

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**W.P. (PIL) No. 4951 of 2023**

Court On Its Own Motion

Versus

1. The State of Jharkhand through the Chief Secretary
  2. Additional Chief Secretary, Home, Government of Jharkhand, Ranchi
  3. Director General of Police, Jharkhand, Ranchi
  4. Union of India, through the Principal Secretary, Home, New Delhi
  5. Registrar General, High Court of Jharkhand, Ranchi
- ... .. Respondents

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**CORAM: SRI SANJAYA KUMAR MISHRA, C.J.**  
**SRI ANANDA SEN, J.**  
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For the Respondents: Mr. Rajiv Ranjan, Advocate General  
Mr. Piyush Chitresh, A.C. to A.G.  
Mr. Prashant Pallav, D.S.G.I.  
Mr. Parth Jalan, A.C. to D.S.G.I.

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**02/Dated: 02.09.2023**

Upon hearing the learned counsel for the parties, this Court passed the following, (Per, Sanjaya Kumar Mishra, C.J.)

ORDER

1) The special session of the Court is convened on happening of an unfortunate incident which took place yesterday in the District Court premises of East Singhbhum at Jamshedpur. The reports reveal that an intoxicated person carrying a Chopper (a big knife generally used for the purpose of cutting meat, etc), in a bag entered inside the Court's premises, he passed through the Gate No.1 without any hindrance, then he went from one court to another and ultimately, entered the office of the 1<sup>st</sup> Addl. District & Sessions Judge, at Jamshedpur, where one of the court's staffs was working. The assailant then gave a blow on the neck of the court staff causing serious injury to him. The assailant was apprehended on the spot, but, however, before that, he had already inflicted an injury to the injured. The injured was immediately shifted to the hospital and was given

appropriate treatment and it is stated by the learned Advocate General present in the Court today that his condition is stable and he is out of danger. The assailant has been booked under Section 307 and other offences of the Penal Code and the investigation of the case is already on.

2) The learned Advocate General would also submit that from the preliminary enquiry made by the police, it appears that it is a stand alone incident without having any larger conspiracy having wide-spread ramifications.

3) Be that as it may, the repeated incident like this in the State of Jharkhand, especially in the districts of East Singhbhum, Deoghar and Dhanbad, raises grave concern. In this connection the Hon'ble Supreme Court has also in the case of **Pradyuman Bisht Vs. Union of India**, *W.P. (Crl.) No.99 of 2015*, has taken note that if the temple of justice where people/litigants visit to get justice is not safe, then the people's faith in the judicial system will dwindle. The Hon'ble Supreme Court, after discussing the several incidents including the incident that took place in the National Capital itself and also at Dhanbad, has issued series of directions. For the purpose of appreciation by all and sundry, we take note of the directions given by the Hon'ble Supreme Court at paragraph 10 of the order dated 11.08.2023. They are as follows:-

(a) There ought to be a security plan in place, in line with the recommendations herein, to be prepared by the High Courts in consultation with the Principal Secretaries, Home Departments of each State Government and the Director Generals of Police of the States/Union Territories or the Commissioners of Police wherever a court complex is within the jurisdiction of a Police Commissionerate, as the case

may be, which should be timely implemented at the state & district levels covering District Headquarters and other courts in outlying areas as well.

- (b) The security plan may include proposal for setting up of permanent Court Security Unit(s) in each complex, indicating the strength and source of drawing of manpower including armed/unarmed personnel and supervisory officer(s) for each such unit, the minimum term and mode of deployment of such manpower, list of duties and additional financial benefits for such manpower, as may be offered to secure their willingness to serve in such Units, special modules for training and sensitizing such manpower in matters of Court security, and miscellaneous matters related to such Units;
- (c) The schematics of CCTV camera installation will have to be laid down on a district-wise basis where the respective State Governments should provide the requisite funds for the execution of such a plan in a timely manner.
- (d) In newly constructed court complexes, there appears to be a lack of consistency regarding the installation of CCTV cameras, whether it should be done before or after inauguration. The Supreme Court emphasizes that the installation of CCTV cameras should be an integral part of the construction project of courts, and therefore should be prioritized.
- (e) To address concerns regarding data and privacy, as rightly highlighted by the learned counsel appearing before the Supreme Court, the High Courts may take appropriate measures or draft necessary guidelines in this regard.

- (f) Further, upon the finalisation of the security plan, the High Courts may entrust the responsibility of installation and maintenance of the CCTV cameras with the concerned District and Sessions Judges for a more realistic analysis of local requirements.
- (g) Keeping in mind the lax security measures at entry-exit points within several court complexes, we deem it necessary to recommend that these points may be secured by constant monitoring with the help of adequate security equipment. In this regard, the courts may consider putting in place security measures such as deployment of adequate police personnel, security stickers for vehicles, frisking, metal detectors, baggage scanners, court-specific entry passes, and biometric devices to enhance overall security. Other security measures may include regulating the use of court premises as thoroughfares, if necessary, even by way of total prohibition.
- (h) There have been various concerns regarding the operation of various shops and vendors within court premises which may result in potential security lapses. In this regard, the relevant authorities may keep a strict check on the relevant permissions required for their continued operations.
- (i) It may be ensured that emergency measures like ambulances, medical facilities and firefighting services are immediately available and modernised within court complexes and unimpeded access of such vehicles to the premises is assured at all times. This includes ensuring unhindered movement and keeping the court complex vicinity free from traffic and parking congestion.

4) The Registrar General of this High Court, who is present in Court today, would submit that an official communication of the aforesaid order has not yet been received by his Office.

5) Be that as it may, since we are in know of this order passed by the Hon'ble Supreme Court, it is our duty to carry out the same. Hence, we hereby direct that a meeting shall be convened on Monday (04.09.2023) by the Registrar General of the High Court with two Senior Judges of this High Court who shall be nominated by the Chief Justice and it shall be attended by the Additional Chief Secretary, Home, State of Jharkhand and the Director General of Police, Jharkhand, and such other senior administrative officials/police officials, as the concerned Officer deems appropriate to initiate this programme to chalk out a security plan.

6) It is brought to our notice that in another Public interest Litigation bearing W.P. (PIL) No. 6882 of 2016, the 1<sup>st</sup> Division Bench of this Court presided by the then Chief Justice has already issued some directions. The learned Advocate General would also apprise this Court as per the orders passed in different Public interest Litigations by this Court on several occasions that the boundary wall of each Court Complex is being constructed and raised and the security towers are being constructed. He would also apprise this Court that the work of installation of the CCTV coverage is going on. He would further submit that cabling of such CCTV network is almost in its final stage. It is already in advance stage and it will be operational very shortly.

7) The Deputy Solicitor General of India appearing for the Union of India would submit that the Union of India is ready and willing to provide any kind of assistance the Court requires or the State Government requires for security and a safe working atmosphere for

the court premises throughout the State of Jharkhand. It is also brought to our notice that the Administrative Judge of Jamshedpur has already arrived at Jamshedpur to take stock of the ground level situation.

**8)** In that view of the matter, let this case be listed on 04.09.2023 at the top of the list along with W.P. (PIL) No. 2466 of 2015, W.P. (PIL) No. 2599 of 2013, W.P. (PIL) No. 6882 of 2016 and W.P. (PIL) No. 2798 of 2022.

**9)** Let the Deputy Commissioner and the Senior Superintendent of Police of East Singhbhum remain present before us through virtually on the next date of listing, to apprise the up-to-date status of the case.

**10)** The Director General of Police and the Additional Chief Secretary, Home, Government of Jharkhand, are present in Court on their own accord. Their personal appearances for Monday (04.09.2023) are dispensed with.

**(Sanjaya Kumar Mishra, C.J.)**

**(Ananda Sen, J.)**