

HIGH COURT OF CHHATTISGARH, BILASPUR

MEMORANDUM

No. 6297 / (Checker)
III-6-3/2000

Bilaspur, dated 02 July, 2021

To,

The District & Sessions Judge,
Balod/Balodabazar/Balrampur headquarter at Ramanujganj/
Bastar at Jagdalpur/Bemetara/ Bilaspur/ Dakshin Bastar,
Dantewada/Dhamtari/ Durg/Janjgir-Champa/ Jashpur/
Kabirdham (Kawardha)/ Kondagaon/ Korba/Koria at
Baikunthpur/ Mahasamund/ Mungeli/Raigarh/ Raipur/
Rajnandgaon/ Surajpur/ Surguja at Ambikapur/Uttar Bastar,
Kanker, (Chhattisgarh).

Subject:- Regarding special sitting of Magistrates on the day of **National Lok Adalat on 10th July, 2021.**

On the subject cited above, as directed, I am to inform you that the High Court, after considering the letter dated 30/06/2021 of the Member Secretary, Chhattisgarh State Legal Services Authority, Bilaspur (copy enclosed) has resolved to direct all the District & Session Judges of the State to depute one or more Magistrates to hold special sitting on the day of National Lok Adalat on 10th July, 2021 to dispose off cases under Sec. 188 IPC, Disaster Management Act, 2005 and other petty offences.

You are requested to comply with the above direction of the High Court.

Encl: as above

Sd/-
(Deepak Kumar Tiwari)
Registrar General

Endt. No. 6298 / (Checker)
III-6-3/2000

Bilaspur, dated 02 July, 2021

Copy forwarded to -

- 1) The Member Secretary, Chhattisgarh State Legal Services Authority, Old High Court Building, Bilaspur, for information.
- 2) The I/C NIC, High Court of Chhattisgarh, Bilaspur with a direction to upload this Memorandum in the official website to this High Court.


(Deepak Kumar Tiwari)
Registrar General

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छत्तीसगढ़ राज्य विधिक सेवा प्राधिकरण, पुराना उच्च न्यायालय भवन, बिलासपुर
Chhattisgarh State Legal Services Authority old High Court Building, Bilaspur
(Constituted Under the Legal Services Authority Act. 1987)
E-mail- cgslsa.cg@nic.in, cgslsa@gmail.com
Phone- (07752) 410210, 222405



F. No: 1218...../NLA-II/2021 Bilaspur, Dated 30/06/2021

To,

The Respected Registrar General
High Court of Chhattisgarh
BILASPUR

Sub. :- **Special Sitting of Magistrate on the day of National Lok Adalat on 10th July, 2021.**

Ref. :- Letter No. L/23/2014/NALSA dated 20th August, 2014 of NALSA .

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Respected Sir,


I am seeking leave to request your good self that NALSA in its above referred letter has allowed for special sitting of Magistrates to dispose off petty cases. In this letter, it has been directed as follow :-

"Special sitting of Magistrates may be organized to dispose off petty matters under the Municipal laws, Shops and Establishment Act, Local Police Acts, Excise Act, prosecution for violation of labour laws such as Minimum Wages Act, Traffic Challans etc. including for stopping of proceedings under section 258 Cr.P.C. All deadwood cases could be identified and disposed of."

Presently large number of cases under section 188 IPC and Disaster Management Act, 2005 are pending at different level across Chhattisgarh. Directorate of Prosecution Chhattisgarh in its letter No. लो०अभि०संचा० /विधि-1/एफ-116 /1076/2021 नवा रायपुर दिनांक 29-06-2021 has already directed for withdrawal of like cases registered during the Corona COVID-19 Pandemic.

Therefore, it is humbly requested to issue necessary direction to the all District Judges for deputing one or more special sitting of Magistrates to dispose off cases under Sec 188, IPC, Disaster Management Act, 2005 and other petty offences as prescribed in above referred letter of NALSA.

Encl. 1- Nalsa letter &
2- Directorate of Prosecution letter.
With regards.


(Siddharth Aggarwal)
Member Secretary

(3)

Received on 22/8/14

सर्वोच्च न्यायालय, नई दिल्ली
 21 AUG 2014
 10233
 21/8

F.No.L/23/2014/NALSA
Dated: 20th August, 2014

To
The Member-Secretary,
All State Legal Services Authorities.
Sir/Madam,

As you are aware, the Central Authority had resolved on 25.04.2014 that in addition to the Lok Adalat being held presently, there shall be a National Lok Adalat organized twice every year on a date to be fixed by the Hon'ble Patron-in-Chief, NALSA.

2. You are also aware that the National Lok Adalat fixed for April, 2014 had to be postponed as elections clashed with the date. As a result, Mega Lok Adalats were organized in different parts of the country which were highly successful.

3. This is to inform that the Hon'ble Patron-in-Chief, NALSA and the Hon'ble Executive Chairman, NALSA have fixed 6th December, 2014 for the next National Lok Adalat.

4. All are requested to put in the same level of intense action as before to make this National Lok Adalat a thumping success. Old cases at various levels may be pulled out to unburden the courts. At the same time appropriate fresh cases should also be taken up for disposal in the National Lok Adalat. The date of the National Lok Adalat is being informed to you well in advance so that all the courts are able to identify appropriate cases for disposal at the National Lok Adalat in large numbers.

5. The following types of cases have been found to have been more successfully disposed of in the National Lok Adalat of 2013 and the Mega Lok Adalats organized in month of April, 2014. Therefore, these following types of cases, pending in various courts, could be taken up for disposal at the National Lok Adalat: -

1. Criminal Compoundable Cases
2. NI Act cases u/s.138
3. MACT Cases: Accident Information Report (AIR) case should also be taken up in MACT as also State Transport cases.
4. Matrimonial/family courts cases
5. Labour disputes including cases where re-employment with no back wages (as per policy) could be disposed of and including cases relating to Liquidation where claims of industrial workers for wages and other benefits are pending.
6. Land Acquisition cases including relating to Industrial Boards, land acquisition for ONGC, Railways, and other centrally sponsored schemes and also land acquisition executions.
7. Civil cases----- rent, bank recovery, easementary rights, Debt Recovery Tribunal Cases.
8. Revenue cases
9. MNREGA

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10. Electricity & water bills (excluding theft cases)
11. Cases relating to Sales Tax, Income Tax, Indirect Tax (CESTAT) other Revenue matters in Mumbai/Delhi other commercial centres.
12. Service matters relating to pay and allowances and retiral benefits
13. Forest Act cases.
14. Cantonment Boards matters.
15. Railway Claims.
16. Disaster compensation
17. Misc. Appeals, Criminal Appeals, Civil appeals, 2nd Appeals, Original suits, Writs, MACT Appeals before the Hon'ble High Court
18. Covered Matters
- 19 Pre-litigation matters

Special sitting of Magistrates may be organized to dispose off petty matters under the Municipal laws, Shops and Establishment Act, Local Police Acts, Excise Act, prosecutions for violation of labour laws such as Minimum Wages Act, Traffic challans etc. including for stopping of proceedings under section 258 CrPC. All deadwood cases could be identified and disposed of.

6. To reiterate, from the experience of National Lok Adalat/Mega Lok Adalats held on 23.11.2013 & 12.04.2014, it is seen that the task of identifying suitable cases undertaken in all earnestness has resulted in a higher rate of settlement. It may be repeated that it would be a purposeless exercise if a large number of cases are referred for the Lok Adalat and only a small number actually get settled. Careful selection of old matters is a must. Appropriate new cases should also be referred to and must be taken up in the Lok Adalat. Newer areas may also be explored for reference to and settlement at Lok Adalats. Areas which lagged in the last National Lok Adalat and Mega Lok Adalats may be reviewed to strengthen the reference and disposal. It is, requested that the learned Member Secretary monitor the reference and disposal at the National Lok Adalat.

7. Once again pre-sitting discussions with the parties should be held so that parties have time to reach a settlement. For this, the parties may be issued notices and called for the pre-lok adalat conciliation sittings. However, as advised by Hon'ble Mr. Justice H.L.Dattu, Executive Chairman, NALSA at the meeting of the Hon'ble Executive Chairpersons of SLSAs on 12.07.2014, there should be no need to show the fat figures. However, every effort must be made to identify the correct cases which would ensure reduction in the backlog of cases in the courts at the different levels. His Lordship also advised that relief to the party should be immediate.

It is, therefore, requested that best efforts must be made to make a dent in the pendency of cases while at the same time facilitating quick disposal where parties have come to settlement even before the date that has been fixed for National Lok Adalat.

8. Adequate publicity must be given of the holding of the Lok Adalat so that parties could themselves approach the SLSA/DLSA/TLSC for getting their matter

referred to the Lok Adalat. Once cases are identified for reference to the Lok Adalats, cause lists may be got prepared and Benches constituted and notified through notice boards and web-sites. NALSA may also be forwarded the details with regard to total number of cases, their categories, number of Benches and the background of the members (e.g. lawyers, social workers and sitting/retired judges, doctors etc).

9. The Hon'ble Executive Chairman has permitted the SLSAs to utilize the NALSA funds for meeting the expenditure involved in payment of honorarium, arrangements such as hiring charges of tents/ halls, publicity materials, snacks, conveyance charges and other related expenses, avoiding extravagance and ostentatious spending and keeping austerity in mind. I would like to draw your attention to the resolution adopted at the meeting of the Hon'ble Executive Chairpersons of SLSAs held on 12.07.2014 viz:-

"Resolved that all engaged in the legal aid movement must preach austerity and make it habit enjoying the confidence of the people at large who are in the need of help."

10. NALSA may be informed at regular intervals of the progress in the preparations. The details of expenses incurred under distinct heads may also be forwarded to NALSA immediately after the National Lok Adalat.

11. The following principles underlying the settlement through Lok Adalats are reiterated and may be kept in mind during this National Lok Adalat also:-

- a) No coercion or pressure should be exercised or even perceived by the parties while arriving at a settlement / Award by the Lok Adalat bench;
- b) Award is to be made strictly by mutual consent that is informed consent;
- c) Cases for pre-litigation Lok Adalats must be screened closely to eliminate malpractices;
- d) Notices to parties must be for attendance at the Lok Adalat nearest their residence and not merely at the convenience of banks and other financial institutions in pre-litigation matters.
- e) All other previous guidelines may also be followed.

12. Kindly place this letter before the Hon'ble Patron-in-Chief and the Hon'ble Executive Chairman of your Authority for further directions.

With regards,

Yours sincerely,
Sd/-
(ASHA MENON)

Note: Hard copy has already been dispatched to all SLSAs.

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संचालनालय लोक अभियोजन छत्तीसगढ़
विभागाध्यक्ष कार्यालय, तृतीय खण्ड, चतुर्थ तल
इंद्रावती भवन, नवा रायपुर, अटल नगर

क्रमांक/लोअभि0संचा0/विधि-1/एफ-116/1076/2021 नवा रायपुर, दिनांक- 29.06.2021

प्रति,

उप संचालक/प्रभारी उप संचालक (अभियोजन)

जिला- (छत्तीसगढ़)


विषय:- साधारण प्रकृति के प्रकरणों को न्यायालय से वापस लिये जाने के संबंध में संशोधित पत्र बावत।

- संदर्भ:-
1. छ0ग0 शासन, गृह विभाग का पत्र क्र. एफ-15-44/गृह-सी/2021, नवा रायपुर अटल नगर, दिनांक 24.05.2021
 2. संचालनालय का पत्र क्र. विधि-1/एफ-116/1006/2021 दिनांक 17.06.2021

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विषयांतर्गत संदर्भित पत्रों का अवलोकन करे, संदर्भित पत्र 01 में छ0ग0 शासन गृह विभाग द्वारा Home Secretary, GOI, MHA, New Delhi से प्राप्त पत्र क्रमांक 40-3/2020/DM/I(A), 03rd February, 2021 द्वारा कोविड-19 महामारी के दौरान दर्ज साधारण प्रकृति के वापसी योग्य दर्ज प्रकरणों की वापसी के संबंध में कोविड-19 के दिशा निर्देशों तथा भारतीय दण्ड विधान, आपदा प्रबंधन अधिनियम 2005 एवं महामारी अधिनियम 1897 के तहत साधारण प्रकृति के दर्ज प्रकरणों को भारत सरकार द्वारा सभी प्रकरणों को समीक्षा करते हुये योग्य प्रकरणों की अभियोजन से प्रत्याहरण करने का निर्देश दिये गये है जिसके संबंध में संदर्भित पत्र 02 प्रेषित किया था, संदर्भित पत्र क्र. 2 के प्रथम पैरा में दिनांक 03.02.2021 तक की अवधि" संबंधी अंश व आवश्यकता त्रुटिवश टंकित हो गई है, अतः उसे विलोपित समझा जाए।

अतः छ0ग0 शासन, गृह विभाग के संदर्भित पत्र में दिये गये निर्देशानुसार एवं दिनांक 15.02.2006 को छ.ग. शासन, गृह विभाग द्वारा पत्र में दिये गये निर्देशानुसार गठित जिला स्तरीय समिति द्वारा प्रकरण चिन्हित कर प्रत्येक सप्ताह पूर्व में संलग्न प्रपत्र में जानकारी संचालनालय को भेजना सुनिश्चित करें।


(प्रदीप गुप्ता) (आ.पु.से.)
संचालक, लोक अभियोजन
नवा रायपुर (छत्तीसगढ़)

Urgent/Email



छत्तीसगढ़ राज्य विधिक सेवा प्राधिकरण, पुराना उच्च न्यायालय भवन, बिलासपुर
Chhattisgarh State Legal Services Authority old High Court Building, Bilaspur
(Constituted Under the Legal Services Authority Act, 1987)

E-mail- cgslsa.cg@nic.in, cgslsa@gmail.com

Phone- (07752) 410210, 222405



क्रमांक 1015 / NLA-II / 2021

बिलासपुर दिनांक : 01-07-2021

प्रति,

जिला न्यायाधीश/अध्यक्ष,
समस्त जिला विधिक सेवा प्राधिकरण

विषय :- विडियो कान्फ्रेंसिंग बाबत।

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महोदय,

विषयांतर्गत लेख है कि दिनांक 10-07-2021 को आयोजित होने वाली नेशनल लोक अदालत की तैयारी के संबंध में दिनांक 05-07-2021 (सोमवार) को दोपहर 02.00 से 02.30 बजे माननीय कार्यपालक अध्यक्ष, छत्तीसगढ़ राज्य विधिक सेवा प्राधिकरण, छत्तीसगढ़ उच्च न्यायालय के एन.आई.सी. से समस्त जिला विधिक सेवा प्राधिकरण के अध्यक्ष एवं सचिव तथा परिवार न्यायालय के प्रधान न्यायाधीश से विडियो कान्फ्रेंसिंग करेंगे।

अतः यथा निर्देशित अनुरोध है कि तत्संबंध में आवश्यक जानकारी सहित उक्त विडियो कान्फ्रेंसिंग में उपस्थित रहने एवं तत्संबंध में परिवार न्यायालय के प्रधान न्यायाधीश को भी सूचित करने का कष्ट करें।

(सिद्धार्थ अग्रवाल)

सदस्य-सचिव

Encl.No./1015 /NLA-II/2021

Bilaspur, Dated : 01-07-2021

प्रतिलिपि :-

- 1- श्रीमान् रजिस्ट्रार जनरल, छ.ग. उच्च न्यायालय की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 2- श्रीमान् एडिशनल रजिस्ट्रार (न्यायिक), छत्तीसगढ़ उच्च न्यायालय बिलासपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 3- श्रीमान् सी.पी.सी. एण्ड आई/सी रजिस्ट्रार (कम्प्यूटराईजेशन) छत्तीसगढ़ उच्च न्यायालय बिलासपुर की ओर तदनुसार इस अनुरोध के साथ प्रेषित कि उच्च न्यायालय के एनआईसी से दोपहर 02:00 सभी जिलों को विडियो कान्फ्रेंसिंग से जोड़े जाने हेतु आवश्यक कार्यवाही करने का कष्ट करें।
- 4- श्रीमान् सचिव, उच्च न्यायालय विधिक सेवा समिति, बिलासपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 5- प्रोटोकॉल शाखा, छत्तीसगढ़ उच्च न्यायालय, बिलासपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

(सिद्धार्थ अग्रवाल)

सदस्य-सचिव