

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 7<sup>TH</sup> FEBRUARY, 2025

**Bill No. LXX of 2024**

THE VIRTUAL COURT PROCEEDINGS BILL, 2024

A

BILL

*to provide for proceedings of all Courts, Tribunals and Commissions  
to be held virtually in order to facilitate efficient and timely  
judicial proceedings, mitigate delays, reduce costs and  
increase convenience for all parties involved and  
for matters connected therewith and  
incidental thereto.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows: —

1. (1) This Act may be called the Virtual Court Proceedings Act, 2024.
- (2) It shall come into force on such date as the Central Government may, by notification in Official Gazette, appoint.

Short title  
and  
commencement.

Definitions.

**2.** In this Act, unless the context otherwise requires —

(a) “Commissions” includes all Commissions established by the Acts of the Parliament;

(b) “Courts” means the Supreme Court of India and High Courts of the States and includes a physical Court and a virtual Court; 5

(c) “live link” means and includes a live television link, audio-video electronic means or other arrangements provided by the Courts or Tribunals or Commissions, to the participants for participating in the virtual court proceedings;

(d) “participants” means and includes 10

(i) “advocates” and “senior advocates” defined under clause (a), sub-section (1) of section 2 and sub-section (2) of section 16, respectively of the Advocates Act, 1961, as well as government pleaders/advocates and officers of the department of prosecution,

(ii) parties-in-person to the proceedings, 15

(iii) other parties to the proceedings,

(iv) litigants, officers connected to the proceedings,

(v) witnesses, and

(vi) any person who is to be examined, or in whose presence certain proceedings are to be recorded or conducted or who is required to make submissions or who intends to participate in the proceedings on his or her own or on behalf of a party to the proceeding, third party with authority or permission of the Courts or Tribunals or Commissions, as the case may be; 20

(e) “prescribed” means prescribed by rules and regulations made under this Act; 25

(f) “Tribunals” includes all Tribunals and Appellate Tribunals established by the Acts of the Parliament;

(g) “virtual court proceedings” means a proceeding where participants are not physically present in the Courts or Tribunals or Commissions, as the case may be, but attend and participate through electronic mode which may include video conferencing accessed through any electronic device, by accessing a live link provided by the Courts, Tribunals and Commissions. 30

Virtual court proceedings.

**3.** (1) The proceedings of all Courts, Tribunals and Commissions shall be held, virtually in electronic mode, by use of electronic communication or use of audio-video electronic means such as video conferencing, apart from the regular physical hearings and such hearings shall be called as virtual court proceedings. 35

(2) The proceedings mentioned in sub-section (1) shall include: —

(a) all trials, inquires and proceedings including issuance of notice or summons, recording of evidence, service and execution of summons and warrant;

5 (b) examination of parties and witnesses;

(c) pronouncement of orders, judgments, awards; and

(d) all appellate proceedings or any other proceedings as deemed appropriate by the Courts, Tribunals, or Commissions, as the case may be.

10 (3) The procedure and manner of conduct of the proceedings as given under sub-section (2) including the determination or apportioning of costs involved in virtual court proceedings and the requisite facilities and arrangements to be made for smooth conduct of the virtual court proceedings in each Court, Tribunal and Commission shall be governed by  
15 the rules and regulations framed by the Courts and the Central Government in the case of the Tribunals and Commissions.

(4) The Courts, Tribunals and Commissions, as the case may be, in order to enable access to virtual court proceedings, shall provide a live link to the participants *via* email address/mobile number furnished by the participants,  
20 or in any other manner, as may be prescribed.

(5) The Courts, Tribunals and Commissions, as the case may be, shall have the power to regulate appearances of participants during virtual court proceedings including removal or debarring any participant from further participation in such proceedings on any of the following grounds: —

25 (a) appearing from a vehicle;

(b) appearing with a background not dignified for participation in virtual court proceedings;

(c) engaging in any activity other than the normal course of business;

30 (d) engaging in any act which may be considered inappropriate while participating in virtual court proceedings;

(e) occurrence of a technical glitch, either on the part of the participant or on the part of the Courts, Tribunals, or Commissions, as the case may be, which disables conduct of virtual court proceedings;

35 (f) the participant is not authorized by the Court, Tribunal or Commission for participating in the virtual court proceedings; or

(g) any other ground, as may be prescribed, through rules, regulations and guidelines by the Court, Tribunal or Commission, as the case may be.

40 (6) There shall be no unauthorized recording of the proceedings by any of the participants or by any other person or entity.

(7) The Courts, Tribunals and Commissions may from time-to-time issue directions or guidelines governing the access to and participation in virtual

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|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
|                                                     | <p>court proceedings including online etiquette and publish the same on their notice boards and websites.</p> <p>(8) Subject to sub-sections (4) and (5), the Courts, Tribunals, or Commissions, as the case may be, shall allow participants to appear in virtual court proceedings, upon a request made by a participant in such form and manner as may be prescribed.</p> <p><b>(9) Subject to maintaining independence, impartiality and credibility of judicial proceedings and subject to such rules, regulations, directions or guidelines as the Courts or Central Government may issue with respect to virtual court proceedings, the Courts, Tribunals and Commissions may adopt such technological advances as may become available from time to time, for improving the quality and efficiency of the virtual court proceedings.</b></p> | 5<br>10                                                                         |
| Facilities to be provided.                          | <p>4. All Courts, Tribunals and Commissions shall provide the following facilities: —</p> <p>(a) e-filing of pleadings and documents as required;</p> <p>(b) e-verification of pleadings and documents as required; and</p> <p>(c) virtual certified copies of the orders and judgements as required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 15                                                                              |
| Conduct of proceedings.                             | <p>5. (1) All virtual court proceedings conducted by the Courts, Tribunals, or Commissions shall be judicial proceedings and all the courtesies and protocols applicable to a physical Court shall apply to such proceedings.</p> <p>(2) All relevant statutory provisions applicable to judicial proceedings including provisions of the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, the Bharatiya Sakshya Adhiniyam, 2023, the Contempt of Courts Act, 1971, and the Information Technology Act, 2000, shall apply to virtual court proceedings.</p>                                                                                                                                                                                                                                                              | 20<br>25<br>45 of 2023<br>46 of 2023<br>47 of 2023<br>70 of 1971<br>21 of 2000. |
| Power to remove difficulties.                       | <p>6. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.</p> <p>(2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.</p>                                                                                                                                                                                                                                                                                                                                                                                               | 30                                                                              |
| Provisions of the Act to have an overriding effect. | <p>7. The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 35                                                                              |
| Power of Courts to make rules.                      | <p>8. Notwithstanding anything contained in this Act, the Courts shall have the power to make rules, regulations, directions or orders, as may be required, for carrying out the purposes of this Act.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                 |

9. (1) Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, make rules with respect to the Tribunals and Commissions for carrying out the purposes of this Act.

Power of Central Government to make rules.

- 5 (2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both
- 10 Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## STATEMENT OF OBJECTS AND REASONS

The advent of COVID-19 pandemic had forced us to conduct court proceedings virtually. Virtual courts have enabled participation from remote areas irrespective of geographical or economic constraints, eliminating the need for individuals to bear significant financial burdens associated with physically attending court sessions.

However, just like the COVID-19 times are behind us, the virtual courts are slowly becoming a thing of the past in some Tribunals and it is seen that even though Government had invested a huge amount of public money in the infrastructure for conducting and promoting virtual courts, this facility is not being utilized even though there is demand for the same.

The concept of access to justice has been etched in our Constitution. Virtual court can enable dispensation of justice to all citizens by mitigating delays, reducing costs and increasing convenience for all parties. Access to virtual court hearings not only help in reduced litigation costs, but also make complex and time-consuming judicial procedures accessible and convenient to the lay man. It also prevents a litigant belonging to other parts of the country from bearing the cost of travel, lodging and extra fees of the lawyer since most of the Commissions, Tribunals and the Hon'ble Supreme Court are situated at Delhi. Each time a case is adjourned for want of a lawyer; it is the litigant who bears the expense. It is also pertinent to note that a common reason for adjournments at the Supreme Court of India, High Courts and appellate tribunals is that the counsels from various parts of the country cannot make it to the hearing due to various reasons. Therefore, mandatory virtual court proceedings would certainly aid in the effective delivery of justice to all sections of citizens. Furthermore, virtual courts proceedings could also make the legal process more streamlined by reducing paperwork and automating administrative tasks.

Therefore, the present Bill proposes to mandate virtual court hearings and achieve the above objectives.

Hence this Bill.

P. WILSON.

## FINANCIAL MEMORANDUM

Sub-clause (8) of Clause 3 of the Bill provides that the Courts, Tribunals and Commissions may, subject to the rules, regulations, directions or guidelines as the Courts or Central Government may issue with respect to virtual court proceedings, adopt such technological advances as may become available from time to time, for improving the quality and efficiency of the virtual court proceedings.

The Bill, therefore, if enacted, is likely to involve expenditure from the Consolidated Fund of India. However, at this stage, it is not possible to quantify the exact amount of recurring and non-recurring expenditure likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill provides that the Central Government may, make such order, as necessary for removing any difficulty to give effect to the provisions of this Bill. Clause 8 empowers the Courts to make rules, regulations, directions or orders, as may be required, for carrying out the purposes of this Bill and Clause 9 empowers the Central Government to make rules with respect to the Tribunals and Commissions to carry out the provisions of this Bill.

As the orders, rules, regulations, directions etc. will relate to matters of details only, the delegation of legislative power is of a normal character.





RAJYA SABHA

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BILL

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to be held virtually in order to facilitate efficient and timely  
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*(Shri P. Wilson, M.P.)*