Dated: 27.7.2022

HIGH COURT OF HIMACHAL PRADESH, SHIMLA - 171 001

No. HHC/Rules/e-filing/2019-

RULES FOR ONLINE ELECTRONIC FILING (E-FILING) FRAMED UNDER ARTICLE 225 AND 227 OF THE CONSTITUTION OF INDIA

Short Title,	Ĩ	These Rules shall be called "Electronic Filing						
Applicability and		(e-Filing) in the High Court and District						
Commencement		Courts of Himachal Pradesh Rules, 2022".						
		Courts of Himacian Francis Ivaics, 2022						
		These Rules shall be applicable to the High						
		Court of Himachal Pradesh and to the District						
		Courts and Tribunals over which it has						
		supervisory jurisdiction.						
		These Rules shall come into force from the						
		date of publication in the Himachal Pradesh						
		Rajpatra.						
Preface	2	These Rules will apply to online e-filing and e-						
		filing through Designated Counters and						
		facilities provided for e-filing, including e-						
`		Service centers. The rules will apply to such						
		categories of cases as would be notified by the						
		High Court. These Rules amend and						
		consolidate the existing Rules and Practice						
		Directions.						
Definitions	3	1. "Action" 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. "Administrator" means the Registrar						
		(IT) or an officer appointed by the Chief						
		Justice for administering and dealing with						

- matters connected with or relating to efiling.
- 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.
- 4. "**Physical Filing**" means Actions and pleadings filed as hard copies.
- 5. "Designated Counters" means and includes those counters which find mention in Appendix-I and those that may be included or excluded from Appendix I from time to time.
- 6. "District Courts" means and includes the courts established and functioning under the control and supervision of the High Court.
- 7. "Electronic Filing (e-filing)" 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.
- 8. **"Evidence"** means and includes evidence as defined under the Indian Evidence Act, 1872.
- "High Court" means the High Court of Himachal Pradesh.
- 10. "Objections" means and includes deficiencies and errors pointed out by the Registry in relation to the Actions instituted in the Court.
- 11. "Opposite Party" means defendant(s), respondent(s), judgment debtor(s) and non-applicant(s).
- 12. "Party" means appellant(s), plaintiff(s), petitioner(s), complainant(s) and

		applicant(s). 13. " Pleadings" means pleadings filed in
		support or defence of an Action including
		affidavits, additional affidavits and
		supplementary affidavits. 14. "PDF" means an electronic document
		filed in a portable document format. 15. "PDF/A" means an ISO-standardized
		version of the Portable Document Format
		(PDF) specialized for the digital
		preservation of electronic documents. 16. "Registry" means the Registry of the
		Court. 17. "Statement of Defence" means and
		includes written statements, replies,
		counter affidavits and additional or
		supplementary affidavits. 18. "Technical failure" 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. 19. "Third Party" means and includes any
		person or entity seeking to become a party
		or to intervene in an Action. 20. "Working Day" means and includes a
		day when the Registry of the Court is
		working under the Calendar published or
		as directed by the Court.
General Instructions	4	1. Online e-filing shall be made by visiting
instructions		the web portal of the Court, namely:
		https://www.hphighcourt.nic.in/ 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. 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. 4. The size of the e-file should not exceed 20
			MB. In case the file size exceeds 20 MB,
			the Advocate or litigants should visit any
			one of the Designated Centres for
			enabling e- filing through the intranet.
Steps	for	5	1. Person other than Advocates and litigants
Registration			in person who are already registered on
			the Court web portal will take following
			steps to register themselves.
			(i) Advocates (a) Should visit the web portal
	:		(https://www.hphighcourt.nic.in) 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
	•		ID-card (in PDF format only). (ii) Litigants in person (a) Should visit the web portal
	İ		(https://www.hphighcourt.nic.in) to
		ĺ	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
		ľ	document issued by the Government
			(in PDF format only). 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						
	<u> </u>	transferring the data in respect of the						
		Action to the Advocate's account. Once						
		the Administrator allows the application						
		the data in the Actions 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.						
		·						
Frame of Pleadings	6							
S								
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Formatting	7	1. All the original typed text material						
	i	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:						
		litigant in person, who subsequently engages an Advocate, shall make ar application before the Administrator for transferring the data in respect of the Action to the Advocate's account. Once the Administrator allows the application the data in the Actions 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. 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 in Appendix-II. 6 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). 7 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 • Top Margin: 2 cm • Bottom Margin: 2 cm						
		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. Once the Administrator allows the application the data in the Actions 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. 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 in Appendix-II. 6 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). 7 I. Ali 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 • Top Margin: 2 cm						
· .		Top Margin : 2 cmBottom Margin : 2 cm						

		 Right Margin: 4 cm Alignment: Justified Font: Times New Roman Font size:16 Line spacing: 1.5 Other: For heading, font size should be 18. Times New Roman If any document is typed in local language in Trial Courts, it must be prepared using xxx Unicode Font 16. The document should be converted into Optical Character Recognition (OCR) searchable Portable Document format (PDF) or PDF/A using any PDF converter or inbuilt PDF conversion plug-in provided in the software. PDF/A is the preferred format. 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 PDF document. The procedure for converting a document into an OCR searchable PDF as mentioned above and as required in clause
Digital Signatures	8	8.1 is set out in Appendix-III. 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 singed by the party concerned and/or their Advocate in accordance with rules and it shall thereafter be scanned and uploaded.

		2.	A list of recognized Digital Signatures
			Providers and the procedure involved in
			appending single or multiple signatures is
			set out in Appendix-IV.
		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
D 4 D 141-	9	ļ	Aadhaar authentication. The text documents and scanned
Dos and Don't's	9	1.	
			documents set out in clauses 7.3 and 8.1
			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
		2.	this behalf is set out in Appendix-V. 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 and
			replications, rejoinders, affidavits and
			evidence in a pending case are set out in
		3.	Appendix - I. Once e-filing is accepted, the filing or
			registration number shall be notified to the
		4.	Advocate or litigant in person. In case on-line e-filing includes audio
			and/or video files, the Administrator shall
		5	generate a hash value. Special Characters are not allowed while e-
			filing Memo of Parties and Advocate
			remarks.
		6. Th	Document Binary File Name Standards.
		all	owed in a file name: • A quotation mark (")

A number sign/Pound(#) Per cent (%) Ampersand(&) Asterisk(*) Colon (:) Angle brackets (less than, greater than) A question mark (?) Backslash (\) Forward slash (/) Braces (left and right)([)) Pipe (1) 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 length, in including spaces. Single space must counted as one character each. Online e-filing shall not watermarked or encrypted. The efiled 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. Payment of court Court fees and other charges can be paid Fees/ Other either electronically by purchase on the online Charges facility provided by the authorized 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.

Retention	of	11	1. Originals of the documents that are
Originals			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. 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
		<u> </u>	disposal of the Action. Final disposal shall
			include disposal of the Action by the
		ļ Į	superior appellate court. 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 Instrument Act, 1881 (26 of
			1881). (b) A Power-of-Attorney as defined in Section
			1A of the Powers-of-Attorney Act, 1882(7
i i			of 1882). (c) A Trust as defined in Section 3 of the
:		į	Indian Trusts Act, 1882 (2 of 1882). (d) 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. 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.						
Access to the	12	Free of cost access will be available to						
Electronic Data of the Action		authorized person(s) to data e-filed by any of						
the Action		the parties to the specific Action, as is						
		presently being provided in pending Actions.						
		This facility shall be in addition to the						
		procedure of obtaining certified copies.						
Exemption from e-	13	Exemption from online e-filing of the entire						
filing		pleading or a part of the pleadings and /or						
		documents may be permitted by the bench						
		upon an application being made for that						
		purpose 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,						
		or filed electronically because of its size, shape or condition; or v) Where the on-line e-filing portal is either						
		inaccessible or not available for some						
		reason; and /or						
0	1.4	v) For a just and sufficient cause.						
Service of Electronic	14	In addition to the prescribed mode of service,						
Documents		notices, documents, pleadings that are filed						
		electronically may also be served through the						
		designated e-mail IDs of the 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.						
Computation of	15	1. Wherever limitation /time limits apply, it						
Time		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.

- 2. E-filing through Designated Counters will be permissible up to 1600 hours on any court working day. On line e-filing carried out after 16.00 hours 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 physical filing, save and except as provided herein above.
- 3. The facility for on-line 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 approach the Designated can either Counters for e-filing between 10:00 A.M. to 04:00 P.M. on court working days or take recourse to physical filing. No exemption from limitation shall be permitted on the ground of a failure of the web based online e-filing facility.

4. Provisions for limitation governing on-line

		e-filing will be the same as those
		applicable to 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.
Procedure for	16	All caveats can be filled on line.
Filing Caveat Hard Copies of	17	Advocates, as well as parties, may print hard
Hard Copies of Pleadings and	17	
Documents filed		copies of all pleadings and documents filed
Electronically		electronically for their use in the court or
		elsewhere. The Registry will wherever
		required prepare hard copies for official use.
Storage and	18	E-filings will be stored on an exclusive server
Retrieval of e-Filed Documents and		maintained under the control and directions
Pleadings		of the Court. 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
ļ	:	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
-	10	Court. 1. The e-filing made by an Advocate/ litigant
Residuary provisions	19	<u> </u>
provisions		in person will be rejected if they do not
1		follow the protocol mandated by these
		Rules or practice directions. 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 e-mail. In
		such an eventuality, hard copies of
		pleadings and documents will have to be
<u></u>		

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		provided to the opposite party. In such circumstances, the plaintiff/ petitioner can be called upon to deposit the charges calculated on the basis of 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). 3. The Registry will communicate the objections, if any, regarding the cases filed by e-mail/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 e-mail/SMS.
General Caution	20	E-mail is not a secure medium of communication. Any communication transmitted by e-mail 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.

BY ORDER OF THE

HIGH COURT OF HIMACHAL PRADESH REGISTRAR GENERAL

1. The Principal Private Secretary to Hon'ble the Chief Justice, High Court of H.P. Shimla.

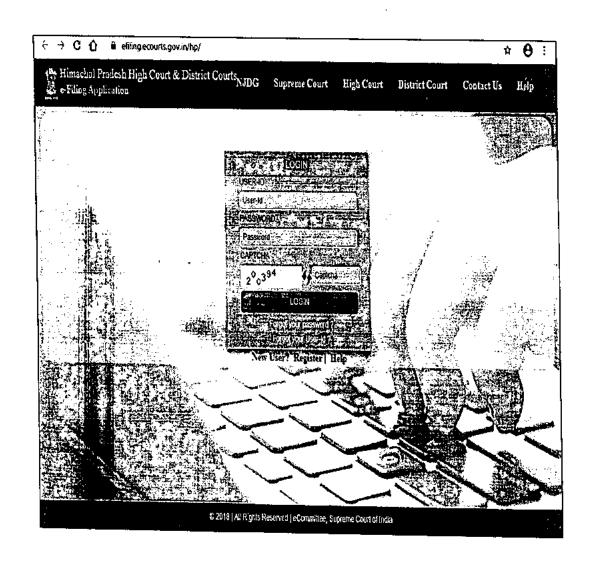
- The Secretary(ies) to Hon'ble Judges High Court of Himachal Pradesh, Shimla - 171 001.
- The Additional Chief Secretary (Home) to the Government of Himachal Pradesh, Shimla -171002.
- 4) The Advocate General Himachal Pradesh, Shimla -171001.
- 5) The L.R.-cum-Principal Secretary (Law) to the Government of Himachal Pradesh, Shimla -171 002.
- 6) The President, High Court Bar Association, Shimla, Himachal Pradesh, Shimla.
- 7) The Secretary/ Private Secretary/PAs to the Registrar General/Registrar(Judicial)/ Registrar(Vigilance)/ Registrar(Rules)/Registrar(Admn.)/ D&SJ(L/TR)/ Registrar(Establishment)/Registrar(Accounts)/ CPC, High Court of H.P., Shimla-171 001.
- 8) The District and Sessions Judges in the State of Himachal Pradesh with a request to circulate the same in the respective division(s).
- 9) The Additional Registrars (Judicial) of this Hon'ble High Court for bringing the contents of this notification into the notice of all concerned.
- 10) All the Deputy Registrars/Assistant Registrars/ Court Masters/ Chief Librarian of the High Court of Himachal Pradesh, Shimla.
- 11) The Section Officer(Computer) High Court of Himachal Pradesh for conversion into digital form.
- 12) The Technical Director, NIC of this Registry for updating the High Court website.
- 13) Guard file.

(Yogesh Jawal) Registrar (Martin)

EFILING SCREENSHOTS

APPENDIX-I

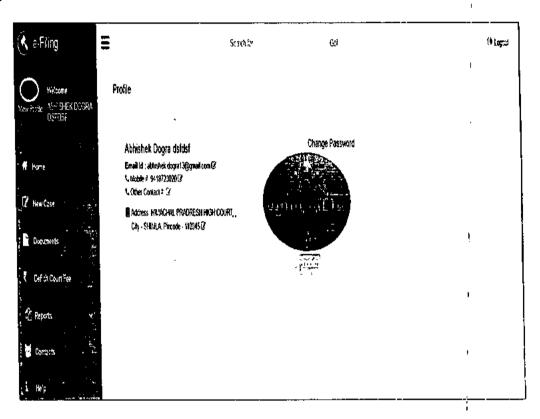
Online Portal accessing page



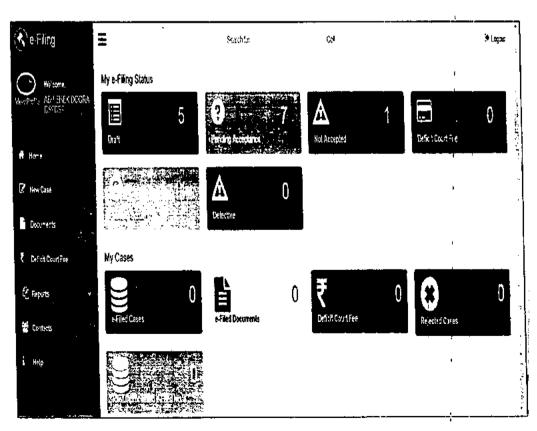
LOGIN FOR ADVOCATE

1) PROFILE

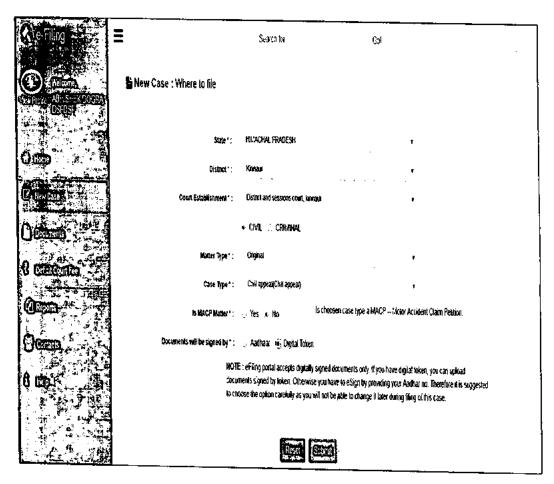
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2) DASHBOARD



3) FILING OF NEW CASE

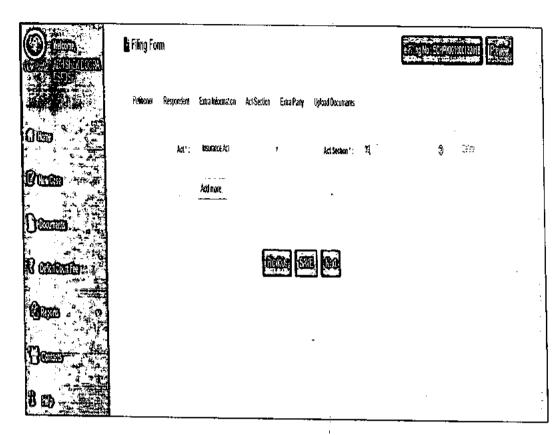


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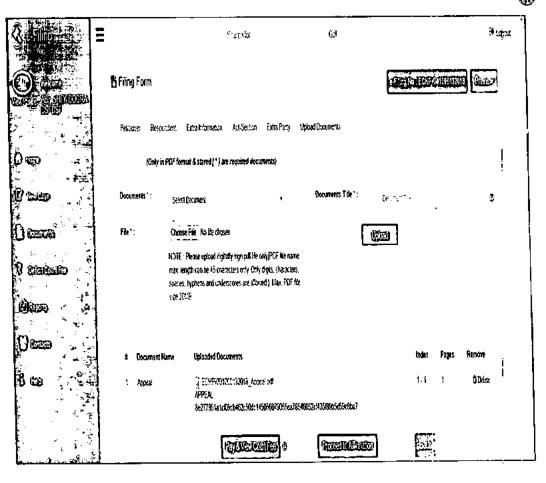
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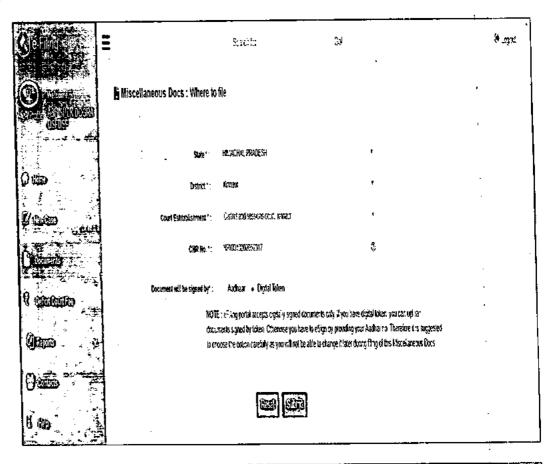
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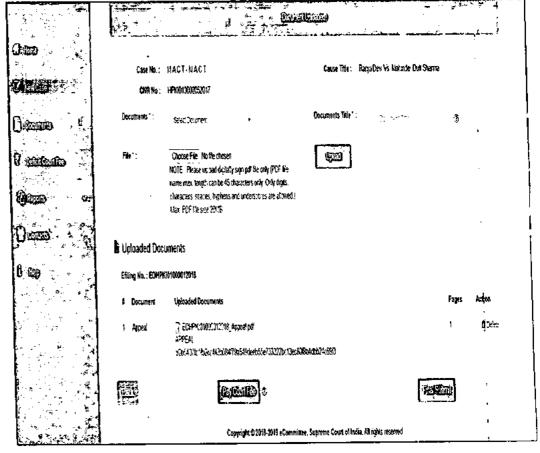
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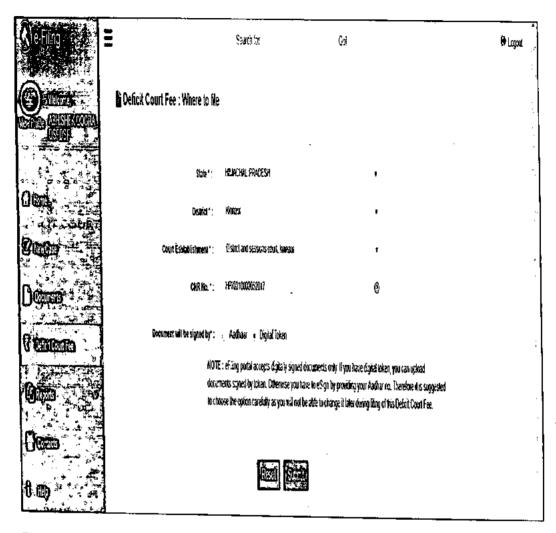
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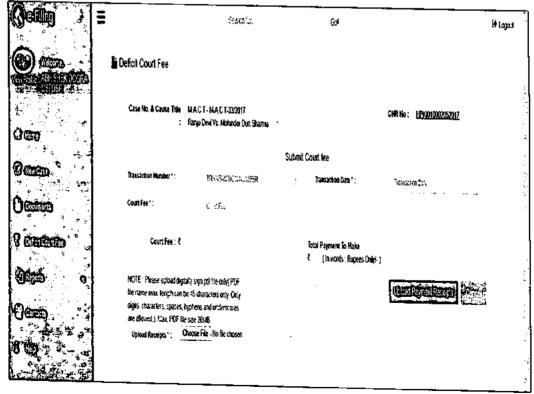
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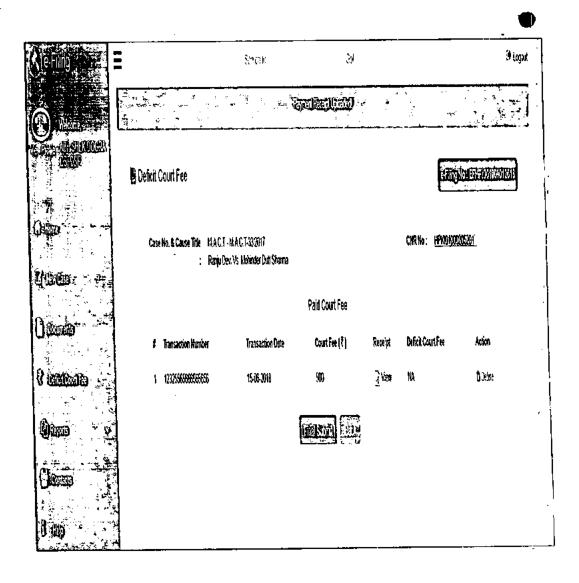




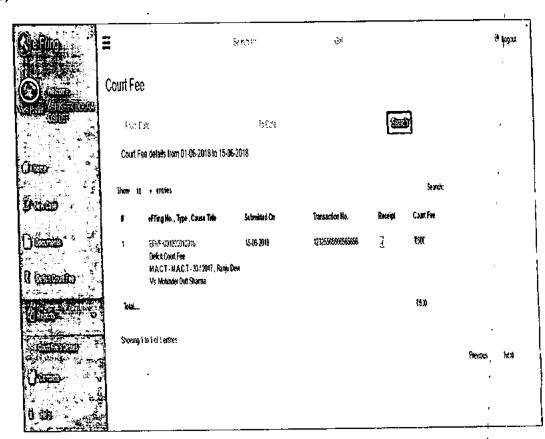
9) DEFICIT COURT FEE





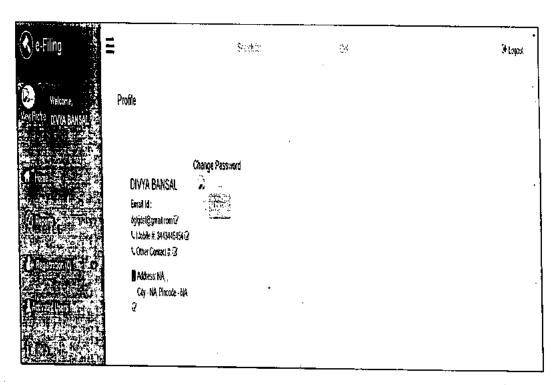


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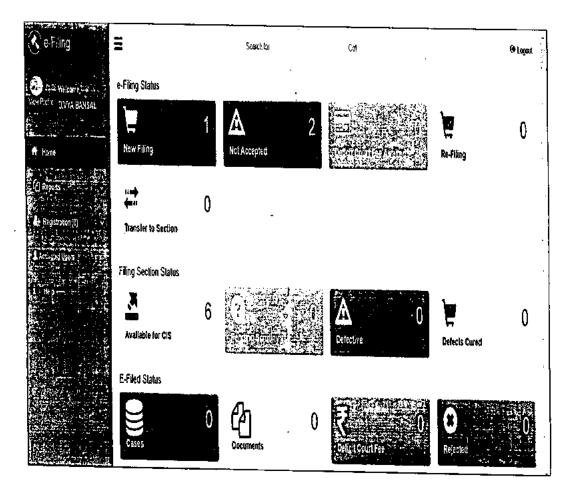


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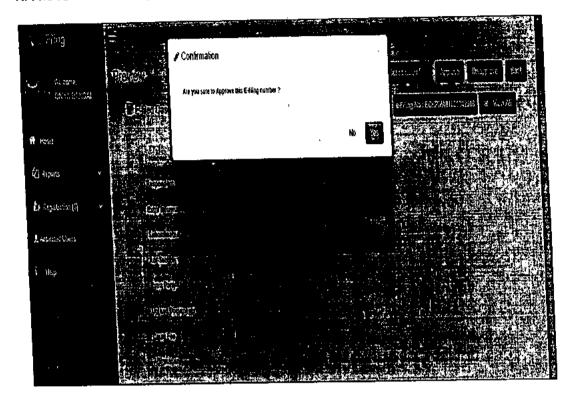


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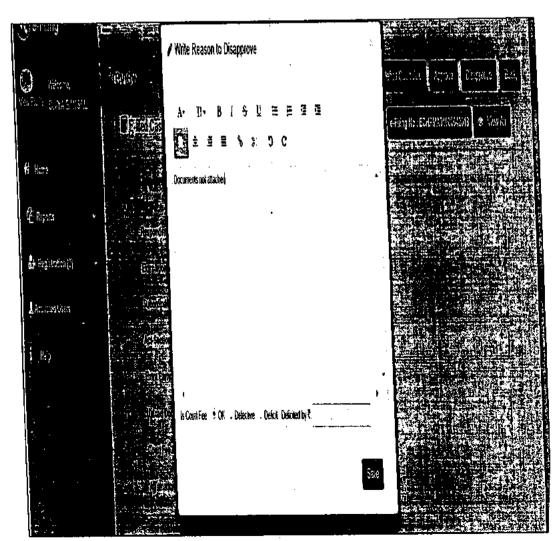
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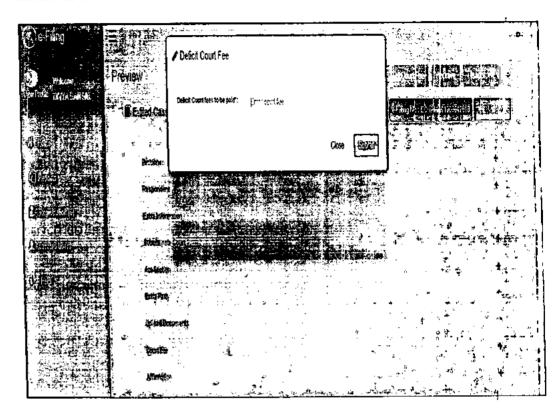
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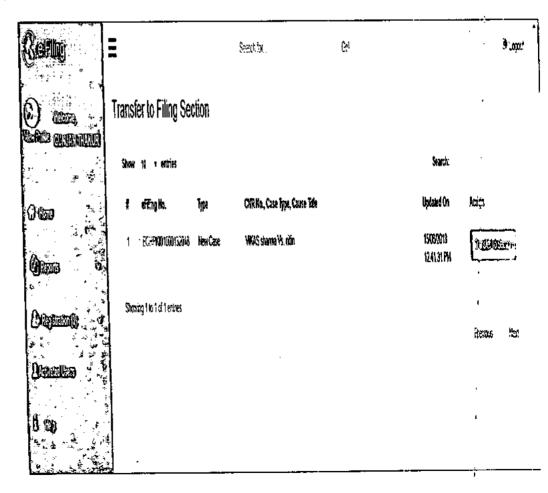
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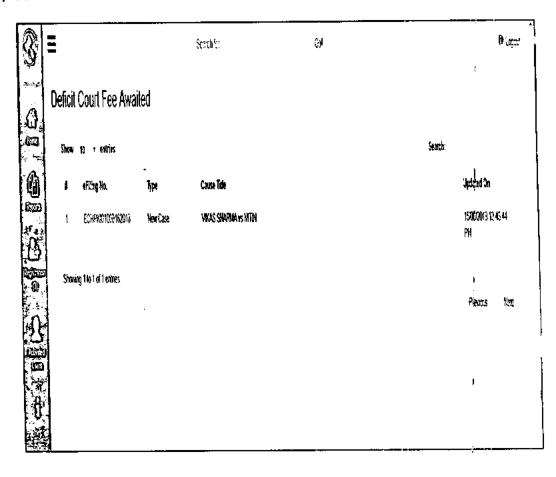
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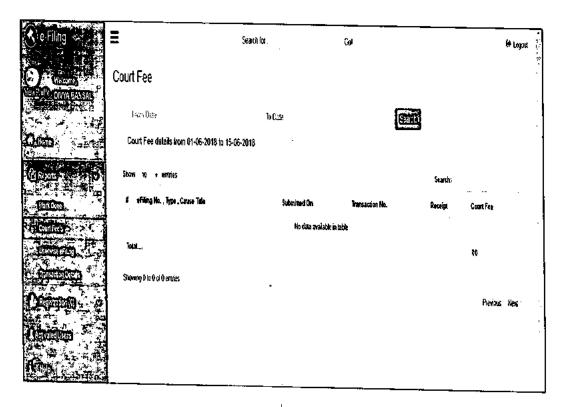


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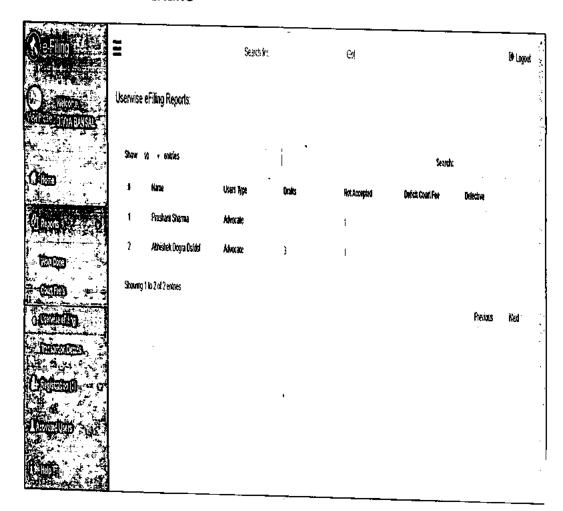
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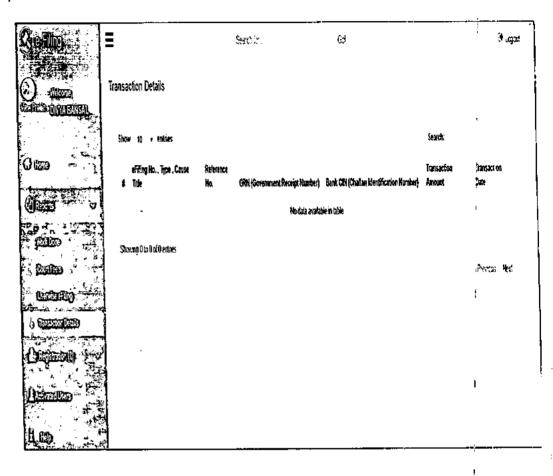
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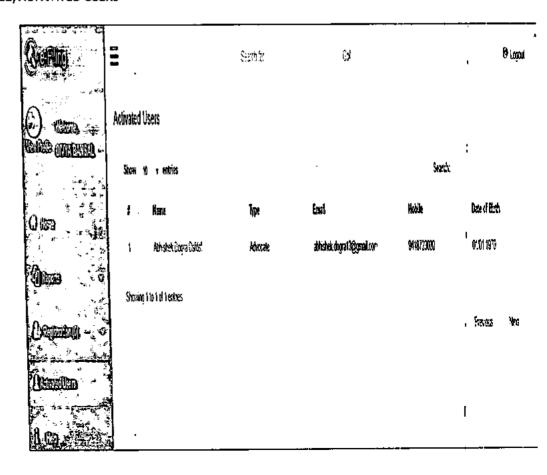
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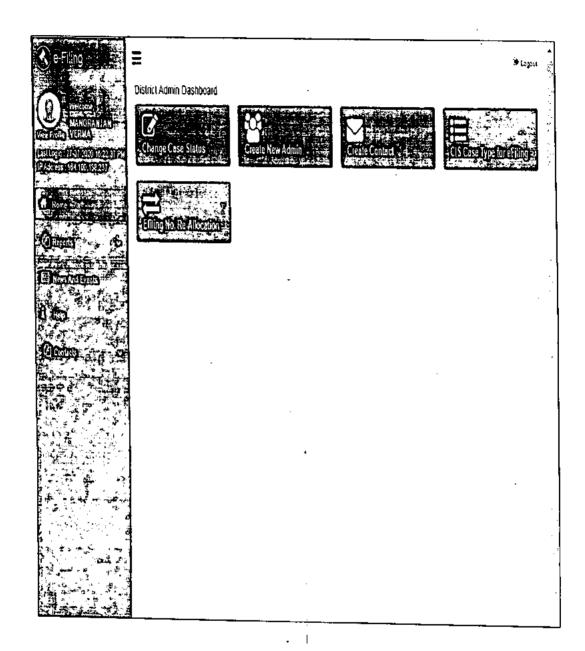
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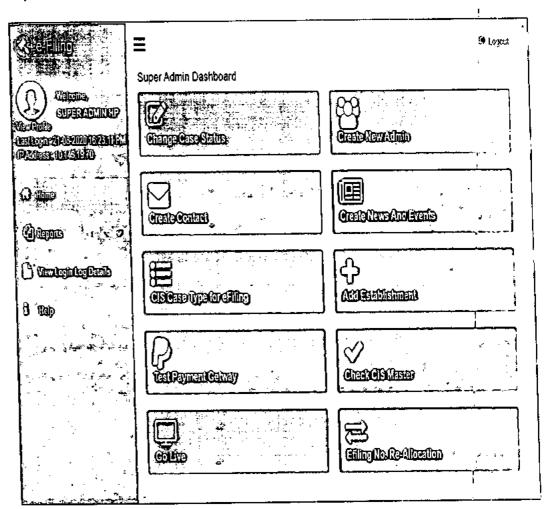


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STATE ADMIN

1) DASHBOARD



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Screenshots of E-Filing after data consumption from CIS

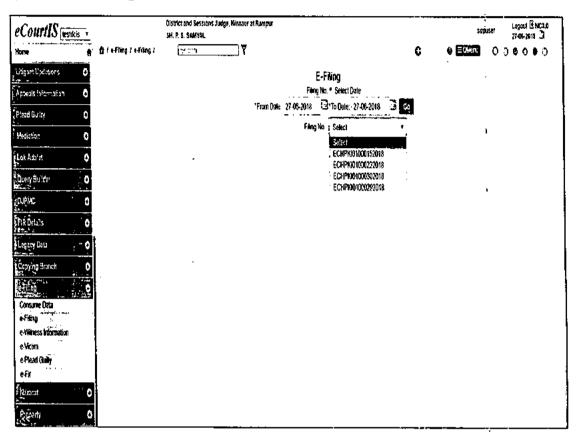
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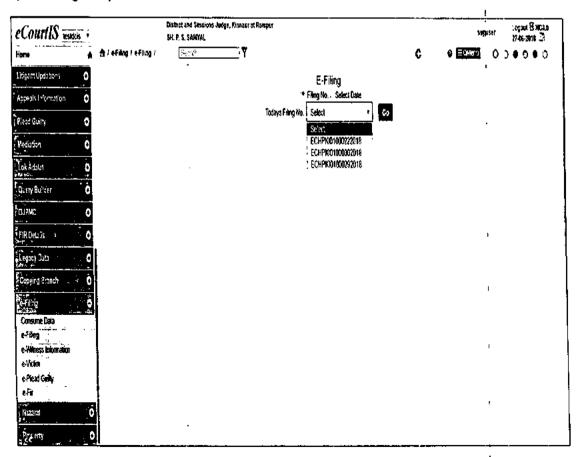
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2) E-FILING

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b) Extracting today's e-filed cases



c) Selecting an e-filed case for either verification or rejection

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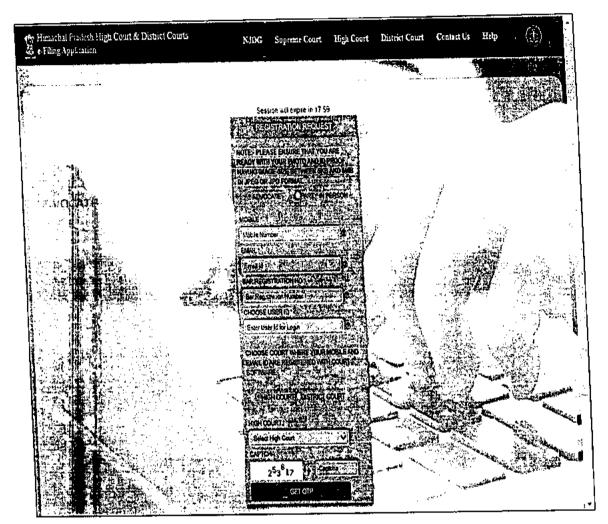
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LIST OF DESIGNATED COUNTERS

- 1. E-Filing counters set up in court complexes from time to time;
- 2. E-Seva Kendras, wherever set up;
- 3. Any other designated counters notified by High Court from time to time.

APPENDIX-II

1) ADVOCATE REGISTRATION



APPENDIX-III

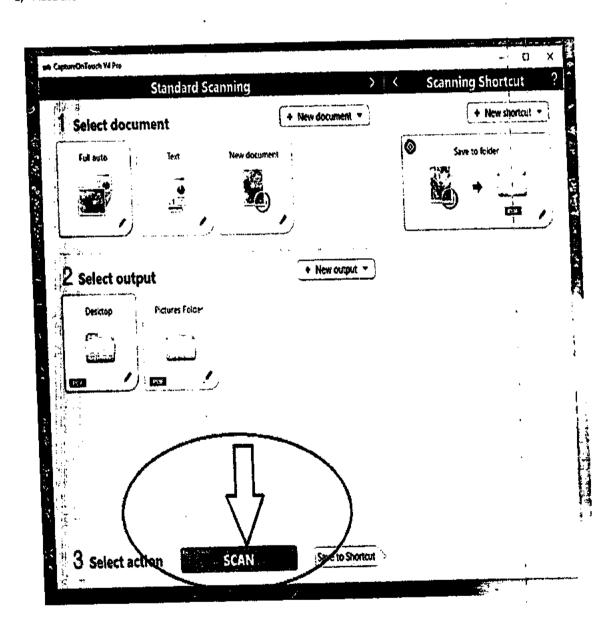
Screenshots showing the procedure for converting a document into an OCR searchable PDF.

NOTE:A scanner with an option to convert a document into an OCR searchable PDF is required.

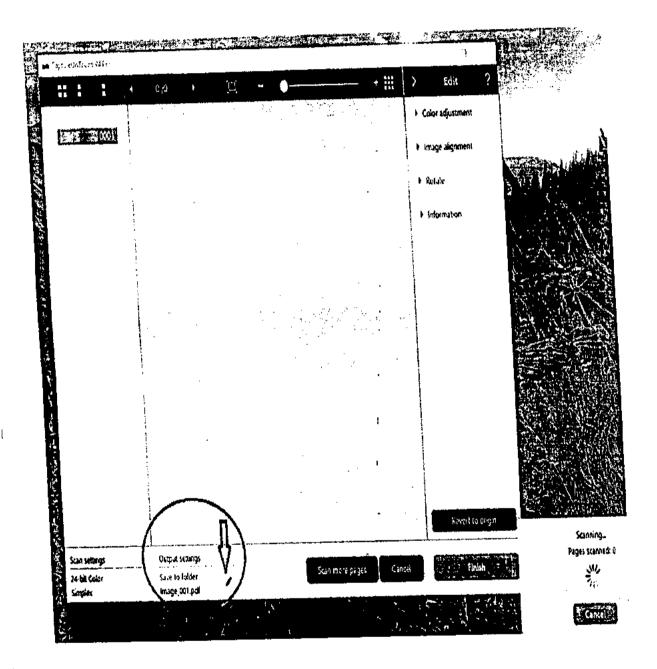
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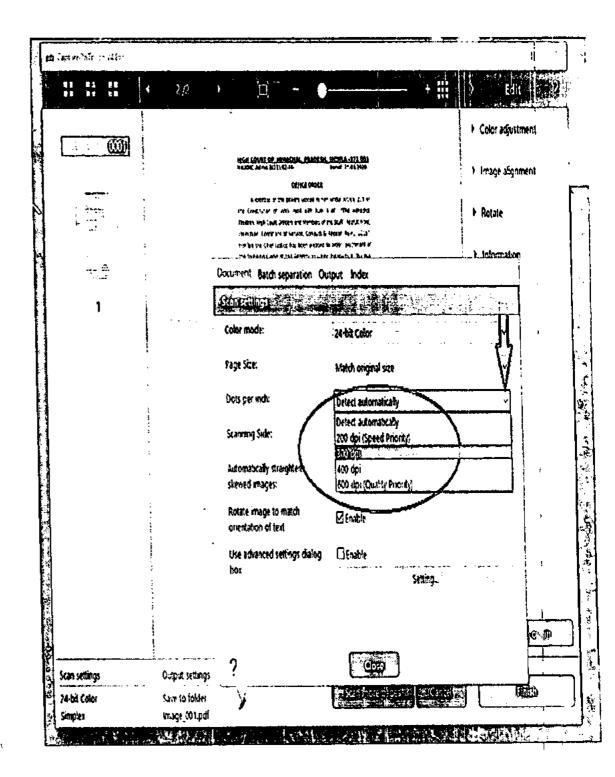


2) Click on the output button to set the settings for converting a document into an OCR searchable PDF.

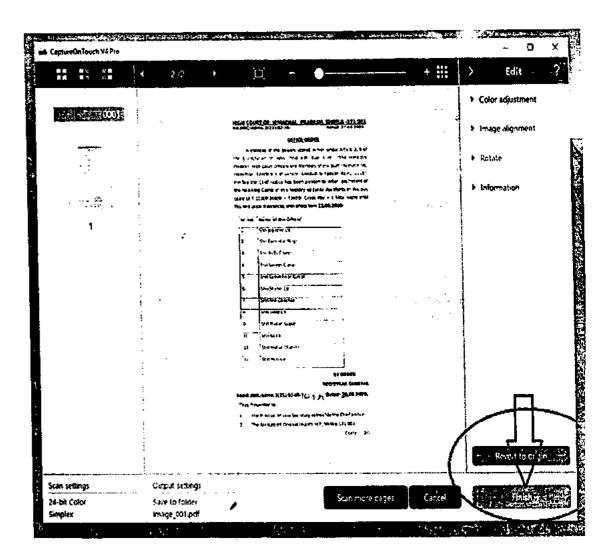


(A)

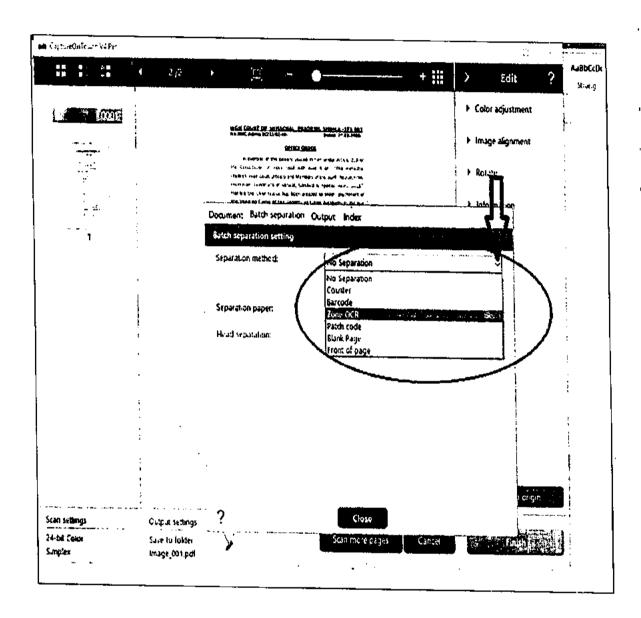
3) Select the option Dots Per Inch to 300dpi.



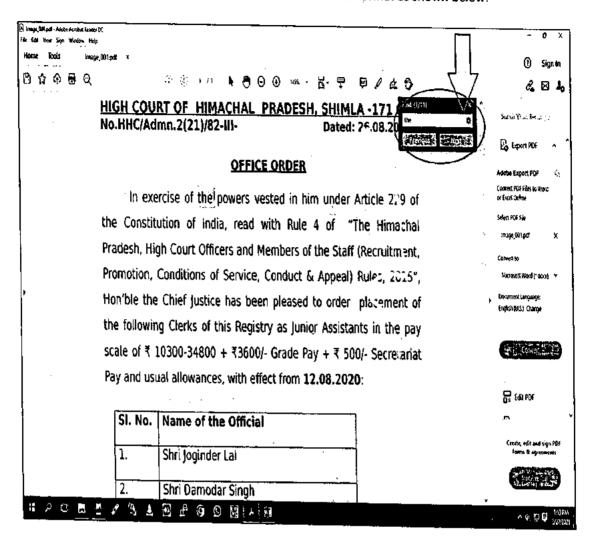
5) After settings the required option for scanning the document click on finish button.



4) Select the option Zone OCR to convert the document into OCR Format.



6) After finishing document is converted to PDF in searchable format as shown below:



APPENDIX-IV

Uploading of digitally signed affirmations

