"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001."

पंजीयन क्रमांक
"छत्तीसगढ़/दुर्ग/09/2013-2015."

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 345] रायपुर, शुक्रवार, दिनांक 31 जुलाई 2020 — श्रावण 9, शक 1942

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

HIGH COURT OF CHHATTISGARH, BILASPUR

Bilaspur, the 27th June 2020

NOTIFICATION

VIDEO CONFERENCING RULES

Preface

No. 5785/Rules/2020. —Whereas it is expedient to consolidate, unify and streamline the procedure relating to use of video conferencing for Courts; and

In exercise of its powers under Articles 225 and 227 of the Constitution of India, the High Court of Chhattisgarh makes the following Rules.

Chapter I - Preliminary

1. These Rules shall be called the "Rules for Video Conferencing for Courts of the Chhattisgarh State".

(i) These Rules shall apply to such courts or proceedings or classes of courts or proceedings and on and from such date as the High Court may notify in this behalf.

2. Definitions

In these Rules, unless the context otherwise requires :

(i) "Advocate" means and includes an advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 and shall also include government pleaders/advocates and officers of the department of prosecution.

(ii) "Commissioner" means a person appointed as commissioner under the provisions of Code of Civil Procedure, 1908, or the Code of Criminal Procedure, 1973 or any other law in force.

(iii) "Coordinator" means a person nominated as coordinator under Rule 5

(iv) "Court" includes a physical court and a virtual Court or tribunal.

(v) "Court Point" means the courtroom or one or more places where the Court is physically convened, or the place where a Commissioner or an inquiring officer holds proceedings pursuant to the directions of the Court.

(vi) "Court User" means a user participating in court proceedings through video conferencing at a Court Point.

(vii) "Designated Video Conferencing Software" means software provided by the High Court from time to time to conduct video conferencing.

(viii) "Exceptional circumstances" include illustratively a pandemic, natural calamities, circumstances implicating law and order and matters relating to the safety of the accused and witnesses.

(ix) "Live Link" means and includes a live television link, audio-video electronic means or other arrangements whereby a witness, a required person or any other person permitted to remain present, while physically absent from the Courtroom is nevertheless virtually present in the Courtroom by remote communication using technology to give evidence and be cross-examined.

(x) "Remote Point" is a place where any person or persons are required to be present or appear through a video link.

(xi) "Remote User" means a user participating in court proceedings through video conferencing at a Remote Point.

(xii) "Required Person" includes:

a. the person who is to be examined; or

b. the person in whose presence certain proceedings are to be recorded or conducted; or

c. an Advocate or a party in person who intends to examine a witness; or

d. any person who is required to make submissions before the Court; or

e. any other person who is permitted by the Court to appear through video conferencing.

(xiii) "Rules" shall mean these Rules for Video Conferencing for Courts and any reference to a Rule, Sub-Rule or Schedule shall be a reference to a Rule, Sub-Rule or Schedule of these Rules.

Chapter II - General Principles

3. General Principles Governing Video Conferencing

(i) Video conferencing facilities can be used at all stages of judicial proceedings and proceedings conducted by the Court and all Judicial Proceedings, Viz. Lok Adalat, Mediation etc..

(ii) All proceedings conducted a Court by way of video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical court shall

apply to these virtual proceedings. The protocol provided in Schedule I shall be adhered to for proceedings conducted by way of video conferencing.

(iii) All relevant statutory provisions applicable to judicial proceedings including provisions of the CPC, CrPC, Contempt of Courts Act, 1971, Indian Evidence Act, 1872 (abbreviated hereafter as the Evidence Act), and Information Technology Act, 2000 (abbreviated hereafter as the IT Act), shall apply to proceedings conducted by video conferencing.

(iv) Subject to maintaining independence, impartiality and credibility of judicial proceedings, and subject to such directions as the High Court may issue, Courts may adopt such technological advances as may become available from time to time.

(v) The Rules as applicable to a Court shall *mutatis mutandis* apply to a Commissioner appointed by the Court to record evidence and to an inquiry officer conducting an inquiry.

(vi) There shall be no unauthorised recording of the proceedings by any person or entity.

(vii) The person defined in Rule 2(xii) shall provide identity proof as recognised by the Government of India/State Government/Union Territory to the Court point coordinator via personal email. In case identity proof is not readily available the person concerned shall furnish the following personal details: name, parentage and permanent address, as also, temporary address if any.

4. Facilities recommended for Video Conferencing

The following equipment is recommended for conducting proceedings by video conferencing at the Court Point and at the Remote Point:

(i) Desktop, Laptop, mobile devices with internet connectivity and Wi-Fi printer;

(ii) Device ensuring uninterrupted power supply;

(iii) Camera;

(iv) Microphones and speakers;

(v) Display unit;

(vi) Document visualizer;

(vii) Provision of a firewall;

(viii) Adequate seating arrangements ensuring privacy;

(ix) Adequate lighting;

(x) Availability of a quiet and secure space.

5. Preparatory Arrangements

5.1 There shall be a Coordinator both at the Court Point and at the Remote Point from which any Required Person is to be examined or heard. However, Coordinator may be required at the Remote Point only when a witness or a person accused of an offence is to be examined.

5.2 In the civil and criminal Courts falling within the purview of the district judiciary, persons nominated by the High Court or the concerned District Judge or any Officer authorized by him , shall perform the functions of Coordinators at the Court Point as well as the Remote Point as provided in Rule 5.3.

5.3 The Coordinator at the Remote Point may be any of the following:

Sub Rule	Where the Advocate or Required Person is at the following Remote Point:-	The Remote Point Coordinator shall be:-
5.3.1	Overseas	An official of an Indian Consulate / the relevant Indian Embassy / the relevant High Commission of India

5.3.2	Court of another state and within state or union territory within the territory of India	Any authorized official nominated by the concerned District Judge.
5.3.3	Mediation Centre or office of District Legal Services Authority (including Taluka Legal Services Committee)	Any authorized person official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority.
5.3.4	Jail or prison	The concerned Jail Superintendent or Officer in-charge of the prison.
5.3.5	Hospitals administered by the Central Government, the State Government or local bodies.	Medical Superintendent or an official authorized by them or the person in charge of the said hospital
5.3.6	Observation Home, Special Home, Children's Home, Shelter Home, or any institution referred to as a child facility (collectively referred to as child facilities) and where the Required Person is a juvenile or a child or a person who is an inmate of such child facility.	The Superintendent or Officer in charge of that child facility or an official authorized by them.
5.3.7	Women's Rescue Homes, Protection Homes, Shelter Homes, Nari Niketans or any institution referred to as a women's facility (collectively referred to as women's facilities).	The Superintendent or Officers In-charge of the women's facility or an official authorized by them.
5.3.8	In custody, care or employment of any other government office, organization or institution (collectively referred to as institutional facilities).	The Superintendent or Officers in-charge of the institutional facility or an official authorized by them.
5.3.9	Forensic Science Lab	The Administrative officer in-charge or their nominee.
5.3.10	In case of any other location	The concerned Court may appoint any person deemed fit and proper who is ready and willing to render their services as a Coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by the Court in that behalf.

5.3.11	In case of NIC Centre	The concerned District Information Officer or Incharge NIC of the NIC Centre may appoint any person deemed fit and proper who is ready and willing to render their services as a Coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by the Court in that behalf.

5.4 When a Required Person is at any of the Remote Points mentioned in Sub Rules 5.3 and video conferencing facilities are not available at any of these places the concerned Court will formally request the District Judge, in whose jurisdiction the Remote Point is situated to appoint a Coordinator for and to provide a video conferencing facility from proximate and suitable Court premises.

5.5 The Coordinators at both the Court Point and Remote Point shall ensure that the recommended requirements set out in Rule 4 are complied with, so that the proceedings are conducted seamlessly.

5.6 The Coordinator at the Remote Point shall ensure that:

5.6.1 All Advocates and/or Required Persons scheduled to appear in a particular proceeding are ready at the Remote Point designated for video conferencing at least 30 minutes before the scheduled time.

5.6.2 No unauthorised recording device is used.

5.6.3 No unauthorised person enters the video conference room when the video conference is in progress.

5.6.4 The person being examined is not prompted, tutored, coaxed, induced or coerced in any manner by any person and that the person being examined does not refer to any document, script or device without the permission of the concerned Court during the course of examination.

5.7 Where the witness to be examined through video conferencing requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of video conferencing and in appropriate cases may transmit non-editable digital scanned copies of all or any part of the record of the proceedings to the official email account of the Coordinator of the concerned Remote Point designated in accordance with Rule 5.3.

5.8 Before the scheduled video conferencing date, the Coordinator at the Court Point shall ensure that the Coordinator at the Remote Point receives certified copies, printouts or a soft copy of the non-editable scanned copies of all or any part of the record of proceedings which may be required for recording statements or evidence, or for reference. However, these shall be permitted to be used by the Required Person only with the permission of the Court.

5.9 Whenever required the Court shall order the Coordinator at the Remote Point or at the Court Point to provide -

5.9.1 A translator in case the person to be examined is not conversant with the official language of the Court.

5.9.2 An expert in sign languages in case the person to be examined is impaired in speech and/or hearing.

5.9.3 An interpreter or a special educator, as the case may be, in case a person to be examined is differently abled, either temporarily or permanently.

Chapter III - Procedure for Video Conferencing

6. Application for Appearance, Evidence and Submission by Video Conferencing:

6.1 Any party to the proceeding or witness, save and except where proceedings are initiated at the instance of the Court, may move a request for video conferencing. A party or witness seeking a video conferencing proceeding shall do so by making a request in the form prescribed in Schedule II.

6.2 Any proposal to move a request to for video conferencing should first be discussed with the other party or parties to the proceeding, except where not possible or inappropriate, for example in cases such as urgent applications.

6.3 On receipt of such a request and upon hearing all concerned persons, the Court will pass an appropriate order after ascertaining that the application is not filed with an intention to impede a fair trial or to delay the proceedings.

6.4 While allowing a request for video conferencing, the Court may also fix the schedule for convening the video conferencing.

6.5 In case the video conferencing event is convened for making oral submissions, the order may require the Advocate or party in person to submit written arguments and precedents, if any, in advance on the official email ID of the concerned Court.

6.6 Costs, if directed to be paid, shall be deposited within the prescribed time, commencing from the date on which the order convening proceedings through video conferencing is received.

7. Service of Summons

Summons issued to a witness who is to be examined through video conferencing, shall mention the date, time and venue of the concerned Remote Point and shall direct the witness to attend in person along with proof of identity or an affidavit to that effect. The existing rules regarding service of summons and the consequences for non-attendance, as provided in the CPC and CrPC shall apply with respect to service of summons for proceedings conducted by video conferencing.

8. Examination of persons

8.1 Any person being examined, including a witness shall, before being examined through video conferencing, produce and file proof of identity by submitting an identity document issued or duly recognized by the Government of India, State Government, Union Territory, or in the absence of such a document, an affidavit attested by any of the authorities referred to in Section 139 of the CPC or Section 297 of the CrPC, as the case maybe. The affidavit will inter alia state that the person, who is shown to be the party to the proceedings or as a witness, is the same person, who is to depose at the virtual hearing. A copy of the proof of identity or affidavit, as the case may be, will be made available to the opposite party.

8.2 The person being examined will ordinarily be examined during the working hours of the concerned Court or at such time as the Court may deem fit. The oath will be administered to the person being examined by the Coordinator at the Court Point.

8.3 Where the person being examined, or the accused to be tried, is in custody, the statement or, as the case may be, the testimony, may be recorded through video conferencing. The Court shall provide adequate opportunity to the under-trial prisoner to consult in privacy with their counsel before, during and after the video conferencing.

8.4 Subject to the provisions for examination of witnesses contained in the Evidence Act, before the examination of the witness, the documents, if any, sought to be relied upon shall be transmitted by the applicant to the witness, so that the witness acquires familiarity with the said documents. The applicant will file an acknowledgment with the Court in this behalf.

8.5 If a person is examined with reference to a particular document then the summons to witness must be accompanied by a duly certified photocopy of the document. The original document should be exhibited at the Court Point in accordance with the deposition of the concerned person being examined.

8.6 The Court would be at liberty to record the demeanour of the person being examined.

8.7 The Court will note the objections raised during the deposition of the person being examined and rule on them.

8.8 The Court shall obtain the signature of the person being examined on the transcript once the examination is concluded. The signed transcript will form part of the record of

the judicial proceedings. The signature on the transcript of the person being examined shall be obtained in either of the following ways:

8.8.1 If digital signatures are available at both the concerned Court Point and Remote Point, the soft copy of the transcript digitally signed by the presiding Judge at the Court Point shall be sent by the official e-mail to the Remote Point where a print out of the same will be taken and signed by the person being examined. A scanned copy of the transcript digitally signed by the Coordinator at the Remote Point would be transmitted by official email of the Court Point. The hard copy of the signed transcript will be dispatched after the testimony is over, preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.8.2 If digital signatures are not available, the printout of the transcript shall be signed by the presiding Judge and the representative of the parties, if any, at the Court Point and shall be sent in non-editable scanned format to the official email account of the Remote Point, where a printout of the same will be taken and signed by the person examined and countersigned by the Coordinator at the Remote Point. A non-editable scanned format of the transcript so signed shall be sent by the Coordinator of the Remote Point to the official email account of the Court Point, where a print out of the same will be taken and shall be made a part of the judicial record. The hard copy would also be dispatched preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.9 An audio-visual recording of the examination of person examined shall be preserved. An encrypted master copy with hash value shall be retained as a part of the record.

8.10 The Court may, at the request of a person to be examined, or on its own motion, taking into account the best interests of the person to be examined, direct appropriate measures to protect the privacy of the person examined bearing in mind aspects such as age, gender, physical condition and recognized customs and practices.

8.11 The Coordinator at the Remote Point shall ensure that no person is present at the Remote Point, save and except the person being examined and those whose presence is deemed administratively necessary by the Coordinator for the proceedings to continue.

8.12 The Court may also impose such other conditions as are necessary in a given set of facts for effective recording of the examination (especially to ensure compliance with Rule 5.6.4).

8.13 The examination shall, as far as practicable, proceed without interruption or the grant of unnecessary adjournments. However, the Court or the Commissioner as the case may be, will be at liberty to determine whether an adjournment should be granted, and if so, on what terms.

8.14 The Court shall be guided by the provisions of the CPC and Chapter XXIII, Part B of the CrPC, the Evidence Act and the IT Act while examining a person through video conferencing.

8.15 Where a Required Person is not capable of reaching the Court Point or the Remote Point due to sickness or physical infirmity, or presence of the required person cannot be

secured without undue delay or expense, the Court may authorize the conduct of video conferencing from the place at which such person is located. In such circumstances the Court may direct the use of portable video conferencing systems. Authority in this behalf may be given to the concerned Coordinator and/or any person deemed fit by the Court.

8.16 Subject to such orders as the Court may pass, in case any party or person authorized by the party is desirous of being physically present at the Remote Point at the time of recording of the testimony, such a party shall make its own arrangement for appearance /representation at the Remote Point.

9. Exhibiting or Showing Documents to Witness or Accused at a Remote Point

If in the course of examination of a person at a Remote Point by video conferencing, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:

9.1 If the document is at the Court Point, by transmitting a copy or image of the document to the Remote Point electronically, including through a document visualizer; or

9.2 If the document is at the Remote Point, by putting it to the person and transmitting a copy/image of the same to the Court Point electronically including through a document visualizer. The hard copy of the document counter signed by the witness and the Coordinator at the Remote Point shall be dispatched thereafter to the Court Point via authorized courier/registered speed post.

10. Ensuring seamless video conferencing

10.1 The Advocate or Required Person, shall address the Court by video conferencing from a

specified Remote Point on the date and time specified in the order issued by the Court.

The presence of the coordinator will not be necessary at the Remote point where arguments are to be addressed by an advocate or party in person before the Court.

10.2 If the proceedings are carried out from any of the Remote Point(s) (in situations described in Rules 5.3.1 to 5.3.9) the Coordinator at such Remote Point shall ensure compliance of all technical requirements. However, if the proceedings are conducted from a Remote Point falling in the situation contemplated under Rule 5.3.10, such as an Advocate's office, the Coordinator at the Court Point shall ensure compliance of all technical requirements for conducting video conferencing at both the Court Point and the Remote Point.

10.3 The Coordinator at the Court Point shall be in contact with the concerned Advocate or the Required Person and guide them in regard to the fulfillment of technical and other requirements for executing a successful hearing through video conferencing. Any problems faced by such Remote Users shall be resolved by the Court Point Coordinator.

The Court Point Coordinator shall inter alia share the link of the video conferencing hearing with such Remote Users. Sharing and transferring of VC Id, Password and strictly prohibited.

10.4 The Coordinator at the Court Point shall ensure that any document or audio-visual files, emailed by the Remote User, are duly received at the Court Point.

10.5 The Coordinator at the Court Point shall also conduct a trial video conferencing, preferably 30 minutes prior to scheduled video conferencing in order to ensure that all

the technical systems are in working condition at both the Court Point and the Remote Point.

10.6 At the scheduled time, the Coordinator at the Court Point shall connect the Remote User to the Court.

10.7 On completion of the video conferencing proceeding, the Court shall mention in the order sheet the time and duration of the proceeding, the software used (in case the software used is not the Designated Video Conferencing Software), the issue(s) on which the Court was addressed and the documents if any that were produced and transmitted online. In case a digital recording is tendered, the Court shall record its duration in the order sheet along with all other requisite details.

10.8 The Court shall also record its satisfaction as to clarity, sound and connectivity for both Court Users and Remote Users.

10.9 On the completion of video conferencing, if a Remote User is of the opinion that they were prejudiced due to poor video and/or audio quality, the Remote User shall immediately inform the Coordinator at the Court Point, who shall in turn, communicate this information to the Court without any delay. The Court shall consider the grievance and if it finds substance in the grievance may declare the hearing to be incomplete and the parties may be asked to re-connect or make a physical appearance in Court. Other hand if concerned court found the some material evidence has been recorded then he, in his Discretion can refuse his grivance.

11. Judicial remand, framing of charge, examination of accused and Proceedings under Section 164 of the CrPC.

11.1 The Court may, at its discretion, authorize detention of an accused, frame charges in a criminal trial under the CrPC by video conferencing. However, ordinarily judicial remand in the first instance or police remand shall not be granted through video conferencing save and except in exceptional circumstances for reasons to be recorded in writing.

11.2 The Court may, in exceptional circumstances, for reasons to be recorded in writing, examine a witness or an accused under Section 164 of the CrPC or record the statement of the accused under Section 313 CrPC through video conferencing, while observing all due precautions to ensure that the witness or the accused as the case may be is free of any form of coercion, threat or undue influence. The Court shall ensure compliance with Section 26 of the Evidence Act.

However, such examination through VC shall be conducted using VC facility installed at nearby Court Complex

Chapter IV - General Procedure

12. General procedures

12.1 The procedure set out hereafter in this chapter is without prejudice to the procedure indicated elsewhere in these Rules qua specific instances in which proceedings are conducted via video conferencing.

12.2 The Coordinator at the Court Point shall ensure that video conferencing is conducted only through a Designated Video Conferencing Software. However, in the event of a

technical glitch during a given proceeding, the concerned Court may for reasons to be recorded permit the use of a software other than the Designated Video Conferencing Software for video conferencing in that particular proceeding.

12.3 The identity of the person to be examined shall be confirmed by the Court with the assistance of the Coordinator at the Remote Point in accordance with Rule 8.1, at the time of recording of the evidence and the same must be reflected in the order sheet of the Court.

12.4 In civil cases, parties requesting for recording statements of the person to be examined by video conferencing shall confirm to the Court, the location of the person, the willingness of such person to be examined through video conferencing and the availability of technical facilities for video conferencing at the agreed upon time and Place. In case of disagreement of parties as regarding the time and place of VC then same will be determined by the concerned court.

12.5 In criminal cases, where the person to be examined is a prosecution witness or a Court witness, or where a person to be examined is a defence witness, the counsel for the prosecution or defence counsel, as the case maybe, shall confirm to the Court the location of the person, willingness to be examined by video conferencing and the time, place and technical facility for such video conferencing. In case the Coordinator is a private person not official.

12.6 In case the person to be examined is an accused, the prosecution will confirm the location of the accused at the Remote Point.

12.7 Video conferencing shall ordinarily take place during the court hours. However, the Court may pass suitable directions concerning the timing and schedule of video conferencing as the circumstances may warrant.

12.8 If the accused is in custody and not present at the Court Point, the Court will order a multi-point video conference between itself, the witness and the accused in custody to facilitate recording of the statement of the witness (including medical or other expert). The Court shall ensure that the defence of the accused is not prejudiced in any manner and that the safeguards contained in Rule 8.3 are observed.

12.9 The Coordinator at the Remote Point shall be paid such amount as honorarium as may be directed by the Court in consultation with the parties.

13. Costs of Video Conferencing

In the absence of rules prescribed by the concerned Court, the Court may take into consideration following circumstances when determining and/or apportioning the costs of video conferencing:

13.1 In criminal cases, the expenses of the video conferencing facility including expenses involved in preparing soft copies / certified copies of the Court record and transmitting the same to the Coordinator at the Remote Point, and the fee payable to translator / interpreter / special educator, as the case may be, as also the fee payable to the Coordinator at the Remote Point, shall be borne by such party as directed by the Court.

13.2 In civil cases, generally, the party making the request for recording evidence, through video conferencing shall bear the expenses.

13.3 Besides the above, the Court may also make an order as to expenses as it considers appropriate, taking into account rules / instructions regarding payment of expenses to the complainant and witnesses, as may be prevalent from time to time.

13.4 It shall be open to the Court to waive the costs as warranted in a given situation.

14. Conduct of Proceedings

14.1 All Advocates, Required Persons, the party in person and/or any other person permitted by the Court to remain physically or virtually present (hereinafter collectively referred to as participants) shall abide by the requirements set out in Schedule I.

14.2 Before the commencement of video conferencing all participants, shall have their presence recorded. However, in case a participant is desirous that their face or name be masked, information to that effect will be furnished to the Court Point Coordinator prior to the commencement of the proceeding.

14.3 The Court Point Coordinator shall send the link / Meeting ID / Room Details via the email Id / mobile number furnished by the Advocate or Required Person or other participant permitted to be virtually present by the Court. Once the proceedings have commenced, no other persons will be permitted to participate in the virtual hearing, save and except with the permission of the Court.

14.4 The participants, after joining the hearing shall remain in the virtual lobby if available, until they are admitted to virtual hearing by the Coordinator at the Court Point.

14.5 Participation in the proceedings shall constitute consent by the participants to the proceedings being recorded by video conferencing.

14.6 Establishment and disconnection of links between the Court Point and the Remote Point would be regulated by orders of the Court.

14.7 The Court shall satisfy itself that the Advocate, Required Person or any other participant that the Court deems necessary at the Remote Point or the Court Point can be seen and heard clearly and can clearly see and hear the Court.

14.8 To ensure that video conferencing is conducted seamlessly, the difficulties, if any, experienced in connectivity must be brought to the notice of the Court at the earliest on the official email address and mobile number of the Court Point Coordinator which has been furnished to the participant before the commencement of the virtual hearing. No complaint shall subsequently be entertained.

14.9 Wherever any proceeding is carried out by the Court under these Rules by taking recourse to video conferencing, this shall specifically be mentioned in the order sheet.

15. Access to Legal Aid Clinics/Camps/Lok Adalats/Jail Adalats

15.1 In conformity with the provisions of the Legal Services Authorities Act, 1987 and the laws in force, in proceedings related to Legal Aid Clinics, Camps, Lok Adalats or Jail Adalats, any person who at the Remote Point is in Jail or Prison shall be examined by the Chairman / Secretary of the District Legal Service Authority or Taluka Legal Service Committee or Members of Lok Adalats before passing any award or orders in accordance with law.

15.2 Such award or order shall have the same force as if it was passed by the regular Lok Adalat or Jail Adalat.

15.3 Copy of the award or order and the record of proceedings shall be sent to the Remote Point.

16. Allowing persons who are not parties to the case to view the proceedings subject to limit of number of participants

16.1 In order to observe the requirement of an open Court proceeding, members of the public will be allowed to view Court hearings conducted through video conferencing, except proceedings ordered for reasons recorded in writing to be conducted in-camera . The Court shall endeavour to make available sufficient links (consistent with available bandwidth) for accessing the proceedings.

16.2 Where, for any reason, a person unconnected with the case is present at the Remote Point, that person shall be identified by the Coordinator at the Remote Point at the start of the proceedings and the purpose of the presence of that person shall be conveyed to the Court. Such a person shall continue to remain present only if ordered so by the Court.

16.3 After the consent of the Court, Coordinator may limit the participants. So that, Video Conferencing can be conducted smoothly.

Chapter V – Miscellaneous

17. Reference to Words and Expressions

Words and expressions used and not defined in these Rules shall have the same meaning as assigned to them in the CPC, the CrPC, Evidence Act, IT Act, and the General Clauses Act, 1897.

18. Power to Relax

The High Court may if satisfied that the operation of any Rule is causing undue hardship, by an order dispense with or relax the requirements of that Rule to such extent and subject to such conditions, as may be stipulated to deal with the case in a just and equitable manner.

19. Residual Provisions

Matters with respect to which no express provision has been made in these Rules, shall be decided by the Court consistent with the principle of furthering the interests of justice.

SCHEDULE - I

1. All participants shall wear sober attire consistent with the dignity of the proceedings. Advocates shall be appropriately dressed in professional attire prescribed under the Advocates Act, 1961. Police officials shall appear in the uniform prescribed for police officials under the relevant statute or orders. The attire for judicial officers and Court staff will be as specified in the relevant rules prescribed in that behalf by the High Court. The decision of the Presiding Judge or officer as to the dress code will be final.

2. Proceedings shall be conducted at the appointed date and time. Punctuality shall be scrupulously observed.

3. The case will be called out and appearances shall be recorded on the direction of the Court.

4. Every participant shall adhere to the courtesies and protocol that are followed in a physical court. Judges will be addressed as "Madam/Sir" or "Your Honour". Officers will be addressed by their designation such as "Bench Officer/Court Master". Advocates will be addressed as "Learned Counsel/Senior Counsel"

5. Advocates, Required Persons, parties in person and other participants shall keep their microphones muted till such time as they are called upon to make submissions.

6. Remote Users shall ensure that their devices are free from malware.

7. Remote Users and the Coordinator at the Remote Point shall ensure that the Remote Point is situated in a quiet location, is properly secured and has sufficient internet coverage. Any unwarranted disturbance caused during video conferencing may if the Presiding Judge so directs render the proceedings non-est.

8. All participant's cell phones shall not be allowed in Court Room during the proceeding.

9. All participants should endeavour to look into the camera, remain attentive and not engage in any other activity during the course of the proceedings.

SCHEDULE - II

Request Form for Video Conference

1. Case Number / CNR Number (if any)
2. Cause Title
3. Proposed Date of conference (DD/MM/YYYY) :_____
4. Location of the Court Point(s) :_____
5. Location of the Remote Point(s) :_____
6. Names & Designation of the Participants at the Remote Point : _____
7. Reasons for Video Conferencing :

   In the matter of :

8. Nature of Proceedings: Final Hearing ☐ Motion Hearing ☐ Others ☐

I have read and understood the provisions of Rules for Video Conferencing for Courts (hyperlink). I undertake to remain bound by the same to the extent applicable to me. I agree to pay video conferencing charges if so, directed by the Court.

Signature of the applicant/authorised signatory:
Date:

For use of the Registry / Court Point Coordinator

A) Bench assigned:
B) Hearing:
Held on (DD/MM/YYYY):
Commencement Time:
End time:
Number of hours:
C) Costs:
Overseas transmission charges if any:
To be Incurred by Applicant /Respondent:
To be shared equally:
Waived; as ordered by the Court:

Signature of the authorised officer:
Date:

By order of Hon'ble the High Court

Sd/-

(Deepak Kumar Tiwari)
I/c Registrar General

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय मुद्रणालय, नवा रायपुर अटल नगर से मुद्रित तथा प्रकाशित - 2020.