

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

ROC.No.192/SO/2020

Date: 08.04.2020

NOTIFICATION

Guidelines for hearing of cases through video conferencing during lockdown period in the Subordinate Courts

In supersession of earlier notifications issued by the High Court in connection with functioning of Subordinate Courts and the Tribunals working under the control of High Court of Andhra Pradesh, the following guidelines are being issued in view of the judgment of the Hon'ble Supreme Court in Suo-motu Writ (Civil) No.5 of 2020, dated 06.04.2020 in IN RE: GUIDELINES FOR COURT FUNCTIONING THROUGH VIDEO CONFERENCING DURING COVID-19 PANDEMIC:

1. All the Subordinate Courts shall ensure that the measures have been taken to reduce the need for the physical presence within Court premises and to secure the functioning of the Courts in consonance with social distancing guidelines and best public health practices shall be deemed to be lawful.
2. All the Subordinate Courts shall ensure that the urgent cases are heard by adopting the mode of video conferencing through a convenient video conferencing app/software.
3. The Subordinate Courts can proceed with pronouncement of judgments/orders in civil cases by issuing notices to both the counsels through whatsapp, e-mail and also by uploading the notice in the official website of District Court under the caption 'NOTICE'.
4. The facility of video conferencing for the stakeholders including legal aid counsel is to be provided for participating in hearing of the cases through video conferencing, if they are not having such facility. The concerned District Legal Services Authority or Mandal Legal Services Committee shall take care of arrangement of such facility, if they are approached by the stakeholders.
5. All the Judicial Officers shall note that since the High Court is in the process of framing transitional guidelines for e-filing and video conferencing, the video conferencing shall be mainly employed for hearing arguments whether at trial stage or appellate stage.
6. The trial Courts shall record evidence in urgent cases through video conferencing only, with consent of both the parties.

7. The trial Court shall adopt appropriate procedure for recording evidence, obtaining signatures of the witnesses etc. only during the lockdown period, by sending the soft copy of deposition to the witness for obtaining the signature of the witness on the deposition and receiving scanned copy of the same through online.
8. A certificate must be given by the Presiding Officer that evidence is recorded to his/ her dictation through video conferencing. Each page of the deposition must be signed by the witness and after receiving the scanned copy it has to be signed by the Presiding Officer. It has to be mentioned on the deposition that recording of the evidence is done through video conferencing mode.
9. However, the Subordinate Courts shall insist the counsel to produce hard copies of the depositions duly signed by the witnesses, immediately after lifting the lockdown period.
10. If it is necessary to record evidence in a Court room, the Presiding Officers shall strictly follow the advisory issued by the Government of India with regard to Covid-19 virus and also shall ensure that appropriate distancing is maintained between any two individuals in the Court. However, the Presiding Officer shall not prevent the entry of any party to the case unless the party is suffering from infectious illness. If the number of litigants are many, the Presiding Officers shall have the power to restrict the number of parties.



REGISTRAR GENERAL

To

- 1) The Prl. Secretary to the Hon'ble the Chief Justice. (with a request to place the notification before the Hon'ble the Chief Justice for His Lordship's kind perusal)
- 2) All the P.Ss to the Hon'ble Judges. (with a request to place the notification before the Hon'ble Judges for their Lordships' kind perusal).
- 3) All the Registrars, High Court of Andhra Pradesh.
- 4) The Registrar (IT-cum-Central Project Coordinator), High Court of Andhra Pradesh [with a request to instruct the concerned to place the Notification in High Court's website]
- 5) All the Unit Heads in the State of Andhra Pradesh. (with a request to communicate the Notification to the Officers under their control and to the Presidents of the Bar Associations' in their respective Districts)
- 6) The Advocate General, State of Andhra Pradesh.
- 7) The Public Prosecutor, High Court of A.P., Amaravati.
- 8) The Secretary, Bar Council of Andhra Pradesh, High Court, Amaravati.
- 9) The President, A.P. High Court Advocates' Association, Amaravati.
- 10) The Director of Prosecutions, Vijayawada. (with a request to circulate the notification to all the Public Prosecutors/ Additional Public Prosecutors/ Assistant Public Prosecutors)
- 11) The Commissioner, Information & Public Relations, Andhra Pradesh, RTC Bhavan, Vijayawada. (with a request to give wide publicity to the notification in print and electronic media)