

Email**State Commission Maharashtra**

Practice Directions for Uniform Procedure for Hearing of matters through Video Conferencing.

From : Registrar NCDRC <ncdrc@gov.in>

Fri, Jun 25, 2021 12:42 PM

Subject : Practice Directions for Uniform Procedure for Hearing of matters through Video Conferencing. 1 attachment**To :** State Commission Maharashtra <mah-sforum@nic.in>, Ganesh S to KSCDRC <karscdrc@kar.nic.in>, ap-sforum@nic.in, an-sforum@nic.in, aplegalmet@gmail.com, AssamState Consumer Commission <asm-sforum@nic.in>, Registrar, SCDRC, Bihar, Patna <bih-sforum@nic.in>, Rakesh Singh Rawat <stcomm-chd@nic.in>, Chhattisgarh State Consumer Disputes Redressal Commission R <chg-sforum@nic.in>, Shri Chandubhai Baraf <dnhsforum@nic.in>, del-sforum <del-sforum@nic.in>, Goa State Commission <goa-sforum@nic.in>, cdrcgujaratstate@gmail.com, hr scdrc <hr.scdrc@gmail.com>, SCC scc HP <scc-hp@nic.in>, jksforum <jk-sforum@nic.in>, SCDRC <jkh-sforum@nic.in>, kersforum <ker-sforum@nic.in>, fcskvt@gmail.com, Registrar, MP Consumer Commission <scdrcbho@mp.nic.in>, Registrar <mansforum@nic.in>, meghstcom@gmail.com, TSP <miz-sforum@nic.in>, nag-sforum <nag-sforum@nic.in>, State Commission Odisha <ors-sforum@nic.in>, Registrar State Consumer Disputes Redressal Commission <scdrc.pon@nic.in>, SCDRC PB <pun-sforum@nic.in>, State Consumer Disputes Redressal Commission <raj-sforum@nic.in>, State Consumer Dispute Redressal Commission Sikkim <scdrc-sik@nic.in>, tn scdrc <tn.scdrc@gmail.com>, State Commission Tripura <tri-sforum@nic.in>, State Consumer Disputes Redressal Commission UP Lucknow <up-sforum@nic.in>, Registrar State Consumer Disputes Redressal Commission <scdrc-uk@nic.in>, State Commission, Kolkata <wb-sforum@nic.in>, A P STATE COMMISSION <apscdrc@ap.nic.in>, kar-sforum@nic.in, SCDRC Telangana <scdrc-ts@nic.in>, ahmediqbal123@rediffmail.com, state commissionani <state_commissionani@yahoo.in>, statecommissionani@gmail.com

Cc : Svanumantharao@gmail.com, Iqbal Ahmed
<dr.ncdrc@gov.in>

Madam/Sir,

I am directed to forward herewith a copy of the 'Practice Directions' under Regulation No.24 of the Consumer Protection (Consumer commission Procedure) Regulations 2020 to be followed by the State Commissions / District Commissions, in the matter of hearing of cases through Video Conferencing.

Please acknowledge.

(Iqbal Ahmed)
Deputy Registrar
National Consumer Disputes Redressal Commission
New Delhi

 **practice directions.pdf**
155 KB

PRACTICE DIRECTIONS

The President of the National Consumer Disputes Redressal Commission in exercise of the power conferred by Regulation 24 of the Consumer Protection (Consumer Commission Procedure) Regulations, 2020 issues the following practice directions to be followed by the various Consumer Commissions (viz., the National Consumer Disputes Redressal Commission, State Consumer Disputes Redressal Commissions and the District Consumer Disputes Redressal Commissions), in order to adopt uniform procedure in the hearing of matters **through video conferencing**:

1. Any party or Counsel on behalf of the party or any party in person to the proceeding, save and except where proceedings are initiated at the instance of the Commission, may move a request for hearing through Video Conferencing by making a request via email or physical application, by post.

2. Any party or Counsel on behalf of the Party or any Party in-person, to the proceeding shall send the complete file/documents in PDF Form to the Consumer Commission, along with the request for hearing through video conferencing, at least 7 days (working days) before the date of hearing, with copy (complete PDF file as well as copy of request for urgent hearing) to the other party/parties. Along with the PDF file, physical copy of the file shall also be filed in the Registry of the Consumer Commission.

3. The service provider/NIC shall provide the service of e-filing and hearing through video conferencing to the satisfaction of the party/parties and the Consumer Commission and any complaint from the party/parties regarding the use of the software platform shall be solved promptly by the service provider/NIC.
4. The responsibility of monitoring of the service by the said service provider/NIC shall be vested with the Registrars of the Consumer Commissions.
5. The service provider/NIC shall make available the digital case files with the help of the Registry of the Consumer Commissions to facilitate the hearing of matters, through video conferencing.
6. The software platform provided by the appointed service provider/NIC will be used for the video conferencing.
7. The admission matters, matters requiring urgent interim relief/stay or execution matters and some times, matters for final hearing may be listed for hearing through Video Conferencing by the Consumer Commissions where both parties are ready and willing for hearing through video conferencing and if any of the parties to the matter is not willing for hearing through Video Conferencing, the matter shall be listed for hybrid hearing.

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8. Advocates/parties to litigation/Authorized representatives shall register on the software platform in order to access the same.
9. The Registry will register the matter and place it on the Board after 15 days or on such a date, as may be directed by the President of the Consumer Commission.
10. On receipt of such a request and after ascertaining that the matter is complete in all respect, the Registry of the Consumer Commission shall list the case before the Consumer Commission and also fix the date for convening the hearing through video conferencing.
11. The Registry of the Commission shall issue Notice to a Party/Parties who is/are to be heard through video conferencing, mentioning the date, time and venue of the hearing by SMS and also by designated email-Id along with the PDF file of the case with link to join the video conferencing hearing and shall direct the Party/Parties to attend in person/or through their Counsel or Authorised Representative along with proof of identity or an affidavit to that effect.
12. In urgent cases for ad-interim orders which may be passed by the State Commissions/District Commissions in the case in which ex parte and interim order is necessary, the Bench Clerk will assist the Complainant/Applicant, if and when necessary, for issuance of the notice for hearing in the Virtual Court to Opposite Party who shall upon service by permissible electronic means, engage an Advocate, if

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any, within 15 days' from the date of receipt of notice and shall arrange to defend in the Complaint or Appeal or Revision or Execution or any other such like Application.

13. When the date is thus fixed for hearing through video conferencing, parties/ their advocate or authorized representative shall be ready and willing to defend and argue at virtual hearing from any Computer, or mobile device and invite order from the Consumer Commission concerned.
14. All participants shall wear sober attire consistent with the dignity of the proceedings.
15. Advocates shall be appropriately dressed in profession attire prescribed under the Consumer Protection (Consumer Commission Procedure) Regulations, 2020.
16. Proceedings shall be conducted at the appointed date and time.
17. Punctuality shall be scrupulously observed.
18. The cases will be called out and appearances shall be recorded on the direction(s) of the Commission/Court.
19. All participants should endeavor to look into the camera, remain attentive and not engage in any other activity during the proceedings.

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20. The participants to the hearing through video conferencing shall adhere to the courtesies and protocol that is applicable to a physical court.
21. The participants shall ensure that their devices are free from malware.
22. Any unwarranted disturbance caused during video conferencing may, if the President so directs, render the proceedings non-est.
23. The participants shall remain attentive to the proceedings and not engage in any other activity during the course of proceedings.
24. Separate cause list shall be prepared for hearing of cases through video conferencing.
25. No adjournment shall ordinarily be granted in video conferencing hearing.
26. The Video conferencing platform (Software platform) may be accessed by the Presidents and Members of the Bench of the Consumer Commission from home or from the Commission-Court premises and the Advocates/ authorized representatives/ clients from their respective offices/homes.
27. The video conferencing hearing will take place on the designated date and time. The scheduled time should be utilized by both parties

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in proper manner to complete the hearing. It shall be mandatory to have the video in “on” mode, throughout the hearing.

28. On hearing the matter, the Consumer Commission will pass an appropriate order after ascertaining that the application is not filed to impede a fair trial or to delay the proceedings. The Consumer Commission will communicate such order live or soon after, as may be possible to the parties or their Advocates or authorized representative by electronic means.
29. At the end of video hearing, Order/Roznama will be dictated by the Hon’ble Commission or the matter may be reserved for orders, as the case may be.
30. The order and judgment if so passed on the designated date and time, will be uploaded on the Confonet on the date of passing of the orders/pronouncement of the orders.
31. The President of the National Consumer Disputes Redressal Commission may issue further instructions/directions from time to time, in order to remove the difficulties, if any, in implementation of these practice directions, that will be applicable to the conduct of Consumer Commissions functioning and the services provided by the Service Provider/NIC.

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