

STANDARD OPERATING PROCEDURE

[FOR E-FILING OF CASES]

FOR SECTION - SCRUTINY & ACCEPTANCE IN E-FILING

- ❖ The System Analyst of the district concerned shall create *Master Admin User* and *Action Admin User* in e-Filing Portal for all CIS Establishment(s).
- ❖ In e-filing Portal, the Master Admin User can accept the User Registration Request and reallocate case(s) among users and when required.
- ❖ Master Admin User shall be handled only by a nominated official of the court concerned.
- ❖ Action Admin User shall be handled only by the Case Scrutinizing Officers. i.e., Sheristadars/ Head Clerks of concerned courts.
- ❖ The Staff Concerned should ensure the immediate action for the User Registration Requests/ Case Filing Requests as and when raised in their e-filing portal dashboard.
- ❖ Upon receipt of the e-filed case in the e-filing portal, the Filing Clerk of the Court concerned should scrutinize the details/uploaded documents which are filed by the Advocate / Party –in– Person.
- ❖ In addition to the legitimate scrutiny, the Filing Clerk concerned should ensure whether the e-filed document(s) are in the proper formatting

options as mentioned in the Practice Directions of the Madras High Court E-Filing Rules, 2020.

- ❖ The Filing Clerk should ensure the clarity of the Scanned document and also to ensure whether the contents of the documents are in the searchable format, during the scrutiny process.
- ❖ Any defect in the filed case would result in disapproval and the user should rectify the defects and submit the same through the e-filing portal for the scrutiny process.
- ❖ Upon completion of scrutiny process, the e-filing Admin of the court / section concerned shall approve the e-filed case.
- ❖ Upon approval, the case should be pushed to the ***Transfer to Section*** menu in e-filing portal, so that the e-filed case would be made available for consumption in Case Information System (CIS) Software.
- ❖ Upon consumption of the e-filed case in CIS Software, the Filing Number (i.e., ***SR Number***) would be generated automatically for the respective case and the case will be processed for the registration process in CIS Software and the acknowledgment of same would be informed to the Advocate/Party –in– Person through email/SMS/Portal Dashboard.
- ❖ Defacement of e-Challan (Court fee) should be done by the Case Scrutinizing Officer, at the time of filing of case.

- ❖ In order to ensure the payment of e-Court fee in the respective case, the CNR Number of the case should be mentioned as the Diary Number in the SHCIL Web Portal, during the defacement process.
- ❖ The particulars of e-Challan receipt should be entered in Case Information System (CIS) Software under the Receipt Fees menu.
- ❖ At the time of Case Scrutiny, the Courts ***shall not insist the production of physical copy of Complaint / Plaint and its supporting documents.***
- ❖ The Court may direct the parties to produce their documents at the time of trial.
- ❖ The scrutinizing officer shall place the case before the Judicial Officer concerned ***without taking its physical copies.*** The Judicial Officer shall view the Plaints/Appeal Memorandum and its supporting documents only through the CIS software.
- ❖ At the time of Case Registration in Case Information System, the Scrutinizing Officer should mark the ***Nature of the Case Type*** and ***Nature of Interim Application.***
- ❖ At the time of Case Registration, all the documents which are consumed from the e-Filing Portal must be downloaded and stored locally by the Staff concerned and has to be uploaded in the Case Information System (CIS) Software under the ***Index Register*** menu.

- ❖ The technical team of the district concerned should formulate a suitable mechanism to store the downloaded documents separately in the local machines and the staff of the court concerned should follow that mechanism accordingly.
- ❖ After taking cognizance, the copies of Plaint and Documents shall be supplied to the Complainant(s) / Petitioner(s) through e-mail and to the Respondent, if their e-mail ID is mentioned in the complaint / plaint.
- ❖ During the trial, the Judicial Officer shall view the Petition and its supporting documents only through the CIS software in the Desktop Computer /Laptop provided in open court.
- ❖ Original Copy of the Vakalatnama (Memo of Appearance) shall be collected from the Advocate(s) at the time of appearance and the copy of the same must be scanned and uploaded in the Case Information System (CIS) Software under the ***Index Register*** menu. The Court should insist the Counsel for Respondent to specify the e-mail ID of Respondent / Accused and their counsel.
- ❖ Any additional document(s) which are submitted during the trial as per the court direction shall also be filed in e-filing Portal under the ***Document*** menu.
- ❖ Service of Summons to the parties concerned must be generated only through the Case Information System (CIS) Software and the generated summon should be allocated in NSTEP Web Portal.

- ❖ Status of the service of summons should be updated in NSTEP Web Portal accordingly.
- ❖ Interlocutory Petitions in Civil Cases such as Condonation of Delay, Injunction Petition, Stay Petition etc. shall be filed as an IA through the ***Interim Application*** menu in e-Filing Portal.
- ❖ As per Section 13 of Family Courts Act, cases must be filed in Family Courts by the party only through the Party in Person Login.
- ❖ For Private Complaint U/s 200 of the Criminal Procedure Code, Indigent Suit under Order XXXIII of Code of Civil Procedure, Election Original Petition and Insolvency Petition or any other action which is required to be presented in person under the applicable law, the party shall file the cases through e-filing portal and appear in person with the e-filing case receipt for further cognizance.
- ❖ Miscellaneous Petitions such as 317 Cr.PC, 256 Cr.PC, 257 Cr.PC etc., which are related to Criminal Cases shall be filed as MP through the ***Interim Application*** menu in e-Filing Portal.
- ❖ The Bench Clerk concerned is responsible for updating Advocate Details and Uploading of Documents filed through Interim Applications in Case Information System for application and Vakalat filed after registration.
- ❖ After appearance of the Respondents, the court is required to collect the e-mail ID of Respondents, for sending the e-filed copy of Plaint and Documents through e-mail.

- ❖ All documents such as Chief examination, Proof Affidavit, Depositions etc., should be uploaded in the Case Information System (CIS) Software under the ***Index Register*** menu.
- ❖ The Copyist Branch Superintendent shall access the case related documents which are uploaded in CIS Software, for the purpose of Copy Applications
- ❖ For filing of appeal in cases, which are already disposed in physical mode, the appeal should be filed only through the e-filing portal and the appellant is required to upload all the exhibits, which are marked in the trial court only in searchable PDF format.
- ❖ The Cases taken for hearing in filing stage should be marked in filing allocation and filing proceedings should be updated in Case Information System.
- ❖ All the reports prepared by the Senior Bailiff / any other Court Officer while attaching property (or) delivering property (or) executing any warrant issued by any court shall be scanned in searchable PDF format and have to be uploaded in the Case Information System (CIS) Software under the ***Index Register*** menu.
- ❖ Originals of the documents that are scanned, Vakalatnama, notarized/attested affidavit by the Advocate or the litigant in person at the time of e-filing shall be collected at the time of trial or as and when instructed by the court concerned and should be preserved, for production or inspection.

- ❖ Notwithstanding anything above, the documents will have to be preserved as per Order 13 of Code of Civil Procedure and other applicable laws.
- ❖ The responsibility of producing the originals and proving their genuineness is vested with the party who has electronically filed the document (i.e., scanned document copy).
- ❖ The documents produced shall be stored securely by the court concerned. The documents shall be produced in the open court as and when required. The Pleadings and e-filed document shall be viewed in Open Court through CIS Periphery Software.

** The Judicial Officers shall use the Digital Signature wherever it is possible.*

*** Petitioner(s) should submit the Copy of Complaint / Petition in the court concerned, for the purpose of service of same along with the Notice / Summons, irrespective of e-mail ID of the Respondent is mentioned or not . Service of Notice / Summons through e-mail cannot be treated as sufficient service. The Serving of Complaint / Petition through e-mail is only for the purpose of enabling the Defendant / Respondent to know the case.*