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भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, New Delhi - 110 002

PRESS RELEASE

Date: 13.08.2020

The Bar Council of India vide its Resolution dated 12.08.2020 has decided to make certain urgent and important Demands and requests from the Union and State Governments. The Chairman, Bar Council of India is to write to Hon'ble Prime Minister, Hon'ble Chief Justice of India, All the Hon'ble Chief Ministers, Hon'ble Union Minister for Law and Justice, Electronics and Information Technology and Communications portfolios in the Government of India. Hon'ble Chairperson of e-Committee of Supreme Court and all the Hon'ble Chief Justices of High Courts.

A. To Provide Ipads/Laptops/Free wifi to every Lawyer:

1. The Union Government, in collaboration with the State Governments, is requested and required to provide basic Ipads/laptops to all needy Advocates of the country for the purposes of e-filing and virtual hearings from the confines of their private space, from their homes, offices etc.
2. The Union/State Governments are requested to provide free and effective wifi connections in the premises of all the Bar Associations of the country with advanced scanners and advanced Computer systems of a minimum of at least 2 in all District Courts, 4 in all High Courts and 1 in Taluka Courts Bar Associations'.

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This will facilitate e-filings by those, who don't have proper infrastructure.

B. (i) Urgent Resumption of Physical Hearings:

3. The Bar Council of India in its meeting has also requested to Supreme Court and High Courts to take early steps to resume hearings in open courts depending on the prevailing conditions of the places: The places where the covid-19 cases are lesser and the situation appears to be normal and under control, the physical Hearing may be resumed.

The District Judges should take steps to resume physical Hearings after laying down and making efforts for ensuring the effective norms of Social Distancing. Sanitization of court-rooms and Bar Associations buildings (twice daily) should be ensured to be done. In the meantime virtual Hearings should start and/or continue.

4. The Council has further said that the Physical filings should also be accepted in civil courts and in courts housed in remote areas/places. In most of the High Courts also, e-filings are proving to be very cumbersome and troublesome for majority of Advocates offices due to lack of infrastructure, know-how and technical problems.

C. To Provide Trainers to Bar Associations:

5. The e-Committees at High Court Levels have been requested to ensure to provide two expert trainers for each Bar Association of the country, who could train the members of the Bar and make them adept at e-filing and virtual hearings.

6. The of Supreme Court and High courts have been requested to provide Trainers to train Advocates about e-filings for a period of 4 weeks in every District and Taluka Courts, and for 2 weeks in High Courts.
7. The Bar Council of India has assigned the reasons for such demand by saying "We cannot loose sight of the fact that while collection of data is one aspect, the other very important aspect is utilising such data and putting things into practise which would require a contributory input from the users of such facility of e filing and virtual hearing".

In order to contribute and make use of the facility aimed to be provided, Advocates who are not trained or adept at such new practices, have to be first trained in this regard. The System and schemes need to be more effective and fruitful.

8. In view of the ongoing pandemic situation, the e-Committee of the Hon'ble Supreme Court of India has sought the data of all Advocates in the country for the purposes of facilitating e filings and virtual hearing in the courts.
9. The Bar Council of India, the State Bar Councils and all the Bar Associations of the Country are trying to procure the informations being sought and the BCI has taken all effective steps to collect the data from the Advocates of the country.
10. The data, fibre connectivity, internet connectivity is not uniform throughout the country. There are many areas where internet connectivity in itself is very poor and slow and in many remote places there is no connectivity at all.

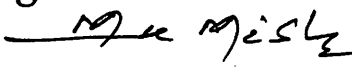
11. We cannot ignore the fact, that India is a vast country and majority of Advocates live in rural and semi rural and semi urban areas, and leaving aside metro cities and A category urban cities, rest of the cities, and areas have internet connectivity issues, Moreover, the cost of usage is one extremely pertinent factor which can in no way be overlooked.

D. Requests/demands of Bar Council of India:

12. Therefore, the humble request and demand of Bar Council of India, is that while every Advocate and their Associations, the State Bar Councils & Bar Council of India are all making efforts to rise to the situation and deal with the situation (which has arisen due to present ongoing pandemic,) the Legal fraternity and the poor litigants need the vital support and impetus from our Governments to achieve the goal/s, because without such support scheme, the data would remain a scheme/data in documents only.

Bar Council of India therefore, requests that every needy Advocate of the country should be provided the aforesaid relief(s) by providing such facilities, (which are in today's age and times, when the entire country is surviving through a virtual mode, mere basic necessities and not privileges).

Regards


Manan Kumar Mishra 12/0/2020.

Chairman

Bar Council of India