

SUPREME COURT OF INDIA

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

In order to contain the spread of Coronavirus (COVID-19), considering the lockdown declared by the Government of National Capital Territory of Delhi and the suggestions of the Bar Associations, Hon'ble the Chief Justice of India has been pleased to direct the constitution of the Hon'ble Bench(es) to hear only matters involving extreme urgency, to be decided by the Hon'ble Presiding Judge of such Bench(es) on the basis of prayer made by Advocate-on-Record/Party-in-person by way of a signed and verified mentioning-application containing a synopsis of extreme urgency not exceeding one page, similar to the urgency affidavit filed during Court Vacation periods.

The present circular is being issued in supersession of previous circulars dated 23rd March 2020 and 26th March 2020 reiterating and further elaborating *Standard Operating Procedure* (SOP) for e-filing, mentioning and hearing of urgent matters through video conferencing.

MENTIONING & E-FILING

In all matters involving extreme 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. 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 extreme 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. Mentioning application received by 5 PM, two days' preceding the date of hearing shall be processed for such date. The mentioning-applications received thereafter would be processed for the next date of hearing.
2. 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;
3. 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;
4. 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;
5. The mentioning-application must also contain a separate paragraph giving consent that the matter may be taken up through the video-conferencing mode;

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 own desktop/laptop/mobile phone or would prefer to appear at the video-conference facility in the Supreme Court premises; **in this regard, 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 VC;**
7. Upon approval of the urgency by the Competent Authority, the case(s) would be listed before the Hon'ble Bench in due course; in case the application praying for listing on grounds of extreme urgency is declined, the AOR/Party-in-Person would be intimated through e-mail. Re-mentioning of case through landline phone at the residence of His Lordship or otherwise will not be permitted;
8. 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;
9. 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;
10. It may be noted that a maximum of two appearance-links will be provided per party, together with one viewing-link that may be

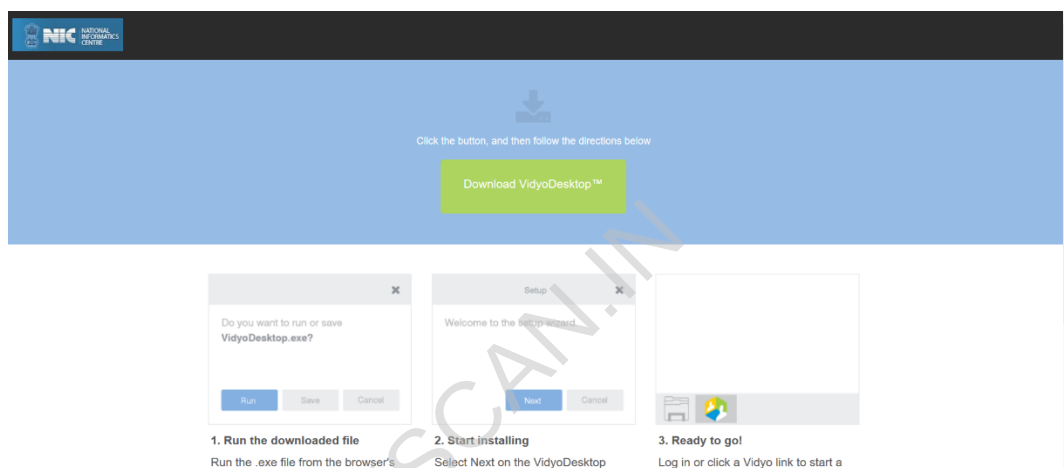
provided for the litigant separately; hence, it is expected that request(s) of such links, if any, should be clearly made in the mentioning-application to enable the Registry to provide the links in time at each point, at the time of the hearing. Any exceptions to the prescribed procedure, if supported by cogent and sufficient reasons, may be placed before competent authority.

INSTRUCTIONS FOR JOINING VIDEO 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. 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 Vidyo-enabled computer (preferable) or mobile.

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 <http://ecourtvc.nic.in> on their laptop or desktop on any compatible operating system.

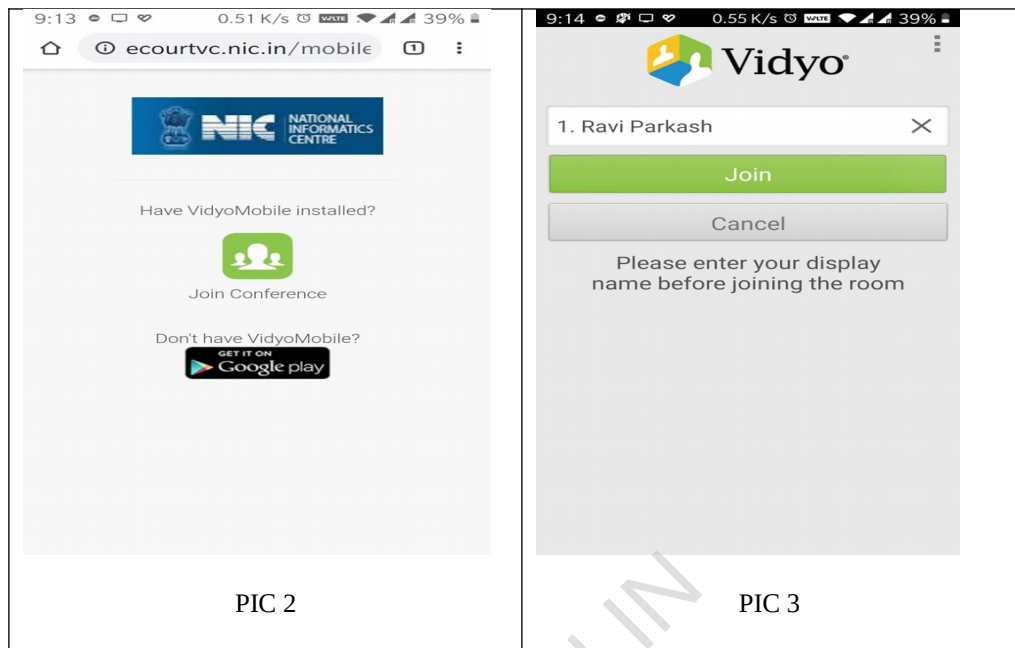


PIC 1: Download Link

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 Mentioning Helpline Telephone Numbers 011-23381463 and 011-23111428, as per procedure mentioned vide Circular dated 07.04.2020 available on the website of Supreme Court of India.**
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