

RECORD MANAGEMENT

It is said:

Law is like a hindu wife, who walks 10 steps behind the preperator of crime.

We have to change this notion and prepare ourselves to face the technological challenges.

M. Kalaivani Vs. N. Balakrishnan, (2014)7MLJ747

- Appeal filed for challenging order by which, appeal for relief of partition was adjourned on the ground of await records - Whether judicial accountability would include creation of paperless Court or less paper Courts towards ensuring speedy justice - Held, evidently, machines, printers and cables were purchased and some softwares were sent to all Courts - Nothing happened with regard to computerization of documents - Facts adduced proved that it was totally improper to had waited for receipt of records - Appellate Court was not justified in calling for records without deciding necessity to call for records - Considering facts, Sub Court directed to send records immediately - Petitions disposed of.

OPPORTUNITY TO CHANGE

People have a stereo-typed view about District Courts being slow, rigid and secretive.

Information & Communication Technology can help us change this impression and Courts can become more efficient, fast, responsible and user friendly.

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- *Ensuring the integrity, reliability, and accessibility of judicial records is critical to maintaining public trust and confidence in the courts.*

INTRODUCTION

- Records are fundamental to the efficient and effective operation of the legal system of a country and perhaps are even more crucial to the administration of law than to any other function of the public sector. Not only are current records in daily use for legal reasons, but records of previous actions are also routinely retrieved and used by a range of legal agencies.
- If court staff cannot locate the case papers related to a trial, an appeal against conviction may be delayed, even indefinitely, and justice may not be served to a citizen who was wrongly convicted.

WHAT IS A RECORD?

- A ‘record’ can be defined as *information generated in the course of an organisation’s official transactions and which is documented to act as a source of reference and a tool by which an organisation is governed.*
- Records arise from actual happenings; they are a *‘snapshot’ of an action or event.*

WHAT IS RECORD MANAGEMENT?

- Records management is “the field of management responsible for the systematic control of the creation, maintenance, use and disposition of records”,



GOALS OF A RECORD MANAGEMENT PROGRAM

- create only necessary records for efficient and successful operation of the office/institution.
- produce the records when needed.
- retain/preserve only records needed for continued operation of the office/ institution, and dispose what is not needed.

BENEFITS OF EFFECTIVE RECORD MANAGEMENT

- Facilitates effective performance of activities throughout an agency
- Provides protection and support in litigation
- Allows quicker retrieval of documents and information from files
- Improves office efficiency and productivity
- Supports and documents historical and other research

EFFICIENT RECORD MANAGEMENT - BASIS OF GOOD GOVERNANCE

- Well-managed records are essential tools for good governance.
- In turn, an efficient court system must of necessity be based on effective record keeping systems and services.
- They facilitate the achievement of transparency and accountability in public administration.
- Well-kept records are the greatest enemy to corruption.

ELECTRONIC RECORD MANAGEMENT

- In many Indian town Courts or District Courts, record rooms have become filthy paper junk rooms even smelly and un-traceable of records. With the advent of electronic age all these papers or judgments may be converted in electronic software data. Mostly in all High Courts and District Courts of India this practice is already started to save the records electronically which further need fast completion.

ENSURING APPROPRIATE PRESERVATION OF AND ACCESS TO LEGAL RECORDS

- Preservation involves ensuring records are safe from loss, damage or corruption. In particular, records must be protected from damage by
 - acidity
 - fluctuating or excessively high or low temperature and relative humidity
 - excessive exposure to light
 - air pollution
 - fire and water damage
 - biological agents such as mould, mildew, insects or rodents
 - abuse and mishandling
 - disasters.
- Various general measures to protect legal records, and all records, include
 - monitoring and controlling temperature and relative humidity
 - limiting light
 - filtering air to reduce air pollution and removing pollutants from archives storage areas
 - protecting archives from water damage
 - inhibiting mould growth
 - reducing attractions for insects or rodents
 - protecting records from mishandling or abuse.

Data Management

Technique

- Data is captured at the filing stage in computers for new cases
- Data of old cases is fed in computers using dedicated manpower
- Data relates to date of filing, full description of parties, law provision invoked, property no., detail of witnesses, stage of trial, next date of hearing and advocate's name etc.
- Data is updated on daily basis without fail

Data Server Room



Data Management

Benefits

- Cause-lists can be generated at the press of the button
- Periodical statements can be easily generated
- Cause-diary can be prepared as per set norms
- Automatic marking of cases is possible
- Age-wise / category-wise segregation of cases is possible

Data Management

Practical Aspect

- Automatic marking of cases is functional in Hon'ble Supreme Court of India
- Almost all the High Courts and some District Courts are maintaining upto date data-banks and preparing automatic cause-lists
- Party name-wise, case number-wise, Act-wise searches are possible on these data-banks

Docket-Management

Technique

- Files are given unique ID numbers
- The unique IDs may be printed, bar-coded or embedded in an RFID tag
- RFID / Bar-Coded Readers can be installed at strategic points
- Active / In-active RFID tags can be used to identify the files

ACTIVE RFID TAG



Docket-Management

Benefits

- Movement of the file can be easily tracked
- Record – Keeper can immediately trace a file lying in a storage bin or in an almirah
- Theft of files can be prevented
- Repeated labour of entering the file details in all documents is not required
- RFID tags are re-useable

Docket-Management

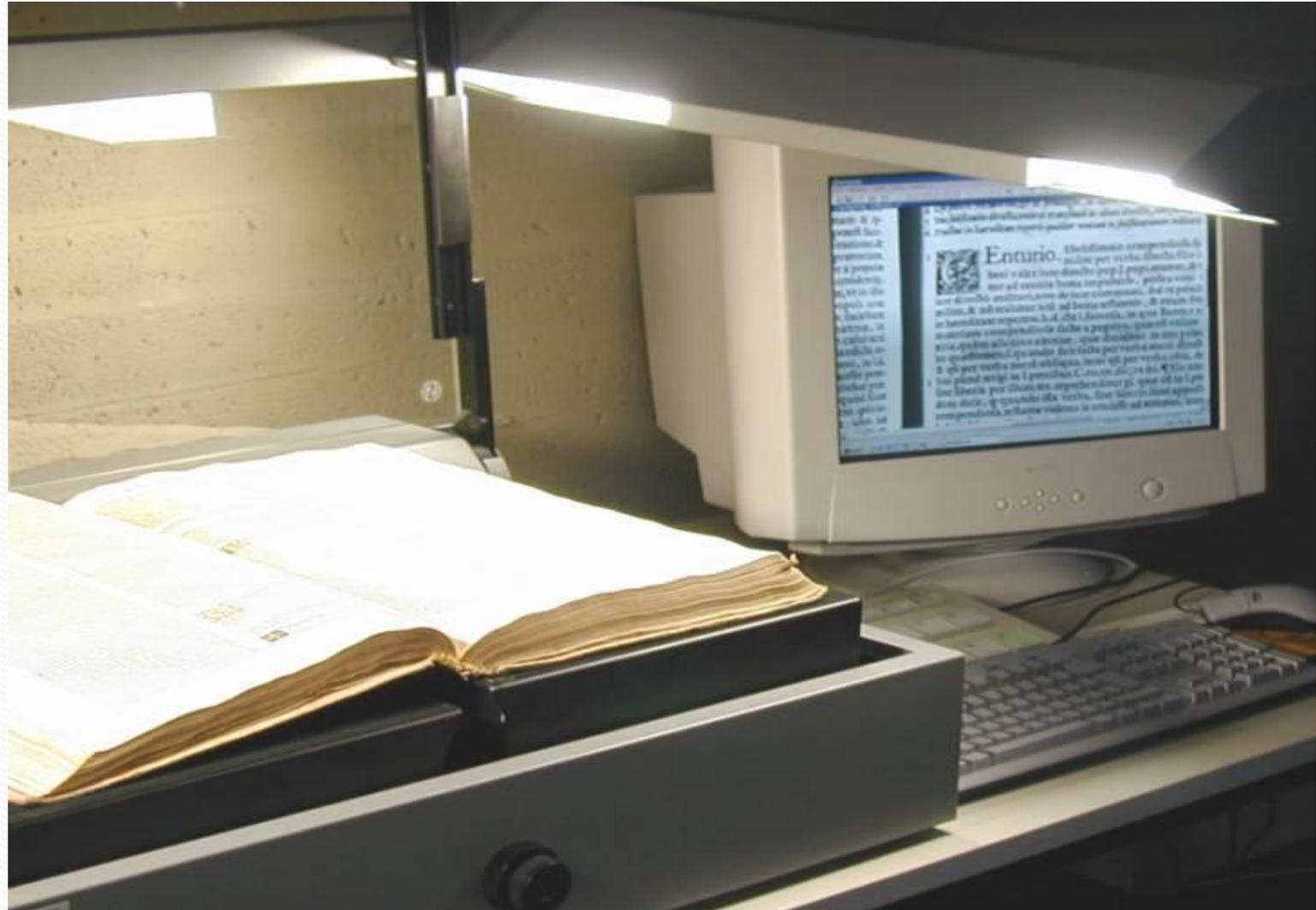
Practical Aspects

- Modern Libraries in Courts are already using Bar-Code facility for identifying the books
- Unique IDs are generated for all files in software developed by NIC for different Courts
- RFID tags are the latest concept which are used by shopping malls to prevent theft of articles

Digitisation of Record Rooms

Technique

- Technology for fast scanning of Court files is available
- After scanning the files, OCR (Optical Character Recognition) software is run
- Proper indexing of the documents is done and the files are saved in original scanned format as well as in Word Format with index



Digitisation of Record Rooms

Benefits

- One normal typed page is equal to 10 KB and after compression with Win Zip it is equal to 2 KB
- One Flash Drive of 256 MB capacity can store 1.28 Lac pages in Win Zip compressed format.
- One CD Rom of 700 MB can store 3.5 Lac pages
- One Hard Disk of 40 GB can store 2 Crore pages.
- The savings in maintaining record rooms will be huge
- Data can be retrieved very fast

BETTER ELECTRONIC RECORDS GOVERNANCE

- Even though computer storage can seem inexpensive compared with the storage of paper records, considerable time and effort will be required to convert paper records to digital format and preserve them so that they remain accessible and trustworthy.
- When considering microfilming or digitising legal records, it is essential to ensure that the records remain authentic and reliable.
- *The increasingly complex world of electronic records management requires new skills and approaches to maintaining and preserving court records.*
- A Special training in record keeping will help in achieving the desired target.

CONCLUSION

- Simply computerizing or microfilming existing records without carrying out a records survey or developing retention schedules will only ensure that a lot of the existing unnecessary records will be retained in an electronic format. This will result in a lot of existing paper garbage being transformed into electronic garbage. As the process of microfilming or computerisation is expensive it is very important to have a successful operating records management program in place before thinking about digitizing records. One must also consider the various alternatives available to store records along with carrying out a complete cost benefit analysis before embarking upon the process of digitalizing records.



**Thank
You!!!**