

Date : 16.03.2020

To,

The Distinguished Members of the Supreme Court Bar Association !

Dear Friends,

I write to you, on behalf of the Executive Committee and myself at a very delicate times for the humanity as the World is reeling under the threat of Corona Virus.

India has so far remained fairly insulated from the effects of the Virus, thanks to the efforts of Govt of India and of course the Citizens . As of now India is in Second stage of its effect as per Govt s top expert, which is Local Transmission. But the third stage, Community Transmission of Virus and the Fourth stage of National Transmission cum Disaster, can reach us in coming weeks if we as Individuals and as a Nation do not take drastic steps to curb it.

One of the sure ways of its transmission is thru gatherings of people. Supreme Court premises, or for that matter, any Court premises can therefor provide easy platform for the Virus to travel from Person to Person.

We as responsible Citizens and as members of an Honourable profession must rise to the occasion and help the Govt, the Court and ourselves , in keeping the Virus at bay.

The SC has already taken certain decisions as to its working in this week and SCBA has already informed you about its details thru our Secretary Shri Ashok Arora. These were following meetings which were held last week between the Honble Judges and the Bar in which top Govt Doctors and Experts were present.

Last evening, Hon'ble Chief Justice convened another urgent meeting and at my suggestion readily agreed to invite Doctors from the Private sector alongside the Govt representative. Four Hon'ble Judges, Mr Justice Arun Mishra, Mr. Justice U U Lalit , Mr Justice D Y Chandrachud and Mr. Justice Nageshwar Rao attended too. At my last minute request made on Sunday, Dr Naresh Trehan founder of Medanta hospital, Dr Navin Dang well known Pathologist, Dr Neeraj Jain from Gangaram, Dr Sibal CEO of Appolo group of hospitals and Dr Raghuvanshi CEO Fortis Hospital, all renowned Medical Experts attended .Dr Bhargava from ICMR (which is spearheading the battle against Virus), Director AIIMS Dr Guleria, Dr Shyama of the SC, also attended. Both SCBA and SCAORA were represented by respective Presidents, Vice Presidents and Secretaries, who all participated actively in discussions.

In depth discussions took place after Honble the CJI put the matters in correct perspectives from the stand point of the Administration of Justice and need to balance between keeping the wheels of Justice delivery system in working while ensuring safety and good health of all stakeholders including Judges , Lawyers , Litigants , staff and security personnel.

Each of the Doctors gave unique viewpoints and suggestions in this regard and were greatly appreciated by the Honble Judges and Bar Representatives.

Without going into greater details, I may sum up the discussions and conclusions in brief as follows :

- 1) Existing arrangement made by the SC to have Six Benches hearing 12 matters is the right way to handle the situation,
- 2) This arrangement will be reviewed soon by the Court, May be as early as Wednesday to take up more matters,
- 3) No matter will be dismissed or adverse orders will be passed in case of inability of Lawyers to be present ,
- 4) Entry of Lawyers, support staff, litigants will be restricted as already informed but it would be necessary as per Experts to get honest information/declaration from them a to,

- if they have recently traveled abroad,
- if they have cough and cold or fever,
- if any of their contact person have contacted Corona Virus,

to ensure that such person is not allowed entry into SC premises.

- 5) Hand sanitizers will be kept at various points inside Court premises for being used and Members must use them before entering and also during their stay in Court premises ,Experts said that soaps are equally good for use in the situation and felt wearing of Masks was not proved to be a fool proof protection and need not be insisted upon,
- 6) inside Courts as also in premises , all must maintain a distance of five to six feet from each other to prevent ant physical contact,
- 7) All must avoid shaking hands or giving hugs while greeting each other under all circumstances and must only greet from distance,
- 8) Those suffering from normal ailments like Diabetes , Lung Infections, other diseases and under medication for the same must not come to Court in their own interest as they are vulnerable ,
- 9) on entry Thermal testing to measure temperatures of body will be compulsorily administered and if found having fever, will not be allowed to enter,
- 10) Hon'ble CJI requested Bar Members to create Awareness, Have strong Motivation, make Honest Declarations as to information required and to regulate thru Self Discipline, to fight the menace. It was also suggested that bar may have some volunteers to ensure that this Discipline is followed specially inside the Courtrooms.

- 11) also please follow the guidelines, the safety measures and other details published by Government of India , ministry of health from their website.
- 12) Hon'ble Chief Justice has assured that he is open to suggestions from the Bar and is conscious for the need of hearing of urgent matters for orders but requested the Bar to carefully select such matters.
- 13) Hon'ble Justice Chandrachud informed the Bar about expediting the process for e-filings of matters and other documents as also Digitization process in the Court. It was felt by Hon'ble Judges that this may help contain the virus somewhat besides facilitating the work.

Bar requested that it involved in the exercise so that satisfactory outcome may be produced.

We, as your representatives, Vice President Mr Vasdev, Secretary Mr Arora and Myself, readily agreed to these suggestions from the Experts and Hon'ble Judges and have assured , on behalf of each of you, that they will be followed scrupulously. SCAORA representatives too agreed in same tone.

I, therefore, write to you, on behalf the Executive Committee and Myself, to earnestly request you to follow these suggestions, which SCBA Protocol to Fight COVIND 19, and help the Institution and ourselves. Please do remember that we are service providers and people will need Justice in many many situations urgently and swiftly. So to keep the SC closed is not an option at all. We must be in position to ensure people get Justice and yet all stakeholders remain healthy and safe from the Virus while doing so. That should be our Motto.

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I also request if anyone can volunteer as suggested above. We may need volunteers for each Court room. You may therefore contact Shri Ashok Arora if you would like to offer yourself.

Friends, all these may require sacrifice by us and may cause some pain. But I am sure you will understand the need of the hour and cooperate.

On behalf of the EC and myself, I sincerely thank you in anticipation of your unstinted support in these difficult times as you did in good times.

We shall Succeed ! May Almighty Bless Us All !

Jai Hind !



Dushyant Dave,
President,
Supreme Court Bar Association