HIGH COURT OF DELHI: NEW DELHI

NOTIFICATION

No. 11/Rules/DHC

Dated: 22.02.2022

RULES FOR ON-LINE ELECTRONIC FILING (E-FILING) FRAMED BY THE HIGH COURT OF DELHI UNDER SECTION 7 OF THE DELHI HIGH COURT ACT, 1966 (Act 26 of 1966) AND ARTICLE 227 OF THE CONSTITUTION OF INDIA WITH THE PREVIOUS APPROVAL OF THE LT. GOVERNOR OF NATIONAL CAPITAL TERRITORY OF DELHI.

Short Title, Applicability and Commencement:

These Rules will be called "e-Filing Rules of the High Court of Delhi 2021". They will apply to the High Court of Delhi and the District Courts and Tribunals under the control and supervision of the High Court of Delhi.

These Rules will come into force from the date notified by the High Court and will apply to such categories of cases and courts and tribunals as would be notified by the High Court.

1. Preface

These Rules will apply to on-line e-filing and e-filing via Designated Counters and facilities provided for e-filing through e-Sewa Kendras. These Rules amend and consolidate the existing Rules and Practice Directions.

2. Definitions

- 2.1. <u>Action:</u> includes all proceedings instituted in the Court such as suits, criminal complaints, appeals, civil or criminal writ petitions, revision petitions, contempt petitions, execution petitions, arbitration petitions, probate cases and interlocutory applications.
- 2.2. <u>Administrator:</u> means the Registrar (IT) or an officer appointed by the Chief Justice for administering and dealing with matters connected with or relating to e-filing for the High Court. In so far as the District Courts are concerned it would mean the In-Charge Computer Branch or any other Officer nominated by the District and Sessions Judge (HQ).
- 2.3. **Bench:** means and includes one or more Judges assigned to adjudicate upon Actions or the Presiding Officer of the Court or Tribunal as the case may be.
- 2.4. **Designated Counter:** means and includes that counter which finds mention in **APPENDIX I & APPENDIX IA** concerning the High Court and District Courts

respectively and those that may be included or excluded therefrom from time to time.

- 2.5. **District Courts:** means and includes the courts established and functioning under the control and supervision of the High Court.
- 2.6. <u>**E-Committee:**</u> means the Committee constituted and mandated by Hon'ble Chief Justice of India from time to time.
- 2.7. <u>Electronic Filing (e-filing)</u>: means e-filing as prescribed through the Internet (at the web portal of the Court) and through the internet/intranet at Designated Counters, unless the context requires otherwise.
- 2.8. **Evidence:** means and includes evidence as defined under the Indian Evidence Act, 1872.
- 2.9. <u>High Court:</u> High Court means the High Court of Delhi.
- 2.10. **Objections:** means and includes deficiencies and errors pointed out by the Registry concerning the Actions instituted in the Court.
- 2.11. **Opposite Party:** means defendant(s), respondents, judgment debtor(s) and non-applicant(s).
- 2.12. **Party:** means appellant(s), plaintiff(s), petitioner(s), complainant(s) and applicant(s).
- 2.13. **PDF:** means an electronic document filed in a portable document format.
- 2.14. **PDF/A:** means an ISO-standardized version of the Portable Document Format (PDF) specialized for the digital preservation of electronic documents.
- 2.15. **Physical Filing:** means Actions and pleadings filed as hard copies.
- 2.16. <u>Pleadings:</u> means pleadings filed in support or defence of an Action including affidavits, additional affidavits and supplementary affidavits.
- 2.17. **<u>Registry:</u>** means and includes the Registry of the High Court and the Filing Centre of the concerned District Court.
- 2.18. <u>Statement of Defence:</u> means and includes written statements, replies, counter-affidavits and additional or supplementary affidavits.
- 2.19. <u>Sterile Environment</u> shall include environment protected from dirt, humidity, fluids, extreme temperatures, external electric, nuclear and magnetic fields.
- 2.20. <u>Technical failure:</u> means a failure of the court's hardware, software, and/or telecommunications facility which results in the impossibility of submitting a file electronically. Technical failure does not include malfunctioning of the equipment of the person submitting an e-file.
- 2.21. <u>Third Party:</u> means and includes any person or entity seeking to become a party or to

intervene in an Action.

- 2.22. <u>**Tribunal**</u> means and includes all Tribunals under the control and supervision of the High Court.
- 2.23. <u>Working Day:</u> means and includes a day when the Registry of the Court is working under the Calendar published or as directed by the Court.

3. General Instructions

- 3.1 Online e-filing shall be made by visiting the web portal of the Court¹.
- 3.2. Except as provided in these Rules, Actions, whether in fresh, pending or disposed of cases, will be filed electronically by an advocate or litigant in person from their home, office or other remote location in the manner provided in these Rules.
- 3.3. Any person who is unable to access the e-filing portal would be entitled to make use of the facilities provided at the Designated Counters for that purpose upon payment of charges if stipulated.
- 3.4. For the moment the maximum size of the e-file is fixed at 100 MB for the High Court and 20 MB for the District Court, subject to enhancement of the e-file size upon a notification being issued in that behalf by the Administrator. Where the High Court is concerned, in case the size of the e-file exceeds 100 MB, the Advocate or litigant should visit any one of the Designated Centres for enabling e-filing through the intranet. Likewise, where the District Courts is concerned, in case the size of e-file exceeds 20 MB, the Advocate or litigant should either split the e-file in parts not exceeding 20 MB or seek the assistance of the E-Sewa Kendra located at the concerned District Court.

4. Steps for Registration

4.1. Persons other than Advocates and litigants in person who are already registered on the Court web portal will take the following steps to register themselves.

i) Advocates

- a) Should visit the web portal² to view the form.
- b) Click the registration link.
- c) Fill the form with requisite details.
- d) Submit the filled-up form along with a self-attested copy of the Bar Council Registration Certificate or Bar Council I-card (in PDF format

¹ For the High Court <u>http://dhcefiling.nic.in:8080/eFiling/</u>. For District Courts and Tribunals <u>https://efiling-dl.ecourts.gov.in/</u>

² For High Court <u>http://dhcefiling.nic.in:8080/eFiling/ GetRegistration.do</u>. For District Courts and Tribunals <u>https://efiling-dl.ecourts.gov.in/register.</u>

only).

ii) Litigants in person

- a) Should visit the web $portal^2$ to view the form.
- b) Click the registration link.
- c) Fill the form with requisite details.
- d) Submit the filled-up form along with the self-attested copy of any identity document issued by the Government (in PDF format only).

4.2 Litigants in person shall submit an affidavit/undertaking that they have not engaged an Advocate in the Action. A litigant in person who subsequently engages an Advocate shall make an application before the Administrator for transferring the data in respect of the Action to the Advocate's account in. Once the Administrator allows the application, the data in the Action shall be transferred in the user account of the Advocate. The litigant in person will not be in a position to modify the data of the subject Action, without the permission of the Administrator. As regards the District Court, as and when the application is made available, the relevant procedure to be followed shall be notified by the Administrator.

4.3. A login ID will be allotted on the next working day if the application is found complete in all respects. The procedure for registration is set out qua High Court and District Courts in <u>APPENDIX – II & APPENDIX – IIA</u> respectively.

5. Frame of Pleadings

The pleadings should be clear and concise. Parties and third parties should set forth their claims/averments in separate paragraphs. The statement of truth/ affidavit of the concerned person must bear their signature. Opposite parties should also file their replies under sequentially numbered paragraphs and headings (such as Preliminary Objections and Objections on Merits).

6. Formatting

6.1. All the original typed text material including notice of motion, memorandum of parties, main petition or appeal, interlocutory application(s), reply, status report, affidavit, documents, will be prepared electronically using the following formatting style:

Paper size	:	A-4 (29.7 cm x 21 cm)
Top Margin	:	2 cm
Bottom Margin	:	2 cm
Left Margin	:	4 cm
Right Margin	:	4 cm
Alignment	:	Justified
Font	:	Times New Roman
Font size	:	14
Line spacing	:	1.5

(for quotations and indents – font size 12 in single line spacing)

If any document is typed in a local language in Trial Courts, it must be prepared using xxx Unicode Font 14.

- 6.2. The document should be converted into Optical Character Recognition (OCR) searchable Portable Document Format (PDF) or PDF/A using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format.
- 6.3. A document which is not a text document and has to be enclosed with the Action should be scanned using an image resolution of 300 DPI (Dots per inch) in OCR searchable mode and saved as a PDF document. The procedure for converting a document into an OCR searchable PDF as mentioned above and as required in clause 8.1 is set out in <u>APPENDIX III.</u>

7. Digital Signatures

- 7.1. The PDF document shall be digitally signed either by the parties and/or by their Advocate. The digital signatures shall be appended on such places on the PDF document as prescribed under the extant rules. If neither the party nor the Advocate who has been engaged possesses a digital signature, a print out of the Action shall be physically signed by the party concerned and/or their Advocate in accordance with rules and it shall thereafter be scanned and uploaded.
- 7.2. A List of recognized Digital Signature Providers and the procedure involved in appending single or multiple signatures is set out in <u>APPENDIX IV</u>.
- 7.3. A litigant in person or advocate who does not possess a digital signature issued by the competent authority can authenticate e-filed documents by e-Sign based on Aadhaar authentication. In addition to the above, for the District Courts a litigant in person or advocate who does not possess a digital signature issued by the competent authority can authenticate e-filed documents by making use of One Time Password (OTP) transmitted to the mobile phone of the concerned person.

8. Do's and Don'ts

- 8.1. The text documents and scanned documents set out in clauses 6.3 and 7.1 should be merged as a single OCR searchable PDF file and should be book-marked as per the Master Index, duly approved by the Registry. The procedure in this behalf is, set out in <u>APPENDIX V</u>.
- 8.2. The merged documents should be uploaded at the time of on-line e-filing. Screenshots of the manner of accessing the on-line e-filing portal and for the filing of the main case and documents including written statements, replies, replications, rejoinders, affidavits and evidence by way of affidavit in a pending case are set out in <u>APPENDIX VI & APPENDIX VIA</u> concerning the High Court and District

Courts respectively.

- 8.3. Once e-filing is accepted, the filing or registration number shall be notified to the Advocate or litigant in person.
- 8.4. In so far as evidence in the form of an electronic record, such as audio and/or video files, which are to be filed in the High Court as set out in <u>APPENDIX VII</u> shall be followed. As and when this facility is made available for District Courts, the procedure to be followed will be notified by the Administrator.
- 8.5. Special Characters are not allowed while e-filling Memo of Parties and Advocate remarks.
- 8.6. Document Binary File Name Standards

The following special characters are not allowed in a file name:

A quotation mark (") A number sign/Pound (#) Per cent (%) An ampersand (&) Asterisk (*) Colon (:) Angle brackets (less than, greater than) (<>) A question mark (?) (*allowed in Delhi High Court) Backslash (\) Forward slash (/) (*allowed in Delhi High Court) Braces (left and right) ({ }) Pipe (|) A tilde (~)

The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name.

File names should not exceed 45 characters in length, including spaces. Single space must be counted as one character each.

8.7. Online e-filing shall not be watermarked or encrypted. The e-filed documents shall not contain any virus, malware, spam-ware, trojan horse or the like. All the e-filed documents shall be legible and free of markings, track changes or annotations.

9. Payment of Court Fees/Other Charges

Court fee and other charges can be paid either electronically by purchase on the online facility provided by the authorised agency or from the Designated Counters provided for the purpose in the High Court and District Courts or from any authorized court fee vendor. The Transaction ID provided upon payment of court fee and other charges is required to be entered in the appropriate field at the time of on-line e-filing.

10. Retention of Originals

- 10.1. Originals of the documents that are scanned and digitally signed by the Advocate or the litigant in person at the time of e-filing should be preserved, for production or inspection, as may be directed by the Bench.
- 10.2. The signed vakalatnama, signed and notarized/attested affidavit and any other document whose authenticity is likely to be questioned should be preserved, at least, for two years till after the final disposal of the Action. Final disposal shall include disposal of the Action by the superior appellate court.
- 10.3. Notwithstanding anything above, the following documents will have to be preserved permanently:
 - a) A Negotiable Instrument (other than a cheque) as defined in Section 13 of The Negotiable Instruments Act, 1881 (26 of 1881).
 - b) A Power-of-Attorney as defined in section 1A of the Powers-of-Attorney Act, 1882 (7 of 1882).
 - c) A Trust as defined in Section 3 of The Indian Trusts Act, 1882 (2 of 1882).
 - A Will as defined in Clause (h) of Section 2 of The Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called.
 - e) Any contract for the sale or conveyance of immovable property or any interest in such property.
 - f) Any other document as may be directed by the Bench.
- 10.4. The responsibility of producing the originals and proving their genuineness shall be of the party that has electronically filed scanned copies of the document.

11. Access to the Electronic Data of the Action

Free of cost access will be available to the authorized person(s) in respect of data e-filed by any of the parties to an Action, as is presently being provided qua pending Actions. This facility shall be in addition to the procedure put in place for obtaining certified copies.

12. Exemption from e-filing

Exemption from online e-filing and e-filing via Designated Counters qua either the entire pleading or a part of the pleadings and/or documents, may be permitted by the Bench upon an application being made for that purpose or by Hon'ble the Chief Justice upon issuance of an appropriate order on the administrative side, albeit in the following circumstances:

- i) where on-line e-filing is for reasons set out in the application not feasible; or
- ii) where there are concerns about confidentiality and protection of privacy; or

- iii) where the document cannot be scanned or filed electronically because of its size, shape or condition; or
- iv) where the online e-filing portal is either inaccessible or not available for some reason; and/or
- v) for a just and sufficient cause.

13. Service of Electronic Documents

In addition to the prescribed mode of service, notices, documents, pleadings that are filed electronically may also be served through the designated e-mail IDs of Registry officials to the e-mail address of the advocates or parties, if available. E-mail IDs of Registry officials will be published on the Court website to enable the recipients to verify the source of the e-mail.

14. Computation of Time

14.1. Wherever limitation/time limits apply, it will be the responsibility of the party concerned to ensure that the filing is carried out well before the cut-off date and time. The date of e-filing will be taken as that date when the Action is electronically received in the Registry within the prescribed time on any working day. For computing the time at which e-filing is made, Indian Standard Time (IST) will apply.

14.2. E-filing through Designated Counters will be permissible up to 1600 hours on any court working day. Online e-filing carried out after 1600hours on any day, will be treated as the date which follows the actual filing date provided it is a court working day. Actions filed on a day declared as gazetted holiday or on a day when the court is closed, will be regarded as having been filed on the next working day. For the computation of limitation, online e-filing shall be subject to the same legal regime as applicable to the physical filing, save and except as provided hereinabove.

14.3. The facility for online e-filing through the web portal shall be available during all twenty-four hours of each day, subject to breakdown, server downtime, system maintenance or such other exigencies. Where on-line e-filing is not possible for any of the reasons set out above, parties can either approach the Designated Counters for e-filing between 10 am to 4 pm on court working days or take recourse to the physical filing. No exemption from limitation shall be permitted on the ground of failure of the web-based online e-filing facility.

14.4. Provisions for limitation governing online e-filing will be the same as those applicable to the physical filing. The period of limitation for such actions will commence from the date when e-filing is made as per the procedure prescribed in these Rules.

15. Procedure for Filing Caveat

All caveats can be filed on-line. In so far as the High Court is concerned, the procedure is set out in **Appendix**– **VIII**. As regards the District Court, as and when the application is made available, the relevant procedure to be followed shall be notified by the Administrator.

16. Hard Copies of Pleadings and Documents filed Electronically

Advocates, as well as parties, may print hard copies of all pleadings and documents filed electronically for their use in the court or elsewhere. The Registry will wherever required to prepare hard copies for official use.

17. Storage and Retrieval of e-Filed Documents and Pleadings

E-filings will be stored on an exclusive server maintained under the control and directions of the High Court / E-Committee. Each such filing will be separately labelled and encrypted to facilitate easy identification and retrieval. The security of such filings will be ensured. Access to e-filings would be restricted in the manner provided herein above and as may be notified from time to time. For continuity of operations in case of disaster, natural calamity or breakdown, a mirror image of e-filings available on the servers located in the Court may be maintained at different geographical locations, as decided from time to time by the High Court / E-Committee.

Provided for marking electronic records as exhibits in the course of the trial, the protocol set out in <u>Appendix IX</u> shall be followed qua the Actions instituted in the High Court. As regards the District Court, as and when the application is made available, the relevant procedure to be followed shall be notified by the Administrator. However, the mere assigning of a unique number to the electronic record will not amount to the authentication or proof of such electronic record. Nothing in these rules shall be construed as dispensing with the proof of the electronic record as required under the law.

18. Residuary provisions

18.1. The e-filing made by an Advocate/litigant in person will be rejected if they do not follow the protocol mandated by these Rules or practice directions.

18.2. Subject to such further directions as may be issued, it would not be obligatory on the part of the opposite party to accept pleadings and documents by email. In such an eventuality, hard copies of pleadings and documents will have to be provided to the opposite party. In such circumstances, the plaintiff/ petitioner can be called upon to deposit the charges calculated based on the number of pages per defendant/respondent which are required to be photocopied. This facility will be provided by the Registry on a written request being made by the defendant(s)/respondent(s).

18.3. The Registry will communicate the objections, if any, regarding the cases filed by email/SMS/web hosting to the concerned Advocate/litigant in person. After the objections are cleared the case will be processed for listing and the Advocate/litigant in person will be informed including by email/SMS.

19. General Caution

Email is not a secure medium of communication. Any communication transmitted by email can be intercepted or read by a third party. An Advocate or litigant in person seeking to transmit confidential or sensitive document/material shall approach the Registry for requisite assistance/advice.

APPENDICES

- APPENDIX I List of Designated Counters (For High Court).
- APPENDIX IA List of Designated Counters (For District Courts).
- APPENDIX II Screenshots showing the procedure for registration. (For High Court)
- APPENDIX IIA Screenshots showing the procedure for registration. (For District Courts)
- APPENDIX III Screenshots showing the procedure for converting a document into an OCR searchable PDF.
- APPENDIX IV Screenshots showing the procedure for appending single or multiple digital signatures.
- APPENDIX V Screenshots showing the procedure for book-marking.
- APPENDIX VI Screenshots of the manner of accessing the on-line e-filing portal and for the filing of the main case and documents including written statements, replies, replications, rejoinders, affidavits and evidence by way of affidavit. (For High Court)
- APPENDIX VIA Screenshots of the manner of accessing the on-line e-filing portal and for the filing of the main case and documents including written statements, replies, replications, rejoinders, affidavits and evidence by way of affidavit. (For District Courts)
- APPENDIX VII Procedure for filing of all evidence in the form of an electronic record, such as audio and/or video files, etc.
- APPENDIX VIII Procedure for on-line filing of Caveat with screenshots.
- APPENDIX IX Protocol for marking of electronic records as exhibits in the course of the trial.

LIST OF DESIGNATED COUNTERS

- ✓ eFiling Center 1, Chamber No. 4, LCB-1 Delhi High Court
- ✓ eFiling Center 2, Filing Counter Original Side, LCB-1 Delhi High Court
- ✓ eFiling Ext. Counter, Facilitation Centre, Ground floor, Karkardooma Courts, Delhi
- ✓ eFiling Ext. Counter, Facilitation Centre 2, Ground floor, Dwarka Courts, New Delhi
- ✓ eFiling Ext. Counter, Facilitation Centre, Ground floor, Near Gate No. 2, Patiala House Courts, New Delhi
- ✓ eFiling Ext. Counter, Facilitation Centre, Ground floor, Rouse Avenue District Courts, New Delhi
- ✓ eFiling Ext. Counter, Facilitation Center Ground floor, Near Sub Post Office, Rohini Courts Complex, Rohini Delhi
- ✓ eFiling Ext. Counter, Filing Counter, Tis Hazari Delhi
- ✓ eFiling Ext. Counter, Lawyer's Chamber Block, Ground floor, Saket Court Complex, New Delhi

Information regarding e-filing counters functioning in Delhi District Courts

51. N	Name of Court Complex	No. of e-filing counter	-	ocation of e-filing counter
			1)	Facilitation Centre (Admin Block)
1.	Patiala House Court	3	2)	Bail Section Counter (Admin Block)
			3)	Facilitation Centre (Family Court Building)
2.	Rohini Court	2	Grou	nd Floor, Near Post Office
3.	Saket Court	1	Lawy	ers Block
4.	Rouse Avenue Court	2	Facili	tation Centre/Filing Section
5.	Dwarka Court	1	Facili	tation Centre-2
			1)	Facilitation Centre, Ground Floor
	Karkardooma Court	4	2)	Porta Cabin near Police Chowki outside the Court building
0.			3)	Porta Cabin near Police Chowki outside the Court building
			4)	Porta Cabin near Police Chowki outside the Court building
7.	Tis Hazari Court	2	Facili	tation Centre/Filing Section

APPENDIX-II

Procedure for REGISTRATION

USER REGISTRATION AS: ADVOCATE

At the time of registration a valid Email Id & Mobile number to be provided so that electronic notification confirming the status of online filing can be sent.

	Hide COURT OF DELH e-Filing Management System
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1. Click "Register as Advocate/ Party In-Person"	Enter the Velidation code :
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USER REGISTRATION AS ADVOCATE: THE REGISTRATION FORM

The registration form requests information about you.

1.) Select option Advocate

2.) Enter your Bar Council Enrolment Number and Date of Enrolment

3.) Enter Your Personal Information.

4) Upload self attested copy of Bar Council ID/ Bar Council Certificate

5) Enter Vaild Captcha

6) Click **Register** Button to register your profile

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USER REGISTRATION AS ADVOCATE

- 1. After filling of the details, click on the "Register" button.
- 2. A pop is generated to confirm about the information filled by you.
- 3. If all the information is correct click on "OK" button else on "Cancel" button to correct the details.

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HIGH COURT OF DELHI

USER REGISTRATION AS ADVOCATE: LOGIN INFORMATION

The login ID will be allotted on the next working day, only if, the application is found complete in all respects.

A mail has been sent at e-mail : xxxxxxx@xx.com. Your Login ID & Password will be communicated after approval

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USER REGISTRATION AS PARTY-IN PERSON

TO REGISTER:



USER REGISTRATION AS PARTY-IN PERSON: THE REGISTRATION FORM

FILLING OUT THE REGISTRATION:

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USER REGISTRATION AS PARTY-IN PERSON LOGIN INFORMATION

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A mail has been sent at e-mail ; xxxxxxx@xx.com. Your Login ID & Password will be communicated after approval

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Register for efiling for High courts / District courts in India

and Become a Digital Era Advocate

Register for efiling

- · Are you an advocate practicing in High court / District court of India ?
- . Do you want to file your case in the comfort of your office ?
- . Do you want to file your case without visiting court complex ?

✓ Then choose efiling -the digital online filing process

- 10 step Registration procedure for Advocate at effling portal www.efiling.ecourts.gov.in
- Visit efiling portal www.efiling.ecourts.gov.in and become registered user by following the 10 steps hereunder

Getting started

- "Before starting registration keep the following details ready"
- Details of your mobile number, email ID registered with court database
- Details of your bar enrollment number
- Digital photo in Jpeg/Jpg format size between 5 KB and 5 MB
- Identity proof (Any one Pan card / Aadhar card / Voter card / Driving License / Bar Registration certificate in Jpeg / Jpg format size between 5 KB and 5 MB
- Smart Phone / Laptop with internet connection
- As it is a time bound registration you need to complete within 18 minutes. Dont start registration without having all the above details ready I







Two OTP verification : If you have received Two OTPs, Enter the OTP received in your mobile number and the OTP received in your email ld In the respective entrybar and click verify OTP (or)

One OTP vertilication : In some cases if you have received one OTP in your mobile number alone, then enter that OTP in the mobile OTP entry ber and click verify OTP.

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STEP: 8

STEP:9

- Upload your Photo and ID
- Upload your Photo (in Jpeg/Jpg format) of size less between 5 KB and 5 MB) using "Choose file" option
- Upload Identity proof in image size less than 5 KB and 5 MB using the "Choose file" option
- Suppose you don't have digital photograph just take a photo from your smart phone and upload

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- . Similarly, if you don't have digital copy of your ID cards, then you can take a photo or scan the ID cards using any scan application and upload. Before uploading ensure that your photo and the ID card are in the format Jpeg or Jpg and in size between 5 KB and 5 MB
- . Then you have to choose the type of ID card uploaded i.e. Pan card / Aadhar card / Voter card / Driving License / Ber Registration certificate from the drop box.

You have sucessfully become a registered Advocate of efiling Start efiling you cases from the comfort of your office



Fill other Details

Password

(Password must contain minimum 8 digit and must include 1 uppercase character, 1 lower case character, 1 number, 1 special character)

- **Confirm Password**
- First Name Last Name
- Other contact number Gender

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44

- Date of Birth (DD/MM/YY)
- Address Line 1
- Address Line 2 State

STEP 10

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STEP : 10

· Finally enters the captcha code given in box and click the "Register" button to complete the Registration process. You will finally get the message "Registered Successfully"



APPENDIX-III

Procedure for converting a document into an OCR searchable PDF.

There are many free & trial version software available online that can be downloaded from internet for creating OCR in PDF files. These includes PDF -XChange viewer, Acrobat Adobe, Abbyy FineReader etc.

Open the PDF file containing a scanned image you wish to Convert in OCR Format

Using PDF- XChange Viewer – free







Document in OCR Format



Please go to the website - http://cca.gov.in to get the list of Licensed CAs-



Procedure for Digital Signature

- 1. Using PDF Signer.
- 2. Select "A single PD document" or "A Folder with PDF documents".
- 3. Select Source
- 4. Select Destination

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Right-click the selection and click Add Bookmark... on the shortcut menu or Press Ctrl+B \rightarrow Click on Add Bookmark (Bookmarks panel will open)

Using Foxit Reader – free trial



APPENDIX-VI

Procedure for accessing the online web portal and electronically filing documents

DELHI HIGH COURT WEBSITE



- 1) Go to www.delhihighcourt.nic.in
- 2) click on e-filing link

LOGIN

Only Registered Advocate/ Party In Person can file the cases

	HIGH COURT OF DELHI e-Friling Management System
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LOGIN

First Time Login



Guidelines for usage of password

• Sharing Login IDs and password is prohibited. Access to the online application account is restricted to the individual/firm to whom that account is assigned.

Do not share password with anyone.

• If you fail to Logout your account will be locked & activated after 30 minutes.

• As a user of the E-File Application, you can change your password anytime. However it will be mandatory for the new user to change the password at the time of first login.

• A valid E-Filing Application password must be at least eight characters in length and contain at least one special character one capital letter & one number.

• The password should not be the same as or a subset of your User ID. Other methods of protecting your password identity is to make sure that it is not easily discernible, such as a common name or location and should not be posted or stored in a location easily accessible by others.

• If you forget your password, you may reset your Password by using Forgot Password link.

AFTER LOGIN

- 1) After login to e-filing system you will get the status of the cases filed under different categories MAIN, APPLICATION, DOCUMENT & DRAFT
- 2.) There are two main menu items
 i) e-Filing :-Under this menu there are following sub-menu items
 ✓ 1. Main Case
 - ✓ 2. Application
 - ✓ 3. Document
 - ✓ 4. Vakalatnama
 - ✓ 5. Caveat



AFTER LOGIN

ii) Inbox :- Under this menu there are sub-menu items
✓ 6. Main Case Inbox
✓ 7. Application Inbox

- ✓ 8. Document Inbox
- ✓ 9. Caveat Inbox
- ✓ 10. Previously Filed Cases
- ✓ 11. Draft Inbox
- ✓ 12. Caveat Match

✓ 13. Add Reference No for



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Click on the link e-Filing \rightarrow 1. Main Case



Step 1 On completion of form of MEMO OF PARTIES, click on the button Next.



Step 2 Now the screen for filling other detail will appear with the Petitioner and respondent details as you had entered in the previous screen.

•Select Case Type (Mandatory)		HIGH COURT OF DELHE e-Filing Management System	
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You can choose any option to fill and can go to the next page anytime.

Step 2. Impugned Order \rightarrow To use this option Click on *Impugned Order* Tap

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Step 2. Name of Organization \rightarrow To use this option Click on *Name of Organization* Tap

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Step 2. Criminal \rightarrow To use this option Click on *Criminal* Tap

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Step 2. Land Acquisition \rightarrow To use this option Click on *Land Acquisition* Tap



Step 2. Tax \rightarrow To use this option Click on *Tax* Tap



Step 2. Motor Accident \rightarrow To use this option Click on *Motor Accident* Tap



Step 2. Acts \rightarrow To use this option Click on *Acts* Tap



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1. Multiple eCourt fee receipts can be clubbed. 2. You can also remove e-Court Fee, if it is wrongly added by selecting the checkbox before the locking of e-Court Fee and click on Remove button 3. Advocate Remarks can be added, if any 4. Upload the prepared petition in PDF format 5. Click on Upload Document button to complete the process of main case filing

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After uploading the case, the following screen will appear with the Diary number for the case you have filed

Diary no. for the current filed case.	
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Check inbox for status.	

Add Reference Number

One Reference Number (provided at time of allowing of Urgent Application) can be used for filing that particular case and will be clubbed with one Diary Number only. Same Reference Number cannot be used in more than one case.

Diary number							
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Add Reference Number



MAIN CASE INBOX

INBOX: Now you can track the status of case filed through your inbox.

1.) In the system there is facility of tracking the status of different types of filings viz Main, Application etc.

2.) Click on the Main Case Inbox sub menu under Inbox menu

3.) under Main Case Inbox there are two tabs viz SCRUTINY--- Lists the cases which are in scrutiny stage

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MAIN CASE INBOX

INBOX: In this you can track the status of your cases.



MAIN CASE INBOX

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After uploading, following screen will appear with the Diary number for the case you have filed



Check inbox for status.

APPLICATION INBOX

INBOX: Now you can track the status of Application Filing through your inbox.

1.) Click on the Application Inbox sub menu under Inbox menu

2.) under Application Inbox there are two tabs viz

SCRUTINY--- Lists the cases which are in scrutiny stage

DEFECTIVE--- Lists the cases which are in defective stage

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DOCUMENT FILING

In this you can do Document filing in the already filed matter.



DOCUMENT FILING

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DOCUMENT INBOX

INBOX: Now you can track the status of Document & Vakalatnama Filing through your inbox.

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DRAFT INBOX

Draft Inbox: It keeps the track of main cases which are not filed yet due to some reason.

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A STEP BY STEP GUIDE FOR EFILING (efiling for High courts & District Courts of India)







Circulated by e committee Supreme Court of India



Authored by R.Arulmozhiselvi, Ubuntu cum CIS Master Trainer; OSD, Tamil Nadu State Judicial Academy .

A step by step guide for efiling

(For High Courts & District Courts of India)

Circulated by e-committee, Supreme Court of India.

Authored by, R. Arulmozhiselvi, M.L., Ubuntu cum CIS Master Trainer, OSD, Tamil Nadu State Judicial Academy, Tamilnadu Judicial Service.

First Edition : May, 2020.

Disclaimer

This referance material circulated by e-Committee is meant solely for the study and training purpose. References made are indicative and may not be used for any official or judicial reference.

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A Step by Step Guide for E-filing (For High courts & District Courts of India)

1.1. Introduction

Welcome to the digital world of E-filing of High courts /District courts of India and this user guide will help you with step by step how to efile your case in the online efiling portal. Follow this step by step guide and Start E-filing your cases from the comfort of your Office and And join the new band of **DIGITAL ERA ADVOCATE**.

1.2. Getting Started

- Before starting efiling confirm and ensure the following details:
- You must be a registered Advocate in www.efiling.ecourts.gov.in
- If you are not a registered Advocate, immediately register today in the efiling portalby watching our helpline tutorial/manual.
- To Watch the Help video / manual click on this hyperlink https://efiling.ecourts.gov.in/help.
- Unless you are a registered user you cannot efile a new case
- Keep you registered user name and Password ready. Lets start efiling a new case
- Lets start e filing a new case .

1.3. E.Filing portal <u>www.efiling.ecourts.gov.in</u>

Type (<u>www.efiling.ecourts.gov.in</u>) in your browser you will reach the filing online portal.



2

1.4. Select your< state>

- (i) by clicking on the drop list (or)
- (ii) by clicking the state directly from the India map



1.5.1 Forgot password :

If you forget your password or User-Id, you can click on the same and can enter your 10 digit mobile number or valid email id which you had registered with e Filing Portal at the time of Registration and then rest your password..

1.6. Dashboard :





1.5. Login

- Type the login id and password
- Enter the captcha
- Click on **LOGIN** button.



Dash board is the most important page from where you can keep track of the e filed cases digitally under two head (a) My e filing status and (b) My e filed cases. Let us see one by one.

1.6.1. My e filing status:



The e filing status shows the cases pending for acceptance, the cases not accepted, cases which have deficit court fees the cases pending for scrutiny and which are defective. There is another wonderful option under Draft where you can store all your drafts which are ready for e filing.

1.6.2 My e filed cases:



Under e filed cases you can see your list of e filed cases, e filed documents, deficit court fee paid,

the list of Interlocutory Applications(IA), the list of Rejected Cases, the list of Idle/Unprocessed e-

Filed cases. So once you e file your case you

can keep track of the case digitally using dashboard option without even visiting the court complex.

1.7. New case option:

After you login, you will be welcome d by the dashboard with the filing menu list on the left hand side . In the e filing menu listClick on 'New Case' Option under the dash board which will take you to the form where to file the case.



1.8. Where to file High court /Lower court:

After Choosing the new case option in the dash board page you need to select where you are going to file the case whether in the



High court or in the Lower court . For filing in the High court choose the radio button for High court and for filing in the lower court choose the radio button of the lower court option . And fill the following details through drop box i.e High court , civil or criminal ,Matter Type, Case Type , and whether it is MACT case or not and whether it is an ordinary or Urgent matter. In case of lower court choose the State, the District, the Court Establishment in addition to the above particulars.

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Check all the particulars and if it is correct then click on submit button .If you want to make any corrections then click reset button .

1.9. Filling up of forms:

1.9.1. Colour coding:

The next step is to fill the digital forms generated. Before filling up the forms we need to understand the colour coding used in the forms page which will make our task easier.

- **Blue** colour for the form in use and **Active**
- > Green colour for the form which is **completed** or **Done**.
- > Orange colour for the forms which are optional;
- **Red** colour for the forms which are **mandatory** to be filled up.



Though there are optional forms and optional fields it is advisable to fill up all the details because only then you can have a complete digital picture of your e filed case. And don't forget that after

filling up each and every

form click "SAVE" and then "NEXT".

SAVE	Next

1.9.2. Complainant/Petitioner form:

In the complainant/petitioner form you need to fill up all the details relating to the petitioner. And the fields with red star are mandatory. But it is advisable to completely fill up all the details. For example the mail is given as optional .But only when you fill up emailyou can get various alerts to your inbox from the ecourts services. Hence fill up all details and click "SAVE" and then "NEXT"

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1.9.3. e filing number:

The Saved Form will generate an e Filing **Number** at the Right Top. It can be noted for your reference.



Guide for e filing in High Courts & District Courts of India.

Circulated by e-committee,Supreme Court of India.

1.9.4. Respondent form:

The respondent form is similar to the petitioner form and hence fill up all the detailsrelating to the respondent and click "SAVE" and then "NEXT".

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After adding all the details you will get the message as **respondent added successfully**



1.9.5. Extra information Form (optional):

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If you wish to fill up any extra information regarding complainant or accused, like the Passport number, Pan card number, Fax number, Phone number Alternate Address it can be filled up under this form. Though this form is optional it is advisable that these all particulars to be filled up as far as possible. After filling up the extra information, click on Save button and; then Click on Next button. But If you do not want to fill the extra

(Page 6 of 14)

information about the Complainant/Petitioner or Accused/Respondent then directly clickon the **Next** button.

1.9.6. Extra Party Details :

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The Extra Party information arises in cases where there are more than one parties on the Complainants/Accused side or on the Petitioners/Respondents side or on both sides. Though this Form is also optional, it is highly recommended that it need to be filled up because once this form is submitted it cannot be modified later .



1.9.7 Case Details:

The Case Details Form Cane Detail contain the particulars of SHIER GAUG DEACHOR Canas of Action Data of Datas of Action - 100449820 Cause of Action Details/ 1000.00 Date/ Dispute Place, the Address of the Address of or bally of a stand of NO FURIDITY PERMITIAL Robot Charter PERMINENTING ADDRESS Personal Exercises claim amount, Any INFORMATION RELEVANCE 1 Important Information/ Subject/ Reason, the Copute Arbierg Out Of Prayer, Relief DESCRIPTION AND A 1 WILLIAM DOWN Particulars. ELECTIVE (ARE 100310478423

1.9.7.1. Hide Party:

Hide party is an important option in Case details form. In case of offenses against women and children, POSCO act matrimonial disputes wherever law mandates the protection of the identity of the Victim or petitioner then this option should be enabled so that the privacy of the petitioner will be protected and the mandate of law can be complied with. Hence the identity of the Hide party option enabled person will not be revealed in the digital screens !

1.9.8. Act-Section:

Fill the details of the Act and Section and save the details and then click Next tomove to the next form .

		Act Information		
Act*:	CODE OF CIVIL PROCEDURE *	Act Section*:	ORDER,21.RULE.11	٢
	Add more			

1.9.9. Signing Method:

- In the e-signing option, there are three options to sign
- uploaded and later on e signing Using Aadhar
- uploaded using digital signature digital token.
- Uploaded and later on e signing using mobile OTP. You can choose any one optionand then proceed further by clicking SAVE and NEXT.

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	Cuploaded digitally signed using Digital Token
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If eSign using Auditoar will be failed two tim further:	tes due to any technical reasons. a-Verification using Mobile will be automatically displayed at the very same page to proceed
NOTE : eFiling portal accepts digitally sign these by providing your Aadhar no. Therefor	et documents only. If you have digital loleer, you can upload documents digitally signed by token. Otherwise later you have to eSign re if is suggested to choose the option carefully as you will not be able to change this option taxy during thing of this Case.
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1.9.10. Upload Document:

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When you have documents to upload use this option and upload the documents. Choose the document type, document title and attach the document file which should not be more than 50 MB and click upload. The uploaded document will be displayed. If you have wrongly uploaded any document you can use the delete option and the delete it Then, you may upload the correct document. Once all the documents are uploaded, click on **Next** button.

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1.9.11. Pay court fees:

For making payment of court fee you can make online payment or through Challan payment and upload the challan details. After filing up payment details and clicking submit button, then click on **Next** button.

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1.9.12 Affirmation and Verification of Applicant.

I. Applicant/Complainant/ Litigant Affirmation.

Applicant/Complainant/Litigant Affirmation	View Applicant/Com	iplainant/Litigant Affirmation		
#0	One Time Password	(OTP) has been sent to your	mobile ******66.	
Mobile OTP * :	11	I	3	Verity OT

- Type the Name of the Applicant
- Type the mobile number of the Applicant
- Click on **Send OTP** button. Then, type the OTP received in the mobile number of the applicant and then Click on **Verify OTP** button.



1.9.13. Advocate Identification and Verification:

	Advocate Identific	ation and Verification
Advocate Identification and Verification :	View Applicant/Complainant/Litigant Id	Sentification and Verification
Name * :	NAME	3

- After the e-verification of applicant, then Advocate identification also to be verified accordingly.
- Type the name of the advocate
- Type the mobile number of the Advocate
- Click on the **Send OTP button. Then**, type the OTP received to your registered mobile number and then Click on **Verify OTP** button.



• After the verification of (i)the applicant and (ii) the Advocate, then Click on the **Next** button.

1.9.14 . View:

After filling up all the details, the filled up form details can be viewed using the 'EXPAND ALL" option or click on + to view the details against each category.

1.10. Final submit:

After checking all the details click the option "FINAL

SUBMIT"





(Page 11 of 14)

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1.11. Submitted for approval of e filing admin :



After final submit you will get the message that the e filing case number XXXXsubmitted successfully for approval of e filing admin.

1.12. Generate acknowledgment:

You can also generate acknowledgment for filing by clicking on **Pending Acceptance** option in the dashboard. From the files in the **"Pending Acceptance option"**, find



out case by looking into the e filing no, case details, date and time of submission.

and click on the e filing number of the concerned case as shown below.

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Then Click on the e Filing **Acknowledgment** button Now, the e filing acknowledgment gets downloaded

eFiling Acknowledgement

automatically in PDF form as shown below.

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1.13. Generate Case party details:

Similarly you can generate the case party details by clicking on the case parties option.

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1.14. Logout:

Lastly, you can log out from the current session by going to the **Home** in the dashboard and then click on the **log out** icon on the right side top of the screen.



1.15. Conclusion:

Thus you can successfully e file a new case in the online e filing portal which has the added advantage of keeping track of the status of the case digitally through Dashboard options. So keep e filing new cases through e filing portal and join the new band of **Digital Era Advocate**".

www.efiling.ecourts.gov.in



FOR HIGHCOURTS & **DISTRICT COURTS IN INDIA**



APPENDIX -VII

- 1. Any information contained in an electronic record that is sought to be produced in an electronic form and/or intended to be proved as per law shall be filed only through Designated Counters. Any party found dumping irrelevant data / electronic records.
- 2. Where the electronic record is contained in an electronic device it shall, before being produced, be imaged for being produced on to a removable media.
- 3. The electronic record shall be accompanied by a memo **[see Form A below].** The details and columns shall be filled up to the extent the information is available. Where the Operating System and software required to read/view/access the electronic record is unavailable, it shall be provided by the party producing the electronic record in a separate storage media.
- 4. Upon the receipt of the electronic record, the hash value thereof shall be verified by the Registry and the electronic record shall be transferred forthwith to the server of the Court following the protocol set out as under:
 - *Image of the electronic record shall be received only by the authorized personnel.*
 - Image of the electronic record shall be accompanied by a memo (Form A) by the party tendering it.
 - There shall be a dedicated server for receipt and storage of electronic records with clearly specified access rights.
 - A standardized procedure, as reviewed and updated from time to time, shall be followed for the verification of the details mentioned in the memo accompanying the electronic record.
 - The file structure of the electronic record based on the case number and the unique reference number shall be generated through the software. For example, Case Number Unique Reference Number of the Electronic Record
 - An acknowledgement depicting the unique reference number assigned to the electronic record shall be given to the party tendering the electronic record.
 - No electronic record in auto-erase mode shall be received. Every electronic record will be preserved in read-only mode.
 - A backup shall be created simultaneously of each electronic record after assignment of the unique reference number and the backup shall be stored at a separate location.
 - Logs shall be maintained for all actions and the entire process shall be automated.
- 5. Where confidentiality is sought in respect of the whole or any part of the electronic record, directions may be sought from the Court concerned.

- 6. The extant rules (of the Court concerned) regarding retention and production of original documents will apply *mutatis mutandis* to electronic records produced in terms of these rules.
- 7. Upon verification and transfer, a unique number will be assigned to the electronic record by the Registry. Such a unique number shall be made available to the person tendering such electronic record.
- 8. After a unique number is assigned, the storage media will be returned to the party/counsel concerned.
- 9. A separate register in the prescribed format shall be maintained in every Court or Court complex as the case may be, of the electronic records received, verified and transferred to the server.
- 10. Till such time the electronic record is transferred to the server and returned to the person tendering it, the storage device containing the electronic record should be placed in antistatic and magnetic proof or another such appropriate envelope, to be provided by the party. Such envelope will be appropriately labelled, by the party with the details of the case and the electronic record in the manner indicated below:
 - The storage media containing the electronic record will be tendered in an appropriate envelope or cover.
 - The envelope or cover should be free of dust, grease and chemical pollutants and kept in a sterile environment
 - As far as possible:
 - The appropriate size of the envelope would be 6" x 6" for pen drives and memory cards; 7" x 10" for CD, DVD and 8" x 10" for hard disks.
 - Electronic record should always be packed in anti-static packing and magnetic proof. Only paper or cardboard should be used with a thin water/dustproof plastic layer on the outside of the envelope.
 - A master envelope may be used to hold multiple disks (packed in separate hard plastic cases) if necessary.
 - The Label affixed thereupon, should necessarily include the case details, type, make and Sr. no. of the electronic storage media along with the name of the party or the person tendering it.

Such envelope should be kept in a sterile environment. After the electronic record is transferred as per the protocol hereinabove, the envelope will be returned along with the storage media. In any event, the storage media and the envelope will not be retained beyond one week, unless otherwise ordered by the Court.

- 11. The Registry shall maintain logs documenting all processes and protocols for electronic records created in the normal course of business.
- 12. The court concerned will display on the website the list of the operating systems and the softwares available in the court system. Guidance notes will be uploaded on the websites of the High Court and District Courts.
- 13. Only authorized personnel shall have access to electronic records.
- 14. These rules/guidelines do not deal with the destruction of electronic records or devices which

have not been collected under clause 11. These will be governed by the rules framed by the Court concerned for that purpose, as the case may be.

15. These rules will apply also to the production of electronic records during the cross-examination of a witness in the course of the trial.

FORM A

MEMO TO BE ATTACHED TO THE ELECTRONIC RECORD

Name of the Court -

Case No. -

Cause Title of the Case -

The party producing the electronic record and	
name of person tendering it	
Description (Brand name, Serial number, etc.),	
if any, of storage media (whether CD/DVD/Pen	
Drive etc)	
Operating System and Software/Application	
required to view/read the electronic record	
Number of files and size of each as contained	
in the storage media.	
Duration of each file in HH:MM: SS (in case of	
audio/video file)	
The date on which data was stored or copied	
on said storage media (DD:MM: YY).	
Name of person/agency, if any, which	
extracted and transferred Electronic Record.	
Hash Function used (SHA-2/MD5and / or any	
other media notified from time to time) and	
software used to generate the hash value.	
Hash Value	
Description of the device from which such	
electronic record was extracted and	
transferred (Brand name/Serial number/IMEI	
number, etc.)	
Any other particulars	

Date -

Party (Name & Signature) -

Place -

Counsel (Name & Signature) -

FOR OFFICE USE ONLY	
Date of receipt (with time):	
If the record is produced in sealed cover from an agency, description of seal:	
Date of Transfer to the server (with time):	
Reasons for delay in transfer (if any):	
Unique Document ID No. (to be filled by the Registry):	
Verified and transferred by:	
(Name, designation, signature):	

RETURN OF STORAGE MEDIA	
Date of return of the storage media after the transfer of the electronic record to the server.	
Name and signature (with date) of party/counsel to whom returned	

APPENDIX-VIII

Procedure for filing Caveat

CAVEAT FILING

In this you can file Caveat.

1) There is a submenu Caveat available in e-Filing menu.

1) Select Case Type

2) Enter Caveator's & Non-Caveator's Details

3) Enter Impugned Order details (compulsory for Appellate side matter)

3) Add e-court fee

4) Select document to be upload

5) Click on *Save* button to submit the Filing.

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CAVEAT FILING

After uploading, the following screen will appear with the Diary number for the case you have filed



Please *Click here* and fill details if matter is urgent

CAVEAT INBOX

INBOX: Now you can track the status of Caveat through your inbox.



APPENDIX –IX

PROTOCOL TO BE FOLLOWED FOR THE MARKING OF ELECTRONIC RECORDS AS EXHIBITS DURING TRIAL

- 1. Image of the electronic record shall be retrieved from the server of the Court during the stage of trial after verifying its authenticity with reference to its hash value and metadata.
- 2. Where an electronic record is printable, its print out shall be marked as an exhibit as per applicable rules and practices. This print out so marked as an exhibit be scanned, electronically signed by the Judge and uploaded on to the Court server as the exhibited electronic record.
- 3. Where the image of the electronic record is in the form of an audio recording of a conversation, the parties concerned shall produce transcripts of the recorded conversation. The transcripts must bear all material particulars including the date, time and duration of the recordings, the mobile phone numbers with IMEI numbers of the handsets used and the names of the purported conversationalists. The audio recording shall be played in the Court. The matching transcript of such audio recording will be marked as an exhibit as per applicable rules and practices. The exhibited transcript of the audio recording will be scanned, electronically signed by the Judge and uploaded on to the Court server as the exhibited electronic record.
- 4. Where the image of the electronic record is in the form of an audio recording of a music clip, tune, etc. The audio file may be accessed with the help of prescribed 'audio file visualiser' software for viewing and analysing the contents of music audio files; for viewing their waveforms, audio visualisations such as spectrogram views, with interactive adjustment of display parameters. The relevant portion(s) of the audio data may be annotated by adding labelled time points and defining segments, point values, curves, overlay annotations on top of one another with aligned scales, and overlay annotations on top of waveform or spectrogram views, etc.;
- 5. Where the image of the electronic record is in the form of a video recording, the same shall be played in the Court. The proceeding of the Court in which the video record is played, statement of the witness including cross-examination in respect of any part of the video record shall be video recorded to form part of the record of the trial. This video recorded deposition of the witness be treated as an exhibit. The Court in its order sheet must record in detail the persons identified by the witness and any other material aspect of the deposition/cross-examination concerning all / any part of the video record played in the Court. Time frame in the video be also mentioned in the order, wherever required.

BY ORDER OF THE COURT Sd/-(MANOJ JAIN) REGISTRAR GENERAL

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