

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

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**WP©PIL No. 47/2019, CM No. 1795/2022
c/w
PIL No.38/2013, IA No. 03/2017**

Reserved on: 24.12.2024
Pronounced on: 03.01.2025

Court on its own Motion.

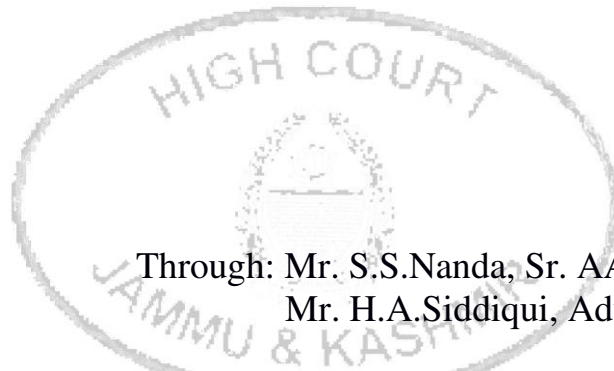
.....Petitioner(s)

Through: None.

Versus

Nemo.

.....Respondent(s)



Through: Mr. S.S.Nanda, Sr. AAG
Mr. H.A.Siddiqui, Advocate

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR JUSTICE RAJESH SEKHRI, JUDGE**

JUDGEMENT

Tashi Rabstan, CJ:

1. As was directed by this Court vide order dated 18.11.2024, Mr. H. A. Siddiqui, learned counsel, has filed the compliance report on 23.12.2024, which for the purpose of reference is reproduced hereinbelow:

“It is submitted here that for finalizing the modalities and monitoring the security arrangements within the High Court Complex, Hon’ble the then Chief Justice has been pleased to constitute the following committees for both the Jammu Wing as well as the Srinagar Wing of the High Court vide Order No. 37

dated 16-04-2015 comprising of the following Chairmen/ members.

Committee for Jammu Wing:

<i>S. No.</i>	<i>Name of the Member</i>
<i>1.</i>	<i>Hon'ble Mr. Justice Dhiraj Singh Thakur</i>
<i>2.</i>	<i>Advocate General / Senior Additional Advocate General</i>
<i>3.</i>	<i>President of Bar Association, Jammu</i>
<i>4.</i>	<i>Mr. Ved Raj Wazir, Sr. Advocate, Jammu</i>
<i>5.</i>	<i>Mr. L. K. Sharma, Sr. Advocate, Jammu</i>
<i>6.</i>	<i>Registrar Vigilance (in his absence, Registrar Judicial, Jammu)</i>

Committee for Srinagar Wing:

<i>S.No.</i>	<i>Name of the Member</i>
<i>1</i>	<i>Hon'ble Mr. Justice Ali Mohammad Magrey</i>
<i>2</i>	<i>Advocate General / Senior Additional Advocate General</i>
<i>3</i>	<i>President of Bar Association, Srinagar</i>
<i>4</i>	<i>Mr. Zaffer Ahmad Shah, Sr. Advocate, Srinagar</i>
<i>5</i>	<i>Mr. Bashir Ahmad Bashir, Sr. Advocate, Srinagar</i>
<i>6</i>	<i>Registrar Vigilance (in his absence, Registrar Judicial, Srinagar)</i>

It is worthwhile to mention here that Hon'ble Mr. Justice Dhiraj Singh Thakur, the then Hon'ble Chairman of Committee for Jammu Wing, has been transferred to the High Court of Bombay on 10-06-2022 and Hon'ble Mr. Justice Ali Mohammad Magrey, the then Chairman of the Committee for Srinagar Wing has retired from the High Court of J&K and Ladakh as the Chief Justice on 07-12-2022. The other members of the aforesaid Committee remained as it is till the constitution of the new Committee on 05-08-2023.

The following matters pertaining to the Security were placed before the Hon'ble Chairman of the Committee, Jammu:

- 1. Report regarding Joint Review of Security of High Court and District Court Complex, Janipur, Jammu---placed on 05-10-2019.***
- 2. Special Report regarding shortcomings noticed in the High Court Complex, Janipur---placed on 27-01-2020.***
- 3. Enhancement of CCTV Camera---placed on 05-09-2020.***
- 4. Providing of Safe Room for Hon'ble Judges---placed on 16-10-2021.***

It is pertinent to mention here that vide High Court Order No. 855 of 2023/RG dated 05.08.2023, in supersession of all previous orders, Hon'ble the Chief Justice has been pleased to constitute the following New Committees, for both Jammu Wing and Srinagar Wing of the High Court of Jammu & Kashmir and Ladakh, for monitoring the Security arrangements within the High Court Complexes:

Committee for Jammu Wing:

<i>S.No.</i>	<i>Name of the Member</i>
<i>1.</i>	<i>Hon'ble Mr. Justice Sanjeev Kumar</i>
<i>2.</i>	<i>Hon'ble Mr. Justice Rajnesh Oswal</i>
<i>3.</i>	<i>Advocate General</i>
<i>4.</i>	<i>Sh. R.S.Thakur, Sr. Advocate</i>
<i>5.</i>	<i>Sh. Sunil Sethi, Sr. Advocate</i>
<i>6.</i>	<i>Sh. Vikram Sharma, Bar President</i>
<i>7.</i>	<i>Registrar Vigilance</i>

Committee for Srinagar Wing:

<i>S.No.</i>	<i>Name of the Member</i>
<i>1.</i>	<i>Hon'ble Mr. Justice Atul Sreedharan</i>
<i>2.</i>	<i>Hon'ble Mr. Justice Sanjay Dhar</i>
<i>3.</i>	<i>Advocate General</i>
<i>4.</i>	<i>Sh.Zaffer Ahmad Shah, Sr. Advocate</i>
<i>5.</i>	<i>Sh.Riyaz Ahmad Jan, Sr. Advocate</i>
<i>6.</i>	<i>Sh.Jahangir Iqbal Ganaie, Sr. Advocate</i>
<i>7.</i>	<i>Registrar Vigilance</i>

It is submitted that the Registrar Judicial, High Court of J&K and Ladakh, Jammu vide her communication No.147/EST/RJ/HCWJ/ 2024 dated 02.07.2024 has forwarded the communication dated 11.06.2024 of Sr. Superintendent of Police, Security, Jammu along with its relevant documents of the records related to the subject. The Registrar Judicial, High Court Wing Jammu has highlighted the issues related to the CCTV Surveillance, Road Barriers and Entry Regulations, which is already mentioned in the communication (Supra).

It is stated that vide communication dated 18.10.2024, the subject matter was placed before the Hon'ble Committee for Monitoring the Security Arrangements for High Court Wing, Jammu, for their Lordship's kind consideration.

In reference to above, the Secretary to Hon'ble Mr. Justice Sanjeev Kumar (Chairman, Committee for Monitoring the Security Arrangements within the High Court Complexes, High

Court of J&K and Ladakh, Jammu Wing) has forwarded the Minutes of the meeting of the Committee for monitoring the Security Arrangements within the High Court Complexes, High Court of J&K and Ladakh, Jammu Wing, held on 30.10.2024, where under the Hon'ble Committee has resolved that:

“Perusal of the file reveals that the Hon'ble Division Bench in WP(C) PIL No.47/2019, vide order dated 01.03.2023, had directed the Registrar General of the High Court to provide a detailed report, with the assistance of the Security Officer of the High Court, before the next date as regards the measures which have been taken by the respondents.

In compliance to the said direction, the Senior Superintendent of Police, Security Jammu and the Registrar Judicial, Jammu has submitted their detailed report as regards the security reviews of the High Court/District Courts Complex Janipur, Jammu which has been placed before this Committee along with the copies of Hon'ble Division Bench Orders for consideration.

On examination of the file, it is resolved and recommended that the reports of Senior Superintendent of Police Security, Jammu and the Registrar Judicial, Jammu be placed along with the WP(C) PIL No.47/2019 for consideration by the Hon'ble Division Bench.”

It is worthwhile to mention here that the copy of the resolution dated 30.10.2024 along with the report of Senior Superintendent of Police Security, Jammu as well as the report of the Registrar Judicial, High Court, Wing Jammu was forwarded to the Assistant Registrar (Legal Section), High Court, Main Wing Jammu vide office communication dated 05.11.2024 with the request to place the said reports before the Hon'ble Division Bench on the next date of hearing on 18-11-2024. On the day of hearing on 18-11-2024, the Hon'ble Division Bench ordered as under:

“The comments of Registrar General in response to communication dated 02.07.2024 of Registrar Judicial, Jammu Wing has not been received.

Mr. Siddiqui, learned counsel who is present in the Court, is directed to apprise this Court with regard to action taken on the communication dated 02.07.2024 of Registrar Judicial of this Court, on the next date of hearing.

List on 24.12.2024.

Meanwhile, needful in terms of earlier orders be done.

A Copy of this order along with copy of communication dated 02.07.2024 of Registrar Judicial, Jammu Wing be provided to Mr. S.S Nanda, learned Sr. AAG as well as Mr. H.A Siddiqui, Advocate.”

Moreover, it is also submitted that the request for installation of additional CCTV surveillance cameras put forth by the office of the Registrar Judicial, Jammu vide Communication No.2353/ESRJ/ 2023 dated 25-09-2023 does not pertain to the monitoring of Security of the High Court Complex, but pertains to the supervision and monitoring of functioning of the High Court staff in each and every section of the High Court. However, the DPR for installation of CCTV surveillance cameras in each and every section of the High Court was forwarded to the Government on 31-01-2024 for accord of Administrative Approval of the same.

But the Department of Law, vide Communication dated 02-05-2024 returned back the aforesaid DPR to the office of the Registrar General along with some observations and the same was forwarded to the office of the Registrar Judicial, Jammu vide communication dated 04-06-2024 for further necessary action and the response regarding the same is still awaited.

1) CCTV Surveillance

Furthermore, the Registrar Judicial, Jammu has submitted that some CCTV surveillance cameras installed in the District Courts Complex are defunct and out of order and the repairing of the same is monitored and looked after by the office of the Principal District and Sessions Judge, Jammu.

In this connection, a communication dated 04-12-2024 was sent to the Principal District & Sessions Judge, Jammu for taking up the matter with the Executing Agency and get the defunct CCTV Surveillance Cameras repaired and also submit the estimate for the installation of new CCTV cameras in the remaining uncovered areas and blind spots in the entire Court Complex as per the report of the Registrar Judicial, High Court, Jammu.

Subsequently, the Principal District & Sessions Judge, Jammu vide communication dated 06-12-2024 has requested the Chief Engineer, PW (R&B) Department, Jammu Zone to do the needful regarding the repairing of defunct CCTV cameras and installation of new CCTV cameras in the remaining uncovered areas and blind spots in the entire Court Complex.

2) Road Barriers

It is also submitted that as far as boom barriers installed at VIP entry points of the Hon'ble High Court Complex crossing of the High Court and Judicial Academy and the left side of the parking

area of the High Court are concerned, at present the general power supply connection has been provided and no power backup has been given. As per the contents of the communication, sudden power cuts are obstructing the movement and causing inconvenience to the Hon'ble Judges and other dignitaries. So far as all these points regarding security surveillance are concerned, installing a DG Set power backup has been initiated to be given for the smooth functioning, control and proper use of installed equipments.

In this regard, the Registrar Judicial, Jammu has taken the matter with the Executive Engineer, Mechanical Subdivision Jammu, whereby a request has been made to them for providing 24-hour power supply for electronic planes and boom barriers at VVIP gate. The supra request was made in response to the communication dated 18-12-2023 received from the Deputy Superintendent, Security.

3) Entry Regulations

It is submitted that in the entry regulations following difficulties have been expressed and brought to the attention of this office.

- a) Many advocates are visiting the Hon'ble High Court daily and at the time of frisking, they are getting agitated and are not cooperating and are also not willing to prove their identity.*
- b) Many litigants are also visiting the Hon'ble High Court daily. Although required gadgets in the form of DFMDs, HHMDs and X-Ray baggage scanners have been installed at the entry points and the litigants are being frisked out there, but there is still a possibility of some unscrupulous elements gaining entry under the guise of High Court attire. As such the concept of an automatic access control system at par with the Hon'ble Supreme Court of India has been requested to be introduced at the entry point of the High Court Complex.*
- c) Proximity cards for all bar members and employees have been requested to be issued. Besides, the installation of card reader machines at the entry point of the High Court Complex has also been requested.*
- d) E-cards to all the advocates, employees of this Hon'ble High Court and other supporting staff of different departments have been requested to be issued as well as to install card reader machines at different entry points of the Hon'ble Courts. By installing the card reader machines, it will help*

the security staff to identify them easily and ensure their hassle-free movement inside the premises.

- e) The Safai karamcharies, wet canteen staff and personal staff of advocates may be directed to wear the prescribed uniform besides displaying their identity cards.*
- f) Lastly, the counters of BSNL, Railway Booking Counter, J&K Bank and Post Office presently accommodated inside the Main building in the ground floor have been requested to be shifted outside the Main building so as to avoid unnecessary movement of visitors who are visiting the complex only to avail these services.”*

2. The above conspectus of the measures which have been taken and are being taken by the respondents would reveal that significant progress has been made to improve the security scenario with respect to High Court complexes as well as District Courts across the UTs.

3. In view of the compliance report filed by Mr. H.A, Siddiqui, learned counsel representing the High Court, we dispose of the present Public Interest Litigation with a further direction to the Registrar General of this Court to take up the issues adumbrated in the compliance report with the concerned agencies/ quarters and make every endeavour to ensure that all those pending issues are attended to.

4. With these observations, we dispose of these PILs along with connected CM(s), accordingly.

(Rajesh Sekhri)
Judge

(Tashi Rabstan)
Chief Justice

Jammu

03.01.2025

Madan Verma, Secy.

Whether approved for reporting? Yes.