

Most urgent.
Time bound.

No. D&SJ/RMP/EC/N. Court Build/RMP/2018-2532
Office of the District and Sessions Judge,
Kinnaur Civil and Sessions Division at Rampur Bushahr, H.P.

Dated; Rampur Bushahr, the 30th July, 2020.

To

The Divisional Forest Officer,
Forest Division, Rampur Bushahr, H.P.

Subject: - Diversion of 1-4194 ha. of forest land for the construction of Judicial Courts Complex and complete separate Court block for Juvenile Justice Board at Shingla, in favour of District and Sessions Judge, Kinnaur Civil and Sessions Division, Rampur District Shimla, H.P. within the jurisdiction for Rampur Forest Division, District Shima, H.P. (Proposal No. FP/HP/ OTHERS/ 32672/2018).

Sir,

‘Jai Hind’

Please refer to your office letter endorsement No. 267 dated 13.5.2020, on the subject cited above, vide which the observation letter of R.O. office was forwarded to this office, in which the following observation has been pointed out:-

“With reference to point number-4 of this office EDS dated 08.08.2019, the reply furnished by the State Govt. is not satisfactory as the area proposed for most of the components found to be on higher side than the minimum requirement prescribed in the norms provided by the State Govt. for such constructions. Therefore, a comparative detail in this regard is required mentioning area prescribed in norms and proposed in the proposal giving reasons for taking the area more than that prescribed in the said norms.”

In this connection, it is submitted that the requisite comparative table as required in the above said observation is as under:-

Approximately total areas calculated with the assistance of Architect, as per State Govt. Norms.			Total area required by this Department as per guidelines of Supreme Court of India as well as High Court of H.P.			Difference between Column No. 1 and 2.		
1			2			3		
Total covered area	Total open area	G. Total	Total covered area	Total open area	Total	Total covered area	Total open area	Total
00-48-54 hect.	00-49-00 hect.	00-97-54	00-71-05 hect.	00-70-89	01-41-94 hect.	00-22-51 hect.	00-21-89	00-44-40 hect.

The reasons for taking area more than the State Govt. norms:-

1. As per direction of the Hon’ble Supreme Court of India, contained in

Order, passed on 2nd August, 2018, in Interlocutory application No. 279 of 2020 in Writ Petition No. 1022 of 1989, titled as All India Judges Association and Ors. Vs. Union of India and Others (copy attached), the Modern Courts Complex are required to be constructed in all over Country with the latest provision of gadgets and technology. In other words, the Core factors in the design of a court complex must reckon –a) optimum working conditions facilitating increased efficiency of Judicial officers and the administrative staff: b) easy access to justice to all and particularly to the underprivileged persons with disability, women and senior citizens: c) safety and security of judges, administrative staff, litigants, witnesses and under-trial prisoners. The said Modern Courts complexes should also be consisting of Facilitation counter for litigants/visitors, Support facilities, **bank, post office, medical facility, disaster management, A.C. plant, electrical sub-station, DG set/Solar panel, STP, Repair workshop, storage, garage, strong room for record preservation, adequate parking space for judges, lawyers, litigants and other visitors, separate canteen for staff and Advocate and litigants, separate waiting rooms for vulnerable persons and experts witnesses etc.** Further, as per above said order, the Court premises must have sufficient and **proper parking space** to ease vehicular traffic and avoid crowding and must have easy access at both entry and exit points. End to end connectivity of public transport systems must be ensured for court premises by starting feeder bus service and other dedicated transport services between major public transport points and court complexes. The maximum above said requirements are to be constructed/ provided in all new Court(s) Complex/building(s) but the requirement of the same has not been given by this office separately in the said proposal and the same has been added in the Courts/offices buildings. The said requirements are also not mentioned in the norms of State Govt., due to which the requirements of State Govt. and Judicial Department are not matching with each other.

Keeping in view of the above, the PWD Department, vide its office letter No. PW/RMP/WA-I/Building/2019-20-7737-38 dated 01.10.2019 has also informed that the area shown in each component of the Complexes is minimum as per the norms circulated by the Hon'ble High Court of H.P./Supreme Court of India as well as to fulfill the requirements of Modern Judicial Complex and there is no possibility of reducing the same. The copy of said letter has already been sent to you. Thereafter, this office has contacted the Town and Country planning Department of Himachal Pradesh to calculate the above said area as

per norms Govt. norms of Town and Planning etc. and carried out the difference component wise and send the same to this office. The Assistant Town Planner, Sub Divisional Town Planning Office, Rampur Bushahr, vide its office letter No. HIM/SDTP/RPB/NOC/Lease/2016-84 dated 21st July, 2020 has informed that there are no specific rules and regulations mentioned in the Development Plan for the Construction of a Judicial Courts Complex instead of general regulations, but set back (front, back, left and right) as per TCP norms on every building shall apply and as such the space between the buildings as shown by this office in the component of this project is set back, as per Govt. norms. However, it has been further informed that if the Competent Authority has not issue for the diversion of Forest Land that being so, his/her office has no objection, if the aforesaid land is given to the Judicial Department for the construction of Judicial Complex. The copy of said letter is enclosed herewith.

Further, the Himachal Judicial Department (HP, State Legal Services Authority) has launched a campaign to save the environment under the banner 'Afforestation Campaign and maintenance of forest sites'. The said campaign sought to sensitize students about the importance of the forest and environmental issue. The Judicial Department (HP, State Legal Services Authority) in association with the Forest and Education Departments, lead a plantation drive through school students in areas selected by the Forest Department, in every year. As per "News Letter January-June, 2019", published by the National Legal Services Authority (NALSA) Delhi, 12 lakhs trees were planted by involving 11, 11,656 students of H.P. in the year 2017, through above said campaign of HP, State Legal Services Authority with the assistance of afore said Departments. In the above said activities, the staffs of Judicial Department as well as DLSA remains involve. Therefore, some extra land surrounding every building of Judicial Courts Complexes, if remains vacant may be used for the demonstration of said afforestation programme as well as beautification of said building/Complex. Apart from above, every building should be connected with road facility and of parking for some vehicles of Judicial Officers as well as for the vehicles of dignitary (ies), visits to said Court(s) in front of each building.

2. The proposed site (Patch-I) is sloppy and slide land, as the Satluj river (which is biggest river of Himachal Pradesh) is flowing downward of this land about 200 mtr. and between the said proposed site and river, NH 05 and one link road are passing, due to which the construction of multiple storeyed buildings may be risky, however, for the safety of said land and roads, only 2-3

storeyed building can be constructed over the same site. The maximum vacant land surrounding the Rampur City are slide and sloppy.

3. As per State Govt. norms, 50 % areas should be covered and another 50% should be opened area and as such the 50% open area is being shown by this Department for the use of different types parking, Creche, rain water harvesting, road and space for flag hoisting and other activities etc.

4. At present there are about 150 Advocates in active practice at Rampur Bsr. and Rampur Bsr. being revenue Sub Division, but it is the Headquarters of Judicial Division/District of Kinnaur Civil and Sessions Division and the same is centre of all its Judicial Sub Divisions, due to which the numbering of Advocates are increasing day by day and as such as per guideline of Hon'ble Supreme Court of India, the Chambers to the Advocates should be provided in the Judicial Complex. Due to this reason, the requirements of this proposed land is also on higher side than State Govt. norms.

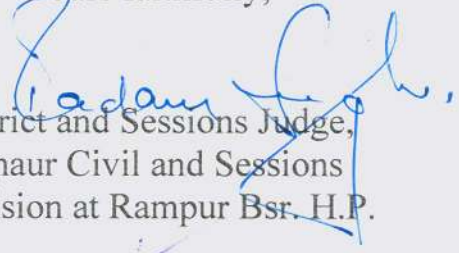
5. As per vision statement, one Court of Additional District and Sessions Judge has been created at Rampur Bushahr in the year 2016 and its building was e proposed to be constructed in the above said land, but due to non transfer of land, the said Court has been housed in the existing Courts Complex, due to which there is acute space problem for staff of the Court of Addl. District and Sessions Judge. Therefore, the matter regarding providing accommodation for the Addl. District and Sessions Judge, staff and other requirement of said office was taken up by this office with the Deputy Commissioner, Shimla, vide this office letter No. D&SJ/RMP/EC/N. Court Build./2013-5963-64 dated 26th November, 2016, the Sub Divisional Officer, Rampur, vide his office letter No. RMP/SDM/GC/2018-135 dated 3.4.2018 had informed that there no sufficient accommodation for this purpose at Rampur Bushahr. The copies of above said both letter are enclosed herewith. Further, one Court of Special Judge to deal with the cases of POCSO Act has been recently announced by the H.P. State Govt. for Rampur Bushahr on the direction of Hon'ble Supreme Court of India in the month of May, 2020, but there is no space for the said Court. The above said both Courts have not been mentioned in the above said proposed project, but due to acute space problem for the staff as well as shortage of Court rooms in the existing Court Complex, same may be housed in the aforesaid proposed project at the time of final drawing and plan of above said project by adjusting the above said norms of Courts by taking necessary permission from the Competent Authority.

6. As per letter No. HHC/GAD/4(52)/92-XVI-25951 dated 23rd September, 2013 of the Hon'ble High Court of H.P., the building infrastructure is to be created in such a manner so that the same could meet the requirement of accommodation likely to rise in next 25 to 30 years. The copy of said letter along with its enclosures is enclosed herewith.

Keeping in view of the above, the requirements for the constructions of Judicial Complex and separate Juvenile Justice Board at Shingla chack have been given by this office on higher side than the norms of State Govt. and as such the observation as made by the R.O., Dehradun may please be removed, accordingly.

Encls:-As above.

Yours faithfully,


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bsr. H.P.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
INTERLOCUTORY APPLICATION NO. 279 OF 2010
IN
WRIT PETITION (CIVIL) NO. 1022 OF 1989

All India Judges Association & Ors. ...Petitioners

Versus

Union of India & Ors. ...Respondents

O R D E R

This interlocutory application basically relates to infrastructure of the courts especially in subordinate courts. A detailed order was passed on 24.01.2011 which pertained to various projects of court buildings, residential quarters and all other aspects. On 04.04.2011, the following order came to be passed:-

"By our Order dated 21st February, 2011, we had directed States of Maharashtra, Gujarat and Uttarakhand to answer five questions, which, for the sake of brevity, are reiterated hereinbelow:

[1] Since when Proposals/Projects are pending and reasons why they have not been cleared till today?

[2] For how long and why Proposals pending for acquisition of land have not been cleared by the Collectors?

[3] Why Government lands, which are available, are not being urgently made available for Court Buildings and Residential Quarters?

[4] What steps are being taken to expeditiously complete Projects which are under construction?

[5] How many pending Proposals would receive administrative and financial sanction during the next Financial Year?

States of Gujarat and Maharashtra have sought time to put in their response. Request is granted. Hence, four weeks' time is granted. No further adjournment will be granted.

As far as State of Uttarakhand is concerned, we have examined the affidavits filed on 1st April, 2011. The affidavits are vague. The State of Uttarakhand was required to answer each of the above five questions project-wise and format-wise but they have not done so.

In the circumstances, we direct the State of Uttarakhand to file a proper detailed and accurate affidavit to the questions posed. In addition, we direct the State to answer those questions project-wise and format-wise.

We may further add that vide Order dated 24th January, 2011, we had requested various States, including States of Gujarat, Maharashtra and Uttarakhand, to furnish details of the nature of the work, the place at

which the project is located as well as the amount to be spent in respect of each of the project. Pursuant to the said order, we had also forwarded the requisite format in the form of Annexures I and II to all the three States. Since we are adjourning the matter by four weeks, we also direct the States of Uttarakhand, Gujarat and Maharashtra to give details duly filled in the formats Annexures I and II.

Place the matter on 9th May, 2011."

2. Thereafter, the matter was listed on many an occasion but it stood adjourned. In the meantime, it has been brought to the notice of the Court that there has been progress in the field of infrastructure inasmuch as the court projects (court rooms) have been constructed and other steps have been taken. But there are certain other spheres where immediate attention is required so that things are set right.

3. A sound infrastructure is the linchpin of a strong and stable judicial system. The responsibility for securing justice to the citizenry of our country rests upon the judiciary which makes it imperative upon the State to provide the judicial wing the requisite infrastructure commensurate with the constitutional obligation of the judiciary. It needs to be understood that without a robust infrastructure, the judiciary would not be able to

function at its optimum level and, in turn, would fail to deliver the desired results. While emphasizing the importance of judicial infrastructure, the Court in ***All India Judges Association and others v. Union of India and others***¹ has observed:-

"Justice Delivery System is the bedrock of the rule of law, which is held to be the basic structure of the Constitution and it is our view that, in the absence of adequate judicial infrastructure, particularly for the subordinate Courts, it would not be possible to sustain rule of law in this Country. It is true that Courts do not generally issue directions in financial matters, however, we are of the view that Court fees, costs and fines constitute what is called "Measure" of what is spent on judicial infrastructure. This would be in consonance of doctrine of Reasonableness under the Constitution. Rule of Law assures the citizen of an effective civil and criminal justice system and judicial infrastructure is the cornerstone of justice delivery system without which Rule of law in this Court would fail."

[Emphasis supplied]

4. In ***Brij Mohan Lal v. Union of India and others***², the Court, while highlighting the infrastructural needs, has said:-

"Article 21 of the Constitution of India takes in its sweep the right to expeditious and fair trial. Even Article 39A of the Constitution recognizes the right of citizens to equal justice and free legal aid. To put it simply, it is the constitutional duty of the Government to provide the citizens of the country with such judicial infrastructure and means of access to Justice so that every person is able to receive an expeditious, inexpensive and fair trial. The plea of financial

1 (2010) 14 SCC 705

2 (2012) 6 SCC 502

limitations or constraints can hardly be justified as a valid excuse to avoid performance of the constitutional duty of the Government, more particularly, when such rights are accepted as basic and fundamental to the human rights of citizens."

5. The aforesaid two verdicts, as is noticeable, lay stress on infrastructure in the context of Rule of Law, effective civil and criminal justice system and the constitutional duty of the Government to provide the same and the principle of access to justice that does not accept the excuse of the Government as regards financial limitation.

6. It has to be firmly borne in mind and accepted as a reality that raising the infrastructure standards in the court complexes is the need of the hour as it is the basic requirement for the courts in the twenty-first century. We are absolutely clear that when people are aware of their rights, their desire to get the rights realised is enhanced and they would like to knock at the doors of the Court to shape their aspiration into reality. It is a welcome phenomenon and conceptually, Rule of Law nourishes and garners the said idea. The idea of speedy and quality justice dispensation system cannot be treated with *status quoist* approach, for the definition of infrastructure and the understanding of the same in all associated contexts changes

with the passage of time and introduction of modern technology in many a sphere of life. The consumers of justice expect prompt and effective delivery of justice in an atmosphere that is acceptable. Therefore, infrastructure enhancement will go a long way in strengthening functioning of the court and would improve the productivity in the justice delivery system.

7. Be it noted, a court complex is not just a building. It is the building of justice which breathes and infuses life into the exalted and sublime ideals of justice. The widening gap between the ideal and the real and between the vision and the pragmatic realization of justice has to be bridged by proper access to justice for all.

8. It brings us to the focal point, i.e., judicial infrastructure which has been given relatively low importance, if not long neglected. That needs an overhaul. Apart from the metropolitan cities and State capitals, infrastructure in Courts, especially in the interior parts of the country, is dying out. It would not be wrong to say that some of them are just on the ventilator. A decrepit or crumbling court infrastructure inevitably results in causing impediment in access to justice. Undeniably, access to justice and rule of law is intrinsically linked. No democracy can

afford to undermine the core values of rule of law. Thus, strengthening of court infrastructure requires immediate attention in the form of planning, enhanced budgeting and structured implementation or execution of the plans. Presently, most of the States are making budgetary provision as low as less than 1% of their total budget for the judiciary.

9. In view of the above, we deem it extremely necessary to declare that it is essential to provide basic infrastructural facilities, amenities, utilities and access oriented features in all Court complexes around the country as it is axiomatic that infrastructure forms the core for efficient and efficacious dispensation of speedy and qualitative justice.

10. The court development plan should comprise of three components - a short term (or annual plan); a medium term plan (or a five year plan); and a long term plan (ten year plan). The annual plans so prepared shall be incorporated into the five year plan which, in turn, rolls into the ten year plan. While focussing on judicial infrastructure, due regard has to be given to adequate and model court building, furniture, fixture, judges chamber, record/file storage, adequate sitting and recreation arrangement for staff and officers, sitting/waiting room for litigants and bar

members, latest gadgets and technology. In other words, the core factors in the design of a court complex must reckon - a) optimum working conditions facilitating increased efficiency of judicial officers and the administrative staff; b) easy access to justice to all and particularly to the underprivileged, persons with disability, women and senior citizens; c) safety and security of judges, administrative staff, litigants, witnesses and under-trial prisoners. The court complex must consist of: -

I. COURT BUILDING

- Court rooms
- Judges' chambers
- Judges' residential complex
- Litigants' waiting area
- Administrative offices
- Conference Hall/Meeting Room
- Video conferencing rooms
- Mediation centre/Legal Services Authority
- Common rooms for male/female staff
- Staff canteen
- De-stress rooms for male /female staff
- Office space for Government pleader/Public prosecutor/ Advocate General/ Standing Counsel for Union of India with separate cubicles for conducting conferences and including space for accommodating their Secretarial staff and files
- Support facilities like ramp, crèche, etc.

II. SPACE FOR LAWYERS/LITIGANTS

- Bar rooms for ladies and gents
- Consultation rooms and cubicles
- Stamp vendors and notary public/oath commissioner/typist/photocopy/business centre

- Library
- Canteen for lawyers and litigants
- Facilitation counter for litigants/visitors
- Support facilities

III. FACILITY CENTRE providing for common facilities for functioning of the complex unrelated to courts such as bank, post office, medical facility, disaster management, etc.

IV. UTILITY BLOCK for accommodating the utility services such as A.C. plant, electrical sub-station, DG set/Solar panel, STP, Repair workshop, storage, garage, etc.

V. JUDICIAL LOCK-UPS.

VI. STRONG ROOM FOR RECORD PRESERVATION.

VII. ADEQUATE PARKING SPACE for judges, lawyers, litigants and other visitors.

VIII. IT INFRASTRUCTURE FOR COMPUTERISATION AND eCOURTS

11. The finance needed for court infrastructure should be ideally placed under the head of planned expenditure which will be more specific, better managed and obviate any cut by the Governments. The budgeting must be from the demand side and cannot be from the supply side.

12. Apart from what we have stated above, we think it appropriate to issue the following directions which are the most

fundamental and vital features to be provided at the earliest in all court complexes:-

- (i) Basic amenities such as adequate seating space for litigant public as well as lawyers, sufficient waiting area with seating arrangements, proper lighting and electricity, functional air-conditioning/air-cooling/heating, accessible clean drinking water with Reverse Osmosis (RO) facility, clean and hygienic washrooms separate for men, women, transgenders and physically handicapped persons, kiosk and functional canteens selling beverages and eatables at nominal rates, preferably managed by court staff are some amenities and facilities which ought to be ensured at court complexes throughout the country. If these are missing in our court complexes, it would be an appalling situation which requires immediate rectification.
- (ii) We must further ensure that all our court complexes are conducive and friendly for the differently-abled and towards this end, the Court complexes must have certain features for the benefit of the vulnerable persons such as persons with disability or visually impaired

persons. We have to move from disabled friendly buildings to workable and implementable differently-abled friendly court infrastructure. Ramps for such categories of persons must be operable, feasible, tried and tested. Such ramps should definitely have steel railings and handles. The court infrastructure must also keep in view the accessibility for visually impaired persons and, therefore, court complexes must have tactile pavements and signage in braille for the benefit of visually impaired citizens. That apart, for ensuring easy movement of common citizens in the court complexes, there must be maps and floor plans of the entire court complex at entry and exit points and visible signage and directional arrows with colour coding throughout the court premises.

- (iii) For saving the litigant public and other citizens from running one end to the other without any guidance in the Court complexes and for assisting them to reach their desired place, it is necessary that all court premises must establish a working and fully operational help desk at major alighting points with trained court staff to brief

and guide the citizens about the layout of the court premises.

(iv) Court premises must also have sufficient number of functional electronic case display systems for litigants and lawyers with the feature of automatic update in every ten seconds.

(v) With the increase in motor vehicles, including cars and two-wheelers, it is imperative that court premises have sufficient and proper parking space to ease vehicular traffic and avoid crowding. All upcoming court complexes must have provision for both sufficient underground and surface parking facilities segregated into four broad categories – for judges, court staff, lawyers and litigants. As far as the existing court complexes are concerned, the possibility and feasibility of constructing underground or multi level parking facilities must be explored.

(vi) The court premises must have easy access at both entry and exit points. End to end connectivity of public transport systems must be ensured for court premises by starting feeder bus service and other dedicated transport services between major public transport points and court

complexes. Access to justice will forever remain an illusory notion if access to courts is not ensured.

(vii) Court premises must be armed with better crowd management arrangements along with adequate security measures. It has been seen, time and again, that at the time of court proceedings of cases which are well covered by the media, the crowd management in court premises runs into utter chaos. Measures must be taken to ensure that whenever court premises are thronged with heightened crowds, there is smooth ingress and egress of both vehicular traffic as well as citizens in the court premises.

(viii) Creche facility at nominal rates for toddlers, falling within the age group of 6 months to 6 years, of lawyers, clerks of lawyers, bar association staff and officers and employees of court registry must also be constructed. The said creche facility must not be just for the namesake, it has to be both functional as well as effective with proper space and equipment such as baby proofing and other toddler-friendly provisions. That apart, the courts should

have a proper atmosphere for children and vulnerable witnesses.

- (ix) Professionally qualified court managers, preferably with an MBA degree, must also be appointed to render assistance in performing the court administration. The said post of Court managers must be created in each judicial district for assisting Principal District and Sessions Judges. Such Court Managers would enable the District Judges to devote more time to their core work, that is, judicial functions. This, in turn, would enhance the efficiency of the District Judicial System. These court managers would also help in identifying the weaknesses in the court management systems and recommending workable steps under the supervision of their respective judges for rectifying the same. The services of any person already working as a Court Manager in any district should be regularised by the State Government as we are of the considered view that their assistance is needed for a proper administrative set up in a Court.
- (x) Adequate residential accommodation for judicial officers and court staff is another infrastructural aspect which

requires immediate attention. The productivity of judicial officers and court staff who are not provided with residential quarters in and/or around the court premises gets negatively hampered. Thus, residential accommodation in proximity of court complexes for judicial officers and court staff must also be provided.

- (xi) There shall be solar power installation in each of the district court premises initially and thereafter, the same should spread to all other courts.
- (xii) Keeping in view the obtaining scenario, CCTV cameras should be placed at proper locations within the court complex.
- (xiii) To enhance the quality of speedy justice, video conferencing equipments and connectivity to jails shall be provided at the earliest.
- (xiv) The district court complex should have a dispensary with adequate medical staff and equipments.

13. It is clear that judicial infrastructure not only needs attention and budgeting but also effective utilization of the funds towards specific and proper ends so that the primary goal of access to justice for all is realized. Prompt measures are to be

undertaken and procrastination in these matters cannot brook delay where Rule of Law is supreme.

14. Let a copy of this order be sent to the Chief Secretaries of each of the States by the Registry requiring them to constitute a committee of which the Secretary of the Department of Law should be a Member to formulate the development plan as per the directions issued by us and present the status report so that further directions can be issued. The committee shall invite an officer from the High Court to be nominated by the Chief Justice of the High Court. Copies of the order passed today be sent to the Registrar Generals of all the High Courts.

15. Let the matter be listed on August 23, 2018 for filing of the plan and the status report and for issuance of appropriate directions.

.....,CJI
[Dipak Misra]

.....,J.
[A.M. Khanwilkar]

.....,J.
[Dr. D.Y. Chandrachud]

New Delhi;
August 02, 2018



HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

Telephone No. 01782-233017

e-mail: ee-ram-hp@nic.in

No.PW/ RMP/WA-I/Building/2019-20 - 7737-38

Dated:- 1-10-19

To

The District and Sessions Judge.
Kinnaur Civil and Session,
Division at Rampur Bushahr, HP.


Subject: - Diversion of 1-4194 ha. of forest land in favour of District and Session Judge, Kinnaur Civil and Sessions Division, Rampur District Shimla, H.P. for the construction of Judicial Courts Complex and Complete separate Court Block for Juvenile Justice Board at Shingla within the jurisdiction Rampur Forest Division District Shimla HP.

Sir,


'Jai Hind'

Enclosed please find the certificate as required, vide your office letter No. D&SJ/RMP/EC/N. Court Build/RMP/2018-4579 dated 28th August, 2019, the certificate are as below:-

1. The muck generated, from the site for the construction of judicial court complex and complex separate court block for Juvenile justice block at Shingla, will be utilized for the filling up of site development, adjusted in the approach road for these complex and below the retaining structures which will come up for the site development of this complex.
2. That the area shown in each component of the complex is minimum as per the norms circulated by the Hon'ble High Court of HP and there is no possibility of reducing the same and the road areas are fulfilling, all other requirement of modern judicial complex is desirability of adopting environment friendly measures, renewal energy, rain water harvesting and as well differently-abled friendly.


Executive Engineer
Rampur Division (B&R),
HPPWD, Rampur Bsr.

Copy to the Assistant Engineer, Rampur Sub-Division, HPPWD, Rampur for information with reference to his letter no. PW/RSD/Building/2019-668 dated-18.09.2019.


Executive Engineer
Rampur Division (B&R),
HPPWD, Rampur Bsr.

A/ee

1/10/19



**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

No. HIM/SDTP/RPB/NOC-Lease/2016-
To

84

Rampur, Dated: 21st July, 2020

✓ The District and Sessions Judge,
Kinnaur Civil and Sessions,
Division at Rampur Bushahr,
Distt. Shimla, Himachal Pradesh.

Subject:- Diversion of 1.4194 Hect. of Forest Land for construction of Judicial Courts Complex and complete separate Court block for Juvenile Justice Board at Shingla in favour of this office.

Reference:- Your application No. D&SJ/RMP/EC/N. Court Build/RMP/2018-2077 dated: 27th June, 2020 received in this office on 29th June, 2020.

Sir,

“Jai Hind”

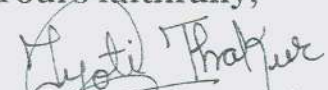
This is with reference to your office letter on the subject-cited above. In this context, it is intimated that, Khasra No. 2855/50/1, 2930/1429/2, 24/1, 36/1 and 2930/1429/1, Khata Khatauni 367/931, area 1.4194 ha. in revenue mohal Shingla, Rampur Bushahr, Distt. Shimla falls within the ambit of Planning Area, Rampur which is constituted under the provisions of **The Himachal Pradesh Town and Country Planning Act, 1977** (Act No. 12 of 1977) in the year, 1986. Therefore, the provisions under the “Revised Development Plan of Rampur Planning Area” are applicable on the aforesaid land. However, on the basis of data supplied by you, your case has been examined and it is to inform you that, there are no specific rules & regulations mentioned in the Development Plan for the Construction of a Judicial Court Complex instead general regulations ibid.p.86, related to building design & minimum plot area (viz. building height, parking, subdivision of land etc.,). A copy of the same is enclosed for your ready reference. The Proposed Land Use of the said land falls under the “**Forest Land**”, which means “Public & Semi-public” activities are not permissible on this land.

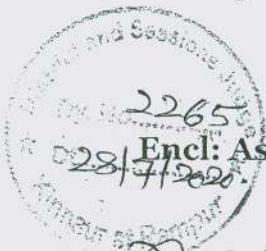
But, if the Competent Authority has *no issue for the diversion of Forest Land*; that being so, this office has *no objection*, if the aforesaid land is given on lease for the “Construction of a Judicial Court complex” to the applicant, subject to the following terms & conditions:-

“A separate Planning Permission alongwith CLU (Change of Land Use) from **Forest to Public & Semi-public Land Use** shall be required to be obtained from this office before undertaking any construction work at the site”.

This is for your information, please.

Yours faithfully,


(Jyoti Thakur)
Assistant Town Planner,
Sub- Divisional Town Planning Office,
Rampur Bushahr, Distt. Shimla,
Himachal Pradesh, Pin code: 172001
Phone Number: 01782-233213
E-mail: atpsubdivnlrampur@gmail.com



Encl: As above

D&SJ

28/7/2020

Most Urgent.
5063, 5064

No. D&SJ/RMP/EC/N. Court Build/2013-
Office of the District and Sessions Judge,
Kinnaur Civil and Sessions Division at Rampur Bushahr, H.P.

Dated: Rampur Bushahr, the 25th November, 2016.

To

26.

The Deputy Commissioner,
Shimla, District Shimla, H.P.

Subject: - Permission for providing additional accommodation for the staff,
Record-Room etc.

Sir,

'Jai Hind'

It is submitted that this office had requested the Registry of the Hon'ble High Court of H.P., vide this office letter No. D&SJ/RMP/EC/N. Court Build /2013-4404, dated 29th August, 2016 to grant permission to take up the matter with the concerned authority regarding providing of additional accommodation to the Staff of newly created Court of Ld. Additional District and Sessions Judge, Rampur Bushahr, vide Government Notification No. Home-B-E (3)15/2014, dated 29th June, 2016, Secretary (Civil Judge (Sr. Divn.)-cum-ACJM), DLSA, Rampur Bushahr and his staff, one Conference hall (for various activities of Legal Services Authority etc.), one additional Court Room and Record-Room of the Court of Civil Judge (Sr. Divn.)-cum-ACJM, Rampur Bushahr etc. till the acquisition of Hotel Highway Home and construction of new additional Court building in place of said Hotel. The Registry of the Hon'ble High Court of H.P., vide letter No. HHC/GAD/4(4)74-III-29708, dated 16th November, 2016 has granted the permission to this office to take up the matter with your good self for providing entire top floor (fifth floor) as well as making way from the top floor of Judicial Court Complex Rampur to fifth floor of the combined offices building as an interim arrangement to enable the aforementioned Court to administer justice.

You are, therefore, requested to provide the entire top floor (fifth floor) of combined offices building at Rampur Bushahr to this office as interim arrangement, at the earliest for smooth functioning of all the Courts stationed at Rampur Bushahr as well as the work of District Legal Services Authority, Rampur Bushahr.

Yours faithfully,



District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

Endst. No. D&SJ/RMP/EC/N. Court Build/2013-

Dated: 25th November, 2016.

Copy forwarded to:

The Sub Divisional Officer (Civil), Rampur Bushahr, District Shimla, H.P. for
information and necessary action.


District and Sessions Judge,
Kinnaur Civil and Sessions
Division at Rampur Bushahr, H.P.

No. RMP-SDM/GC/2018-
Office of the Sub-Divisional Officer(c),
Rampur Bushahr, District Shimla, H.P.

Dated, Rampur-172001, the

April, 2018

To

The Deputy Commissioner,
Shimla, Distt. Shimla, H.P.

Subject: - Permission for providing additional accommodation for the staff,
Record Room etc.

Sir,

Kindly refer to your office letter no. SML-Misc-195(46)/81-VIII-
139535 dated 22march, 2018 on the above noted subject.

In the regard, it is intimated that as per the directions of your goodself
the undersigned has inspected the combined office building to check the status of
availability of accommodation for the allotment to the Ld. Additional District & Session
Judge Kinnaur at Rampur and found that there is no sufficient accommodation available for
the allotment to the Ld. Additional District and Session Judge Kinnaur at Rampur in
Combined Office Building at Rampur. Further, submitted that as and when the
accommodation are available the same could be allotted the Ld. Additional District and
Session Judge Kinnaur at Rampur on priority basis. This is for favour of information
please.

Yours faithfully,

Sub- Divisional Officer(c),
Rampur Bushahr, Distt. Shimla, H.P.
Dated: 03-04-2018.

Endst. As above.

Copy forwarded to: The Ld. District and Session Judge Kinnaur at Rampur
for favour of information please.

Sub- Divisional Officer(c),
Rampur Bushahr, Distt. Shimla, H.P.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA - 171 001

No. HHC/GAD/4(52)/92-XVI- 2595]

Dated Shimla, the 21st Sept., 2013.

23.

From

The Registrar General,
High Court of Himachal Pradesh,
Shimla - 171 001.

To

The District & Sessions Judge,
1 Shimla - 171 005.

The District & Sessions Judge,
2 Hamirpur, H.P.

~~The District & Sessions Judge,~~
3 Kinnaur at Rampur, H.P.

The District & Sessions Judge,
4 Bilaspur, H.P.

The District & Sessions Judge,
5 Mandi, H.P.

The District & Sessions Judge,
6 Una, H.P.

The District & Sessions Judge,
7 Kullu, H.P.

The District & Sessions Judge,
8 Chamba, H.P.

The District & Sessions Judge,
9 Kangra at Dharamshala, H.P.

The District & Sessions Judge,
10 Solan, H.P.

The District & Sessions Judge,
11 Sirmaur at Nahan, H.P.

Subject: Creation of new Building or Additional Court Building
infrastructure to meet the requirement of accommodation.

Sir,

I have been directed to say that in the process of doubling
the strength of Judges in the Subordinate Courts in Himachal Pradesh,
the building infrastructure is required to be created in advance so



21/EC
Ase / Syed
for n/a
DASR

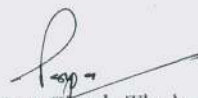
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that the Courts, which are likely to be created in next five years could not face any problem of accommodation. Likewise the furniture/furnishing items are also required to be provided in these Courts. This apart, the building infrastructure is also to be created in such a manner so that the same could meet the requirement of accommodation likely to rise in next 25 to 30 years. I have been directed to request you to identify the land at different places where the new Court Buildings are required to be constructed within your jurisdiction. In case, no land of Judiciary is available for the purpose then, the matter may please be urgently taken up with the Deputy Commissioner concerned for providing/transferring of requisite additional land for construction of additional court complex(es)/new court complexes and earmarked residences for the Judges, where new courts are to be created or Additional Courts are to be constructed.

The copies of norms for construction of various court buildings and the earmarked residences of subordinate judges, Annexure-"C", which depict that where and how much buildings are to be constructed and Annexure-B which gives the detail of the additional court buildings to be constructed and Annexure -K, which gives details of norms for providing furniture to the subordinate courts are enclosed for your information and further necessary action.

Yours faithfully,

Encl. As above.


(Partap Singh Thakur)
OSD (Buildings)

..... e

Norms

Sl. No.	Description of Accommodation	Area/Size of Accommodation
1.	Parkings for the Judges, Advocates, staff and the litigants	Sufficient space.
2.	Court Room with shelves for keeping law books, provision of electronic screen for displaying the orders being passed by the	8.00x12.00 mtrs.

	Court and also for video Conferencing and also a partition screen for recording evidence of victims of sexual offences etc.	
3.	Retiring Room for Presiding Officer with shelves for keeping books and cupboard.	5.00x5.00 mtrs.
4.	One Small pantry with each retiring room.	1.50x2.00 mtrs.
5.	One attached wash room with each retiring room	2.00x2.00 mtrs.
6.	Judges Lounge with pantry	10.00x10.00 mtrs.
7.	P.A/JW's Room with requisite shelves	5x5 mtrs.
8.	Superintendent's Room with requisite shelves.	3x3 mtrs.
9.	Reader's Room with requisite shelves	2.40x2.70 mtrs.
10.	Room for Nazir(s) with requisite shelves	3x3 mtrs.
11.	Ahlmad's Room with inbuilt shelves for keeping files.	5.00x6.00 mtrs.
12.	Room for Clerk-cum typist/Execution Clerk/Summary Clerk with requisite shelves	5.00x6.00 mtrs.
13.	Copying Agency with separate enclosed space for Photostat Machine(s).	5.00x6.00 mtrs.
14.	Process Servers' Room	4x4 mtrs.
15.	Central Library with inbuilt book racks	10.00x10.00 mtrs.
16.	Reading room with attached to Central Library	4.00x6.00 mtrs.
17.	Stores for furniture/stationery articles (3 Nos with requisite shelves)	8.00x4.00 mtrs. (each)
18.	Tiffin room for staff with requisite wash basins, sinks, heating points and exhaust fans.	8.00x6.00 mtrs.
19.	Record Room/Hall, one complete floor or different halls in one complete floor in the size of 8 x 12 mtrs. with in built file racks.	8x12 mtrs. each hall
20.	Bar Room with wash room of adequate capacity.	10.00 x 10.00 mtrs. (only Bar Room) whereas the wash room of adequate capacity should be extra.
21.	Bar Room for Lady Bar Members with wash room of adequate capacity.	8.00 x 8 Mtrs. (only Bar Room whereas the wash room of adequate capacity should be extra)
22.	Library Room attached to Bar Room with inbuilt book racks.	10.00x10.00 mtrs.
23.	Tiffin room for advocates with requisite wash basins, sinks, heating points and exhaust fans.	8.00x6.00 mtrs.
24.	Conference hall/meeting hall/auditorium with a provision for electronic display of pictures and audio-visual materials and	15x25 mtrs. (hall only) and other specifications as per

	provision for focusing of lights with a pantry of required size and also sufficient gents' and ladies' wash rooms.	sitting capacity of the auditorium/hall.
25.	Canteen	6.00x7.00 mtrs.
26.	Wash, Pantry and Serving counter in Canteen	3.60x6.00 mtrs.
27.	<i>Malkhana</i>	4.00x5.00 mtrs.
28.	Litigant's Waiting Hall outside the court room.	8.00x12.00 mtrs.
29.	Witness Waiting Room	4x4 mtrs.
30.	Expert Witnesses' Waiting Room with wash room of adequate capacity.	4x5 mtrs.
31.	Ladies' Judicial Lockup with wash room	4.00x4.00 mtrs.
32.	Gents' Judicial Lockup with wash room	4.00x4.00 mtrs.
33.	Gents' wash room in each floor with provision for use of the same by the male persons with disability.	1 No. (Wcs and urinals sufficient Nos.) plus wash basins.
34.	Ladies' wash room in each floor with provision for use of the same by the female persons with disability.	1 No. i.e sufficient W.Cs. plus wash basins.
35.	Chowkidar's and Security personals' Rooms 2 Nos.	3.00x3.60 mtrs. each
36.	Kitchen with Chowkidar's Room and security personals' Room.	2.00x2.00 mtrs. each
37.	Wash rooms cum bath with Chowkidars' and Security Personals' Room.	2.50x1.50 mtrs. each
38.	Separate Recreation Rooms for Judges, Advocates and staff members.	6x10 mtrs each (3 Nos.)
39.	Front Office of Legal Aid	5x5 mtrs.
40.	Mediation Centre	6x4 mtrs.
41.	Mediation Chamber for separate sessions 2 in each Court Complex	3.50x3.50 mtrs.
42.	Waiting Hall with cushioned benches in mediation center and attached wash room of adequate capacity.	6x4 mtrs.
43.	One retiring Room for Coordinator with attached wash room	6x5.50 mtrs (total area)
44.	Computer Room	6x6 mtrs.
45.	Separate Printer room with a provision for keeping the stationery	3.50x3.50 mtrs.
46.	Space for keeping air conditioning equipment	3.50x3.50 mtrs.
47.	A hall for I.T Personals with provision for space for repair of computers in the form of separate cabin	8.00x8.00 mtrs.
48.	Store Room with computer room	3.50x3.50 mtrs.
49.	Locker/changing room for computer professionals.	3.50x3.50 mtrs.
50.	Computer service Centre with provision for digital display screen/system for displaying the orders etc passed by the courts.	6x6 mtrs.

51	Space for small museum at the entrance of each Court Complex to keep artefacts	(Appropriate Size)
52	Room for Court Manager with attached wash room.	4x4 mtrs.
53	A Room for housing Sub Post Office	4x4 mtrs.
54	A room for extension Counter of any Nationalized or Local Bank with Locker.	7x7 mtrs.
55	Reception Centre with space for waiting	4x4 mtrs.
56	A Creche Room with wash room and small pantry for the benefit of Advocates/staff and litigants	6x6 mtrs.
57	Document writers' room with space for keeping computers.	5x5 mtrs.
58	Stamp Vendors' Room	5x5 mtrs.
59	Ramps for persons with disability	----
60	Barille Symbols in the lift/elevators for disabled	----
61	Every Court complex having multi-storeyed structure i.e more than three stories must have provision for lifts for Judges, at least two or more other lifts/elevators for Advocates, Staff and litigants and also trolleys for carrying files.	----
62	A provision for a central-heating in each Court building in winter zone and Central Air Conditioning or Central Cold and hot system in the Court building in summer zone.	---
63	Proper solar energy mechanism system to tap solar energy	
64	<u>Additional requirement of some accommodation for District/Additional District Judges</u>	
(i)	Provision for a waiting room outside the Chamber of District and Sessions Judge/Additional District and Sessions Judge.	3.50x3.50 mtrs
(ii)	Court room of the District/Additional District Judges.	9x15 mtrs.
(iii)	Retiring room for District/Additional District Judge with each Court.	6x6 mtrs.
(iv)	One additional room in the shape of an additional hall for additional staff in Appellate Court	6x6 mtrs.
65	Accommodation for Juvenile Justice Boards which should definitely be in the vicinity of the existing Court Complex but not within the existing Court Complex.	----

i)	Room without raised platform for holding proceedings of the Juvenile Justice Boards	8.00x12.00 mtrs.
(ii)	Retiring room for members of JJB with one attached toilet.	4.00x4.00 mtrs.
(iii)	Retiring Room for Principal Magistrate	4.00x4.00 mtrs.
(iv)	One wash room with the retiring room	1.50x2.00 mtrs.
(v)	Waiting Room for witnesses	5x5 mtrs.
(vi)	Waiting Room for Juveniles in conflict law	5x5 mtrs.
(vii)	Room for expert witnesses with attached wash room	5x5 mtrs.
(viii)	PAs'/JW's Room	4x4 mtrs.
(ix)	Reader's Room	2.70x3.00 mtrs.
x)	Staff Room	5x5 mtrs.
(xi)	Ahlmad's Room	4x5 mtrs.
(xii)	Copyist Room	4x4 mtrs.
(xiv)	Toilets for Person with Disability (male and female) one each	Standard size
(xv)	Toilets for General public, Advocates and Staff one each male and female	Standard size and as per the structure of the building.
66	Provision for acqua-guard or water cooler on every floor	
67	Proper disaster management mechanism and the building should be earthquake resistant with proper provision for water harvesting and land scaping	
68.	Provision for digital display outside each Court room, Bar room and Canteen to show the case being called or taken up in each court	
69.	Diesel generator/solar DG sets of sufficient capacity to cater to the need of electricity supply as well as the requirement of entire computer infrastructure in the event of failure of electricity supply so that there is electricity supply in each court complex 24x7 and even there should be regular electric supply to each court complex.	
70	Provision for proper fencing of the entire court complex.	
71	Provision for campus lights and sufficient provision of flood lights in the hall on the badminton court whatever is the case.	

72	Special service floor of adequate size for keeping plant of central heating and air conditioning etc. generator sets, electrical control room with proper ducts etc.	
73	PWD. (B&R) Enquiry Room	3x3 mtrs.
74	PWD (Electrical) Enquiry Room	3x3 mtrs.

Kindly note:- The specifications of the accommodation as suggested hereinabove can be adjustable by the Architect while preparing design as per availability of land/space but the total area as suggested above should not be decreased substantially and if it is not possible to construct a badminton hall then there should be a provision for proper badminton court of standard size and the above parameters/norms are minimum which are required to be followed while constructing the judicial court complexes and earmarked residences of the subordinate judges and the Architect in view of latest developments in the field of construction can also add on other accommodation or facilities which are normally provided in the government buildings and earmarked residences.