020 and if production of any such persons is indispensable, the facility of video conferencing be utilized. For the purpose of extension of remand in remaining matters (in case the same is not possible through video conferencing), the District & Sessions Judges, will depute sufficient number of duty Judicial Magistrates in the Jails situated in the Districts for remand work, thereby avoiding human contact.
17. The District & Sessions Judges shall forthwith coordinate with District Administrations, Health Authorities, Bar Associations etc. for ensuring the cleanliness/sanitization in the Court premises.
18. The lawyers may advice their clients not to visit the court unless their presence is directed by the Court,
19. Till the present situation persists, no adverse/default orders be passed in matters where parties are found to be absent.

20. Parties/Advocates/witnesses seeking an adjournment be accommodated,
21. In criminal matters, the request for exemption from personal appearance or the accused, be considered favourably,
22. In civil matters, wherever possible, service of local Commissioner be availed of for the purposes of recording of evidence, after obtaining the consent of both the parties.
23. The facility of Video Conferencing be put to optimum use for the purposes of recording of evidence.
24. Unnecessary crowding in the Lock up be curtailed and appropriate steps in this regard be taken by all the District and Sessions Judges in consultation with the prison authorities.
25. The District & Sessions Judge, In-charge of the Court Complex shall ensure that medical dispensaries in the court complex are well equipped to tackle the present emergent situation.
26. It be ensured by all the District & Sessions Judges that sanitizers are available in their respective districts, for the visitors as well as the staff, particularly those manning windows where there is constant public dealing. Housekeeping agency/staff be asked to ensure that highest level of hygiene is maintained in the court complex and disinfectants are sprayed on a regular basis.
27. A dedicated team (comprising of Senior Judicial Officers, Administrative Civil Judge and 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,
28. All the possible preventive and remedial measures be taken to combat the impending threat or COVID-19.
29. The President and General Secretary of the respective District Court Bar Association may issue necessary directions in order to ensure that there is no crowding in the Court complex including the lawyers chambers Bar would also ensure that interns are not permitted in the Court complex till the present situation persists.
30. No function/election or any other event be permitted to be held/conducted till further orders.

31. The Judge Incharge, Mediation Center of all the District Court Complex would also ensure that mediation proceedings are held only in cases that are of urgent nature.

32. In addition to above, guidelines issued by the Central Government, State Government and Hon'ble the Supreme Court in this behalf shall also be complied by all concerned in letter & spirit.

33. Some important Government instructions for COVID-19.

- **Instruction for contracts being home quarantined**

- I. Under no circumstances attend any social / religious gathering e.g. wedding, condolences, etc.
- II. Wash hand as often thoroughly with soap and water or with alcohol-based hand sanitizer.
- III. Avoid sharing household items e.g. dishes, drinking glasses, cups, eating utensils, towels, bedding, or other items with other people at home.
- IV. If symptoms appear (cough / fever / difficulty in breathing), he / she should immediately inform the nearest health center or call 011-23978046.
- V. The home quarantine period is for 14 days from contact with a confirmed case or earlier if a suspect case (of whom the index person is a contact) turns out negative on laboratory testing.

- **Use of masks by general public**

- I. Persons having no symptoms are not to use mask
- II. Medical masks should not be used by healthy persons who are not having any symptoms because it create a false sense of security that can lead to neglecting other essential measures such as washing of hands.
- III. Further, there is no scientific evidence to show health benefit of using masks for non-sick persons in the community. In fact erroneous use of masks or continuous use of a disposable mask for longer than 6 hours or repeated use of same mask may actually increase risk of getting an infection. It also incurs unnecessary cost.

- **In such situation, more effective steps are:**

- I. Wash hands frequently with soap and water for 40 seconds. An alcohol based hand sanitizer with 70% alcohol must be used for 20 seconds. If hands are dirty or soiled, do not use alcohol based hand sanitizer, but wash hands preferably with soap and water.
 - II. While coughing or sneezing cover nose and mouth with handkerchief, paper tissue. If handkerchief or tissue paper is not available cough into the flexed elbow. Dispose of tissue immediately after use and wash hands.
 - III. Refrain from touching face, mouth, nose and eyes.
 - IV. Stay at least a metre away from those coughing or sneezing.
 - V. Monitor your body temperature.
- **When and who should use medical masks (apart from health care worker).**
 - I. When a person develops cough or fever.
 - II. Use of medical three layer masks when ill, will prevent your infection from spreading to others. However you also need to wash your hands frequently to avoid spreading infection to others.
 - III. Close family contacts of such suspect/confirmed cases undergoing home care should also use Triple layer medical mask.
 - **Duration for which a medical mask will remain effective-** A medical mask, if properly worn, will be effective for 8 hours. If it gets wet in between, it needs to be changed immediately.
 - **Disposal of used masks** - Used mask should be considered as potentially infected. Masks used by patients / care givers/ close contacts during home care should be disinfected using ordinary bleach solution (5%) or sodium hypochlorite solution (1%) and then disposed of either by burning or deep burial.
 - **Any violation of the direction or deviation from the instruction will be dealt seriously.**
