

**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
(DEPARTMENT OF JUSTICE)**

**LOK SABHA  
UNSTARRED QUESTION No. 440  
TO BE ANSWERED ON FRIDAY, THE 3<sup>rd</sup> FEBRUARY, 2023**

**Guidelines for Virtual Hearings in Courts**

440. **SHRI SHRIRANG APPA BARNE:  
SHRI JANARDAN SINGH SIGRIWAL:  
SHRI SUDHEER GUPTA:  
SHRI BIDYUT BARAN MAHATO:  
SHRI RAJA AMARESHWARA NAIK:  
SHRI DHAIRYASHEEL SAMBHAJIRAO MANE:  
SHRI VINOD KUMAR SONKAR:  
SHRI SANJAY SADASHIVRAO MANDLIK:  
SHRI PRATAPRAO JADHAV:**

**Will the Minister of LAW AND JUSTICE be pleased to state:**

- (a) whether the Government has formulated any operational guidelines or standards for virtual hearings across different courts in the country;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) the number of cases disposed in various courts of the country through digital/virtual mode, State/UT-wise;
- (d) whether the Government has assessed the reaction of the people of the country/lawyers/judicial officials with regard to digital hearing of cases and if so, the details and outcomes thereof;
- (e) whether the Government has any plans to develop online dispute resolution capabilities in the country and if so, the details thereof and if not, the reasons therefor; and
- (f) the amount of funds sanctioned and released for the development of digital infrastructure for strengthening virtual hearings of the courts, State-wise?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

(a) & (b): Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period as physical hearings and normal court proceedings in the congregational mode were not possible. To bring about uniformity and standardization in the conduct of VC, an overarching order (Suo Motu Writ(Civil) No. 5/2020) was passed by the Hon'ble Supreme Court of India on 6th April

2020 which gave legal sanctity and validity to the court hearings done through VC. Further, VC rules were framed by a 5-judge committee which was circulated to all the High Courts for adoption after local contextualization. The main features of the guidelines are:

- (i) Video conferencing facilities may be used at all stages of judicial proceedings and proceedings conducted by the Court.
- (ii) All proceedings conducted in a Court by way of video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical Court shall apply to these virtual proceedings.
- (iii) All relevant statutory provisions applicable to judicial proceedings shall apply to proceedings conducted by video conferencing.
- (iv) There shall be no unauthorized recording of the proceedings by any person or entity.
- (v) The required person shall provide identity proof as recognized by the Government of India/State Government/Union Territory.
- (vi) There shall be a Coordinator both at the Court Point and at the Remote Point from which any Required Person is to be examined or heard.
- (vii) Any party to the proceeding or witness, save and except where proceedings are initiated at the instance of the Court, may move a request for video conferencing.
- (viii) Any proposal to move a request to for video conferencing should first be discussed with the other party or parties to the proceeding, except where it is not possible or inappropriate, for example in cases such as urgent applications.
- (ix) On receipt of request of video conferencing and upon hearing all concerned persons, the Court will pass an appropriate order after ascertaining that the application is not filed with an intention to impede a fair trial or to delay the proceedings.
- (x) While allowing a request for video conferencing, the Court may also fix the schedule for convening the video conferencing.
- (xi) Costs, if directed to be paid, shall be deposited within the prescribed time, commencing from the date on which the order convening proceedings through video conferencing is received.

(c): Number of cases dealt with by High Courts and District Courts through video conferencing is attached at Annexure – I.

(d): No,Sir.No evaluation exercise has been made in this regard. However, Virtual hearing of the cases by the Courts has helped the entire legal ecosystem including the litigants and lawyers

particularly during the Covid-19 pandemic as it enables them to appear before the court from any location of their choice thus leading to considerable saving of time, money and physical efforts.

(e): The concept of Online Dispute Resolution (ODR) in India is developing. The NITI Aayog had constituted a high-level committee in June 2020 under the chairmanship of Justice A K Sikri, retired Judge, Supreme Court of India to develop an action plan for mainstreaming ODR, to create an effective implementation framework of ODR and to promote access to justice through ODR. The report of the committee released on 29.11.2021 recommends measures at three levels in adopting ODR framework in India:

- (i) Structural level- increase digital literacy, improve access to digital infrastructure and train professionals.
- (ii) Behavioural level- adoption of ODR to address disputes involving Government departments and ministries.
- (iii) Regulatory level- a soft-touch approach to ODR platforms and services.

The report stresses on strengthening the existing legislative framework for ODR and offers a phased implementation framework. It has been proposed to provide for provisions enabling online mediation under the Mediation Bill, 2021 which was introduced in the Rajya Sabha on 20.12.2021. The online mediation is to be conducted in accordance with the process specified by the Mediation Council of India. The Bill was referred to the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, which has since submitted its report and under consideration by the Government of India.

(f): In the Phase-II of the eCourts Project, out of total outlay of Rs. 1670 crore, the Government has released a sum of Rs. 1668.43 crore as on 31.03.2022 to various organizations involved in the implementation of the project. This includes a sum of Rs. 111.29 crores released for installation of video conferencing infrastructure such as video conferencing equipment, VC Cabins, VC Licenses and Document Visualizers, etc in Courts and Jails.

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**Annexure – I**

Statement referred to in reply of Lok Sabha Unstarred Question No. 440 for 03/02/2023 regarding Guidelines for Virtual Hearings in Courts. The High Court and District Court wise details of the cases disposed by different courts through video conferencing are as under:

<b>Number of cases dealt with (virtual hearings) on video conferencing in High Courts and District Courts during the pandemic as on 30 November 2022</b>				
<b>S.No.</b>	<b>High Court</b>	<b>High Court</b>	<b>District Court</b>	<b>Total</b>
1	Allahabad	241335	3877965	4119300
2	Andhra Pradesh	380252	1412298	1792550
3	Bombay	37535	69857	107392
4	Calcutta	137868	80646	218514
5	Chhattisgarh	103054	39950	143004
6	Delhi	317729	3297030	3614759
7	Gauhati - Arunachal Pradesh	2291	8128	10419
8	Gauhati - Assam	266154	322269	588423
9	Gauhati - Mizoram	3963	13268	17231
10	Gauhati - Nagaland	930	650	1580
11	Gujarat	388928	191558	580486
12	Himachal Pradesh	183904	95523	279427
13	Common High Court for Union Territory of Jammu and Kashmir and Union Territory of Ladakh	257659	452673	710332
14	Jharkhand	218227	637012	855239
15	Karnataka	1086570	119946	1206516
16	Kerala	159316	531438	690754
17	Madhya Pradesh	667410	763500	1430910
18	Madras	1424315	336752	1761067
19	Manipur	38695	15288	53983
20	Meghalaya	2747	24282	27029
21	Orissa	282560	242717	525277
22	Patna	266756	2054005	2320761
23	Punjab and Haryana	581047	1829482	2410529
24	Rajasthan	229014	178520	407534
25	Sikkim	477	9071	9548
26	Telangana	299031	190327	489358
27	Tripura	10576	12070	22646
28	Uttarakhand	73900	41295	115195
<b>Total</b>		<b>7662243</b>	<b>16847520</b>	<b>24509763</b>