



Ref: UPERC/Secretary/2020-033

Date: 06-May 2020

INSTRUCTIONS FOR HEARINGS IN UPERC DURING COVID-19 PANDEMIC/LOCKDOWN

1. In view of the Covid-19 pandemic warranting social distancing, and lockdown situation across the Country resulting in restricted movement, UPERC has decided to conduct its hearings in either of the following methods:

a) Petitioners/Respondents or their counsel(s) address the Hon'ble Commission over a video-link from designated rooms in the UPERC office

OR

b) Through Video Conferencing from their own place of office/residence through designated video conferencing software namely "**Google Meet**".

Overall hearing may be conducted through a combination of both a & b depending upon the choices exercised by the respective advocates of the parties. For example, one party may VC from his office/home while other party may use the video-link facility in UPERC facility.

2. Protocol for filing the Petitions/Counter/Rejoinder/Any other associated document

a) For fresh filing:

For fresh filing, the Applicants should send the following items through email on documents@uperc.org in pdf and word format:

a) Scanned copy of Power of Attorney (Vakalatnama).

b) Petition fee to be electronically deposited and its receipt / UTR should be shared. Bank details are as follows:

UP Electricity Regulatory Commission

PUNJAB NATIONAL BANK

RKU Mandi Parishad Building, Vibhuti Khand, Gominagar, Lucknow.

A/c: 2408010100015729

RTGS/NEFT IFS Code: PUNB 0619400

MICR Code: 226024040

c) The soft copies of the Petition/ Affidavit(s)/Annexures/ court rulings etc.

d) An undertaking shall be given by the counsel that duly signed petitions/annexures etc.in original will also be filed within 2 working days.

e) The request letter regarding his choice of abovementioned options 1(a) or 1(b) to be availed by Counsel, shall be submitted by the Counsel in unequivocal terms.

f) Subsequent to the filing, Commission will examine the documents with respect to its regulations and will notify date & time of hearing.

g) Time for VC will be allocated in multiples of 5-minute blocks depending upon the nature of application / petition. Minimum time and maximum time allotted for any case will be 5 minutes and 1 hour respectively.

b) For pending matters:

- a) The Advocates should inform the Secretary of the Commission regarding the option to be availed by the Counsel under Point 1 above of this order giving petition number etc.
- b) Once hearing date is decided by the Commission, all submissions should be shared through email on documents@uperc.org and copy to the email ID of Case Officer (which will be notified along with date of hearing), at least 3 working days prior to the hearing in pdf and word format.
- c) An undertaking shall be given by the counsel to file duly signed submissions in original within 2 working days.

Subsequent to it, Commission will notify date & time of hearing on its website.

3. Advocates/litigants should share their email IDs with the Secretary of the Commission (on secretary@uperc.org) with case number for which they wish to use video conferencing option. The link of Video Conferencing schedule for their respective hearing will be sent only on those email IDs by UPERC.

4. Guidelines for hearing through video conferencing:

- a) Petitioners/Respondents or their counsels attending the hearings through Video Conferencing are strictly prohibited from making audio, video recording through any mode. Any violation in this respect shall invite legal consequences. The links sent for Video Conferencing shall not be shared by them with anyone.
- b) Petitioners/Respondents or their counsels are required to log in the Video Conferencing Session/Room, 5 minutes prior to the allotted time. They will be allowed to join when the hearing starts.
- c) Parties should keep their respective devices/microphones on mute at all-times and un-mute the same only when their names are called out to present or when they wish to interject. However, interjection should be kept as minimum as possible, with the permission of the Commission.
- d) Parties shall be seated in proper ambient surroundings ensuring that there is no background noise or disturbance. Mobile phones should be in switched off/mute/vibration mode all the time.
- e) Advocates/Counsels appearing and presenting their respective cases must observe the dress code and etiquette
- f) The Parties are requested to familiarize themselves with Google Meet video conferencing platform including uploading documents, sharing screen etc.
- g) On the conclusion of the hearing, or in accordance with the directions of the Commission, the contesting parties shall file their respective final written submissions (not exceeding 30 pages (doc or pdf format) to the designated email address of the Secretary of the Commission (secretary@uperc.org). The final written submissions must comprehensively deal with the: gist of the case/reply; issues involved; submissions; analysis of relevant documents and inferences; legal propositions; relevant provisions of law; and, case law. Whilst exhaustive repetition of the contents of documents should be avoided, short and relevant excerpts of the documents with appropriate cross-referencing will be preferred. Final versions of the list of dates, relevant documents, provisions of law, etc., may be included in an appendix to the final written submissions.

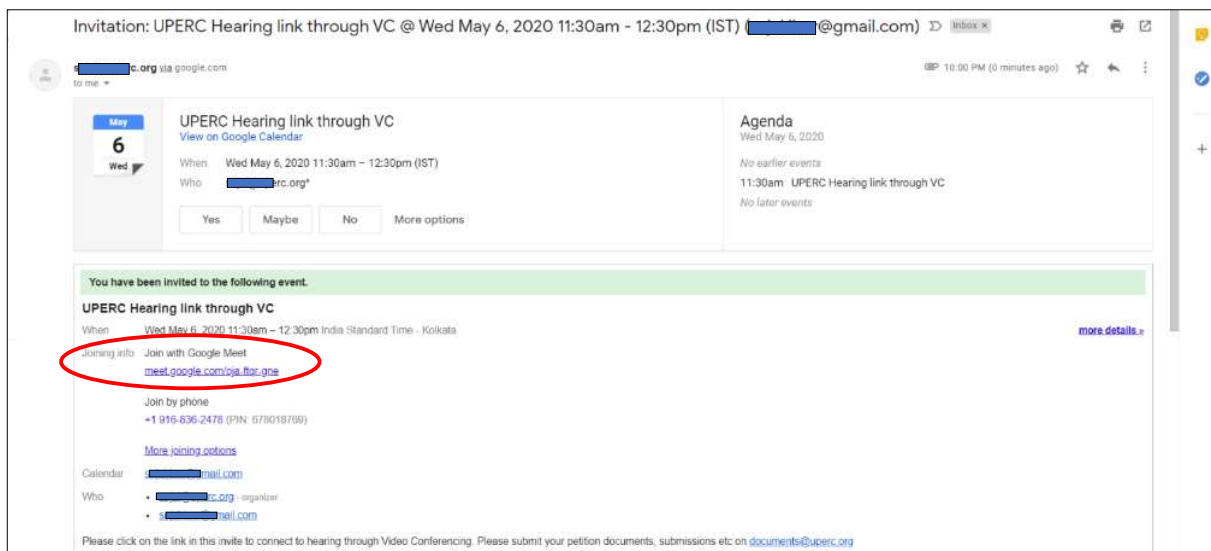
5. This Order is being issued in pursuance to Section 57 and 59 of Uttar Pradesh Electricity Regulatory Commission, (Conduct of Business) Regulations, 2019 and must be followed scrupulously till further orders. The Order also contains detailed Standard Operating Procedure for advocate/litigants for participating in hearing through video conferencing as Annexure 1 to this order.


Secretary

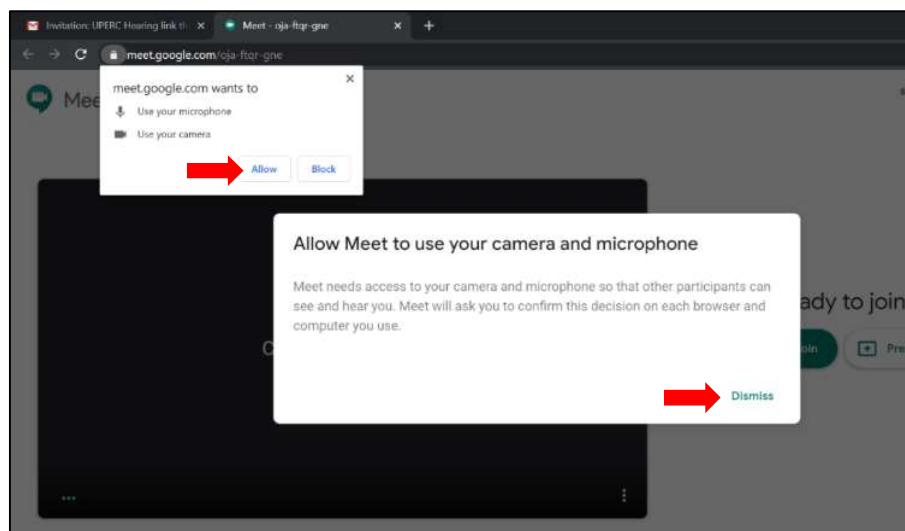
Standard Operating Procedure for advocate/litigants for participating in hearing through video conferencing

A. How to join hearing

1. **Google Meet** shall be used for Video Conferencing.
2. Advocates/litigants shall be sent a link mentioning time slot for their hearing on their registered email ID. Clicking this link will connect them to video conferencing platform.
3. A typical email invite will look like this:

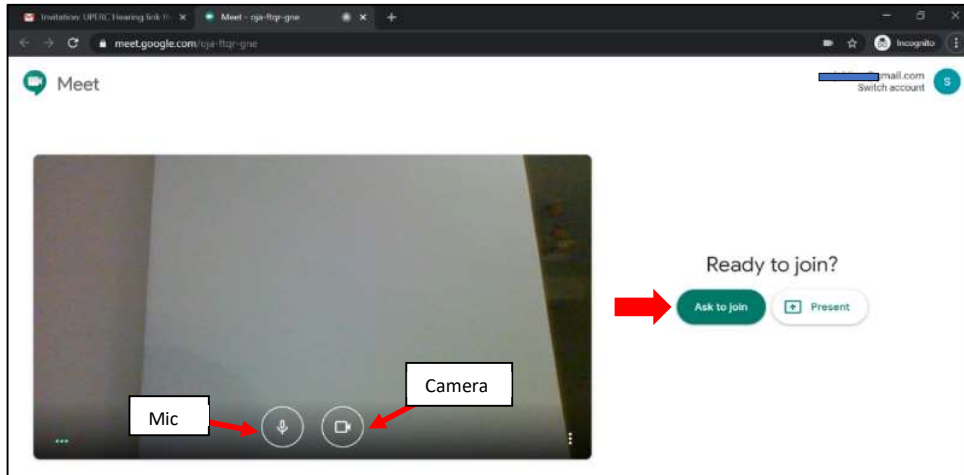


4. To join the hearing, click on the link as circled in the illustration above.
5. Upon clicking the link, internet browser of your system will open. The opened webpage will look like this:

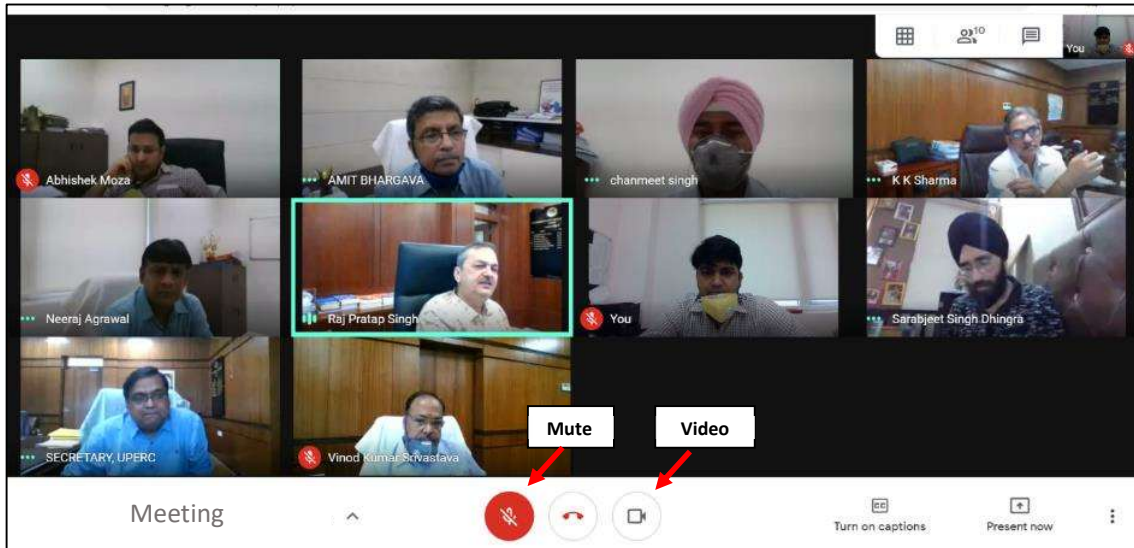


6. Click on 'Allow' and 'Dismiss' as marked above. (Click on 'Allow' to allow access for both microphone and camera to be used by Google meet)

7. Click on Join/Ask to join the hearing. Please make sure that your Mic and Camera are turned on as marked below:



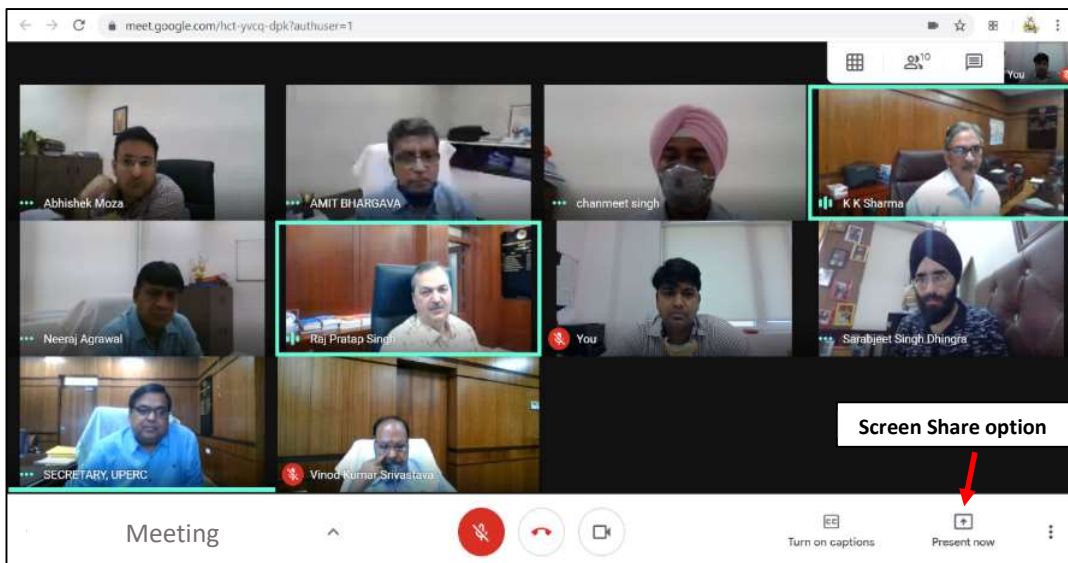
8. Once you join, the Video Conferencing web page will look as illustrated below:



9. The participants may mute/un-mute their audio by clicking on the 'Mic' icon as shown above. Likewise, video feed may be stopped/started by clicking on the 'Camera' icon as shown above.

B. Sharing screen and documents/files

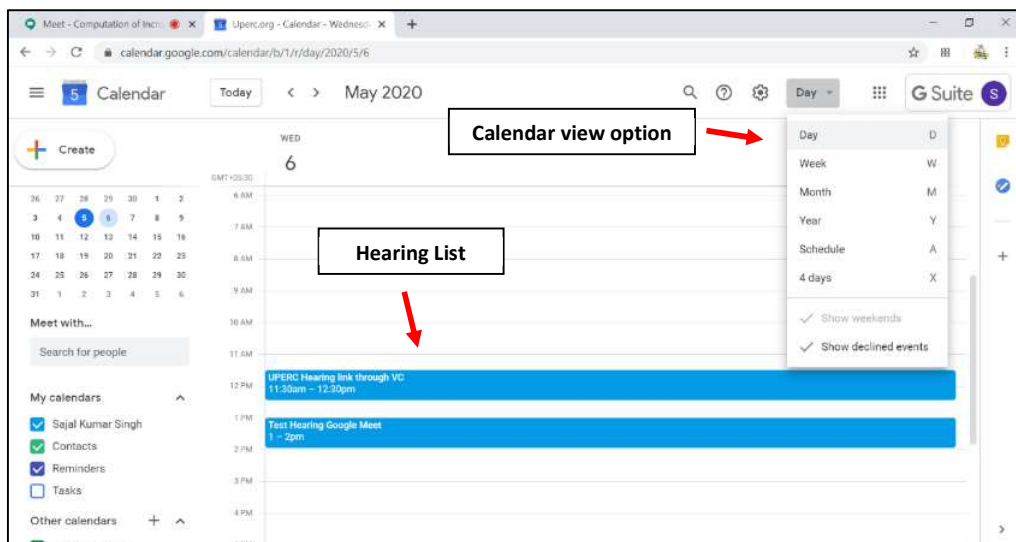
1. Participants can share documents/presentations on their systems through 'Present Now' option available in Google Meet as marked below:



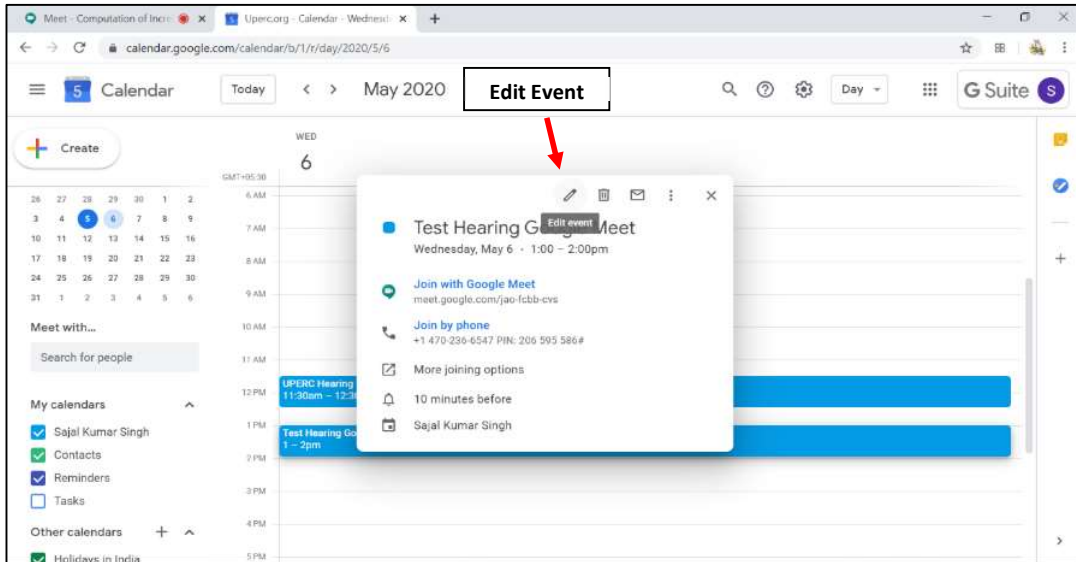
- When 'Present Now' icon is clicked, the system will ask you to share the screen. Once sharing is started, you may open the file/document/presentation which you want other participants to see. Participants will then be able to see them on their screens. Click on 'Stop Sharing' icon when you want to stop sharing your desktop screen.

C. Sending files in the hearing

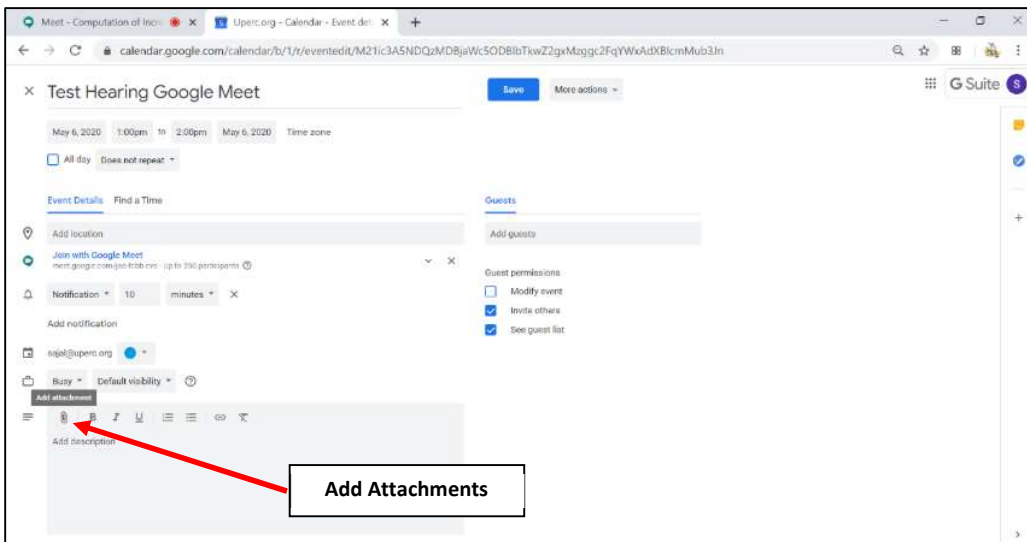
- If there is a need to send any document to other participants in the hearing, please open 'Google Calendar' in a new browser tab. You may change the view to Day, Week, Month, etc. as per your convenience through the options available. The current meeting will be shown in your calendar as shown below-



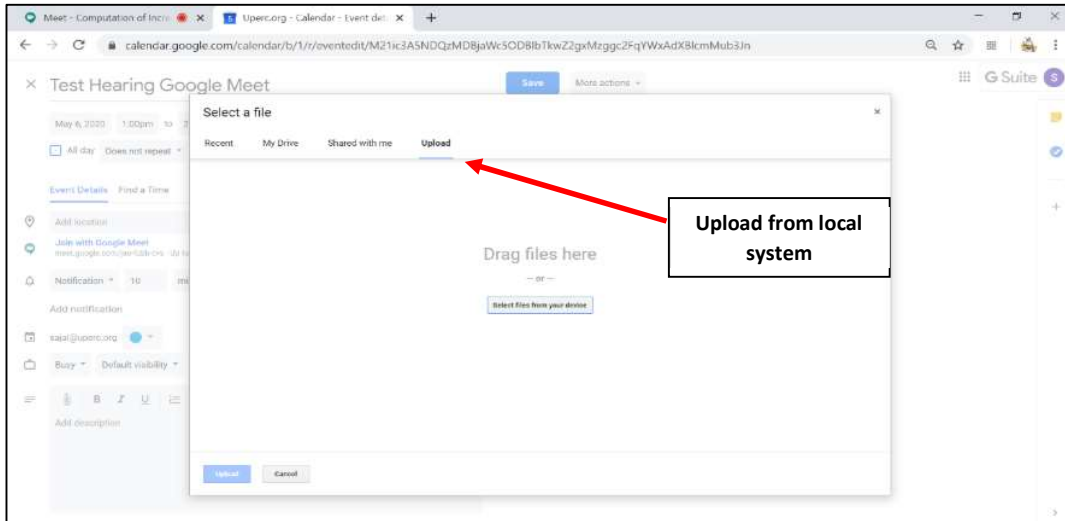
2. Click on the hearing meeting (where you want to add the files) and press Edit event as shown below:



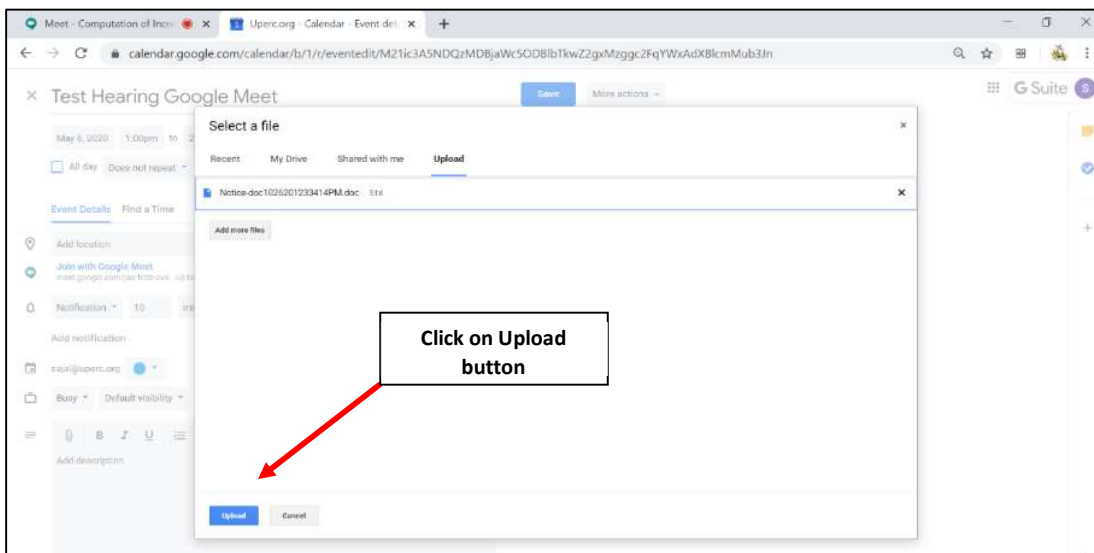
3. Add the files in the attachment section:



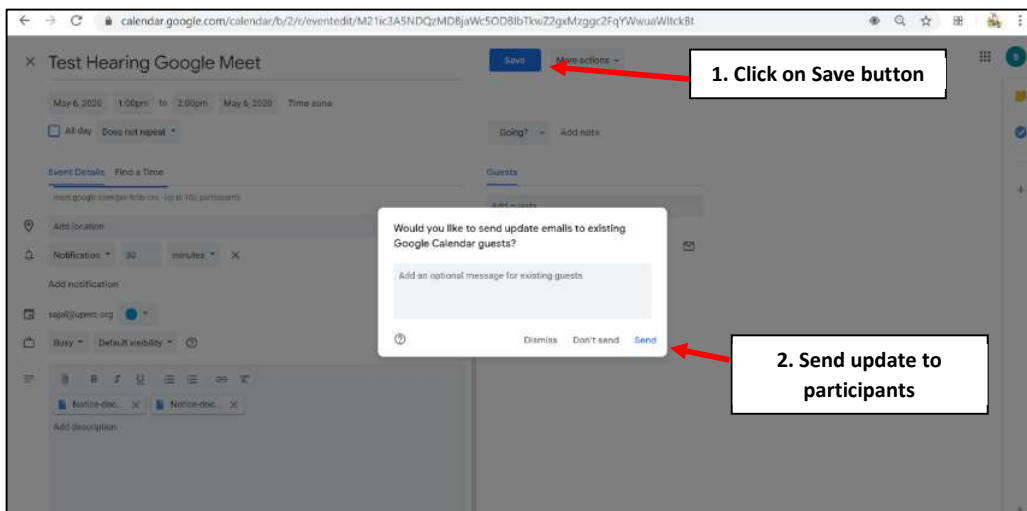
4. Click on 'Upload' to select files from your local computer:



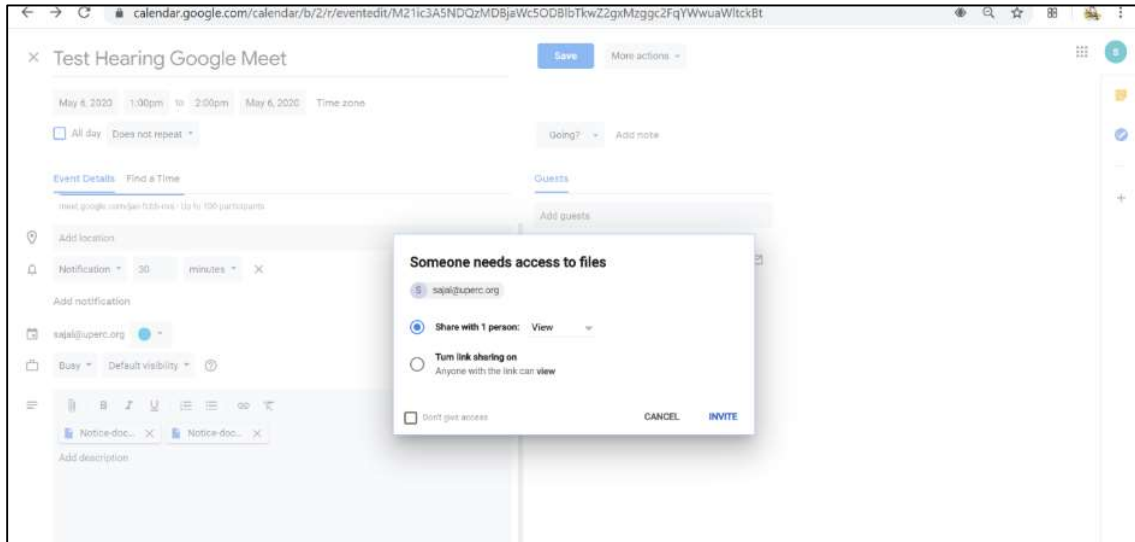
5. After selecting the file, click on 'Upload' button:



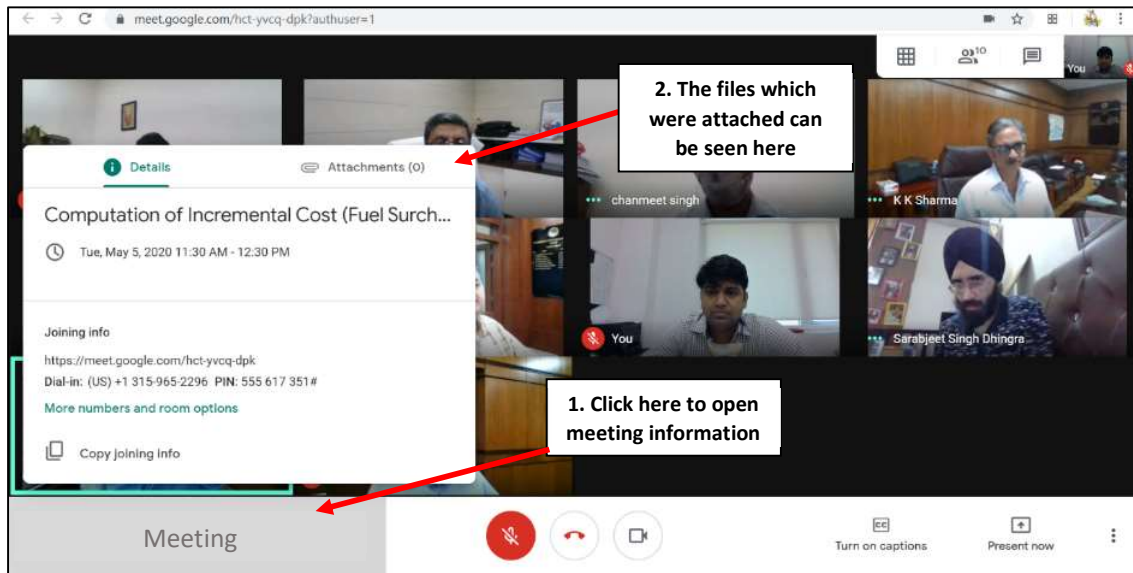
6. Click on 'Save'



7. Click on 'Invite'



8. The shared files can be viewed from the Video Conferencing web page through the options mentioned below:



Hardware/Software required: PC/ Laptop with webcam (external/in-built), and audio microphone capability, speakers, Internet Browser (preferably Google Chrome)