

Appendix C

PROCEDURE TO BE FOLLOWED BY ADVOCATES FOR APPEARING IN ARMED FORCES TRIBUNAL E-COURTS

Filing of Application

1. Advocate or the party-in-person, as the case may be, who wishes to file fresh admission matter or desires to get the admission matter pending with the RB, heard, will need to file soft copy of the same, in PDF version. The PDF file is required to be **password** protected. This password may be same for all PDF files, pre decided in consultation with Registrar RBs and shared telephonically. **No repeat NO password is to be shared by e mail.**

2. In case of Urgent hearing, due Urgent Case hearing application is to be forwarded through e mail, briefly giving reasons for urgent hearing. Whether it qualifies to be heard urgently shall be decided by the Bench.

3. Hon'ble Chairperson has been pleased to approve receipt of Court Fees by electronic medium temporarily, ie till the OCVID situation lasts. Details of Public Fund Acct and exclusive e mail id of Accts Section of RB shall be disseminated by the Registrar/Registrar IC of respective Regional Benches for submitting the fees by electronic medium. Procedure to be followed by all other concerned is as follows:

(a) After remittance of the Court fee by the Advocates/ concerned party, the details of the transaction i.e. **transaction ID, amount and name of the applicant** etc. are required to be mailed to Accounts Branch of respective RB.

(b) Accounts Section will take a print out of the e receipt so forwarded by the concerned party. After duly verifying it, if found correct, will endorse on it "Payment Received", sign it and duly stamp it, in which name of the verifying officer will be clearly mentioned.

(c) Accounts section will then forward the scanned and verified e receipt by e-mail back to the concerned party. At the same time, will forward the Hard Copy to Judicial Sect for pairing and linking.

(d) The concerned party will take a print out of such verified payment receipt, attach it to the Application/ Documents and forward it to the Registry / Filing Section (as the case may be) of the Bench by speed post/ courier or in person, for further necessary action.

4. To facilitate convenient filing of matters by Advocates/ Parties in Person, Hon'ble Chairperson has been pleased to approve filing of application on A4 size paper, which can be scanned conveniently. Scanned copies of Legal-size paper however will also be acceptable. The font colour is to be black, font type is to be Arial and font size needs to be 14. The sentences will have spacing of 1.5 and the alignment will be 'Justified', except for the Heading, which will be in Capitals, Bold, Underlined and is to be in center.

5. Soft copy may be filed by the way of using any of the following methods:

(a) Through e mail with NIC id.

(b) By Pen-drive

6. After receipt of soft copy of fresh admission matter, Registry will process it for scrutiny.

In case of 'No Defect'

7. The Registrar/Registrar IC shall pass an order for registration of the matter, if the matter is found to be in order and shall annotate the date for its listing.

8. Advocate or party-in-person, as the case may be, will be intimated by e mail, the date of its listing. Thereafter, the advocate or party-in-person, will be required to forward two sets of hard copies of the paper books/files to the RB through post, courier or in person.

9. After dispatch of the same advocate or party-in-person, as the case may be shall submit a declaration via e mail that he has sent/dispatched the hard copies of the matter to the Tribunal and furnish a proof of the same. Only on receipt of the declaration/furnishing a proof of dispatch, the Registrar/Registrar IC, as the case may be, shall send the soft copy of the matter to the Listing Branch for its listing before the Bench, as per the date allotted by the Registrar/ Registrar IC.

10. The hard copies of Form No. 2 containing the notings/orders of the officer/official concerned shall be retained by the Registry of the Tribunal, which shall be included in the hard copies, as and when the same are received in the Registry of the Tribunal.

In case of Defect

11. On scrutiny, if the matter has been found to be defective, defects contained therein shall be notified by e mail to the advocate or the party-in-person, as the case may be, in Form No. 6, requiring him to cure the defects and re-file the soft copy in the password protected PDF version of the matter **within a period of seven days**.

12. After rectification of the said defect, advocate or the party-in-person, as the case may be, shall give an **undertaking** to the effect that the contents of the PDF version of the matter originally filed and the PDF version of the re-filed matter are verbatim the same, except for the modification made in respect of the rectification of the defects pointed out to him. In case any other correction is made, that will also be notified to the Bench. Certificate to this effect will also be furnished. The format of the certificate is appended below:

"Certified that the contents of the PDF Application originally filed and the PDF application now being filed are verbatim same except for the modification that has been made while rectifying the defects pointed out vide Form 6 dated

And/Or

Certified that the contents of the PDF application originally filed and the PDF application now being filed are verbatim same except for the modification made in certain paras of the Application. The details of the same are appended below

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Signatures of Advocate/ Applicant"

13. Thereafter the same procedure will be followed as mentioned from Para 7 to Para 10 above.

14. The hard copies of Form Nos. 2, 4 & 6 containing the notings/orders of the officer/official concerned shall be retained by the Registry of the Tribunal and shall be included in the hard copies, as and when the same are received in the Registry of the Tribunal.

In case of Applications already submitted in Hard copy and awaiting listing

15. In case of the applications already submitted in hard copy, scrutinised and awaiting listing, the Advocate / Party in person or the concerned party that desires for the matter to be heard will intimate the bench about the same through e mail and also in duly signed hard copy, which may be sent by post/ courier if delivering it in person is not feasible.

16. The Advocate / Party in person or the concerned party that desires for the matter to be heard, will need to scan the hard copy available with him, convert it to PDF and e mail it to the Bench with the following Declaration/ Certificate

"Certified that the contents of the Application originally filed in hard copy and the PDF application now being filed for hearing by E-Court are verbatim same"

Signatures of Advocate/ Applicant"

17. Only on receipt of the said request via e mail along with specified PDF Case file and declaration, Registrar/ Registrar IC shall send the matter to the Listing Branch for its listing before the Bench.

18. The entire process stated above has to finish four days in advance of hearing of the case. Therefore, Advocates/ Party in Person has to plan filing/ processing of the cases much in advance. No Repeat No case will be listed for hearing after the given time period.

19. Cause list for the E-Court shall be prepared and published by the Regional Bench, **three days** prior to the hearing of the cases.

Procedure for appearing in E-Court

20. The Cause List with Cases to be heard, shall be handed over by the respective Registrars to the Hon'ble Members, **three days in advance**.

21. E -Court shall start functioning by 25 Aug 2020 and shall be conducted through the secured portal of Microsoft Teams.

22. All concerned parties shall download the Microsoft Teams App on their laptop/ mobile phones. Preferable device for attending the E- Court by the Advocates and concerned parties is through laptop/ Desktop, since the laptop/ Desktop version is more user friendly.

23. All concerned are advised to be dressed up formally and seated in a conducive, free from distraction environment so that the Court proceedings may be conducted smoothly while following proper decorum of the Court.

24. The Regional Bench whose case is to be heard will be responsible for sending the link for E-Court to the respective Legal Officers of the Services, Advocates, Party-in-person and all other concerned with the case after adding them at the scheduled E-Court timing, one day prior to the E-Court.

25. All the participants will be required to be logged in at least 15 Min prior to the commencement of the E-Court proceedings.

26. It will be the responsibility of all participants to keep their voice on mute and only those who need to speak shall un-mute it. Failing this, the Administrator/ Organiser of the E-Court will have the authority to mute the participants.

Formalities post Conduct of E-Court

27. Till such time Digital Signatures are obtained, Registrar RB Chandigarh, where the Hon'ble Member (J) is seated, after obtaining the signatures of the Hon'ble Member (J) on the Order Sheet shall compile all the orders and forward by Speed Post to the Hon'ble Member (A) at their Regional Bench.

28. The Orders thus made by the Hon'ble Member (J) shall be uploaded on the website of concerned AFT RB and also forwarded to PB for uploading on AFT Website by Registrar Chandigarh.

29. After the signatures of Hon'ble Member (A), Registrar/ Registrar IC of RB Mumbai or RB Chennai, as the case may be, shall forward the said orders by speed post to the concerned Bench for filing the same in the hard copy of the case file being maintained at that Bench.

Caution

30 It may be noted that since the matters at AFT pertain to Defence Services personnel, discretion and reasonable secrecy is required to be maintained while handling such cases. Therefore, adhering to the instructions with respect to password protection of the concerned files and using NIC e mail id medium has to be strictly adhered to. All concerned are required to take all such necessary steps and precautions, that may be required, to maintain secrecy and discretion of the matters being dealt. No such content may be posted on the internet, which is of National concern or which may compromise with the safety and security aspects of the individual or Nation.

Appendix D

PROCEDURE FOR ONLINE PAYMENT OF COURT FEE

While accepting the court fee online the following procedure is to be followed: -

1. All RB's shall obtain viewing rights to the Public Fund Account from their respective Banks.
2. After remittance of the Court fee by the concerned party, the details of the transaction i.e. **transaction ID, amount and name of the applicant** etc. are required to be mailed to Accounts Branch of respective RB on the exclusive e mail ID of their Accounts Section. Details of the said e mail id are also to be intimated by respective RB through a circular to all concerned.
3. Account Section will take a print out of the e receipt so forwarded by the concerned party. After duly verifying it, if found correct, will endorse on it "Payment Received", sign it and duly stamp it, in which name of the verifying officer will be clearly mentioned.
4. Accounts section will then scan the said stamped and verified hard copy and mail it back to the concerned party. At the same time, will forward the Hard Copy to Judicial Sect for pairing and linking.
5. The concerned party will take a print out of such verified payment receipt, attach it to the Application/ Documents and forward it to the Registry / Filing Section (as the case may be) of the Bench for further necessary action.