

## SUPREME COURT OF INDIA

### ***Standard Operating Procedure for Ld. Advocate/Party-in-person for e-Filing, Mentioning, Listing and Video Conferencing Hearing***

In order to contain the spread of Coronavirus (COVID-19), considering the prevailing situation, and taking into account the suggestions received from various quarters and the guidelines issued by the Government of India and Government of NCT of Delhi from time to time, Hon'ble the Chief Justice of India has been pleased to direct the constitution of the Hon'ble Bench(es) to hear matters in the coming weeks since the Hon'ble Virtual Courts will be functioning from 18<sup>th</sup> May, 2020 to 19<sup>th</sup> June, 2020 [both days inclusive], that is, during the earlier notified summer vacations through Video Conferencing / Tele-Conferencing mode only.

The present circular is being issued in supersession of the procedures regarding e-filing, mentioning, etc. prescribed under the previous circulars dated 23<sup>rd</sup> March 2020, 26<sup>th</sup> March 2020 and 17<sup>th</sup> April, 2020 reiterating and further elaborating *Standard Operating Procedure* (SOP) for e-filing, mentioning, listing and hearing of matters through video conferencing/tele-conferencing.

### **LISTING OF MATTERS**

#### **Categories of matters to be taken up for hearing**

1. The fresh matters lying in the pool which could not be listed due to outbreak of Coronavirus (COVID-19) pandemic are scheduled to be listed before the Hon'ble Virtual Court for hearing during the period indicated above.

2. Once the pool of fresh matters is exhausted, matters belonging to Short Categories, which are ready for listing, will be listed before the Hon'ble Virtual Court for hearing.
3. In addition to the fresh matters and short category matters, such other matters shall also be listed for hearing, as may be directed.

### **Schedule of publication of cause list**

1. The schedule of publication of cause list, as far as possible, will be as under:-

<b>Day of the publication of cause list</b>	<b>Day for which cause list will be published</b>
Thursday	Monday
Friday	Tuesday
Saturday	Wednesday
Monday	Thursday
Tuesday	Friday

2. Timings of sitting of the Hon'ble Virtual Courts will be notified in the respective cause-lists.

### **INSTRUCTIONS FOR JOINING VIDEO-CONFERENCING /TELE-CONFERENCING FOR HEARING OF LISTED MATTERS**

1. The Advocate-on-Record/Party-in-Person shall specify as to whether he would link to the Hon'ble Bench through own Desktop/Laptop Computer or would prefer to avail the facility for video-conferencing in the Supreme Court premises. The web-link for joining the video-conference shall be provided to the Advocate-on-Record registered at the time of the AOR Code Generation. For any corrections, the Advocate-on-Record may follow the prescribed procedure. The web link for joining the

Party-in-Person shall be provided on the e-mail id and/or mobile number mentioned at the time of filing the petition.

2. In a matter wherein the Advocate-on-Record requires a Senior Advocate or an arguing counsel to appear and conduct the hearing and/or a litigant to view the proceedings, the concerned Advocate-on-Record shall indicate the contact details like name, e-mail id and mobile number of the Senior Advocate/Arguing Counsel and the litigant through e-mail on the e-mail id [video.conference@sci.nic.in](mailto:video.conference@sci.nic.in).
3. It may be noted that a maximum of two appearance links will be provided per party together with one viewing link that may be provided for the litigant, separately. Hence, it is expected that the request for such links be forwarded on afore-mentioned email-id at the earliest, latest by 2 PM on the day preceding the hearing of the matter.
4. Parties may kindly note that desktop/laptop/tablet computers provide stable connectivity for a video-conference, whereas signal drop/incoming call on mobile devices can delink such devices from an ongoing video-conference disrupting such video-conferencing.

## **MENTIONING & E-FILING**

In all matters involving urgency, the Advocate-on-Record/Party-in-person is first required to file the petition/miscellaneous application, preferably through the **e-filing** mode available on the Supreme Court website, as per procedure elaborated at the link [https://main.sci.gov.in/php/FAQ/5\\_6246991526434439183.pdf](https://main.sci.gov.in/php/FAQ/5_6246991526434439183.pdf). Upon completion of all the formalities, as per Rules governing such petition/miscellaneous application, and upon its due registration the

Advocate-on-Record/Party-in-person is permitted to send separately the signed and verified mentioning-application containing a synopsis of urgency not exceeding one page.

1. The mentioning-application shall be submitted only by e-mail at the email address [mention.sc@sci.nic.in](mailto:mention.sc@sci.nic.in). Mentioning applications received by 2 PM on a particular day shall be processed for listing in the cause-list to be published immediately thereafter, as per the afore-mentioned schedule, subject to availability of the concerned Bench and approval of the Competent Authority. The mentioning-applications received thereafter would be processed for listing in the cause list on the next scheduled day of publishing of the cause-list.
2. The matters involving extreme urgency shall be dealt with in accordance with the established guidelines already published on the official website of the Supreme Court of India at the link [https://main.sci.gov.in/php/FAQ/5\\_6246991526434439183.pdf](https://main.sci.gov.in/php/FAQ/5_6246991526434439183.pdf).
3. The mentioning-application must *inter-alia* clearly contain the case-details and contact-details of the Advocate-on-Record/Party in-person like e-mail ID, mobile number with alternate number(s), camp/office address stating Pin Code and Police Station;
4. The mentioning-application shall include a separate paragraph(s) with a prayer for exemption from filing duly affirmed affidavit in the prevailing circumstances, together with an undertaking to the effect that physical copies of documents relied upon in the petition, deficit court fees\* or other charges, if any, shall be filed at the earliest;

**\*Note** : Court fee can be paid online by following the procedure given the official website of the Supreme Court of India.

5. The parties shall not be permitted to rely upon any document other than the documents duly filed along with the petition/misc. application in conformity with the Rules during the course of hearing;
6. In the mentioning-application, the Advocate-on-Record/Party-in-Person must specify as to whether he would link to the Hon'ble Bench by video-conferencing through desktop or laptop Computer or would prefer to appear at the video-conference facility in the Supreme Court premises.
7. In a matter, where a Senior Advocate/ Arguing Counsel may appear and conduct the hearing, the Advocate-on-Record is required to additionally indicate the contact details (*as in cl. 2 above*) of the Senior Advocate/Arguing Counsel, in the mentioning-application;
8. In a matter where the litigant seeks to view the proceedings, the Advocate-on record may additionally indicate the contact details (*as in cl. 2 above*) of the litigant, in the mentioning-application;
9. It may be noted that a maximum of two appearance-links will be provided per party, together with one viewing-link that may be provided for the litigant separately; hence, it is expected that request(s) of such links, if any, should be clearly made in the mentioning-application to enable the Registry to provide the links in time at each point, at the time of the hearing. Any exceptions to the prescribed procedure, if supported by cogent and sufficient reasons, may be placed before competent authority.
10. It may further be noted that the party in person(s) and/or Advocate(s)-on-Record, whose matter(s) is/are listed for hearing

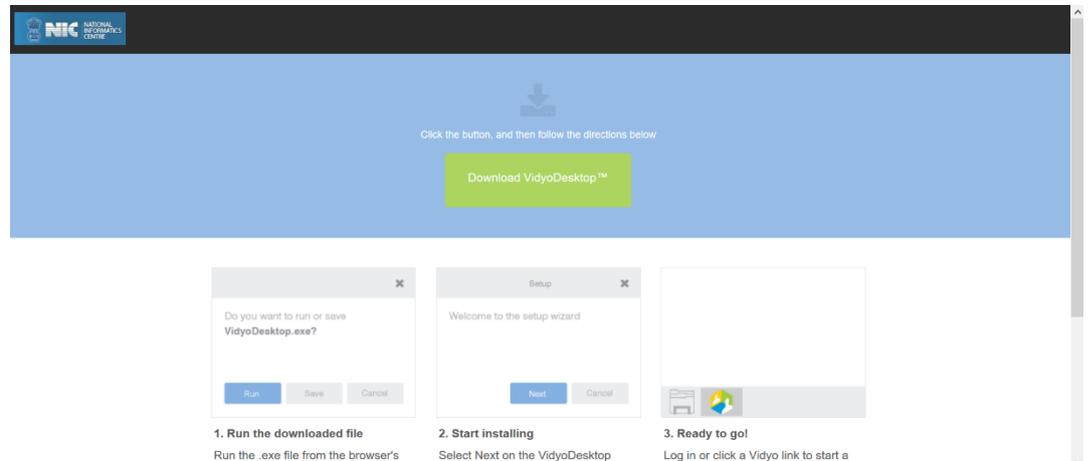
before Hon'ble Virtual Court and who have not furnished their mobile number and/or email ID shall furnish the correct and updated mobile number and/or email ID through email on [video.conference@sci.nic.in](mailto:video.conference@sci.nic.in) at least one day prior to the scheduled date of hearing in order to provide necessary link for video conferencing in the manner provided hereinabove, failing which, for want of necessary link, they may not be able to participate in the proceedings and may suffer adverse consequences.

### **INSTRUCTIONS FOR JOINING VIDEO CONFERENCING/ TELE-CONFERENCING**

PARTIES may kindly note that, for the present, the matters shall be heard by the Hon'ble Bench through web-based video-conferencing system on the VIDYO platform hosted on the servers of National Data Centre of National Informatics Centre, Govt. of India and in case the video conferencing is not functional, through tele-conferencing. It may be further noted that smooth functioning of the video-conference is squarely dependent upon and subject to the connectivity [signal-strength/bandwidth] available at the end of the remote user(s), and hence it is expected that any party joining a video-conference hearing shall ensure robust connectivity and bandwidth are available at their end – in this regard, parties may use broadband connection of minimum 2 mbps/dedicated 4G data connection, and may also ensure that no other device or application is connected to or using the bandwidth when the hearing by video-conferencing is progressing on their Vidyos-enabled computer.

For ease-of-use, parties may kindly inform themselves of the following *Standard Operating Procedure* in respect of hearing of cases through video-conferencing mode :

1. To join video conferencing on VIDYO platform, parties are required to download VIDYO DESKTOP application from the site <https://nofnvc.nic.in> on their laptop or desktop on any compatible operating system.

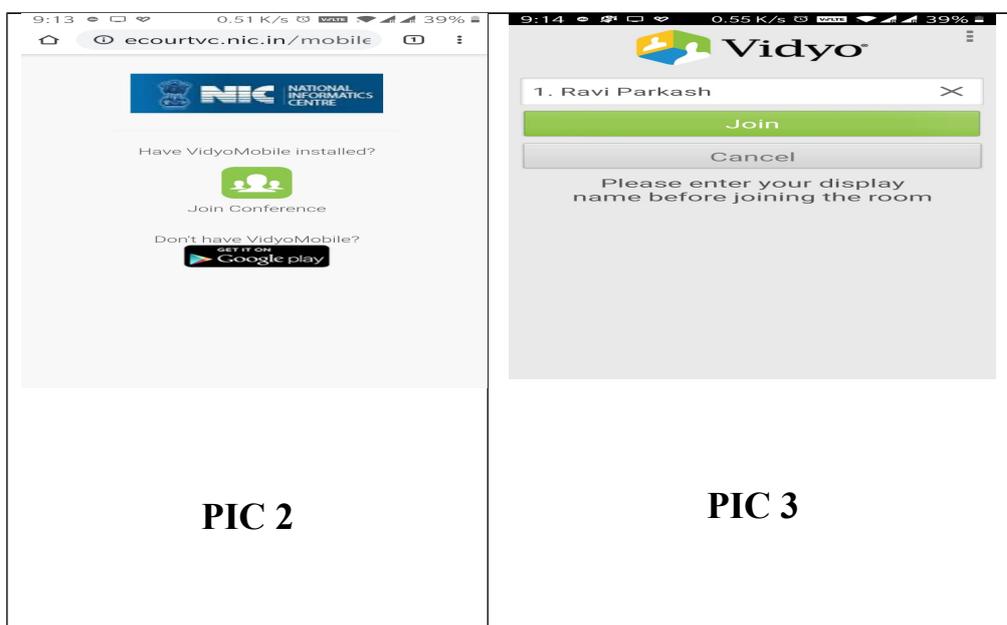


PIC 1: Download Link

2. Similarly, parties may join the video conferencing on VIDYO platform by downloading the VIDYO MOBILE application in a compatible mobile device (phone or tablet) either from <https://play.google.com/store/apps/details?id=com.vidyo.VidyoClient> Google Play Store (Android device) or from <https://apps.apple.com/us/app/vidyomobile/id444062464> Apple APP Store (iOS device), on the same mobile number as mentioned in their contact-details in mentioning-application;
3. The Invitation Link for appearance and viewing, as the case may be, will be sent by the Registry to the given mobile no(s)/e-mail id(s) by SMS/e-mail/WhatsApp around half-an-hour before the scheduled hearing, and parties may kindly note that each of the link so sent to any device is required to be unique and hence, parties may not share or forward such link(s) to any other device

nor shall they enable others to join the hearing through video-conference;

4. The party concerned will be advised to click on the link provided, as received on their computer (preferable) or mobile device, upon which a window as depicted below in **PIC 2** shall open; thereafter, the party is required to click on the “**Join Conference**” button;
  
5. Upon clicking the “**Join Conference**” button, a ‘**VIDYO**’ display window as depicted in PIC 3 below shall open, prompting the party to enter the display name before clicking “**Join**” button; the party is required to write his/her name with designation by prefixing item no.(*of the cause list*) in the space given ie: **ITEM NO. 123 - RAVI PRAKASH AOR/PTNR** OR **ITEM NO. 123 - RAVI PRAKASH SR. ADV./PTNR** OR **ITEM NO. 123 - RAVI PRAKASH PARTY-IN-PERSON**, as the case may be, and thereafter the party is required to click on the ‘**JOIN**’ button;



6. After having clicked on the 'JOIN' button, as in PIC 3 above, the party would join other parties in a virtual waiting room, and parties would be required to wait patiently for being joined to the virtual Court room for their respective hearing;
7. Upon being joined to the virtual Court room, arguing counsel shall introduce himself to the Hon'ble Bench and thereafter, shall wait for the instructions from Hon'ble Bench – on being asked, party may make submissions and on completion of the submissions, shall at once '**mute**' the MIC of the respective device, if the Hon'ble Bench requires the party to make further submission(s), the party may then '**unmute**' the MIC of the device and again, on completion of the submission, put the MIC on '**mute**' mode;
8. It is important for parties to remember to keep their MIC on '**mute**' at all times, except when the Hon'ble Bench requires them to make submission(s); thus, when one party is making submissions, it is imperative that all other participants shall keep their respective MIC **muted** failing which the possibility of MIC catching audio feed from the speakers and creating '**echo/noise-disturbance**' would become very high and may disturb the video-conference;
9. It may be noted that simultaneous submissions by more than one party at any given time **should be avoided** and each party may indicate requirement to speak/submit by asking for permission from Hon'ble Bench, **by raising a hand**. Once permitted by the Hon'ble Bench, the party shall first '**unmute**' the MIC and thereafter make submissions, as per clause 8 above.
10. During hearing through video-conferencing, the parties may kindly keep in mind that they are participating in **COURT**

**PROCEEDINGS**, and hence it is expected that they would not resort to any indecorous conduct or dress or comment; further, parties are required to ensure that the proceedings by video-conference are neither recorded/stored nor broadcast, in any manner whatsoever, as **recording/copying/storing and/or broadcasting, by any means**, of the hearings and proceedings before the Supreme Court of India are **expressly prohibited**;

11. Parties are required to **stay online till Hon'ble Bench concludes** the hearing of their matter, whereafter the parties may disconnect from video-conference;
12. Upon publication of the cause-list, the **Registry may call any party and require to test the device or its connectivity**, and every such party is required to cooperate with such staff/official and abide by the instructions given, so that the hearing by video-conference may be smoothly conducted;
13. After publication of cause list, a WhatsApp group may be created by the Registry before the hearing of the matters where the participants may raise any query related to video conferencing. **That apart, the parties may contact Helpline Telephone Number 1881.**
14. In case of non-availability/technical issue in connecting the video conferencing for hearing, the parties may be joined through tele-conferencing through landline/mobile phone.
15. It would be obligatory upon the AOR/Arguing Counsel/Party-in-Person to keep their phone(s) available for incoming calls for joining them in the tele-conferencing.