

Ministry of Justice a part of Ministry of Law & Justice, Government of India. It is one of the oldest Ministries of the Government of India. Till 31.12.2009, Department of Justice was part of Ministry of Home Affairs and Union Home Secretary had been the Secretary of Department of Justice. Keeping in view the increasing workload and formulating many policies and programmes on Judicial Reforms in the country, a separate Department namely Department of Justice was carved out from MHA and placed under the charge of Secretary to Government of India and it started working as such from 1st January, 2010 under the Ministry of Law & Justice. The Department is housed in the Jaisalmer House, 26, Man Singh Road, New Delhi. The Organizational setup of the Department includes 04 Joint Secretaries, 08 Directors/ Deputy Secretaries and 09 Under Secretaries. The functions of the Department of Justice include the appointment, resignation and removal of the Chief Justice of India, Judges of the Supreme Court of India, Chief Justices and Judges of the High Courts and their service matters. In addition, the Department implements important schemes for Development of Infrastructure Facilities for Judiciary, setting up of Special Courts for speedy trial and disposal of cases of sensitive nature (Fast Track Special Court for cases of rape and POCSO Act), E-court Project on computerization of various courts across the country, legal aid to poor and access to justice, financial assistance to National Judicial Academy for providing training to the Judicial Officers of the country. The functions of Department of Justice are given in Allocation of Business

Allocation of Business Rules 1961

1. Appointment, resignation and removal of the Chief Justice of India and Judges of the Supreme Court of India; their salaries, rights in respect of leave of absence (including leave allowances), pensions and travelling allowances.
2. Appointment, resignation and removal, etc., of Chief Justice and Judges of High Courts in States; their salaries, rights in respect of leave of absence (including leave allowances), pensions and travelling allowances.
3. Appointment of Judicial Commissioners and Judicial officers in Union Territories.
4. Constitution and organisation (excluding jurisdiction and powers) of the Supreme Court (but including contempt of such Court) and the fees taken therein.
5. Constitution and organisation of the High Courts and the Courts of Judicial Commissioners except provisions as to officers and servants of these courts.
6. Administration of justice and constitution and organisation of courts in the Union Territories and fees taken in such courts.
7. Court fees and Stamp duties in the Union Territories.
8. Creation of all India Judicial Service.
9. Conditions of service of District Judges and other Members of Higher Judicial Service of Union Territories.

10. Extension of the Jurisdiction of a High Court to a Union Territory or exclusion of a Union Territory from the Jurisdiction of a High Court.
11. Legal aid to the poor.
12. Administration of Justice.
13. Access to Justice, Justice Delivery and Legal Reforms.

History

Last updated: 13-01-2023 : As per the Allocation of Business (Rules), 1961, Department of Justice is a part of Ministry of Law & Justice, Government of India. It is one of the oldest Ministries of the Government of India. Till 31.12.2009, Department of Justice was part of Ministry of Home Affairs and Union Home Secretary had been the Secretary of Department of Justice. Keeping in view the increasing workload and formulating many policies and programmes on Judicial Reforms in the country, a separate Department namely Department of Justice was carved out from MHA and placed under the charge of Secretary to Government of India and it started working as such from 1st January, 2010 under the Ministry of Law & Justice

Vision and Mission of the department of justice

VISION:

Facilitating administration of Justice that ensures easy access and timely delivery of Justice to all.

MISSION:

Ensuring adequacy of courts and judges, including servicing of appointment of Judges to the higher judiciary, modernization of courts and procedures, policies for judicial reforms, and legal aid to the poor for improved justice delivery.

Functions of Department of justice

Last Updated : 19-09-2022

1. Appointment, resignation and removal of the Chief Justice of India, Judges of the Supreme Court of India and High Courts; their salaries, rights in respect of leave of absence (including leave allowances), pensions and travelling allowances.

2. Constitution and organization (excluding jurisdiction and powers) of the Supreme Court (but including contempt of such Court) and the fees taken therein.
3. Constitution and organization of the High Courts and the Courts of Judicial Commissioners except provisions as to officers and servants of these Courts.
4. Constitution and organization of Courts in the Union Territories and fees taken in such Courts.
5. Implementation of proposals recommended and approved under Finance Commission awards.
6. Collection of data on institution, disposal, pendency of cases in Courts and monitoring the status of under trial prisoners.
7. Initiate policy measures for judicial reforms.
8. Setting up and operationalization of National Mission for Justice delivery and Legal reforms.
9. Setting up of Fast Track Special Courts (FTSCs) for speedy trial and disposal of cases of sexual offences.
10. Creation of All India Judicial Service (AIJS).
11. Implementation of various schemes to facilitate development and modernization of infrastructure for justify judiciary.
12. Strengthening Department of Justice – e-office, statistical wing, revamping of official website and training thereupon.
13. All matters related to National Judicial Academy.
14. Achieve the objective of universal computerisation of all the District & Subordinate Court complexes by provision of hardware, software and WAN connectivity in close coordination with the eCommittee of The Supreme Court of India as a part of the eCourts Project.
15. Implementation of Central Sector Scheme “Designing Innovative Solutions for Holistic Access to Justice in India (DISHA)” to further the cause of access to justice.
16. All matters related to National Legal Services Authority (NALSA).

Who's Who

Last Updated : 15-07-2024

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Shri Arjun Ram Meghwal	Hon'ble Minister of State, Law and Justice (IC)	mljoffice[at]gov[dot]in	4th Floor, 'A' Wing, Shastri Bhawan	01123 38697 4	01123 38424 1	402-A
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Shri Anshu Bhardwaj	Addl. PS		4th Floor, 'A' Wing, Shastri Bhawan	01123 38755 7	01123 38424 1	403-A
Shri R.K. Mishra	Addl. PS		4th Floor, 'A' Wing, Shastri Bhawan	01123 38755 7	01123 38424 1	403-A
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Shri Mukesh Kumar	Asstt. PS		4th Floor, 'A' Wing, Shastri Bhawan	01123 38755 7	01123 38424 1	403-A
Shri Teja Ram Meghwal	First PA		4th Floor, 'A' Wing, Shastri Bhawan	01123 38755 7	01123 38424 1	403-A
Personal Section	Personal Section		4th Floor, 'A' Wing, Shastri Bhawan	01123 07004 5		403-A

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Shri Anant Kumar	Under Secretary (Appointments -II)	anant[dot]kumar43[at]gov[dot]in	26, Mansingh Road, Jaisalmer House	01123 07213 8		05
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Shri Narendra Kumar	Under Secretary (Access to Justice and Legal Aid to Poor)	nk[dot]tongar[at]gov[dot]in	26, Mansingh Road, Jaisalmer House			

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Shri Akash Kumar Jaiswal	Section Officer (Coordination)	akash[dot]jaiswal88[at]nic[dot]in	26, Mansingh Road, Jaisalmer House	01123 07214 1		24
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Citizen's charter

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Kumar Mahan			Jaisalmer House			
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Salaries, gratuity, pension, allowances etc. in respect of Judges of Supreme Court are governed by the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958. Salaries etc. of Judges of High Courts are governed by High Court Judges (Salaries and Conditions of Service) Act, 1954. An amendment in the Acts is required whenever there is any proposal for revision of salaries/pension gratuity, allowances etc. in respect of Judges of Supreme Court and High Courts.

Salaries and allowances of Judges of Supreme Court and High Court were last revised w.e.f. 1.1.2006 consequent upon the recommendations of 6th CPC.

Pursuant to the implementation of the report of 7th CPC by Central Government in respect of civil servants, the Chief Justice of India (CJI) constituted a Committee of three sitting Judges to recommend revision in the salaries and other service conditions for the CJI and Judges of Supreme Court and Chief Justices of High Courts.

The report of Judges Committee, received by the Government on 21.9.2016, was sent to Finance Ministry for examination. Hon'ble Finance Minister, vide letter 28.11.2016, conveyed comments of his Ministry. A proposal was sent to Cabinet Sectt. for seeking the approval of Union Cabinet for revision of pay, allowances and pension of High Court and Supreme Court Judges.

The Union Cabinet chaired by the Hon'ble Prime Minister approved the proposal for revision in the salaries, gratuity, allowances, pension etc. of the Judges of the Supreme Court and the High Courts on 22.11.2017.

A Bill was introduced in the Parliament on 21.12.2017 for amendment in the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and High Court Judges (Salaries and Conditions of Service) Act, 1954. The Bill was passed by Parliament and enacted after the assent of the Hon'ble President.

Consequent upon amendment of both the Acts mentioned above, Department of Justice vide letter dated 30.01.2018 issued necessary instructions to all State Governments/UTs, Accountants General of all States and Registry Supreme Court to revise the pay, allowances and pension of all sitting and retired High Court and Supreme Court Judges.

Revised rates of Salary, Allowances and Pension of Supreme Court and High Court Judges w.e.f. 01.01.2016 are as under:-

Designation	Salary	Pension	Gratuity
Chief Justice of India	Rs.2,80,000/-p.m.	Rs.16,80,000/- per annum +Dearness Relief	Rs.20,00,000/-
Judges of Supreme Court	Rs.2,50,000/-p.m.	Rs.15,00,000/- per annum +Dearness Relief	Rs.20,00,000/-

Chief Justices of High Court	Rs.2,50,000/-p.m.	Rs.15,00,000/- per annum +Dearness Relief	Rs.20,00,000/-
Judges of High Court	Rs.2,25,000/-p.m.	Rs.13,50,000/- per annum +Dearness Relief	Rs.20,00,000/-

Designation	Furnishing Allowance	HRA	Sumptuary Allowance
Chief Justice of India	Rs.10,00,000/-	24% of Basic Salary	Rs.45,000/- per month
Judges of Supreme Court	Rs.8,00,000/-	24% of Basic Salary	Rs.34,000/- per month
Chief Justices of High Court	Rs.8,00,000/-	24% of Basic Salary	Rs.34,000/- per month
Judges of High Court	Rs.6,00,000/-	24% of Basic Salary	Rs.27,000/- per month

Further increase of HRA @ 27% when Dearness Allowance (DA) crosses 25% and @ 30% when DA crosses 50% has also been agreed to by Cabinet.

The Salaries, Pension and Allowances of the Supreme Court Judges are charged upon the Consolidated Fund of India, whereas the Salaries and Allowances of the High Court Judges are charged upon the Consolidated Fund of the States and the Pension is charged on the Consolidated Fund of India.

First National Judicial Pay Commission

1. In pursuance of the directions of the Supreme Court, the First National Judicial Pay Commission (FNJPC) was set up in March, 1996 under the Chairmanship of Justice K. J. Shetty to examine the service conditions and salary structure of the Judicial Officers in the country.
2. The necessary funds for the functioning of the Commission were arranged by Department of Justice.
3. The Commission submitted its report to the Government and Supreme Court of India on 11.11.1999.

4. The Supreme Court examined the report in full and accepted the recommendations of the FNJPC with various modifications and directed all State Governments to implement it vide Order dated 21.03.2002.
5. The recommendations of the FNJPC were considered by the Central Government in so far as they related to the Judicial Officers of the Union Territories for which the Central Government is administratively responsible. Therefore, the recommendations of the FNJPC were accepted and implemented by Department of Justice in respect of Judicial Officers of UTs.
6. All the State Governments also implemented the recommendations of the FNJPC.

Second National Judicial Pay Commission

1. The Supreme Court of India on 09.05.2017 in Writ Petition No.643/2015 directed to appoint a Judicial Pay Commission to review the pay scales, emoluments and service conditions of the Judicial Officers of Subordinate Judiciary in India. Accordingly, with the approval of the Cabinet, the Government notified setting up of the SNJPC on 16.11.2017 under the Chairmanship of Mr. Justice (Retd.) P.VenkataramaReddi, former Judge of Supreme Court of India.
 - Member- Mr. Justice (Retd.) R. Basant, former Judge of Kerala High Court.
 - Member Secretary (to be chosen by the Commission, preferably a Judicial Officer).
2. SNJPC has submitted their report to this Department on dated 04.02.2020. A copy of report has been submitted to Supreme Court of India and to State Governments. The recommendations of SNJPC are under consideration of Supreme Court of India. This Department has filed its views/comments on the recommendations of SNJPC in the Supreme Court of India on 22.06.2020.
3. The recommendations of SNJPC shall be considered by this Department in respect of judicial officers of the Union Territories in consultation with Department of Expenditure, Ministry of Finance and necessary orders will be issued to Union Territories to revise the pay and allowance of Judicial Officers under their administrative control.

Department of Justice has signed MoUs/Protocol relating to judicial cooperation with the following countries: –

S. No.	Name of Country	Date of signing MoU
1.	Turkey	10.04.2002
2.	Russia	03.10.2000
3.	China	23.06.2003
4.	Bangladesh	08.04.2017
5.	Tunisia	30.10.2017
6.	Zambia	11.04.2018
7.	Morocco	24.07.2020
8.	Maldives	23.08.2022

Pecuniary Jurisdiction of Delhi District Courts

Government of National Capital Territory of Delhi had received a request for enhancement of original pecuniary jurisdiction of District Courts of Delhi from the existing Rs. 20 lakh to Rs. 2 crore from the Coordination Committee of All Bar Associations of Delhi.

Government of National Capital Territory considered this request and observed that increasing the pecuniary jurisdiction would lessen the burden on High Court and there would be substantive improvement in disposal of cases in subordinate courts, since number of subordinate Courts has now increased due to creation of eleven Districts in Delhi.

Enhancement of pecuniary jurisdiction of Delhi District Courts will facilitate access of general public to the District Courts within the vicinity of their location. Moreover, this would also be helpful to litigants in providing “Justice at Doorstep” due to the location of District Courts in different parts of Delhi.

The proposal received from the Govt. of NCT of Delhi seeking amendments in the Delhi High Court Act, 1966 to provide for enhancing the pecuniary limits of the District Courts of Delhi from the existing Rs.20 lakhs to Rs.2 crore was examined and a Bill viz., The Delhi High Court (Amendment) Bill, 2015 was introduced in the Parliament. The said Bill was considered and passed by both the Houses of Parliament. The Bill received the assent of the President of India on 10.08.2015 and has been brought into force w.e.f.26.10.2015.

Increasing the pecuniary jurisdiction of district Courts of Delhi would lessen the burden of Delhi High Court and there would be substantive improvement in disposal of cases in subordinate Courts. This will facilitate access of the general public to 11 District Courts located in 6 District

Court Complexes within the vicinity of their location, ensuring speedy justice to the litigants at their door steps.

Use of Hindi and regional languages

Article 348(1) of the Constitution of India provides that all proceedings in the Supreme Court and in every High Court shall be in English language until Parliament by law otherwise provides. Article 348 (2) provides that the Governor of the State may, with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in the proceedings of the High Court having its principal seat in that State provided that decrees, judgments or orders passed by such High Courts shall be in English. The Official Language Act, 1963 reiterates this and provides under Section 7 that the use of Hindi or official language of a State in addition to the English language may be authorized, with the consent of the President of India, by the Governor of the State for the purpose of judgments, decrees etc. made by the High Court for that State. No law has been made in this regard by the Parliament so far. Therefore, English continues to be the language for all the proceedings of the Supreme Court.

The 18th Law Commission of India in its 216th Report on “Non-Feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India” (2008) has, after detailed discussions with all stake-holders, inter-alia, recommended that the higher judiciary should not be subjected to any kind of even persuasive change in the present societal context. The Government has accepted the stand of the Commission.

The use of Hindi has been authorized long back in the proceedings as well in the judgments, decrees or orders in the High Courts of the States of Rajasthan, Madhya Pradesh, Uttar Pradesh and Bihar. Government of India had received proposals from the Government of Tamil Nadu, Gujarat, Chhattisgarh, West Bengal and Karnataka to permit use of Tamil, Gujarati, Hindi, Bengali and Kannada in the proceedings of the Madras High Court, Gujarat High Court, Chhattisgarh High Court, Calcutta High Court and Karnataka High Court respectively. The advice of the Chief Justice of India was sought on these proposals as per a decision of Cabinet Committee taken in 1965 which provides that comments of the Chief Justice of India are necessary before considering any proposal for use of Hindi or any Regional language in the proceedings of a High Court. The Chief Justice of India vide his d.o. dated 16.10.2012 intimated that the Full Court, after due deliberations, decided not to accept the proposals. The Government has abided by the decision of the Supreme Court.

Based on another request from the Government of Tamil Nadu, the Government requested the Chief Justice of India to review the earlier decisions in this regard vide letter dated 04.07.2014 and convey the consent of the Supreme Court of India. Hon'ble the Chief Justice of India vide his d.o. letter dated 18.01.2016 conveyed that the Full Court, after extensive deliberations disapproved the proposal and reiterated the earlier decisions of the Hon'ble Court.

GUIDELINES FOR E-FILING & E-PAYMENT These Guidelines will apply for electronic filing (e-filing) of cases through the e-Filing portal developed by eCommittee of Supreme Court of India in all courts of Nagargarh Judgeship from 5th April 2021. Detailed user manual and tutorials are available in the website of District Court, Nagargarh. The facility of filing of cases through email shall be simultaneously continued till further orders so that the Advocates/party in person

may create their user accounts and start e-Filing in the meantime. It is to be ensured that filing is made only through one mode i.e. either through email or on the e-Filing portal. If filing is made through both the modes, either the case will not be listed or it will delay the listing as the system will identify two cases in one matter. Using e-Filing Portal has advantages such as availability of automatic storage of electronic case filing documents, secure storage space for electronic case documents, automatic verification by the Portal, communication of case details through e-mail and SMS immediately after filing, learned Advocates can access their case documents at any place by use of internet and facility for storage of case documents in segregated manner for convenient access to any part of the case record. Link of e-Filing portal with all relevant details regarding e-Filing are available under the e-Filing link in the website of District Court, Nayagarh. In case any assistance is required in e-Filing the following Helpline numbers may be contacted during working hours:- Mr. Simadri Keshari Moharathy - 8420308420 (M) Learned Advocates/litigants who wish to e-file their cases but have no or limited access to IT Services may approach eSewa Kendra at their nearest location for assistance in e-Filing. 2 1.

ELECTRONIC FILING FOR ALL TYPES OF CASES.- Whenever petitions, applications, appeals and all pleadings/documents in fresh, pending and disposed of cases of all types will be filed electronically, the same shall be done as per these Guidelines as well as in the manner provided on the e-filing portal developed by e-Committee of Supreme Court of India (<https://efiling.eCourts.gov.in>). For the time being, for convenience of all concerned and to avoid any sort of difficulty, hard copy filing will be continued till all requirements for running of paperless Courts are accomplished and hard copy shall be filed within 7 days after e-filing and the listing will be made only by filing of hard copy. The above shall however be subject to orders of this office from time to time. 2. **REGISTRATION AND RESPONSIBILITIES OF E-FILERS.-** I. **Registration:-** Every Advocate or party in person who intends to make e-filing would be required to register himself on the e-filing portal of ECommittee of Supreme Court of India. The e-filer's login ID/username, password and profile will constitute the e-filer's electronic identity and user account for the purpose of e-filing. II. **Responsibilities:-** (a) The e-filer shall not share his/her User ID and password with anyone. 3 (b) It will be the responsibility of the e-filer to have a valid and working email address to receive notification from e-filing portal electronically. In case of any inconvenience, the e-filer has to contact the concerned Court (c) If the e-filer's email address, phone number, or other information provided on e-filing portal has changed or not been registered in the CIS of concerned court, the e-filer must promptly make the necessary changes to his or her profile. (d) If any Advocate wants to add his/her details (mobile/email etc.) or he/she wants any change in mobile number or email address, then he/she shall send email for the same along with a copy of his/her Bar Council Enrollment Certificate or Bar Association Identity Card having Bar Council Enrollment Number. The requests for Advocate details updation shall be sent to email address: so.od.nayagarh@gov.in whereafter it can be processed. (e) An e-filer shall be liable for: (i) Any conduct undertaken using his user ID; and (ii) The conduct of any person to whom access is provided unauthorizedly by him by sharing his user ID and password. (iii) Any inappropriate conduct may result in suspension of the account or other proceedings as may be initiated under the law. It shall be presumed that the document(s) has(ve) been filed by the person using the user ID and it shall be the responsibility of the user to maintain the secrecy of his ID and password. 4 If an e-filer believes that the security of his or her electronic identity has been tampered with or that a threat to the system exists, the e-filer

must intimate the the concerned Court. (f) An e-filer shall take all reasonable steps to ensure that the filing does not contain computer code, including viruses, that might be harmful to the Court's electronic filing system and to other users of that system; 3. PROCEDURE FOR E-FILING.- (a) Whenever an Advocate or party intends to e-file a petition, application or document etc. he shall prepare the original text material, documents, notice of motion, memorandum of parties, main petition or appeal, interlocutory applications etc. electronically using any word processing software (MS Word, Libre Office, Open Office etc.) in a format that can be rendered with high fidelity to originals, is searchable while maintaining original document formatting and capable of being tagged, the formatting style of the text will be as under: i. Page Size: The documents shall be prepared having page size in accordance with the existing Rules. Conventionally filed documents shall conform to the existing Rules regarding the page size and nature of the page. ii. Fonts and Fonts Size: The font shall be Verdana and the typeface shall be 12-point or larger in both body text and footnotes. If any document is typed in Odia or Hindi, it must be in Unicode Font only. Fonts like Kruti dev or Devlys shall not be used. iii. Line Spacing: Line Spacing of all the text shall as prescribed in existing Rules and instructions issued for the purpose. 5 iv. Numbering: The pages shall be numbered at the top or bottom of all pages including the front page. Index and the chronological list of events shall be consecutively numbered at the bottom beginning with numeral one (1) with central alignment. v. Margins: Margins of the documents shall be as prescribed in existing Rules and instructions issued for the purpose. vi. Alignment: All the documents will be aligned with justified alignment. vii. Cover/Page Headers: Each page, except for the front page, of the document shall contain a header showing the name of the details of the document and the party(ies) filing the document (e.g., "BLAPL No. filed on behalf of AB" or "Reply in WP(C) No filed on behalf of XY"). This text on header shall be aligned with right alignment. (b) Documents so prepared must be converted to PDF/A or PDF format before they are filed in the e-filing system by using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format for e-filing. (c) Where the document is not a text document and has to be enclosed with the petition, appeal or application or other pleadings, as the case may be, the document should be scanned using an image resolution of not more than 300 dpi (dot per inch) and saved as a PDF or PDF/A document in legal size. The e-filer must ensure that the filing is an accurate representation of the document and is complete and readable. Where the original is not clearly legible, a typed copy of the same shall be filed at the same time duly certified by the Advocate filing the same to be a true typed copy of the document. It shall also be scanned and uploaded along with the original. (d) The maximum permissible size of the file that can be uploaded at the time of e-filing is 20 MB. However, if the file is large, it can be split and uploaded separately. 6 (e) Documents filed in other formats or exceeding the prescribed size limits will not be accepted for filing save that the same can be filed using a conventional filing. (f) If the filing of an electronically submitted document requires leave of Court, the e-filer should attach the proposed document as an attachment to the application requesting leave to file. If the Court grants the leave and allows the proposed document, the e-filer must re-file the proposed document to make it part of the record. (g) Signatures: A document electronically filed using the e-filing system must bear the digital signature of the filing party's Advocate, or party where it is not represented by an Advocate as more fully described in sub-clause (i) and (ii) below. The digital signature of Advocate or party will be treated as a personal signature and will serve as a signature for the

purposes of Code of Civil Procedure, 1908, Criminal Procedure Code, 1973 or any other Rules of Procedure and Practice, applicable statutes, the Local Rules and any other purpose for which a signature is required in connection with proceedings before the Court. i. An electronically filed document must include a signature block setting forth the name, mailing address, phone number, fax number, and email address of the filing party's Advocate or party where it is not represented by an Advocate' ii. In addition, the name of the filing party's Advocate must be preceded by a "/Sd/" and typed in the space where the signature would otherwise appear. A handwritten signature is required for any conventionally filed document. iii. Affidavits and exhibits to pleadings with original handwritten signatures must be scanned and filed in PDF or PDF/A format. (h) (i) Where the party or the Advocate does not possess the digital signatures issued by the competent authority, such an Advocate or the party can authenticate e-filed documents by Adhaar authentication using 7 the Adhaar number belonging to the Advocate or party and the One Time Password (OTP) sent to the registered mobile number of the Advocate or party with UIDAI (Unique Identification Authority of India). Such an authentication shall be considered as valid identification for all intents and purposes and it shall be the responsibility of the party or the Advocate to maintain the security of his Aadhar number and the mobile phone registered with the UIDAI. (ii) Where a document requires signatures of more than one party, consent of all the parties along with their physical signatures on separate sheet will be uploaded along with the pleadings. (iii) The signature on any document required to be notarized, acknowledged, verified, or made under oath must be handwritten and scanned into the e-filing system. The Court will maintain the scanned document as the official Court record, and the filing party must file the original documents with the pleadings by conventional filing. 4. DETAILS OF ALL THE PARTIES.- The e-filer will ensure that the details of all the parties of the case such as name, father's name, age, gender, address etc. are correctly and completely entered in respective column of e-filing portal. 5. E-FILING NUMBER.- On final submission of e-filing, an e-filing number will be generated by e-filing portal. The e-filer shall mention this e-filing number on the hard copy of cover page of the case file or first page of the documents as the case may be which will be filed in the filing counter. 6. DOCUMENT BINARY FILE NAME STANDARDS.- The following special characters are not allowed in a file name: ■ A quotation mark (") or (') 8 ■ A number sign/Pound (#) ■ Percent (%) ■ Ampersand (&) ■ Asterisk (*) ■ Colon (:) ■ Angle brackets (less than, greater than) (< >) ■ A question mark (?) ■ Backslash (\) ■ Forward slash (/) ■ Braces (left and right) ({ }) ■ Pipe (|) ■ A tilde (~) ■ The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name. File names will not end with any of the following strings: ■ .files ■ -files ■ -Dateien ■ fichiers ■ _bestanden ■ file ■ archivos ■ -filer ■ tiedostot ■ _pliki ■ _soubory ■ -elemei ■ -ficheiros ■ -arquivos ■ -dosyalar ■ datoteke ■ fitxers 9 ■ failid ■ -fails ■ _bylos ■ -fajlovi ■ _fitxategiak ■ In addition, file names should not exceed 45 characters in length, ■ Including spaces. Single space must be counted as one character each. No file name shall begin with dot (.) or underscore (_) 7. PAYMENT OF COURT FEE.- Court fee can be paid through e-payment portal developed by eCommittee of Supreme Court of India. Steps for e-Payment of Court Fees are given below. (a) Open the Official Website of ePay Portal – <https://pay.ecourts.gov.in> (b) Choose Court Fees as Payment Type and choose District for which Court Fees is to be paid. Court Fess can be paid for new/ Existing Cases. For District Court – Select ODISHA in State, District and Establishment of the Court where Court Fees is to be paid. 10 (c) For New Case enter Party Name, Amount of

Court Fees, Remarks (Purpose of Court Fees) and Mobile Number. (d) For Existing Case – Enter Details of Case Number or Filing Number or CNR Number and Click on GO. Details of Case associated with Case Number/ Filing Number/ CNR Number will appear. Verify the same and proceed with Amount of Court Fee, Remarks, Mobile Number. 11 (e) Select the Check Box for “I Agree for above Terms and Conditions”. Click on Generate OTP and an OTP will be received on your mobile. (f) Enter OTP and click on Verify Button. (g) After verification user will be directed to the page of Online e-Payment System (Stock Holding Corporation of India Ltd) for payment of amount for Court Fees. 12 (h) Select Payment Mode on the ePayment System Page of Stock Holding gateway – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway thereafter Select the Check Box for “I accept all Terms and Conditions” and then submit. Thereafter you will be redirected to payment page. (i) Choose Payment Mode on the Payment Page – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway. For UPI Payment Mode Enter Pryer Virtual Address i.e. UPI ID. After selecting appropriate payment option click on Pay Now button to proceed further. 13 (j) After successful payment Print Acknowledgement will be displayed. Kindly print or Download the PDF. It is important to note that this PDF is required as physical proof of Payment of Court Fees. (k) Online e-Payment System will display a Payment successful message will also display Challan Receipt of portal. Use this Acknowledgement slip in e-filing or present the same at Filing Counters of Court concerned as Court Fees. Court will deface/cancel the Court Fees so that it is not used elsewhere. 8. RETENTION OF ORIGINALS.- The originals of the documents that are scanned and digitally signed either by counsel or parties in person at the time of e-filing should be preserved for production upon being directed by the Court at any time. In any event, signed Vakalatnama, signed and notarized/attested affidavit shall be filed in original in the concerned Cour. Any other document whose authenticity is likely to be questioned should be preserved as per prevailing Rules after the final disposal of the case, including appeals, if any and the following documents shall be preserved permanently: - a) A negotiable instrument (other than a cheque) as defined in Section 13 of the Negotiable Instruments Act, 1881 (26 of 1881). 14 b) A power-of-attorney as defined in section 1A of the Power-ofAttorney Act, 1882 (7 of 1882). c) A trust as defined in section 3 of the Indian Trusts Act, 1882 (2 of 1882) d) A will as defined in clause (h) of section 2 of the Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called. e) Any contract for the sale or conveyance of immovable property or any interest in such property. Note:-The responsibility for producing the originals and proving their genuineness shall be of the party that has electronically filed the scanned copies thereof or the party who is relying upon it. 9. PROOF OF FILING.- The proof of e-filing will be available in the account of the e-filer and shall be sent by way of email and SMS at the time of e-filing on the registered email address and mobile number of the e-filer. 10. CASE ENTRIES.- The Court staff nominated to receive an electronic filing will create a case entry using the information provided by the e-filer to record the document filed. If errors/defects in the filing or case entry are discovered by the officials, the official will notify the e-filer of the error/defect and advise the e-filer of what further action, if any, is required to address the error/defect. E-filer(s) shall make corrections or remove the defect within seven (7) working days of receiving the notification. Failure to make corrections will result in the rejection of a filing by the Court and could result in a failure to comply with limitation, if so applicable. 15 Accepting the

e-filing by above official would not mean that the case has been passed in scrutiny. The case will be treated as passed only after the report of the concerned Court.

11. **HARD COPIES OF PLEADINGS AND DOCUMENTS FILED ELECTRONICALLY.**- Advocates as well as parties can print hard copies of all pleadings and documents filed electronically for their use in the Court or elsewhere. Party or the Advocate e-filing a document or petition shall also file a hard copy at the filing counter along with a note mentioned in the beginning certifying that "Hard copy and Soft copy are the same" and in case of any discrepancy between the hard copy and the Soft copy, the preference shall be given to the hard copy.

12. **STORAGE AND RETRIEVAL OF ELECTRONICALLY FILED DOCUMENTS AND PLEADINGS.**- The pleadings and documents electronically filed will be stored on an exclusive server maintained for this purpose. Each case will be separately labelled and encrypted for this purpose to facilitate easy identification and retrieval. The security of such document and pleadings will be ensured and access to them would be restricted in the manner indicated in the Guidelines and as may be notified from time to time. Backup copies of all electronically filed pleadings and documents will be preserved in the manner decided by concerned Court.

13. **ACCESS TO ELECTRONIC DOCUMENTS.**- Access to documents and pleadings filed electronically in a case will be provided only to Advocates for the parties or the concerned parties themselves. The Advocate(s) or the party may obtain documents from the relevant entries in his account.

14. **EXEMPTION FROM ELECTRONIC FILING.**- Application for exemption from e-filing of the whole or part of the pleadings and/or documents may be moved before the concerned Court in the following circumstances: i. e-filing is, for the reasons to be explained in the application, not feasible; or ii. there are concerns about confidentiality and protection of privacy; or iii. the document cannot be scanned or filed electronically because of its size, shape or condition; or iv. the e-filing system is either inaccessible or not available for some reason; or v. Any other sufficient cause.

15. **COMPUTATION OF TIME.**- (a) Limitation shall be computed from the date of e-filing if hard copy is filed within 7 days but if hard copy is not filed within 7 days, the limitation will be computed from the date of filing of hard copy. However, the competent authority is at liberty to notify to extend the period of filing hard copy in case of any unforeseen exigency. (b) In case e-filing through e-filing centre is made permissible, then such electronic filing through the e-filing centre will be allowed up to 4 P.M. on all working days. All other rules relating to holidays etc. for the purpose of computation of limitation, as specified in these Guidelines will apply to online electronic filing as well. The period during which e-filing system is in-operational for any reason will be excluded from the computation of such time. This, however, will not extend limitation for such filing where Section 5 of the Limitation Act, 1963 or any other statutory extension of the period of limitation is not available.

17 (c) An electronic filing may be submitted to the portal at any time of the day or night, twenty-four (24) hours a day seven days a week. However, the filing will not be official information of record until it has been stored on the Court's Case Information Software system. (d) A document will be deemed e-filed with the Court, subject to payment of all applicable fees, on the date and time reflected in the notice of Electronic Filing regardless of when the e-filer actually transmitted the document to the Court. (e) Filing a document electronically does not alter the filing deadline for that document. The filing must be completed before Midnight, Indian Standard Time, in order to be timely filed. However, if the time of day is of the essence, the Hon'ble Court may order a document be filed by a certain time. (f) Emailing a document to the Court would not constitute filing the document and such

emails will be filed without any intimation to the e-filer. A document will not be considered filed until the e-filing system generates a Notice of Electronic Filing. (g) While the e-filing system is designed to accept filings 24 hours a day, it may not always be available due to scheduled maintenance or technical difficulties experienced by the e-filer or system. E-filer should file documents in advance of filing deadlines and during normal Court hours. Though all eventualities and issues related to proposed e-filing have been addressed in these guidelines, however further clarification or modification will be issued from time to time as needed. Sd/- R. Chowdhury 05/04/2021 District & Sessions Judge, Nayagarh

GUIDELINES FOR E-FILING & E-PAYMENT These Guidelines will apply for electronic filing (e-filing) of cases through the e-Filing portal developed by eCommittee of Supreme Court of India in all courts of Nayagarh Judgeship from 5th April 2021. Detailed user manual and tutorials are available in the website of District Court, Nayagarh. The facility of filing of cases through email shall be simultaneously continued till further orders so that the Advocates/party in person may create their user accounts and start e-Filing in the meantime. It is to be ensured that filing is made only through one mode i.e. either through email or on the e-Filing portal. If filing is made through both the modes, either the case will not be listed or it will delay the listing as the system will identify two cases in one matter. Using e-Filing Portal has advantages such as availability of automatic storage of electronic case filing documents, secure storage space for electronic case documents, automatic verification by the Portal, communication of case details through e-mail and SMS immediately after filing, learned Advocates can access their case documents at any place by use of internet and facility for storage of case documents in segregated manner for convenient access to any part of the case record. Link of e-Filing portal with all relevant details regarding e-Filing are available under the e-Filing link in the website of District Court, Nayagarh. In case any assistance is required in e-Filing the following Helpline numbers may be contacted during working hours:- Mr. Simadri Keshari Moharathy - 8420308420 (M) Learned Advocates/litigants who wish to e-file their cases but have no or limited access to IT Services may approach eSewa Kendra at their nearest location for assistance in e-Filing.

2.1. ELECTRONIC FILING FOR ALL TYPES OF CASES.- Whenever petitions, applications, appeals and all pleadings/documents in fresh, pending and disposed of cases of all types will be filed electronically, the same shall be done as per these Guidelines as well as in the manner provided on the e-filing portal developed by e-Committee of Supreme Court of India (<https://efiling.eCourts.gov.in>). For the time being, for convenience of all concerned and to avoid any sort of difficulty, hard copy filing will be continued till all requirements for running of paperless Courts are accomplished and hard copy shall be filed within 7 days after e-filing and the listing will be made only by filing of hard copy. The above shall however be subject to orders of this office from time to time.

2. REGISTRATION AND RESPONSIBILITIES OF E-FILERS.-

I. Registration:- Every Advocate or party in person who intends to make e-filing would be required to register himself on the e-filing portal of ECommittee of Supreme Court of India. The e-filer's login ID/username, password and profile will constitute the e-filer's electronic identity and user account for the purpose of e-filing.

II. Responsibilities:-

(a) The e-filer shall not share his/her User ID and password with anyone.

3 (b) It will be the responsibility of the e-filer to have a valid and working email address to receive notification from e-filing portal electronically. In case of any inconvenience, the e-filer has to contact the concerned Court

(c) If the e-filer's email address, phone number, or other information provided on e-filing portal has changed or not

been registered in the CIS of concerned court, the e-filer must promptly make the necessary changes to his or her profile. (d) If any Advocate wants to add his/her details (mobile/email etc.) or he/she wants any change in mobile number or email address, then he/she shall send email for the same along with a copy of his/her Bar Council Enrollment Certificate or Bar Association Identity Card having Bar Council Enrollment Number. The requests for Advocate details updation shall be sent to email address: so.od.nayagarh@gov.in whereafter it can be processed. (e) An e-filer shall be liable for: (i) Any conduct undertaken using his user ID; and (ii) The conduct of any person to whom access is provided unauthorizedly by him by sharing his user ID and password. (iii) Any inappropriate conduct may result in suspension of the account or other proceedings as may be initiated under the law. It shall be presumed that the document(s) has(ve) been filed by the person using the user ID and it shall be the responsibility of the user to maintain the secrecy of his ID and password. 4 If an e-filer believes that the security of his or her electronic identity has been tampered with or that a threat to the system exists, the e-filer must intimate the concerned Court. (f) An e-filer shall take all reasonable steps to ensure that the filing does not contain computer code, including viruses, that might be harmful to the Court's electronic filing system and to other users of that system; 3. PROCEDURE FOR E-FILING.- (a) Whenever an Advocate or party intends to e-file a petition, application or document etc. he shall prepare the original text material, documents, notice of motion, memorandum of parties, main petition or appeal, interlocutory applications etc. electronically using any word processing software (MS Word, Libre Office, Open Office etc.) in a format that can be rendered with high fidelity to originals, is searchable while maintaining original document formatting and capable of being tagged, the formatting style of the text will be as under: i. Page Size: The documents shall be prepared having page size in accordance with the existing Rules. Conventionally filed documents shall conform to the existing Rules regarding the page size and nature of the page. ii. Fonts and Fonts Size: The font shall be Verdana and the typeface shall be 12-point or larger in both body text and footnotes. If any document is typed in Odia or Hindi, it must be in Unicode Font only. Fonts like Kruti dev or Devlys shall not be used. iii. Line Spacing: Line Spacing of all the text shall as prescribed in existing Rules and instructions issued for the purpose. 5 iv. Numbering: The pages shall be numbered at the top or bottom of all pages including the front page. Index and the chronological list of events shall be consecutively numbered at the bottom beginning with numeral one (1) with central alignment. v. Margins: Margins of the documents shall be as prescribed in existing Rules and instructions issued for the purpose. vi. Alignment: All the documents will be aligned with justified alignment. vii. Cover/Page Headers: Each page, except for the front page, of the document shall contain a header showing the name of the details of the document and the party(ies) filing the document (e.g., "BLAPL No. filed on behalf of AB" or "Reply in WP(C) No filed on behalf of XY"). This text on header shall be aligned with right alignment. (b) Documents so prepared must be converted to PDF/A or PDF format before they are filed in the e-filing system by using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format for e-filing. (c) Where the document is not a text document and has to be enclosed with the petition, appeal or application or other pleadings, as the case may be, the document should be scanned using an image resolution of not more than 300 dpi (dot per inch) and saved as a PDF or PDF/A document in legal size. The e-filer must ensure that the filing is an accurate representation of the document and is complete and readable. Where the original is not clearly legible, a typed

copy of the same shall be filed at the same time duly certified by the Advocate filing the same to be a true typed copy of the document. It shall also be scanned and uploaded along with the original. (d) The maximum permissible size of the file that can be uploaded at the time of e-filing is 20 MB. However, if the file is large, it can be split and uploaded separately. 6 (e) Documents filed in other formats or exceeding the prescribed size limits will not be accepted for filing save that the same can be filed using a conventional filing. (f) If the filing of an electronically submitted document requires leave of Court, the e-filer should attach the proposed document as an attachment to the application requesting leave to file. If the Court grants the leave and allows the proposed document, the e-filer must re-file the proposed document to make it part of the record. (g) Signatures: A document electronically filed using the e-filing system must bear the digital signature of the filing party's Advocate, or party where it is not represented by an Advocate as more fully described in sub-clause (i) and (ii) below. The digital signature of Advocate or party will be treated as a personal signature and will serve as a signature for the purposes of Code of Civil Procedure, 1908, Criminal Procedure Code, 1973 or any other Rules of Procedure and Practice, applicable statutes, the Local Rules and any other purpose for which a signature is required in connection with proceedings before the Court. i. An electronically filed document must include a signature block setting forth the name, mailing address, phone number, fax number, and email address of the filing party's Advocate or party where it is not represented by an Advocate' ii. In addition, the name of the filing party's Advocate must be preceded by a "/Sd/" and typed in the space where the signature would otherwise appear. A handwritten signature is required for any conventionally filed document. iii. Affidavits and exhibits to pleadings with original handwritten signatures must be scanned and filed in PDF or PDF/A format. (h) (i) Where the party or the Advocate does not possess the digital signatures issued by the competent authority, such an Advocate or the party can authenticate e-filed documents by Adhaar authentication using 7 the Adhaar number belonging to the Advocate or party and the One Time Password (OTP) sent to the registered mobile number of the Advocate or party with UIDAI (Unique Identification Authority of India). Such an authentication shall be considered as valid identification for all intents and purposes and it shall be the responsibility of the party or the Advocate to maintain the security of his Aadhar number and the mobile phone registered with the UIDAI. (ii) Where a document requires signatures of more than one party, consent of all the parties along with their physical signatures on separate sheet will be uploaded along with the pleadings. (iii) The signature on any document required to be notarized, acknowledged, verified, or made under oath must be handwritten and scanned into the e-filing system. The Court will maintain the scanned document as the official Court record, and the filing party must file the original documents with the pleadings by conventional filing. 4. DETAILS OF ALL THE PARTIES.- The e-filer will ensure that the details of all the parties of the case such as name, father's name, age, gender, address etc. are correctly and completely entered in respective column of e-filing portal. 5. E-FILING NUMBER.- On final submission of e-filing, an e-filing number will be generated by e-filing portal. The e-filer shall mention this e-filing number on the hard copy of cover page of the case file or first page of the documents as the case may be which will be filed in the filing counter. 6. DOCUMENT BINARY FILE NAME STANDARDS.- The following special characters are not allowed in a file name: ■ A quotation mark (") or (') 8 ■ A number sign/Pound (#) ■ Percent (%) ■ Ampersand (&) ■ Asterisk (*) ■ Colon (:) ■ Angle brackets (less than, greater than) (< >) ■ A question mark (?) ■ Backslash (\) ■ Forward slash (/)

■ Braces (left and right) ({ }) ■ Pipe (|) ■ A tilde (~) ■ The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name. File names will not end with any of the following strings: ■ .files ■ -files ■ -Dateien ■ fichiers ■ _bestanden ■ file ■ archivos ■ -filer ■ tiedostot ■ _pliki ■ _soubory ■ -elemei ■ -ficheiros ■ -arquivos ■ -dosyalar ■ datoteke ■ fitxers ■ failid ■ -fails ■ _bylos ■ -fajlovi ■ _fitxategiak ■ In addition, file names should not exceed 45 characters in length, ■ Including spaces. Single space must be counted as one character each. No file name shall begin with dot (.) or underscore (_)

7. PAYMENT OF COURT FEE.- Court fee can be paid through e-payment portal developed by eCommittee of Supreme Court of India. Steps for e-Payment of Court Fees are given below. (a) Open the Official Website of ePay Portal – <https://pay.ecourts.gov.in> (b) Choose Court Fees as Payment Type and choose District for which Court Fees is to be paid. Court Fees can be paid for new/ Existing Cases. For District Court – Select ODISHA in State, District and Establishment of the Court where Court Fees is to be paid. (c) For New Case enter Party Name, Amount of Court Fees, Remarks (Purpose of Court Fees) and Mobile Number. (d) For Existing Case – Enter Details of Case Number or Filing Number or CNR Number and Click on GO. Details of Case associated with Case Number/ Filing Number/ CNR Number will appear. Verify the same and proceed with Amount of Court Fee, Remarks, Mobile Number. (e) Select the Check Box for “I Agree for above Terms and Conditions”. Click on Generate OTP and an OTP will be received on your mobile. (f) Enter OTP and click on Verify Button. (g) After verification user will be directed to the page of Online e-Payment System (Stock Holding Corporation of India Ltd) for payment of amount for Court Fees. (h) Select Payment Mode on the ePayment System Page of Stock Holding gateway – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway thereafter Select the Check Box for “I accept all Terms and Conditions” and then submit. Thereafter you will be redirected to payment page. (i) Choose Payment Mode on the Payment Page – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway. For UPI Payment Mode Enter Pryer Virtual Address i.e. UPI ID. After selecting appropriate payment option click on Pay Now button to proceed further. (j) After successful payment Print Acknowledgement will be displayed. Kindly print or Download the PDF. It is important to note that this PDF is required as physical proof of Payment of Court Fees. (k) Online e-Payment System will display a Payment successful message will also display Challan Receipt of portal. Use this Acknowledgement slip in e-filing or present the same at Filing Counters of Court concerned as Court Fees. Court will deface/cancel the Court Fees so that it is not used elsewhere.

8. RETENTION OF ORIGINALS.- The originals of the documents that are scanned and digitally signed either by counsel or parties in person at the time of e-filing should be preserved for production upon being directed by the Court at any time. In any event, signed Vakalatnama, signed and notarized/attested affidavit shall be filed in original in the concerned Court. Any other document whose authenticity is likely to be questioned should be preserved as per prevailing Rules after the final disposal of the case, including appeals, if any and the following documents shall be preserved permanently: - a) A negotiable instrument (other than a cheque) as defined in Section 13 of the Negotiable Instruments Act, 1881 (26 of 1881). b) A power-of-attorney as defined in section 1A of the Power-ofAttorney Act, 1882 (7 of 1882). c) A trust as defined in section 3 of the Indian Trusts Act, 1882 (2 of 1882) d) A will as defined in clause (h) of section 2 of the Indian Succession Act, 1925 (39 of 1925) including any other

testamentary disposition by whatever name called. e) Any contract for the sale or conveyance of immovable property or any interest in such property. Note:-The responsibility for producing the originals and proving their genuineness shall be of the party that has electronically filed the scanned copies thereof or the party who is relying upon it. 9. PROOF OF FILING.- The proof of e-filing will be available in the account of the e-filer and shall be sent by way of email and SMS at the time of e-filing on the registered email address and mobile number of the e-filer. 10. CASE ENTRIES.- The Court staff nominated to receive an electronic filing will create a case entry using the information provided by the e-filer to record the document filed. If errors/defects in the filing or case entry are discovered by the officials, the official will notify the e-filer of the error/defect and advise the e-filer of what further action, if any, is required to address the error/defect. E-filer(s) shall make corrections or remove the defect within seven (7) working days of receiving the notification. Failure to make corrections will result in the rejection of a filing by the Court and could result in a failure to comply with limitation, if so applicable. 15 Accepting the e-filing by above official would not mean that the case has been passed in scrutiny. The case will be treated as passed only after the report of the concerned Court. 11. HARD COPIES OF PLEADINGS AND DOCUMENTS FILED ELECTRONICALLY.- Advocates as well as parties can print hard copies of all pleadings and documents filed electronically for their use in the Court or elsewhere. Party or the Advocate e-filing a document or petition shall also file a hard copy at the filing counter along with a note mentioned in the beginning certifying that "Hard copy and Soft copy are the same" and in case of any discrepancy between the hard copy and the Soft copy, the preference shall be given to the hard copy. 12. STORAGE AND RETRIEVAL OF ELECTRONICALLY FILED DOCUMENTS AND PLEADINGS.- The pleadings and documents electronically filed will be stored on an exclusive server maintained for this purpose. Each case will be separately labelled and encrypted for this purpose to facilitate easy identification and retrieval. The security of such document and pleadings will be ensured and access to them would be restricted in the manner indicated in the Guidelines and as may be notified from time to time. Backup copies of all electronically filed pleadings and documents will be preserved in the manner decided by concerned Court. 13. ACCESS TO ELECTRONIC DOCUMENTS.- Access to documents and pleadings filed electronically in a case will be provided only to Advocates for the parties or the concerned parties themselves. The Advocate(s) or the party may obtain documents from the relevant entries in his account. 16 14. EXEMPTION FROM ELECTRONIC FILING.- Application for exemption from e-filing of the whole or part of the pleadings and/or documents may be moved before the concerned Court in the following circumstances: i. e-filing is, for the reasons to be explained in the application, not feasible; or ii. there are concerns about confidentiality and protection of privacy; or iii. the document cannot be scanned or filed electronically because of its size, shape or condition; or iv. the e-filing system is either inaccessible or not available for some reason; or v. Any other sufficient cause. 15. COMPUTATION OF TIME.- (a) Limitation shall be computed from the date of e-filing if hard copy is filed within 7 days but if hard copy is not filed within 7 days, the limitation will be computed from the date of filing of hard copy. However, the competent authority is at liberty to notify to extend the period of filing hard copy in case of any unforeseen exigency. (b) In case e-filing through e-filing centre is made permissible, then such electronic filing through the e-filing centre will be allowed up to 4 P.M. on all working days. All other rules relating to holidays etc. for the purpose of computation of limitation, as specified in these Guidelines will apply to online

electronic filing as well. The period during which e-filing system is in-operational for any reason will be excluded from the computation of such time. This, however, will not extend limitation for such filing where Section 5 of the Limitation Act, 1963 or any other statutory extension of the period of limitation is not available. 17 (c) An electronic filing may be submitted to the portal at any time of the day or night, twenty-four (24) hours a day seven days a week. However, the filing will not be official information of record until it has been stored on the Court's Case Information Software system. (d) A document will be deemed e-filed with the Court, subject to payment of all applicable fees, on the date and time reflected in the notice of Electronic Filing regardless of when the e-filer actually transmitted the document to the Court. (e) Filing a document electronically does not alter the filing deadline for that document. The filing must be completed before Midnight, Indian Standard Time, in order to be timely filed. However, if the time of day is of the essence, the Hon'ble Court may order a document be filed by a certain time. (f) Emailing a document to the Court would not constitute filing the document and such emails will be filed without any intimation to the e-filer. A document will not be considered filed until the e-filing system generates a Notice of Electronic Filing. (g) While the e-filing system is designed to accept filings 24 hours a day, it may not always be available due to scheduled maintenance or technical difficulties experienced by the e-filer or system. E-filer should file documents in advance of filing deadlines and during normal Court hours. Though all eventualities and issues related to proposed e-filing have been addressed in these guidelines, however further clarification or modification will be issued from time to time as needed. Sd/- R. Chowdhury 05/04/2021 District & Sessions Judge, Nayagarh

GUIDELINES FOR E-FILING & E-PAYMENT These Guidelines will apply for electronic filing (e-filing) of cases through the e-Filing portal developed by eCommittee of Supreme Court of India in all courts of Nayagarh Judgeship from 5th April 2021. Detailed user manual and tutorials are available in the website of District Court, Nayagarh. The facility of filing of cases through email shall be simultaneously continued till further orders so that the Advocates/party in person may create their user accounts and start e-Filing in the meantime. It is to be ensured that filing is made only through one mode i.e. either through email or on the e-Filing portal. If filing is made through both the modes, either the case will not be listed or it will delay the listing as the system will identify two cases in one matter. Using e-Filing Portal has advantages such as availability of automatic storage of electronic case filing documents, secure storage space for electronic case documents, automatic verification by the Portal, communication of case details through e-mail and SMS immediately after filing, learned Advocates can access their case documents at any place by use of internet and facility for storage of case documents in segregated manner for convenient access to any part of the case record. Link of e-Filing portal with all relevant details regarding e-Filing are available under the e-Filing link in the website of District Court, Nayagarh. In case any assistance is required in e-Filing the following Helpline numbers may be contacted during working hours:- Mr. Simadri Keshari Moharathy - 8420308420 (M) Learned Advocates/litigants who wish to e-file their cases but have no or limited access to IT Services may approach eSewa Kendra at their nearest location for assistance in e-Filing. 2 1.

ELECTRONIC FILING FOR ALL TYPES OF CASES.- Whenever petitions, applications, appeals and all pleadings/documents in fresh, pending and disposed of cases of all types will be filed electronically, the same shall be done as per these Guidelines as well as in the manner provided on the e-filing portal developed by e-Committee of Supreme Court of India

(<https://efiling.eCourts.gov.in>). For the time being, for convenience of all concerned and to avoid any sort of difficulty, hard copy filing will be continued till all requirements for running of paperless Courts are accomplished and hard copy shall be filed within 7 days after e-filing and the listing will be made only by filing of hard copy. The above shall however be subject to orders of this office from time to time.

2. REGISTRATION AND RESPONSIBILITIES OF E-FILERS.-

I. Registration:- Every Advocate or party in person who intends to make e-filing would be required to register himself on the e-filing portal of ECommittee of Supreme Court of India. The e-filer's login ID/username, password and profile will constitute the e-filer's electronic identity and user account for the purpose of e-filing.

II. Responsibilities:-

(a) The e-filer shall not share his/her User ID and password with anyone.

(b) It will be the responsibility of the e-filer to have a valid and working email address to receive notification from e-filing portal electronically. In case of any inconvenience, the e-filer has to contact the concerned Court.

(c) If the e-filer's email address, phone number, or other information provided on e-filing portal has changed or not been registered in the CIS of concerned court, the e-filer must promptly make the necessary changes to his or her profile.

(d) If any Advocate wants to add his/her details (mobile/email etc.) or he/she wants any change in mobile number or email address, then he/she shall send email for the same along with a copy of his/her Bar Council Enrollment Certificate or Bar Association Identity Card having Bar Council Enrollment Number. The requests for Advocate details updation shall be sent to email address: so.od.nayagarh@gov.in whereafter it can be processed.

(e) An e-filer shall be liable for:

- (i) Any conduct undertaken using his user ID; and
- (ii) The conduct of any person to whom access is provided unauthorizedly by him by sharing his user ID and password.
- (iii) Any inappropriate conduct may result in suspension of the account or other proceedings as may be initiated under the law. It shall be presumed that the document(s) has(ve) been filed by the person using the user ID and it shall be the responsibility of the user to maintain the secrecy of his ID and password.

4 If an e-filer believes that the security of his or her electronic identity has been tampered with or that a threat to the system exists, the e-filer must intimate the concerned Court.

(f) An e-filer shall take all reasonable steps to ensure that the filing does not contain computer code, including viruses, that might be harmful to the Court's electronic filing system and to other users of that system;

3. PROCEDURE FOR E-FILING.-

(a) Whenever an Advocate or party intends to e-file a petition, application or document etc. he shall prepare the original text material, documents, notice of motion, memorandum of parties, main petition or appeal, interlocutory applications etc. electronically using any word processing software (MS Word, Libre Office, Open Office etc.) in a format that can be rendered with high fidelity to originals, is searchable while maintaining original document formatting and capable of being tagged, the formatting style of the text will be as under:

- i. **Page Size:** The documents shall be prepared having page size in accordance with the existing Rules. Conventionally filed documents shall conform to the existing Rules regarding the page size and nature of the page.
- ii. **Fonts and Fonts Size:** The font shall be Verdana and the typeface shall be 12-point or larger in both body text and footnotes. If any document is typed in Odia or Hindi, it must be in Unicode Font only. Fonts like Kruti dev or Devlys shall not be used.
- iii. **Line Spacing:** Line Spacing of all the text shall as prescribed in existing Rules and instructions issued for the purpose.
- iv. **Numbering:** The pages shall be numbered at the top or bottom of all pages including the front page. Index and the chronological list of events shall be consecutively numbered at the bottom beginning with numeral one (1) with central alignment.
- v. **Margins:**

Margins of the documents shall be as prescribed in existing Rules and instructions issued for the purpose. vi. Alignment: All the documents will be aligned with justified alignment. vii. Cover/Page Headers: Each page, except for the front page, of the document shall contain a header showing the name of the details of the document and the party(ies) filing the document (e.g., "BLAPL No. filed on behalf of AB" or "Reply in WP(C) No filed on behalf of XY"). This text on header shall be aligned with right alignment. (b) Documents so prepared must be converted to PDF/A or PDF format before they are filed in the e-filing system by using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format for e-filing. (c) Where the document is not a text document and has to be enclosed with the petition, appeal or application or other pleadings, as the case may be, the document should be scanned using an image resolution of not more than 300 dpi (dot per inch) and saved as a PDF or PDF/A document in legal size. The e-filer must ensure that the filing is an accurate representation of the document and is complete and readable. Where the original is not clearly legible, a typed copy of the same shall be filed at the same time duly certified by the Advocate filing the same to be a true typed copy of the document. It shall also be scanned and uploaded along with the original. (d) The maximum permissible size of the file that can be uploaded at the time of e-filing is 20 MB. However, if the file is large, it can be split and uploaded separately. 6 (e) Documents filed in other formats or exceeding the prescribed size limits will not be accepted for filing save that the same can be filed using a conventional filing. (f) If the filing of an electronically submitted document requires leave of Court, the e-filer should attach the proposed document as an attachment to the application requesting leave to file. If the Court grants the leave and allows the proposed document, the e-filer must re-file the proposed document to make it part of the record. (g) Signatures: A document electronically filed using the e-filing system must bear the digital signature of the filing party's Advocate, or party where it is not represented by an Advocate as more fully described in sub-clause (i) and (ii) below. The digital signature of Advocate or party will be treated as a personal signature and will serve as a signature for the purposes of Code of Civil Procedure, 1908, Criminal Procedure Code, 1973 or any other Rules of Procedure and Practice, applicable statutes, the Local Rules and any other purpose for which a signature is required in connection with proceedings before the Court. i. An electronically filed document must include a signature block setting forth the name, mailing address, phone number, fax number, and email address of the filing party's Advocate or party where it is not represented by an Advocate' ii. In addition, the name of the filing party's Advocate must be preceded by a "/Sd/" and typed in the space where the signature would otherwise appear. A handwritten signature is required for any conventionally filed document. iii. Affidavits and exhibits to pleadings with original handwritten signatures must be scanned and filed in PDF or PDF/A format. (h) (i) Where the party or the Advocate does not possess the digital signatures issued by the competent authority, such an Advocate or the party can authenticate e-filed documents by Adhaar authentication using 7 the Adhaar number belonging to the Advocate or party and the One Time Password (OTP) sent to the registered mobile number of the Advocate or party with UIDAI (Unique Identification Authority of India). Such an authentication shall be considered as valid identification for all intents and purposes and it shall be the responsibility of the party or the Advocate to maintain the security of his Aadhar number and the mobile phone registered with the UIDAI. (ii) Where a document requires signatures of more than one party, consent of all the parties along with their physical signatures on separate sheet will be uploaded

along with the pleadings. (iii) The signature on any document required to be notarized, acknowledged, verified, or made under oath must be handwritten and scanned into the e-filing system. The Court will maintain the scanned document as the official Court record, and the filing party must file the original documents with the pleadings by conventional filing.

4. DETAILS OF ALL THE PARTIES.- The e-filer will ensure that the details of all the parties of the case such as name, father's name, age, gender, address etc. are correctly and completely entered in respective column of e-filing portal.

5. E-FILING NUMBER.- On final submission of e-filing, an e-filing number will be generated by e-filing portal. The e-filer shall mention this e-filing number on the hard copy of cover page of the case file or first page of the documents as the case may be which will be filed in the filing counter.

6. DOCUMENT BINARY FILE NAME STANDARDS.- The following special characters are not allowed in a file name: ■ A quotation mark (") or (') ■ A number sign/Pound (#) ■ Percent (%) ■ Ampersand (&) ■ Asterisk (*) ■ Colon (:) ■ Angle brackets (less than, greater than) (< >) ■ A question mark (?) ■ Backslash (\) ■ Forward slash (/) ■ Braces (left and right) ({ }) ■ Pipe (|) ■ A tilde (~) ■ The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name. File names will not end with any of the following strings: ■ .files ■ -files ■ -Dateien ■ fichiers ■ _bestanden ■ file ■ archivos ■ -filer ■ tiedostot ■ _pliki ■ _soubory ■ -elemei ■ -ficheiros ■ -arquivos ■ -dosyalar ■ datoteke ■ fitxers ■ failid ■ -fails ■ _bylos ■ -fajlovi ■ _fitxategiak ■ In addition, file names should not exceed 45 characters in length, ■ Including spaces. Single space must be counted as one character each. No file name shall begin with dot (.) or underscore (_)

7. PAYMENT OF COURT FEE.- Court fee can be paid through e-payment portal developed by eCommittee of Supreme Court of India. Steps for e-Payment of Court Fees are given below.

(a) Open the Official Website of ePay Portal – <https://pay.ecourts.gov.in>

(b) Choose Court Fees as Payment Type and choose District for which Court Fees is to be paid. Court Fees can be paid for new/ Existing Cases. For District Court – Select ODISHA in State, District and Establishment of the Court where Court Fees is to be paid.

(c) For New Case enter Party Name, Amount of Court Fees, Remarks (Purpose of Court Fees) and Mobile Number.

(d) For Existing Case – Enter Details of Case Number or Filing Number or CNR Number and Click on GO. Details of Case associated with Case Number/ Filing Number/ CNR Number will appear. Verify the same and proceed with Amount of Court Fee, Remarks, Mobile Number.

(e) Select the Check Box for “I Agree for above Terms and Conditions”. Click on Generate OTP and an OTP will be received on your mobile.

(f) Enter OTP and click on Verify Button.

(g) After verification user will be directed to the page of Online e-Payment System (Stock Holding Corporation of India Ltd) for payment of amount for Court Fees.

(h) Select Payment Mode on the ePayment System Page of Stock Holding gateway – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway thereafter Select the Check Box for “I accept all Terms and Conditions” and then submit. Thereafter you will be redirected to payment page.

(i) Choose Payment Mode on the Payment Page – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway. For UPI Payment Mode Enter Pryer Virtual Address i.e. UPI ID. After selecting appropriate payment option click on Pay Now button to proceed further.

(j) After successful payment Print Acknowledgement will be displayed. Kindly print or Download the PDF. It is important to note that this PDF is required as physical proof of Payment of Court Fees.

(k) Online e-Payment System will display a Payment successful message will also display Challan

Receipt of portal. Use this Acknowledgement slip in e-filing or present the same at Filing Counters of Court concerned as Court Fees. Court will deface/cancel the Court Fees so that it is not used elsewhere.

8. RETENTION OF ORIGINALS.- The originals of the documents that are scanned and digitally signed either by counsel or parties in person at the time of e-filing should be preserved for production upon being directed by the Court at any time. In any event, signed Vakalatnama, signed and notarized/attested affidavit shall be filed in original in the concerned Court. Any other document whose authenticity is likely to be questioned should be preserved as per prevailing Rules after the final disposal of the case, including appeals, if any and the following documents shall be preserved permanently: - a) A negotiable instrument (other than a cheque) as defined in Section 13 of the Negotiable Instruments Act, 1881 (26 of 1881). 14 b) A power-of-attorney as defined in section 1A of the Power-ofAttorney Act, 1882 (7 of 1882). c) A trust as defined in section 3 of the Indian Trusts Act, 1882 (2 of 1882) d) A will as defined in clause (h) of section 2 of the Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called. e) Any contract for the sale or conveyance of immovable property or any interest in such property. Note:-The responsibility for producing the originals and proving their genuineness shall be of the party that has electronically filed the scanned copies thereof or the party who is relying upon it.

9. PROOF OF FILING.- The proof of e-filing will be available in the account of the e-filer and shall be sent by way of email and SMS at the time of e-filing on the registered email address and mobile number of the e-filer.

10. CASE ENTRIES.- The Court staff nominated to receive an electronic filing will create a case entry using the information provided by the e-filer to record the document filed. If errors/defects in the filing or case entry are discovered by the officials, the official will notify the e-filer of the error/defect and advise the e-filer of what further action, if any, is required to address the error/defect. E-filer(s) shall make corrections or remove the defect within seven (7) working days of receiving the notification. Failure to make corrections will result in the rejection of a filing by the Court and could result in a failure to comply with limitation, if so applicable.

15 Accepting the e-filing by above official would not mean that the case has been passed in scrutiny. The case will be treated as passed only after the report of the concerned Court.

11. HARD COPIES OF PLEADINGS AND DOCUMENTS FILED ELECTRONICALLY.- Advocates as well as parties can print hard copies of all pleadings and documents filed electronically for their use in the Court or elsewhere. Party or the Advocate e-filing a document or petition shall also file a hard copy at the filing counter along with a note mentioned in the beginning certifying that "Hard copy and Soft copy are the same" and in case of any discrepancy between the hard copy and the Soft copy, the preference shall be given to the hard copy.

12. STORAGE AND RETRIEVAL OF ELECTRONICALLY FILED DOCUMENTS AND PLEADINGS.- The pleadings and documents electronically filed will be stored on an exclusive server maintained for this purpose. Each case will be separately labelled and encrypted for this purpose to facilitate easy identification and retrieval. The security of such document and pleadings will be ensured and access to them would be restricted in the manner indicated in the Guidelines and as may be notified from time to time. Backup copies of all electronically filed pleadings and documents will be preserved in the manner decided by concerned Court.

13. ACCESS TO ELECTRONIC DOCUMENTS.- Access to documents and pleadings filed electronically in a case will be provided only to Advocates for the parties or the concerned parties themselves. The Advocate(s) or the party may obtain documents from the relevant entries in his account.

16 14. EXEMPTION FROM

ELECTRONIC FILING.- Application for exemption from e-filing of the whole or part of the pleadings and/or documents may be moved before the concerned Court in the following circumstances: i. e-filing is, for the reasons to be explained in the application, not feasible; or ii. there are concerns about confidentiality and protection of privacy; or iii. the document cannot be scanned or filed electronically because of its size, shape or condition; or iv. the e-filing system is either inaccessible or not available for some reason; or v. Any other sufficient cause. 15.

COMPUTATION OF TIME.- (a) Limitation shall be computed from the date of e-filing if hard copy is filed within 7 days but if hard copy is not filed within 7 days, the limitation will be computed from the date of filing of hard copy. However, the competent authority is at liberty to notify to extend the period of filing hard copy in case of any unforeseen exigency. (b) In case e-filing through e-filing centre is made permissible, then such electronic filing through the e-filing centre will be allowed up to 4 P.M. on all working days. All other rules relating to holidays etc. for the purpose of computation of limitation, as specified in these Guidelines will apply to online electronic filing as well. The period during which e-filing system is in-operational for any reason will be excluded from the computation of such time. This, however, will not extend limitation for such filing where Section 5 of the Limitation Act, 1963 or any other statutory extension of the period of limitation is not available. 17 (c) An electronic filing may be submitted to the portal at any time of the day or night, twenty-four (24) hours a day seven days a week. However, the filing will not be official information of record until it has been stored on the Court's Case Information Software system. (d) A document will be deemed e-filed with the Court, subject to payment of all applicable fees, on the date and time reflected in the notice of Electronic Filing regardless of when the e-filer actually transmitted the document to the Court. (e) Filing a document electronically does not alter the filing deadline for that document. The filing must be completed before Midnight, Indian Standard Time, in order to be timely filed. However, if the time of day is of the essence, the Hon'ble Court may order a document be filed by a certain time. (f) Emailing a document to the Court would not constitute filing the document and such emails will be filed without any intimation to the e-filer. A document will not be considered filed until the e-filing system generates a Notice of Electronic Filing. (g) While the e-filing system is designed to accept filings 24 hours a day, it may not always be available due to scheduled maintenance or technical difficulties experienced by the e-filer or system. E-filer should file documents in advance of filing deadlines and during normal Court hours. Though all eventualities and issues related to proposed e-filing have been addressed in these guidelines, however further clarification or modification will be issued from time to time as needed. Sd/- R. Chowdhury 05/04/2021 District & Sessions Judge, Nayagarh

GUIDELINES FOR E-FILING & E-PAYMENT

These Guidelines will apply for electronic filing (e-filing) of cases through the e-Filing portal developed by eCommittee of Supreme Court of India in all courts of Nayagarh Judgeship from 5th April 2021. Detailed user manual and tutorials are available in the website of District Court, Nayagarh.

The facility of filing of cases through email shall be simultaneously continued till further orders so that the Advocates/party in person may create their user accounts and start e-Filing in the meantime. It is to be ensured that filing is made only through one mode i.e. either through email or on the e-Filing portal. If filing is made through both the modes, either the case will not be

listed or it will delay the listing as the system will identify two cases in one matter.

Using e-Filing Portal has advantages such as availability of automatic storage of electronic case filing documents, secure storage space for electronic case documents, automatic verification by the Portal, communication of case details through e-mail and SMS immediately after filing, learned Advocates can access their case documents at any place by use of internet and facility for storage of case documents in segregated manner for convenient access to any part of the case record.

Link of e-Filing portal with all relevant details regarding e-Filing are available under the e-Filing link in the website of District Court, Nayagarh. In case any assistance is required in e-Filing the following Helpline numbers may be contacted during working hours:-

Mr. Simadri Keshari Moharathy - 8420308420 (M)

Learned Advocates/litigants who wish to e-file their cases but have no or limited access to IT Services may approach eSewa Kendra at their nearest location for assistance in e-Filing.

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1. ELECTRONIC FILING FOR ALL TYPES OF CASES.-

Whenever petitions, applications, appeals and all pleadings/documents in fresh, pending and disposed of cases of all types will be filed electronically, the same shall be done as per these Guidelines as well as in the manner provided on the e-filing portal developed by e-Committee of Supreme Court of India (<https://efiling.eCourts.gov.in>).

For the time being, for convenience of all concerned and to avoid any sort of difficulty, hard copy filing will be continued till all requirements for running of paperless Courts are accomplished and hard copy shall be filed within 7 days after e-filing and the listing will be made only by filing of hard copy.

The above shall however be subject to orders of this office from time to time.

2. REGISTRATION AND RESPONSIBILITIES OF E-FILERS.-

I. Registration:-

Every Advocate or party in person who intends to make e-filing would be required to register himself on the e-filing portal of ECommittee of Supreme Court of India.

The e-filer's login ID/username, password and profile will constitute the e-filer's electronic identity and user account for the purpose of e-filing.

II. Responsibilities:-

(a) The e-filer shall not share his/her User ID and password with anyone.

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(b) It will be the responsibility of the e-filer to have a valid and

working email address to receive notification from e-filing portal electronically. In case of any inconvenience, the e-filer has to contact the concerned Court

(c) If the e-filer's email address, phone number, or other information provided on e-filing portal has changed or not been registered in the CIS of concerned court, the e-filer must promptly make the necessary changes to his or her profile.

(d) If any Advocate wants to add his/her details (mobile/email etc.) or he/she wants any change in mobile number or email address, then he/she shall send email for the same along with a copy of his/her Bar Council Enrollment Certificate or Bar Association Identity Card having Bar Council Enrollment Number. The requests for Advocate details updation shall be sent to email address: so.od.nayagarh@gov.in whereafter it can be processed.

(e) An e-filer shall be liable for:

(i) Any conduct undertaken using his user ID; and

(ii) The conduct of any person to whom access is provided unauthorizedly by him by sharing his user ID and password.

(iii) Any inappropriate conduct may result in suspension of the account or other proceedings as may be initiated under the law. It shall be presumed that the document(s) has(ve) been filed by the person using the user ID and it shall be the responsibility of the user to maintain the secrecy of his ID and password.

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If an e-filer believes that the security of his or her electronic identity has been tampered with or that a threat to the system exists, the e-filer must intimate the the concerned Court.

(f) An e-filer shall take all reasonable steps to ensure that the filing does not contain computer code, including viruses, that might be harmful to the Court's electronic filing system and to other users of that system;

3. PROCEDURE FOR E-FILING.-

(a) Whenever an Advocate or party intends to e-file a petition, application or document etc. he shall prepare the original text material, documents, notice of motion, memorandum of parties, main petition or appeal, interlocutory applications etc. electronically using any word processing software (MS Word, Libre Office, Open Office etc.) in a format that can be rendered with high fidelity to originals, is searchable while maintaining original document formatting and capable of being tagged, the formatting style of the text will be as under:

- i. Page Size: The documents shall be prepared having page size in accordance with the existing Rules. Conventionally filed documents shall conform to the existing Rules regarding the page size and nature of the page.
- ii. Fonts and Fonts Size: The font shall be Verdana and the typeface shall be 12-point or larger in both body text and footnotes. If any document is typed in Odia or Hindi, it must be in Unicode Font only. Fonts like Kruti dev or Devlys shall not be used.
- iii. Line Spacing: Line Spacing of all the text shall as prescribed in existing Rules and instructions issued for the purpose.

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- iv. Numbering: The pages shall be numbered at the top or bottom of all pages including the front page. Index and the chronological list of events shall be consecutively numbered at the bottom beginning with numeral one (1) with central alignment.
 - v. Margins: Margins of the documents shall be as prescribed in existing Rules and instructions issued for the purpose.
 - vi. Alignment: All the documents will be aligned with justified alignment.
 - vii. Cover/Page Headers: Each page, except for the front page, of the document shall contain a header showing the name of the details of the document and the party(ies) filing the document (e.g., "BLAPL No. filed on behalf of AB" or "Reply in WP(C) No filed on behalf of XY"). This text on header shall be aligned with right alignment.
- (b) Documents so prepared must be converted to PDF/A or PDF format before they are filed in the e-filing system by using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format for e-filing.
- (c) Where the document is not a text document and has to be enclosed with the petition, appeal or application or other pleadings, as the case may be, the document should be scanned using an image resolution of not more than 300 dpi (dot per inch) and saved as a PDF or PDF/A document in legal size. The e-filer must ensure that the filing is an accurate representation of the document and is complete and readable. Where the original is not clearly legible, a typed copy of the same shall be filed at the same time duly certified by the Advocate filing the same to be a true typed copy of the document. It shall also be scanned and uploaded along with the original.
- (d) The maximum permissible size of the file that can be uploaded at the time of e-filing is 20 MB. However, if the file is large, it can be split and uploaded separately.

(e) Documents filed in other formats or exceeding the prescribed size limits will not be accepted for filing save that the same can be filed using a conventional filing.

(f) If the filing of an electronically submitted document requires leave of Court, the e-filer should attach the proposed document as an attachment to the application requesting leave to file. If the Court grants the leave and allows the proposed document, the e-filer must re-file the proposed document to make it part of the record.

(g) Signatures: A document electronically filed using the e-filing system must bear the digital signature of the filing party's Advocate, or party where it is not represented by an Advocate as more fully described in sub-clause (i) and (ii) below. The digital signature of Advocate or party will be treated as a personal signature and will serve as a signature for the purposes of Code of Civil Procedure, 1908, Criminal Procedure Code, 1973 or any other Rules of Procedure and Practice, applicable statutes, the Local Rules and any other purpose for which a signature is required in connection with proceedings before the Court.

i. An electronically filed document must include a signature block setting forth the name, mailing address, phone number, fax number, and email address of the filing party's Advocate or party where it is not represented by an Advocate'

ii. In addition, the name of the filing party's Advocate must be preceded by a "/Sd/" and typed in the space where the signature would otherwise appear. A handwritten signature is required for any conventionally filed document.

iii. Affidavits and exhibits to pleadings with original handwritten signatures must be scanned and filed in PDF or PDF/A format.

(h) (i) Where the party or the Advocate does not possess the digital signatures issued by the competent authority, such an Advocate or the party can authenticate e-filed documents by Adhaar authentication using

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the Adhaar number belonging to the Advocate or party and the One Time Password (OTP) sent to the registered mobile number of the Advocate or party with UIDAI (Unique Identification Authority of India). Such an authentication shall be considered as valid identification for all intents and purposes and it shall be the responsibility of the party or the Advocate to maintain the security of his Aadhar number and the mobile phone registered with the UIDAI.

(ii) Where a document requires signatures of more than one party, consent of all the parties along with their physical signatures on separate sheet will be uploaded along with the pleadings.

(iii) The signature on any document required to be notarized, acknowledged, verified, or made under oath must be handwritten and

scanned into the e-filing system. The Court will maintain the scanned document as the official Court record, and the filing party must file the original documents with the pleadings by conventional filing.

4. DETAILS OF ALL THE PARTIES.-

The e-filer will ensure that the details of all the parties of the case such as name, father's name, age, gender, address etc. are correctly and completely entered in respective column of e-filing portal.

5. E-FILING NUMBER.-

On final submission of e-filing, an e-filing number will be generated by e-filing portal. The e-filer shall mention this e-filing number on the hard copy of cover page of the case file or first page of the documents as the case may be which will be filed in the filing counter.

6. DOCUMENT BINARY FILE NAME STANDARDS.-

The following special characters are not allowed in a file name:

- A quotation mark (") or (')

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- A number sign/Pound (#)
- Percent (%)
- Ampersand (&)
- Asterisk (*)
- Colon (:)
- Angle brackets (less than, greater than) (< >)
- A question mark (?)
- Backslash (\)
- Forward slash (/)
- Braces (left and right) ({ })
- Pipe (|)
- A tilde (~)
- The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name.

File names will not end with any of the following strings:

- .files
-
- -files
- -Dateien
- fichiers
- _bestanden
- file
- archivos
- -filer
- tiedostot
-
- _pliki
- _soubory

- -elemei
- -ficheiros
- -arquivos
- -dosyalar
- datoteke
- fitxers

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- failid
- -fails
- _bylos
- -fajlovi
- _fitxategiak

- In addition, file names should not exceed 45 characters in length,
- Including spaces. Single space must be counted as one character each. No file name shall begin with dot (.) or underscore (_)

7. PAYMENT OF COURT FEE.-

Court fee can be paid through e-payment portal developed by eCommittee of Supreme Court of India. Steps for e-Payment of Court Fees are given below.

(a) Open the Official Website of ePay Portal – <https://pay.ecourts.gov.in>

(b) Choose Court Fees as Payment Type and choose District for which Court Fees is to be paid. Court Fess can be paid for new/ Existing Cases. For District Court – Select ODISHA in State, District and Establishment of the Court where Court Fees is to be paid.

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(c) For New Case enter Party Name, Amount of Court Fees, Remarks (Purpose of Court Fees) and Mobile Number.

(d) For Existing Case – Enter Details of Case Number or Filing Number or CNR Number and Click on GO. Details of Case associated with Case Number/ Filing Number/ CNR Number will appear. Verify the same and proceed with Amount of Court Fee, Remarks, Mobile Number.

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(e) Select the Check Box for “I Agree for above Terms and Conditions”.

Click on Generate OTP and an OTP will be received on your mobile.

(f) Enter OTP and click on Verify Button.

(g) After verification user will be directed to the page of Online e-Payment System (Stock Holding Corporation of India Ltd) for payment of amount for Court Fees.

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(h) Select Payment Mode on the ePayment System Page of Stock Holding gateway – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway thereafter Select the Check Box for “I accept all Terms and Conditions” and then submit. Thereafter you will be redirected to payment page.

(i) Choose Payment Mode on the Payment Page – Choose If you want to avail facility of Payment through Debit Card with PIN or Net Banking associated with Payment Gateway. For UPI Payment Mode Enter Pryer Virtual Address i.e. UPI ID. After selecting appropriate payment option click on Pay Now button to proceed further.

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(j) After successful payment Print Acknowledgement will be displayed. Kindly print or Download the PDF. It is important to note that this PDF is required as physical proof of Payment of Court Fees.

(k) Online e-Payment System will display a Payment successful message will also display Challan Receipt of portal. Use this Acknowledgement slip in e-filing or present the same at Filing Counters of Court concerned as Court Fees. Court will deface/cancel the Court Fees so that it is not used elsewhere.

8. RETENTION OF ORIGINALS.-

The originals of the documents that are scanned and digitally signed either by counsel or parties in person at the time of e-filing should be preserved for production upon being directed by the Court at any time. In any event, signed Vakalatnama, signed and notarized/attested affidavit shall be filed in original in the concerned Court. Any other document whose authenticity is likely to be questioned should be preserved as per prevailing Rules after the final disposal of the case, including appeals, if any and the following documents shall be preserved permanently: -

a) A negotiable instrument (other than a cheque) as defined in Section 13 of the Negotiable Instruments Act, 1881 (26 of 1881).

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b) A power-of-attorney as defined in section 1A of the Power-ofAttorney Act, 1882 (7 of 1882).

c) A trust as defined in section 3 of the Indian Trusts Act, 1882 (2 of 1882)

d) A will as defined in clause (h) of section 2 of the Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called.

e) Any contract for the sale or conveyance of immovable property or any interest in such property.

Note:-The responsibility for producing the originals and proving their genuineness shall be of the party that has electronically filed the scanned copies thereof or the party who is relying upon it.

9. PROOF OF FILING.-

The proof of e-filing will be available in the account of the e-filer and shall be sent by way of email and SMS at the time of e-filing on the registered email address and mobile number of the e-filer.

10. CASE ENTRIES.-

The Court staff nominated to receive an electronic filing will create a case entry using the information provided by the e-filer to record the document filed. If errors/defects in the filing or case entry are discovered by the

officials, the official will notify the e-filer of the error/defect and advise the e-filer of what further action, if any, is required to address the error/defect. E-filer(s) shall make corrections or remove the defect within seven (7) working days of receiving the notification. Failure to make corrections will result in the rejection of a filing by the Court and could result in a failure to comply with limitation, if so applicable.

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Accepting the e-filing by above official would not mean that the case has been passed in scrutiny. The case will be treated as passed only after the report of the concerned Court.

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13. ACCESS TO ELECTRONIC DOCUMENTS.-

Access to documents and pleadings filed electronically in a case will be provided only to Advocates for the parties or the concerned parties themselves. The Advocate(s) or the party may obtain documents from the relevant entries in his account.

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14. EXEMPTION FROM ELECTRONIC FILING.-

Application for exemption from e-filing of the whole or part of the pleadings and/or documents may be moved before the concerned Court in the following circumstances:

- i. e-filing is, for the reasons to be explained in the application, not feasible; or
- ii. there are concerns about confidentiality and protection of privacy; or
- iii. the document cannot be scanned or filed electronically because of its size, shape or condition; or

iv. the e-filing system is either inaccessible or not available for some reason; or

v. Any other sufficient cause.

15. COMPUTATION OF TIME.-

(a) Limitation shall be computed from the date of e-filing if hard copy is filed within 7 days but if hard copy is not filed within 7 days, the limitation will be computed from the date of filing of hard copy.

However, the competent authority is at liberty to notify to extend the period of filing hard copy in case of any unforeseen exigency.

(b) In case e-filing through e-filing centre is made permissible, then such electronic filing through the e-filing centre will be allowed up to 4 P.M. on all working days. All other rules relating to holidays etc. for the purpose of computation of limitation, as specified in these Guidelines will apply to online electronic filing as well. The period during which e-filing system is in-operational for any reason will be excluded from the computation of such time. This, however, will not extend limitation for such filing where Section 5 of the Limitation Act, 1963 or any other statutory extension of the period of limitation is not available.

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(c) An electronic filing may be submitted to the portal at any time of the day or night, twenty-four (24) hours a day seven days a week.

However, the filing will not be official information of record until it has been stored on the Court's Case Information Software system.

(d) A document will be deemed e-filed with the Court, subject to payment of all applicable fees, on the date and time reflected in the notice of Electronic Filing regardless of when the e-filer actually transmitted the document to the Court.

(e) Filing a document electronically does not alter the filing deadline for that document. The filing must be completed before Midnight, Indian Standard Time, in order to be timely filed. However, if the time of day is of the essence, the Hon'ble Court may order a document be filed by a certain time.

(f) Emailing a document to the Court would not constitute filing the document and such emails will be filed without any intimation to the e-filer. A document will not be considered filed until the e-filing system generates a Notice of Electronic Filing.

(g) While the e-filing system is designed to accept filings 24 hours a day, it may not always be available due to scheduled maintenance or technical difficulties experienced by the e-filer or system. E-filer should file documents in advance of filing deadlines and during normal Court hours.

Though all eventualities and issues related to proposed e-filing have been addressed in these guidelines, however further clarification or modification will be

issued from time to time as needed.

Sd/- R. Chowdhury

05/04/2021

District & Sessions Judge,
Nayagarh