

कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म0प्र0)

पृष्ठांकन क्रमांक ३३७५/दो-12-08/25(फा.30)

उज्जैन, दिनांक.....जुलाई, 2025

18 JUL 2025

प्रतिलिपि -

1. समस्त न्यायिक अधिकारीगण, उज्जैन/बड़नगर/महिदपुर/नागदा/खाचरौद/तराना की ओर रजिस्ट्रार जनरल महोदय, उच्च न्यायालय मध्यप्रदेश जबलपुर का परिपत्र क्रं. B/4082 दिनांक 04.07.2025,

2. प्रभारी अधिकारी, कम्प्यूटर अनुविभाग, उज्जैन/बड़नगर/महिदपुर/नागदा/खाचरौद/तराना की ओर रजिस्ट्रार जनरल महोदय, उच्च न्यायालय मध्यप्रदेश जबलपुर का परिपत्र क्रं. B/4082 दिनांक 04.07.2025।

.....की छायाप्रति सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

3. कोर्ट मैनेजर, कार्यालय प्रधान जिला न्यायालय, उज्जैन की ओर रजिस्ट्रार जनरल महोदय, उच्च न्यायालय मध्यप्रदेश जबलपुर का परिपत्र क्रं. B/4082 दिनांक 04.07.2025 की छायाप्रति प्रेषित कर लेख है कि उक्त दिशा-निर्देशों का क्रियान्वयन जूनियर सिस्टम एनालिस्ट से कराये जाने हेतु प्रेषित।

4. श्रीमती कृतिका अष्ठाना, जूनियर सिस्टम एनालिस्ट, उज्जैन/आई.टी. असिस्टेंट जिला मुख्यालय, उज्जैन व तहसील न्यायालय, बड़नगर/महिदपुर/नागदा/खाचरौद/तराना की ओर रजिस्ट्रार जनरल महोदय, उच्च न्यायालय मध्यप्रदेश जबलपुर का परिपत्र क्रं. B/4082 दिनांक 04.07.2025 की छायाप्रति सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

वास्ते/प्रधान जिला एवं सत्र न्यायाधीश
उज्जैन (म.प्र.)



HIGH COURT OF MADHYA PRADESH, JABALPUR

No. B/4082

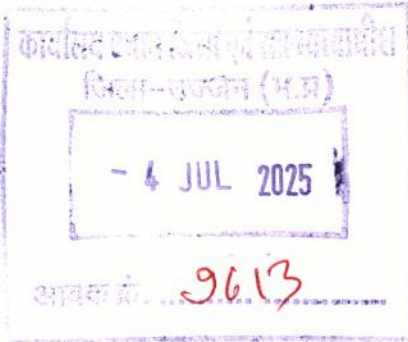
Jabalpur, Dated:- 04 July, 2025

--:-CIRCULAR--:-

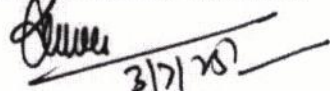
Hon'ble the Acting Chief Justice vide order dated: 02.07.2025 has been pleased to permit to continue using the existing Cisco Webex software, as the Designated Video Conferencing Software defined in rule 2 (1) (i) of **"The High Court of Madhya Pradesh Use of Electronic Communication and Audio – Video Electronic Means Rules, 2025"**.

This circular will be effective for the High Court of Madhya Pradesh, Jabalpur and its Bench at Indore and Gwalior and District Judiciary in the State of Madhya Pradesh, until further orders.

Therefore, all concerned to process the matter accordingly.



BY ORDER OF
HON'BLE THE ACTING CHIEF JUSTICE


(Dharminder Singh)
Registrar General

Endt. No B/4083

Jabalpur, Dated: 04 July, 2025

Copy forwarded to:-

1. OSD-cum-PPS to Hon'ble the Chief Justice, High Court of Madhya Pradesh, Jabalpur for information.
2. Secretary to Hon'bleShri Justice _____, High Court of Madhya Pradesh, Jabalpur for information.
3. Secretary to Hon'bleShri Justice _____, High Court of Madhya Pradesh, Bench at Indore for information.
4. Secretary to Hon'bleShri Justice _____, High Court of Madhya Pradesh, Bench at Gwalior for information.

e-mail:-regitmphc@mp.gov.in

Ph:-0761-2600628

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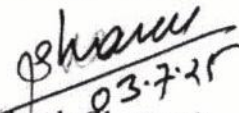


HIGH COURT OF MADHYA PRADESH, JABALPUR

No.

Jabalpur, Dated:-.....04 July, 2025

5. Principal Secretary, Law & Legislative Affairs Department, Government of Madhya Pradesh for information and necessary action.
6. Director, Madhya Pradesh State Judicial Academy, Jabalpur for information and necessary action.
7. The Principal District and Sessions Judges, all District and Sessions Courts in the State of Madhya Pradesh for information and necessary action.
8. The Principal Judges, all Family Courts in the State of Madhya Pradesh for information and necessary action.
9. Principal Registrar, High Court of M.P., Bench at Indore and Gwalior for information and necessary action.
10. Principal Registrar (I.L.R. & Examination)/ (Vigilance)/ (Judicial) for information and necessary action.
11. Principal Registrar (IT-CSA) for information and necessary action.
12. Registrar (Administration) / (District Establishment)/ (Vigilance&Litigation) / (Judicial-II) / (W&I)/ (Judicial-I)/ (Exam)/all OSD/ Registrar(M) for information.
13. Member Secretary (SCMS) for information and necessary action.
14. Senior Registrar (IT-SA) for information and necessary action.
15. Principal System Analyst for information and necessary action.


(Surya Prakash Sharma)
Registrar [I.T.]

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मध्यप्रदेश राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 26]

भोपाल, शुक्रवार, दिनांक 27 जून 2025—आषाढ़ 6, शक 1947

भाग ४

विषय-सूची

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|----------------------------|-------------------------------|----------------------------------|
| (क) (1) मध्यप्रदेश विधेयक, | (2) प्रवर समिति के प्रतिवेदन, | (3) संसद में पुरःस्थापित विधेयक. |
| (ख) (1) अध्यादेश, | (2) मध्यप्रदेश अधिनियम, | (3) संसद् के अधिनियम. |
| (ग) (1) प्रारूप नियम, | (2) अन्तिम नियम. | |

भाग ४ (क)—कुछ नहीं

भाग ४ (ख)—कुछ नहीं

भाग ४ (ग)

अंतिम नियम

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

No. Reg (II)(SA)-2025-961

Jabalpur, the 17th June 2025

Whereas, in order to avoid delay in judicial proceedings due to non-availability of parties, advocates, witnesses and accused physically, it is expedient to formalize and enable use of electronic communication and other audio-video electronic means for the purpose of conducting trial inquiry and proceeding under the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023);

And, whereas, the Bharatiya Nagarik Suraksha Sanhita, 2023, under sections 54, 63, 70, 71, 94, 183, 187, 193, 209, 227, 230, 231, 251, 254, 262, 265, 266, 308, 310, 316, 336, 355, 356, 392 and 530 recognises use of audio-video electronic means and other form of electronic communication for different proceedings;

And whereas, Section 530 of the Bharatiya Nagarik Suraksha Sanhita, 2023 provides that all trials, inquires and proceedings under this Sanhita, including examination of complainant and witnesses, recording of evidence in inquires and trials and all appellate proceedings or and other proceedings, may be held in electronic mode, by use of electronic communication or use of audio-video electronic means;

And whereas there is no restriction on civil courts in using video conferencing facilities in conducting trial;

And whereas, the High Court and District Judiciary in the State of Madhya Pradesh have been using video conferencing

facilities for conducting inquiries and trials in civil as well as criminal proceedings;

Now, therefore in exercise of the powers conferred by Article 227 of the Constitution of India, and all other enabling sections of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the High Court of Madhya Pradesh, hereby, makes the following rules for the use of electronic communication and audio-video electronic means for High Court and District Courts, namely:-

RULES

CHAPTER-I

PRELIMINARY

1. Short title, Application and Commencement.-

- (1) These rules may be called The High Court of Madhya Pradesh Use of Electronic Communication and Audio-Video Electronic Means Rules, 2025.
- (2) These Rules shall apply to the High Court and District Courts of the State of Madhya Pradesh and to all judicial, departmental and mediation proceedings.
- (3) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.-

- (1) In these rules, unless the context otherwise requires,-
 - (a) **“Advocate”** means and include as advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 (No.) and shall for the purpose of these rules, include prosecuting officers and government pleaders;

- (b) **“Advocate’s remote point”** means a place from where an advocate or advocates may appear through a live link and includes advocate’s chamber or office or a place designated by the Bar for hearing through audio-video electronic means;
- (c) **“Commissioner”** means a person appointed as Commissioner under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), Code of Civil Procedure, 1908 or any other law for the time being in force;
- (d) **“Coordinator”** means a person nominated as coordinator under rule 8 of these rules;
- (e) **“Court”** shall include High Court, District Courts of the State of the Madhya Pradesh and all tribunals under the administrative control of the High Court;
- (f) **“Court point”** means the court room or the place where the court is physically convened, or the place where a commissioner or an inquiry officer holds proceedings;
- (g) **“Court room”** means the place wherein the court proceedings are held;
- (h) **“Designated Place”** means any one or more places specified where the facilities are made available for use of electronic communication or use of audio-video electronic means with courts points and shall include Vulnerable Witness

Deposition Centre and places specified in Schedule-I;

- (i) **“Designated Video Conferencing Software”** means a software approved or provided by the High Court for the use of audio-video electronic means;
- (j) **“High Court”** means the High Court of Madhya Pradesh;
- (k) **“Live link”** means and includes a live link for audio-video electronic communication of other arrangements whereby witness, accused, party, advocate or any other person is required by Court to remain present in the court room by use of electronic communication or use of audio-video electronic means;
- (l) **“Remote Point”** means a place where any person is required to be present or appear through a live link and includes designated place by does not include Advocate’s remote point;
- (m) **“Remote User”** means a user participating in court proceedings through video conferencing at a designated place or advocates remote point;
- (n) **“Required Person”** includes-
 - (i) a person who is to be examined as a witness, complainant or otherwise; or
 - (ii) person in whose presence certain proceedings are to be recorded or conducted including as accused; or
 - (iii) an advocate or a party in person; or

- (iv) any person including victim who is required to make submissions before the Court; or
- (v) any other person who is permitted by the Court to appear through audio video electronic means;
- (o) **“rules”** mean The High Court of Madhya Pradesh Use of Electronic Communication and Audio-Video Electronic Means Rules, 2025 .
- (2) The words and expressions used but not defined herein shall have the same meaning as assigned to them in the Madhya Pradesh High Court Rules, 2008, Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), Bharatiya Sakshya Adhinyam, 2023 (47 of 2023), Information Technology Act, 2000 (21 of 2000) and the General Clauses Act, 1897 (10 of 1897).
- 3. Construction of references.-** Unless the context otherwise requires, any reference to Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) in these rules shall include reference to Code of Criminal Procedure, 1973 (2 of 1974) under the corresponding provisions.

CHAPTER-II GENERAL PRINCIPLES

- 4. General principles governing video conferencing and other modes of audio-video electronic means.-**
- (1) Subject to the provisions hereinafter contained, video conferencing and other modes of audio-video electronic means may be used at all stages of judicial proceedings

- and proceedings conducted by the Court, where a person is required to be present or appear is not physically present in the court room.
- (2) All proceedings conducted by a Court through audio-video electronic means shall be judicial proceedings and all practices, decorum and protocols applicable to a physical court shall apply to these proceedings.
 - (3) All relevant statutory provisions applicable to judicial proceedings including provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 Contempt of Courts Act, 1971 (70 of 1971), Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023), Bhartiya Nyay Sanhita, 2023 (45 of 2023), Code of Civil Procedure, 1908 (5 of 1908) and Information Technology Act, 2000 (21 of 2000) shall apply to proceedings conducted through audio-video electronic means.
 - (4) Subject to maintaining independence, impartiality and credibility of judicial proceedings and subject to such directions as the High Court may issue in this regard, the Courts may adopt such technological advances as may become available from time to time.
 - (5) The Courts shall use only designated video conferencing software.
 - (6) Any unauthorized access, hacking attempts, or security breaches must be reported immediately and addressed in accordance with the law.
 - (7) 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.

- (8) Unless expressly permitted by Court, no person, either at court point or at designated place or at remote point or advocate's remote point, shall record or publish the proceedings conducted by audio-video electronic means.

5. Identification of persons appearing through audio-video electronic means.-

The required person shall provide an identity proof as recognised by the Government of India or the State Government to the coordinator. The Court may require such person to verify his identity in any of the modes recognised by the Government of India:

Provided that in case, identify proof is not readily available, the Court may, upon satisfaction allow such person to participate in proceedings without production of identity proof.

6. Facilities recommended for proceedings through audio-video electronic means.-

The following equipments and facilities are recommended for conducting proceedings by audio-video electronic means at the court point and the remote point:

Computer	• Desktop or Laptop
Network and Internet Connectivity	• High-Speed Internet Connection (Minimum 50 Mbps) – Ensures seamless video transmission without lag.

	<ul style="list-style-type: none"> • Backup Internet Connection – A secondary connection to prevent disruptions. • Dedicated LAN/Wi-Fi Setup – Ensures stable and secure connectivity
Video Equipment	<ul style="list-style-type: none"> • High-Resolution Cameras (Full HD/4K) – To capture clear video feeds of participants. • Adjustable and Multiple Camera Angles – Enable focusing on the Judge, Lawyers, Accused, or Witnesses.
Audio Equipment	<ul style="list-style-type: none"> • Noise-Canceling Microphones – Reduces background noise and ensures clear audio transmission. • High-Quality Speakers – Provides clear sound output for participants. • Echo-Cancellation and Acoustic Treatment – Enhances audio clarity by minimizing reverberation. प्रतिध्वनि
Display and Projection Equipment	<ul style="list-style-type: none"> • Large Display Screens (LED/Projectors) – For clear visibility of remote participants. • Multiple Screen Setup (Optional) – Allows simultaneous viewing of different participants.
Software and Encryption Standards	<ul style="list-style-type: none"> • End-to-End Encrypted Video Conferencing Software – Ensures secure communication. • Firewall and VPN Protection – Prevents unauthorized access. • Multi-Factor Authentication (MFA) for Users – Ensures identity verification. • Secure Login Credentials for Each Session – Limits access to authorized personnel.
Recording and Documentation	<ul style="list-style-type: none"> • Court-Approved Recording Mechanism – Allows secure documentation of hearings.

	<ul style="list-style-type: none"> • Transcription Services – Automated/manual transcription of court proceedings. • Cloud or Local Storage Options – Secure storage for recorded sessions.
IT Support and Maintenance	<ul style="list-style-type: none"> • On-Site Technical Team – Ensures quick resolution of technical issues. • 24/7 Remote IT Support – Provides assistance for troubleshooting. • Regular Equipment Maintenance – Ensuring uninterrupted functionality
Power Backup	<ul style="list-style-type: none"> • Uninterruptible Power Supply (UPS) System – Prevents power outages from disrupting proceedings. • Backup Generators – For prolonged power failures

7. Requirements of the designated video conferencing software.-

The designated video conferencing software shall facilitate the following minimum requirements:-

- (i) an online, real-time collaboration software with features like video, voice, screen sharing, document sharing, presentation, recording etc.;
- (ii) the platform shall have a whiteboard for flashing messages and recording meetings or sessions;
- (iii) the complete access log of the different users with extended reports, including IP/Device details/ Application details, should be provided with each meeting room;
- (iv) the platform should be hosted on an India-based data centre with a 100% Disaster recovery site;

- (v) the platform shall offer cross-platform functionality, ensuring seamless operation across various operating systems, including Windows, Linux, mac OS, IOS etc., to accommodate diverse technology ecosystems of all participants and guarantee a consistent user experience regardless of the operating system used;
- (vi) the platform shall be scalable to multi point connectivity with 500 user logins at a time;
- (vii) the platform shall provide private and confidential breakout rooms between multiple users;
- (viii) the platform shall be capable of synchronizing and scheduling with cause list of cases by advocates with waiting lobby and automatic pulling according to the cause list;
- (ix) the platform shall provide master control facility at Court's end and if approved by the High Court, recording and archiving facility; and
- (x) the platform shall provide audit trail of the proceedings.

8. Appointment of Coordinators.-

- (1) There shall be a Coordinator both at the court point and at the designated place from where any required person is to be examined or heard or is directed to remain present. However, coordinator may be required at the remote point only when a witness or a person accused of an offence is to be examined;
- (2) In all the Courts, one or more persons nominated by the High Court or the Principal District and Sessions Judge

concerned within whose jurisdiction the respective Court is situated, shall perform the functions of the coordinators at the designated place.

- (3) The Court may appoint any court official as a coordinator at the Court Point.
- (4) The coordinator at the designated place may be any of the following:-

Sub-rule	Where the Advocate or Required Person is at the following Point:-	The Remote Point Coordinator shall be:-
8.(4).1	Overseas	An official of an Indian Consulate/ the relevant Indian Embassy/the relevant High Commission of India.
8.(4).2	Court of another State or Union Territory of India	Any authorized official nominated by the concerned Principal District and Sessions Judge.
8.(4).3	Mediation Centre or office of District Legal Services Authority	Any authorized person/ official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority.
8.(4).4	Jail or prison	The concerned Jail Superintendent or Officer-in-charge of the prison.
8.(4).5	Hospitals administered by the Central Government, the State Governments or Local Bodies	Medical Superintendent or an official authorized by them or the person in charge of the said hospital.
8.(4).6	Observation Home, Special Home, Children's Home, Shelter Home, or any	The Superintendent or Officer in charge of that Child Care Institution or

	institution referred to as a Child Care Institution and where the required person is a juvenile or a child or a person who is an inmate of such Child Care Institution.	an official authorized by them;
8.(4).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 Officer-in-charge of the women's facility or an official authorized by them;
8.(4).8 In	Custody, care or employment of any other government office, organization or institution (collectively referred to as Institutional facilities)	The Superintendent or Officer-in-charge of the institutional facility or an official authorized by them;
8.(4).9	Forensic Science Lab	The Administrative officer-in-charge or any other person nominated by the Director/Head of the Laboratory.
8.(4).10	In case of any other location	The concerned Court may nominate any public servant of public official of the concerned department to render 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

9. Preparatory arrangements.-

- (1) The coordinator at the designated place/remote point shall ensure that-
 - (a) the required person scheduled to appear in a particular proceeding are ready at the remote point/designated place for video conferencing well before the scheduled time;
 - (b) no unauthorized recording device is used;
 - (c) no unauthorized person enters the remote point or designated place, when the video conference is in progress;
 - (d) 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 Court concerned during the course of examination.
- (2) Where the witness to be examined through audio-video electronic means requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of hearing through audio-video electronic means and in appropriate cases may provide the copies of all or any part of the relevant documents in electronic form to the coordinator of the concerned remote point.
- (3) Before the scheduled video conferencing, the Court shall ensure that the coordinator at the designated place or remote point receives in electronic form, copies of all or any part of the documents which may be required for recording of evidence, or for reference of the witness. However, coordinator shall allow such documents in electronic form to be used by the required person only with the permission of the Court.

- (4) Whenever required, the Court shall order the coordinator at the remote point or at the court point to provide-
- (a) a translator in case the person to be examined is not conversant with the official language of the court;
 - (b) an expert in sign languages in case the person to be examined is impaired in speech and/or hearing;
 - (c) 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;
 - (d) a person for reading of documents in case the person to be examined is visually challenged.

CHAPTER-III

PROCEDURE FOR VIDEO CONFERENCING

10. Appearance through audio-video electronic means.-

- (1) In criminal case, any party to the proceedings or witness, save and except where proceedings are initiated at the instance of the Court, may move a request in form provided in Schedule-II for presence and proceedings through audio-video electronic means:

Provided that the Court, as far as possible, shall examine public servant or expert through audio-video electronic means:

Provided further that the prosecution while submitting trial programme shall indicate the witnesses who are to be examined through audio-video electronic means and the details of designated place or remote point for examination of such witnesses:

Provided also that the defence while submitting the list of defence witnesses shall indicate the witnesses who are to be examined through audio-video electronic means and the details of designated place or remote point for examination of such witnesses:

Provided also that the decision of the Court with regard to presence of party or examination of the witness through audio-video electronic means and the designated place or remote point shall be final and binding.

- (2) In civil cases, the Court may, in its discretion or on request of any of the parties, hear any case through audio-video electronic means:

Provided that the parties while submitting the list of witnesses shall indicate the witnesses who are to be examined through audio-video electronic means and the details of designated place or remote point for examination of such witnesses:

Provided further that the decision of the Court with regard to presence of party or examination of the witness through audio-video electronic means and the designated place or remote point shall be final and binding.

- (3) While allowing a request for video conferencing the Court may also fix the schedule for hearing through audio-video electronic means.
- (4) An advocate may appear from advocates remote point for making submissions or for examination of witnesses.
- (5) Where video conferencing proceedings are conducted for making oral submissions, the order may require the advocate or party in person to submit written arguments and precedents, if any, in advance.

11. The process to witness.-

The process issued to a witness, who is to be examined through audio-video electronic means, shall mention the date and time of hearing and the venue of designated place.

12. Examination of person and witness through audio-video electronic means.-

- (1) The person to be examined through audio-video electronic means shall ordinarily be examined during the ordinary court working hours or at such time as the Court may direct.
- (2) Where the person to be examined is an accused, the Court shall provide adequate opportunity to consult his advocate before, during and after the hearing through audio-video electronic means.
- (3) The Court shall obtain the signature of the person being examined on the transcript immediately after the examination is concluded. The signed transcript shall 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-
 - (a) where electronic signatures are available with the presiding Judge as well as with the person examined, transcript electronically signed by the presiding Judge at the court point shall be sent by the designated video conferencing software or official e-mail to the coordinator at remote point where the transcript shall be electronically signed by the person examined. Such signed transcript shall be remitted by the designated video conferencing software or official e-mail to the coordinator at court point. A printout of such transcript may be taken and made part of the judicial record;
 - (b) if electronic signature are available with the presiding Judge as well as with the coordinator at the remote point but not with the person examined, the copy of the transcript electronically signed by the presiding Judge shall be sent by the designated video conferencing software or official e-mail to the coordinator at the remote point. A printout of such transcript shall be taken and signed by the person examined. A scanned copy of the signed transcript shall be electronically signed by the coordinator at the remote point and shall be remitted by the designated video conferencing

software or official e-mail to the court point. A printout of such transcript may be taken and made part of the judicial record.

- (c) if electronic signatures are not available, the printout of the transcript shall be signed by the presiding Judge at the court point and shall be sent in non-editable scanned format by the designated video conferencing software or official e-mail to the coordinator at remote point where a printout of the same shall 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 at the remote point by the designated video conferencing software or official e-mail to the court point where a print out of the same shall be taken and shall be made a part of the judicial record.

Provided that in case of clause (b) and (c) above, the transcript signed by the person examined shall be preserved at remote point for a period of six months.

- (4) The Court may, at the request of a person to be examined, or on its own motion, taking into account the best interest 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.
- (5) The coordinator at the remote point shall ensure that no person is present at the remote point, except the required person and any other person permitted by the Court.
- (6) The Court may impose such other conditions as are necessary in for effective hearing of cases through audio-video electronic means.
- (7) Evidence of a witnesses shall be recorded only from the designated place:

Provided that where a required person is not capable of reaching the remote point due to sickness or physical infirmity, or whose presence at remote point cannot be

secured without undue delay or expense, the Court may authorize his appearance or examination through audio-video electronic means from the place at which such person is located. However the hearing shall be conducted through designated video conferencing software.

- (8) Where the court is of opinion, for the reason recorded in writing that, evidence of the witness cannot be effectively recorded, may decline to examine such witness through video conferencing.

13. Exhibiting or showing documents to required person at remote point.-

If in the course of examination of a person at remote point by audio-video electronic means, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:-

- (a) if the document is at the court point, by sharing the copy of such document online or by transmitting the document through designated video conferencing software or official e-mail to the remote point;
- (b) if the document is at the remote point and Court permits its presentation by sharing the copy of such document online or by transmitting the document through designated video conferencing software or official e-mail to the court point. The physical copy of the document counter signed by the required person and the coordinator at the remote point shall also be forwarded to the court point.

14. Ensuring seamless connection through audio-video electronic means.-

- (1) The coordinator at court point may provide the live link of the hearing through audio-video electronic means to all concerned.
- (2) If the proceedings are carried out from any place other than a designated place, the coordinator at such place shall ensure compliance of all technical requirements.

- (3) The coordinator at the court point may be contacted by the concerned advocates or the required person for guidance with regard to the fulfilment of technical and other requirements for hearing through audio-video electronic means.

15. Remand.-

The Court may, at its discretion authorise detention in judicial custody of any person accused of an offence through audio-video electronic means in compliance with the provisions of section 187 of the BharatiyaNagarikSurakshaSanhita, 2023 (46 of 2023):

Provided that if the accused is already in judicial custody, whether of same Court or some other Court or is undergoing sentence, the Court may further remand him during inquiry or trial under sub-section (2) of section 346 of the said sanhita through audio-video electronic means.

16. Charge, examination of accused and plea bargaining.-

- (1) The Court may frame the charges in criminal trial or examine an accused under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) through audio-video electronic means while observing all due precautions to ensure that the witness or the accused, as the case may be, is free from any form of coercion, threat or undue influence.
- (2) The Court may also use audio-video electronic means for the purpose of plea bargaining under Chapter XXIII of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).
- (3) The signature of the required person under this rule shall be obtained in the same manner as provided under rule 12 above.

17. Record of proceedings through audio-video electronic communication.-

Wherever any proceeding is undertaken by the Court under these rules through audio-video electronic means, the Court shall mention relevant details of such hearing in the order.

CHAPTER-IV
GENERAL PROCEDURE

18. Conduct of proceedings.-

- (1) All advocates, required persons, the party in person or any other person permitted by the Court to remain physically or visually present shall have their presence recorded. However, in case participants are desirous that their face or name be masked, information to that effect shall be furnished to the court point coordinator prior to the commencement of the proceedings.
- (2) All advocates, required persons, the party in person and/or any other person permitted by the Court to remain present through audio-video electronics means shall follow all the courtesies applicable to the courts.

19. Third parties to the case.-

- (1) Third parties may be allowed to remain present during video conferencing only upon a specific order of the Court. However, they shall be passive participants and shall not be allowed to make any submission without permission of the Court.
- (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 beginning of the proceedings and the purpose of the presence of that person shall be conveyed to the Court. Such person shall continue to remain present only with the permission of the Court.

20. Allowing persons who are not parties to the case to view the proceedings.-

To observe the requirement of an open court proceedings, members of the public may be allowed to view hearings conducted through audio-video electronics means, except proceedings ordered for reasons to be recorded in writing to be conducted in camera.

CHAPTER-V
MISCELLANEOUS

21. Power to relax.-

The High Court may, if satisfied that the operation of any rule is causing undue hardship, by 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.

22. Residual provisions.-

Matters concerning which no express provisions has been made in these rules shall be decided by the Court consistent with the principles and interest of justice.

23. Repeal and saving.-

- (1) The Madhya Pradesh Video Conferencing Rules, 2020 are hereby repealed.
- (2) Notwithstanding such repeal, any order made or any action taken under such rules shall be deemed to have been made or taken under the corresponding provisions of these rules.

SCHEDULE-I

Following places are declared to be designated places for the purpose of these rules.

- (1) Video conferencing room situated in High Court or any District and Sessions Court or in any Civil Court in the State of Madhya Pradesh.
- (2) Video Conferencing Room situated in any Medical College, District Hospital, Civil Hospital, Community Health Centre or Primary Health Centre.
- (3) Office of Registrar (IT), High Court of Madhya Pradesh, Chief Medical and Health Officer or civil Surgeon or Block Medical Officer in the State of Madhya Pradesh.

- (4) Office of any Central Forensic Science Laboratory or State Forensic Science Laboratory or Regional Forensic Science Laboratory.
- (5) All Police Stations and offices of Superintendent of Police, Additional or Deputy Superintendent of Police or equivalent police officers.
- (6) Office of Superintendent of Police (EOW), Superintendent of Police (Lokayukt), Superintendent of Police (Railways), Superintendent of Police (CBI) etc.
- (7) Offices of Narcotics Control Bureau, Central Bureau of Narcotics, Directorate of Revenue Intelligence, Directorate or any other Central or State Agency.
- (8) Office of any of the Department of State Government including Collector, Sub-Divisional Officer, Tehsildar, Registrar or Sub-Registrar etc.
- (9) All Central Jails, District Jails and Sub-Jails
- (10) All District Legal Services Authorities.
- (11) Any other offices of Central Government or State Government as may be notified by the High Court.

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) Name and Designation of the Participants
At the Remote Point/Designated Place:_____
- (7) Reasons for Video Conferencing:_____

In the name 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/authorized signatory:

Date:

* Evidence of a witness shall be recorded only from designated place except in situation provided in sub-rule (7) of rule 12.

By order of the High Court,
DHARMINDER SINGH, Registrar General.