

**APPELLATE TRIBUNAL FOR ELECTRICITY**  
**Core-4, 7<sup>th</sup> Floor, SCOPE Complex, Lodhi Road,**  
**New Delhi -110003**  
**Tel: 011-24368478, Fax: 011-24368479, [www.aptel.gov.in](http://www.aptel.gov.in)**

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**Dated: 16.04.2020**

**INTERIM VIRTUAL COURTROOM PROTOCOL**  
**(During on-going Pandemic (COVID-19))**

**GENERAL RULES:**

1. All communication, including notifications, circulars, cause lists, addendum(s), corrigendum(s), etc., *vis-a-vis* virtual courtroom proceedings will be published on the official website of the Tribunal.
2. There will be two separate and non-parallel sessions on each working day, *i.e.*, one session each for proceedings before Court-1 and Court-2. The time period of each session shall be two hours as follows:
  - (i) first session between 11:00 am and 1:00 pm for proceedings before Court-1; and
  - (ii) second session between 2:30 pm and 4:30 pm for proceedings before Court-2.
3. The virtual courtroom project will commence with the use of ‘**Vidyo**’ as the primary video conferencing platform. Necessary details will be available with the Registry/IT Assistant and/or will be duly shared. The Tribunal is also exploring alternate arrangements for conducting Video-conferencing through other available platforms. Once finalised the same will be notified accordingly.
4. The Advocate/party-in-person will send in the urgent matters following through email to the official email I.D. of Registrar ([registrar-aptel@nic.in](mailto:registrar-aptel@nic.in))/Deputy Registrar ([dyreg-aptel@nic.in](mailto:dyreg-aptel@nic.in)):

**In fresh filing matters**

- a. Scanned Vakalatnama.
- b. Scanned copy of the Court Fees deposited in “**Bharat Kosh**” (Non-tax receipt portal).
- c. The soft copies of the complete paper book *i.e.* Appeal/Petition/ Affidavit(s)/Annexures etc. or IAs (doc and pdf format).
- d. Scanned copy of the proof of service on the other party(ies).
- e. An undertaking shall be given by the counsel to file the original paper book or IA’s complete in all respects including the requisite documents, affidavit(s) and duly signed Vakalatnama/ power of Attorney etc. in original within a week after the resumption of normal working of the Tribunal.
- f. The request letter that the matter may be taken up through the Video-Conferencing mode.

**In pending matters**

- a. The soft copies of the complete paper book *i.e.* Appeal/Petition along with I.A’s/Affidavit(s)/Annexures/Reply/Rejoinder/Written Submissions etc. (pdf format and doc (if possible))

- b. The request letter that the matter may be taken up through the Video-Conferencing mode.
- The above documentations shall be submitted by 2:00 pm on the day preceding the day of the sitting of the Hon'ble Bench.
5. The cause-list shall be published on the website by evening hours on the day preceding the sitting of the Bench. Specific time-slots will be indicated for each matter in the cause-list itself.
6. Subject to any case-specific dispensation granted by the Tribunal, Advocates appearing and presenting their respective cases *via* the virtual courtroom facility must continue to be robed and observe the dress code and etiquette prescribed under the Advocates Act, 1961.
7. Advocates shall be seated in appropriately ambient surroundings ensuring that there is no background noise or disturbance (like ringing of mobile phones, background chatter etc.).
8. Advocates shall use headsets. It will be the responsibility of the advocates to ensure that discipline is maintained at their respective ends, and no inconvenience or disturbance is caused during the proceedings.
9. Advocates are requested to scrupulously comply with timelines and timeslots prescribed. Subject to directions of the Tribunal, in the event that sufficient time is not available for an advocate to conclude arguments, additional time may be allocated.
10. Any complaint in regard to the quality or audibility of feed shall be communicated to the Registrar/ Deputy Registrar during the proceeding or immediately after its conclusion failing which no grievance in regard to it shall be entertained thereafter.
11. The advocates/party-in-person are requested to familiarize themselves with the video conferencing platform as also the practice guidelines set out here and issued from time to time so that they are well-prepared.

#### **VIRTUAL COURTROOM SET UP:**

1. Only those advocates whose matters are listed on a particular day will be given presenter status and corresponding rights – such advocates will have the right to provide audio-visual inputs, on the virtual courtroom platform. Only advocates who will be presenting and making submissions regarding their respective cases, *i.e.*, the arguing counsel will be given such rights.
2. The administrator of the virtual courtroom will ensure that only such advocates who are arguing a particular matter at a prescribed time will be audible and visible. The other advocates will have to wait for their respective turns.
3. Advocates have to keep their respective devices/microphones on mute at all-times and unmute the same only when their respective turn to present or to interject arises. Advocates are to avoid interjections altogether and only do so when absolutely essential with the leave of the Bench.

4. When questions/issues are being raised by the Bench, the counsel/advocate concerned shall remain patient and respond only upon the Bench completing its questions/issues. It is advisable that the counsel/advocate concerned waits for a few seconds after the Bench has completed stating the question before proceeding to respond.
5. Participating advocates will be required to participate in the test video-call by Court master/ IT Assistant of the Tribunal, before the commencement of proceedings, in order to ensure stability and clarity of the connection - the time for which will be notified in the cause-list.
6. Advocates shall provide the relevant email IDs and other relevant electronic co-ordinates of the presenting advocates well in advance through email on official email of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)) of the Tribunal.
7. Recording of the virtual courtroom, whether in part or full is prohibited. No virtual courtroom proceedings, or part thereof, shall be disseminated or otherwise presented by the counsel, advocates, litigants, general public, journalists, etc., for publication or reproduction to the media or any other person. Any infraction of this proscription will be dealt with strictly and in accordance with law.
8. The overall control and administrative privileges over the virtual courtroom and video conferencing platform, subject to the instructions of the Hon'ble Chairperson and/or Hon'ble Members, will be exercised by the Court Master/designated official of the Tribunal/Registry.

#### **CONDUCT OF BUSINESS:**

1. **Mentioning, Matters for Admission, Matters for consideration on Interlocutory Applications and Final Hearing:** No mentioning or matters for admission or matters for consideration on Interlocutory Applications or matters for final hearing will be permitted during the virtual courtroom proceedings since the Tribunal is to hear only the urgent/part-heard cases during on-going Pandemic (COVID-19). The Tribunal is also exploring arrangements for conducting Video-conferencing during normal times and the permanent protocol is being envisaged and will be notified soon in consultation with NIC.
2. **Part-Heard Matters:** For part-heard matters, and/or such other matters as may be directed to be listed for hearing, a specific time-period will be allocated in the cause-list.
3. **Format for proceedings:** Virtual court-room hearing for each matter within the allocated time-slot will normally be conducted in two parts as follows:
  - i. **First part:** Submissions by the advocates.
  - ii. **Recess (5-10 minutes as the case may be):** So as to enable the Hon'ble Chairperson / Hon'ble Members to confer among themselves. All advocates will be required to disconnect from the video conferencing platform during Recess.
  - iii. **Second part:** Advocates will again join the meeting and the Tribunal may call upon the advocates and submit the clarifications if any.
4. **Adherence to Time Limits:** Advocates are requested to stick to the timelines prescribed in the cause-lists. In the event the allotted time frame is not sufficient for completing the

arguments in a particular matter, the Bench will indicate another time-slot for continuance of arguments. However, no extension of the specified slot shall be permissible.

## **UNIFORM PROTOCOL FOR DOCUMENT MANAGEMENT:**

### **1. Statement of Case:**

**Part heard matters for hearing:** A common statement of case – consisting of an agreed list of dates, agreed issues, and respective submissions (10 pages each for the respective submissions) and with continuous pagination, indexing, book marking and hyperlinking is to be submitted by the contesting parties. In the event that there is no agreement on mutually acceptable list of dates and issues between the contesting parties, separate list of dates and issues may be generated and submitted – provided that all such lists of dates and issues along with the respective submissions are compiled in a single and common document with continuous pagination, indexing, book marking and hyperlinking. The common statement of case in (doc and pdf format) is required to be submitted in advance, and no later than two days prior to the date of hearing, to the designated email address of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)).

*The file must be named in the following format – [Appeal No.].[Common / Statement of Case].[Date of Submission].*

*Illustratively, Appeal No.100of2020.CommonStatementofCase.04102020.dox.*

*If separate statement of case is being submitted, then party name and rank can also be indicated at the end.*

### **2. Compilation of Documents:**

**Part heard matters for hearing:** Only onecommon compilation of documents (doc and pdf format) with continuous pagination, indexing, book marking and hyperlinking will be prepared by the contesting parties. The common compilation of documents is required to be submitted in advance, and no later than two days prior to the date of hearing, to the official email address of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)).Unless otherwise agreed to between the parties, the Appellant/Petitioner’s counsel will take the responsibility of coordinating and finalizing the compilation with index including therein all the documents the list of which is given by all the contesting parties.

*The file must be named in the following format – [Appeal No.].[Common /Compilation of Documents].[Date of Submission].*

*Illustratively, AppealNo.100of2020.CommonCompilationofDocuments.04102020.pdf.*

*Ifseparate compilation of documents is being submitted, then party name and rank can also be indicated at the end.*

### **3. Case Law Compilation:**

**Part heard matters for hearing:** Only onecommon compilation of case law (doc and pdf format) with continuous pagination, indexing, book marking and hyperlinking will be prepared by the contesting parties. The common compilation of case law, along with the index, is required to be submitted in advance, and no later than two days prior to the

date of hearing, to the designated email address of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)).

*The file must be named in the following format – [Appeal No.].[Common / Case Law Compilation].[Date of Submission].*

*Illustratively,AppealNo.100of2020.Common Case law Compilation.04102020.pdf.*

*If separate case law compilation is being submitted, then party name and rank can also be indicated at the end.*

4. Submission of Statement of Case / Common Statement of Case is mandatory and cut-off time is non-negotiable.
5. The Statements of Case, Common Statements of Case, Compilation of Documents, Common Compilation of Documents, Case Law Compilation and/or Common Case Law Compilation, as the case may be, must also be sent to the designated email address of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)).
6. **Final Written Submissions:** On the conclusion of the hearing, or in accordance with the directions of the Bench, the contesting parties shall file their respective final written submissions (not exceeding 20 pages(doc and pdf format)to the designated email address of Deputy Registrar ([dyregr-aptel@nic.in](mailto:dyregr-aptel@nic.in)). The final written submissions must comprehensively deal with the: gist of the case/reply; issues involved; submissions; analysis of relevant documents and inferences; legal propositions; relevant provisions of law; and, case law. Whilst exhaustive repetition of the contents of documents should be avoided, short and relevant excerpts of the documents with appropriate cross-referencing will be preferred. Final versions of the list of dates, relevant documents, provisions of law, etc., may be included in an appendix to the final written submissions.
7. The requirements herein are in addition to the rules already in place governing the filing of appeals, replies, applications, etc.

**The tables depicting the PROTOCOLS to be maintained are annexed as Annexure ‘A’ & Annexure ‘B’**

Sd/-  
**Dr.Ashu Sanjeev Tinjan**  
**Registrar**

PROTOCOL FOR TIMELINES			
		Timelines	Details
1	Documentation to be sent to Deputy Registrar through email ( <a href="mailto:dyregr-aptel@nic.in">dyregr-aptel@nic.in</a> )	Two days preceding the date fixed	<ul style="list-style-type: none"> <li>• Relevant email IDs</li> <li>• Statement of case</li> <li>• Compilation of documents</li> <li>• Case law compilation</li> <li>• Final Written Submissions</li> </ul>
2	Email to be sent to Registrar/Dy. Registrar as the case may be	1400 Hrs. preceding the date fixed	<p><b>In fresh filing matters</b></p> <ol style="list-style-type: none"> <li>a. Scanned Vakalatnama.</li> <li>b. Scanned copy of the Court Fees deposited in "<b>Bharat Kosh</b>" (Non-tax receipt portal).</li> <li>c. The soft copies of the complete paper book i.e. Appeal/Petition/ Affidavit(s)/Annexures etc. or IAs (doc and pdf format).</li> <li>d. Scanned copy of the proof of service on the other party(ies).</li> <li>e. An undertaking shall be given by the counsel to file the original paper book or IA's complete in all respects including the requisite documents, affidavit(s) and duly signed Vakalatnama/ power of Attorney etc. in original within a week after the resumption of normal working of the Tribunal.</li> <li>f. The request letter that the matter may be taken up through the Video-Conferencing mode.</li> </ol> <p><b>In pending matters</b></p> <ol style="list-style-type: none"> <li>a. The soft copies of the complete paper book i.e. Appeal/Petition along with I.A's/Affidavit(s)/Annexures/Reply/Rejoinder/Written Submissions etc. (pdf format and doc (if possible))</li> <li>b. The request letter that the matter may be taken up through the Video-Conferencing mode.</li> </ol>
3	Documentation to be sent to the Hon'ble Chairperson and Members	1600 Hrs, preceding the date fixed	
4	Cause list to be published	1800 Hrs. preceding the date fixed	
5	IT Assistant to provide meeting number and password to all concerned.	1800 Hrs. preceding the date fixed	Sh. Shakeel – 9910367401

## Annexure 'B'

<b>VIRTUAL COURT ROOM PROTOCOL (BEFORE HEARING)</b>					
S. No.			Audio	Video	
1	15 minutes prior to meeting	IT Assistant Joins	On	On	Check for the connections
		Court Master joins	On	On	
		PPS joins	On	On	
2	10 minutes prior to meeting	IT Assistant	On	On	Check for the connections
		Court Master	Off	Off	
		PPS	Off	Off	
		All Advocates joins	On	On	
3	5 minutes prior to meeting	IT Assistant	On	On	Check for the connections
		Court Master	Off	Off	
		PPS	Off	Off	
		All Advocates	Off	Off	
		Hon'ble Chairperson/ Members join	On	On	

<b>VIRTUAL COURT ROOM PROTOCOL (DURING HEARING)</b>			
S. No.		Audio	Video
<b><i>First Part:</i></b>			
1	Chairperson/Presiding Judge	On	On
2	Member	On	On
3	Court Master	Off	Off
4	PPS	Off	Off
5	IT	Off	Off
6	Advocate (whoever is the Presenter)	On	On
7	Other Advocates	Off	Off
<b><i>RECESS (5-10 Minutes as the case may be) after completion of Submissions by the Advocates</i></b>			
1	Chairperson/Presiding Judge	On	On
2	Member	On	On
3	Court Master	Leave	Leave
4	PPS	Leave	Leave
5	IT	Leave	Leave
6	Advocates	Leave	Leave
<b><i>Second Part:</i></b>			
1	Chairperson/Presiding Judge	On	On
2	Member	On	On
3	Court Master	Off	Off

4	PPS	Off	Off
5	IT	Off	Off
6	Advocate (whoever is required to answer)	On	On
7	Other Advocates	Off	Off

<b>VIRTUAL COURT ROOM PROTOCOL (AFTER HEARING)</b>			
<b>S. No.</b>		<b>Audio</b>	<b>Video</b>
1	Chairperson/Presiding Judge	On	On
2	Member	On	On
3	Court Master	On	Off
4	PPS	On	Off
5	IT	Off	Off
7	Advocates	Leave	Leave