



**THE HIGH COURT OF KERALA**

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**HCKL/1104/2022-ECC4**

Date: 31-07-2023

**OFFICIAL MEMORANDUM**

Sub:- Implementation of mandatory e-filing of all case types except criminal cases instituted on Final Reports by Police/other Investigating Agencies in all the Courts in the District Judiciary- FAQs with respect to the e-Filing module and CIS related modules and functionalities -Reg.

Ref:- This Office OM of Even No. dated 05.07.2023

As a part of implementation of mandatory eFiling of all case types except criminal cases instituted on Final Reports by Police/other Investigating Agencies in all the Courts in the District Judiciary with effect from 01.08.2023 vide OM referred to above, FAQs with respect to the e-filing module and CIS related modules and functionalities, based on inputs from the Advocates, Advocate Clerks, meetings with Bar Associations by the Hon'ble Computerisation Committee and Staff of the Courts in the District Judiciary is prepared and enclosed herewith.

All the District Judges are hereby requested to take steps to share the FAQs to the Office Bearers of all the Bar Associations and Clerk Associations and other Stakeholders including Judicial Officers and Staff in all the Courts under their respective Jurisdiction for information and necessary action.

The District Judges are also requested to take steps to upload the FAQs in the website of the District Courts and to publish the same in the Notice Board of all the Courts under their respective Jurisdiction.

(By Order)

**Signed by Gopakumar G**  
**Date: 31-07-2023 15:31:46**

Gopakumar G  
REGISTRAR(COMPUTERISATION)-  
CUM-DIRECTOR(IT)

Encl: As above

To:- All the District Judges (District Judges are requested to bring the content of the OM to all the Judicial Officers in their respective jurisdiction as well as to share the FAQ with them).

Copy to:-  
1.All the courts  
2.All the Nodal Officers and Judicial officers of the e-cell.  
3. All the DSAs & ZOs

**Q1: Can an Advocate clerk e-file his Advocate's cases?**

Ans. Yes, But the e-filed cases have to be submitted by the concerned advocate only.

**Q2: How can an Advocate clerk e-file his Advocate case through an e-file portal?**

Ans: First, he has to register as an "Advocate-clerk" in e-filing portal and same must be approved by his Advocate also.

**Q3: Whether all Advocates in all court centres are shown in the Advocate option in each case profile in the e-courts app?**

Ans: Advocates' details of the concerned case are available in the e-court services.

**Q4: How can an Advocate correct enrollment year which was wrongly given at the time of registration.?**

Ans: Kindly contact the concerned District Court grievance cell.

**Q5: Why is an online(electronic) payment facility not included?**

Ans: It will be included soon.

**Q6: What is the option on forgetting the password?**

Ans : Please go to <https://filing.ecourts.gov.in/pdedev/>. Select the 'forgot password' option and choose State and type of user, give the registered Mobile number or email. Then the new password will be reset and will be sent to your registered mobile number and email.

**Q7: What is the facility available for e-filing at the Court's premises?**

Ans : Manned e-Sewa Kendras are available at every court complex and the staff there will assist in scanning documents and e-filing the cases.

**Q8. Can scanned pdf of handwritten pleadings be used in e-filing?**

Ans: No, Rule 5 of the Electronic Filing Rules for Courts (Kerala), provides that whenever an E-Filer intends to file a pleading, it shall be prepared electronically using any word processing software as per the conditions laid down in the sub-rules. However, exemption petitions, adjournment petitions, bail petitions on the production of the accused from custody, copy applications, other applications/petitions not forming part of pleadings, list of documents, witness batta deposit memos, other memos, cheque applications, and process memos may be filed with scanned pdf of handwritten documents. (Please refer to Q.14 of this FAQ)

**Q9: How can I file a copy application online?**

Ans: Copy application is to be applied through the <https://keralajudiciary.gov.in/klcourts/cconline/> , not through the e-filing portal.

**Q10: How can I check the E-filing number of my suit from my account?**

Ans: E-Filing number can be checked from the submitted application. It can be viewed from the 'completed pleadings' option, and from there, 'view status' button is available for checking the status of e-filed case.

**Q11: How to file a copy application or any other application in an already disposed case?**

Ans: Copy application filing portal is '<https://keralajudiciary.gov.in/klcourts/cconline/>' . Other applications for disposed cases (available in the CIS and ecourt services) can be uploaded through the e-filing portal (<https://filing.ecourts.gov.in/pdedev/>).

**Q12: If e-filer is unable to access the e-courts app at any point of time, who will be the point of contact from Courtside? Whom to be contacted for the issues in e-filing?**

Ans: An 'E Cell is created in each district, and subcommittees are also available for contacting the e-file-related issues or queries. Also, get the service from eSewa kendras available in each complex. A grievance cell for e-filing- district-level support details are available on each district court's website

**Q13: In cases where a police filed final report/charge sheet, is e-filing mandatory?**

Ans: Yes, there is no exemption based on cases instituted on police report or otherwise. Since ICJS is used for consuming final reports, in the OM such type of cases was excluded.

**Q14: What is to be done with respect to filing of vakalaths, bail applications and other petitions, when accused is arrested and produced before the Magistrate/Judges?**

Ans: In all such cases, exemption may be sought under Rule 10 of the Electronic Filing Rules for Courts (Kerala), 2021 and physical filing may be done as per the orders of the Magistrate/Court.

**Q15: In case of emergent suits involving urgent and immediate reliefs like injunctions, attachment etc, what is to be done?**

Ans: All filings from 01.08.2023 shall be online. However, when the electronic filing is not feasible due to urgency or other reasons, exemption may be sought under Rule 10 of the Electronic Filing Rules for Courts (Kerala), 2021 and physical filing may be done. However, it shall be mandatory that the pleadings and other documents filed

physically be uploaded on the e-filing portal in the same manner as described in Clause 14 and subject to Clause 22 and 23 of the SOP issued by the High Court.

**Q16: How to e-file Commission reports, Receivers report and Accounts and such other third party documents and applications?**

Ans: At present, there is no option for Third Parties to e-file such reports or documents. However, on this ground, exemption may be sought and physical filing may be resorted until the option is made available.

**Q17: Can a witness in a criminal case or person who is not a party in the case e-file vakalath and documents?**

Ans: Please refer to Answer to Q16.

**Q18: How can one ascertain the status of his e-filing of vakalaths, pleadings and documents?**

Ans: Live status updation is available in the portal. Parties can check the status in the 'completed pleadings' option available in their portal.

**Q19: Is it mandatory that 'proof affidavit' in civil cases be e-filed?**

Ans: Yes, it is mandatory.

**Q20: Once e-filed and finally submitted, can a pleading be edited?**

Ans: No, once submitted, it can be edited and resubmitted only after it is returned from the concerned Court. However, if the pleadings are not finally submitted, they will be available as drafts and editing of the drafts is possible.

**Q21: How to e-file from the phone? It sometimes shows that 'your plugin is not supported ', which hampers uploading of pdf pleadings from mobile handsets.**

Ans: The e-filing portal is a web browser-oriented application, not a mobile application. Use the Desktop site view of Google Chrome or Firefox mobile browser for hassle free e-filing.

**Q22: Can we pause the e-filing process in between and continue at a later point of time?**

Ans: Yes, each tab has a save button. It can be continued from the edit option available in the 'new case filing' option.

**Q23: How to file an Appeal for a Civil/Criminal Case through e-filing?**

Ans: Provisions are available in the e-filing portal. Select the Court and relief sought from the e-filing portal. Then provide the details as per the field requirements.

**Q24: Can petition u/s 156(3) of Cr.P.C be e-filed, through the portal?**

Ans: Yes, provision is available in the e-filing portal. The relief sought is 'pre-trial Application' available under the criminal nature.

**Q25: What is to be done with respect to 'protest complaint' in final report filed cases?**

Ans: When complaints are filed under Ss. 190/156(3) Cr.PC, they have to be e-filed.

**Q26: Are cases/petitions filed under the SARFAESI Act in CJM courts be e-filed?**

Ans: Yes. The provision is available in the e-filing portal as 'compliant' in the relief sought.

**Q27: Petitions U/s 451, 457 Cr.PC etc in cases during the investigation stage (before filing the Final Report) need to be e-filed?**

Ans: Yes. The relief sought 'Bail' is available in the e-filing portal. Property return relief is available under the pre-trial Application.

**Q28: Is provision available to e-file Guardian OP?**

Ans: Yes. It is available in the relief sought of 'family disputes' under civil nature.

**Q29: How to file a transfer petition in the e-filing portal? Correct nomenclature of the case/petition is not available, what is to be done?**

Ans: Currently, a specified petition for transferring a case and other original petitions are not available. Any other original petitions type can be used for any petition and based on the relief and pleadings, staff of the court concerned will register the case under appropriate case type. So, if correct nomenclature of the relief etc are not available, you may choose the nearest one and proceed.

**Q30: Is e-filing mandatory in family court cases?**

Ans: Yes, it is mandatory from 01.08.2023.

**Q31: How to file vakalath in an existing case?**

Ans: Login to the dashboard of the e-filing portal and add the desired case as 'my case' and the party as 'my client'. Then upload the vakalath as pleadings.

**Q32: Is it required to scan and upload the process memo, notice form, ID proof, bank details particularly the MACT cases?**

Ans: Only the pleadings and documents of an 'action' as defined in the Rules need to be e-filed. Process memo, notice form, ID proof, bank details and such other records which are produced not as 'action' or documents need not be e-filed.

**Q33: Is it possible to upload all the documents as a single pdf in e-filing?**

**Q34: Can we upload multiple files/pleadings while uploading them instead of adding them one by one?**

Ans(Q33 & Q34): As of now, the maximum upload size for a pdf document is 20 MB. It is possible to upload all the documents in a single pdf if the size of the document is less than permissible. Then it is mandatory to do proper indexing with its proper page numbers. When considering the size, it is better to upload the documents as multiple files with proper file name.

Or

Yes, a 'single pdf' file uploading is possible with a permissible size of 20 MB, but in this case indexing is required for identifying each document.

**Q35: Is there any single authentication method available for all documents/ Pleadings?**

Ans:-Yes, For this, use the 'merge' option available in the pleadings menu. All the uploaded documents can be merged together by using this merge option, and then required to do the proper indexing with page number. Then single authentication can be used for the merged document.

**Q36: How to file an interim application in a pending case that was physically filed?**

Ans: Currently, IAs can be uploaded as 'pleadings' option available in the e-filing portal. If the case is not available in the e-court services or CIS, then it may be physically filed seeking an exemption from e-filing as per Rule 10 of the Rules. However, keep the scanned copy of the documents and upload the same as per the clause no.20 of the e-filing SOP published by the Honorable High Court of Kerala.

**Q37: How to file an impleading petition in an un-numbered case?**

Ans: If the filing number or CNR number is available, then it can be uploaded as 'pleadings' option in the e-filing portal. If not available in the e-filing portal, then it may be physically filed seeking an exemption from e-filing as per Rule 10 of the Rules and uploaded the same, whenever the case is available in the portal.

**Q38: How can I index the documents in the e-filing portal?**

Ans: The indexing option is available in the 'Pleadings' menu. Should fill up the starting and ending page numbers of each file.

**Q39: How to file CMPs (Exemption Petition, Adjournment Petition, Absent Application etc.) for Magistrate Court Cases?**

Ans): CMPs can be filed the same as IAs in civil cases. Add the existing case as my case and add the client as my client Upload the documents as pleading. Once e-payment is implemented, court fees for such petitions could also be paid online using Court fee wallet facility.

**Q40: Whether IAs need to be registered in the District Court for the files transferred to Additional District Courts which do not have independent filing power?**

As per Clause 10 of the e-filing SOP dated 31.05.2023, “ All subsequent filings in the transferred cases, including interlocutory applications in civil and criminal matters, shall be e-filed and physical copy produced before Additional District Court to which the case is transferred, as presently done, and the present practice would continue in so far as the scrutiny and registration of such subsequent filings.”

**Q41: How to transfer the e-filed cases registered in the District court for the files transferred to jurisdictional courts that do not have filing power?**

Ans: The cases registered in CIS can be transferred to jurisdictional courts that do not have filing power through the "Establishment transfer of case" in the menu of Admin-Transfer of the case in the CIS.

**Q42: Whether a plaint submitted after verification can be returned?**

**Q43: If any defect is noticed after verification and before registration of the case, is it be possible to return the file/documents for rectification?**

Ans(Q42 & Q43): No, once submitted after verification, there is no option for returning the same.

**Q44: Some cases are e-filed but physical copies not produced, what to do with such cases?**

**Q45: How long can we keep pending 'to be verified ' documents, if the physical copies are not produced by the parties?**

**Q46: e-filers produce physical copies only after four or five days of e- filing and for that reason, the verification is pending for such a period. Can the e- file be returned in such a case?**

Ans(Q44, 45 & 46): As per Clause 22 of the e-filing SOP, “Physical copies (pleadings and originals of documents finally submitted and accepted for registration) of e-filed cases shall be filed on the same day of e-filing, and as far as possible, within the physical filing time specified by such courts under the applicable rules.”



As per the SOP, production of physical copies is mandatory as of now and when not complied with orders of the Court concerned may be obtained within a reasonable time to deal with such e-filings.

**Q47: What is to be done when a complaint is filed physically and digital copy is not uploaded?**

Ans: The staff concerned shall ensure that Rule 10 application is filed for exemption and the order with respect to uploading of digital copies is complied with by the e-filer. If it is not done, the same shall be duly brought to the notice of the Presiding Officer for further necessary orders.

**Q48: Is there any option to edit the auto-generated case number?**

Ans: Currently CIS is generating automatic filing numbers for the e-filed and ICJS-consumed cases. The registration number can be entered manually or automatically.

**Q49: Can a complaint be returned after assigning the CMP number? Is it possible to edit a CMP number after registration?**

Ans: No, for an efiled case, the return option is available only at the stage of verification. It is not possible to change the registration number after the completion of the registration process.

**Q50: What about the cases filed by AMVI, Labour Officer, Drugs Inspector, Legal Metrology Department etc? Should we return the complaint, if it is not e-filed?**

Ans : At present, the criminal cases wherein final reports are filed by the investigating agency alone are excluded from the e-filing. As per the OM no. HCKL/149/2022 -ECC4-(1) dated 18.06.2022 of High Court of Kerala, for filing LAR matters, the facility is available for Government organisations to register on e-filing portal as an organisation under litigant and can do the e-filing. These offices may be advised to follow the method to file fresh cases and incremental filings in pending cases.

**Q51: In an e-filed case, many documents were there, there is a defect in one of the documents. How can the defective document alone be returned accepting the other documents?**

Ans: Currently, CIS3.2 has no option for accepting selected documents or rejecting the defective documents alone. The defective document alone from the list cannot be rejected. It can be accepted or rejected as a whole.

**Q52: Which date is to be treated as a filing date in order to ascertain whether there is any delay in filing?**

Ans: As per the Rule 13(2) of the e-filing rule 2021, "The date of Electronic Filing for computation of the period of limitation shall be taken as the date when the Action is

electronically received in the Registry within the time [Indian Standard Time] prescribed under the relevant Act/Rules and orders issued from time to time.”

**Q53: When the suit is returned due to correction in one page, is it necessary to file the entire suit at the time of refiling?**

Ans: Any defect found in new case filing should be pointed out in the remark section one by one (eg: 1. Vakalath is not e-filed, 2. enough court fee stamp, etc.) and the case should be rejected. In the e-filing Portal, they can fix the error mentioned by CMO and resubmit. For the merged or consolidated single documents, the parties should upload the whole corrected and merged documents again.

**Q54: What is SOP for LAR e-filing?**

- Ans: The eFiling 3.0 provides a litigant registration module for the organisation, departments as well as for the general public. The same can be used for creating an eFiling account for the Special Tahsildar for eFiling the Land Acquisition Reference.
- The eFiling account created as above can be used for filing new cases based on the references received. The details of the claimant and other parties can be entered.
- The eFiled case can be consumed in the concerned court using the eFiling 3.0 option in local court CIS software which can be further processed for registration and notice generation etc.
- The Government Pleader and the claimant advocate can be added in local CIS after serving the notice to the parties.

**Q55: Whether there is any option to record the history of defects noted, when an e-file is resubmitted after curing defects?**

Ans: In CIS 3.2, there is no option for showing the history of defects noted in an e-filed case.

**Q56: How to register e-filed IAs and CMPs in CIS?**

Ans: First, choose the appropriate Court, then select the 'verify in Existing Case' option in the 'e-Filing 3.0 menu, and verify or return the documents. If it is verified, then go to the 'Convert Document to Case/IA' option for converting the IAs or Case.

**For queries other than those enumerated above, please use FAQ Tab on the e-filing portal and please watch the video tutorials of various options and modules.**

