

e-SEWAKENDRA

Standard Operating Procedure (Service for Litigants/ Advocates)
2023

Debts Recovery Tribunals and Appellate Tribunals



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List of Abbreviations Used:

ARC Asset Reconstruction Company
CPIO Central Public Information Officer
DDO Drawing and Disbursing Officer
DRAT Debt Recovery Appellate Tribunal

DRT Debt Recovery Tribunal e-DRT e-Debt Recovery Tribunal

eSK e-Sewa Kendra

IA Interlocutory ApplicationMA Miscellaneous ApplicationNIC National Informatics Centre

NISCI National Informatics Centre Services Inc.

OA Original Application
OS Operating System
OTS One-time Settlement

PMU -NIC Project Monitoring Unit- National Informatics Centre

PO Presiding Officer
RC Recovery Certificate

RDB Act 1993 Recovery of Debt and Bankruptcy Act, 1993

RO Recovery Officer

SA Securitization Application

SARFAESI Act Securitisation and Reconstruction of Financial Assets and

2002 Enforcement of Security Interest Act, 2002

UPI Unified Payment Interface

1. INTRODUCTION

e-Sewa Kendra (eSK) is conceived and conceptualized on the principle of "Access to Justice" for all in the emerging digital legal system. The e-Sewa Kendras are set up at all the Debt Recovery Tribunals (DRTs)/Debt Recovery Appellate Tribunals (DRATs) complexes with the intention of facilitating the lawyers and litigants who need any kind of assistance ranging from information relating to the case status, assistance in e-filing process, assistance in obtaining copies of judgements and orders, resolution of grievances and suggestions received etc. These centres also extend assistance in e-filing of cases. eSKs have been set up for the convenience of litigants. eSK bridges the gap between the DRATs/DRTs and other stakeholders. eSK serves as a one stop Digital centre for e-filing related needs for the common litigants. It functions as the first line of contact between the litigants, lawyers and the DRTs/DRATs. eSK provides various e-services to the lawyers and common litigants who do not have access to Internet or require assistance at the time of e-filing. eSKs are fully equipped requisite computer systems, internet connectivity, infrastructure. Grievances/suggestions registration and its resolution are also provided by eSKs.

2. FACILITIES PROVIDED IN e-SEWA KENDRA:

2.1 Access to DRT web site: (https://drt.gov.in.):

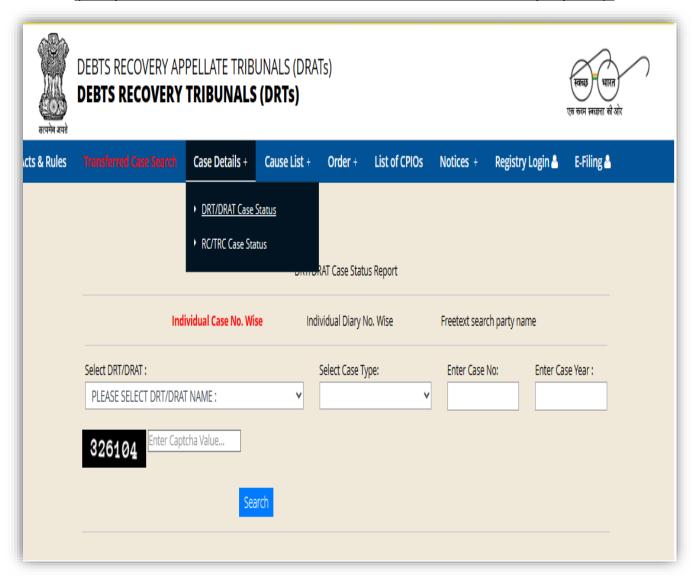
e-DRT is the web based application used by DRTs/ DRATs. This web-based application enables the user for real time data posting round the clock. Access to this system is in two modes access with username and password and access without username password. Access with username is a restricted access where a user is required to get registered with system while the other type of access is open to general public to view information available on the web portal. The e-DRT system is a work-flow based software application in which application entry point is filing of application online and terminates with closure of Recovery Certificate.Recognizing the importance of e-Governance as a strategic tool, DFS initiated its e-Governance plan with the view to provide more efficient and effective system, ensure transparency and quality in services of Debts Recovery

Tribunals and Appellate Tribunals. As a result, to automate core processes of DRT and DRAT, e-DRT project was started in 2018 through NIC/NICSI. Some of these core processes are case application filing, scrutiny of cases, case registration, listing of cases for hearing, generation of cause list, notices and summons, order upload, daily hearing update, uploading of daily orders, disposal of cases, uploading of judgments, generation of recovery certificate, generation of warrants/show cause notices for recovery of debts due to Banks/FIs/ARCs through OTS, sale of property, settlements by the Certificate Holder Banks, auction detail update, upload of notices, circulars and auction notices, public view of cause list, order sheet download, case search etc.

2.2 Case Status:

The facility of handling inquiries about case status, next date of hearing and other details has been provided on the e-DRT portal to review the case status. The case status can be viewed by entering individual case no./ diary no. and also, by free text search by party name. The user needs to visit the e-DRT portal (Home | DRT) and click on the case detail tab available on the Home Page of the website. After that user needs to select the radio button: individual diary no. wise/ case no. wise for instance if the user selects the option case number wise, then selects DRT Name-→ case type-→ and enters the case number and case year, the case status can be viewed.

(Snapshot no. I has been attached below for reference purpose):



Snapshot no. I

<u>Free text Search RC search party name</u> option is also available under the Case Details search tab .The user can select among the three options which are available in the case details tab and thus find the details of RC/TRC case status report.(Snapshot II has been Attached).



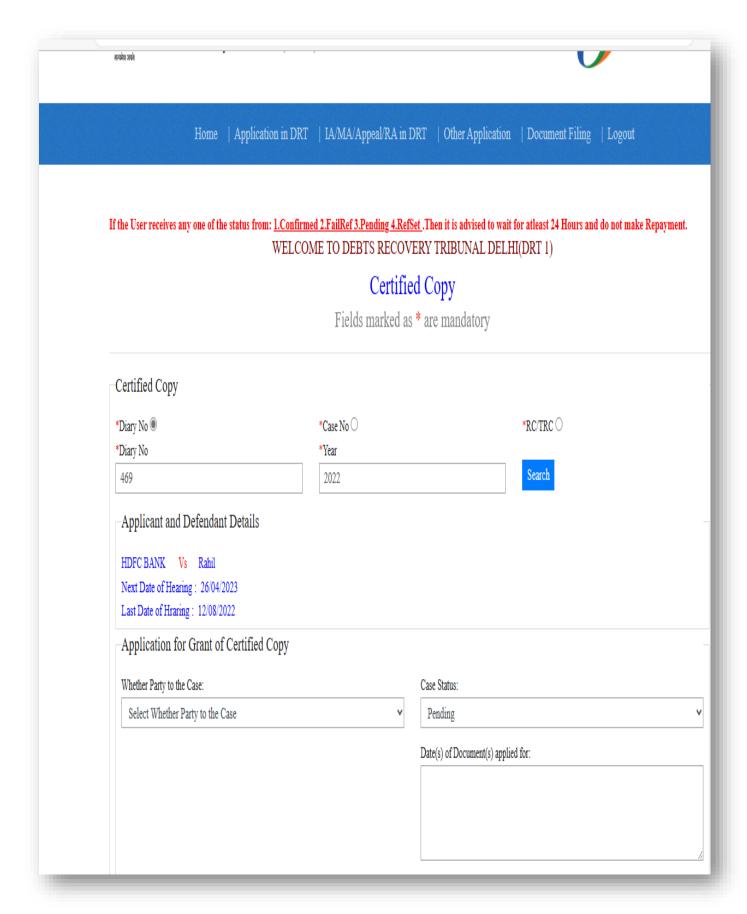


Acts & Rules		Case Details +	Cause List +	Order +	List of CPIOs	Notices +	Registry Login 🌡	E-Filing &
							1	
			RC/TRC	Case Statu	is Report			
						Freete	xt search RC part	y name
	Select DRT :	Select Ty	pe:	*\	lo:	,	Year:	
	SELECT DRT NAME:	▼ RC		v				
	092178 Enter	Above Value				RC/TRC SEA	RCH	

Snap Shot II

2.3 Certified copies:

The system enables online applications for certified copies. Certified copies tab is available in the e-filing module (Registry/ External Login). User can apply for certified copy after applying for it through certified form option (snapshot III has been attached for reference).



Snapshot III

2.4 e-filing:

The system enables e-filing of petitions right from upload of the scanned copy petitions onto Case Information System and generation of filing number. Solution is also provided for the issues faced during e-filing to litigants and lawyers through the Help Desks on the e-DRT portal and through the e-SKs. The facility of e-SKs will be highly beneficial to those individuals who do not have access to the internet facility and require assistance with accessing the e-DRT portal for e-filing. A user manual for e-filing is also available on e-DRT portal at https://drt.etribunals.gov.in/edrt/user_manual.pdf_ The user is requested to refer to this manual and follow the steps provided to proceed for e-filing. The user is requested to approach eSK in case of any difficulties in e-filing in order to get real time-based solution. The eSK will facilitate in e-filing and generating the diary number for the user.

e-filing in the DRTs/DRATs can be done by the individuals themselves or by the legal counsel of the party. Legal counsels/individuals need to register with the e-DRT portal with the demographic details, mobile number and valid email ID.

2.4.1 Types of Applications filed in DRTs and DRATs:

a) Original Application (OA): OA is filed by the Bank/FI or agent (duly authorised legal practitioner - Advocate) against the borrower under Section 19(2) of the RDB Act, 1993 for recovery of dues to the Bank/ Financial Institution/ ARC.

Securitization Application (SA): Any aggrieved person (borrower/bank/third party) can file SA under SARFAESI Act, 2002 for claiming relief against SARFAESI action by Secured Creditor.

b) Other Applications

- Interlocutory Application (IA): Any applicant can file IA for interim relief. IA can be filed only for the pending cases.
- Review Application: Review Application is filed by aggrieved party for relief.
- Caveat Filing: Caveat can be filed by the applicant/borrower praying for notice before hearing a case against the caveator.
- Miscellaneous Application (MA):MA is filed by applicant for claiming various relief by the aggrieved party.

c) Appeals

- Appeal against RO Orders: Any aggrieved party can file appeal before Presiding Officer against the Recovery Officers' Orders.
- Appeals against DRT Orders: Any aggrieved party can file Appeal in DRAT against the Presiding Officers' Orders.

2.4.2 Instructions to be followed:

Pre-requisites for efiling of an application/appeal in DRT/DRAT through e-filing:

- 1. Duly completed physical copy of OA (Part-I, Part-II and Part -III) or SA, IA. MA
- a) Application shall be typed or printed in English in Times New Roman Font, size 13, or in Hindi with double space between the lines on the paper size (A4), left margin 5 cm and right margin 2.5 cm duly paginated, indexed and stitched together in form of a paper book.
- b) OA Part -I contains Memo of Parties, List of dates and events, application with all supporting affidavits, Fact Sheet etc.
- c) OA Part-II contains Vakalatnama.
- d) OA Part-III contains List of Documents and Reliance with Documents.
- e) Ensure correct DRT/DRAT and Court Fee before starting e- filing.
- Scanned copy of documents in PDF size not exceeding 25 Mb for each type of document (optional). Documents should be uploaded with proper Indexing i.e., it should contain Bookmarks in it and documents in bigger volumes should be split into small documents like annexure A1, A2, A3 etc.
- 3. System should be with any OS i.e., Windows, Linux capable of running leading browser.
- 4. Web Browsers- Latest version of leading browser Mozilla Firefox, Chrome, Edge, Safari etc.

Note: At the end of filing, user will get Diary No. for future reference. In case while filing, payment is deducted and diary no. is not generated due to payment transfer error, please connect with DRT/DRAT DDO for Diary No. Contact Details of DRTs/DRATs are provided on https://drt.gov.in/front/rti.php (List of CPIOs). Please read BharatKoshdisclaimer carefully before making payment. A user manual for e-filing is already available on e-DRT portal https://drt.etribunals.gov.in/edrt/user_manual.pdf. Please refer to this manual and follow the Steps to proceed for e-filing.

Snapshot for e-filing:

STEP 1:

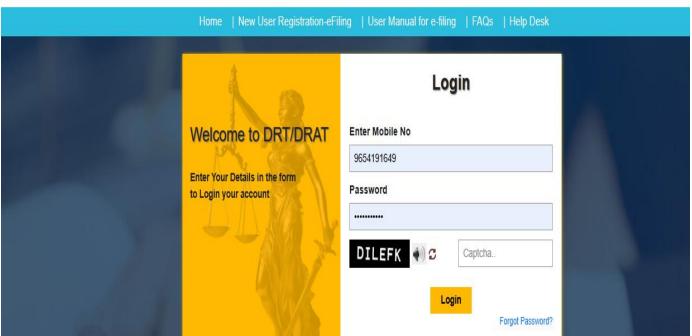


STEP 2:



DEBTS RECOVERY APPELLATE TRIBUNALS (DRATs)
DEBTS RECOVERY TRIBUNALS (DRTs)





STEP 3:





Home | Application in DRT | IA/MA/Appeal/RA in DRT | Other Application | Document Filing | Logout

If the User receives any one of the status from: 1.Confirmed 2.FailRef 3.Pending 4.RefSet .Then it is advised to wait for atleast 24 Hours and do not make Repayment.

WELCOME TO DEBTS RECOVERY TRIBUNAL CHENNAI (DRT 2)

Original Application Filing

Fields marked as * are mandatory



STEP 4:

ng of Original Application under Section 19 of the Rec Please Note Ref. No 8773065585						
Particulars of Applicant		Туре	State	District	Police Station	Suit Amount Involved In Rs.
Bank ARC Institution(Other)	I	Poilce Station	CHANDIGARH	CHANDIGARH	SECTOR- 39	INR 20000000
Particulars of ARC						
*Name of ARC Reliance Asset Reconstruction Company Limite Address of Registered Office: Reliance Centre, North Wing, 6th Floor, Off We (East) Mumbai 400055			Address for serving all t	notices:		
Reliance Asset Reconstruction Company Limite Address of Registered Office:		tacruz	Address for serving all servin	notices:	Phone Number:	
Reliance Asset Reconstruction Company Limite Address of Registered Office: Reliance Centre, North Wing, 6th Floor, Off We (East), Mumbai 400055		tacruz	Mobile Number:	notices:	Phone Number: Select Counsel:	
Reliance Asset Reconstruction Company Limite Address of Registered Office: Reliance Centre, North Wing, 6th Floor, Off We (East), Mumbai 400055	stern Express Highway, Sant	tacruz	Mobile Number: 9654191649	notices:		el Name

2.4.3 e-Payments:

Assistance in online Payments or e- payments. eSK will also assist in generating the receipts through online payment mode. On e-DRT portal as of now there are four payment options for online payment: Net Banking, Debit Card, Credit Card and UPI. The user should possess any of these online payment facilities for making e-payment. Please note that there is no provision for making e-payment through cash or other methods such as cheque/DD/Pay order etc. at the eSK.

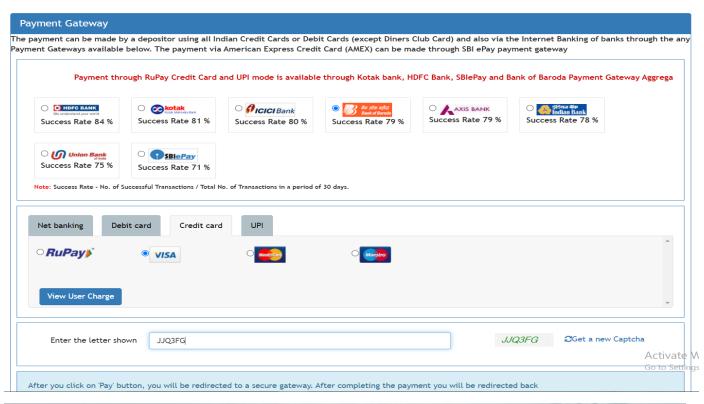
After completing the Application form online and after confirmation by the user that the information provided is correct, the user is navigated to Confirm and Payment online. On Clicking pay online user is navigated to Bharat Kosh Payment Gate way. (snapshot IV has been attached below).



Snapshot IV

User shall select Payment Gateway of their choice, select modality i.e., Net banking, Debit Card or Credit Card. User shall Click "I acknowledge and confirm that I have read and agree to the Terms and Conditions" and

click button "Pay". As soon as button is clicked, payment transfer process will start. User should not refresh screen or press any key/click mouse until payment process is complete". (Snapshot V attached) For complete procedure please refer User Manual of e-filing.



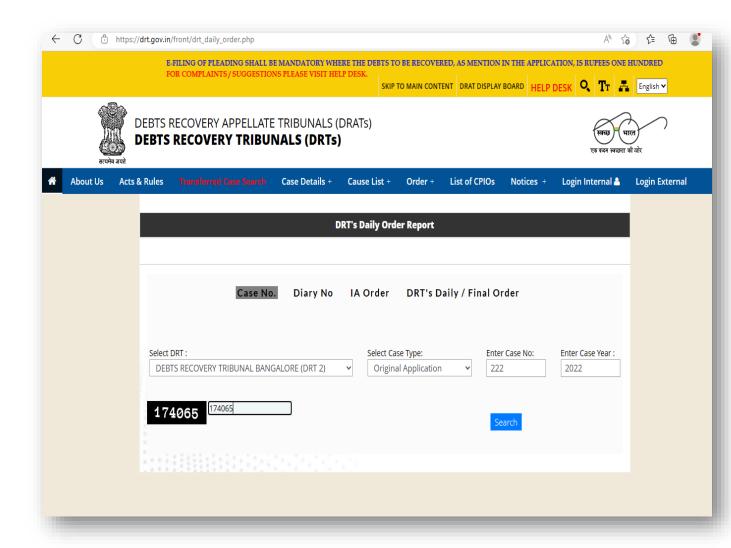


Snapshot V

3.1 Orders/Judgements:

The eSK will provide soft copies of orders/judgments via email, WhatsApp, or any other prescribed mode. The DRTs/ DRATs Daily Order/ Final Order, DRTs Recovery Certificate Order / Final Order can be viewed from the Order tab available on e-DRT portal. The user needs to visit the e-DRT portal and in the order tab, the following four options are available:

- DRTs Daily Order
- DRTs Final Order
- DRTs Recovery Certificate order/ Final Order
- DRATs Order/ Final Order



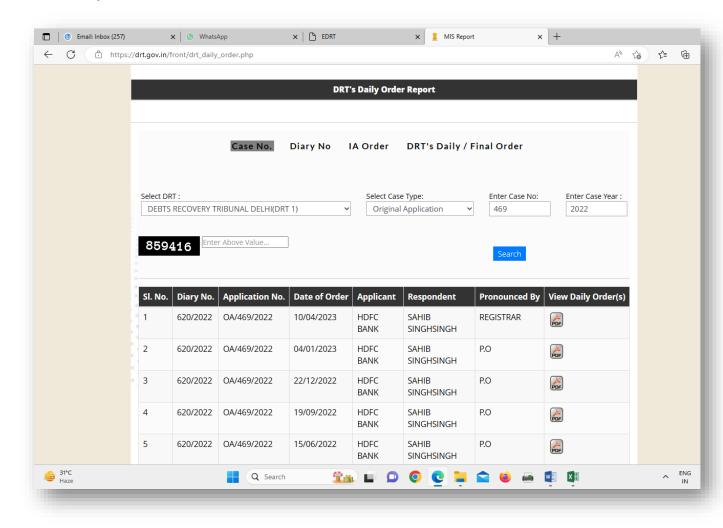
Snap shot VI

The user needs to enter the details as per snap shot VI attached above. For instance, if DRT's Daily Order Report is selected, then order can be searched by: Case No./Diary No./IA Order.

Please Select the details such as:

- Select DRT
- Select Case Type
- Enter Case no.
- Enter Case Year
- Enter Captcha code
- Search.

After entering all the details, the user can view the order as per snapshot VII attached.

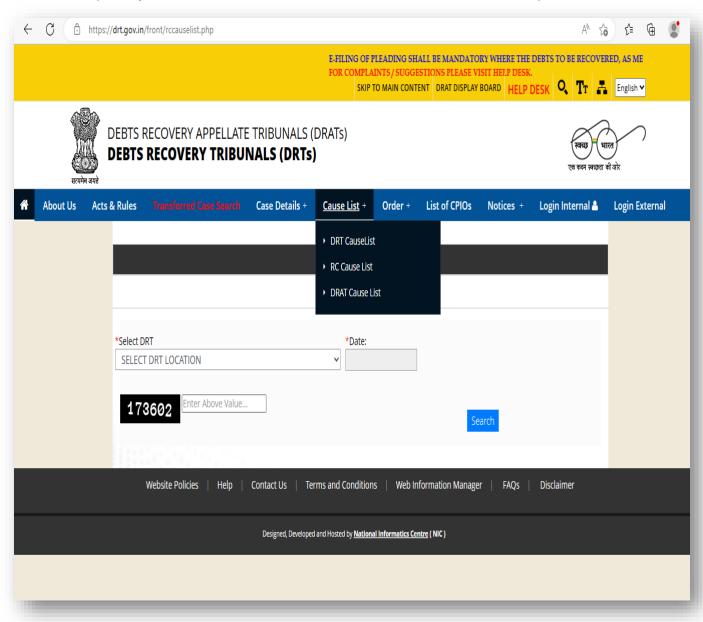


Snapshot VII

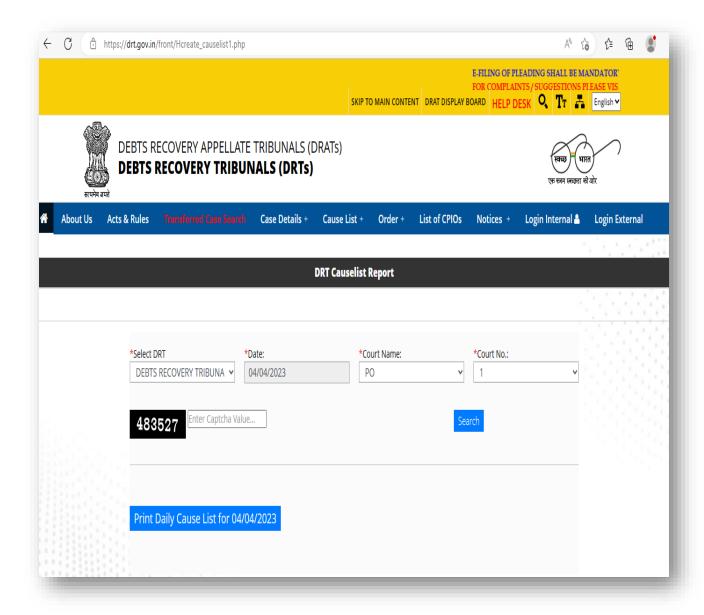
3.2 Cause list:

Queries about cause list and whether the case is taken up for hearing or not will be answered at the eSK The Cause List tab is available on e-DRT portal it generates the DRTs/ DRATs Cause list and RC Cause List. The user needs to Select the DRT, enter the date, Court name and Court number there after the Print Cause List tab gets generated.

(Snapshot VIII & IX have been attached for reference)



Snapshot VIII



Snapshot IX

3.3 Other queries:

All other queries regarding e-filing will be addressable at eSK.

4. e-sewakendra Working Hours:

The normal working hours of the eSK will be from 10:00 hrs to 17:00 hrs all working days of concerned DRT/DRAT.

5. Monitoring of Complaints/Suggestions:

To monitor the complaints/suggestions received at the eSK, the DRTs/DRATs maintain a register which is monitored by DRTs/ DRATs. It helps in obtaining feedback regarding the services and ensures smooth operation of the eSK. To deal with suggestions/problems reported to e-Sewa Kendra, following escalation matrix is provided:

In DRTs:

- **L1 Support Executive**: Manpower responsible for working of eSK will be registering Complaints which will be monitored by Technical Associate of the DRTs.
- **L2: Assistant Registrar** of concerned DRT for resolving the issue if issue is not resolved at Level 1.
- L3: Registrar of concerned DRT for resolving the issue if issue is not resolved at Level 2.
- **L4: Presiding Officer** of concerned DRT for resolving the issue if issue is not resolved at Level 3.

In DRATs:

- L1: Support Executive: Manpower responsible for working of eSK will be registering Complaints which will be monitored by Technical Associate of the DRATs.
- **L2: Section Officer** of concerned DRAT for resolving the issue if issue is not resolved at Level 1.
- **L3: Registrar** of concerned DRAT for resolving the issue if issue is not resolved at Level 2.
- **L4: Chairperson** of concerned DRAT for resolving the issue if issue is not resolved at Level 3.

Note: Further, if the issue has not been resolved at DRTs/ DRATs in the duration of 7 working days then it will be escalated to:

The Help Deskhttps://drt.gov.in/edrt/help_center.php:

This Facility has been already provided on e-DRT portal which is regularly monitored by NIC Team and Officers of Department of Financial Services, Ministry of Finance, New Delhi.

- 5.1 The mechanism followed for Help Desk is explained as below:
- **L1 Support Executive**: NIC Officer registering all the customer complaints in online mode at the helpdesk
- L 2 Support Executive: PMU, NIC for resolving the case if issue is not resolved at Level 1
- **L 3 Support Executive**: Technical Director, NIC in charge of e-DRT system if the issue is not resolved at Level 2

• Incident Category

S.No.	Incident category	Description
1	Technical	Problems of technical nature pertaining
		to the web portal.
2	Process related	Queries related to department specific processes regarding application for
		services, documents required.
3	Grievances	Call pertaining to grievances/ complaints/ governance and others matters.
4	Suggestions/feedback	Any suggestions or feedback received regarding the services provided.
5	General Inquiry	An enquiry pertaining to the services offered.

• Incident Priority

S.No.	Incident category	Description
1	Urgent (Critical Impact)	 Any issue impacting significant group of users. Any showstopper issue impacting a single user.
2	High (Significant Impact)	 Non-critical but significant issue impacting a single user Issue degrading the performance or reliability of the system.

3	Normal (Minor Impact)	 Any issue which is important but does not require immediate action Issue does not prevent the normal operation of the system.
4	Low (Information)	 Issues consisting of any general enquiry.

Resolution Time

S.No.	Priority level	L 1 Timeline	L2 Timeline
1	Urgent	One day	2 days
2	High	3 days	4 days
3	Complex	7 days	15 days
4	More Complex	10 days	15 days

Note: To address the grievances of female Litigants/ Advocates the Resolution time has been reduced as follows:

Resolution Time for Female Litigants/ Advocates

S.No.	Priority level	L 1 Timeline	L2 Timeline
1	Urgent	Same Day	1 day
2	High	2 days	3 days
3	Complex	4 days	12 days
4	More Complex	7 days	12 days

6. Frequently Asked Questions (FAQs):

A preliminary set of FAQs along with the corresponding responses have been published at https://drt.gov.in/ for the assistance of users. This database of questions and answers are maintained and updated regularly by the helpdesk operations manager (NIC, Project Manager) based on the queries received at the helpdesk. Microsoft Word - FAQs (drt.gov.in) (Refer to Annexure A).

Annexure A

FREQUENTLY ASKED QUESTIONS (FAQs)

Question 1: How will I file cases online in DRT?

Ans. Cases can be filed after visiting e-Drt Portal https://drt.gov.in. Go into External user and first register yourself. Then the system will allow you to file cases.

Question 2: What are the types of applications that can be filed through e-filing in DRT?

Ans. Presently four types of applications i.e., OA, SA, MA, and IA can be filed through e-filing window.

Question 3: What are options of online payments in E-filing?

Ans. There are four payment options for online payment: Net Banking, Debit Card, Credit Card and UPI.

Question 4: What should applicant do if he/she does not get dairy no. after making payment?

Ans. Applicant should contact the concerned DRT/ DRAT through the Contact Persons details provided on DRT Poral https://drt.gov.in/. Applicant can also send a mail to nicpmu-drt@nic.in . Please share details like name of applicant, name of defendant, date of filing, payment date, name & contact no of the person by whom payment made and application reference/Payment reference no.

Question 5: What are the documents which are needed to be uploaded at the time of e-filing?

Ans: Space of uploading 100 MB data in PDF form is provided in 04 blocks of 25 MB each. You should upload the copy of application, List of Diary and events and list of Documents, Affidavits and important loan Documents like Agreements/Guarantees. It is not a mandatory field and even if you are not able to upload all the documents you can very well file the case.

Question 6: What if fee is not paid or there is short fee payment, Will the case be registered?

Ans: The system will calculate the fee amount automatically and which is to be paid in full, then only system will generate diary no. Short fee payment is also not accepted. Question 7: If while making payment account is debited and message is showing unsuccessful then how will I get the refund?

Ans: In case the amount is debited from your account for the failure reference case, then you can expect the refund to be credited to your account in 3-5 working days.

Question 8: If the payment is not done then will the data be erased from the system?

Ans: The data filled in e- DRT portal is in Draft Save mode for 15 days.

Question 9: Will I be able to do modification in draft save data?

Ans: The system permits you to do modification in the draft save data.

Question 10: Do we have to deposit the hard copy of file in the concerned DRT?

Ans: No. The hard copy of file is not required to be deposited in the concerned DRT.

Question 11: Is it mandatory to file cases in DRT online?

Ans: Yes, it is mandatory to file cases in DRT Online, as per Gazette notification dated 31.01.2023.

Question 12: If a case is wrongly filed then how we get the refund of fee paid?

Ans: In such a situation you will have to contact the Section Officer/DDO of the concerned DRT/DRAT and apprise him about the facts and seek your refund.

Question 13: Is there any User Manual for e-filing in DRT?

Ans. Yes. Snapshots of e-filing process are available in user manual for e-filing in DRT. User can download user manual from DRT Portal https://drt.gov.in/ ->User Manual for e-filing in DRT. Users are advised to read the user manual carefully and keep the required things handy before doing e-filing.

Question 14: In case I feel any difficulty in filing of case on e-DRT portal then whom should I contact?

Ans: In case you feel any difficulty in filing of case on e-DRT portal feel free to contact us on nicpmu-drt@nic.in.

