

OFFICE OF THE DISTRICT COUNCIL COURT, KHASI HILLS, SHILLONG.

NOTIFICATION.

No. DC/JDL/ III/ 6/ 2006-2020/ *415*

Dated Shillong, the 15th May, 2020.

Having considered the imminent threat to human life by spread of COVID-19 (Corona Virus) and considering the lockdown declared by Government of India/ Government of Meghalaya, to reduce physical presence in the Court by promoting social distancing and for the safety of litigants, advocates and staffs, in the larger public interest, the Judge, District Council Court, Khasi Hills Autonomous District Council is pleased to issue the following directions with regard to conduct of the business of the District Council Courts in the Khasi Hills Autonomous District Council, to be applicable from 15.05.2020 and till further orders:

1. Except hereinafter provided, no other matter shall be entertained by the District Council court.
2. Learned Advocate/Litigant-in-person in cases of extreme urgency may send the request/application for urgent listing of the fresh matter/ pending matters via email with details/nature of urgency to districtcouncilcourt@gmail.com for urgent listing only. The advocate while filing the summary of proposed matter or the petition, as the case may be, shall necessarily submit his enrolment number with Bar Council, registered mobile number, e-mail address and scanned photo ID issued by Bar Council or any Government Authority.
3. On receipt of summary of the proposed matter with urgency application justifying the extraordinary circumstances, the officer of the Court deputed in this regard, shall place the matter along with the report before Judge, District Council Court in case of a fresh case or before the concerned Judicial Officer in case of a pending matter for further orders.

4. If the Judge, District Council Court or concerned Judicial Officer orders that the matter be placed before the Court, the advocate concerned shall be informed to email the petition alongwith the annexure/documents in PDF format to e-mail address given in para 2.
5. The advocates shall e-mail the complete petition duly signed by the advocate concerned to the aforesaid e-mail address in softcopy (scanned/typed PDF) along with all the relevant documents/annexures including proof of payment of Court fee in PDF format only. In no case, hard copy of petition/application/annexure/any document etc. shall be received while this Notification is in force. Petition/application/annexure/documents etc., which are required to be signed by the party concerned, shall be signed by the advocate, provided that while doing so the advocate shall file an acknowledgement along with proof of identity of the party concerned, obtained through any electronic mode of communication that such party admits the Petition/application/annexure/documents etc., which is signed by the advocate on his behalf. The advocate shall submit hard copies of the petition, application, documents etc. e-mailed by him, in the same manner, as followed in normal course not later than 4 (four) days after the soft copy is emailed.
6. For filing of reply, documents, annexure, affidavit, video conferencing etc. by the respondent, all provisions applicable to the petitioner for filing of petitions, documents, annexure, affidavit, video conferencing etc. under this Notification, shall apply, as if they are also for the respondent.
7. The petition received by e-mail from the advocate shall be registered in the same manner as is followed in the normal course and after scrutinizing the petition, the officer of filing section of the Court deputed in this regard, shall forward the petition to such officer of the Court deputed in this regard.
8. Where defects are pointed out in the Petition, information to that effect shall be communicated to the advocate by e-mail for removal of the defects by return e-

mail only, provided that the advocate may also request that the petition may be placed before the Court concerned with defects.

9. The concerned officer of the Court, deputed in this regard, shall thereafter forward the petition along with the cause list, to computer section to facilitate the hearing through video conferencing.
10. As soon as the hard copies of the petition, application, documents etc. are so received, the concerned filing section shall prepare file of the case in the same manner, case files are prepared in the normal course for maintaining the records.
11. Nothing hereinbefore contained shall affect the powers of the Court to dismiss prayer for urgent hearing after going through the petition and documents filed in support thereof, at any stage prior to the hearing through video conferencing.
12. Where the prayer for the urgent hearing is not dismissed at the preliminary stage, as above, the matter shall be heard through video conferencing in the manner provided hereinafter.
13. Where the Court proceeds to hear the matter through video conferencing, the concerned officer deputed in this regard shall cause the details of VC id link, date and time intimated to the advocate concerned through SMS/email/Whatsapp service. The advocate shall not share the link details so intimated to him with any person.
14. The hearing through video conferencing shall be held on such date and at such place and time, as fixed by the Court. The Learned Advocates/ Litigant in person shall join the room 15 minutes prior to the time slot allotted to their case.

15. The advocate shall be ready with all hardware/software facilities for the video conferencing one hour prior to the time given as above, for testing functionality of the video conferencing by the Control Room mentioned hereinbefore.
16. Where the respondent is a private party, the learned Counsel/ Party-in-person praying for listing of a matter in extremely urgent category shall inform the opposite party and/ or their counsel in advance. Proof of service to the opposite side shall be filed along with the application/ petition.
17. The Video Conferencing shall be held through "CiscoWebex" / "Vidyo" software or any other software application as may be notified by the court and for this purpose, advocates are required to download and install the said software in their mobile phone/tab/laptop/personal computer/etc., which is available in Google play store/apple store, free of cost.
18. The mobile phone/tab/laptop/personal computer/etc. of the advocates are required to have (i) Internet Connection (minimum 2 MBPS), (ii) web camera (adequate resolution 1 MP or above), (iii) speaker and microphone (clear sound), and such other facilities necessary for the aforesaid software.
19. The advocates are, therefore, required to download and install these two software in advance, which are also available on Google play store/apple store.
20. No software other than the software stated above, shall be used for the video conferencing.
21. In the hearing through video conferencing, advocates will participate from their respective office/residence.
22. In the hearing through video conferencing, advocates shall follow all protocols which are followed in the normal Court proceedings, provided that so far as the

dress code is concerned, advocate may appear/participate in any formal wear conforming to dignity and decorum of the judicial proceedings.

23. During the hearing through video conferencing, when Court is in session with one end, the other end not in session with the Court, shall keep its Microphones on mute mode.

24. The orders passed by the Court will be delivered in the manner, as orders are delivered in the normal course and soon after getting the order signed by the Judicial Officer, the concerned Bench Assistant/ Criminal Peshkar shall keep the order in safe custody till same is bunched with the case file prepared. The concerned Bench Assistant/ Criminal Peshkar will communicate the order to the parties concerned via email/ whatsapp.

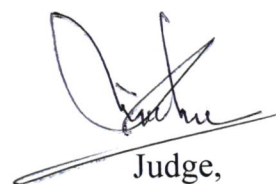
25. The recording of proceedings held hereunder is strictly prohibited.

For any administrative/ judicial work of emergent nature in the District Council Court, the following Officers can be contacted on their cell number/ whatsapp No:

(i) Judge: (+918258907600)

(ii) Registrar: (+919863097864)

BY ORDER,



Judge,

District Council Court,
Khasi Hills – Shillong.