

NOTIFICATION AND STANDARD OPERATING PROCEDURE (SOP) FOR RESUMPTION OF PHYSICAL FUNCTIONING IN THE APPELLATE TRIBUNAL (SAFEMA) W.E.F. 07.09.2020

Hon'ble High Court of Delhi has prescribed SOP vide their letter no 417/RG/DHC/2020. In the light of the same the following SOP has been approved by the Competent Authority for functioning of this Tribunal till further orders.

In the prevailing Covid-19 situation, keeping in view the Tribunal being functioning with only one Member and due to constraint of space and human resources, this Tribunal will resume limited functioning in a regulated way w.e.f. 07.09.2020 till further orders. The standard of operating procedure dated 27.08.2020 as prescribed by Hon'ble High Court, as far as practically applicable to this Tribunal, will be followed in following manner:-

(A) Regulations relating to entry in the court room for attending physical hearing.

1) Entry into the court room, for the purposes of attending physical hearings shall stand restricted to:-

- Only one Advocate per party whose Vakalatnama is on record or who has been duly authorized by such Advocate to appear

and whose case is listed for hearing that day.

- Senior Counsel engaged by any such Advocate.
- Registered Clerk only for the limited purpose of delivering heavy and bulky case files of such Advocates at the Tribunal. Such Clerk shall leave the courtroom and shall enter again only to re-collect the same.
- Standing/Nominated counsel for any of the party/entity whose cases are listed for physical hearing that day.
- Party-in-person where such party is pursuing the case himself/herself without any legal assistance.
- No adverse order would be passed, in the event any Advocate or the party or the authorized representative is not present when the matter is called for.

2) No entry in the court rooms shall be permitted to:-

- Juniors, Interns or law students associated with the Advocate concerned;
- Relative of any party-in-person/litigant

- 3) No litigant, who is represented by any Advocate, would be permitted entry unless there is specific direction by the Hon'ble Tribunal.
- 4) The Advocates, Party-in-person and registered clerks above the age of 65 years and those suffering from co-morbidities may refrain from appearing in Tribunal.
- 5) Persons displaying symptoms of flu, fever, cough etc. are not permitted entry inside the Tribunal premises.
- 6) Neither Advocates nor parties are allowed to enter inside the office premises/chamber of the Chairman/Member strictly without permission due to Covid-19 situation.
- 7) Following mandatory norms are to be followed by all concerned who are permitted to enter the Tribunal court room:
 - Wearing of mask all times.
 - Undergoing thermal scanning at the designated entry points.
 - Sanitizing the hands before/at the time of entry.
 - Strict adherence to the norm of social distancing within the Tribunal premises.

- Social/ physical distancing by maintaining a minimum distance of six feet.
- Adherence to all the directions/guidelines/SOPs/ advisories issued by the Government of India and the Govt. of NCT of Delhi in respect of the Covid-19 pandemic.

(B) Arrangements inside the Court room

- 1) In order to ensure strict adherence to the norm of social distancing, seats in each courtroom have been limited to bare minimum.
- 2) Entry in the court-room shall be permitted to those Advocates/ party-in- person whose matter is called out for hearing and also for the advocates whose time is the immediate next, subject to availability of space.
- 3) Rest of the Advocates shall wait outside the courtroom in the designated area for their turn, while maintaining social distancing norm.
- 4) The display boards shall be functional for their convenience and information.
- 5) Ordinarily, no request for pass over shall be entertained to ensure adherence to time slots, effectively regulating the entry and orderly conduct of cases.

- 6) The case will be taken up as per time slot given in the cause list and also as per SOP.

(C) Matters to be taken up by the Hon'ble Tribunal

- 1) The cause-list for the Hon'ble courts conducting proceedings through physical mode shall not ordinarily exceed 25 cases. In case, the number of the matters exceeds, the preference shall be given to urgent cases and the remaining matters shall be adjourned as per the directions of the Hon'ble Bench.
- 2) Once the matter is over, learned Advocate/Party-in -Person shall immediately leave from the designated exit point.
- 3) The appeal paper books /Misc. applications will not be entertained through email anymore. The parties are requested to file the same physically at the counter of the Appellate Tribunal.
- 4) The physical hearing shall resume w.e.f. 07.09.2020.