

**Central Electricity Regulatory Commission
New Delhi**

30th April, 2020

**Notice for Virtual Court Room Platform
(During Covid-19)**

General

The Commission will hear cases, including urgent and part-heard cases during the on-going pandemic (Covid-19) through Video Conferencing. All notifications/ guidelines including the cause-list of the Petitions to be heard through Video Conferencing will be published on the website of the Commission (<https://cercind.gov.in>).

2. The e-hearing of the petitions shall commence at 10.30 am on the day of the hearing. The final cause list would be posted on the Commission's website by 4.00 pm on the previous day of the hearing, indicating the details of the Petitions listed.
3. The parties whose petitions have been listed for e-hearing shall inform in advance, the names of the Party Representatives and/or the Advocates, who have been authorised to appear/ present the case, along with contact address, phone number and e-mail id.
4. The parties to a petition shall be permitted to e-file the documents/ pleadings till 4.00 pm, two days prior to the date of e-hearing and in no circumstances this would be relaxed. After 4.00 pm (two days before the date of hearing), the window for e-filing the documents/ pleadings in the e-filing portal of the Commission would be closed.
5. Adjournments will not be permitted in respect of the petitions listed for hearing through Video Conferencing on the day of the hearing. Any request for adjournment of their petitions, shall be made well in advance through email to the undersigned or to the designated officer of the Commission.

6. No mentioning of matters for admission or for consideration of IAs (Interlocutory Applications) shall be permitted during the virtual courtroom proceedings. However, the Advocates/ Party Representatives will be permitted to submit a mentioning-application well in advance, by e-mail to the undersigned, requesting that the matter may be taken up through Video Conferencing mode indicating the urgency. The mentioning-application must *inter-alia* clearly contain the case-details, the urgency involved along with the contact details of the Advocates/ Party Representatives like e-mail ID, mobile number with alternate number(s) if any, camp/ office address stating the Pin Code and the Police station. The request will be examined by the Commission and if considered necessary, the concerned party will be informed of the date of hearing of the matter.

7. In fresh matters, an undertaking shall be given by the Advocates/ Party Representatives to file the original paper books or Interlocutory Application (IA), 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 Commission.

8. The parties shall ensure that the documents filed by them only through e-filing portal are relied upon during the e-hearing. In case any party relies upon a document which does not form part of the records of the Commission, they may be permitted to do so, subject to the said document being e-filed after the e-hearing and also being shared with the other party(ies) for their response. In case the documents relied upon during e-hearing are not e-filed or shared by the parties as aforesaid, the same shall not form part of the records of the Commission at the time of disposal of the petition.

9. For Case laws to be referred during the hearing, the Parties may file such case laws (only relevant extract) well in advance along with their Pleadings or may file the same along with the written submissions, as permitted.

Virtual Courtroom

10. The virtual courtroom project will commence with the use of '**Vidyo**' software as the primary video conferencing platform hosted on the server of National Data Centre of

National Informatics Centre, Government of India. Detailed guidelines for e-hearing through Video conferencing facility are **annexed** herewith. Advocates/ Party Representatives are requested to familiarize themselves with the video conferencing platform and the guidelines annexed so that they are well-prepared.

11. Only those Advocates/ Party Representative who have been authorised to appear in the petition listed for e-hearing will be given the presenter status (i.e. who can share documents through Video Conferencing) and corresponding rights (login & password details).

12. The presenting Advocate/ Party Representative will/ may be required to participate in the test video-call by the Bench Officer/ IT staff of the Commission, half an hour prior to the commencement of proceedings, in order to ensure stability and clarity of the connection.

13. The presenting Advocate/ Party Representative, before beginning their respective submissions, may identify themselves and confirm that they are authorised to represent the concerned Party.

14. The Advocates appearing and presenting their cases via the virtual courtroom platform must observe the dress code and etiquette prescribed under the Advocates Act, 1961.

15. The Advocates/ Party Representative shall be seated in appropriately ambient surroundings ensuring that there is no background noise or disturbance (like ringing of mobile phones, background chatter, etc.).

16. The Advocates/ Party Representative should use earphones/ headsets. It will be the responsibility of the Advocates/ Party Representatives to ensure that discipline is maintained at their respective ends, and no inconvenience or disturbance is caused during the proceedings.

17. The Advocate/ Party Representative have to keep their respective devices/ microphones on mute at all times and un-mute the same only when their respective turn

to present their case or to interject arises. The Advocates/ Party Representatives are requested to avoid interjections altogether and may do so only when absolutely essential, with the leave of the Commission.

18. When questions/ issues are being raised by the Commission, the Counsel/ Advocate/ Party Representative concerned shall remain patient and respond only upon the Commission completing its questions/ issues. It is advisable that the Counsel/ Advocate/ Party Representative concerned wait for a few seconds, after the Commission has completed the question, before proceeding to respond.

19. The administrator of the virtual courtroom will ensure that only such Advocates/ Party Representatives are audible and visible who are arguing the particular matter. The other Advocates/ Party Representatives will have to wait for their respective turn.

20. 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 and journalists, etc., for publication or reproduction to the media or any other person. Any infraction of this proscription will be dealt with strictly in accordance with law.

21. The overall control and administrative privileges over the virtual courtroom and video conferencing platform, subject to the instructions of the Commission, will be exercised by the undersigned/ designated official of the Commission.

22. Any complaint in regard to the quality or audibility of feed shall be communicated by the parties to the undersigned/ designated official of the Commission during the proceedings or immediately after its conclusion, failing which no grievance in this regard shall be entertained thereafter.

23. On the conclusion of e-hearing, or in accordance with the directions of the Commission, the contesting parties shall file their respective final written submissions on the SAUDAMINI portal.

24. The above requirements are in addition to the e-filing guidelines already in place governing the filing of petitions, replies, rejoinders, applications and communication of Record of Proceedings, Orders etc.

Sd/-

(Sanoj Kumar Jha)
Secretary

Annexure I

Guidelines to Web VC hearing in CERC

Approach and Methodology for Implementing Web VC Hearing

- Step1: Hearing Notice containing information about Web VC link and pin will be send to parties through SAUDAMINI portal before Hearing.
- Step2: The full pleading file with CERC page numbering may be downloaded by the parties through their e-Filing portal interface before hearing.
- Step3 : The parties will participate in hearing through NIC Web VC Vidyo platform. They will inform name of advocate/official presenting the case well in advance to CERC Legal Division.
- Step:4 The parties will refer and mention CERC page number (Red colour, Top right corner) while presenting their case during the hearing so that the page number of the referred document will be same for the parties and the Commission.

Virtual Court Protocol (Before Hearing)

| S.No | Action | Audio | Video | Remarks |
|--|------------------------------|-------|-------|---------------------------------|
| IT Official Joins | 30 minutes prior to hearing | On | On | Check for Connections |
| CERC Designated Officer /Bench Officer joins | 30 minutes prior to hearing | On | On | Check for sharing of screen etc |
| Petitioner/Respondent Official /Advocate joins | 30 minutes prior to hearing | On | On | Check for Connections |
| Hon. Commission | 5 Minutes prior to hearing | On | On | Check for Connections |
| Hearing Starts | As per Hearing Schedule Time | | | |

Virtual Court Protocol (During Hearing)

| S.No | Audio | Video |
|--|-------|-------|
| Chairperson & Members | On | On |
| Petitioner (Whosoever is presenting the case) | On | On |
| Other Petitioner Advocates/Officials | Off | Off |
| Respondent (Whosoever is presenting the case) | On | On |
| Other Respondent Advocates(Officials) | Off | Off |
| Designated Legal Officer | On | On |
| Secretary & Chiefs(Will On Audio/Video only when something asked by Hon. Commission) | Off | Off |
| CERC Officers (Will On Audio/Video only when something asked by Hon. Commission)(| Off | Off |
| IT | Off | Off |

**Quick user Guide to participate in CERC Web VC Hearing using
NIC Vidyo Platform**

The pre-requisite at each user location:

1. User should have minimum Internet connection of 2 Mbps from any service provider (Broadband/FTTH/4G etc)
- ✓ A Desktop/Laptop working in windows (Recommended).
- ✓ Webcam / Video Camera (2.0), 2GB RAM
- ✓ Wired Earphone/Headphones with Microphone (Strongly recommended) or External USB camera & Speaker cum microphone.

Steps to join VC meeting

2. Please copy the link and paste it into the URL field of **Internet Explorer** (recommended). It will download a Plugin and make Browser ready to place a call.
3. Once browser is ready, enter your name, Select Camera, Microphone & Speaker you are using and click to join the meeting.
4. If you want to join using MAC OS then install the Vidyodesktop Software from <https://webvc.nic.in> then click on the link.
5. For joining from Mobile Devices, Install Mobile App (**Vidyo Mobile**) from Play Store/App store and then Click on the link received in e-mail/Hearing Notice.

General Instructions:

- Please use Earphone / Headsets (Strongly recommended)
- Only one person shall speak at any given point.
- Mute your Microphone from the software (Click the on video screen to see tools bar. Click on Microphone symbol  - to Mute / Unmute.
- Disconnect the call once hearing is over, which would make the resource available for others.

Please do keep your microphone muted and unmute only when you speak.

CERC Technical Helpdesk

Shri Davinder Kumar - 9891908959, Shri Rahul Paliwal – 9873981255