

INSTRUCTIONS FOR HEARINGS IN HERC DURING COVID-19 PANDEMIC

1. In view of the Covid-19 pandemic warranting social distancing, and lockdown situation across the Country resulting in restricted movement, HERC has decided to conduct its hearings through method as provided below:

Through Video Conferencing from their own place of office/residence through designated video conferencing software namely "VIDYO" or any other app as considered by the Commission.

Overall hearing may be conducted through method provided above depending upon the undertaking given by the respective advocates of the parties.

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 lo2.herc@hry.gov.in in pdf and word format:

- i) Scanned copy of Power of Attorney (Vakalatnama).
- ii) Petition fee to be electronically deposited and its receipt/UTR should be shared.

Bank details are as follows:

Haryana Electricity Regulatory Commission

State Bank of India

SBI, Sector 10, Panchkula.

A/c: 34903130534

RTGS/NEFT IFS Code: SBIN0001509

Beneficiary Name: Secretary, HERC, Panchkula

- iii) The soft copies of the Petition/Affidavit(s)/Annexures/court rulings etc.
- iv) An undertaking shall be given by the counsel that duly signed petitions or annexures etc in original will also be filed within 3 working days.
- v) The request letter regarding taken up his case through Video Conferencing from their own place of office/residence through designated video

conferencing software namely "VIDYO" or any other app as considered by the Commission

- 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:

- i) The Advocates should submit request letter that matter may be taken up through Video Conference to 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.
- ii) Once hearing date is decided by the Commission, all submissions should be shared through email on lo2.herc@hry.gov.in. 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.
- iii) An undertaking shall be given by the counsel to file duly signed submissions in original within 3 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.herc@nic.in and also on lo2.herc@hry.gov.in) 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 HERC.

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 link 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 name 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 Vidyo app or any other app as considered by Commission for 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 and pdf format) to the designed email address of the Secretary of the Commission (secretary.herc@nic.in and lo2.herc@hry.gov.in). The final written submissions must comprehensively deal with the: gist of 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 submission.
5. This order is being issued in pursuance of Section 65, 66, 67, 69 & 70 of Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 and must be followed scrupulously till further orders.

This has been issued with the approval of Hon'ble Chairman.

22.05.2020

Sd/-
Anil K Doon, HCS
Secretary
HERC, Panchkula