

HIGH COURT OF TRIPURA
AGARTALA

No. F. 4(37) - HC/Vol.II/ 7086

Dated, Agartala, the 15th April, 2020

NOTIFICATION

In view of the exigency caused by the imminent threat to the human life by the massive breakout of COVID-19 (Novel Corona Virus) and as per the directions of the Hon'ble Supreme Court of India in the order dated 6th April 2020 in *Suo Motu Writ (Civil) No 5 of 2020, In Re : Guidelines for Court Functioning through Video Conferencing During COVID 19 Pandemic*, to reduce physical presence in the Court by promoting social distancing, for the safety of litigants, advocates and the staff and in the larger public interest in order to effectively ensure access to justice having due regard to requirements of public safety in the prevailing circumstances, the High Court of Tripura has been pleased to formulate the following Module for Virtual Hearing of cases through Video Conferencing with regard to conduct of the business of the High Court, to be applicable from 15.04.2020 and till the restrictions in view of COVID-19 virus persist.

MODULE FOR VIRTUAL HEARING OF CASES IN THE HIGH
COURT OF TRIPURA THROUGH VIDEO CONFERENCING
DURING COVID-19 PANDEMIC

PROCEDURE FOR FILING OF CASES

1. The present practice of filing of fresh matters in hard copies shall continue during this crisis period i.e. the filing shall be in the same manner as is being done presently. Payment of court fee and filing of affidavit by petitioner, as of now are optional. An unsworn undertaking shall however be filed by the Advocate filing the case that the contents of the petition/appeal/application are as

per the instructions given to him by the litigant, that affidavit of the party shall be filed and court fees shall be deposited within such time as by a special or a general order passed by the Court. The Advocate shall also provide a scanned copy of the petition/appeal/application by mailing it to the Registrar General whose email address is rg.trphc@indiancourts.nic.in.

2. The advocates filing the cases shall submit their Advocate Code/Bar Council Enrolment Number, Registered Mobile Number (*preferably one which is linked to WhatsApp*) and a valid email id (*for sending official communications from the High Court*) alongwith the material papers at the time of filing.
3. The reply /rejoinder /interlocutory application /miscellaneous application, if any, to be filed during this period in connection with a case, shall also be as per the method prescribed above.
4. At the time of filing, the Advocate shall declare his option regarding appearance in the hearing of the case either by:
 - a) Physical presence in a designated room in the Registry of the High Court from where the Advocate shall address the Court through a Video-link,

OR

- b) Cloud based Video Conferencing where submissions can be made by the Advocate using a mobile phone, laptop etc. having Internet connection.

PROCEDURE FOR HEARING OF CASES THROUGH VIDEO CONFERENCING

5. Ordinarily 'Zoom Cloud Meetings' or 'Vidyo' Video Conferencing (VC) Software Applications shall be used for conducting virtual hearing through Video Conferencing. However, if required, all other alternative means such as using other VC applications like Jitsi Meet, Cisco WebEx, Google Hangouts, Microsoft Teams etc. may also be resorted to for ensuring proper hearing of a matter.

6. Hardware based VC system shall also be installed in the premises of the High Court for those Advocates who are unable to make arrangements for appearing before the Court through Video Conferencing from their residence. However, in view of the serious health risk posed by movement outside of home at this juncture, all concerned are urged to stay at home or office and appear through VC in the manner prescribed in this Module. In the event, any Advocate chooses to appear through Hardware VC system installed in the Court premises; he/she shall follow the procedure prescribed in point no. 4(a) of this Module. The Advocate concerned shall wear a face mask and hand gloves while in the room and would take all precautionary measures as per the health advisory of the Government of India and State Government. The Superintendent, Court Officer Section of the Registry shall arrange for frequent sanitization and cleaning of such VC rooms.
7. Advocates and litigants are advised to ensure availability of *Zoom Cloud Meetings* or *Vidyo* application on their respective devices i.e. mobile phones, laptops, desktops etc. It is also advisable to ensure optimum internet connectivity in the device which the concerned Advocate(s) shall use to appear through Video Conferencing.
8. Arrangement of mobile phone/ laptop/ desktop computer and any other VC equipment or internet connectivity for conveniently appearing through Video Conferencing from home shall have to be made by the concerned Advocate/ Party.
9. The concerned Advocates, whose case is listed for hearing shall remain in readiness for VC during court hours on the date of listing and they shall promptly log into the VC (Virtual) Room through *Zoom Cloud Meetings* or *Vidyo* only after intimation is sent to them in this regard.

10. Intimation shall be sent by the Registry in advance to the concerned Advocate(s) through SMS / *WhatsApp* message/ E-mail containing details of joining the Virtual Court-room through Video Conferencing. Such intimation shall contain the VC link or Meeting credentials (ID and Password) and time slot for hearing, if any. Hence, Advocates are advised to maintain steady access to their designated email id, mobile phones and VC software during the Court hours till their matter is taken up for hearing.
11. Advocates whose matters are listed for hearing shall remain in alertness with all readiness well ahead as prescribed above during court hours and they should make themselves available before the court through VC as soon as the Registry reaches out to them with VC joining details. If the concerned Advocate is not available before the Bench through VC after being provided with the VC joining details, then his/her matter may be taken up at such time or date as may be directed by the Court.
12. If the Advocate is unable to connect to the Court through Video Conferencing at the time of hearing, his matter may be taken up for hearing in such manner as may be directed by the concerned Bench.
13. Recording and sharing or publishing of the Court proceedings held through VC sessions is strictly prohibited. Any breach of this direction by anyone shall be dealt with strictly and would be treated as Contempt of Court.
14. Every Advocate appearing before the court for hearing through VC shall maintain necessary decorum. The Advocates appearing through VC may not wear robes and bands but are expected that they should be properly dressed having regard to the decorum of the Court proceedings.
15. In case due to any technical reason the VC session gets disconnected during the court proceedings, then Registry shall attempt to re-connect the concerned

Advocate(s) to VC. In case of abrupt interruption in VC, the concerned Advocate shall await the intimation of the Registry for resuming the VC session or for any other necessary steps as may be required to be taken for hearing of the matter in accordance with the direction of the concerned Bench.

16. No Advocate shall join a VC session for argument of the case without receiving appropriate intimation in this regard from the Registry and once the hearing of the matter is over, the concerned Advocate(s) shall leave the VC session at once.
17. During the hearing through VC, the Advocates are requested to keep the Microphones of their devices on 'Mute' mode during the hearing of other matters, if they join the Virtual Court-room prior to their turn and only to turn on their Microphones when their matter comes up for hearing.
18. The Registry shall publish the VC credentials of the Zoom Cloud Meeting such as Meeting Link and Meeting ID of virtual hearing of a case to be taken up for hearing in advance in the Official Website of the High Court prior to the date of hearing. All persons attending the hearing shall maintain silence. Their Microphones shall be muted except those Advocates who are addressing the Court. The host is authorized to remove any person if any of the conditions are breached. Number of people who can join simultaneously being limited, in case of overcrowding, everyone is requested to give preference to the lawyers and particularly those whose cases are listed before the Court.
19. The Land Line Number of the Computer Section of this Registry 0381-2415799 is declared as Help Line Number to resolve all connectivity and related issues. However, such complaint shall be communicated by the Advocate(s) during the proceeding or immediately after the conclusion of the proceeding failing to which no grievance in regard to it shall be entertained thereafter. Such Help Line Number shall be published in the Official Website of the High Court for general information. The Registry is in the process of taking a five digit Help Line

Number for this purpose which shall be notified shortly.

20. A Tutorial on how to operate Zoom Cloud Meeting Application shall be published in the Official Website of the High Court for better understanding of the functionality of the software application by all concerned.
21. If for any reason VC session cannot be conducted in any case, the same shall be heard in the manner as may be directed by the Court.

MISCELLANEOUS

22. Notwithstanding anything contrary contained in any other Rules in force, the provisions of this Module shall prevail over the provisions of any Rules in force.
23. Where no Advocate has been engaged by a party, the word '*Advocate*' wherever occurring in this Module, unless the context otherwise requires, shall also include the '*Party-in-Person*'.
24. The procedure prescribed above shall be applicable for virtual hearings of fresh as well as pending matters before the Hon'ble Court.

By Order,

Sd/-

(D.M. Jamatia)
Registrar General

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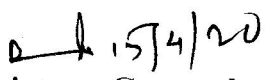
Dated, Agartala, the 15th April, 2020

Copy to:-

1. The Secretary General, Hon'ble Supreme Court of India, New Delhi;
2. The Registrar Generals of all the High Courts in India;
3. The Secretary, Government of India, Ministry of Law & Justice, New Delhi;

4. Principal Secretary to Hon'ble the Chief Justice, High Court of Tripura, Agartala;
5. The Secretary to Hon'ble Mr. Justice S. Talapatra, Judge In-Charge, ICT including eCourts Project, High Court of Tripura, Agartala;
6. The Secretary to Hon'ble Mr. Justice A. Lodh, Judge, High Court of Tripura, Agartala;
7. The Secretary to Hon'ble Mr. Justice S.G. Chattopadhyay, Judge, High Court of Tripura, Agartala;
8. The Advocate General, Tripura, Agartala;
9. The Secretary, High Court Bar Association, Agartala;
10. The Secretary, Tripura Bar Association, Agartala;
11. The Chairman, Bar Council of Tripura, Agartala;
12. The Assistant Solicitor General of India, Government of India, Agartala;
13. The Public Prosecutor, High Court of Tripura, Agartala;
14. The Government Advocate, High Court of Tripura, Agartala;
15. The LR & Secretary, Law, Government of Tripura, Agartala;
16. **The District & Sessions Judge**, South Tripura Judicial District, Belonia / Gomati Judicial District, Udaipur / West Tripura Judicial District, Agartala / Unakoti Judicial District, Kailashahar / North Tripura Judicial District, Dharmanagar / Khowai Judicial District, Khowai / Dhalai Judicial District, Ambassa / Sepahajala Judicial District, Sonamura; for information and necessary action. They are requested to circulate the Order to all the Bar Associations under their respective Districts;
17. **The Judge, Family Court**, West Tripura Judicial District, Agartala / Unakoti Judicial District, Kailashahar / Gomati Judicial District, Udaipur / Dhalai Judicial District, Ambassa / Khowai Judicial District, Khowai / Sepahajala Judicial District, Sonamura for information and necessary action;
18. The Registrar (Vigilance), High Court of Tripura, Agartala;
19. The Registrar (Judicial), High Court of Tripura, Agartala;
20. The Registrar (Admn. P & M), High Court of Tripura, Agartala;
21. The Joint Registrar, High Court of Tripura, Agartala;
22. The Deputy Registrar(s), High Court of Tripura, Agartala;
23. The Chief Librarian, High Court of Tripura, Agartala;
24. The Assistant Registrar(s), High Court of Tripura, Agartala;

25. The System Analyst, Computer Section, High Court of Tripura, Agartala. **He is directed to upload this Notification in the official website of the High Court of Tripura;**
26. All the Superintendents, High Court of Tripura, Agartala;
27. The Sr. Grade Translator -cum- I/C Paper Book Section, High Court of Tripura, Agartala;
28. The Court Master(s), High Court of Tripura, Agartala;
29. The Bench Clerk(s), High Court of Tripura, Agartala;
30. Notice Board of the Court House and
31. ORDER FILE.


Registrar General