



पेट्रोलियम एवं प्राकृतिक गैस विनियामक बोर्ड
Petroleum and Natural Gas Regulatory Board

प्रथम-तल, वर्ल्ड ट्रेड सेंटर, बाबर रोड, नई दिल्ली - 110001
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13th May, 2020

**GUIDELINES AND OPERATING PROCEDURE FOR HEARING THROUGH VIDEO
CONFERENCEING**

In view of the current COVID-19 pandemic situation, the Apex Court, *and APTEL* have adopted SOP/ Protocol for the functioning of the Courts through video-conferencing.

Keeping into consideration the current prevailing situation and to secure the functioning of the Board in consonance with social distancing, Petroleum and Natural Gas Regulatory Board (“the Board”) is adopting measures so as to ensure the robust functioning of the Board by hearing cases, including part heard cases using video-conferencing technologies and other digital means, in order to have limited physical interaction with the parties and lawyers and also to reduce congestion.

The Hearings/Proceedings through video-conferencing shall be dealt with, in the following manner:

FILING PROCEDURE

1. Every Complaint, Petition or Application etc. (for brevity “the Application”), filed for adjudication before the Board, must be in conformity with the Petroleum and Natural Gas Regulatory Board Act, 2006 and Regulations framed thereunder.
2. The parties and/or Advocate(s), for adjudication of pending and/or fresh matter(s), shall send a request letter that their matter may be taken up through the Video-Conferencing mode, through e-mail at e-legalhearing@pngrb.gov.in and a copy to secretary@pngrb.gov.in, only during the office working hours [9:00 a.m. to 5:30 p.m.]. The e-mail inter-alia must contain contact details of parties and/or Advocate(s), which includes contact number, email address and address of communication. The Board may take up cases through the Video-Conferencing mode suo-moto as well, after prior intimation to the parties.

3. In case of fresh filing matters, the parties and/or Advocate(s), along with request letter, shall submit the soft copies of requisite documents, in the manner enumerated below, through e-mail at e-legalhearing@pngrb.gov.in and copy to secretary@pngrb.gov.in, only during the office working hours;
 - a) The soft copies of the complete paper book i.e. Petition/ Affidavit(s)/Annexures etc. (pdf format), which must be duly signed by the Applicant or its Authorized representative.
 - b) Scanned copy of Vakalatnama (if represented through Advocate);
 - c) Proof of depositing requisite fee;
 - d) Scanned copy of the proof of service on the other party(ies).
 - e) An Affidavit/Self-declaration stating that all the information sought is true and correct and no part of the documents attached are false and nothing material has been concealed therefrom.
 - f) An undertaking by the parties/advocate(s) to submit the original paper book complete in all respects, including the requisite documents, affidavit(s) and duly signed Vakalatnama/ power of Attorney etc. in original, within a week after the resumption of normal working of the Board.

Mode of payment of filing fee: The parties and/or Advocate shall submit the requisite filing fee as per PNGRB (Levy of Fee and Other Charges) Regulations, 2007 and amendment made thereafter, through RTGS or NEFT to the bank details mentioned below:

Petroleum and Natural Gas Regulatory Board

A/c No: 37701381383

State Bank of India, Gole Market, New Delhi

IFS Code: SBIN017313

4. In case of pending/part-heard matters, the parties and/or Advocate(s), along with the request letter, shall submit the soft copies of the complete paper book i.e. Petition/ Affidavit(s)/Annexures etc. (pdf format) as well as an Affidavit/Self-declaration stating that all the information sought is true and correct and no part of the documents attached are false and nothing material has been concealed there from, through e-mail at e-legalhearing@pngrb.gov.in and a copy to secretary@pngrb.gov.in.
5. In the cases where the Board suo-moto decides to hear the pending/part heard matters, the Board will send an intimation letter to the party(ies)/ advocate(s) for conducting a hearing through Video Conferencing mode and for the said purpose, the Board will seek necessary details and documents like contact details, e-mail address of party(ies)/advocate(s) from the concerned parties. Further, if the Board deems necessary, the Board may itself scan and

upload all the necessary documents, as submitted by the party(ies)/advocate(s), and proceed to hold a hearing.

6. For Case laws to be referred during the hearing, the parties and/or Advocates may send soft copies of such case laws, with proper indexing and pagination, at least two days prior to the date of hearing, on the email address mentioned above.
7. In case there is more than one party to the proceeding, all the parties may ensure that the copy of all filed documents must be served to each other. Further, it must also be ensured that the filed document must have same pagination as in the Board's file.
8. **Final Written Submissions:** On the conclusion of the hearing, or in accordance with the directions of the Board, the party(ies)/advocate(s) shall file their respective final written submissions in pdf format (not exceeding 20 pages), unless some other limit has been ordered by the Board during the hearing, to the designated email address e-legalhearing@pngrb.gov.in and copy to secretary@pngrb.gov.in. 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.

BOARD'S APPROVAL

9. Upon approval of the Board, the cases(s) would be listed in due-course and the parties and/or Advocate would be intimated the date and time of hearing, via e-mail provided by the party(ies)/ advocate(s).

PROCEEDINGS BEFORE THE BOARD

10. Adjournments will not be permitted in respect of the matters listed for hearing through Video Conferencing on the day of the hearing. Any request for adjournment of the matters shall be made at least three days prior to the date of hearing through e-mail e-legalhearing@pngrb.gov.in and copy to secretary@pngrb.gov.in.
11. The Parties shall not be permitted to rely upon any document other than the documents duly filed along with the application.

Provided that if the Board thinks fit that it is essential, in interest of justice, to submit such document, the Board may allow the party to do so. However, the Party shall

submit the referred document at the email address provided with a copy marked to the other parties with proper paginations.

12. In case where the Arguing Counsel is different from the Counsel who had filed the Application or if Senior Advocate is appearing, the party(ies) shall intimate about the same to the Board two days prior to date of hearing and shall also submit their e-mail address and contact details.
13. The matters shall be heard by the Board through web-based video-conferencing system. In this regard, parties/advocate(s) may kindly note that smooth functioning of the video-conference is squarely dependent upon and subject to the availability of the device and connectivity at the parties/advocate's end. Therefore, the parties/advocate(s) must also ensure that they must have the following equipments:
 - a) Desktop/Laptop/Tablet/Mobile Phones;
 - b) Microphone/MIC/Headphone;
 - c) Stable Broadband Connection;
 - d) Adequate lightning and power backup;
 - e) Place of sitting shall be noise-free
14. Upon intimation of date of hearing, the Board may call any party/advocate and require testing of device or its connectivity, and every such party is required to cooperate with such staff/official and abide by the instructions given, so that the hearing by video-conference may be smoothly conducted.
15. The invitation link(s)/ Meeting ID would be mailed to the Party/ Advocate around two hours before the scheduled hearing, which would facilitate their participation in the hearing. The party(ies)/ advocate(s) may kindly note that sharing or forwarding of such link(s) / Meeting ID to any other device is strictly prohibited nor shall they enable others to join the hearing through video-conference.
16. In a matter where the party(ies) seeks to view/participate during the proceedings, the Advocate may additionally indicate the contact details of the party in the email/application. However, it should be noted that a maximum of two appearance-links will be provided per party, together with one viewing-link that may be provided for the party separately; hence, it is expected that request(s) of such links, if any, should be clearly made in the application/email to enable the Board to provide the links on time.

17. Upon being joined to the virtual Board's Room, party(ies)/ advocate(s) shall wait for the instructions from Board and on being asked, Party may make submissions and on completion of the submissions, shall at once 'mute' the MIC of the respective device. If the Board requires the party to make further submission(s), the party may then '**unmute**' the MIC of the device and again, on completion of the submission, put the MIC on '**mute**' mode.

REQUIRED PROTOCOL FOR HEARING

18. It is important for parties/advocate(s) to remember to keep their MIC on '**mute**' at all times, except when the Board requires them to make submission(s); thus, when one party is making submissions, it is imperative that all other participants shall keep their respective MIC **muted** as it may disturb the hearing proceedings.

19. It is only the party(ies)/advocate(s)/duly authorized person(s) who will be permitted to address the Board. The hearings conducted via Video Conferencing mode would proceed as if the party(ies)/advocate(s)/duly authorized person(s) is appearing before the Board in person. Therefore, party(ies)/advocate(s)/duly authorized person(s) are reminded **to comply with all rules and etiquette etc.**

20. Further, party(ies)/advocate(s)/duly authorized person(s) are required to ensure that the proceedings by video-conference are neither recorded/stored nor broadcasted, in any manner whatsoever, as recording of the proceedings before the Board is strictly prohibited.

21. When questions/issues are being raised by the Board, the party(ies)/advocate(s)/duly authorized person(s)/counsel concerned shall remain patient and respond only upon the Board completing its questions/issues. It is advisable that the party(ies)/advocate(s)/duly authorized person(s)/counsel concerned waits for a few seconds after the Board has completed stating the question before proceeding to respond.

22. No person who is linked with Video Conferencing will disconnect the same on his own. Once the Video conferencing is over, the Board will do the needful to end the session.

23. If due to any reason, the Video Conferencing gets disconnected, the same link may be clicked again or the Video Conferencing link may be retyped to resume the video conferencing. One link is applicable for entire Video Conferencing session, even if the session gets disconnected.

24. Any complaint in regard to the quality or audibility of feed will be communicated on the helpline no. **011-23457756** during the proceeding, failing which no grievance in regard to the same shall be entertained thereafter.
25. The information with regard to case proceedings and order(s) passed may be obtained from the official website, in the manner the information is obtained in normal course.

It is further reiterated that the directions mentioned herein above have been issued to face the unique challenge that has been brought about by the outbreak of COVID-19 pandemic and to enable the Board to hear matters and that these guidelines of the Board shall remain in place until further orders.

Secretary
Petroleum and Natural Gas Regulatory Board