



Verbatim For-

P-972

Workshop on Information and Communication Technology (ICT) Tools & Usages

19– 21 February, 2016

Submitted To:

Dr. (Prof.) Geeta Oberoi

Director In – Charge, National Judicial Academy, Bhopal

Programme Coordinator:

Mr. Yogesh Pratap Singh

Research Fellow, National Judicial Academy, Bhopal

Prepared By:

Kalyani Singh

B.A. LLB 4th Year

New Law College, Bharati Vidyapeeth Deemed University, Pune

Session 1

Use of Video Conferencing Technology in Judicial administration

Mr. Pramod Goyal

Dr. (Prof) Geeta Oberoi: Good Morning to all of you I know we have been waiting for some of your colleagues to come so I thought this shouldn't feel that we started early and they shouldn't complain. But I am feeling bad that all of you is waiting for them and thinking what's going on and so we just wait for five more minutes ya. Can we start? Do you think it will be a good idea or we will wait for five minutes for introduction so that they should also know you and you should also know them? In this academic year is this your first visit? For all of you? 4th time, 3rd time 3rd time? This academic year? Oh great... first time you are coming for first time? 6th time? Okay Okay. Laughs... So all of you are PDJs Principal District and Session Judges Ya? Okay Family Court Judge okay good we have, ADJs, Okay Sir. They will sit here. Ahem. So I see that you have introduced yourself to at least your next, Laughs, partner on table but now you need to introduce more to whole you know to this class. You know class is not a good word but gathering as such. Okay, thank you sir.

Participant: - I am VPS Chauhan District Judge,

Dr. (Prof) Geeta Oberoi: Sir you can sit you don't have to at all get up. Please be seated be comfortable.

Participants: I am VPS Chauhan District Judge, Sidhi. CBM Sidhi Sidhi Sidhi is a district name I am District judge at a district Sidhi, Sidhi in M.P. madam. Sidhi in M.P okay. I am AK Sharma Additional District and Sessions judge, Prachkula Haryana. Myself Umesh Kumar, district Kaushambi, U.P. Myself JK Sharma District and Sessions Judge, Siwalor district at Nahan, Himachal Pradesh. Myself D.A. Joshi, Principal District and Sessions judge Subendanam, Gujarat. I am Ambuj Nath, I am Principal district Judge, Dhanbad. I am Pratha Sarathi Chatterjee District & Sessions Judge, Coochbehar, West Bengal. Myself Mrs. Jawalkar from Parbhani, Principal District & Sessions Judge, Maharashtra. Myself Surekha Kosamkar, Principal District & Sessions Judge, Jalna, Maharashtra. Good morning My Name is Mr. Mridul Kumar Kalita, District & Sessions Judge,

Sonitpur, Tezpur, Assam. Good morning my name is Mahmud Ahmed, District & Sessions Judge, Morigaon, Assam. Okay, Myself R.B. Dharmagoudar, Principal Judge, Family Court, Bangalore. Good Morning to all of you Sirs and Madam I am Dr. Gyanendra Kumar Sharma District & Sessions Judge, Almora, Uttarakhand. I am Ms. Annie John Principal District Judge, Alappuzha, Kerala State. I am Ms. Suchismita Misra Principal District Judge, Boudh. Myself Neelam Arora Bhagat Singh Nagar Addl. Sessions Judge, Bhagat Singh Nagar, Punjab. Myself Ravinder Kaur, I am District & Sessions Judge, Dwarka, Delhi. I am Hemalatha, Principal District Judge, Karur, TN. Good morning to all of you sir I am Sathi Kumar, District Judge, Kanyakumari, Tamil Nadu. I am Yumkham Rother, Joint Registrar, High Court, Manipur. Myself P.S. Tomar, District Judge, Family Court, Tonk, near Jaipur, Rajasthan. Good Morning Myself Subodh Kumar Srivastava, District & Sessions Judge, Samastipur, Bihar. Myself Ganpat Rao, District & Sessions Judge, Janjgir Champa, CG. I am Vinay Kumar Kashyap, Sorry, Myself M.K. Kaushik, District & Sessions Judge at Lakhisarai at Bihar. I am Vinay Kumar Kashyap District & Sessions Judge, Kondagaon, CG. I am Suresh Chander Katal, Addl. District & Sessions Judge, Kathua, J&K. I am G.V. Krishnaiah, District Judge Chairman, Industrial Tribunal, Common High Court of A.P. and Telangana. My Humble Good morning to all Myself N. Tukaramji, serving as 3rd Additional District & Sessions Judge, Kakinada, A.P.

Dr. (Prof) Geeta Oberoi: All of you, I think I am Geeta Oberoi you know you have this name plate in front of you, I am Professor over here and Director in charge. We all will introduce and then we will talk about programme objective.

Participant: I am Justice S.G. Shah, Judge, Gujarat High Court, and Ahmedabad. Myself Kuldeep Singh Kushwaha, Registrar, High Court of Madhya Pradesh. I am Pramod Goyal, Registrar Computerization, Punjab & Haryana, and High Court.

Mr. Yogesh Pratap Singh- Very Good Morning to all of you I am Yogesh Pratap Singh, I have joined the academy last year in the month of June as a Research Fellow and Faculty Member, Thank You.

Dr. (Prof) Geeta Oberoi- He is your Programme Coordinator also. Any problem please contact him, Okay. So I was now just thinking that our first session is very relevant. This whole programme if we

see what is happening in the background of all the events that have happened in last one month, In Lucknow, In TN, In Delhi, Patiala house. You know what is all happening. People are transgressing the limits they are coming to courts they are creating an atmosphere where it's difficult to believe that it is a temple of justice anymore. So this conference therefore assumes much more significance in such events. In fact I saw in Lucknow poster a lawyer with gun over there I mean this photograph was there on the internet. And with all this seminars over here Principal right from Magistrate to PDJAs. All judges who come over here tell us that a relationship between Bar and Judges is not so good at district level. There are always problems. Bar creates problem. Judges even told us that we don't even know how many times in a day we are sold and resold by judges sorry by bar member through litigants. Saying that I know this and this judge I will get order in your favour so you engage me. So these things are going on and the relationship are not so good. And Of course the quality of Bar at district level as compared to the quality of Bar at High Court level there is a sharp difference. One can just feel it one can just see it actually. In all such events I think use of ICT is the only answer to come out with all problems that you are facing with the bar. For example, I was just thinking about this recent just two days ago this you know every day you must be watching this on television this Kanhaiya Lal. So there is an accused and you know that it's a high profile case and you know that there is going to be lot of problems. Instead of engaging so many police persons, instead of engaging so many media person we could have easily put them in Tihar Jail, had video conferencing because if can held interview or cross-examining headily from somewhere in United states of America or Canada. Can't you do Kanhiya Lal from Tihar Jail to Patiala house? So this is where video conference Technology. And where it is written that you have to see, see after all, all the evidence that is brought all this has to transfer in the papers. Records cannot be done away with. How important it is for you to see always accused, meet him in person. So first remand you mean to say cannot be done through video conferencing.

Participant: Even for first remand even for the first remand the option can be left to him if he wants to complain for what is happening illegal. **Dr. (Prof) Geeta Oberoi:** See I am bit worried you know why I am worried if this is the situation in Delhi I mean I'm just Thinking what would be the situation in Lucknow, in Allahabad, in some parts I mean rural parts, In Ghaziabad, I mean I just..., because there are judges who have told us that situation is worst in their districts. Lawyers poses revolvers. How is that possible, I mean How can you actually deal with people who possess revolvers.

Participant: Nothing can stop the lawyers that is the problem.

Dr. (Prof) Geeta Oberoi: Ya what about possessing the revolvers? **Participant:** That is the issue

Dr. (Prof) Geeta Oberoi: No, But then we have to as judges you have to develop some strategies to deal with them and strategies have to be within constitutional limits. And I think through video conference if you minimize your interaction with such instruments I think it will solve problems. Yes, yes, we have to look at the Headley Cross examination. If it could be done from abroad by crossing seven seas through video conferencing. Why can't we do for all such accused? I don't understand.

Participant: I do not know why Lavleen has not done this in Kanhaiya case. May be there must be some reason it never came to his mind or his district judge did not advise him. It might be possible. But in my district there are several accused there is gang war between them this side also this side also and you never know when somebody will come and shoot them.

Dr. (Prof) Geeta Oberoi: Ya, because there is no security of Courts as such.

Participant: So on the administrative side I have even directed them that there trial will be through video conferencing. You can go to the Hon'ble Court and get the order quashed. I have no issues.

Dr. (Prof) Geeta Oberoi: Also, I was just thinking in all, you all are under High Courts you all work under your respective High Courts. You just see the difference where you operate in a district and you just see the difference about the High Court building. It's not so easily accessible have you noted that. You have to make gate pass you have to make security, you have to give I cards I mean there is lot of layers that exists to enter high courts. But those layers are not there to district courts. So that makes district courts all the more vulnerable to such elements. Also people who practice at high courts are much more sophisticated, well-educated national law school, law firm's type, having more commercial interest. At district and trial level the 90% litigation is there and such elements are there so what. I think, therefore our first sessions assumes significance. Can we actually safeguard ourselves as judges and our courts by importing these tools where we have to minimize our interaction with such elements? So it will be less dangers to our life and the lives of others who have come to courts. This our first question and hence we are having this session about use of video conferencing technology. Yes, Mam

Participant: Mam it can be one problem like accused has a right to meet his lawyer and the lawyer needs to converse with the accused. I have got a case which is a high security case there in Punjab and we have lot of security around the city when that hearing is there. Now these accused they say we don't want to get examine by video conferencing because they need to converse with their lawyers. And the same thing was told by the lawyer also. I had a request from the police side that they wanted that this should be recorded by video conference. But the accused and the lawyer both said that we need to interact, so this seems to be genuine reason we can't we can't decline this request as far as I understand.

Dr. (Prof) Geeta Oberoi: No, But can't the accused and his lawyer can't they meet each other anywhere else than the court complex.

Participant: Mam they need to have privacy. In video conference they can't have. No no, why should they meet through video conference.

Dr. (Prof) Geeta Oberoi: I am just saying judge should meet these people through video. Why should accused meet his lawyer through video conference? Sorry, yes yes regarding the case regarding his own defense the accused wants to give necessary instructions to his lawyer. No, you can meet your lawyer. If I am an accused I can meet my lawyer anywhere in jail or outside jail. Why courts? No no no no madam, in jail also.

Participant: Mam when we using video conference for the evidence at that stage he needs to talk to his accused and if you.

Dr. (Prof) Geeta Oberoi: In cross examination is it allowed to talk to your lawyer? Ya Ya many times many times lawyer takes pause for 2-3 minutes and get instructions from the accused and then continues for the cross examination.

Dr. (Prof) Geeta Oberoi: Yes, but can't lawyer also go and be present there when accused is being interviewed.

Participant: Lawyers are always there lawyers are always there during cross examination and there is a two way speaker. We have got three courts functioning in our district we are doing it we are doing

it. **Dr. (Prof) Geeta Oberoi:** Yes yes. **Participant:** And if at all a lawyer wants to seek instruction he can talk to the accused there itself. **Dr. (Prof) Geeta Oberoi:** You can pause video conference also just as you pause you can when you tell accused yes you can go out and come after, In video conference also you can also do. **Participant:** Mam, then the right of privacy in privacy they want to give instruction that will be infringed. And the accused is in the custody mam how will he go he is in custody. This point. **Participant:** The point raised by madam during trial during trail he wants to for that reason you cannot disallow video conferencing because accused and lawyer can meet even prior to trial. **Dr. (Prof) Geeta Oberoi:** No even after even during cross examination for example judge is doing cross examination for example you are doing my cross examination and this is my lawyer you are just talking to me and then you have asked me questions about which I am not very sure what answer I should give, Can't I say give me five minutes break. **Participant:** Mam lawyer is not sitting in the jail. **Participant:** Madam no assistance from advocate is available to the accused when he is being examined. **Dr. (Prof) Geeta Oberoi:** Isn't it? That's the law even I knew. **Participant:** In examination he cannot assistance of advocate. **Participant:** Correct. Otherwise what will happen we cannot take we cannot take recourse to video conferencing. In all cases accused will take this plea that I have some confidential then in no case you can allow video conferencing because during trial the accused do not. Accused can meet his lawyer talk to his lawyer prior to this process of cross examination. **Dr. (Prof) Geeta Oberoi:** Of course see, I am leaving to you. You are judge, you are master of your court. How you want to function it's your independence I am not coming into it. I am just telling you what's happening in world around us that district court complex are much more vulnerable as compared to high court complex or Supreme Court. Which are well guarded which have very good security system. Even CCTV cameras are there installed in the Supreme Court and High courts now. But all that is. Ya Sorry.

Participant: Why we should not improve our security system in the conflicts. **Dr. (Prof) Geeta Oberoi:** But if it can be done you see so many police people came 200 police people still they could not. There is there would always would be a crowd specially the population. With so much population that we have and after 10 years we will of course be taking over China that is the fact. So the kind of population we have with us in this country it's very difficult. **Participant:** Well mam video conferencing is a very good idea. But now let us come to the solution how we implement it.

Dr. (Prof) Geeta Oberoi: Yes, Definitely.

Participants: The threat I am telling you the hindrance in it is the accused and the counsel should be interactive with each other now how to do it. One idea is there that the lawyer is told to go to the would go and sit in the jail and sit with the accused. But then again every lawyer like most of the lawyer would not like to travel to that jail that place of jail and waste his whole day and neglect other cases. That's the only solution as far as I understand. Well my colleagues are there to suggest anything else. If the lawyer goes to jail and sits with the accused how the lawyer will cross examine the witness at the same time? Why not? Why not? If the witness reports through video conference why can't he?

(Prof) Geeta Oberoi: Okay okay okay, alright alright. I have generated enough heat in the morning I don't want to do that. I will give it to Mr. Pramod Goel who will tell us how we should do this. He will tell us some solutions. So Sir, over to you.

Mr. Pramod Goyal: A good morning everyone. First the question which you have raised all of you think that how it is practical. It is not at all practical. Now the first change which is required is change of mindset. That is the main thing. Nothing is impossible. Impossible word says I am possible. Video conferencing is again the same thing. It can be made possible. The only thing is that you have to innovate. There is no perfect solution to any problem. I can't say that in each and every case video conferencing can be done. That statement is not possible as of today. But, video conferencing is the best alternative to face to face communication. We have number of different types of communication email, fax, WhatsApp, sms, mobile. But best communication is face to face. When we meet one to one. The interaction, the communication which goes passes to one one is enormous. It has no comparison. And the best closest alternative to this face to face a conversation is video conferencing. Now the question would be How can we use video conferencing in judicial management, judicial administration? One is remand work is there. Any other possible use of video conferencing, because everybody is familiar with video conferencing. Everybody must be using videoconferencing in one way or the other way. Yes please.

Participant: We are examining judicial officers. Examination of judicial officers. Through video conferencing they are proving 164 statement TI per charge.

Mr. Pramod Goyal: Yes, Any other use. Framing of charges. And that trial can be conducted through video conferencing.

Participant: No, at the state of charge the accused has to put the signatures. Even in the statement under section 313 CrPC.

Mr. Pramod Goyal: You are absolutely right his presence is required to sign it and make it understand. Let us leave these grey areas. Let us just skip it over for a moment. What else. Now we can secure presence of under trials through remand that is possible maximum use to which we see is being put. Then expert witnesses like doctors they can be examined. Then judicial officers as my friend has suggested. Then NRI and witnesses who cannot be examined whose presence cannot be secured in the court for some reason may be the accused is not may be the witness is not well. May be his not able to travel he is not he does not have sufficient means. I have come across a case where the witness he was claiming MS CT case. He was from Assam. The case was at Sonipat. So his evidence was not recorded merely because he had no means to travel from Assam to Sonipat. So we allotted to video conferencing we asked him to reach NIC center at Assam and from there his evidence was recorded. Then presence of AA then statement under Section 313 CrPC of accused can be recorded. No in that case we infect can. Therefore I have skipped that question. in case where charges frame or statement be recorded it can be certified by the judicial officer that it was done through video conferencing in presence of advocate and advocate signatures as well as public prosecutor signatures can be obtain on that statement. That itself is sufficient. Because 313 statement of the accused is now being cerTIFied by all those who are present physically in the court. So that is sufficient Compliance. Yes please, Mam.

Participant: But in that circumstances we need amendment in CrPC. then we need amendment in CrPC.

Mr. Pramod Goyal: Let us see do we require amendment in CrPC. This question can also be taken care of. Now other usage for which video conferencing can be put to use is interviews of judicial officers for promotion. In our high Court all interviews of judicial officers who are beyond 50 kilometers that is being conducted through video conferencing only. It is only in exceptional circumstances when there is technical feasibility is not there at a particular station then only he is allowed to come for face to face interview. Then training. Training is now very simple concept. Most of the High courts are using this concept through video conferencing also. Project monitoring. Now how do you use video conferencing as a project monitoring tool? Most of you are district and sessions

judges. You generally have meetings with your Deputy Commissioners and SP's on monthly basis. Now these monitoring these things can be done through video conferencing. Where no of district and session judges who are doing this they are connecting with the DC or SP whenever there is a requirement. Instead of telephonically they are doing it through VC. It has better impact than the telephonic call. Then meeting between jail inmates and their family members. Now this is in fact very unique use of video conferencing which has been put by jail authorities in Punjab. They have asked the jail inmates to talk to their family members through video conferencing if they so desire. Now people a person who is lodged in Punjab and belongs to Karnataka. It is not possible for his family members to come and talk and meet him. So video conferencing facility has been provided to such inmates in jail. I had a case in Sonipat where the accused was granted bail but he was charged with serious offence. But he was not able to communicate this fact to family members so that comes and put in bail papers in the court. So this video conferencing can be used in such like situations. Then administrative meetings as I have told district and sessions judge connecting with Deputy Commissioner or SP. Now the next question now let us come. Whether it is valid? Video Conferencing is valid? Does it have legal sanction? Because Mam have raised a question. Two of Hon'ble members have raised a question that we require an amendment in CrPC.

Participant: No, that's only for charge, for signature part. That's only for signature not otherwise.

Mr. Pramod Goyal: The validity of video conferencing came in 2000 before the Supreme Court. Most of you must be knowing the landmark judgement of State of Maharashtra v. Doctor Prafulla B. Desai. Now here the question which was raised is that video conferencing leads to virtual evidence. Supreme Court commented No, it's not virtual evidence it's not virtual world its real world. It is technology which has taken virtual world and has converted that virtual world in real world. So video conferencing has been validated by Hon'ble Supreme court in State of Maharashtra v. Doctor Prafulla B. Desai. Then in case of Baswa Raj R. Patil v. State of Karnataka it was held that presence of accused through VC was proper for proceeding criminal trial. So the question was it is not possible to interact with his lawyer and therefore this mode of video conferencing should not be accepted and should be rejected. But this has not form favour the Supreme Court⁶. Supreme Court held that VC is proper and presence of Accused can be held through VC also. Then Amitabh Bagchi v. Anna Bagchi, State of Punjab v. Mohinder Singh these are two judgements which lays down various methods and modes by which these evidence through video conferencing has to be recorded. Now what is the mode you

are following to record video conferencing evidence. Yes, please. How you are recording. Do you administer oath. (Not clear) Yes... (Not clear) that is what Amitabh Bagchi case has laid down. Now how would you secure these signatures of witness on his deposition? No, most of the people they don't have the digital signatures. Yes, the same mode or method that the persons that is Lawyers, PP and Judge who are present in court, they sign, they certify that this was recorded through video conferencing.

Participant: One thing is also necessary here that you have to ensure that the accused is also is able to hear or witness the recording of the evidence. That is to be ensured.

Mr. Pramod Goyal: Absolutely, Absolutely because accused rights are not to be circumvented in any manner while recording evidence through video conferencing. His rights are intact. One of the question was raised that accused has a right to give instruction to his lawyer. Now that right is violated now in that case as of today there is no technology which allows private talk between lawyer and accused. But technology is changing very fast. It will also be possible with coming days. But in you can call the in such like cases you can call the accused the court as an exception. How many cases are of such type? Hardly two percent three percent cases where the accused is required to give instruction during the course of examination

Participant: In every case where the witness is being examined in criminal matter the counsel always needs one or the other instruction from the accused. Sometimes certain suggestions are to be given and before giving suggestion he need to know whether it had actually happened or not only then he need to give suggestion because that would be relevant when we decide the case. And even if it is not required the accused can always say that it is my right to consult the lawyer. So you can always say that

Mr. Pramod Goyal: No, no you can always give him time before the trial has started.

Participant: No but it may be some answer has come during the testimony of a witness during cross examination regarding that answer he needs certain instruction from the lawyer then what will happen.

Mr. Pramod Goyal: No in such like cases you can call him. No in most of the matters the advocates take excuses.

Participant: No, I understand where they are taking excuses that we can handle very well but where there genuine question then what will we do. That is the only issue we have about Video Conferencing. And we may be knowing that he is taking an excuse but we cannot decline the request on this ground.

Mr. Pramod Goyal: No, you are absolutely right that there are people objecting to all this ways but I will just show you some figures before coming back to such questions. Now these are the figures which have resulted from video conferencing. Since January 2015 62,000 under trials have put in appearance in court through video conferencing. Now I'm just giving the figures kindly, Evidences of judicial officers. All judicial officers promoted in 2014 onward they have only been promoted through interviews through video Conferencing in state of Punjab& Haryana. 2000 witness majority of them are doctors have been examined through video conferencing and from these figures you can very well examine that video conferencing is an alternatively available mode for examining the accused. May not I agree with you that it is not a 100% alternative solution that we cannot replace the examination of witnesses in court simply by video conferencing? It is but to a large extent we can do it. If we can these 2000 witnesses who are examined who are doctors. Can you imagine the cost they have saved? We had calculated the cost the cost came out to be 3.5 crores. Even the authorities the PGI authorities on we were we had made lot of efforts to convince that to start video conferencing. They were not getting financial approvals for 5 lakhs because video conferencing equipment required 5 lakhs rupees investment. They were not getting those approvals. but now they have created seven video conferencing units in their hospital and this project have been taken up by the central government because each doctor was going to the court means that he was taking salary of 10000 rupees for that day and that salary is going waste TA, DA is another thing. Then he was examining 50 patients in a day that is also gone that means human life safe you can't compare that cost wise. In fact PGI Chandigarh was getting around 4000 summons in a year and out of these 4000 summons 1000 wereailable and non-ailable warrants. Because every time summons was sent nobody used to appear and thereafter againailable warrant was sent nobody used to appear and then on final nonailable warrant doctors used to appear. This was a common practice being adopted by

doctors because they never wanted to leave their jobs so this summons 4000 summons have been reduced down to 1600 summons in a year. So repetitive work on the court part is gone

Participant: Sir there is another problem could you please resolve it. Like when a witness is situated in another country we don't have ways to connect it.

Mr.Pramod Goyal: Right now in Punjab & Haryana we have installed a video set up which will be functional by 1st of May, 2016 and thereafter anybody can be connected through internet whether he is stationed at America or whether he is stationed within India. That technology is also available.

Participant: Otherwise can we use Skype I doubt.

Mr.Pramod Goyal: You have to seek permission. High court is granting permission in such like cases very liberally. We have already processed around 28 cases where the NRIs have been examined through skype. With the permission of the High court it has been allowed in our High Court. And now there is a case- State of Punjab v. Mahinder Singh wherein our High court have given Judicial directions that all doctors they should be examined only through VC and it is only exceptional cases that doctor should be examined physically by securing his presence in the court. Securing recording of evidence of doctor through video conferencing has been made a rule whereas in person is an exception. Now this is how mindset changes. People were not even ready in our High Court to accept all this. There were lot of rejections to all of these thing. But slowly and steadily they have started accepting it they are now using it and they are lot comfortable than they used to be earlier. Now can you expect that accused will not be ready they will start creating obsession for remand work through video conferencing. Have you ever faced these things? In Punjab & Haryana we faced a very unique situation. At Faridabad number of accused started giving applications in the court that they don't want to get their remand work done through video conferencing because for them it was an outing to meet their family members and to enjoy the freedom out of jail. Therefore they started ab setting it. Then administrative orders were issued by the High Court it was stated to them that nothing doing you have to be examined only through video conferencing. So they have all accepted now. Can we use video conferencing for mediation and legal aid? Yes please any mediation it can be very simply used. It can be used by one to one conference and multi conference. Any high Court using this mode. Now what

are the advantages of Video Conferencing? Yes, please. Cost effective, it saves lot of money just I have told that Doctors salary have been saved, adds man power.

Participant: One thing is that has come to his advantage is that in some cases there are accused in different jails. If being accused in same case and through video conferencing we are trying them together and the judgement is also passed together through multi-video conferencing.

Mr.Pramod Goyal: That means it expedites its trial also. It saves time it saves money, it expedites trial procedure, and it builds relationship especially in case of administrative buildings. Has advantages of face to face communication, avoid travels, teach, enhance monitoring and the best part is reduces footfall in the courts thereby reducing pressure on infrastructure. Now remand of one single accused means 4 people coming to the court. Minimum four people three from his family, one he himself and I have not added people who are required to escort him that is police official. So those number of if we have been able to get 62000 video conferencing in a year that means we have reduced around three lakh people coming to the court. So less people had come to the courts by adopting video conferencing. Now how many types of video conferencing we can have. One is point to pint. I think everybody had the experience of video conferencing, multi-point video conferencing that means 1-4 as you have told different accused lodged in different jails their presence have been made secured through multi point video conferencing. Then what are the components of hardware video conferencing. I don't need to elaborate on these because you are all using it. Then what are the components of software video conferencing. Have you found difference between this slide and previous slide? I will just show the previous slide. This is the previous slide. Now I will show the next slide: This is the hardware VC equipment, this is software VC equipment, yes, and please could you make out the difference. There is only one component which is different. Kodak yes, in hardware there is a Kodak that means a unit which itself regulates connecting of video conferencing with other units whereas in the case of software it is computer or CPU or any other. Basically it is software runs. Mobile, IPad, and Computer all this can be put to use when you are using software video conferencing. Now how many High Courts have received software video conferencing equipment from E- Committee anybody any district has received it. E-committee has distributed 500 such units. No, no, E-Committee Hon'ble Supreme Court E- committee. 500 units have been supplied as a pilot project and in the echoed, project phase 2 project it has envisaged that all the court premises will get 1 unit of software video conferencing. You have got it. Now this unit can be used even to have video

conferencing through mobile. This can be used to have video conferencing with a person who is situated in foreign land also. This gives a lot of flexibility. Here you don't need any specific equipment at the other end. You just need to send an invite from this software that the other person will use that invite and will be connect to your VC room. It's so simple. Now these are differences between software VC and hardware VC's. Software VC's cheap and hardware VC is expensive solution. The cost difference between software and hardware VC is ten times. If the software VC can be put within 30,000 rupees the hardware VC will cost us rupees 3, 00,000. So, that is a major difference. The software VC can be installed on PC, mobile, laptop, IPad whereas hardware VC requires dedicated equipment. Most of the video conferencing software are designed for person to person meeting whereas hardware VC is for board room situations. But with advancement of technology this disadvantage in software VC has been overcome. Now we have got very good cameras which are as good as hardware VC and the cost is again 10 times less than hardware VC. Software VC has got workable qualities whereas superior quality is available in case of hardware VC's. Again this has been overcome by technology. Now hardware and software VC both has equal quality at present. But optional accessories are required with VC's. Yes, please, can you tell only the camera one if we talk about VC? 3-4 things come to our mind. Yes, this is recording is one part. So, recording device we require. This is accessories to VC. What else? Microphone is part of all video conferencing rooms. How do you share documents? If you have to show a document if you have to show a postmortem report. Scan it. Visualizer that is called visualizer. You are right. That is also required. Now software VC you can show that document also through computer and laptop also. You can scan the document put it on your computer and you can show it to other side also. That is also possible. So, you can zoom that particular signature part to be shown to the witness. It is just like seeing an original paper. And in case there is doubt about authenticity of document you can always call him that is always an option available. But our experience that it is in 95% cases there is no just requirement of authenticity of documents. In a postmortem report if a doctor has signed it he knows it very well that he has signed it and he can very well recognize his signatures. They have copy of postmortem report with them. That is also there. So in MLR also same thing is there so, it's not a problem. In fact video conferencing is a new concept which is been used for the last 3-4-5 years. So, we need to innovate put to use will come across lot of problems, lot of practical issues, those have to be solved innovatively by taking sometimes you won't get any answer. You would answers no practical answers would be available. You will get answers by way of judicial pronouncement when

the matter is challenged to the higher courts. Then the validity of that action would be upheld or set aside then that will become law and it will be put to use. Now this is typical board room set up. This is how video conferencing is done. Mostly, I think in most of the courts this set up is being used. Now what is the you are using this set up. No, no, you don't have the VC. Separate room but it is something like that. Everybody is sitting on one side and the screen is on this way. It is just like this. Everybody is sitting on that side and the screen is on this side. This is the mostly but now with video conferencing there is a change. What is that change? The presiding officer will keep sitting as he is sitting in the court, the display board would be at his back so that everybody is able to see what is happening there through VC. Mike would be 'omnidirectional' that means whosoever speaks the voice will be captured. There will be two video cameras one for presiding officer, the other for court witnesses, accused and lawyers who are on the other side of the dice. So that sought of set up we have already set up in the Punjab Haryana High Court. We have got around 19 soft VC's setup and in different courts so that is functioning very fine. It is saving a lot of time because the judge is not required to go to VC room. He does not have to co-ordinate with others. He is simply doing this by sitting in his court itself and our state Punjab Punjab state has already financed 3 crores rupees for video conferencing to each court. In fact they were not ready to finance this project. But when we (not clear) the cost which they are going to save from taking accuse from the cost they are going to save on escort on petrol, on other security related matters. They have agreed to spend 3 crores rupees. Now these are the components I should not go into all this. Because these are the prices also, because if you have a coercion to purchase it then you can have an idea how it is to be purchased. In our High Court it is centralized I don't know whether in other high court it is centralized or it is left to District and Sessions Judge so it is not required. Now how to make VC successful. Yes please, Can you suggest me? This is one thing. Now once you start practicing it how will you manage it? What is required to be managed? Can simply setting up a VC room and that you are mentally ready to start doing video conferencing. Is it Sufficient?

Participant: To change attitudes of parties, witnesses and advocates.

Mr.Pramod Goyal: No how would you change their attitudes?

Participant: Like offences of sexual assault against women and naxal violence cases. If the accused are not brought actually to the court and the witnesses they don't have to face the accused face to

face. So we have an identified cases and we have transferred those cases to a court and we have got three E-Courts. We don't hold courts in video conferencing center. We have got full-fledged three E-Courts and those judges they hold court in the E-Courts itself and entire work is done in their court by video conferencing.

Mr.Pramod Goyal: But what about other courts?

Other courts we have got one surplus court in which no judge sits and if it is required any other court can have a time slot and it holds courts there itself

Mr.Pramod Goyal: Can you tell me the reason why video conferencing can fail? Can you visualize the situations which may arise and which may result in failure of this whole system? Non-Cooperation of Bar. In fact my experience I have very little experience of this side as a judicial officer I have put in just 8 years of service. But I have put in 19 years of practice. My experience is the Lawyers are as good as water. You put them in anything they will take that shape. If you are linenant they will not file written statement. If they find that you are strict they will file written statement on second day. If your image is that you are linenant they will keep on taking dates for examination of witnesses they may take up several opportunities. But if they know you are going to close on the third opportunity they will conclude the evidence even in second opportunity. So lawyers is not a problem. I have never faced any problem from the side of lawyer. My belief is if a judicial officer thinks that he has to decide a particular case nobody on earth except for higher courts who can stay it. Nobody on this earth can stop him from deciding a case. It may take few days more that is all. It is your stand. Let us not blame lawyers.

Participant: We require sufficient trained staff.

Mr.Pramod Goyal: Training? Yes this trained staff is required. Yes, please. Do we require staff for opening emails? Do we require staff for WhatsApp group? We are using WhatsApp very conveniently. So what is there in video conferencing? If we spend ten minutes time we ourselves will learn it. Do we require it? No, we don't require it. Friends Training of staff in video conferencing is not required.

Participant: Initially we do require it.

Mr.Pramod Goyal Yes, please any other queries?

Participant: Quality Internet services.

Mr.Pramod Goyal: Quality. Yes, this is the most important. Unless there is connectivity and good connectivity there can't be any video conferencing.

Participant: And powers supplied during summers especially in sub-division places. At small places we generally don't find power regularly.

Mr.Pramod Goyal: Yes, yes, that's what I am saying. Presiding officers is not the god. He is not ultimate. There are things which is beyond his control. Power is one thing. What is the solution for power? No solar energy is a solution. Now it is not being implemented under phase-II also.

Participant: One full-fledged court is run in my state by solar energy.

Mr.Pramod Goyal: Yes, Jharkhand has started an 80 kilowatt, megawatt sorry not kilowatt. And in fact they are surplus. They are supplying to state government. They are having surplus power with them. Yes, if video conferencing causes lot of inconvenience to lawyers, lot of inconvenience to public, will it succeed? If you are not able to connect with the doctor. If you would say that we will have your evidence at 11:30 and it will start at 1:30. Will it succeed? That it will fail. So how would you overcome this biggest hurdle in making video conferencing successful?

Participant: By giving perfect schedule and sticking to it.

Mr.Pramod Goyal: I will just give you an example you have fixed video conferencing at 11:30. At 11:30 you get a call from High Court and you are not able to some information is sort from you then what will you do?

Participant: We are generally not disturbed in Court hours. Even if they want information

Mr.Pramod Goyal: No, Most of you are Principal District and Sessions Judges not to ordinary Trail judges. That's true that's true that is the approach that you can say that he is on the dice. If it is not urgent that would be delayed. Now if you have to go on leave because generally video conferencing

are fixed at least 10-15 days prior to the date fixed. Now at the last moment you are going to leave. Now how would you inform everybody? Lawyers would come to know because they will see they are not bothered also. If court has gone on leave they are happy. Witness should be informed. How would you do it?

Participant: It is also way they have to inform that they have to give their statement as witness because same mode, through communication, through telephone.

Mr.Pramod Goyal: You will do it individually. Yes, we need to have a setup. We need to have such a setup which should be institutional based that means even if court is not there. Even if presiding officer has forgotten to give instructions to court staff for informing the witness. This system should work itself and witness should come to know immediately without causing inconvenience to him. Now therefore, management of resources, monitoring application of mobile technology and active participation of people who are made nodal officers. Generally at present there are 3 major components that is courts, jails and hospitals which are more concerned with video conferencing. Other parts of society they are not that much connected with video conferencing. But in future they will. So, you need to appoint coordination committees at state level as well as district level. We should in fact talk to each other. We should share data, we should share problem with each other. Unless there is sharing of or there is coordination between these committees it will not work. In fact we had tried without doing this. We were of the opinion that committees only create hurdles. Their bureaucratic way to delay or to you say postpone a particular thing. But, we found that these committees are not these committees are practical committees. These are committees are for communication at all levels. So, in our state we have a committee which constitute of CPC that is Registrar computerization, director health services and DGP prisons. This is the apex body which regulates, which creates all rules and regulations which are further approved by Hon'ble High Court. Whatever is discussed and decided is put before the Hon'ble high court and it is approved and when it is approved we put it in action. Then assisting staff at State level is also important. Sometime some important issue is there. DJP wants to talk to me I am not available. I want to talk to DJP he is not available on particular issue. So, we should have information of sporting staff. My PS number should also be available with the PS of DJP. So, that he can leave the message and communication can be resorted as and when feasible. Similarly, same co-ordination committees are required at the district. District and Session judges, jail superintendents, nodal officers of computerization. I think every

district must be having nodal officer for computerization. District and Session judges are requested that they should take nodal officers along with them. And generally you should appoint nodal officers which is well conversant with the computer technology, who has got interest in computer technology at least. Then CMO and district computer committee they should all be in loop. Similarly, at district level also you must have second chain of command. You must share the numbers of all the nodal officers. Then sharing of information. We share all these committees information with each other on weekly basis. If there is any change, we make the change, we change the numbers, and thereafter we continue to communicate with each other through e-mails. Then we have google sheets. We are using google sheets to book the VC to inform whether VC has been postponed. This is what is like that. Date fixed, time of VC, name of witness, institution of witness, name of accused, jail in which lodged, purpose, case number, case title, district, Court, VC status, Remarks. If it is done its fine. If it is done with some problem sound quality from jail was not good. The comment is given. Now this data is used to ratify all these problems. There was a particular officer who used to fix VC's and never used to adhere to that time. He will say 11:30 if he is busy. It is not that he was intentionally doing it. He was not keeping any intention to the VC part. He was taking court work more important than VC part. So, he was going at 12:30 or at 1 o'clock. So in one of these sheets regularly comments were coming. We shared that sheet with that judicial officer we have not sent any comments or sort of thing we simply shared that sheet with that judicial officer now there is no problem he himself have ratified it. Sms and mobile. Now the data which we have used earlier that means data which we have shared earlier can be used here from sms and by using mobiles. We have created WhatsApp group. There is a group of CMO's. There is group of jail superintendents. There is a group of nodal officers. Whatever is sent then one of the nodal officers, one of the CMO's one of the jail superintendents is under duty to receive information from one group to share with another group. There is a common group also so the information suppose a judge is on vacation, he is on leave the information is sent through WhatsApp that so and so court would not be holding. This information would pass on to nodal officer, it is his duty to pass it on to doctor. So doctor is free. And is so quick WhatsApp is so quick everybody is using it. Then monitoring, unless you monitor everything it is not possible. There is a there is number of district and session judges who have created WhatsApp group with their officers. They keep track of video conferencing and there the results are better than others. Any Questions? Anything you want to clarify? Or you can tell me your experience also. Yes please.

Participant: The thing that has to be got in is either when an accused or in civil case party was to induce evidence then that particular stage at trial contemplated by Section 136 of Evidence Act it says that when a party proposes to give evidence a judge has to be satisfied that relevant that evidence is relevant. So, that stage has to be carefully guarded before we let in any evidence on the accused or one party in civil case. Rest irrelevant evidence is admitted by making use of video conferencing. Because we do not know what he is going to say?

Mr.Pramod Goyal: No no you see even in case of video conferencing it is as good as examining witness in the court. Because in court also people tend to give evidence on totally non relevant facts. People will start giving facts which are not at all required. We keep on telling them kindly come to the point. It is same in the video conferencing also. You can always tell him not to go beyond relevant facts. That that authority of judicial officer is not diluted by video conferencing. That is always there.

Participant: What purpose the witness is going to be examined should be indicated by the advocate.

Mr.Pramod Goyal: No that summons part we are not changing at all. Generally what we are doing whenever we issue summons to a witness we also indicate that he is required to bring that his documents. Generally that is a practice which we are following at least. So that is sufficient indication to him and once that indication is there then the witness go according to that summon only. No in fact these pleadings are not required to be sent to the witnesses for a simple reason because witnesses are to be examined on the facts which are known to them. So they are not to be examined on the basis of pleadings. They are to be examined on the basis of what facts they are aware of. So, I don't think. No, you are right in case an expert is to give evidence as regard to his expert report and if he demands that report we can always send it through email. We can record this fact in our gimny and send it through email we are doing this. And in State of Punjab v. Mohinder Singh judgement decided by Punjab & Haryana High Court. This particular aspect has been covered. The court has given direction to the court that wherever any necessary document is required by any witness that can be shared by the court through email or even the hard copy can shared to him if he is so desired through post. The Calcutta High Court has also given these directions. Yes, please. You are right.

Participant: And in case the witness is to be confronted with certain statement or some document.

Mr.Pramod Goyal: It can be shown through visualizer. Ya, visualizer can be used for that purposes and you can. Visualizer has got the functionality which can zoom particular portion of that document. So, it can be clearly read on the screen also.

Participant: See normally a witness will behave properly in court room. When it's going to be done through video conferencing we cannot give any assurance for this.

Mr.Pramod Goyal: Mam, for how long stopped sending greeting cards? I have not send greeting cards for last 3 years. Because I have started using email and WhatsApp messages for sending greetings. So we will change slowly and steadily we will change. Yes, absolutely right. My friend has rightly pointed out that video conferencing is only an alternative of physical evidence face to face evidence. The mode has been changed but all other things remain the same. The powers, the mode, and law everything is same. You have to identify the witness that is also required when a witness is appearing in person before you. You have to administer oath to him that is also done in video conferencing. Everything is same. Thank you. Yes, please. Ya ya you let, kindly give me your email address I will just now send it to you. I will send to everybody.

Session- 2

Digitalization of Records

- **Courts records**
- **Revenue records**
- **Evidence record**

Mr. Kuldeep Singh Kushwaha

Sir, can we start our session sir. Sir, again I will introduce myself I am Kuldeep Kushwaha, Registrar, IT High Court of Madhya Pradesh. I have done my M-Tech in electronics, B-Tech in Computer science and done after that I have done law and I am not a judicial officer and 8 years before Madhya Pradesh High Court appointed me as a registrar IT for computerization of the District Court as well as the High Court. So, I have seen the presentation also of Pramod Goel and 2 or 3 issues which are raised by you have some solutions. Just like one issue is Network Bandwidth i.e. for the usefulness for the video conferencing. See video conferencing is mainly depend on the Network bandwidth and network bandwidth now a days having 2 mbps or 4 mbps if you take from the any vendor you can get at least 512 kbps or 1 Mbps not more than that. If you are on the interior side then you can get only 250 kbps. So first of all we have to find out the solution for this network bandwidth and network bandwidth is not only for video conferencing but it is also for the transmission of records, digitization of records, retrieval of records and the communication between the subordinate courts and the High courts and up to this to the Supreme Court. For the bandwidth is the main part for this whole computerization. Madhya Pradesh High court have our own network i.e. called MPLS network Multiple Layer Switch Network. This is a technical term but this is an independent network of M>P> High Court. No-one can intrude in that network and take the information. This is only secured by the Bangalore team of BSNL and we have agreement with that that no-one can intrude in that matter and can take the information of the subordinate judiciary of the High Court under the M.P. high court. So this is one solution that you can take the network for your state also. And the E-Committee also think over it that if we can take an independent network for judiciary then that is useful for that state also. So that bandwidth for that network is 2 Mbps for each district. So, now if we utilize this bandwidth properly this bandwidth have different channels. Small pipes are there if we take 256 Kbps takes data

on 1 to 56 channels then we have available near about 1.5 Kbps for video conferencing for audio images for PDF images, everything. And for retrieving the information from the District Court or to send the information to the high Court only 250 Kbps is sufficient for the text data. That is only simple text data that is we are typing on the Microsoft word. So my next topic is digitization of the subordinate courts. See all high courts more or less having the digitization process and within two or three years they will be completed their whole records digitized. But the main challenge will be before the subordinate Courts we have received the fund from the E-courts phase 2 and in one place we are getting 60 crores for the subordinate courts other High Court will also get it in 14th finance commission I think so. So, how to spend this amount in next 4 years? What was the strategy behind this? Suppose you have to take the responsibility to digitize your own district then what are the steps to be taken for digitization of this data. See we have some problem, we have power problem, we have space problem, There is, we have not trained man power also there. So, what is the digitization? First of all I ask one thing. When I heard about digital information it means storing of information in the form of 0 and 1 in electronic devices. 0 and 1 and that 0 and 1 is nothing but signals. 0 volt and 5 volt. And this is depend on the South Pole and the equator. When equator and South Pole is balanced electromagnetic field is generated on the earth. And this whole information is based on that particular current. All that device is based on that particular mechanism. Suppose, if anything is happened on this particular thing, suppose the degree changes the whole information will be zero in any devices either mobile, hard disc, servers everything will be zero because the signal is maintained by the electromagnetic field generated by the South Pole and the equator. So, how the data is preserved if we have the information in the hard disc or the server how this data should be preserved after digitization because in IT Act you have section 7 there is and if you have a digital signature on any document then that is its real document. It is just like a physical record. So, Delhi high court have done this. And they have disposed and destroyed all the records with digital signatures and stored in a hard disc. Now they are planning to move on to a microfilm. Microfilm, now this a physical form. This cannot be destroyed because there is no electric and magnetic signal there. This is a physical form stored in small place and you can retrieve any information from some devices. After 20 years there is a device that you can retrieve the data from the microphone but it is not possible that you can retrieve the data from the hard disc because hard disc is obsolete after sometime and no software is available after sometime to retrieve the data after sometime. So from time to time you have to change your technology also. Right now you are using adobe, Acrobat reader for PDF files but after sometime

the computer will not be compatible with that hard disc. So we have to we have the mechanism for 256 Mbps hard disc to retrieve the information with some hardware. So that hardware could be managed by the High Court Authorities to retrieve the information after 20 years. So the technology changes very fast. So what are the steps we have to be taken for digitization that is more important right now? Because 5 years later when the digitization process started in the High Court we have done some mistakes and that mistakes find out right now and after the new tender has been opened in the new companies we have maintained the mistakes in that particular agreement. No, this you to done this you have to done and all the other high courts we are sharing the information that how the technology moves and what are the agreements that should be done with the vendors. Now, what is digitization? Digitization is nothing to store the electronic record permanently. Electronic record in the form of text, images, audio files, and video files all these things. It is also called digitization or digital conversion and it is a conversion of analog information into the digital that is either 1 or 0. The same thing how can we digitize this data? See if we capture the image from mobile that is the same thing which we can take the scan the record from the scanner. Both the things are same what the difference between both is. Nothing? You are taking the images either from the mobile camera or from the scanner both are the same thing and you are storing in the Jpg file or anything else. After that you are converting this file into PDF or directly you convert into pdf there is some software's so these are the methods by which we can store the information in the digitized form. So, next point comes how this digitization works will be started in the subordinate courts when the huge record is there. In M.P. there are 20 billion of pages in 204 complexes and we get 60 crores rupees for next four years so we have to spend 15 crores per year. So, what will be the strategy for each Principal District Judges and all the persons related to the computers. First of all the only thing is that weeding of the record is also coming with the digitization of the record. Otherwise what happen input is there and there is no output then there is no use of digitization as per the civil court rules and order of your courts you have to weeding out the records also. So, we have to make the mechanism of some internal software's that is useful for you only. Not for the scanning team or the outsource agency to monitor that how much the record has been digitized and who is to this? Who has the responsibility and accountability of that person? Because, you have to frame the rules also. Some of the High Courts have framed the rules for high courts but Madhya Pradesh have done the procedure to appoint one civil judge and the CFC for digital signature of the scanning records. So, first of all you have to select a Company for digitization and you have to get places for them. Scanning the record from beginning

you have to give the strategy that how much records you have to give to scanning company and then it is scanned by them it is cleaned by them. We have the agreement by the company you have to clean the documents. Now new documents they have no problem. But, the old document that is 50 years before if you want to digitize that is of historical nature or anything else then you have request to the company that you have to the book scanners. They have the scanners they put it chemical on the paper and then it scan from the books for the records. So the material is save in one of the High court I have seen and we are getting information that a vendor when pick the record (speaks in Hindi). Then what happen? When you bring the record for some purpose then you get that some of the pages are not there. So, verification of this company should verify that you have received the number of records and the number of pages is in that particular record and after scanning you get the information in the software that the number of pages available because you cannot verify with the physical file so you have to develop a software that this number of pages are available. There are they software's when you scan the pages then it shows that number of pages scanned in that particular record is so and so. So, one motorization team should be there to check the number of pages in the original record as well as the computer records. After that they will clean the paper cleaning means some marks are there. And after that cleaning it comes to the repository of our servers. Now, what we have to do on this records. Now you have to digitally sign. There is a mechanism that you can digitally sign one document two document, three document at a time or a batch of documents. There is a provision. So, first of all your team you are authorized to one or two person for digital signature and then you verify the document by the old team also and then you digitally sign that particular document. The verifying authority is not the one who cheques and who certifies that this record is scanned for us. Because if there are 50 batches then the verifying authority who digitally signed that can only say that this document is verified by some and some and I will sign on the information available on this particular computer. And forwarded by the concerned authority because you cannot verify each and every document by its own and digitally sign and digital signature will be given only of the gazetted officer. That's all. So, after the digitally signed document is available with you now it is for the responsibility to store in the server at a proper place so that you can retrieve in the server. This is the simple mechanism for each district but you cannot have the technical manpower at that time in your district. so the Madhya Pradesh we have made a strategy that we have to have a data center centrally at the High Court level where all the district scan all the documents and put it in our depository and we can give access to all the judicial officer to the all-district court complexes that you can retrieve the data

from there and use as required. But, this again required bandwidth because right now you are storing the information of PDF file that is not more of good size. That is about 256 Kbps or 1 Mbps of whole bunch but again you require network bandwidth. So, network bandwidth is required not only for the video conferencing you have for the transformation of the images, text, videos, audios all that. So, each district court has to plan according to the High Courts that how this whole data to be preserved either I decentralize at your place or maintain by the centrally by the High Court. This you have to decide. But in my perception when you don't have technical manpower in your own place then you cannot maintain the data as efficiently by the High Court because they have the good team at their places. The only thing is that you have to provide the network bandwidth. See these are the some indirect benefit that you all know originals can be located in secure place. That is either at your district court as well as High Court. Original can be moved in and not clear facility it's good. Digital copies can be delivered via internet. This can be done by some of the high Court right now. No need for staff check in or check out of documents. No need for frequently inventory. You don't want to make the inventory of all the record in the record room. Copies can be made in minutes with less efforts from staff. Time saving can be diverted into care and maintenance of originals. See, when you make the just we are saying that Improper digitization can make the elimination of the records also natural deterioration if you scan some document multiple times then what happens the pages is deteriorate after sometime. Improper use of equipment's and facilities can cause more damage than natural elements. The only thing is that without clear goals we can fail in digitization. You have to know where the input is and what will be the output we require for our court not for any simple scanning the documents and put it here. Suppose you find out some law and that anyone can just like AIR just like SCC Online. You can retrieve the information from that record also. So, before 1995 there is possibility that there is no computer set up as well. So, you cannot search the text which is written manually. But you retrieve the text which is typed on the computers. So, there should be an OCR facility also when scanning the records. So company have the agreement that ocring of records and put it the information either in the index parameters or on to the PDF documents. See cost of digitization increases if time increases and in the same way when we going to the digitization of the High Court of Madhya Pradesh we have not the clear goal at that time so what will be the digitization process there. What will be the steps we will take and what will be the output we have to require we find that can we made a legal search software's from this record just like AIR we think over it. So, we have now the agreement with the company that u have to make a searching software

for us which is based on artificial intelligence to bring the records, to bring the information to our judicial officer at an instance. Suppose a judicial officer have given a judgement on 376 so you are not giving a judgement on 376 so you are now knowing that where the other courts have given the judgement on the same sex. So, you get the information from there and you take the reference and take a help from them. So the only thing is that avoid consulting IT person and Sale person who does not have a solid background in digitization. Because digitization is somewhat different from computerization. Computerization is making a software and implemented at one place and you are flow management system is there and you are getting information from there. But, digitization is somewhat different because you have authenticated the document on a particular time that is required in future. So, some technical background people from your team should be there at the district court level. So just like an NIC officer posted in their district information officer is there so you can make one officer along with us when you are digitizing something in the directions of the High Court. Because every person who are from the high Court cannot help at every moment of time that the document is going on that the scanning is going on very well. So you have to take the help of NIC people also that the digitization process is going on in our district is an accurate with the guidelines issued by the high Court. So you take the help from the NIC people. One thing is there when you are making the digitization you check whether they are giving the proprietary software or they are working on the open source. See our android phones are working on open source. Linex, Ubuntu. These are the open source software's but open source software's have some limitations also. You have required some proprietary software along with the open source software. Next line is the how can you know that what the software is required and what is not required. So you have to consult with the High Court that scanning in our High Court we are giving you our experience that E- committee has given the information that you have to work on D-Space that is very good open software and all that is the flow management software and we are storing this scanning records in our repository with that particular software. Is it possible so you have to analyze that these space can control 20 billion of records so you have to think over it. You have to work with the IT professionals of the industries as well as take guidance from the E-Committee that 20 billion of records can managed by the D-Space because right now you are taking the steps it is again go to the further so you have to think over that whether we have to gone to D-Space in a normal mode but after sometime six month 1 year you go to some other software also which is very good for retrieval but right now we have option of D-Space. So you can work on it but explore other possibilities also. See these are somethings which

are important. Now next thing the information which we are retrieving right now cannot be searched with the help of PDF (A). Right now in industry we are converting this whole information when you type something on Microsoft word and you upload on to the internet the Microsoft word is converted into HTML. If you want to work on internet then you have to convert this Microsoft word into HTML. If the Microsoft word is not supported by google because google is supported Microsoft word. Because when you open the Microsoft file you can check there itself because that software is enabled by that Microsoft doc. But if you want to store some information in text format you have to assure that this information can be converted into XML also HTML also that is the advanced version of XML is the advanced version of HTML. This is a technology. This is a technical term but you assure that from XML you retrieve information within seconds but from text you can retrieve information just double the time of retrieval of XML. So, retrieval system should be there and you have to make agreement with the company that retrieval section should be less than 3 seconds. If you want to retrieve something from the computer you can retrieve within 3 seconds. This can be done and there is a software that this is possible. So this is the things that we can say see XML data is there centralized server. When we scan the data it goes to centralized server. Book scanning status that is called record and in this way it is called to the when go to to the scanner scan in TIF image, divide even and odd pages, cropping and cleaning just I have said that ocring and converse to TXT, RTF and HTML and gone to the computers. So, when this information is stored the information is stored in different formats. One is in TIF when it is going to clean your output is PDF/A no doubt whose document format advance that is called. That output is PDF/A. But if I am a registrar IT and I am a technical person then I want PDF/A along with the XML data because PDF/A is not the right thing to search content on them. We search a particular text on XML and from CXML it is linked to that particular PDF. So the retrieval is fast and you see the PDF immediately. So we have an agreement with the company that we want the data from three format XML and the TIF. These three things are required. Raw data is in TIF, PDF is in clean data that is available with us and in this way we retrieve the information from XML, link to the PDF and we get the information. So this is the mechanism. Again, one thing is also required for you for indexing when you digitize the data you have to finalise the indexing parameters also. Indexing parameters means case numbers, party details, crime number, everything. You have to mention the indexing parameters also. High court of Madhya Pradesh have finalised 25 parameters on which we can search the information. These parameters are stored in database and retrieved very fast. So you have to define such parameters by which you can retrieve

the information very fast. Suppose you have the crime number you get the information that on this crime numbers how many cases are there in our high courts and district courts so you get the information. So indexing parameters you have to be finalise before scanning process takes place. Always working on new technology also because scanning digitization software, hardware these this will change after sometime. The IT team of the High Court has the responsibility to work on that but if some technology comes in your mind then you can share with the IT team of the High Court also because we have the learning process from the vendor itself. Vendor says that this technology comes sir you are working on this. So, we explore that particular technology and work on it. So the main thing is that after sometime hardware cost is no more that is near about 5 lakhs. But the cost of information is very high. M.P. high Court just we are taking the example of M.P. High court because may be there are some High courts which have facility over there we have our own data center. Our website is roasted in our center itself not on the NIC data center. Now after 15 years we have the huge data of district Court and High court. Every day we receive the unauthorized IP from Malaysia, from China, from everywhere they are accessing our data. So next our subject which is after lunch that is of security this issue will be taken afterwards. So the information cost is more than the hardware which we are using right now in the Courts and this is the highest responsibility which is on the shoulder of the IT people not providing the hardware or software anything. The security of information. So in this way you have to store the information and retrieval should be there and every certification is recorded as law should be in the computer itself. See, Hardware machinery is there, software that is handling the data, digital objects just like article conference paper thesis records. High end server is required. Desktop, computers, scanners, flat band that is everything is there. See open source software, D- space, E-print, Fedora, GSGLA, required for the. This is free of cost available on internet. Some image editing and optical correcting software have to be purchased from open market. See, Adobe is working from last 15 years from Adobe Photoshop, adobe acrobat reader, acrobat writer. It means something they have that is why they proprietary software otherwise market can eliminate anytime. That's why they have the proprietary software otherwise market can eliminate anytime if the open source software is there for this particular purpose. So right now there is challenges between the open source and proprietary software. You just working on proprietary software you just get the open source from the open software. They are some excuse with the open source software because nobody takes the responsibility of the code of that particular software. See taking the responsibility if anything happens in the software we will take care of it. But the open

source we cannot take it but there is a fast mechanism and there is no cost for the open source software so you have to balance with the proprietary software with open source. When you are using open source take it and forget it. Sometimes you have to make good software then you have to make the proprietary software also. Delhi High Court is using very good for the digitization of High Courts. They are having the adobe acrobat software for the digitization of the high court. And after having the digitization of the High court of Delhi we have planned for the and Madhya Pradesh we have completed. But for subordinate courts it's different. So we have to think over it. And we have to learn from the past. So these are the steps which we have to normally follow when we have to start the digitization. That is selecting, acquiring, digitization, creating of Meta data. Meta data means that indexing that case number, crime number everything. These are the indexing number you have to maintain in the Meta data. How to organise this data. See, organizing the data is again the different thing. In record room we are maintaining the records, disposed case of records as per the date of judgement. (Speaks in Hindi). So when we maintain the record in the record room physically with some parameters that date of judgement or there, the case number is there. But when we give the information that we find out this record the record room in charge will take the record as per the date of disposal. This is one parameter, you can make the other parameter also. So, what we have done in the High court we have float the tender for the RF ID- Card. sometime record room in charge mischief that this file is not available with us. So first order ship we can paste the RF Id-Card that is electronic card just like we open the door and in the hotels. So that RF Id-card is paste on the first order sheet now it is closed we have the reader just we check where is the record is there. So this process started in high Court when it will be started in subordinate court after sometime so in this way you can take the information but again there are two things. RF-Id is required or the digitization is required when you have the digitized image what is the use of RF- Id? When you have the digitized record in the depository with the digital signature then what is the use of RF-Id. RF-Id is again a cost. The only thing is the identification of the file where it is placed right now. But that is available with your server also. So right now we are using with the subordinate courts when this scanning process is going on and if it the document is scanned then we can eliminate this process of RF-Id okay. Next, this process is already shared with you that is pure image formats that is TIF or jpg you have taken. Open encoded format that is we have just right now XML, HTML, and Unicode. Right now the E-Committee is working on Unicode. The new software that is called NIC 2.0 is working on Unicode itself. What is Unicode basically what is ASCII and what is alphabets. Alphabets we have 26 characters ASCII have

the character to the power 8 that is 2^8 that is 256 characters. In their repository they have included 256 characters including alphabet. When you press 'A' on the computers 8 bit information is flowed into the computers 0, 1 and 0, 1. It means a have some ASCII value that is called ASCII code. Alphabet then ASCII. Now comes to the Unicode. Why Unicode comes? Because in all over world the symbols we are using but different languages, Marathi, Telgu, Hindi, everything. There are characters and these characters are not more than 65536 characters in all over the world. So you can make any language with these symbols. Alphabet has 26 characters you can make word from them. But if you want to make word in Sanskrit when you don't have the characters. A-Z don't have Sanskrit characters. So in world we have only 65536 characters which we can merge and take one from one word in any language. So that is called Unicode. ASCII 8 bits. This 2^{16} that is 65536 characters are there. So, that's why all software right now in the industry on the keyboard and we are getting the keyboard or computers on the Unicode itself. Unicode compatible. See Hybrid forbade. Hybrid forbade means the you get the image if then convert into PDF/A. This is one method or either you type it and take the PDF/A format these are the two things. Scan PDF and the converting PDF/A having lot of defense in storing the information. PDF/A when you type something on Doc file and just convert it into PDF/A you get the 4Kb kb requirement for storing the PDF/A. But when you scan the document and store the PDF/A then it will take 200 kbps. It means we have to work on text format in future. Right now it's ok that we have the evidence Act and we have to store everything on the paper. Take the sign on that and store our file. But, after sometime when you work on some software that is Microsoft1 on CIS software. You are typing something digitally signed that document is equal to physically signed document. After sometime when you have to work on that and then only you can save the paper. Because right now what we are doing just go the physical file take the scanning of that particular file digitally signed we have both the files. The only thing is that you are retrieving the information from the physical file but physical file is there how much time if you have embedded this working on section 7 of IT Act, then it's okay but right now we are not working. Delhi High Court have amended the rules and accept the section 7 of IT Act but our High court right now not having the amended this law and we are working on the previous law that is as per the high court rules as per the civil court rules and orders. 12 years required for destroy the civil records, criminal revisions, MCRC that we have to destroy after 6 years. But the file is there, physical file is there and the scanned document is also there. But we cannot destroy it. Right now you have to working on that pattern itself. When you have the confidence that no, now the physical file is no more required as per the IT Act

and we can retrieve the information from there and when we can make the certificate that is scanned on such and such date by such and such people on my behalf and then we can take the certificated then it's okay. But, Delhi High court have amended the rule and they have destroyed every record which they have the digital files over there. So, you have to think that we are not giving that you have to work on that. We are given the options so you have to work on that. If you find it satisfactory then you can go and adapt all these rules. See, proprietary formats, Microsoft word, now you are working on open office that is free of cost. Suppose now the copy rights. When you scan the document when you have the document then you have certify that this copy belongs to such and such court digitally signed on that particular date and it is deliver to the litigant by applying the application on the certifying copying section easily. So, there should be copyright legal agreement on that when you are providing certifying copy to the litigant. Files size, storage media, file format this is we have already discussed. Now again I will come to that point that the information is more important than the hardware. These are the challenges we have to face in day to day digitization of work. I will show you one demonstration, live demonstration of District court, Jabalpur or District court, Cg or High Court where we are generating the notices every type notices, every type of summons, every type of documents on to the computer in text format. And this text format is verified if it is not required to be signed by the presiding officer. Then it is verified by the concern process writer, signed under them. No, it is only print out taken from them, sign it and give it for delivery. But one procedure has to be adopted by the M.P. High Court. This concept is not in the vision of the High court some year before. This could be possible but if you have the good bandwidth and the information is available with us and good software with you then you can eliminate the delivery time of notices and issues drastically. So we have made a software that is called Talwana software. I don't know what the name in your state is but this is for the issuing of process and delivery of notices. Now I have connected with my original software that is in the High Court. This whole information comes on to the database itself. If you want to print 3000 notices from your court it can be generated instantly within half an hour you can print out that document and provide it to the Nazara section for the delivery of the process to the concerned party. This thing that when we have the network. See this system eliminates the number of man power I engage in issuing the process. In Bangalore also this type of software is there I think so. So, when we have this type of software now again come to the digitization. This software is as good as your printi9ng document if you sign this document digitally then what is the requirement of printing of that particular document at that particular time? If a presiding officer

digitally sign that document at the time of generating the notices then what is the requirement of physical file. Because you are aware that section 7 IT Act is all saying that is name as its real records. After signing digitally signed on that particular document but now comes whether you can sign with the dongle that you are provided by the High Court you are purchasing from the different vendors, registrar, and registrar authorities. One that you can make the dongle and make the software according for it. Or we can take the network software in the High Court and everyone using by the presiding officer of the District court. Because when we are connected each every court of the subordinate court with the High Court then what is the requirement for the individual signature. Yes individual signature is required at the end but our network software is there. So you can sign over it once it is signed the next process we have amend in our civil court rules and order that if this notice is generated by the Jabalpur District court and to be delivered in Bhopal District Court. This is 350 kilometers is there. so what happens just I have signed submit this notices is available to the record room in charge of the District court Bhopal within seconds it is available to the district court, Bhopal, authentic officers so in our civil court rooms we have to define that in every court in which the signature of the concerned presiding officer is not required then these type of notices after signing digitally signed by the concerned process writer then it is forwarded to the concerned record room in charge in that particular district he can take the print out of that and sign on behalf of the District Court, Jabalpur sign it and deliver to the process server. Now, we are working on it and within 2 or 3 months we can work, we can implement a software that is called handed device in which we can give the information to the process server who can deliver it to the location. Now we can identify the person, process server is available on that particular location, on that particular time is there or not. Because that device have the GSM technology. The co-ordinate we will fetch from that device that person is visit on that particular place on that particular day. So in this way this technology comes in the digitization of Courts. So digitization is not the scanning of records or repository or you retrieve the data. The day to day function of the Court should be digitized and you have to amend the rules. Civil court rules and orders along with the technology. When an E-Committee has given the direction to process re-engineering the civil court rules and orders we have done it. We have made the team of 40 district and session judges along with the magistrates and they have given the crux of the civil court rules and orders after process re-engineering. The IT committee observe that documents and according to it we have amended. Now it has been put before the Apex Committee. Now i have given the suggestion that we have received the software from NIC2.0 why we are not framing the civil court

rules and order according to that particular software? If there is possibility then we can make the rules as per the NIC software. So the software and the rules are integrate with each other otherwise after sometime software is working fine but your civil court rules and orders are not allow you to work on that. So, you have to give the suggestion to the High court people that please amend the rules that if draft rule is available with you. We have the draft rule we can forward to you also. You just go through it. If you can suggest something to the High Court then you can go. We have an apex committee approve four chapters for that. Now we are work on the presentation counter that is called centralized filing counter and from that. Our purpose is not to digitize the scanning record. Our purpose is to get the information in the digital format itself generated by you only. After sometime, see right now what is the email policy that you have to open in 24 hours one time. Email policy is there if you have the email then you open one time in 24 hours then you are legally bound that information is already forwarded on your official mail id not for the google or something like that because that policy has to be adapted by the High Court. So, in this way we get the digitization. Then only you can fasten your work because if you have given some record and stored the information and then scan then it is to be delivered there is a gap. So first of all we have to work on that particular software and this type of software is available with the NIC version also. So, now the accountability. Suppose in our district court there are five thousand cases listed on that particular day. See the digitization management if you have to 5000 cases listed on that particular date on different courts. Then how many courts have issued the order to issue the notices, summons, everything on that particular day in 5000 cases. Now the district judges can easily manage with the help of reader comment and we are giving the reader command. The next purpose of listing is this. Next date is this, today we are working on this just in our high court issue notice. then notice type of comments we have retrieved from the software and we have find out that this much notice has to be printed by the concerned process writer and every process writer have to print or generate at least 150 notice on that particular day. So there is accountability of that person. No, you have to print this then only you have to go. So accountability each and every person comes existence when the digitization work is completed. So flow management, digitization scanning to be performed by the respective court in that particular management. See, so when I am saying the Digitization it is not the scanning of records. Basically it is the from beginning to last. Yes, that is good that if you have the scanning records of the current file system but go for next level just what Pramod Goel said that you have to work on video conferencing, preservation of that particular video for that particular time. Now again come to

the digital evidence suppose you have taken evidence and put it digital sign and if you have not preserve that document then what happen? And you have destroyed that evidence according to the section 7 of the IT Act. So, digital information storing information should be certified like that this information is available with the current whatever the civil court rules and orders have been defined. The 12 years 10 years. We can store near about 500 years. Any digital information we can store for 500 years and then we can store it with other hardware's and to other hardware's. Suppose we can take the data of 500 years from one hardware and at that time the technology is different we can transfer to other hardware. So this type of software is available with you with the NIC software or you have your own software you can generate it you can take from the help from their help from the NIC people it can be done. So digitization is the concept by which you start from your court from morning to evening and you have to use less paper work on your behalf you can do it because I cannot say that you have to work on paper less court. That is take time but again we require two or three things at that time. Network bandage is more sufficient, second one is power because in Delhi there is 3 or 4 district courts, I don't know. But, 11 district courts? They have the electricity but in our Madhya Pradesh 50 subordinate courts are there they don't have frequent electricity. And some other streets also. But in second phase of the E-Courts project there is a provision of 10 percent courts can be powered on solar energy. You have the funds better you go in your district make the estimate from the renewal energy department and forward it to the High Court. 100 percent High Court given you some funds for this solar energy because we have the fund for the 14th finance Commission. So this is all for digitization. Anyone want to ask you can ask. Any queries? Next session is of Hon'ble Justice S.G. Shah Sir for 'Preservation of record network security' and everything and I assist them in technical side. If you want some query then we can share with us. Yes, but digital information you can preserve long time. Because memory required for preservation of record is very less after sometime when before 5 years you have the 256 Mbps pen drive. Now you have a 3 Tb pen drive with the same cost. Memory is going to be very small on technology day by day you can store the information just for 20 million pages. I think if you save in PDF format then 80 Tb is required and the cost of 80 Tb is not more i.e. 3 lacs rupees. So you can preserve the document in the digital format. Either you can destroy it or you can make the rules for that. But, if you have the capacity then you can store it.

Mr. Yogesh Pratap Singh: Thank you sir. Now we have lunch break. Next Session will start at 1:30.
Thank you sir.

\

Session-3

Security for Courts: Records and Networks

Justice S.G. Shah

Mr. Kuldeep Singh Kushwaha

Very good afternoon to all you just see we have launched our website in Hindi and English also just one month before in both the languages and in the same website we have a presentation. We have login it. In Madhya Pradesh every judicial have their login Id and they can see the information of their personal profile and number of transfers they have done so everything. Whatever we are communicating to the judicial officer on this particular login Id we are forwarding the information so that can open. Whenever they open their login Id they can see the information whatever passed from the High Court. So this we can communicate with each other if they want to send some information to the High Court send through email itself. So this the mechanism. So my next session is Security and Network. This we have discussed in the last session. The important thing is the bandwidth. Suppose we have the bandwidth but if it is not secure then what will happen. In most of the High courts connected with the district court is NIC lease line or swan. Straight wide area network. These two network are maintained by different organization. One is NIC and one is straight development whatever the state IT department. Both the department are responsible for network security. This whole data which are coming on PC is coming through Singapore through international gateway to India. And this data is monitored by the certain thing that is called the Computer Emergency Response Team of India. (Speaks in Hindi) they check the data and whatever the vulnerability is there on data they are reported on minute to minute information on the website. Suppose we have the technical person and we have to protect our system. Sir first what is our duty that we go to certain site. Is there any vulnerability in the system in the data which is coming from the outside? So that way only we can prevent our system otherwise what happen some data is coming some viruses are there. It collapse all the data. Once it is network it means you are unsafe. Network means that when you are connected either through MPLS, NIC, and Swan doesn't matter. If it is connected with the internet with some or means you are unsafe. So, you have to take the prevention that is the basic duty of the IT team of the High Court. So, you have secured the data whatever the district court requires or the High Court

requires. First of all two things are there. One is bandwidth to be monitored by some professionals and second one is the correctness of data. The genuineness of data. Suppose google site is there once you open the google site it may be fake site but it is the responsibility of the data entire internet that any duplicacy of google is not there in the system so they have developed the software and accordingly they are searching. One team is there and they are searching the fake information and delete the internet. Same way in the district court and High Court the responsibility is to store the data and to make available with the subordinate courts. So, first of all how it can be done. Now-a-days one day two years before when I enter in a court I have seen that whole data is collapsed. No data is available in our server. So I have asked NIC people where the data is. I don't know what happened at 10:25 some script is running and the whole information is gone from 1995 onwards. So at 10:30 we have to make the arrangements. Central file is to be open, reader module to be open in the cord. So, we sit calmly and think over it how it can be recovered. We have disconnect the internet lines and we meeting with the NIC. What you are doing where you are keeping the data, where you are sending the data to the NIC net site at Delhi. But some of the data they will be forwarding to the NIC data center. Most of the information is available with the server itself. Only the causes related information, judgement case information is available on the website. They are sending from the High Court. So, unfortunately or fortunately we say last night we have kept the copy of the data for different purposes. At 6 p.m. we have copy the data and we have put it in our laptop and whole data is gone next day. So we have retrieved the data from the laptop into the server within five minutes and the information was entered. But, the information which was entered after 6 p.m. is gone. So, I don't know what the information is. What the user will update the information at that time between 6-7 or 6-8. So, that is the situation that at that time what we will do. I don't know the answer at that time. But, again we meet the professionals from the It industry and they suggest something but we are not sure that we sale the product and after that you no more with us. So we have made some arrangement that is disaster recovery system. Disaster recovery system in any case the information is available with another data center. We have 3 data center basically. One is Jabalpur, second is Indore and third is Gwalior. Same replicated data is available on both side. Instance to instance is copied on both side but they are not workable server. They are just for a storing server. So, two types of data is there. That is running code data and digitization data. Running code data is more important than digitised data. Because the court working is going to be stop and will take time to revoke that one. So we have make the disastrous recovery at both the side. So at any instinct of time if the data is lost within

20 minutes we can recover that data from both the sides. Again the question arises but in that particular period of time 20 minutes what will happen the information is updated with the two sides. And information is not available with that said time. So, we have to make the arrangement of mirroring. Mirroring means if the one side is gone, second side is already open. The company is google, they have 13 servers. One server is gone, next server is automatically switch over to your request. In these instances its working on. Security and network these are the two different things but are co-relate with each other. First of all when a person comes in your campus and there is local area network is there. They can go, hacker can do anything. They can plug in the system and if they have the password known from each other they can retrieve the information from there. (Speaks in Hindi). Each and every port each and every link should be managed by the IT team of the High Court. If we have 10,000 nodes in district courts so each nodes have some permission. This is a wireless system we are working on it. One connection is established between these two things that is called port. Every computer when connected with internet that is connected with some ports. That means doors one door is for file transfer protocol file transfer we are transferring some files, receiving file that is called file transfer and another thing is HTML request. These doors are open at one instances. If we make re request on these posts nobody can retrieve or write the data in our system. If I have given the read permission only on single port. Suppose your computer hardware is connected one LAN port in your district and you are connected with the CIS version of software whatever provided by NIC. That port have access of internet, software, digitization of data. Suppose somebody enter into the system and hack in your system. Suppose you are writing any judgement, stored it you are well defined that nobody is seen this. But it is possible that if your system is connected with the IP and system is on. We can retrieve your information without your knowledge. So this is the responsibility of the IT team of the High court that from this door you cannot see anything from this. So we have to develop a domain name system. You can just go this door and from this door you cannot retrieve the information from the computers. So these are the security measures you have to take from the IT team of the High Court that is somewhat more technical but we have to think of its own that how to secure the information on our computer itself. That means you have encrypt the data when you write something so you have to encrypt that data on to your computer with some tools that is available with your system, encrypt, secured by digitally signed, or anything else. You can convert into encrypted form and store into your computer. That is the one thing which I have to mention here otherwise the information can be retrieved by anyone which is connected on 1400 codes. Suppose a judgement is

passed by you. If it is your network and every computer having one IP address. (Speaks in Hindi). We have two addresses (speaks in Hindi). It means you have changed the addresses and it means virus is there. Viruses are not there. Now viruses change the address of two houses. Change the address and you get the virus attack. What antivirus do relocate the address and you get the correct information. So in our system in Madhya Pradesh High Court we have some management tools to secure the systems. First of all daily morning our IT team sees this system this Balaghat is router is up, Bhadwani, these are the district where our router, see Chhindwara this is down right now so the responsibility of the IT team is to on, off. On this particular IP 172, 19-21, some IP is there. This IP is identified some hackers that whether we can enter into the system and retrieve the data. IP means address. IP means virtual address and every device either mobile, either laptop is having MAC address. Physical address is there in the system. The responsibility of the IT people is to protect IP from these hackers. You change these IP frequently because when we communicate through each other when we transfer the information from device to another device or to another device the initial communication takes between that is this IP that is virtual IP. When the communication is set up physical address is transferred. See when you open one time google it takes time but next time you open the google it's fast. It means your physical address is copying to google and your devices is identified by the system. So the actual communication takes place by the physical address not by the virtual address. But initial connectivity is by the virtual address. These are the things which we have installed in different locations. These are the server status that whether in our 200 food complexes server is on or not. It is down so we have to instruct the office system because the information is not available on internet. Some orders or judgments is uploaded by the concerned presiding officer it is not available because it is down right now and every port we are monitoring day and night. How is it possible it cannot be so, from morning 8 to evening 8 we are physically available with the server. But night from 8 to next morning 8 we have the sms service link on these doors. Once unauthorized person coming on to this we get the sms is someone is hacking our system? Then we are alert we have a VPN connection just like we are connecting with the high court server. We work with the home we go for the change the virtual address. Change this IP address. So, the person who know our IP address hit on previous IP address. Next address is not available to them. But again after sometime it will know by the person. So we have to maintain our security with changing of this virtual address within a week within a 15 days. So we can protect our information very well. So IT people have to do but suppose if you have the charge of computers then you have to instruct the system officers that whether

the security ids there, check whether your server is on or not. Router is on or not. You can instruct them that we know this. This is the type of technology we have heard. So, network now second we can say that because this is more technical than your part. Now next is preservation. Preservation of record is more important than this. Because this we can handle IT people can handle this but now the preservation. Digitized data can be preserved as per the civil court rules and orders for a particular period of time. But, how it can be preserved. We have a good discussion with Pramod that microfilming is there, Hard disc should be there for storing the data but how much and what is the capacity of the bandwidth you require if one thousand judicial officer at a time retrieve the PDF information on different part. Then how it can be preserved so that it can retrieve fast. So, first of all we have to store the data on to the hard disc on to the memory and after that we can store in microfilm. So retrieval should be dependent upon preservation.

Participant: Preservation is being done only in the Supreme Court for the first time and it is a pilot project and no rules have been framed. It has been done through executive orders.

Mr. Kuldeep Kushwaha: I think Cedac is associated with Supreme Court for digital repository. See if we want to preserve some PDF files then we have to preserve the acrobat also. Because after 20 years there is no acrobat reader, technology changes, software also changes, you cannot retrieve the data from the PDF. So you have to store the PDF files as well as along with that files which we can retrieve from them. So software plus that digitize data you have to preserve. After 20 years what will be the technology we don't know but if at that time if we have the adobe reader in our system then we can retrieve the information from the repository. The software and the digitized data should be stored at one place. So this is called preservation and the rules are framing right now. CEDAC is working with the Supreme Court data and after sometime that facility is also available with us. So we can store the data preserve that data in their laboratory with some cost. They can maintain the data center and we store the information for long time but the capacity of microfilming is not more than 500 years. This is Hypothetical figure but we can say that 300 years or 400 years we can maintain the physical data on the physical medium. It is a physical data which we can retrieve from projector itself. So, preservation is another thing. The only concern is that for us that how to put and make available to you in your district court. This we cannot we have the option right now that we are maintaining our data center where we have 20 million of records, pages. We store our data center and from there itself it will be provided to you but again when the bandwidth comes if the bandwidth is not there and

you want urgency then you want that data then how it comes. There is no internet, no MPLS network, separate network is there how will you get? So one option is there but it is very costly. You can store at your place itself with some hard disc. This can be done again the cost is less? But until and unless the network is not available in the subordinate courts of M.P. you cannot go to the paperless courts. Ya District is okay but for this tehsil courts, taluka courts it is somewhat more difficult. So that is called preservation for long time. Now the security comes to the point. The information you have entered in the software should be encrypted so that nobody can see it or nobody can change it. This is the biggest responsibility on us. After detection of this problem we have to identify the person who has done this on which IP we have to identify and play before the authority. So this is the biggest problem. But every crime which is on the internet on the computer can be identified 100 percent identified because it is copied on different devices at a particular different times. Suppose you have access the router your IP is copying up there. From that router you come to my computer from my computer go to another computer. This is record in every devices that you have visit this route. So, if we want to identify that this person has visit this. The person who have given the access is liable. The path open to make the crime on this computer is given by this computer. This computer is responsible to give the path. So, Okay that's the prime responsibility fixed on that particular person but your responsibility is to secure your hardware. If somebody gets access to your hardware and climb on to the other computer it means you have done this. So, first of all you have to secure your system with some proper software antivirus is there and IP should be in encrypted format and you have to work on always make one user other than administrative user. Administrative password is you have but make one user from the administrative side and make on this particular system if it is connected to the network. In this way most of the running files most of the system files cannot be manipulated by any other person because at that time when you are working as a user it is in encrypted form by the software itself, windows or Linex, Linex system is very good because one file is created no problem, another file is copied system is working. But in windows every file is connected with other file. If one file is damaged other files is also damaged. So first of all you have to make your system secure. One crime is done in our system just 2 or 3 days before that somebody access our router and through that router he access on that particular site and done something. The address for this particular that is our router address. Some people coming that your router request has come and something done wrong on our website. No, no we have your address just give it to you. I see. Okay this port is open for something receiving inputs. The person come to our system goes to different site, do something and

back to the system. From our system it will be known that the person is coming from different place and we have given the information right now you just inquire from them. But the same thing is with your system. Your device is also the path of corrupting the other people devices. So my request is that if your system is linux then there is no problem. For windows you make a user on administrative privileges and work on that. So at that time your system is secured about the Microsoft with some encrypted mechanism inside when you make the user. On administrative side it will be open. In this way you can secure our laptops or hardware devices. Now, for network we have 2Mbps and NIC has given 1 Mbps data to subordinate courts. This is sufficient for communication of data. So, when you want to upload the judgements and order then either go through that mechanism that have given the notices generated same way you have typed something and digitally signed with an instance. But again if we want to convert into PDF/A it will be transferred to the server and from that server to the NIC data center where it will be looked by the concerned party. So NIC software taking the responsibility to store the information in National Judicial data Grid. In the last session which will be taken by the Pramod Goyal. this information is available in the National Judicial Grid fortunately we have the some relaxation that we can retrieve data from the National Judicial data grid if anything happens in the district courts for some data mismanagement. We can retrieve the data from the National Judicial Data Grid. But that data is not 100 percent uploaded by you. So. First of all that you have to assure any district that whatever the information is available with your NIC, your server it should be uploaded on the National Judicial Data Grid. It will be retrieved from there on the request if anything happens with our servers. In this way we can secure our system and connected with the National judicial Data Grid directly to transfer the data. So I, request to Hon'ble Justice S. G. Shah to give some opinion on network and security. Sir.

Justice S.G. Shah: Good afternoon everyone. Probably after lunch we are little bit slowly and the second reason is probably this no doubt Kuldeep Singh Kushwaha has given us a very good input but according to me to some extent probably some of you may not be that much technical to sorry to say to grasp it also. Am I right? I want interaction also but before I say anything more friends practically I am one of you. Only because I am little bit earlier in queue I sit here. That's the only difference so don't worry about the protocol or anything. Technical things but my experience and why we need to follow this technology. If I am able to do it in 1988-89 now, we must do it. During those days my software was able to connect the headnote of a particular case. No doubt everything was done

manually by my staff. After scanning every data has to be filled manually. First and primary thing computer is not a magic. It cannot do anything unless it is properly used one, unless it is properly fed to and unless it is properly secured. If three things are not properly done it would create chaos for us. Since 1988-89 whenever there is development in a case the cause list which today we are getting in each court and each High Court. It was generated by me in 1988-89 because I have to handle daily 50 or sometimes 100 cases per day as an advocate in a district court. So I have to assign work to my six juniors I am fortunate because I am in sixth generation of this profession. So, from day 1 I have a big office AND EVERYTHING IS THERE. So, I have to assign a work to five six juniors, to clerks that which case to be attended by whom. But the crucial thing is that every day what is to be done on next day in the particular case by clerk, by court or by me recording of evidence, framing of charge whatever it may be. Few instructions. The foremost thing. Yesterday only we were discussing with somebody, case management and court management. the first line of my computerize board would show me a number of dates, next 15 days and total number of cases already assigned by courts to me. So, whenever I am in a court I am sure now in next date which case is to be taken otherwise there would be again chaos. Even today that facility is not available though it is there we are not using it. In so many courts we are not using it. In some courts it is given on a separate seat. As a judge today I am regularly using it. I am yesterday explaining it to somebody that I keep a seat on dice and I know on a days for an advocate that from next day every day before me this number of cases are going to be listed. Therefore, now select a date when you want your date. If you want active hearing select such a date when there is least number of cases one thing. Second thing there is a rule in my court that there would be no mentioning and no date for first 20 cases. Initially when I start judicial work before three years I started it with 10 cases now I am saying 29 case. No, mentioning no date everything starts from 21 only after mentioning 1-20 cases have to be decided without any dispute. No date nothing doing. So tomorrow if somebody wants a date you will take care if you want to argue the matter we will take the care that let it be on such a date that when it is within 20. So this is the use of technology. Technical issues are different because ultimately I understand that we all are judicial officers we neither have to type it, we neither have to connect to anything we have to administer the justice. So, we people are concerned with how to do it, what to do it, when to do it. Actually what is to be done is not our topic. This is one thing. So, though it may be little bit boosting to you but you must know it that after doing it I was an in charge of E-Committee for six years. I have computerized Gujarat State Judiciary, Gujarat High Court, Madras High Court and new computerization in the

Supreme Court after 10-15 years because otherwise there was an old system. Now, coming to the security issues. Today you are given this reading material by Yogesh Pratap Singh. How you will access it. How you will access this reading material. It's a simple question I want answer. It's a childish question but the next discussion will give you that why I am asking such question. You will take the book in hand you will open it and you start reading it. What do you need is if your eyesight is not proper aspects and readable light. Daylight or readable light. And next thing which is required which is literally with all of us is knowledge of reading it that is language if it is in some other language i.e. in Bengali, assami or Punjabi probably all of us may not be able to read it. So basic requirement to access this information, this data is our personal skill of knowing the language or eyesight which is human and natural. Nothing more is required, spectacles is normal thing and daylight or artificial light. Nothing more is required. Now what is required computer, then internet connectivity, suppose it is in a physical media, at least PC, computer, laptop, then electricity power then software, then again personal skill to some extent. Better than reading skill Reading skill you require in childhood. No doubt I don't have evidence on my hand but I have a verified it I will explain how? But pentagon in America you will surprise to note it that even today after every decade they are dumping fool equal set of technical instrument in a separate area. So today if they have developed one center and if they have installed 10 or 100 computers and percentage computers are additionally blocked by them and it is saved at a separate place which a clear vision that if similar hardware and software is not available in future we will use this store. We don't have that vision today and I am aware I don't have evilness to get because even Americans do not admit it. They admit orally but they don't want to give in writing or they don't want to disclose it anywhere. Even pentagon is saving old computers at some different places. So my second issue on security is that after couple of years this computer will be absolute unless you have a better facility to convert everything in a new system you will be in trouble. My brothers they will not agree with me but in fact I use computers since 1988. Open source, Linux, open Office, it can be said that it will be available throughout even it is in where but I don't believe so. Initially word star was there it is also a Microsoft product. It is a word processor like office word today now Microsoft is not supporting WordStar for last 2 decades. So my files even today I have my hard disc with me. My files in WordStar initial files I am unable to open it. There are conversion. There is facility but it gives so many errors one thing. You must be aware windows version after version Microsoft stops support at any point of time if any company says that now we are follow view. AIR is on follow view. It has discontinued its support. So if any company or at any

point of time discontinue the support we will be in trouble. So, basically security is so comes here that we have to use open source but only and only if we are able to sustain with that open source software. I am going to sue even somebody has said this. Supreme Court has before six years Supreme Court has started this. All judgments of Supreme Court are on the space. It is as good as AIR or SCC online software it is on net are you aware? It is on net but unfortunately we people are not good in advertising everything to everybody and so nobody is using it. But on that day when it was started Supreme Court has conveyed to all the High Courts to put it on notice board of all the places including district courts. So if anybody of you has noticed it. So this is another issue that if software's is not available even if you have a data. I don't believe it. after couple of years technology will be different, software style will be different, today 32 bit software style is there then it will 64 but software style then there would be 128 because I am talking step by step 128 bit will be started and probably old software may not work properly. But, before that again coming to same physical things. Now you admit it that to access the data or information from any other media than a book or paper. Today for decades together our records is on paper which can be accessed by physical means. Now we are talking to convert everything into digitization. Then everything has to be accessed through electricity hardware, software, but one major thing everybody has forgotten it. Here as I said I am able to read National Judicial Academy because all of us aware that this is "NATIONAL" language. In computer Kuldeep Singh has probably tried to convince you but I will explain you in better position. Anyone of you if it took this book in hand we all will recognise first character as "N" Is it? Once you convert it into digital format and in a different software they will convert every character in presence or absence of minimum electric current or presence and absence of magnetic field. It is not stored in the form of this alphabet. He has tried to convince and explain you in technical words. I am explaining in you a practical world. All A, B, C, D, 0, 1, 2, a picture, voice everything is being told on a media either in the form of presence or absence of magnetic field. Or in the presence or absence of electric diode. Am I right? As soon as there is a natural disaster and see there may be options that we may have it three times, three places, four p-laces, ten places. As google is having at 13 places. But we don't know disaster will be at which place at which time. But forget disaster while recovering it back and therefore this security is concerned. So far as physical data is concerned only security people lock, keep a watchman and probably you are safe. Unless somebody plays mischief. Your staff plays mischief or some otherwise its safe. but when you retrieve this digitised record, digitise in any format in any manner, in any place anywhere but when you have to retrieve it when you have to read it, again

you need a specific technology that it converts if N is recorded as binary language, A is recorded as 7, 0, and 1 or 6, 0 and 1. 6,0 and 1,0 because when we say 8 bit 32 bit if I am not wrong out of that 8 bit you must be aware that electric cable is two pair. Computer cable are 8 pair. Computer cable are always having 8 cables in one set of cables. This is a data cable so this bunch has 8 cables inside these packet. This packing not like a simple electric cable which has only 2 pair. Out of this 8 pair one pair is used for transmitting electricity and seven pair is used for recording this presence and absence of electric current or magnetic current so therefore, is there a chowk here? So friends when you recognise A the computer recognizes some figure. Till we recognise it 'A' it is a figure. But if convert it into digital media it will be recorded as 1, 2, 3, 4 ,5 ,6 and 1 and then one 0 which is practically transmitting messages. Then if B is there I may be wrong but it would be double 1(11). 0000011 so on triple 333. 0000 means C. This technology is now being tried to change in how much you said Sixty Five thousand. So this 256 characters in ASCII format which are recognised by this now it is being changed. So what I am saying is you will realise it. Before, couple of year's word star was there. Today Microsoft word is there we are using open office, star office or some other software. But so far as recognition of character is concerned till date ASCII format is there. After couple of years some other format was there. So what I am trying to explain it. I have used technology for two decades. It must be used but security issues are to be taken care of as a PDJA as a judicial officer. You must be aware about Kuldeep Singh and Pramod Goyal explains. I am aware that it is the issue to be taken care of by the E-Committee in large or Computerization committee of the High Court itself. You personally you don't have to bother to all such small things. But if you are not aware about certain details probably you will agree to somebody what he suggest it. One another hidden discussion is always there. We are discussing Kuldeep as a microfilming. Whether microfilming is to be done or not to be done will not discuss on that line. But rest assure while using this technology practically industry people are boasting us to use their technology only. I will be 'A' technology or 'B' technology. Its simple example is biometrics. Now it is everywhere used for maintaining attendance also. Right? Initially it was always for identifying criminals but when there are equipment's, forensic science laboratories or few institutions have purchased it thereafter the people who are manufacturing biometric equipment are free. I have noticed it because we have started it in 2007 in Supreme Court and I am sorry to say immediately after its installation there are some date in Supreme Court registry because people have started to rush to the Court and they meet with an accident. So, technology must be used but it must be used in such a fashion which creates a problem for present existing and stable

work system. And I think now let us stop because I think I have to speak on so many occasion I will get enough time. Because we have to be here again at 3 'o' clock to listen Pramod Goyal. We will continue in next sessions but since it 2:37 let us have tea break. Thank you.

Session 4

National Judicial Data Grid

Mr. Pramod Goyal

Mr. Pramod Goyal: What you understand by national judicial data grid. Have you ever visited National Judicial data grid. Everybody, any volunteer to give complete demo of NJDG, complete demo, any volunteer, yes please, it is very simple, it is just a website, you just have to browse it. Day to day judgments and orders we are uploading to the site no that is e-Court site, NJDG only reflects it. NJDG is also associated, yes absolutely, that data is available of this NJDG, entire pendency and every information is readily available on national data grid, easily accessible, how you access it, there are two ways to access NJDG. One is by visiting e-Court site, you can visit e-Courts.gov.in, and it is given in the address, no it is wrong, hehehe that is why this session is, it is fair confession that a man is giving that he is waiting for me at my office, as soon as I am reaching office, I am accessing everything, you should access it yourself because it will make your computer say and you will be at more ease to use computer. Sir, I am computer friendly, I am using computer at my residence, I am using laptops, I am typing judgments on my laptop, everything I am doing but for that purpose, I am using that facility which has been provided by the High Court, fine, fine. So, in order to access E-court, National data grid you have to go to gov.in site then there is district court services at the bottom. District courts services. You have to enter this and once you enter this this page would open. This shows data relating to Supreme Court data relating to High court and NJDG on the top and if you press this button you will go to National Judicial Data Grid. This is public view they are two views in National Judicial Data grid. One is public view and other is admin view. Public views open to everybody it is accessible to internet whereas admin views is password protected as well as it can only be accessed through NIC network or through VPN i.e. Virtual Private network. If you have got VPN connection then only you can access admin part of National Judicial academy data grid. In Punjab & Haryana High Court we have given passwords as a login for admin also to all our district and Session judges and they have also been given VPN connections so they can access the National Judicial Data Grid through admin parts directly from their mobile, their computers or iPads also. Now let us see what does this National Judicial Data Grid says. Now this is one of the security features. This feature to get into National Judicial Data Grid that you have to type a text. This is security feature

which ensures that a automatic calling system is not perpetuated by any robotic computer programme. Now unless you type this word manually you cannot get into National Judicial Data Grid Heights. Once you get into this it will show different information. It will show you case disposed last month, case filed in last month, case disposed in last month more than 10 years old. All this information is already there. Then it also gives you cases filed by senior citizen, cases pending less than 2 years , cases pending between 2-5 years, cases pending between 5-10 years, cases pending over 10 years. Then it will also show that cases which have not been fully updated by our courts staff that is also shown. It will show cases listed today that means on All India basis 440289 cases were listed for today. This is total figure that means 34 lakhs have been have not been updated by us. Out of 2 crore total pending cases which are on NJDG 34 lakhs have not been updated that means 16.36% have not been updated by us. And excessive dates that means it gives the date where the date has been given beyond 3 months. Generally it is accepted norms that if a case next date is given within 3 months then it is fine. If it is given beyond 3 months it means that it is either the Hon'ble the learned judge is overburdened or a is not managing his affairs. Both things are possible. Now let us see the state wise. Any state whose data should go for Jharkhand. Let's see Jharkhand. You are from which district? Pardon, Dhanbad, Let us see District and Session Court establishment. Now this shows the entire stats of Dhanbad District and Session Court establishment. We can make out that total pending cases in Dhanbad session division and are Session court division not session division.

Participant: This is public view.

Mr. Pramod Goyal: This is public view. Now I just wanted to share this view because everybody is coming to know what is actually happening in their court. So our responsibility has increased many folds. I have started with public view for this reason only. Now there are 7454 cases out of which 5011 cases are criminal cases and 2443 cases are civil cases. Now let us press this. Now in Mr. Nath Court 680 cases are pending. 680 civil cases are pending and in all 6443 civil cases are pending in civil court. He has got the maximum, that side you have got maximum civil cases in your court. Then further you can go to the cases. Now the cases which are pending in his court are listed here. All 6890 cases are listed here. And if you press any of them. Then individual case details would come is like this. Case type, civil miscellaneous appeal, filing date, first hearing date was 24th of May 2011. All this orders are there. Last date was 19th of January 2016, 24th of February is the next date and the purpose fixed for its appearance. Now everything is available. Now in this case the interim orders

you are not uploading the interim orders but here it is not been shown. Let me ya, it's not been shown. I will just show from Chandigarh because I am aware that Chandigarh is uploading all the cases. In Chandigarh in district court 5591 cases are pending and you see there is not a single case which is undated. We have 100% updating of cases. If we go to these cases. Let us see civil case or 440 civil cases. Kindly see the copy of orders. Each date has got copy of orders. On 16th May, 2015 the order is like this. This is the order. And once the case is disposed of the final judgement is also uploaded on the National judicial Data Grid available to all the litigants. Now what are the benefits of this? Can you enlist they benefits of this whole system. Transparency is there. Very fine, absolutely right. Footfall as well as court work is reduced. There is no request for inspections. The request for inspection have gone down. Then number of people visiting courts. You see if 5000 people are visiting courts actually only 2000 people are concerned with dates which are fixed before the court. 3000 are coming only to inquire about the cases or to get the copy or something like that. So by putting all the orders on the net we are reducing the footwall as well as pressure on our court staff. Yes, it has brought lot of transparency and has reduced the corruption to a great extent.

Participant: How this copy as now this copy of order is not up to date.

Mr. Pramod Goyal: It is up to you. It's up to you see its very simple we have not it is not rocket science we have not employed any special efforts what we are when the judgement is signed the moment the judgement is signed the steno converts that particular order in PDF and then it will upload it. Judgements are uploaded even these orders are uploaded. No, you see the purpose is it is all your convenience. If you are uploading it then the pressure would be reduced on you. There would be lesser number of allegations. I know an instance where a judicial officer received comments to the High court that kindly explain that why you have supplied the copy of judgement lately to the party. After 15 days of pronouncement of judgement he was surprised to get that notice because he had dictated the order first, signed it and pronounced it. He was surprised fortunately for him the steno had uploaded that particular order on National judicial Data Grid and that time stamp was there. He discussed the matter with me. i said lets save if you have uploaded it we can find out from National judicial data grid. We go it from NJDG and along with these comments it was sent to the High courts and when inquiry was conducted by the High Court it was found that it was Almerd who want on because of some experience consideration had kept the file with him. The person was somebody else was responsible but it was responsibility of judicial officer. But because steno had

uploaded the order he got save. So this way we will be saving ourselves also. Then there is another thing these are all timestamp data. Everything you are uploading time, date is being noted on the servers of National judicial Data Grid. so you are again saved by any change in order. They are allegations that you have changed the order. Generally this is a once a particular advocate loses a case in fact he is not able to explain his mistake to the lawyer. You know always find fault with the Court. He will say either court has done something mischievous or it has change even the orders. Here is very common with the advocates. Not all few of them are there. So this will protect us. Then you can also find out which are the oldest cases in your session division that would help. Because the moment you there is a sorting facility available you kindly see the registration date if you sought it out it will sought all the cases on the date of filing. On the date of registration that is generally date of filing. Now the oldest case in Chandigarh Session vision with district judge, Chandigarh is of 10th of May, 2004 that means of less than 5 years old. There is no case beyond five years with him. Most of the cases if you see the history most of the cases are only after 2014. There are only 5-6 cases of 2013, 1 case of 2012. Now this is a very good tool to infact plan your court work. Court management is made easy by this tool. You see we all know that we can pronounce 35 to 45 judgments on merits. Generally this is the average. If you work whole heartedly and the only thing is how you manage it. If you are managing your old cases you are taking them on priority basis prior to the newer cases the output remains the same but the quality changes. Then you are considered to be a person who had decide all the old cases. But you are not doing any special effort. You are doing the same effort and same effort is giving different results. Now this can be planned through access to National Judicial Data Grid. Now all of you are most of you are Principal District and Session Judges. You are administratively responsible to work of your team to the High Court. I have been told that in one of the High Courts it is the responsibility of district and session judge to get work from his team and if his team has underperformed then it is the a share of district& session judge which has got that reflection. It is considered to be failure of that district and session judge. Now, this is one of the tools which can help you to manage or to know what is happening with your colleagues. How your colleagues are working how they are managing their courts. Whether they are deciding old cases or not. This can be very well be monitored by you. There is any simple tool. Can you tell me when it was launched and when it was envisaged. Only 7-8 pages are there. National judicial Data Grid was envisaged by President of India in 2007. He was giving a lecture on E-Court evolution and on during that lecture he had come out with a concept to start a National Judicial Data Grid for courts in India

when it was started it was started on 17th of August, 2013. After 6 years now whether this delay is because of Bureaucratic red tapism. Can you tell me why there was a delay of 6 years just to create 8 pages which otherwise is a job of just 1 month. This whole website can be created by a good programmer not more than 10 days and if put in testing time and in a months' time it can be put to use. Infact National judicial Data Grid is not simple website. It is basically the culmination of entire E-Court computerization programme. You can understand that it is not merely the (not clear) of website. It was joining 24 High Courts, 600 districts, 2500 Court complexes, 16000 Courts and Lakhs of court employees who were primarily responsible to feed and update information in real time. Now how was it possible? It was not possible otherwise unless deployment of human ware, software and hardware is done in synchronized manner and we have very good opportunity today that Mr. Shah is with us. He is one of the persons who had started all this thing. He infact is the person who is doing all these things. At that when it was initiated and started. Now, for hardware what type of hardware is required? Who is going to decide it? Yes, please can you tell who should decide it? What type of hardware is required by the courts? Should NIC people decide it? Should technical people only decide it? Yes, it is the legal fraternity which needs to decide it. May be our higher ups, maybe our E-committee takes the decision but generally that decision is taken after feedback from all levels including district and Session judges. Is it sufficient to purchase the Computers? It is not. Beyond purchase of computers you need to have side preparation. There is classic case in our high court. LAN was installed in one of the district and for three months there was no work there was no reporting from their side from district side. Whether they were uploading data or not? When we inquired from them then we came to know that infact Land tender only included laying down of LAN cable. It has no provision for electricity connection. So LAN was there electricity was not there. In some cases the equipment had gone to the court but unfortunately there was no room for equipment. So, all these things were infact taken care by E-Committee, by computer committees, by district and Session Judges who have constituted district computer committees and then nodal officers. All of them have worked together to create this all this hardware infrastructure. Then what type of software do we need? How many version of software's we have used till now can you tell me? Presntly we are using CIS. It is CIS which version 2? Which High Court? Pune. Yes, Pune they are only district where in Maharashtra where CIS 2 has started. Otherwise we are using generally we are using CIS 1.1. That is Pune version. Before that we were using CIS Delhi version. And before that we were using for some other courts were using D-base programmers. Some other courts were using FOXPRO

programmes. Now in National Judicial Data grid will not work if the data nand nomenclature is different. If the case types are different. It will never work so a uniform nomenclature, data structure was created in the form of earlier CIS Delhi then CIS Pune now in CIS 2. That is the main purpose of having a centralised software is to feed National Judicial data Grid. Now in April we are coming out with CIS for High Courts also. So there will be total data integration, horizontal as well as vertical between all High Courts. Supreme Court has already changed to CIS. They have a CIS programme running in Supreme Court. Trial courts they have got CIS 2. High Court will be migrating to CIS in April. So all cases from start to end they can be taken care of at the National Judicial Data Grid. That is the importance of National Judicial Data Grid. Now what about Human ware? Software of course we have done it. Hardware of course we have done it, what about human ware? Who had to put the data? We needed trained staff. Not only trained staff even to monitor those trained staff we needed to empower our judicial officer also and that is why we are here. That's the reason that we are here. Infact no doubt that we are not supposed to feed the data but we are supposed to monitor the data and that is only possible if we know something about computers. There were many cases initially when judicial officers were not aware of Computers. The technical staff used to say that this is not possible sir. This functionality is not there. I think many of you must have faced that situation in your districts. They used to say that No, no this is not possible. This is absolutely impossible in this some particular software. But with increased knowledge of computers, increased use of computers judicial officers have started questioning and the people have started working also. And this is because of your monitoring not otherwise. Yes, what is the advantage of National Judicial Data Grid? Can you give any advantages? Yes, it is very good tool for monitoring for all levels. At district level District Judge can monitor his colleagues. At high Court level High Court can monitor each and every district Court. At Supreme Court level they can monitor all the courts at a central place. Then National Judicial Data Grid is a warehouse of data. Now this warehouse can be used for data mining. What is data mining? Have you ever heard about data mining? You are very close to it. It is basically Patron Recognition Logic to identify hidden patterns in data. It infact gives if you see if you find that a particular thing is being done in a particular manner. Let's say acquittal rate Acquittal rate if you want to find out that why there is a large amount of acquittals in NDPS cases. Now this data mining would be useful. It will tell us how the witness is examined? How many witness were examined in acquitted cases? Which witnesses were examined? Now this is all micro level mining that is only possible when we feed data. The data actually as on today is available in NJDG for these purposes. But it has started

pouring in. But, a stage would come when the entire data is fed then we can pinpoint that what are the reasons for high rate of acquittal in NDPS cases. No, you see judgements you have to go through it. That is a different. That is data analysis is one thing, data mining is different thing. Now, data mining is logical patron from data itself you can take out. You see that patron how it is how this particular thing is functioning and then come to the conclusions on the basis of that pattern. That is all computer generated system you can't go through ten thousand judgement passed by each and every district and session judge or each and every court dealing with NDPS. It is not possible it can only be possible by mining the data by going through number of witnesses, type of witnesses. Whether complainant has been examined, whether an independent witness was there in the cases. Let us say there are 10,000 case. Out of 10,000 cases 8000 cases the result is acquittal. Out of 8000 cases in 4000 cases there is no independent witness. And in case of cases where conviction has been held out of 2000 cases. 1800 cases were such cases where independent witness was there. So, a clear pattern would emerge. It will show that it is failure of police to engage independent witnesses or to examine them before the courts which is resulting to acquittals. These business intelligence tools can be used for these purposes. Now this is quite immature at this stage but this the possible use of technology. Yes.

Participant: Of course we will be able to do it but now-a-days advocates are not arguing much in many courts. They will just say on merits order must be passed. So, let there be what are the provisions, legal provision attracted to this act of ours. Then that can be incorporated in this judgement the quality of this judgement will then enhanced. And then the Higher Courts will know that the relevant provisions have been referred to by the office.

Mr. Pramod Goyal: I have to interrupt in between because when I was saying that infact when I say that in my system in 1988 I have linked headnotes of a case with case details. By starting computerization in judiciary in 1997. Since 1997 till 2012 I have repeatedly praised for adding a feature in computerization to connect. We are now classifying the cases right? Then to connect the citation of few latest cases with each case. In a cause list itself. I don't want to interrupt the judicial authority of any judge by if all the judges are provided with the latest judgement on the subject with cause list itself then the example which I have given regarding the bank and foreign judgment which was listened after my elevation then position would not happen. But unfortunately for all 15 years High Court and Supreme Court has not regret to it but my note was pending before the High court

and I am happy to know that now they have agreed to follow that what I have suggested to them before 15 years. Then there must be a technical support. Again neither Supreme Court nor Mr. Goel, nor me we are not interfering with judicial powers or authority. Technology is simply trying to help you. You may verify that I have given a note in Supreme Court pertaining to section 319 of CrPC regarding joining additional accused at any point of time. There are different judgements on it and one matter is pending before 5 judge bench. Analysing as he is saying I have analysed all the judgements of 319 and I have prepare a note that why and how the technology is required and helpful in judicial work. Now Supreme Court has decided. E-Committee will take us they will take a decision final decision that in addition to what information is available here there would be some hidden information. Regarding trend of the judgements that if particular subject is decide din particular manner for thousand times then it is acceptable. Because in my regular slide show i will show you that ultimately law what is law? Law which is decided by the society which is accepted by the society. So, practically this technology will help you. This national data grid will help us if we have entire details in our hand. Now you can continue. But if computer system gives you 3 Or 5 relevant latest cases on that case subject no advocate would dare to submit something against the subject before you. Now it is up to you whether that case is relevant or not whether to rely upon it or not whether to refer it or not. We will never say it but at least nobody would try to fool you and your work would be easy. I will explain you my two three projects are not approved by judiciary. 2-3 approved, I have work on it, I have experienced it and then I have implemented it on a larger scale. Judgements which have far reaching consequences on the procedure. Suppose if Supreme Court or High Court lays down a particular procedure or aspect in a case and ask us to follow then even if that judgement is not valid in that particular case on the day. I'm bringing the judgement and reading it out. As an advocate I used to mark AIR headnotes while sitting and waiting in a court for our turn as an advocate we have to wait for some time before our matter is called out. So, I always keep AIR, SCC, GLR Hindi with me my clerk will have the bag with him. I will not all the judgements. Now we have all have everything available. But some standard judgements we may not require to cite anytime. So I simply take it my data and the staff would either scan it or would matter it, case number, citation that is to be typed physically. Headnote is to be scanned and if I am aware that this case is or this citation is connected with X or Y case I write down with that case number or name of that party or whenever I sit to read that case I will get. See I am talking about when SCC, AIR was available in the market. i have my own database on computer. So as soon as I prepare argument of any case I don't have to

pick up books. Because I pick up those books as student as I was in 6th generation in the practice. As a school student I used to help my father and grandfather to pick up the book and to put flaps. So, ratio, latest judgement and therefore it will give you a hint that in such set of evidence, in such set of facts this would be the judgement. Then it is for you to dictate it and to decide it. Thank you. The confusion will be reduced to a great extent. It will be eliminated. There are number of cases where we ourselves are not very clear. Sometimes we are on the verge of the cases such the facts are such that law is on one side and equity is on one side. So there is no question where law is on one side we have to go by law. Law will overwrite equity. But, where equity is divided among both the parties then what to do and law is silent. In such like cases these tools are very helpful. Now why this National Judicial Data Grid topic was added to this training session. Can you tell me what the reason is? There is not something very big about it. There is not much technical. Why it has been added? Yes that is possible through National Judicial Data Grid. But that is possible only when the entire data is fed. Basically actually what is happening that the people who are responsible for feeding the data they are not doing it? And the beneficiary actual beneficiaries are we the judicial officers. So the actual benefit is not being passed on to us. Now this topic has been added only to share this problem with you. Now there is large numbers as we have seen there are about 34 lacs cases which are undated. Out of 2 crores 34 lac cases have not been updated by our staff. That means 16 percent of cases are not on judicial data grid rather they are creating a problem. Then accurate information is not being punched only first party name is being punched. The details of all the party is not being punched in the cases. Then uploading of judgments and orders is not being done. Few high Courts are doing it and few High Courts are not doing at all. Few courts are not doing at all. then entry of all cases there is a difference between cases been shown in CIS, National Judicial Data Grid and actual figure which we are reporting to Hon'ble Supreme Court as well as our High Courts. As per figures with Hon'ble Supreme Court Two crore fifty nine lakh cases are pending in the trial courts whereas in this National Judicial Data Grid it only shows Two crore nine lakhs cases. 15, 00,000 cases are not entered into National Judicial Data Grid. It is because of our staff negligence or not working attitude that this data is not being fed. Now how would you ensure that these problems are overcome and National Judicial Data Grid is able to work? I tell you one thing more which I think you may not be aware of this fact that E-Court project funding is directly connected with National Judicial Data Grid. Central government has put a condition that unless NJDG becomes success the funding would not be forthcoming for our E-Court project. Computers, laptops, printers, they are all being funded by central

government under E-court project. But that is subject to National Judicial Data Grid. Now how would you ensure that National Judicial Data Grid succeeds? Because actually Principal District & Session Judge is the foot soldier or you can say he is the key person who can ensure success of National Judicial Data Grid. How would you do it? One is monitoring, Sensitization of staff. The actual practical problem is there are courts with pendency of 150. There are courts with pendency of 4000. Where there is less pendency sometime an additional court is being started. Sometimes let us take where I am functioning the master court was having the case for last 15years. Excel courts were sanctioned only recently for this 4000 cases one master was there they were having bare minimum staff. Something close to 60 percent of sanctioned staff. Another court is there they are also having 4000 cases. Single manstrate is there and he is not having bare minimum staff with regard to most of them are having 60-70 percent staff. I have been working for last years. I should have two typist and one steno I am working with one typist. So this is affecting this also. The pattern of staff is not being maintained.

You are absolutely right because our staff always says that for data entry there should be new staff and by entrusting data entry work to them we are infact doubling their work. They say that they are already overworked and by adding this work their life has been made miserable. But you see transitional phase we have to pass through phase. This is a difficult phase but we have to go through this phase. Unless we go through this phase we will not succeed. We have experimented this thing in

Punjab & Haryana High Court. In April, 2014 out of 10 lakh cases we had 1, 70,000 cases which were undated. We adopted there strategies one is enablement, monitoring, and incentives. We clubbed these three things we requested all our district and session judges to adopt these strategies and infact today for the last one year we have zero undated cases just because by adopting these simple strategies. Now we all know that we can't force processes, we can't change the processes. Can we change it process? How a summon is to be what should be the content of summon. Whether it should be taken from computer or not? Sometime it is not possible the language is such. Sow what we did? We asked our District & Session Judges kindly suggest what changes are required. Unless there is a communication. People were not ready to share the problems with us. There answer was that nothing is going to happen why should we spend time? But, now these things have change. We have started changing the rules. Rules were changed and there is a confidence in the judiciary that if we

communicate the problem to the High court it would be ratified may be some problems may be ratified immediately and some problems may take time but it will be definitely be ratified. Then we find on the processes as per user requirement. This is one we created and developed software's as per user convenience. CIS had a module for updating the cases. Each case number was to be fed, each time it was to be searched and fed. Now it was very inconvenient. It used to take one and half hours to update the dates. We created a greater module. The entire cause list of the day was presented before the reader he simply had to change the date through an automatic process. Date field was there and he has to drop down menu was there for next purpose. That was sufficient reader and it used to take 10 minutes time to update around 100 cases. So they started updating it. Then by simply updating the cases the consequences was that they had stopped preparing the cause list manually. Once all the cases are fed properly your cause list would be absolutely correct as per your court requirement. So the moment the reader started feeding the dates the work of cause list was off. So there was a great help to them. Similarly we ensured that all the party names are fed in the computer. Once they have started feeding the parties name we made it mandatory to take summons out of CIS only. Because parties' names are there all the summons are being taken from CIS. Similarly we have dispensed with disposal register we have dispensed with institutional register. No register work is left. Now the present trend after six months these all these were all these steps were implemented in last one year and for the last six months every reader they are feeling relieved by computerization. Now they are ready to accept computerisation because they are benefited by this. Unless this is the basically incentive to them. We need to reduce their workload. We need to convince them as mam had said that we have to convince them. We have to convince them through these incentives. Then monitoring of course is all human nature if High Court stops asking unit from us probably we may also stop in giving judgements promptly. So monitoring is part of human nature and it has to be there. Any questions? Ya,

Participant: I had the monthly meeting of all the employees with all the judicial officers and I came to know that there are certain employees who are having just one or two hours of work or three hours of work and other are having work of 16-17 hour or within 8-9 hours. So, I deputed those employees with the consensus in the meeting to another court through 2 hours or 3 hours. Let me see the impact assessment after a month what will it give result. See if it is working then it can be extended for the future as well.

This is another way of management. This is a very good suggestion. We can implement this suggestion when

Participant: One question regarding this public view of NJDG its okay but you said that in Punjab & Haryana this admin view is given to Principal District and Session Judge which is not given in Assam. So what is the difference?

Now there is not much difference. Therefore I have not covered that. Admin view is now left for administration of this website. Generally it is not nor district and Session judges have stopped using it because the entire information as far as information part is concerned that is also available in public view.

Participant: Now like in public view whether one can find out how many contested cases a judge is disposing off in every month. A report can be generated.

A report can be generated but that is in admin view. Yes, there is a difference in admin view there are certain reports which can be generated through admin view which is not available in public view. That is the main difference. Reporting is there. There are number of reports which are available in admin view. But you can always because E- Committee has allowed it. The purpose of E-Committee to give this access to High courts to allow District and Session Judges to monitor the respective session division. So you can always request your High Court. Give example of Punjab & Haryana High Court you will get it. Because it does not cost anything to the High Court. VPN is free it is to be given by NIC. It is a software based programme so no cost is involved. NJDG is absolutely free. There is no cost involved. So no high Court will say no. Yes please any other issue? Thank you very much.

Mr. Yogesh Pratap Singh: Sir, Thank you so much for sharing a valuable experience with all of us. Can we have a big a round of applause for Pramod Sir? Sir is leaving in couple of hours and Justice S.G. Shah will continue with us and one important announcement i have to make considering the request from the side of the judges who are participating. The timings have been changed from tomorrow and day after the programme the programme will start at 9 'o' clock inwards and the schedule I will be distributing. Thank you so much sir.

Session 5

E-Justice: Reengineering the Judicial process through effective use of technology

Justice Sanjeev Sachdeva

Mr. Yogesh Pratap Singh- Very good morning to all of you. Today is the second day of the programme on information and communication technology tools and usages. Today we have as a resource faculty Justice Sanjeev Sachdeva from Delhi High Court and Justice S. Talapatra from Tripura High Court and Justice S. G. Shah as usual in continue with us. So now I request Justice Sanjeev Sachdeva to start off with the session. Thank you sir.

Justice Sanjeev Sachdeva- Before I begin I will tell you a little bit. I am running a completely paperless court where from complete filing to even signing of orders no paper is used. Files are uploaded digitally, scrutinized digitally, hear arguments digitally, taken notes on digitally and then the judgement is also signed digitally. Now before we go into further let me take you a little bit into history as to why this entire programme has become necessary. While some of you might be remembering this. You don't need to pay attention to the screen remember this? We use to record all this on something like this. Let me take you further back. Remember this? Some of us might know this. Some who have been born recently might not even know what this is? Remember this? Things have changed our children don't even know what these things are? Remember how we use to put lock in our phone because their used to be only one phone in the entire locality and this is what pass time of kids used to be not what it is today. See the telephone how it started? Some of you might not have seen the first one. That's how mobile phones started. Today we talk of all smartphone, computers has anyone of you has worked on the one on the top. Left one on the top. I have way back in 1985 I think. Wipro introduced something very similar that's how Macintosh is started way back in 1984 and now we are in I-Max. Remember this? From here we transferred to this Doc. Matrix printer and now it is this color laser printers. This is what the original type materials used to look like from platelet types then you used to have a couple of carbons at the back and then the last copy would be as dim as possible. Then we went not matrix and that's where we are now. We used to use this to record our dictations to the steno who then typed it on a Remington typewriter. But now we use this. Technology has substantially changed so why in

judiciary do we still follow the methods which were used in the 18th century. Why? Don't we need the change? Everything has changed. In Delhi high court in 2009 first E- Court was set up. This is what the E- Court looks like as the single judge. Today 11 courts 4 divisions function as E- Court. Three Jurisdictions Company, taxation and arbitration, are nearly paperless. While company court is completely paperless. The other two are nearly paperless. They only have electronic filing. Digitization of records of decided cases started in September 2006 approximately 100 million paper have been digitised. Entire record of decided cases up to 2012 have been digitised. Certified copies are being issued from the digitised High Courts. Now that become very easy, if you have digitally signed order the copy (not clear) doesn't need to call for the file. All it needs to do is check the server, issue a certified copy. See how much time is saved you can issue copy in minutes and application is received immediately a certified copy is issued otherwise the normal ground in an appeal is that copy is not available. That you can get rid of by using technology. You had 528000 files already digitally signed and we did off. Approximately 40,000 square feet of space has been freed in Delhi high court. Look at the amount of space your record room takes place. All that can be taken care off. This is what we were in 2009 and I am sure most of you are very familiar with it. This is that, this is only the filing counter. From there we have moved to this. Now that's where our filing counter is. These are the judicial assistant scrutinizing the files. We have 1150 desktop computers. 18 high speed scanners. This is what an Aquaskk is where information is available to the litigant there and then. With the national data grid going online this can be provided in every court. A client or a lawyer does not need to bother anybody. All he needs to do is go to aquaskk and find the status of the case. We have information access to display boards, customised cause list, status of cases, orders, judgements applications for certified copies all this information is available online. We have internal hardware support what we used in High Court. We have a 21 inch vacuum screen. It is a touch screen with a digital pen something like this. On this this is aerial photo of division bench where both the judges are using screen. See there are no books, no papers, nothing. Now when a file is open that's what a file looks like. On the left if you see this is the index of the file. If you click on any of these the file opens on that page. On the right here is a software we use one note on which we can take notes. Additional screen is also provided in some courts if you want to display something to the lawyer who is arguing you are referring to a particular picture or document you can refer to it on the screen. We have adobe software, Microsoft, SCC, DLT, Law Pac, all these software's are available with the judge there and then.

Sometimes a lawyer comes in court and says that there is a judgement but I don't know the exact citation and I don't have a copy. They don't need to bother you. You have it there you can immediately check. See how effective and how fast the entire process can be. Bare Act is also available with us online. All this government sites give you the bare Acts. We have downloaded most of them and whichever is relevant and they are available online with us. Courts filed a store in PDF format, files are maintained in portfolio representing separate file folders, because we are used to folders. We may have separate folders for pleadings, we may have separate folder for application, documents. So even in a digital file you can maintain different folders. This is what a portfolio of a writ petition looks like. This is the orders, pleadings, office noting's, paper book, and these are written submission which a party has filed. All this is digitally there and then the appeal court will give orders, pleadings office noting. This is the trial court record. So you have everything online. You don't need to summon the trial court record the moment case is listed the registry uploads the trial court record along with it. So, there is no delay so there is no delay in the trial court because sometimes the report file has gone to High court. Now that you can get rid of because the file doesn't move from the court digital file is sent or uploaded. In criminal cases that are there the entire record is immediately uploaded so when an accused needs to file an appeal. All he needs to do is file a certified copy and his ground of appeal. Certified copies not needed because the entire digital file is uploaded. So there is no delay just to make the grounds of appeal and file it. The entire record will be available to the High Court. The direction which is given to the district court is the moment the case is disposed of, digitally scan the record and upload it to the High Court server. So a moment an appeal is filed registry pulls the record and it is available to the court. There is no adjournment required and there is no delay in moving an appeal. He can immediately next day come and file an appeal. Now a suit will have various folders. So these are various folders in a suit record. When in the court we sit on the left you see this is the cause list of the court. These blues are hyperlinked to the file. These red are the notes which when you are reading the file you make some notes so these notes are available so next time when the matter comes before you. You have these notes available and you can immediately see what the matter is. You don't need to read open the file because every minute is precious for the judicial officer. You don't have the time to re-read the file and then realise as to what it was. The portfolio once open looks like this. If you click open something here then it opens a document on the side you can open two screens side by side. Similarly with one note taking over here you can highlight,

underline, and even make a note on the file. And the original file doesn't get tampered. This is the file which is uploaded on to the server of the code so you can do whatever you want to with the file without any worry that the original file is being tampered with. Now if you click on a bookmark you can jump to the relevant page. Now if you click on a comment when you make comments its comment list opens like this. Because sometimes during arguments the lawyer is running between pages it takes you to file one a particular document and then file two of different page of different document so whatever you highlight it comes like this. And when you want to click on a particular place it immediately opens that page for you. The benefit of this is when you are going to dictate a judgement. You have all arguments the pages that it referred in front of you. you don't even need to turn the pages you only need to look at your bookmarks and you have your judgments ready you can even copy a clipping you want to copy a clipping on to your one note his referred to a particular paragraph you copy and paste it in your one note. So that it is available for you when you are looking at the documents again. You can even copy texts. You don't even need to type it just select it and copy it. So the typing is also done. You can simultaneously open two pages if you comparing this was a trademark dispute where India Gate was swing church gate. So in a trademark should IPR matter you need to sometime compare the marks. So you have both the pages open you can easily compare it. Then office reports and noting's are available. Sometimes when you have said issued notice your court master or registrar or registry would make a note where the services affected. So these are notes which are available when you look at the last order you have the notes of the registry reply file notes file all things are noted there. So you don't need to look at and scrutinize the file again every job is done for you. You open the file and its there for you to see. Now if you have a multimedia file someone wants to show you a video of the incident or of the location then it is also available on the digital file. You don't need to look at anything else. You have computer in front of you. You can handle voluminous records 30,000 or 40,000 pages there is no difficulty. Sometime in the big trials if you are handling your court as your CBI court then there are trunk load of documents. So, your half the time is going in searching your documents if you have digital file, everything is marked you don't need to spend waste time at all. So judicial time is substantially saved. Notes are available for you at all times. You will handle a matter three years down the line a review comes you don't remember what had happened. But your digital notes will always be there. So, you can always have them available you can always immediately point it no you making this incorrect statement in the view. Sometimes what happens the matter

goes to Supreme Court and averment is made and I had made this submission the court has not noted it. Cases remanded back to you after two years. You don't remember that time what was stated what was not. But if you have your digital notes you can confront him. No this is exactly what you said and this is what is there on my file. Now another thing that if you handle old file which come from record room you know how dirty they are. Full of dust full of mites. In a digital file the only thing you need to worry is about the viruses you have on computer. Otherwise you know dust no mites, nothing at all. So it's a very clean environment. You can when you have dictated a judgement to your steno there are five stages which takes place. You dictate a judgement steno would type it then you will correct it. When you will correct it you will make your corrections and send it back to the stenographer and he incorporates the changes that comes back to you. You again check it whether he has incorporated everything correctly or not? So these are five stages. In ideal situation where at least I do have where a file is digitised till it is uploaded to you you check it online make your corrections and print it. You don't need to recheck it. The steno don't need to do anything after that it's there and then it's finished. Job is done two steps three steps are same. You have digital signing of orders. You have fifty order sheets you are signing them individually. In digitally in bulk you can sign all the orders in one click of a button all orders are signed. And then uploaded. In district courts sometimes the record room is there in the court itself. But in some courts the record room is not in the court it is far away. The clerks etc. have to bring the file and then complete it and then send it back. In a digital record nothing needs to move no human hands needs to carry a file from one place to another. All he needs to do is upload it you signed your order linked to the file and it goes back quickly updated immediately. We have started in E-Court fees. If you have digital file the question came what you have to do with the court fees. The court fee still comes in paper form. In Delhi we have started E-courts. E- Court fees. There is also an online facility to purchase court fees. You want to file a matter client comes to you in evening you need court fees. Go online buy it middle of the night no difficulty. Next morning you ready to file. You have electronic filing e-filing can be done by an advocate, litigant or even a clerk. In appeal cases you needed to check caveat. The system is programmed in such a fashion that moment the file is a case is filed. The name of the parties is picked up and the caveat is checked online. Instantly the report is generated whether there is a caveat or not a caveat. If there is a caveat the lawyer is asked do you want to serve it. Not serve it because sometimes they file it in defect also. Immediately that job is done. You don't need to go to another counter you don't need to have

a clerk who will check caveat and certify a report which sometimes could be erroneous also. Now digitization issue once arose in the High courts with the lawyers. He said how we are going to get the facility of digitisation. You want digital record how we do it. So we made a facility available in the High Court. The person who scans for the High court he is provided a counter in the premises itself where a lawyer needs to come and all he needs to do is give him up his original file and the charges are 50 paise per page for scanning which is less than a photocopy. And that person who is trained by a High Court will in a couple of hours give him a digital file in the format that the High Court requires. So lawyer's job is also done. He doesn't need to make photocopies. You send it to a photocopy and it takes five copies, ten copies, hear it give it to a digitiser he will digitise in less the cost and deliver it to him. And all he needs to do is to give him CD and deliver it to the other side. The amount of time, cost and effort is being saved and again it's a complete replica of the original. No question of a dinked page, scan page incorrectly. This is what an E- Court fees look like. In this we have this 16 digit number plus a barcode. You have handheld standards in High Courts when a person comes to file you just scan it and the stamp is locked. This E- court fees cannot be used for any other purpose or cannot be used twice. If you lose this before it is used you can print another one. But every time you print it it gives a different number. So there is no question of a misuse and the earlier number is automatically cancelled. This is an e-filing counter where lawyers, litigant, clerks are filing cases. They bring a pen drive simply load it and the case is filed. This is the summary of e-filing that we had year wise. In 2015-16 we had 18000 cases which were digitally filed and till 19th February we have 3000 cases in the Delhi High Court in 2016 which were digitally filed. Again, company you see is substantial mode than original and appellate. All these are being digitally filed. The file is scrutinise. This is the court clerk scrutinizing the file online to check whether it is in order or not in order. If there are defects and sms is sent to the lawyer that the file is defective he needs to take certain steps. And the lawyer can easily cure the defects. Office noting at the time when you are srutinising it is also digitally uploaded so that when you open a file when the court opens a file all objections which were there are available to the court to see. Once defects are cured the file is send for listing and then it is converted into portfolios uploaded to court and it is then converted into portfolios uploaded to court and this is along of how the file travelled. See it was filed on 16.12.2013, case name is given then it is checked by a dealing assistant. He says it's an ordinary matter check this matter then foe checking then it goes to different individual then ultimately it is there are defects. File is marked defective sent for refileing

it goes back then it comes again file is refiled again it is checked and then when appeal is passed for so and so date and listed before court so and so. The entire process is available you know and the defects if you see over here these are the serial of defects. So the judge knows immediately these were what were the defects were because there are some defects which do not cater to limitations which will not stop your limitation from running. Then we have state of art server room there are UPS installed we have 1500 units of 10g LAN available because entire record now moves digitally data backup is taken and we also have a facility which see that where the entire record is uploaded there and it is protected. Now recently there was a calamity in Jammu & Kashmir where the entire court premises was destroyed completely destroyed. All files were floating in water, files destroyed. Now what will happen in that court, how you will reconstruct the record. Some other record may never get reconstructed. In a digital file which is preserved even if the court is down completely destroyed in 10 minutes you can start a new court without a break because the entire data is protected and available. these are some of the servers that we use now from the lawyers perspective if you want to go digital the question which a lawyer would raise is what's the need for me why should I go digital. It is cost effective. I gave you an example of making digital copies instead of photocopies which are much cheaper. The cause list is forwarded by push mail to 6000 advocates they can check. Even it's personal cause list if you want to enter a facility that all night only my cases is sent to me. He will get a cause list of these cases. Even in district courts now all cause list are electronic now. So a lawyer cannot say that excuse is also gone now. It is also transferred to the advocate or litigant via sms. On an average 1200 sms are sent daily by the High court. These are the number of sms we have sent for cause list. Every filing that takes place a sms is generated and sent to a lawyer to the number that is your filing details are so and so. Individual actually sending it for the excuse that the matter is missed. Munshiji check it and tell me. Here all you need to do is send a sms with a particular code and the response will be available instantly.

Now if you click on a particular highlighted hyperlink this will open the order sheet of that day. We also have electronic recording of the evidence. You can use digital means to record the evidence. You can even video record the testimony of the witness and upload it to the file. Now demeanor of the witness whether he was answered correctly whether he was pressurised everything can be recorded and uploaded to the file for the judge to use. Evidence restoring PDF format and uploading into the portfolio concerned. Signature pads have also been provided and a digital file

how do you sign. So you have electronic signature capturing you can even have biometric capturing. We are in Delhi promoting recording of evidence through video conferencing it saves substantial amount of time especially for expert witnesses you have very senior doctors who reach to come and give evidence you can do that very easily. We all must be aware of the incidences happening in Delhi these days about that JNU thing. Now one issue was that production of that individual led to sought of scuffle in the court he could have been produced electronically through video conferencing. So that step if you take it will save judicial time it will save lot or avoid a lot of incidence which could happen. Sometimes you expect or you suspect that there is a person who is dreaded criminal and there are enemies of his and there is risk in producing him to court. You can always produce through video conferencing. This is a conference room we have produced for video conferencing. Then we have also given to lawyers and electronic library. The entire library is available to lawyers electronically through laptop, computers, and then they don't need to have a full physical library. We have also provided a dashboard to the judges. Now this dashboard have certain information available to the court. At the click of a button a judge can it's like a phone screen very easy to use. Now if you have go to the resource of say library then you have these information is available some journals are available online. Then you have legal news. The entire legal news is available to the judge, date wise then here are certain articles which are made available. Then judgements all previous judgements are made available in free text search. Sometimes what happens is when a case comes to some court the judge remembers yes two years ago I have given a judgement on a similar point but I can't find it. Well free text he can always go and search it. Even lawyers can look at a judgement and say that so and so judgement was delivered in a court earlier. And this is how free text search. You keen a particular word it will deliver the results and once you click on the results it will also highlight the keyword that you have searched with in the judgment. Sometimes say very long judgments so there are very small keywords. So you can actually jump to that portion. These are various information which we have made available to judges to the staff, to the registry which have budgets, report, E-meetings, order, judgements all this is available online to the registry. We also have an e-attendance and the entire attendance or of the staff is recorded. So leaves half day, bunking, everything is taken care of. Entry passes we have now regulated and some of the district courts entry we have regulated through pass. A person can even apply online for issuance of an entry pass. The registry is using online recruitment system well most of the courts have started using that. Then again electronically the cash branch uses the

bill management system it gives the entire expenditure branch wise. So everything is available branch wise to you. Sometimes there are cost deposited, rent deposited in court. Now how do you tally it? You have registers and clerk will sit down and look at registers whether amount deposited not deposited what has happen to it. If it is maintained electronically sustains substantial, amount of time we also have a PDF order uploading system whereby the moment an order is signed and PDF order is uploaded on the website you can upload it individually or collectively. Now this is another facility which we provided to the court staff which is called parcha entry. Parcha entry is basically when a case is taken up in court you give the next date disposed of next date and then this send to a central registry and that person in the evening sit's and types down all these data sometimes this data is also incorrectly entered. Now this parcha entry system is available to the court. Court staff is sitting with the reader of the court master as you may call it. The moment the case is taken up makes an entry there and then. This is how the screen looks like on the right if you see is the calendar for the following months if you see these numbers these are numbers of the cases which are listed already on that date in future. Yellow is the date current date and these are all the cases which are listed in future. If you click on this it will open up a screen and give you what category of cases are. Click on the category you will go down to the case name. Click on the category you will go down to the case name. Click on the case you will case history will open if you want to click on that order that order will open. So sitting from here you can identify on which date how many matters are listed otherwise the judge will register in the register he will be making entries. So many cases listed for hearings so many cases listed for that. Why does a judicial officer need to do that? Facilities are available system is available do it. You want to block a particular date block it the calendar will not show for you to report and the court master will there and then immediately see and there immediately the moment it is entered it is real time. It updates the system. So there is no person then required to make a parcha entry it is done by the court staff reader. This is how the venue looks like. Action is given next date. You have a date you can select it by the calendar sometimes what happen is the main case is uploaded on a particular date and the application is listed in between you give two dates so you have the facility of giving separate dates for each. We also have information system. But this is accessible to a very limited number through password all. This gives the name, photograph of the judicial officer, the postings and also the ACR. ACR are not being shown to you but that's how the system is. Even for inspecting judges it is available for the purposes of registry it is available someone wants to scrutinise what is the

personal details, postings, ACR of the particular judicial officer. All these will be made available online. You don't need to look at records etc. This is an FBR register there are money deposited in courts, fixed deposit receipts which are deposited. All this is electronically preserved so that the click of a button you can know what the amount is deposited in court what it is used for what purpose is there not there. FDR is dew for renewal because these are sometimes lapses which the staff commit's. All meetings are then in electronic. All records of meetings that are held are all electronically preserved, agenda, the action taken report. Personal information is available for all the entire staff including their holidays that they have taken. Another thing which happens is that sometimes you have to allocate matters. Now earlier these allocations used to be manual it will come to the senior most judge he will then allocate matters for bail applications that there are five judges you need to allocate one to each then there are times when people would want a particular application to go before a particular judge. Now this application automatically, randomly marks matter to people various courts. Now these are the applications which need to be mark and these are the courts in which it is to be assigned. When you run this software it will automatically assign these applications to these court rooms randomly without any order and in case there is any other application which was earlier filed in respect of that FIR or that accused or a connected case. This will show that. System will automatically pick it up and show it and link it with that. Now we also have that process serving agency which I was talking of E-post immediately once the information is received, the document is received it is entered, updated and these are the dockets which are received process server, name of case, order, process fee date, date of marking, return, date of hearing , service awaited, unserved, served and by this you can also check the result of a process server whether one process server is actually going or not going in all his reports are unserved or awaited or someone is actually doing the job. So you can keep them on track also. This can be real time updated so there is no delay in disposal of cases. Issue is what next. You are looking at online filing because electronic you can file online, middle of the night you need to file a matter, just upload it. Virtual court room. Do lawyers really need to come and argue or they can do it from wherever they are. Arguments through video conferencing. The entire purpose is like I said in the beginning to change with technology. Technology has substantially changed. We need to change the mindset. Ultimately the entire system is for the judiciary. People don't come to court to converse with registrar and all or with these court staffs. They want disposal. If we as judges are empowered you will be dispensing quicker justice and better justice. It will be well informed, it

will be well equipped for that we all need to make an effort, we need to go ahead and dispose of as much as we can in as shorter time as possible. Thank you. Any questions or any issues somebody has?

Participant: Sir, just one clarification. In the trial courts when a suit is filed on the basis of original (not clear). Then that has to be kept and after that suit is decreed or dismissed then it will be cancelled. So the process or sequel should continue.....

Justice Sanjeev Sachdeva- You see in a probate you need the original will in original suit's you have to have original documents. In high Court also we are preserving certain original documents. The evidence Act itself says that even if there is electronic evidence certain documents can never be destroyed like title deeds, wills, pronotes, these have to be preserved in perpetuity at least in the High Courts since it is a court of record. So we are maintaining in that sense we are not 100% digital because you cannot. There are certain things you have to preserve. Now sometimes the issue arises of the original affidavit. Because if it is online then the original affidavit is not being filed. The lawyers have to give an undertaking that they will preserve it with them and as and when directed by the registry they shall produce it. But, yes original documents at the time of evidence you can only confront a person with an original document or if there is an issue of an original handwriting or a signature only it can be verified from the originals so originals are being preserved and are supposed to be filed in certain cases.

Participant: One stumbling block as far as first appeal even title suit is concerned Code of civil procedure puts onus on the advocate to inform the court the court that this party died that so and so are the alerts. Now this information is awfully lacking it. It's not within the knowledge of advocate. No we don't have anything in order 22 when a plaintiff files a suit he has to declare his LRs and their addresses. Similarly when a defendant enters a parent enters for appearance we have to say that we don't have any rule which says that the defendant has to disclose his LRs and their addresses. Particularly in suit's filed by banks the bank officer doesn't know how six years back who borrowed and who are his LRs. LRs are spread all over the world. So I think when we are going fastrack an amendment. See that every contesting defendant and every plaintiff declare his LR. So here the court suo moto drag them to appear before the court and where they want to continue the process or not.

Justice Sanjeev Sachdeva- It's a very long drawn thing which we are suggesting but may be once we go completely digital in terms of the entire countries biometric recorded of everybody though there are privacy concerns and that then suddenly there could be suggestion for this. I don't think that could be possible at this stage because sometimes a son may die predecease a father. So where will the line stop. And then you have disclosed something there is another LR which comes up later or who himself passes away so very difficult but may be in future you write something like this. All he only knows till the time he has to receive his fees.

Participant: Some advocates do not know that their party has passed away. They may even be arguing.

Justice Sanjeev Sachdeva- But one condition could be that the lawyer should not be paid full fees. Then he will keep track of his clients.

Participant: Sir you just said that the evidence must be recorded by the joint registrar. That means the evidence is not being recorded in the court we don't know about it.

Justice Sanjeev Sachdeva- You see the joint registrar are the empowered like the local commissioners because CPC now permit's evidence to be recorded by the local commissioners. Now court doesn't, judge doesn't have the time to record the evidence so this has been delegated to the joint registrar. It's something akin to the local commissioner recording evidence and that's only in the High Courts. In district courts you can always appoint local commissioners to record evidence. It is something akin to that because you don't.

Participant: Sir that is in exceptional circumstance only. Otherwise we record in the court itself.

Justice Sanjeev Sachdeva- That's right but CPC empowers you to do so. Anything else? So we all are digitally equipped now to go ahead. Thank you very much.

Participants-

All are not digitally equipped because what I believe is your entire system is based upon windows. We are using in the district courts Ubuntu and it is working on Ubuntu.

So far as High court is concerned it is entirely. For Delhi court we are using windows but for the district court it is Ubuntu and the file which is uploaded is easily read by windows and Ubuntu likewise. And the same facility of the notetaking is made available to the district court also to some of the judges who are using E-Courts. So it's a platform which is very easily interchangeable and why we are not using Ubuntu in High Court is because we have started way before the E-Court project came. So we were all into windows at that point of time.

But this scenario is good for metro city but when E- Committee has to computerize entire nation there is a vast difference in infrastructure, electricity, technical support. It will need sometime.

We have to initiate it.

No certainly it will take time but we are looking at something where we should be and as far as electricity is concerned one of the parts of the e-court project is that solar power. So if solar power is available to every district court then no district court will have issue.

Justice Sanjeev Sachdeva- It was suggested by me and Justice Kapadia only when there was a issue regarding electricity we suggested the government that. (Not clear) money for solar energy also. And government has agreed and it is there. But at present the system is working on windows.

Participant: The High Court? No, we are working both on High court and window. In district court there are e-courts.

Justice Sanjeev Sachdeva- No, district courts I am aware. So far as High court is concerned the entire system is on windows. No RFB is discontinued. We have discontinued. Thank you.

Mr. Yogesh Pratap Singh- Thank you so much sir for sharing such an exclusive information on Delhi High court on ICT. Now still we have seven minutes so I will request from the gathering or from our resource faculty to add something on this session on re-engineering the judicial process or else we will take a break. From the gathering if any questions. Still we have seven minutes on this session.

Participant: Sir as far as High Courts are concerned mostly there are appeals. Party participation are less and advocates are on their toes. But when it comes to trial courts there is lot of gap between

the advocate and client doesn't know whether we are ready to take up the matter whether we are insisting on matter or not. Client is mostly kept away from the court. So as part of the e-court project let there be meeting even by video with both parties that this a court and Court is going to take up his cases on so and so dates. You please come forward because we don't have a single suit in which record application is not there. We don't have a single suit in which at the last minute the document is file. We don't have a single suit in which the section part of the evidence Act is filed. Almost every trial goes on limping and limping and never runs because the party doesn't know what he has to do. As far as AP is concerned there is a clear rule in civil practice which says that before beginning a trial the court should call parties ask them where there is scope for compromise. Even prior to 1989 that was there in civil practice then ask them whether they want to file any more documents. Further there is necessity of adding any parties, striking of parties, there is.... of pretrial of discussion with the parties and advocates and that should be encouraged because trial court travels are many. And the log there are number of ways in which trial can be delayed. Now as part of the E-court project if similar step is introduced for the trial courts. The distance between the litigants and what the court is going to do that will be minimised. ? He will also know that e-courts project is going to take place our case will be presided soon.

Justice Sanjeev Sachdeva-You see in Delhi High Court we have original side so we have trial also. So we have exposure of that but certainly Delhi is a metropolitan city clients have close sink with the advocates. That is why we had provided the facility of sms. If you give the number of telephone number or mobile number of the litigant he will get a sms complete online tracking of what is happening in his case. Now virtually everybody in this country has a mobile phone. I am saying virtually because there may be still some who don't. So as a district court you could make it mandatory foe the advocate who would also disclose the mobile number of the client. So the moment any step is taken in his case a sms is sent to the client. Likewise this suggestion that you have a personal meeting of the litigants so that they can resolve it. Certainly an effort can be made and if the details are available to the court and meeting could be fixed between the different parties.

Participant: Query and suggestion both. In compulsory digitised online filing methods company needs an arbitration. Are you serving notice through register post or by email? Email and how you confirm the receipt of notice.

Justice Sanjeev Sachdeva-Notices are sent by email as well as physically. The electronic record on the court side. It is not mandatory for the lawyers to go electronic. They can still use paper. They can still use paper file. If a lawyer says that I am digital don't serve a paper file on me because some lawyers are saying that don't serve us on papers. They are happily accepting any email service. But you can serve it both ways and if an email is.

Participant: Therefore I have a suggestion for you. In Supreme Court we have done it it was successful. Today I am not aware there is a company name R-post Register post. It is an American company so at that time we had a condition with them that unless you have a server in India you will not generate a bill and therefore they have not generated a bill for three four years to Supreme Court. We are sending notices through email, through R- post services which provides you a confirmation that an email is reached open and read by the other side. Then no need to send physical papers.

Justice Sanjeev Sachdeva-They had come and given a demonstration to us and the E-committee in the High Court. There are certain gulches and one was that server issue because we couldn't then send documents outside the country for service. So on that we have sought of held back on that otherwise we could also exploring that.

Justice Sanjeev Sachdeva-Now they have a server in India because I have place it from day 1 that unless you have a server in India. My conditions were two fold- One that I will not pay in foreign currency your bill must be generated in Indian rupees so unless they have office in India unless they have a server in India they are not in a position to charge Supreme Court but now probably they have tried to contact me but since I am not in Supreme Court I have avoided it. Now you can check it. Probably it is a good solution to serve in one thing and another thing in government matters when I was there we have generated a list but unfortunately probably it is not disclosed. List of nodal officer of each government office confirming by government themselves. Each government office in Delhi that email to this email id is a proper service to that department so you need not have to bother for because what we have seen that many a times when notices are sent or direct service scheme what you told me the department doesn't allow a litigant to enter into office. He has to just drop the notice outside the office so we started it that there must be a nodal

officer, a specific email id with name of the officer. So any email send to that email id is a proper service for that department. This two thing will help you.

Mr. Yogesh Pratap Singh- Thank you so much sir. Now it's time for short tea break we will come. You have question sir?

Participant: Just a thought came to me that general that in camera trial is an exception and courts should be open to public. In these kinds of in an e-court atmosphere where judge is having in front of him everything and there is an idea that lawyers also need not to come there may be virtual argument. Then this concept of this courts should be open to public. Anybody can come to court. Whether it will be getting that principle. Yes, when you talk of an e-argument we are at the moment testing it in the High Court. It is not that there will be no court atmosphere. In place of a lawyer all lawyers need not be in their office. Some might say that I want to come and argue because there are connectivity issues. Some may say alright I want to argue from outside. So but it will be available on screen in the court premises. The judge would be sitting in court it is not that he will be sitting in his chamber or in his house to hear arguments. He will be in court with the entire staff, everybody there. If litigants wants to see they can see online in the sense there will be TV screen where one of the lawyers would be standing and arguing. So it will be available it will be an open court in that sense.

Mr. Yogesh Pratap Singh- So we will come back at 10:30 for next session. Thank you

Session-6

Development of Tools and Websites to facilitate wider and easy communication with public

Justice S. Talapatra

Justice S. Talapatra- A very good morning to all. Just here all have come back after tea. Before I formally this place my views by your presentation just I want to know that how many of you are aware that there is a National Judicial Data grid that is operating and you have as a viewer personally visited data grid. How many of you have visited. That is the first time that you have seen first time. Yesterday was just a formal presentation. So all of you visited earlier also national judicial data grid. You are not uploading your system assistant is uploading. Yes, whether you have personally visited that so okay. And every day you are visiting your own district website? That is very good. Now just tell me one thing that you have seen a benchmark presentation from the Delhi High Court if that is taken as a presentation I don't think that all the courts just reaches that bench mark that is not possible because we all know that distribution of the technical persons, infrastructure, availability of the skilled judges are not equally distributed in our country and most of there is a generational gap in transfer of knowledge so just one thing that when the case information system CIS has been introduced I would ask the district judges who are holding as the principal district judges of the district. Whether have you taken any benefit of the information or the data that is available in the system for planning out your courts so whether distribution of the cases is concerned so far having the regular report regarding the arear of cases or you are still following the old methods? Now another issue those the judges in some they are integrate in some the great three judicial officer. The civil judges in the lowest chapter with the are complaining to you that we do not find it very comfortable working with the Ubuntu or Linux. Have you received any research complaint or everybody is very comfortable with that. Everybody is very comfortable.

Participant: We are very comfortable to both of the system windows and Ubuntu and when we are using Ubuntu more and more it is more comfortable.

Justice S. Talapatra- My question is very specific that whether the judges were entering by the direct recruitment to the entry gate? Whether they are complaining that we are finding some kind of difficulty we are not comfortable why don't you allow us to use the.

Participant: That is addressed by the Hon'ble high court. There is a regular training programme given by the High court programme to them.

Justice S. Talapatra- No, most of the things are they are trained in the operating system, windows outside because the Linux is hardly now-a-days practiced outside the courts and some institutions that is the issue that they have to learn and when they have joined the training that is the part of now to give the training in the operating system like Ubuntu and Linux so they are now getting exposed to and they are getting habituated to operating by that system. That's good and they are taking very well. But maybe they do not complaint to the district judges.

Participant: All the judicial officers are provided with dragon voice software.

Justice S. Talapatra- It is not compatible to and that doesn't operate in Linux. That is not compatible in Linux. So regarding the tools the development of tools and website to facilitate the wider and easy communication to the public you have almost Justice Sachdeva has covered all the aspects of tools that can be available in our system and how that is to be used. But I will talk to that that was an experience in Delhi High court and we are all working in the district judiciary infrastructure and my friend while presenting it I was actually was little bit amazed because in our country the practice direction is so diverse and so difficult and some of this practices cannot even be adopted in your courts because there stands there is barrier called the there is a civil court , criminal court rules and orders or the rules as formulated under this CPC or this CrPC that doesn't permit you to that. So how to innovate that whether any such rule is coming in the way. Suppose the one a very small example that we are maintaining 8 registers at least for recording institutions and disposal of the cases. In most of the high courts that is the survey shows that whether it is possible now even it is possible technologically to wipe out except two register all other register six register if we maintain the records digitally. so unless the rules are changed that is where the issue of re-engineering ng of the rule and new steps was taken by the Supreme Court E-court committee since 2013 especial fund was provided to all High Courts to do that work prepare a report by the experts and all the High Courts have prepared their reports but in the last meeting we have been informed except three High Courts other High Courts have not changed their rules because they are expecting because at one point of time all the reports were sent to the National Law Commission. They are supposed to give a model rules for all the High Courts to follow over

the civil courts and the criminal courts are concerned that we could not achieve. So, this is one of the bottleneck if I say so unless the rules are re-engineered we perhaps cannot utilize the best advantages of this technology that are at all command now. There are certain I think the personal inhibition we have become the part of this mechanized system or automated system. And I do not know if some survey is carried out. there is a new culture has come into the judiciary and brother since yesterday I am afraid to say that if they continue to stay in the system that will ultimately hit the soul of our justice system that is called cut and paste system or whatever you call. You just review your own judgement or think of the judgement which you have written without the aid of this database or the database you have used in your earlier judgments and now preserve it in your personal file whether it is a file is arranged on the basis of a normal trade deal topics subject wise whatever way and you are reusing same material in a judgment and whether just think you are using this database for the next judgement whether you are giving the similar thought of conciliation to the perspective of that particular case or facts or you are in a hurry that this is that case this is that fact. You are just putting into that jacket of your judgement. So there is an issue that when we are dealing with the technology a judge cannot be the part of that technology. Technology must be in his or her command if you start the part of that process yourself. I think justice would may have suffered because certain finest consideration in every case bearing with a few very mechanical some in a singular form that perhaps you in a hurry to upgrade your performance in getting the desired the credit or the I think great on the basis of the disposal. Please please you don't rush in a hurry just keep yourself out or aloof from this copy and paste culture that is very very important. It may come in your mind you are also human being. Firstly we had to do the justice and to do the justice we have to use this technology because Indian judiciary worldwide has earned the badly for its arears and huge numbers. It is a huge arears of cases. we have been shown in the national website that we have arears of about 4 crores of case but when this CIS was introduced of course the Delhi High Court and some of this overall estimate of talk about that your (not clear) there was no CIS you had no idea at least not in your fingertips. this is the number of case civil judge number one this is the cases pending in civil judge number 2 these are the types of case pending in the civil judge number 1 and these are the number of case and the types of case are pending in the civil judge number 2 as the district judge you can just on the push on a button you can see everything very clear if you can operate this system. I think everyone is operating that way only planning your own district now-a-days. So there is an important aspect is

that that this e-court project after implementation of the e-court project and after that we have now entered the phase 2 of the e-court project and that we are using our data we are analysing our data. We are collecting our data and we are finding out the ways how to include our performance that we call plan that we call the strategy that we call how to give the justice in a speedy manner. So this the subject now it is very important stakeholder at the litigants or the citizens or public of the country at general. So my topic would be how this aspect is entirely getting blurred by one of the technologies who are the user of the technology so far the website and other tools are concerned. Whether the general masses and the majority of the litigants are using this websites or not. Now those who are using the template in your website there is a counter that how many persons have visited your website and have you ever checked it. How many number of persons have visited your website over a period of month whether it is inquisine or whether the number is coming down whether you had any opportunity to find out the lawyers visited the judges or the litigants are visiting the website and fundamentally the question which I am going to ask you is whether the litigants do know that there is a system that I cans see the progress of my case. How many of the public litigants do know about the National Judicial Data Grid. If you say yes I would have asked you how they have come to know that. And secondly if I ask you there exist a district court website how many of the litigants does know it and there is a question that would come to judicial service center in every court whether the personals who are conducting the affairs of the judicial service center are they informing the whenever the litigant is appearing before them are you informing that you can use the push sms system give us your sms number you can have the facility of the website and this is the website you can visit us. You can see our update that whether they are providing with this kind of information whether there is a printed literature that you are giving to them. We have set up everything our progress card is very good that we have set up in every district that website we have the push sms system. The sms are we pushing to it is not the litigant in most of the cases with the lawyers. Our target must be the litigants. Well question came on the last session that how we can have a direct interface with the litigants to speed up all the disposal of the cases. I think this can be one of the mills if the litigant's mobile number are available with the courts that can push the sms to the litigants in there at any point of time the court can ask the litigant to appear before the court.

What is in the Guwahati High Court? What is the outer limit in a day to upgrade in the judicial data grid six or seven? Yes, when this information are updated what is the outer limit? 5 'o' clock. So there is no uniform limit to regarding up gradation but I tell you the national judicial data grid start showing the information sharp on 12 at midnight. This starts at date 12 at midnight because it is the computer clock it will not run according to the comment of a particular human being. It will be the system that will show the information. So unless within 7-8 maximum you update your information and information's are accordingly collated in the system it will be shown on the next date that the cases are not updated on the system so it will be shown as the defaulter in the system. So first keep a time limit of updating the cases. So I now come to my presentation the basic idea is development of tools and website to facilitate the wider and easy communication of the public. The entire system when this e-court project was approved by the Supreme Court of India and it got support from the government of India the focus to have the litigant informed about the judicial institution because they had all sought of frustration about this institution there is a that you can enter into a system by your choice but you cannot leave the system with your choice you do not know where you end up after this system. You do not know whether in your lifetime you can see the final result in the litigation that is not the issue. Issue is that the one individual litigant doesn't know what is happening about these cases.

Whether the court is at fault or whether the counsel is at fault. He must know it. By this system we are ensuring that kind of accountability we are making ourselves accountable to this litigant. See this is our action because now judicial category shows the purpose of the date not the entire order show this is the seething adjournments slots by the counsel. He can see if he is ta literate person he can see this is my counsel is taking time from the court. Now the court is at fault so that way it become transparent and next is that he wants that if my case is heard first and decided first and saved I have to pay less cost in the system so this keeps a tape on the running of the system make it transparent and affordable and lastly after the result is announced in the criminal proceeding or civil proceeding that he can get the copy of the order. Now by virtue of this system by 7 if the judgement is announced in the day by 7 he can see the judgement in the web he can read it he can download it because all our system is uploaded by the PDF format only. All the judgement uploaded he can get the copy within 3 days. Maximum three days in the conventional way because

now this copying section all over the country is connected with the main website by LAN. Suppose for disposing of a matrimonial case section 22 has come it says maximum lifespan is six months. It is a statutory life span of a matrimonial case so you have to dispose of that case within 6 months expected disposal of that case within six months expected by the statute and what is your experience tell me. In matrimonial cases the minimal time span all over the country is three years because Supreme court by its judgement says take an initiative for conciliation you are taking the initiative for conciliation one meeting fails as a human being as a competition in judge if I put some more time may be the matter can be conciliated out. In this process I think now in cases which are stiffly constricted in such cases emotion is one of the important factors that comes in so you are supposed to do even when the I know Punjab & Haryana High court they have kept this six months of the life spent of disposing a matrimonial case by the district judges or the family judge. I am afraid as a judge also that the purpose and the object of the family court Act is to conciliate primarily whether providing this lifespan we are actually including to that statutory jurisdiction or you are just impeding our judges not to just indulge in the process of reconciliation. If you really find the difficulty you take up the matter with your inspecting judge or to the chief justice that sir we are finding difficulty whether this decision can be reconsidered? Ultimately you have to do the justice that is our religion we are supposed to be a judge we are not supposed to be dispenser of the materials brought before us. there is some dichotomy that we may find in implementing the process or implementing the various policies initially you tried to confirm to the policies if you find real difficulty you find real bottlenecks which coming in the process of justice it will be coming into the process of justice it will be your duty to take the matter to the competent authority. These are the thing that the affordable accessible and cost effective transparent account. this is the primary objective of this system that there is very interesting thing that certain matter that was referred when there was a policy by the Supreme Court of India with an effective dialogue with the central government of India and the referring dialogue was made to the e-court committee where the Chief Justice of India to look into and to create a support system by framing policies and implementation plans in the areas what are the areas to create training for the judges and administrative staff in the courts to create a cadre of trainers and troubleshooters for each court complex, to suggest ways and means to ensure smooth running of the computer system including there in availability of power supply, peripherals, stationary, etc. to suggest methods to make access to justice and availability of important and more litigant friendly atmosphere. Now what

we have achieved that is a true phases of e-court. The phase 1 we have completed on 31st of March, 2015 and we are now in a phase 2 from one floor that is 1st April, 2016 that the phase 1 what we have achieved all the judges in India we have laptops that is the report in the e-court committee they have got the connectivity and they have developed their skills a lot. Earlier what happen computers with the section with the secretaries or the stenos just used to dictate in the conventional manner and they used to type it out your correct it with pen there was no utility of use of the laptop. Now what you do most of the judges do that even the stenos are taking the decision typing out the judgements and they are copying in a pen drive and taking to home and correcting it they are finding time in home also or in the car also. Even some judges young judges that is why I started my deliberation by showing that young judges are typing their own judgements in their laptops in their times. They are thinking that this should be that they are thinking and thereafter they are just arranging the judgement in a formal manner. Even an introduction to the ICT and computer environment in the judicial system this is very important thing. Be very frank with me because I find it difficult sometime. Suppose I find one of the young judge working in the lowest cadre of the system he is sought of expert in computer and one day suppose he is working with me that sir no no this is not the right way because of his enthusiasm he is doing it within second I was troubling I was finding it difficult to work with the system for an hour together. How many of you get hurt about his conduct. I think most of you will get hurt you will not recognise that you will not. Yes, no no that is not a formal training I am talking about your one of your junior saying that this is not the way this the way.

Participant: Sir if we don't allow them they will never tell us on their own.

Justice S. Talapatra-That is what is actually required. No, no I will tell you that 70% of judges of my generation find it very difficult to accept. This is the hard reality.

Participant: Sir I would like to add here that sir don't we find the same thing from our children sometime.

Justice S. Talapatra-This is our Indian tradition itself. Suppose that android phone most of us cannot use it as our children do. So encourage that should be the environment of ICT culture. Forget about all this protocols I am sitting I am learning from my junior we are all learners

throughout our lifetimes. I want to inculcate it be the best of the practices that would be the challenge. Unless we inculcate in ourselves I think you are hindering the process you are remaining yourselves from being human beings and you cannot be the ladder. Ladder must know who the best soldier is in the system. You have to light the system from the front you know that the best soldiers are to be given the advantages, the priorities just to remain the system as it requires that would be the mantra of the entire culture. That the video conferencing system is coming out there is a little bit of the legal issue involved in that unless the process is there there will be the litigation but so far the appearance in the court that can be avoided because if the counsel doesn't raise objection then he can go away that the dreaded criminals instead of bringing them for the only appearance for bail hearing for attendance except where their presence is absolutely required. So that can be done either when the Guwahati High Court has its jurisdiction over the seven states I still remember in 2009 we just completed one hearing I was the arguing counsel at the Agartala bench of that High court at that point of time judge was sitting, division was sitting in the principle set at Guwahati and some other two lawyers were also appearing from the Guwahati High Court. It is in 2009 matter was heard, judgement was delivered and nobody had any complaint because the video conferencing system in the Guwahati High Court with Justice Lokur as the Chief Justice at that point of that time it went ahead in a very big bang we had all, the video conferencing judgements with our outlined benches at that time now they are at separate High Courts. But still the Guwahati High Court had three other states with it except Assam. They are heading now also working for meeting for certain purposes they are using it regularly so we are to adopt with that. The cases I think all of you have seen on TV I think live it was shown. Have you seen how they have used the technology Mr. Kolita was raising the issue that sir, what is the open court. This is the open court everybody is looking but we need to improve our system. Our system our infrastructure have not been developed to that level that we can call it. It is also very open the procedure is left open to everyone who is interested to see the procedure. We have to improve that procedure. Now the thing that we have started working with this things National Judicial Data Grid , creation of committees in High Court level committees to monitor and guide the ICT implementation in the court complexes implementation of Wi-Fi in the Supreme court an high Court in the Computer room at court complexes. These are the basic things that have been done. Now we are in the phase 2. The objective of the phase 2 to create the required ICT and support infrastructure for the judicial system. This phase envisage the creation and development of state

of our technical facilities for the judicial systems such as video conferencing, inter connectivity of law libraries, digitalization of the legal tools like case laws and statute laws, wireless LAN, all kind of hardware. Apart from the ITC hardware installations there would be also the development in the implementation of the software that is a very important component of phase 2 even in the district level. Just I have used this e-court committee's report according to the e-court committee have been trained on the use of the Linux, Ubuntu and 4000 court staff have been trainees to use the CIS software. These are the training aspects of the matter. Unless the trained personnel are there the system cannot function properly so now you have already district system administrator also, DSS they are trained also they are to look after the system but you have to monitor as the district judge not every day as day to day monitoring is not possible but at least after two weeks I will call the district administrator what happens any difficulty? Do you require my assistance that will do that will remind him that I am being worse than that much would just keep him on alert that at certain point of time I will not be going to be spared so please just ensure this? This according to me this immediate task we have that we must address the automation of the case management, process, case filing, scrutiny, registration, case allocation, court proceeding, details entry of cases, case disposal and restoration and transfer of cases, etc. This automation can be permissible within the or without the process re-engineering this process please you do it right now because you have faced certain kind of difficulty when the data migration had happened or is happening in your court that incomplete data usually not accepted by the system. Suppose the digitisation of the record another aspect of the matter you start the process of weeding out the unimportant not to be preserved part of the records. Keep only those parts of the records to be maintained because those records will only be permitted to be scanned and digitised. You can start that process. We have in our state not only our state in fact most of the states have already started weeding out process and in the Supreme Court followed a very important process that you just try to follow they have given the notification because some materials may be taken by the litigant they publish notification in one of the leading newspapers of that state, publish notification in the bar libraries, bar association hall bar officers saying that we are going to destroy all this segregated data which is to be weeded out if you are any interested you come, collect your records so give but weed out those unnecessary parts of the record otherwise this will take a long time because I tell you because we are short of every hour every short of stops and this process of digitisation is a huge process I tell you nearly someone is coming with this high speed scanner that will not do. Scanning, comparison,

certification is the essential part of this academy of records. So, unless you just you plan part as phase 1 weeding of the records phase 2 is the scanning phase 3 is comparing and certification. You will not be able to do the thing in a proper manner and that will create a lot of problem in future. Then there is an establishment information gate used between the government agencies, the information is exchanged, the police and that is the police has just come back prisons, land recourse department, registration officers and distinct production, examination of under trial and witnesses through video conferencing. These are the aspects. Regarding police still we are just of short of the proper direction. now police have the nationwide police network now and our chief judicial magistrate are in particular throughout the country being approached please let us have access with your system whether a district judge or whether a chief judicial magistrate can take the decision. I think that you cannot take that decision. this is first the question of the integrity of the system this is a question of how from outside agency may be the police can always can have the entry in a particular part of the information or whether the police information. I have already discussed about the national judicial data grid and this is a new system for the litigant. The court location software. Are you aware aware of this software that is going to be realized in the android platform. Suppose one person have a case or a summon has been received he is living in (not clear) and notice has been served from the Bhubaneshwar District Court. This gentleman doesn't know how to reach to Bhubaneshwar District Court now already we are prepared that on android platform he will just put the name of the court that will show how to reach to that court. Every court is now covered. It is ready it will be released very shortly on the android platform. Even we have started in most of the High courts are now on the so far the display is concerned. A lawyer in the vehicle jammed Menorca can see what is in the court number 3 of the Delhi High Court the matter is been taken out. It is available everywhere now it is on android platform. So this system we are every day we are coming with the new ideas, new application software, more litigant centric software's are coming so that the litigant fail the court is concerned about us and we as the judges must everyday remember we exist for those people those litigants otherwise we would not have been there our courts would not have been there. So we must remember that this is a part of our duty to serve them properly. now there is a very important the aspects now I am going to show that will be the almost I have come to end of my presentation that what is the distinguishing between the earlier CIS that is call CIS 1.0 version and that is the now we are using CIS 2.0 version second generation CIS. Somethings that is very important that CIS 2 you get the total number of pending cases. This

system generated information, disposed up for the month, total unrated cases, total records in the case list can be found where CIS only undated cases are there. Pendency bar chart and the pendency pie chart also available in CIS 2.0 whereas CIS 1.0 this is not available. year wise percentage of the cases from total number of cases available in CIS 2.0 where as in CIS 1.1 it is not available we may switch over to all establishment from a common establishment after logging in CIS 2.0 but in CIS 1.1 we need to logout from the current establishment in order to login into the end of the establishment. So there is pathway now we have to know logout and again login so these are the facilities. Searching new items is available in CIS 2.0 but that was not available. Next date can be changed from the home page that is an important aspect itself in CIS 2 but in CIS 1.1 it is not possible so if for certain situation if you want to change the next date earlier that was not possible now you can change date you can put in the periphery why the change has been made. Advocate name can be searched name wise in CIS 2.0 but that was not available in the earlier version. Entry of the additional party names are mandatory in CIS 2.2. Earlier that was not possible even there was a problem in CIS 2.0 because what happens that I am telling you the parties name as given to the system and system updates that and they keep it with their office record. They do not return it to your but your office is attached to your court. Now, when the application is made either under OIR10 for any other purpose under 151 for any other reason so you add some parties how that will be incorporated in the system So in our High court some additional slip we have introduced when there will be additional parties the parties have to fill up the additional slip and that will come and that will go to the system and on the day itself that system would upgrade the addition of the parties. So system gets upgrade immediately when anything takes place in the court. They are saying this these are the things. Now I am coming to the little bit for the Judicial data grid that you have all seen this these are the screen shots. These are all information and if you drill down one after another you can reach to particular case to see all the cases and what was the situation. So this was my presentation I tell this are the Bill Gates words and I think this is very important very soft words but very harsh words at the same time. "It is fine to celebrate success but it is more important to heed the lessons of failures. With this I thank you all and if you have any additional thing I hope just I have shared my little bit of experience and some of the judges I know they have a lot of experience than me. Please share with any without any inhibition any query that I will learn from you because if we share we learn every day we share the experience for other to enrich myself and then I can also share with other that way we grow we grow stronger. Thank you.

Mr. Yogesh Pratap Singh: Thank you so much sir for highlighting various important aspects related to ICT and the solution for the same. Do we have any question for this session?

Participant: Why the National judicial data grid is made if any website is having the full information. If that website is fully informative and fully developed then the purpose of transparency of the judiciary is also sufficed by that website then why that portal is created?

Justice S. Talapatra-Definitely there will be process of rethinking that whether to maintain an individual. Moreover that I was just pointing out to the peripheral aspects of the website. This is a district specific service that you can provide. Every district the country is so vast and everything the definite features, the requirement of a district may not be addressed by the national judicial data grid. You may need in all the time of your district website in the periphery even though it is templated that kind of a website but you can add on a periphery certain services that is very district specific so at this point of time take the advantage of your own website it is completely under your control you can design it you can serve through this website. Because of the shortcomings that is why now at that time there is no just a discussion over to discontinue this distinct website. Moreover there is an always parallel is better, alternative, keeping the two system together functioning is better if for any reason one system collapses at least in the district level there will be a support system that is going on as on today but in future may be this National judicial data grid may be so importantly at one point of time who knows that at least I do not know there may be a system that don't maintain that distinct website. The nature and the federal system of the judiciary because the district judiciary is distinguish identified by the constitution that is not always the part of the High Court certain independent function is attached to it the High Court is not in a definite way is not a part of Supreme Court but we work in a harmonious way.

Two things what my brother justice has said but yes the one reason he has already disclosed to in a regular. The agency or the authority which is investing a lot for all these things they want that National Judicial Data Grid should be there and instrumental in designing all these activities I am very much aware that unless we agree to national data grid probably central government would not have funded second phase but I fight a lot with law secretary and minister. Therefore he had said in but I will tell you in a very clear terms that Indian judiciary is a site where we can manage our things in the manner as we desire. National judicial data grid is a site where we have to show

our achievement or our output whatever you term it. And it would be visible to all public without any restrictions and the most important thing is till National Judicial data grid was there practically there was no national data base to identify that which district or taluka how much number of cases has given at point of time. I have agreed to national judicial data grid as because I was charge of E-committee everything was done in the name of Chief Justice of India but I was in charge in chairman committee.

Thank you sir for sharing your experience. Now again it is time for a short tea break and we will, come back for next session at 12 o clock.

Session-7

Phase II of E-Courts project

Justice S. Talapatra

Justice S.G. Shah

Justice S. Talapatra- Just I will speak a little bit now regarding the phase 2 of the district court project. This is a transition phase 1 to phase 2 but if I just simply say bit it is virtually a continuation of the phase 1 with certain modification and addition with the components and it has to be that it clearly stipulates in the objective of the phase to there was a lot of debates who would fund phase 2? Whether it is the state at the state level or it is the central government as the central government has done in the phase 1 part and after lot of negotiations trying to impressing on the central government that the attitude of the state government is not very friendly about this projects. They have accepted that they would fund this phase 2 to a certain level not the entirely that phase be funded by the central government. So the first thing that would continue the pending works of the current phase 1 and it has to be carried forward to the phase 2 of the project so what was incomplete or could not be completed in phase 1 part that has to be completed. IO gave you one example that in your state if one court was not covered by the phase 1 of the E-court project then how will you deal that situation? Suppose one even in court gets 4 computers one full-fledged computer in (not clear). Now in phase row the prohibition has been changed it is now full 4 computers. I am not correct entirely. It is now one plus three synclines plus 4 computers because one court has received one computer and three synclines that means 1 plus 4 now they would receive another 4 computer. Now what would happen to the new court whether they will get 1 plus three and thereafter get 4? No, no they will straight away get the full-fledged computers for under these. The 4 they would get under phase 1 and another 4 they would get under the phase 2 but they all get according to the requirement of the phase 2. They will all get the eight computers. So in a sense it is a continuation but with certain notification because the technology which is not serving us very well that getting discarded in the process in their phase the new tools are been inducted in the project. What was the phase one? For purpose of summarizing that what was in phase 1 you just recall everybody just come across this phase. Creation of the computer rooms at all court complexes site that was

the one first thing that was taken up. Laptops and printers to the judicial officers in charges. ICT training for the judicial officers and staff. Deployment of the technical manpower, computer hardware's, servers, clients, printers, scanners, projectors, etc. in each court complexes, installation of (LAN) Local Area Network in each court complex, communication and connectivity, internet connectivity to the court complexes, power back up through UPS and there is another aspect is that there is a second that is the power back up through DG sets. I think all the court complexes have now the DG sets. Some there is a project incomplete for different reason with the vendors there is some problem. With the state government for purpose of site preparation for installing the DG sets there are little bit of problem and that would be completed by this time. Upgrading ICT infrastructure of the High Court, video conferencing facility to High Court and District Courts, development of the case information software that is already we have processor engineering that we could not complete throughout the country some High Courts on the basis of the change in the practice direction they are adapting this new technologies but the required processary in (not clear) could not be achieved but that steal will continue in. We will do it in this phase, creation and upgradation of the centralized facility for the system administration, project management, project monitoring and the change management system that we have all discussed by this time system software that you just Ubuntu office tools, etc., data entry, National Judicial Data Grid this all under the phase 1 of the e-court project. Now that today's discussion is just focused on the phase 2 of the e-court project. E-court committee Supreme Court of India has framed because this is the these authority under which this different High Court is implementing the e-courts projects and this Supreme Court e-court committee is also having a very close relation with the government of India three different departments of the government of India including the department of finance, department of justice and department of telecommunication by these department of telecommunication virtually the be it the national informatics center is maintained all out the country so these are there. Now in the phase 2 of the e-court project as per the new policy of action plan the companies to be continued just you just look into this that what we have done in the e-court project those will be continued the site preparation for the new court complexes where the new court complexes are there covering the additional courts that have been came up within the same court complex, hardware, computer and clients, laptops, printers, scanners, projectors with screen, CHEOCS, Justice Sachdeva has pointed out that how CHEOCS and now the district court level and in each court there will be a CHEOCS, display unit's. In the district courts that you don't

have the display unit's it is available in the High Courts and now under this phase the district courts will have the display system the outside the courts there will be the electronic panel where the case number taken by the various courts should be shown it may be also installed in the law libraries the lawyers hall, everywhere where the public may have the access to the display system. The LAN installation in the new court complexes wide area network when last mile connectivity up to 1 that is WUSAN state wise area network POP through LINUX, V-SET, Amplice, Multiprotocol level switching. So these are the facilities that are still there and that would continue creation of the case records, creation of JSC judicial service centers where it is not available anywhere. Use of advanced ICT tools, intensive training, warehousing and mining tool customization to crystallise change management, biometric facilities, Gateway interface other agencies, use of NIC data centers fragmentation of the resources for codes are the cloud computing resources is HDCS state data center cloud computing is the new addition to this phase. Cloud computing immense preserving the data far you a places for storages at its retrieval at your command that what is available now those who are having the google account google offers a free space for all its registered subscribers being that having the google account number not the Gmail then you will be offered free space in their cloud computing storage that is space is very small but you can retrieve it any corner of the wall your personal information so in a bigger way the our judicial data will be stored first in the court level but this will be preserved by you have the doubt coming some other destination we do not know. Now the NIC has the national data center. Initial phase they are providing that space for the judiciary and they are also going to construct a huge the storage facility in unknown destination because this destinations are always kept under cover because the cloud computing storage if it means one unit may be divided into thousand unit's and you cannot say for sure that your data you have stored right now going to word storage and wait for how long it will be preserved there that it may have the automatically retrieval system for storage in a different space because of the security and sustainability of the data so judiciary by principal has adopted this cloud computing mechanism particularly having regard to this the new a kite that would be create by the digitisation of the records and giving it in the permanent data storage system that is Supreme Court has started Delhi High Court has partly done it but the difficulty is that there are certain technical difficulties that have been faced now various agencies engaged by the e-court committees they are looking after and working on the aspects of that matter. That whether the physical records will be totally destroyed. that is one issue how is divided in opinions some say

that how can the rules provide they are to be maintained and some records are of such nature that it destroyed and it cannot be retrieve in by any form or means but these have the perennial interest is a matter of ownership issue is convert in certain document, legacy issue related in certain documents that we cannot recreate those when the originals are recorded for various legal purposes unless law is properly changed acknowledges the certified or digitally signed data stored in the judicial data center or by your cloud computing to the second backup mechanism that it will be very difficult that we have to kit for certain diversion may be it is a long time the physical data in some same stores. What would be helpful and convenient for the judicial system is that the immediate handling of records you may not require the physical records you may do it through the stored scanned materials to say in a simple words suppose you want to handle a very old record which is a part of the appeal as a district judge you may hear appeal that you just without going into records you can just open that for the for sure that that will be the password accessible entry in all those data for the time being unless it is declared open entire system cannot be open to all for obvious reason that there is a privacy issue for certain matters the statement suppose a rape victim you cannot place in the public because you are still not making it public we are not allow someone to use it but our system is not that security proof that is being misused by people even the newspaper selling the good reputation they are using their statements within court and court inform you can also identify the person who is making that statements that is completely an illegal work. So, practically though I try to find out one old presentation just in a previous session only. We try to show you some slides and will discuss thereafter about so practically we are talking about ICT tools but before we start on the subject I would like to the text would not be available in the subject when we change it I will change I will read it from my because but. On the contrary this is good for me to explain the negative side of the technology laughs. See, I have prepared my presentation for a National Judicial Academy long back where my text is readable but my copy it in a pen drive when I open it in another laptop provided by NJA now my text is not readable so there is a compatibility issues. This comes in that security issues though it is not specific security reason but it is a reason to be watchful to be careful before selecting anything blindly. With due respect before starting further let me explain let me share a real fact. you will surprise to note that me and probably Justice Sachdeva but he thought he was using computers but he has not converted anything either in his office or he is elevated before couple of years only but as I have computerized my office in 1988-89 I was trapped by Gujarat Judiciary during those days I have found that I was

the only advocate in Gujarat High Court who filed any petition printed on computer. you will surprise to note it I really face difficulty to explain in words but it is a hard fact that whenever you file something before a High Court my brother may pardon me in saying in such words but why this technology is required whenever you file any document in any court or any High Court my personal experience is that in one given petition filed by me you will surprise to note it that a bank has filed a suit claiming it's dues I appeared for the defendant on day 1 we simply pleaded that it's true that we are irregular in making payment but today I am ready to pay the entire amount by selling out the property but the dispute regarding the calculation of interest so I am ready to deposit the amount which I agree to pay so it was a suit for 15 lacs so I say that I am ready to pay 10 lakh rupees remaining five lakh if court orders I will deposit but with protest so that it may be invested in FDR it may not be dispersed in the favor of the plaintiff. Court didn't agree I have to file a petition before High Court then when I file one additional affidavit that affidavit was not available in file. Sorry to say that it was a hard fact that the bench clerk has while giving the brief to the court I am discussing an experience as an advocate. While giving a brief to the court he simply dropped my affidavit in reply I think you realise it what I am saying so it doesn't pass on the affidavit additional affidavit to the court. Court was not happy annoyed No no I have already filed it. Fortunately my office copy has endorsement of other advocates then I press the court that why don't you use technology to stop all such nuisance. Then Gujarat High Court has first started issuing a receipt of documents, vakaltanama or anything filed by any litigant advocate ultimately it was discontinued because that problem was solved because of computerisation but thereafter after joining the judiciary we have started a n inquiry counter in Gujarat High Court. On day 1 so many advocates and advocates clerks act opposite like anything because reasons are obvious because after inquiry counter we have started to provide all information which are available in the system to the litigant when they approach the inquiry counter. All the orders now we are talking on web I am talking when internet was not that much available in India it was 1997-98. during those days once my inquiry counter was started properly all government offices all trial courts were considering a printout from inquiry counter as almost a certified copy because it is a page to page perfect printout. Thereafter now so far as details of phase 1 phase 2 what would be in phase 1 what would be in phase 2 now after me my brother judges are and officers are in better positions because they are day to day involve in the field or in the process of this computerisation. So they will be in a better position or they have explain you better therefore I will only share experiences

and difficulties or concept it may be some time you may feel that why we are boosting with such information now we are aware that computer is must but now we have to again realise it that why it is necessary why we need to change why there is a need of changing our working style and everything. So if you come to this slide show then see this the reason that security is also one of the basic reason but I will read from my laptop- Best way to make your dreams come true is to wake up. This is the text which is now shown in a square. Now text is there- Expect the unexpected while we are in a clinging form there must be something unexpected we must be ready for all everything so if somebody is of the opinion that digitisation not proper video conferencing not proper when you are right. It may not be proper today but tomorrow it would be necessary and therefore you have to expect every unexpected thing because ultimately you will realise that litigants and criminals are always probably one step ahead of us. They do crimes only because of their more advantageous position so we have to catch them. And here what I have said is never underestimate your competitor for us competitor is not amongst us practically they are litigants truly speaking not advocates as such but litigants. They always try to misguide you either this way or that way. React now time, tide and opportunity wait's for none. Think there must be a better way so whenever there is a difficulty in performing any task including this computerisation think there must be a better way. We must find out the way here I have to wait a little bit because see by and large because of finance of integrity issues or because of equality among all the states or all the data practically project is been implemented from top it was only I know that how it can be started and how it is difficult to implement throughout nation. When we are talking about National Judicial Data Grid every state has a different nomenclature of their pending cases some of you who have wherever concerned with administration of High Courts you may be aware that even High Courts all High Courts have a common nomenclature and it is a disturbing that before a decade Supreme Court has conveyed to all the High Courts to change the nomenclature suggested by the Supreme Court so that it would be equal in all but it could not be done because of independency of judiciary. All the High Courts are not within the administrative control of the Supreme Court and all the High Courts have yet not changed the nomenclature of cases as suggested by the committee of the Supreme Court so that there would be a single type of litigation throughout the nation. If writ petition under Articles of constitution are called as a writ petition in one state. Writ petition civil or criminal in Gujarat it is called special civil application or special criminal application. I have seen few foreign courts you will be surprised to note it that I have

developed one court in Ahmedabad also today it is dismantle because of after the earthquake but in Singapore in USA today we are talking about video conferencing, digital signature you will be surprised to know that in Singapore every and in so many developed countries the procedures therefore this processory engineering is required. We are having difficulties in serving notices and processes. I have studied a lot during my tenure in Supreme Court to curb the delay in judicial process. The foremost and major reason is non- service of process either first notice of summons or witness summons then next pleading completing pleading has so many issues. But so far as service of notice and process are concerned in so many developed countries including Singapore, Japan, everywhere the practice is but we are aware of our limitation it would be difficult in India to do so. But in developed countries it is a practice or the rule of law is that if X wants to file a case against Y, like as if other side has filed a caveat. X has to serve an advance notice with copy of pleading in advance and at the time of serving such notice he may approach the court and he may get the tentative date from the court and therefore before registering a case he must like in our jurisprudence we have a provision where caveat is filed. If caveat is filed we have to serve an advance copy to the other side. But that procedure is there in so many other countries. Similarly in so many developed countries every court is so digitally equipped that even what is shown to you in these two days are good picture but I am aware that when we are practicing in a tehsil or district places active hearing except Delhi, Bombay like metro cities, active hearing is a difficult issue. Witnesses are to be examined they are speaking in one major or regional languages also. But therefore in foreign or some of the developed countries every deposition is being automatically recorded or auto recorded then that recording is transmitted to outside companies and that company is getting transcript typed and provide it to the court. So again paper is there. It is absolutely there is no paper less court everywhere. So we have to think that how we can prove our system. At present assigning any contract to Indian company would be a will create a havoc in our culture. But anyway we must think there must be a better way we must adopt it. Then one or two few more slides if you want happiness for lifetime learn to love whatever you do. So as a district judge or as a director of the academy or as a CPC or as a DJ whenever the work is assigned to you either it is of this project or of another project we must love the work to do it. If your PC or computer is not saved not equipped with firewall if your files are not encrypted not password protected then you are right entire world is not concerned with that judgement the draft of that

judgement. The people who are concerned with the draft judgement if they are capable or if they desire they can certainly fetch your data so you have to be careful. This is one line, another line.

Participant: In 1995 I had a bench clerk he used to carp it on all my bail orders and he began predicting and collecting money.

Justice S. Talapatra- Right right laughs. Another issue it was asked by one of you that why google is providing free services free google free chrome. I am aware because I discuss with them.... stops. I give you one example suppose you do experience with google people and regarding their integrity. Suppose you search they are living in Delhi such that you want to purchase flat in Kolkata or Madras. Search some site there and go dormant and don't search for 1 month right. After 6 weeks you will be starting receiving messages in your mobile phone that this is flat is available are you interested all pouring but through you have not used your mobile for that search. How that is coming to your mobile unless the service provider is sharing your information with those business man that is the big issue with the google there just selling out the private information to the others without your knowledge. So I was explaining that when you search on google as they have explained that they are on right side they are listing some advertisements regarding or pertaining to your search or your search does not have any subject on advertisement then end up. Now for keeping those advertisement on top they are charging high amount one thing. You want to say anything? No the second thing as an academician, as a research person as a judge our search would be to limited subject or it is tax based. But are you aware that majority search is practically of product and services because how many people are academician and research or highly educated or dedicated to their office work only total now after this smartphone internet users are certainly high but majority of them are not using internet for some research. they are using internet to search something more anything something means anything, products services, anything so if you search any product then amongst those products if we both are selling the same product if I pay google high charges advertising charges then my advertise would be frequently shown and shown as a first on top of that list of advertisement this is there business policy. I have worked I have discussed with them because we want to put our data on google scholar but because of security issues I didn't do it. This is one thing now as my brother has said it is a classic example that you got intimation or information on mobile or something. Are you aware that when you search something on e-bay or flip kart, amazon or anything try to explore any product then go to any other web page say

google or again next time whenever you open amazon they will immediately show that this product is shown by you. So they are keeping every watch typical word is watch otherwise it is a log. They are keeping log of our activities so now cloud computing I was one of the person there so I will not say in negative terms but we have to be careful. Cloud computing means everything would be in a central server of google. But unless there is this decision is implemented initially cloud computing means saving of our data on some third party server. Now if NIC provides a secured server for cloud computing for judiciary or for Indian culture then it's okay but otherwise the concept is dangerous. Now, it is a good example to say that if you save your file in your laptop and it is not saved at anywhere else then thereafter if your laptop is lost or destroyed or file will go to cloud computing from where then nothing is to be said unless it is a secured server confirmed by government of India that is NIC because NIC is a part of information and technology department of the state central government. Why I am saying so will tell you one example I have brought I could not immediately identify but anyone is comfortable with IT Act probably you there is a provision regarding email. Are you aware the provision anyone of you before going to email let us clarify what do you mean by service of notice sending alone is enough? Knowledge knowledge how will you confirm? How will you confirm receipt? Acknowledgement. Either signature or acknowledgement if it is physical then signature is a sufficient acknowledgement if it is digital then acknowledgement is require. If it is sent through post then postal department is having now a website which confirms that delivered. So we can presume that it is delivered but there also we are not certain that to whom it is delivered right? Now CPC as have been amended since long electronic service is approved email, fax everything again fax and email both have similar situation. Sending is confirmed by us. Facts send, delivered but that delivery is confirmed by us whether it is received that acknowledgement is not with you. Similarly email notice by email sent. Sending is confirmed. Receiving acknowledgement is it is not there and are you aware the provision of IT Act what it says in case of email I don't recollect the exact section but the provision is like this that in case of communication by email when you send any communication through email if other side reacts to that communication then no acknowledgement is required fair enough because it reacts if other side accept part of the communication and refuse to accept the other part of the communication then also it is to be presumed that he has received. Irrespective of other source of information there is an acknowledgment that he has received. But if other side didn't respond to your communication then before answering that let us visualize a practical situation. I

am regularly using computers I am comfortable with email but for them reason I have not open my PC for couple of days and I have not checked my account. What would be the position? I have not personally I have not received it okay second section I am regularly opening my mail box but I am aware that I have received a communication from X and I don't click it for couple of days what would be the position? Deliberate doesn't matter deliberate I don't open it. I have not received it the reason is I tell you technically the text which is typed by you in email box of your PC or laptop or smartphone or any device is travelling from your email service provider. Suppose my email service provider is Gmail and your is yahoo or MSN then from my service provider server your service provider server it stays there only. It didn't transferred to your PC or laptop unless you open it. As soon as you open it then and there from your server of your service provider will transfer it to your PC or your equipment your instrument. No unless you open it it will not be known to you. That's exactly. No, but how to prove it? No, but I will show you this presumption and under IT Act. IT Act says that if other side refuse to the acceptance of receipt of email the sender can take a chance that okay then I have not send it. You go through these provisions of IT Act.

Participant: Sir I have searched a solution for this problem i am directing my man in the office to phone him whether he has received the mail and from last 6 years I am doing this that is a practical that is a hundred percent success through email, fax and phone.

Justice S. Talapatra- But we are talking about parties who are in dispute. this is a practical way it's a different thing but as an institution as a authority we need instrument we need acknowledgement so you have to make a phone call so another issue is there you will. I am coming to it. Microsoft outlook express and some other email service provider has a facility even our NIC email as a facility. You can select an option that whether you want to acknowledge the receipt of email or not? So if you select that option our PC will send a confirmation of receipt and knowledge of other side email to the sender but we can select not to send acknowledgement so you are right there is a provision in technology but how to come to come out of it that last portion that if there is no acknowledgement if somebody has not open it. Exactly, the No, no in that case you have to affix the notice that is given. It is refusal

Participant: It is refused then we presume that he has got the knowledge that a notice was to be delivered, served and he has refused it.

Justice S. Talapatra- But as an authority to develop a new system we have to take care of each and every situation. I can't let go any situation. If I have to develop a new system I cannot let go any type of situation which may arise in future. So CPC has all the provisions if somebody has deliberately or if somebody is not available at the time of service repeatedly process server can affix the notice but then CPC provides the performer affidavit and he may be examined if court thinks fit court may examine him. But performa affidavit confirms that process server has to make an endorsement on a notice that how X is not available repeatedly at the time of service and Y has shown that this is the house of X and it is affix in presence of Y and that signature of that witness is required somebody has to witness it in presence of process server. So, somebody's acknowledgement is there that yes this is the house of X he is not repeatedly found at the place when service is tried to be served upon him and therefore it is affixed. But so far as digital service is commenced.

Yogesh Pratap Singh: Thank you so much sir fir sharing practical aspects.

Participant: General practice is that I am dictating judgements and orders to my PS and directing him that you should email me she or he is emailing me that I am downloading that judgement or order correcting that and remailing for printing. What measure we should adopt for that the proper security of file is maintained.

Justice S. Talapatra- Immediately stop this. Even if you want to throw the LAN if you want to show the judgement sent by you there is always a risk involved in that. If the LAN is not just controlled by the password pace access that not only your stenographer but some ministerial clerk can access that and he can leak out the judgment in a preparatory stage and that is the most dangerous thing that can happen to the judiciary if some judgement in the preparation stage is leaked out to the parties. Initially that may not harm materially but it may harm the integrity of process that dangerous thing. Stop it by emailing this because email is not safe, not at all save. Another thing I request to my brothers and sisters that now this WhatsApp are very popular with us please don't use WhatsApp there is no security at all in it. No security at all. For judicial purpose

exchanging opinion to your friends and anything just remember this this is an absolutely dangerous Apps. It can be accessed by a so the preliminaries. Someone knows about computer it can be accessed by them so because we want to maintain certain sought of standard in our judicial life so we should not be allured by this popular app all the time unless knowing it fully that what I am doing it. Thank you very much you have heard. I have learnt lot of things from my brother judge.

Yogesh Pratap Singh: May I request you all to gather at the main entrance of the academy. There is small photo session and followed by the lunch. Thank you sir.

Session-8

Use of Mobile Technology in Judicial Administration

Justice S.G. Shah

Mr. Talwant Singh

Good afternoon everybody. We stopped before lunch at a particular point therefore before my brother Talwant Singh takes over I will complete that issue which is left at some place. We were talking about acknowledgement of emails. Somebody was talking about transmitting judgements through email. no, see so far as personal work is concerned either you can protect the file by password or you can encrypt it all system personal system has that feature if you are not aware or comfortable you ask your technical person they will teach you how to encrypt the file. Local encryption, personal encryption. What is encryption I will tell you after sometime when time permit's but when you transfer the file before it is disclosed to the public it is advisable not to transmit it without proper protection. Password is a simple protection it can also work. Encryption is better but we were talking about general email conversation by court official notices in Supreme Court we have work on it. We have used to take service of one R-post.com therefore have shown you one of my recent orders after as a judge in a High Court read it that notice to the respondent considering the fact that since she is residing in USA and that the communication between both the parties is otherwise through e-mail. Petition is permitted to serve the notice via email. Now what is what we were discussing prior to lunch since acknowledgement of such service is necessary petitioner can get the services of R-post.com or such other similar service provider through internet. So through Supreme Court practically we were using the services of R- post it is such a service. This discussion includes both the things acknowledgement and transmission and security. The r-post service is such that initially it allows you to deliver 5 or 10 email free of cost and thereafter they charge you. But when you send email to somebody if it is sent through R-post as soon a your email reaches to the server of the service provider of the email of the other side you will got an email that your text has been saved there means it has reached there. So it is a confirmation that recipient has received it. His email box will show that there is a message from you. Immediately this i9s first email first acknowledgement that your text has properly reached to

the server from where it is accessible by the recipient. As soon as the recipient open the email now this is more important without his knowledge, without his consent we will receive another email that recipient has opened the email and thereafter we are sure that it is acknowledgement and this log this information of this every entire detail is being stored by the server of R-post if we pay them if it is a free usage it is okay but if we pay them they will give us user id and password we can check it that which email is received by which recipient at which time when it is open by him and we can take print out of those log. So, we can keep it in our record as an acknowledgement. Now, this is methodology but we have to go ahead as I said that if I am doing something new positive things are to be adapted but negative things are to be checked to avoid any mishap or anything. Anyone of you can realise this that how it happens how this is possible. See practically it is again a introducing what we say in a general can term a virus, a link with our email by R-post. In technical terminology or when we agree to it we can say a string. Our message is there with our message as we are attaching acknowledgement slip by a stapler with registered post it is an attachment. Similarly with our email text one string will be attached but that string is not information to be conveyed to other side but that string will work as an application. As soon as the other side opens the email this application would be activated and it will, generate an email which will be received by us. So this issue answers both the things we must do betterment but we must be careful. Now I will request just a minute

Whether in e-court we are having any email policy like because few months or years ago there was a news that Hilari Clinton used her private email to send some official messages. So there was a hue and cry. So now what we are doing we have Gmail we are sending by and we also were provided at one point of time NIC mail so is there any policy that we have to use only government because this may be an issue.

See are you aware that there is a circular long time ago I think 4 years ago by our dear friend Mr. Gulshan Rai he is no more there. He is law advisor to the prime minister on cyber war that she is any government communication any government you can say has to go only through an IC. There is no other way. Everybody has been prohibited from using Gmail via mail. Yahoo mail or whatever mail while your personal thing use any mail that you like depending upon with whom you are corresponding but if you are using Gmail for Gmail or yahoo mail for your official

communication that is violation of the policy of the government of India. The government's policy is it is not at all permissible under any circumstances. Everybody all the judges in India they have their own personal email id you have some problem with using that email id may be the password is not working or some other issue you can always there is a procedure by which you can write to the e-committee. There is a full-fledged email person. Ravi is our email administrator. So, he takes care he immediately and that request has to go to your official mobile phone. The only condition is it has to go through your official mobile phone so he will immediately reset your password and send it back to you. So, please only use government email this eig.com or .in whatever is there or all your government work, court work or whatever work even for your administrative on your administrative side also please don't use Gmail. I think everybody is aware that the moment you write i want to travel to Bhopal for attending conference you write an email or you receive an email from Yogesh that you have to come to Bhopal. After 5 minutes you start seeing advertisement cheapest fare available to Bhopal. Who told them that I want to go to Bhopal? So they read each and every email that you send through Gmail or yahoo mail. So if they are providing you the world class the world's best email facility free of cost why should we not do that you know it's as simple as that. They are earning millions and billions of dollars only by reading your emails doing nothing else they just workout a behavior pattern they don't exactly do you want to buy something or you want to invest somewhere immediately the advertisement will start appearing. They charge money from those advertisements per head basis. you open that link the Gmail will earn 10 rupees or 20 rupees whatever the rate is okay so they read each and every mail please be very careful about that.

Ya in fact lordship and me are going to be therefore next two sessions also and there are two sessions which are overlapping one is the mobile Apps and other is the use of mobile technology in judicial administration so he will try to justify two hours to be spent on that okay. So let us see what we can do. Mobile phones is the most powerful technology everybody knows about that okay. Can you live without mobile phone you can't live? The first thing which you do in the morning is to see mobile phone. There are negative sides of mobile phones which everybody highlights let us highlight the positive side of having the mobile communication specially with a view how we can use it with our day to day administration our day to day court work. We can increase courts efficiency we can cut down the cost we can be more productive we can have a more attendance of

litigants, lawyers and the witnesses in court by using this simple technology. We are not using this App today tomorrow we will come up with app it is another interesting area we have Delhi judiciary is working. Then first thing which now I think in every place this new CIS is in place isn't it. By default it can generate the case trace alerts right from the day a case is filed in the registry up to its disposal. You have to only activate it in Delhi in my district we have implemented only in 3 district we have got 11 districts so in three districts we have implemented the new CIS. We have directly gone to the version 2 we have started collecting the mobile phone numbers of all the litigants and lawyers. so we have devised a simple form everybody who is going to file a case the filing counter will not accept the case file unless and until you put that form over it. Okay giving the mobile number, email id of the lawyer and the name of the litigant represented by that lawyer and that litigant's status where there is plaintiff, defendant number 1 defendant no.5 whatever it is and his mobile number. For litigants we are not collecting email ids because it is very difficult but every lawyer knows his own clients mobile number. So when the WS will be filed we will insist that the lawyer or from the other side should also fill his mobile number as well as his clients mobile number. So by 1st of March we are put that target date. We will have mobile numbers of all the lawyers and all the litigants. So this is first stage I think every court should do and next stage is to know the mobile number of the witnesses. It's slightly tricky issue because if we ask the police to mention the mobile numbers of the all the witnesses in the charge sheet itself then the accused can just call him and threaten him. You need not do any homework you have already given the mobile numbers. So what we are doing is we are asking the SHO, or the ACP or DCP to instruct their IO to put the mobile number of the witnesses on a separate sheet which will not form the part of a case file it will remain in our registry only with us only. Only our system will be knowing which the mobile number of which witness is. I will come down to the witness part later on but this case state alerts every time something is happening in the court then I think we can inform the lawyer and the litigant. suppose a lawyer is in some other court complex suppose his matter has been already adjourned so he will get an sms alert at 11:35 that your matter stands adjourned to such and such date for such and such purpose so why should we trouble all the way 20 kilometers 30 kilometers to reach by court if he is not required there so that you are doing their second is the real time cause list alert. So I think one of those trait I think either Maharashtra or in one of the district we have started this. You know the lawyers in the habit of you know appearing in one court and not coming to other court so what has been started therein 10-15 minutes in

advance. Suppose lawyers item number is 10 as soon as item number 3 or 4 is taken this system itself will generate an alert to the lawyer. your matter is item number 4 is going on yours is item number 10 please reach court of MR. so and so immediately so lawyer cannot tell i was busy in that court I was here. In Delhi court we had a very sad experience on 23rd of December, 2015 kankurduma where I am the judge in charge and in a running court a gang war erupted and one head constable died in that. 4 juveniles entered the court. They opened indiscriminate firing and in that one head constable lost his life and there was another goon of that gang he was also injured but he is hale and hearty. So, we lost one of our head constable who had brought this person from lock up to the court so immediately after that it was the last working day immediately after that the courts was going to be closed and you remembered now the age has been for serious offences age has been reduced from 18 to 16 so that bill was about to be signed on that day. So they knew that out of this bill was signed all these 4 guys were 17 and 17 and a half year old. That was totally planned. One hang put these juveniles against another gang so but immediately after opening of the court on 2nd of January we have introduced a paper pass system in Kakurnama Court nobody can enter that court building without a pass or without an Id. even if you have a pass you don't have an Id they don't allow you to enter. It is as simple as that. So what our footfalls have been reduced from 15000 to 8000 only by adopting this. Earlier as and when any case is listed there used to be if one gangster coming to the court there used to be 20 or 30 people coming to the court just to meet him so that thing has stopped now. So, now we allow only one person for one UTP. One under trial one person can be there in the court to assist the court or may be the lawyer he has to run around may be to get the paper signed and all. Otherwise all the litigants they are welcomed they are coming the lawyers can issue passes we have been given authority to the lawyers to issue passes but only to the litigants they have 4 categories where we allow one more person to enter that is if a woman is a litigant a child is appearing in the court in whatever capacity may be the victim or whatever it is or you have a physically disabled person coming to the court or a senior citizen.

I do not have a case I am a general public. That is a 437 whatever that section is there no I have we have technically we allow anybody to come to court physically we do not we are sitting in a closed room we have the rules say that if you are a stranger to the cases you want to come and

watch the court you can apply to the court two days in advance through your lawyer or you can come to our past section apply 2 days in advance okay.

So this sms this mobile technology can be used to regulate the entry of people in the court complex also.

But what will be the liability of the sms.

Both English and Hindi. No we will give it because the template is in our hand if we want to write in the sms it's going to 160 character sms so the sms we have designed in English runs in 270 characters we will take for Hindi so Hindi and English they use both the languages. You can use local languages you can generate the sms in your local language and send it over it is as simple as that. My dear friend I am ready to hold my court under a pepal tree if you are able to ensure me security. Police cannot ensure my security higher court cannot ensure district court security. You are a witness to this. So if you want to take this risk please take risk. No no but that provision still remains that provision is somebody wants to come and visit the court you apply we will allow we are not saying no to you. Mr. Singh just a minute the programme is under the presumption that everybody is having a mobile but there may be a person that may not be having mobile. A person who doesn't have a mobile phone he can come to my pass counter tell me in which case he is appearing these guys have got computers before them which are connected to our server they will check that you are party to the case you are Mohanlal you are a defendant number 3 in this case. They will check your identity they know your father's name because they entered in the system they will check your id make a pass for you.

No, problem even today he is not getting an sms even if he doesn't have a mobile phone even today he is not getting sms I am not supposed to go and visit his home and tell him that your case is tomorrow. If he comes to court complex without a sms no problem he can come to my filing counter. Today I am employing 11 persons on my pass counters. 11 court officials are appointed there. I will reduce it to three. They will be sitting there with computers they will check your cases listed they will issue your pass. What is your problem?

See this system has been introduced first time in Supreme Court by me listen me. Listen yes, if this system is introduced by me in Supreme Court after a bomb blast in Delhi High Court. Now he

has rightly said it that 2-3 issues are there first how to invite to restrict somebody's entry in the court premises well enough. You are right. Every Indian citizen has a right to see the court proceeding. But when we see say every citizen we have to ensure that he is a Indian citizen one thing foreigner can also check in there is no issue regarding citizen ship right but Mr. Singh has rightly said that when we are simply asking for I-card if you don't disclose that I am X or Y it starts a negative thing that you want to do something abnormal therefore your entry is not permitted one thing second thing he has rightly said that if I don't have a I-card I forget to bring it from my home suppose I have but it didn't keep with me no issue. In Supreme Court we have stolen a camera just on a counter they take your snap you have to simply get a signature of a concerned advocate that yes I know this person and he is entering the court premises for this case. That is enough no I-card is required but he has rightly said all of the courts are heavily loaded means population wise there is no space to stand. Advocates have to stand there are some yesterday also we have seen some scenario of some Patiala house. At some point of time we have to have some system. In Foreign countries, developed countries you cannot enter into the premises if you don't have a case. Rest assured there America and everybody is playing (not clear) about human rights and everything. It is not open for all. It is only India where anything can happen at any time so you are absolutely right I had discussed in well detail with police officers with sitting Supreme Court judges with advocates everybody before implementing this system. But at some point of time we have to have some control or some mechanism to ensure that who is sitting in the court room.

Sir excuse me, Decided on the judicial side by the AP High Court holding that the judge has caught every right to restrict the entry of persons in the court.

Exactly, if one gentleman began seeing unnecessary people in the court hall every day without any work.

We have inherit jurisdiction to ask any person to go out of the court if he doesn't have any work. This is one thing but he is right why we should restrain somebody to come inside only thing we want to confirm his identity and whether he is concerned with one case or not. now last sentence just a minute today you will surprise to note it that in couple of years in Supreme Court because of space constraint, practically because of space constraint even advocates are not allowed unless if he is not a member of Supreme Court bar is not allowed. he has to get a cross signature of some

other advocate that he is briefing an advocate in this case and therefore I want him inside one thing, second thing after entering the Supreme court premises particularly court room if you are number is fifteen you will not be allowed to enter into the room till 10 is over because of space constraint. So see now that restriction is for betterment.

Restriction is worst with regard to private educational institutions however big you are they don't allow you into the school unless it is there time. If we compare with them then we are very very liberal.

Just one more thing Supreme Court has other difficulty of a parking before I was send their on deputation he said there was no parking inside the Supreme Court premises then in next year I have to press it that advocates otherwise advocates are given sticker by the court registry. I say that X advocate may senior advocate 20 passes so 20 twenty sticker. Somebody ask 10 okay 10 sticker as a how you can issue such stickers. Every advocate has to disclose there that they have to provide photocopy of their RC book of their car if it is not his own car so we didn't allow it. Because what they were doing some advocates how it is not now to be discussed but they are able to get 20-50 stickers and they will give it to officer of reliance, officer of TATA, officer of X, Y client Z client. There can't would have sticker of advocate they were entering into premises so issues of liberty if it is by advocates also we can't trust the people at large. You re simply asked to disclose your desire fix date and your identity. If you don't want to if some citizen don't want to disclose his identity whether he is entitled to liberty.

Only thing is like in Supreme Court when we are entering photographs same day entry is allowed same day. Now because of security reasons or may be rush two days' notice is there.

Supreme Court entry is without any reason not allowed. Okay we allow entry without reason apply today in advance. Your case is listed toady you come to my counter at 9 'o' clock 9:15 we will refill your pass. No no we are talking on people who have got no concern with the case but suppose you have to a pass is to be issued by a lawyer. Lawyer issue passes lawyer can issue pass on the same day and if you have a court summon for today you can enter the court complex no pass is required because your name is written in the court document which has been issued to you and you carry your identity.

See if see send sms alert to a person as a litigant also he can show that he just enter.

Yes, yes 1st of March we are implementing that. So you can say hyper about the person's liberty at the cost of your own life. I simply say that if my colleague is in danger of being shot dead I will not allow any unknown person to enter court complex. This is my own theory I may be right I may be wrong I am ready to take responsibility up to the Hon'ble Supreme Court. The bullet passed from this side judge was sitting on the dice. It hit the wall just at the back. It just missed him by two inches and we are talking about liberty of people to enter the court. If my judge is shot dead who is responsible? Will that person will take the responsibility you will take the responsibility or the Hon'ble courts above me will take the responsibility. It is the responsibility of the District Judge. I am responsible for his safety. Our lawyers, Karkarnuma Court have the most rowdy bar association in the entire country. They hundred percent supported our decision from the day 1 they are very happy that we have implemented it. All my judges 80 of us we have supported decision my staff of 1200 people they have supported this decision. Not even one single complaint I have received even from the litigant that this system has harmed them. So what are we doing? We should not live in fool's paradise.

Ultimately what impression we get that State is failing to provide security we are taking care of ourselves actually it was the duty of the state.

Yes yes, you can use it. And another thing which you can do is that all lengthy arguments no need to even tell the lawyer. There is a debate going on between the law ministry and Hon'ble Supreme court whether to audio and video record all the court proceedings or not? Okay but in your own court suppose lengthy arguments are being addressed and you are of the view that you may require them or you can't note down everything. You can just record it and play it at the time when you are dictating a judgement. Advocates are recording everything in fact they are video recording. They will come with a secret pen here and they are even video recording the court proceeding.

Why do we allow them mobile phones inside?

Now your mobile phone is a computer the type of Ram Rom, capacity, processor you just go two years back check the capacity of your laptop and now compare it with your smartphone. Your smartphone has got more processing capability, more RAM, more ROM and more storage capacity

than that. Use it as computer it is a very good scanner. The free free software's of level you just download them use it as scanner. Then you can listen to any judgement. Suppose there is lengthy judgement given by Hon'ble High Court, Hon'ble Supreme Court you can't read it you are feeling tired okay. There are free software's available which will read out this judgement to you in a male voice or in a female voice of your choice you can even set the pitch and the tone of the voice. They are hundreds of them use anyone of them. Just open that judgement on your mobile phone or just ask them to read it. Okay, it will read entire just put your earphones on and while going home if suppose any new judgement is pronounced by Hon'ble Supreme Court or Hon'ble High Court you don't find time to go through it while going home you can just listen to it. This is what you can do. You can search relevant judgements all these are India kanoon, they are there you can search for relevant judgements. the lawyers those days are gone they will come and give you a copy they sometimes they used to give books and all that is not required and please be careful that most of the time they will give you judgements which are overruled or which are only favoring their point. There may be a contradicting judgement of Hon'ble High Court or Hon'ble Supreme Court they will never give it to you don't rely on them. Whatever topic on which you have to write a judgement just take two minutes to search it on your mobile phone. You will get a better judgement you will get the up-to-date judgement on that. And then you confront it with a lawyer then he will say it escape my attention. In my case I find there is blind senior advocate in Delhi, he is blind but he is senior designated advocate in Delhi and the way he argues because if a lawyer is looking at and you are looking at the Lawyer your eyes will tell that now you stop but with him you cannot do that. He will keep arguing for days together. He quoted a judgement which was overruled. Another lawyer who is a PHD in law he also relied on the same judgement but that logic was not you know it was not a convincing logic. The logic was there is this Hon'ble Supreme Court judgement which says that even at the stage of taking cognizance you can add more parties as accused. This is a Supreme Court judgement on that part okay. But that judgement was considered by another bench after 2 years and they say we don't agree with that judgement. Then there is a three judge's bench judgement which says that we overruled that judgement. She quoted the first judgement it was not 319 is fine. You know when evidence has come on record you can summon N number of person but even at the stage of taking cognizance and same in charge only the people who have been sent to face trial they are there before you. So I did my own research so I came to know about these two judgements I quoted two judgements I find the lawyers 25000 rupees each

okay they went against my order to Hon'ble High Court the High Court said we will double the fine so they withdrew the petitions from there and they came back to me.

We know that on that day my witness list has been down to 5 instead of 10 so I can plan the things accordingly because now we come to know 11 o'clock that so and so witness is not coming. So we can narrate with the help of these mobile phones because these witness numbers we have started collecting and we are keeping it separate we are not making it the part of the court proceedings. So this is there some of the areas where you can use the mobile technologies so any questions any suggestion. Off course we will make it little more perfect. This is without touching Apps. Apps we will touch tomorrow in this in session number 2. Thank you.

While dealing with pre-litigation cases I used to directly contact the respondent by mobile phones and seek his presence and if it is a government if it is a question against the government also used to contact the concerned office. Nobody has any question? Yes, any better smart phone any smart phone. It is up to you how you are comfortable with 8 GB or 16 GB. It is up to you. All smartphones except Nokia 1100 every phone now you are using is a smartphone. Okay. The smartphone has got no minimum specification. See, before we discuss this technical issue when Mr. Singh has also referred 319 yesterday I also referred it. Let us for five minutes let us move to judicial side. 319 says that any person can be added at any point of time as an additional accused. Whatever petition before him I am not sure not certain No, no exact fact but there are three type of different judgements by Supreme Court. Yesterday I told you-1. As he was referring whether any person can be joined as an additional accused at the time of framing charge against other accused on that day see conviction ratio we know it is quite low so in majority of cases the paper of charge sheet though they disclose some commission of some offence ultimately we are unable to convict anybody. So, out of those acquittal cases I think whoever has worked on criminal side they are aware that charge sheet paper are of such a nature that even if witness is trolling the truth before the court we have to acquit the convict. The foremost reason is unfortunately you may not be knowing that what police is doing in a petty or simple cases where they have no interest at much what they will do they will simply ask the name of witnesses and there stereotype in parity of complain they will record the statement. Now you remember this. Witness is exactly telling the truth. When you are calling him in a witness box you will ask him whether police has recorded those statement, no. He or she is right. So this is practically a drama. So he is telling a truth. But

ultimately we have to the other issue no doubt it is stretching my state but Best Bakery case of Baroda then it was transferred to Bombay initially acquittal then conviction. The other side if witness doesn't speak in a witness box what you will do you will not listen so, in 319 what is stated that one can be added as an accused at any point of time during trial. Now what do you mean by during trial and the word or terms used in the section is based upon evidence. There is no word like prima facie evidence based upon evidence. There must be some evidence against that person so issue before the Supreme Court in different type of cases is what evidence is? A paper of charge sheet alone is an evidence? One judgement says no but then same set of papers are considered as evidence against other accused against whom charge sheet is filed. But same set of evidence is not to be treated as evidence against a third person only because police has left him. Same set of papers which are otherwise disclosing commission of offence by A, B and C but after as a judicial officer by going through those paper you find out that even X has committed crime. You can't join him because there is no prima facie evidence or there is no evidence. This is one set of judgment by Supreme Court.

If you are having cause list with you as in the morning Justice Sachdeva has shown you. If with the cause list if remarks can be there in read text why not few judgements? And you are not bound to rely upon it. I will tell you as soon as advocates are aware that you are aware about the latest law position they will stop arguing the matter. Am I right? They will not discuss much they will not argue much. I think I have just clarify why we are referring 319 only.

Sir relating to 319 CrPC one mistake that is being committed by taking cognizance is that if the charge sheet in the charge sheet if the IO drops certain accused see out of seven he drops two person then the magistrate has to issue a notice to the defacto complaint that the charge sheet is filed against five only. You have a given a report against seven. If that is done then somehow the mischief can be avoided. It has to be done because that has to be considered as referred charge sheet as against those two accused and the defacto complaint should know because he had given a report against seven he didn't know that charge sheet is filed only against five but that notice is not being issued. If that is issued then at the instance itself he will come forward we can order a reinvestigation and 319 CrPC can be avoided.

As I have said you we are referring the cases of 319 so that we can explain you that why technology is required. Use of technology is required. Except that forget the merits of because session is not devoted to 319 you come down to the technology part. It is only an example.

No no, just one minute. Every time there are rules which are not required. In one of the suit I have issued an exparte ad-interim injunction then on written able data I found that there is suppression of material fact. Plaintiff has not only to withdraw the suit but I have imposed fine also. Even he was when he was withdrawing the suit.

All time the chair of the DJ cannot be meant by district judge himself sometimes it is there given assignment to interim chair. 430 application again I imposed fine when it was detected. PP assisted the court that this man is filing 430 application again and again and taking chance before the District Judge before the additional District Judge. I impose the cost. There is no provision in the CrPC for imposition of the cost. While dealing with the case.

So we conclude our programme for today and there is library reading and computer skills training which is optional from 3-5 P.M. and I have to make one announcement there is a special dinner today at National Judicial Academy auditorium from 8 p.m. onwards and we would like to show one movie called Court so I would just like to know at which time you will prefer? It is also optional from 6 p.m. or 7 p.m. what time you would prefer. It is 2 hours movie. So if you start at 6 p.m. it can you know after finishing movie you can have dinner? So, I just wanted to know that at which time it is more preferable for you. After dinner? Okay 9 p.m. May be we can start at 7, 7 is okay sir 7:30? Actually there are 2 timings only 6 and 7 and you have to choose one sir. Alright so 6:30 is fine sir.

Google India

Functioning of internet and related concepts

Ms. Navpreet Pajrath

Mr. Sebastian

Mr. Sebastian: Good afternoon. Good afternoon respected member of the judiciary. It gives me I am really thankful that I have got this opportunity to speak to all of you. Today we will be covering the internet and its application. This will be a tech neutral seminar so we would not be getting into to many specifics but general overview of the internet and the variety of applications that offers. Briefly something about myself I am Sebastian I am from the trust and safety team google. And I am accompanied by Navpreet. Navpreet is a senior counsel for India. The agenda for today is broken up into five sections. The first section is about the internet itself. The building blocks of the internet. What are the various uses of the internet that is what is going to be covered in the next 3 sections. The Web, COMS as in communications, mobile something that we use really really often and in the future. Basically, a little bit of crystal ball gazing and understanding what the future holds for us. One very important thing about the internet is its openness. Through the course of this session will try and show the variety of tools that you have access to a lot of information about the internet and how exactly functions. So let get down to some numbers. There are 7.3 billion people in the world right now. Now 43% of them are internet users. So what do people do on? You have a variety of users for internet itself. You can watch video you can read newspaper you can probably play a game. These are the varieties of uses that the internet offers to us. Now at the back of this is information and an important point to note about the volume of information being transferred on the internet is the sheer size that goes on on a day to day basis. This number is around 800 Exabyte's of data. Now first you take all the books that you have taken from humanities till now and multiply that by 10 million that would be 800 Exabyte's. So that gives you an idea about how much information is been shared on the internet on a day to day basis. Now as you can see on this graph it becomes very very clear that the number of internet users is continuously increasing and this number is only going to increase further and further. So that makes internet really and really important. As spoken about internet at global level now let's come

closer home. Let's look at India itself. Within India itself I think a very common statistics that we hear is one in every sixth person in the world is in India. Now the interesting part to know here is one in every sixth Indian is an internet user. Now who are these internet users 48% percent of internet users are below the age of 25 and 23% of these internet users come from rural areas. The 48% of the youth of the nation have been using the internet primarily for it could be research it could be for education and rural areas it can be something simple like a farmer trying to check on status of his crops. That basically shows the nearer diffuses that the internet brings with itself. Another important change if you see on the internet is the switch from desktop to mobile. Most of us interacted with the internet for the first time over a computer. Now what has happened is you have moved on to mobile. A number here that is really really significant is 93.3 crores mobiles subscribers are present in India. So for a lot of people there very first interaction with internet is through a cell phone. And I think for a lot of youth today interacting to the internet is by primarily through headphone on the small screen. I spoke about the world, I spoke about India. Let's look closer to home when we go back home our home is complete with number of devices that we use on day to day basis. You have laptop, hacking emails on laptop. You are probably using cellphones for booking tickets for a variety of uses. There could be a smart TV. So you are streaming content online and watching it immediately. Now all this is connected through a World Wide Communication System called the internet. As, I mentioned the slide you have the internet you have the communication system, you have entertainment, you have social network such as facebook and you have information which forms the crux of all of this. Now what is the internet? Now let's go behind it. At its very simplest form the internet is a global system of interconnected computer networks. Now they use a standard communication protocol called TCP/IP. I will talk about this in detail a later. TCP/IP is Transmission Commission Protocol or Internet Protocol. Another aspect note about the internet or when I talk about is the multitude of networks is the billions of devices as you saw on the previous slide there are multitude of devices that access the internet. So this can be a cell phone, this can be a tablet, this can be a laptop. And there are broad range of services that permeates across our lives. Important aspect when I speak about the network of computers is the nature of these networks. It can be a small educational network. So let's imagine like the WI-FI in the judicial academy. So it can be a private network. So private network is something like TATA Motors having a WI-FI and within that Wi-Fi all data or information getting shared. It can be a much much larger networks so it could be of state level or a country

level WI-FI programme. Very recently I think one of a recent programme was around having railway station was having a WI-FI feature. So this is something that is going on and what I probably stretch on is there is a network of computers touching upon various kinds of networks. So you have public, private, academic, business like I mentioned TATA motors. Now what goes on behind the scene the internet as such functions as a client server model. On the right handside on right handside you have the user device so that's basically me a client and here you have a server so who holds all the information. Let's assume that I want to see a video on you tube a speech of Late President APJ Abdul Kalam. Now what basically happens is this information is transferred using TCEP IP as I mentioned it earlier. So when I say protocol. Protocol basically refers to set of rules. Think of it as you draw a very simple comparison think of it as a rule that a post office follows. A post office receives a particular letter. On the letter you have an address you have a pin code now depending on the rules that are written on that the emails also get transferred so that is TCEP IP in the simplest form. Now the first hop that usually takes place when internet or information is transferred is to the ISP. ISP is Internet Service Provider. This is usually your first point of interaction with the internet. So an ISP can be private or it can be public. A private ISP can be something like Ariel, Hathway, or a public service provider can be, BSNL or MTNL. Now first thing that ISP provider does is provide an IP address. So what you see here is that you have an address allocated on a number. That's allocate to each of those smaller computers on the network itself. Think of this as a unique phone number. AS phone numbers have a region specific to it. So +91 is the India code. Similarly IP addresses also follow that code. Now using TCEP IP combined with the IP address. Information is passed across multiple hops from the client to the server. Very very simple very very straight forward you have a particular language rule follows that TCEP IP that tells the computer how to transfer the information and who do you transfer the information to depending on the IP addresses. That basically explains that how information gets transferred from one point to another. I am searching for a particular video and in a matter of seconds I am able to see. Now let's touch on something different or slightly related to it. Its cloud computing you have probably heard of this a lot. Think of cloud computing as the origin of the cloud computing is very interesting. So, when we had started representing computers as a network diagram the internet was represented as a cloud. So a cloud computing is having the memory, a storage on your own device but somewhere else. So you have a uniform server that has an access to all this information. So think of it as I upload a photo online I can probably access that photo anywhere else. This makes

cloud computing secured, efficient and extremely practical. As you can see it can be used across a multitude of devices and given that you are not using your own device and resources it becomes extremely easy and convenient to use. I have basically covered that how the internet functions. I have also talked about how the numbers played on internet, how the internet functions as a client server model. The next section that I want to go over is the web. Now the internet and web is often confused but it is important to understand that the web is an application that runs on the internet. Now the easiest way to get access to the internet is through web browsers. Now most of use this on probably a day to day basis you have some examples here. You have Firefox, you have internet explorer you have chrome you have safari. One common point that you have probably noticed with all web browsers is the address part. So within the address part you enter a particular data and then you go that particular website directly. It's very interesting to note that how the modern website has transformed over a very long period of time. So 10-15 years ago a website looks something like this. It was basically text and links not very attractive not very interesting. It's now moved on to something that is much much more interactive, user friendly and much much more colorful. This is the progress of the internet itself and this is one of its primary examples. Now what happens behind the scenes when you enter a URL (Uniform Resource Locator) in the website? Let's assume that I have to go to the Hindu's sports page so you have hindu.com-sports now as you can see on this page you have text you have images, you have an add as well or it can be a small video. So all these smaller piece of information are stored in different parts of the world. So what happens in a matter of second is that this information is brought to you on this website. Now I will break down what the website itself contains itself. You have hindu.com sport cricket so as looking at the cricket specific page related to Hindu. Now the anatomy of URL is basically Uniform Resource Locator so on the left handside you have this is this is the part of that you used to find the right server. So I talked about various servers being present. The first section talks about going to the Hindu server to pick up the information. The second part is the section that interpreted by the server so when I am saying interpreted by the server this section that is very very relevant to you. Think of it as a physical copy of newspaper itself. The Hindu newspaper is present with you in your hand you go specifically to the sports section to read something websites work in almost the identical fashion and its very very interesting to know that you have a variety of top level domains being present, So something that is very commonly being used right now is nic.in and also internet and websites have a regional aspect towards it for eg- content.co.in would

be very different that you would see on .co.uk which is the UK domain or jp which is the Japanese domain. You have laptops online you can probably get information about laptop how does a laptop work and various aspects of that. On the right handside of page you would have option to probably buy a laptop. So go to a particular website and then buy that laptop. This is basically the difference between what is search results? What is adds? I spoke about search engine and I also spoke about what search results look like. The next in the slide probably talks about is web Portis. Now it's always good that you know that what you are looking first you can enter it into search page and then go ad find it. But a web port basically summaries all this information and gives it to you so you have an example like Yahoo. Yahoo has main cricket finance, news, astrology, games all these various topics being presented to you directly. So you can click on the link directly that interests you and then go to that page directly. On the other side you have something that is more commonly used in India itself is rediff. So rediff is also a similar portal that is used commonly. Web portals usually aggregate information from a variety of sources and present it to the user in a very very simple fashion. In some countries the use of web portals is even more popular than actually just using a standard search engine. The last section that probably want to touch upon is platforms. You have various examples of platforms being presented on slide. On the top corner you have Wikipedia. So Wikipedia is primarily a text based platform. If there is a subject that I am particularly interested in I can write an article and submit it to the Wikipedia so in this case you can see an example of Delhi metro. When you obviously have something like you tube so on you tube you have the option to go and upload a video. So in this case you have google search related add here is an example of something like twitter. See Narendra Modi is uploading contact so here you have an example of him sharing various photos or various updates that are relevant and on the right handside there you have something like facebook. I think most of us are already familiar with this to large extent. But it is basically a social networking website. The very important thing to note about platforms is the content itself. The content on platforms is user generated. The platform owner himself probably does not have control over the content on this platform so in various cases you might have scenarios where there is content being uploaded on a platform but a particular platform owner is unable to detect or find it. Important another aspect when comes to platform is the region specificity of platforms there can be different kind of content depending upon a particular region so if you see content on India on YouTube it would be drastically different from what you see in the US or UK. A very important comparison about platforms is think of it and a

railway platform. When I go to railway platform my main aim is to board a train and go but in case I lose my luggage that still becomes my responsibility. Exactly similar to that is a platform like YouTube or Facebook. I am given the service to upload my content but the platform owner itself cannot be held responsible for that. Last thing is Com so Com is something that we deal with almost on a day-to-day basis. Coms as in communication, spans a variety of options that are currently present. You have something simple like WhatsApp that all of us use, you have email and then you have video conferencing. Now imagine a scenario where I would not have to travel but instead just sit in one place and basically take that session over the video conference itself. Very very commonly used in these days. What happens when an email is sent? An email probably contains three main sections. You have the envelope you have the header and the body. Now the header is the most crucial part of the email and why this is so important is because it contains the sender's information the recipient information. It also contains information that helps the computer decide that where the information should go. The body itself is the context is the matter that you are trying to send across from your computer to another computer now this diagram probably looks slightly complex, but at its back end it is really really simple exactly similar to the client server model that I explained information on the internet is transferred through email by simply just converting it to small bits and then sending it over the wire to another computer. This happens probably in a matter of seconds and it's important to understand the sheer volume of emails that are sent on the internet. The next section is instant messaging. Instant messaging is extremely common you have various examples here. There you have an example of FaceTime so you can visually see someone else and you can also speak to them. In the center you have Hangouts where you can type short messages or long messages and then you have something like AppleChat. An example that is probably not on the screen as WhatsApp is something that we use very very often. So, probably once I am done with the session I will WhatsApp the driver and say that okay I am done please come and pick me up.

Internet messaging or instant messaging is being used so commonly it's important to understand in last year over a billion instant messages were sent almost in a month's time. So it's important to understand that this kind of information is moving so fast so quickly and so much of it. The last thing in this section is the voice over internet IP. So you have a fairly nice example of a Bollywood star interacting with his fans for promotional purposes. So you can have say a video conference facility to ensure that you are able to be in touch with somebody else who is really really far away

from you. Now this primarily might not be used for promotional strategies but it can also be used for the purpose of strategy. So something like the Indian Army is interacting with the Indian Airforce but through computers but through video conferencing without actually being together in person. I spoke about mobile as well as in how we are moving away from desktop and moving to mobile. It's important to understand how the web and the internet has also changed in this era. Earlier the mobile phone was only used for making and receiving calls. But now it's happened is that the mobile phone has become the gateway to the internet. you have three version of a particular website here so you have ndtv.com so you have the desktop version so this is the version that I probably access on the computer then you have the mobile version so that same content is now compressed to fit a smaller screen and the last section is something that's becoming really really common right now that is Apps. Apps or Application software is something there to develop to present information in a very very mobile friendly manner. So in this case you have the ndtv App showing the exactly the same information. One example here on the top is NFC or near field communication. This basically works on the principle of you store your payment information in your cell phone and then you simply just swipe it over a particular receiver and then the payment is made. So no need to take out your bank credit card details entering it NFC makes this possible. The next example is delivery doors. Imagine the time when you just login to flipkart.com enter what products you need and within a matter of hour a drone comes and delivers the product to you directly. Now the interesting thing to note is that this is already being done by the amazon in the US and has been really really successful. Internet access is something that is really really crucial and important. Solar part internet drones work with functionality that it provides internet access to large number of users primarily by being a balloon or a drone that gives internet access to small villages. This is something that is tested out. The most recent example of this was in Srilanka and very soon we might have cases like this in India as well. And the last one is driverless car. Think of you enter a place where you enter in the car there is no driver you simply just enter your destination and you are taken there. Complete care is taken of your safety and and in such world it's almost similar to a science fiction book. So you have something like NFC, you have something like delivery drones, you have solar part internet drones and then driverless car. This is basically what the internet has the capacity of saying 10 or 15 years down the line.

With that said that's pretty much all the content I had for you today and in case you have any question you can ask me or Navpreet. Thank you so much.

VERBATIM FOR:

**WORKSHOP ON INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)
TOOLS & USAGES**

19TH – 21ST FEBRUARY, 2016

SUBMITTED TO:

DR. (PROF.) GEETA OBEROI

DIRECTOR IN – CHARGE, NATIONAL JUDICIAL ACADEMY, BHOPAL

PREPARED BY:

DIVYA JAIN

4TH YEAR - B.A., LL.B

DR. AMBEDKAR COLLEGE, NAGPUR

Session 9

Connectivity and Local Area Network (LAN) issues in District Courts

Justice S.G. Shah

Mr. Talwant Singh

Mr. Yogesh Pratap Singh: I extend my warm welcome to all the resource faculty and all the judges present here and this is our last day the 3rd and the last day of the programme on ICT now I will request Talwant sir to start take up the session 9.

Mr. Talwant Singh: today's topic is an if you take it technically it is very technical subject, try to make it a little interesting for that everybody remain awake, what we have done is that I personally have no particular experience of facing any connectivity and LAN issues because in Delhi we are comfortably placed but other states they are very serious issues regarding connectivity and LAN so what I did was that I, some of you may be knowing, I was in E-Comity which lordship was earlier he is the one who started it piloted it so later on I joined so we have an E-Comity which looks after the computerization all over the country, it's boarding on Hour able Supreme Court, so I raise this issue with E-Comity and person who is our coolly there he send me a list of the problems which are being face all over the country we try to take up those problems one by one and then we will ask you that what are your problems are covered here or there are some other problems because it is a session were we want to listen from you what are the connectivity and LAN problems that you are facing if we go by simple words let us not get confused with all the big big words that technocrats used, connectivity means whatever is your internet bandwidth or your connection coming from BSNL in major part of the country and MTNL in Bombay and Delhi, almost all the core complexes have got BSNL connections I think there is no exception to that except Delhi and Bombay were we have got connections from MTNL because now this new CIS which has been introduced in the country you need a robust connectivity with the state data center and from state data center to the national data center in Delhi so that whatever is been done in the country it is updated on the system instantly so that the lawyers may see what exactly is happening in the, lawyers and litigants they will be able what exactly is happening in the courts the computer

in your court is connected through LAN this is called local area network let us not get confuse these technology also this is a wire which goes from your computer to your server room it's as simple as that I was in, I am associated with computerize for last 15 years + so initially when we started computerization Delhi District Courts and 2002 at that time the people from NIC and other private vender they use to come to us and they try to use all these technical words and they try to confuse us so this LAN is nothing technical what happened was that we had given a contract for LAN maintenance to one vender what he was doing suppose and we had an even today we have this monkey problem in our primary District Court, he had just adjustment to our court complex so we have this monkey problem, they use to snatch those wires and if suppose today I have problem in court room 24 we use to lodge a report that guy use to charge 400 or 500 rupees just for the visit and what he was doing he was just putting this wire back in the switch that's it and what he was doing in addition to that he will remove four more wire from the switch so next after half an hour we will again lodge a complaint look court number 42 is now working fine now court no. 73, 74, 75 we have some problem so this guy will again this visit multiply by 4 courts complained he charge 4200 rupees from us he will rectify that problem then again some problem will arise in some other switch so this was going on for a long time so I tried to study what exactly this switches and this LAN is so I realized it is nothing your current electrical pulse should pass from your server to your computer that's it is only an electrical wire which carry the electrical pulses, so I have two persons who were class 4 employ of District Courts they were in fact trained electricians earlier but they joined our district judiciary as punes because now everybody has got a chance to come in your system and encombint for this so I told them that look I want you to take over this LAN connectivity thing, they said sir we don't know what LAN is, I said even I don't know what LAN is but I presume is that your current should pass from server up to these switches and these wires to every computer which is, they are in all the courts, and we have big court complexes, we have 175 courts and it is the largest court complexes, so they said that we need some instrument I say you buy those instruments, they brought one ladder I think 2 ladders because they needed both the ends, I think two meters through which they are able to see whether the current is passing through this cable or not and few other small small instrument costing not more than 3000 rupees and for that next 10 years or so these two guys were maintaining our LAN network till I was there in the computer comity there is thing technical about it this is only a wire which starts from the server goes up to the end of your computer this is LAN ok, now things that

demystified don't get fooled by these technical people who come to you and say no apka to switch kharab he, apka LAN kharab he, they use this I know what technical jargon to confuse us they think that we people we do not know what exactly the technology is, so the issues which have been flagged by the E-Comity we will pick them one by one first issue which is there and of course when I was in E-Comity in 2013 we try to walk that out was that the switches, switches are big box from where the main cable comes from the server it terminates there the switch can give you around 10 to 20 connections from there ok, so and switch needs some electrical point to do that what has happening majority of the court complexes in the country there is no UPS provided with the switch although the UPS is there with your computer in the court or with the server also but the intermediary which has to pass this current there is no UPS there so in phase II of the project the E-Comity has decided to provide the UPS to the switches also second problem is that we have gone with this concept of Thin Clients so all these Thin Clients they don't have any facility of storage because storage has to be done in the main computer but if suddenly the electricity has gone so you will not be able to store what is being happening in that particular computer whatever you have done that goes without saving now BSNL has got its own problems when I was there out of 3600 court complexes we all over the country it's a rough estimate may be 10 20 on this side or that side for about 1000 court complexes BSNL said that although we have got telephone connectivity these are outline courts, although we have got telephone facility there but data transfer facility is not there so it's a big issue I think this issue still remains because and even the private ISP providers airtel, Vodafone, even they are unable to provide data connectivity to these courts so were ever the BSNL is there I think they have still there lethargic government attitude towards everyone including their private consumers even they are government customers, so you lodge the report today after 4 hours this person will come and they have not upgraded there technical work force this problem we face in Delhi also the MTNL guy who comes to ask him that mera internet nahi chal raha he doesn't know anything, he will just know switch off your outer, again switch it on and do this and do that and by hook or crook you try to see that you know our computer starts working or you start getting internet connectivity technically he does not anything about how this internet works they have outsource in Delhi they have outsourced to some private agency and calling that person to our court complex I THINK IT takes time if this is the situation in Delhi I think it must be worst in other states were you have BSNL, then this VPN over broad band this is what is required for data transfer between your court complex to the state level data centers it need

a static IP, it is nothing that it should have a permanent address of your server, the problem with BSNL is that they will not give you a static IP and even if they have given it nobody knows when it will change even without your knowledge without BSNL knowledge, this is a very big problem if static IP because the state data center will recognize the IP let us say it is a long string, long list of no.s, your string no. is 4 ok, your IP address is 4 suddenly BSNL will change it to 5 so the address registered with your state data center is no. 4 but now your address is no. 5 your state data center will not receive any communication from your server so this problem they give you floating or you can say that the changing IP addresses they can also give you permanent static addresses also but even this technology is not perfect as far BSNL is concerned, then prompt service is not been provided BSNL we already flagged this issue then SMS service, yesterday you were talking about SMS service it can work only with lease line connections and we don't have lease line connections all over the country in Delhi we are fortunate that we have, you know I always say that Delhi is not India if you compare Delhi standard with India's standard then I think you will reach nowhere the problem is very acute in other parts of the country where lease line connectivity is not being provided so the SMS service cannot be started, so yesterday we saw that there is a benefit of starting an SMS service but for that you need a lease line connectivity, then redundant connectivity option if your main line has failed redundancy is nothing it is if your main line has failed you should have some other connectivity to fall back upon, it is not there, not even in Delhi, if MTNL has failed then MTNL has failed so this redundant connectivity has walked out in every internet in every organization where ever you are using internet connectivity all private organization even all if the government organization also they work on redundancy, redundant connectivity line has to be as strong as your main line, so but I think no lines have been laid down all over the country except in few states which are live to this problem that if there is a failure of BSNL service what should we do then this SWAN is there in every part of the country, SWAN is basically state wide area network the integration between SWAN and NICNET is not happening, SWAN is concerned they have gone up to tehsil level they have connected almost all SDM's offices, they have done a good work but this integration between SWAN and our NIC net is not happening which is a very major issue if we are able to use this facility provided by the government SWAN is a very expensive network, government has spent crores of rupees on SWAN but nodes are not able to take benefit of that, this integration is a big issue so if we are able to integrate, may be to take a call at national level may be at state level, I

think Gujarat they have already done this, only in Karnataka, only in one state it has been done, government has spent and I am telling you the entire bandwidth is line week and nobody is using it, not even I think 1% of capacity is being used, so then more LAN nodes are required at your filing centers because I think they give one or two earlier now in Delhi we handle this problem on day to day bases we had this problem of attack in our court you want to have filing counters next day I ordered that I need a switch in gate no. 3 another one at gate no. 4, with 20 lines each and my department has started looking on that but in other states if you need even one more LAN point you have to go through the entire exercise of writing here and writing there by the time you will receive the answer you will get frustrated that I am not going to get any positive answer in Delhi you are at left all over, we write to a central government we have two paneled vender who does this LAN work at the central level once we have given him one year's contract now if I need 10 more points I need not go back to any comity, the only thing that I have to do as a district judge is that I have to just place and order and we install that LAN and I can follow directly with that vender no computer comity, nobody else is involved because what they have done is they said local assessment only you can do as a district judge the High Court may not be knowing, what are your local requirements in Delhi I need 20+20 40 more connections within one minute the notice prepared and then they file it and then the work will start, so this type of I think facility is important because you are the master of your own court you exactly know at your district level what exactly is required some body sitting 400 miles away from you may not be even able to appreciate that suppose there is only two lines which have been given at the filing counter or both of them are not working so what will you do, so these are the problems which have been highlighted by the E-Comity i am only there spokesperson so any suggestions any problems that you face after lordship speaks i think we can highlight them.

Justice Shah: is there any query or shall I continue with some more technical details to bore you more. because today's session is such that you have to, but I tell you differently, day before yesterday you heard of Khushwaha, I also noticing that it was to technical for all of us except 2 of us to understand it but broadly speaking as a district judge you must aware about some basic things, you may not directly involve yourself in technical issues but I tell you frankly that as brother has said whenever there is a problem the technical man will disturb you saying this is not working, so I will give you my examples how to come out of all such things as I have said earlier I have

prepared software first before purchasing the computers boxes, before giving instructions for preparing an application software for me I have read out fox base book, no doubt now today we don't have all that much time I was too young during those days and having no other activities like young boys may have then when I joined services you will surprise to note it Gujarat High Court has put in a tender for computerizing new campus, new campus is a typical local area 4 5 different buildings not adjourn to each other huge campus High Court has a taken services of 2 outside experts, a tender was floated and price was 1 corer 15 lakhs total cost comes to. Again I have studied novels, I redesigned the networking and cost reduce to 70 lakhs means there was reduction of 45 lakhs, so nothing is impossible, only simple common sense is required to understand anything you don't have to do all such things now, now E-Comity and NIC is doing it, what you have to do today is you have to simply impress the technical staff that you are aware about all such things, and therefore you have to listen this lectures that you know something about IP address you know something about food, so if you ask him few questions he will realize that sir knows something he will not be fooled this is the real reason to have some basic info on each subject it may be network, mobile network to software or anything, now if we come to the point I will show you if you ask your technical person to show you all the connected machines on your network he will realize that you know something, and it is so easy I am just explaining you this is the basic screen of an any PC were all the folders and other things are shown you ask him to show that how many computer are connected with this machine so he will go to this entire network you can also explore it on your own there is nothing to be worried about nothing will disturb nothing will damage, don't afraid of anything and if something goes wrong don't worry it can be rectified, because I have never acquired any degree of IT but I tell you frankly even IT engineers be computer they are afraid of talking or discussing ANYTHING WITH ME BECAUSE they are aware that they will get caught they will not dare to discuss any issue, that who is working on your network means in your institution, which computers are functional which are active, you yourself can know it sitting in your chamber on your PC or laptop, the second issue is you don't have to bother that IP address would be and what is the pores and cones of it you simply ask him to give a list of IP address of all the staff members of all the PC's in your institutions the technical person will give you a list he will be under impression that now you are aware about everything, do you follow so IP address is just like a telephone no. every instrument has a specific telephone no. it is unique they cannot do duplication of that no. telephone no. are if it is landline 8 digit, if it is mobile 10 digit similarly if

it is IP address it will 4 string of 1 to 3 digit the maximum no. is 255.255.255.255 and probably most of you must have seen some were the IP address or anybody is there who has not seen it, nobody is there or nobody is ready to disclose it. The net concept is there but there is an intranet as well, it is IP address concept so even if internet is not connected every machine would have a IP address because internal connectivity is also now fix or confirmed through such IP address only, see last but one line client IP address right now it is 0000 because that modem here is restarting so the string would be like this 3 digit.3 digit.3digit.3digit exact IP address would be seen within couple of minutes because probably modem is also restarting, so now you have an address or no. of machines use within your campus, here it is 169.254.38.170 so you will have such IP address of each machine utilize within your campus now yesterday or day before yesterday somebody was explaining you that if this IP address is changed your data will go to wrong address therefore also now see for security reasons being the head of the department of the District Courts as a principle district judge therefore yesterday I have shown you one slide that be happy to do whatever is given to you, so if you are in charge of District Court you have to take care of some technology also don't say that I am principal district judge why should I worry about all such things, let others do it, please don't do it, don't bother to learn everything on your own, forget it that we may digest it or not, its ok, but at least your staff, subordinate, and technical person they must be under impression that you are aware about everything, it will solve 50% problem, and practically if you are knowing something better than any other person it is always useful to you there is nothing wrong in gathering more knowledge and details, so once IP address are there you are certain that you can check IP address of any machine like this as I have done it I will show you probably many of you will be aware where ever there is this internet connectivity you just click it or you just keep your mouse if you click some such screen would be there which will be showing IP address or in new software only keeping a mouse over there will give you IP address see, last address 169.254.38.117 you just keep a pointer there IP address would be disclosed so this is a basic information now so far as broad issues of connectivity in District Court is concerned I tell you frankly it is a disturbing situation that so far as internet is concerned when we are talking about connecting the entire world nobody will disclose like this because nobody wants to disclose it but it's a hard fact that every information now what we will receive through internet it is been coming only through NIC sever first from whenever yahoo, Gmail, from were ever you access anything your information is coming through NIC server, NIC is only permitted to access other work, you

must have heard or listen few dispute one dispute is just before couple of days between US government and apple are you aware, and before couple of years with blackberry, Indian government had problem with blackberry, are you aware the similar reason or dispute is as on date practically it is not a dispute of concept or ideology but a between our states it is the dispute of providing infrastructure, the issue is when we are talking about this IP address 255.255.255.255 every nation every area has been allocated with few no.s of IP address few rang of IP address if you are machines exceed those no.s then there will be a new, client IP address this line, is it readable to all of you there after it comes clients IPV6 address then there is a AP mac address on the top, now these are mix question or mix facts or information for all of you this mac address is specific address of this machine IP address is a address of connecting this machine with a particular port from where I am getting some info. or outer wireless or cable or noncable it is not material but it is router from where I am connected or getting information but this string 255.255.255.255 is now coming short all over world it is exhausted like you must be aware that telephone mobile telephone no. initially for a decade it was starting only with 9, now 8 and 7 is also there mobile no. from day one till couple of years before all the no. 91, 92, whatever it may be but first digit was 9 only now you are not certain it may be 8 or 7 also so by passage of time when more users are there this no.s are short so now unless this client IPv6 address which will be having no such dots in between and it would be a indefinite no. unless this technology is not only introduced it is already introduced but it is adopted and converted all old machines and all facilities are converted in this new platform this connectivity issue would be there neither administrator's nor NIC not anybody are they are able to disclose but they are afraid of disclosing it, because everybody is thinking that whatever I am saying is correct, this is the hard reality of our culture but this is a real fact that unless this technology is not converted, or transfer in client IV6 address facility as you are transmitting from CIS 1 to CIS 2.0 like that only we have to convert our IP address and our connectivity in this IPv6 address till then there would be an connectivity problem.

Mr. Talwant Singh: This IPv6 address in a very simple language like you have modem wireless modem at your residence you are using it on your laptop, desktop, mobile, similarly for your 2 children and for your wife also there are at least 6 to 7 machines are connected through that one particular IP address another thing new concept which is coming up is internet of things IOT you must have read it in papers and in something called IOT what is IOT, IOT is nothing most of

the machines they have right now computers embedded in there is some sort of chip which is embedded into it now the time is coming when these chips will be connected through internet through your wireless router and you will be able to access these machines while sitting in your office, suppose you are 15 miles away from your residence you want your AC should be on by the time you reach there, now how to instruct that AC because if you pass an instruction it will go to 20 machines in the entire residence so if the AC is going to have its own IP address then you can just programme your mobile phone accordingly there will be an app which will be taking control of your house it will be automatic you don't have to do anything the moment you reach in the range of 5 Kms or 15 Kms the towers will read that you have reached here it will automatically send a signal to your AC you please be on, so for that every house will have at least 10 20 30 such machines a microwave, even your door lock, so that's why these earlier IP address IP are not short like the car plate no.s so now we have gone from 4 digit now there is another 2 added before that similarly this IP address is 6, now it is not a choice to move to IP who is 6, I think it's a must but the sooner they take the call is better for everybody otherwise what is happening is that this internet is getting choked so you are using the like you have got one modem here, the 20 30 machine connected with one modem, there are other security issues also if the mac address is not captured by this router if somebody sends a threatening email from here so the person who is owning the router will be caught so he is the one who has to explain that who was using it, there were 20 people using it I don't know which person has used it so that's why need this IPv6.

Justice Shah: one more another issue is there practically now I have made it readable to all of you it is 255.255.255.255 and in each 3 digit string it will be 1 to 255 so it is big no. it is not small no.s, but see the difficulty the third 255 is allocated to router the fourth 255 is allocated to local connections so now the difficulty as I have said we are discussing both security and LAN network the difficulty here is if i am aware about 1 3 digit then what I have to do to verify your IP address is to check only last 3 digit which is your IP address so there is a security issue do you flow what I am mean to say in this PC the IP address is 169 see now it is 10.131.30.141 so this last 141 is defining particularly this laptop so if I am aware about previous 3 no.s to find out particular PC it is very easy for to me just to check my 255 no.s only and 255 then again 255 is not a big no.s we have to check only 255 no.s now see if we go to this we stop here, this entire network, then the symbol is showing click on it, it will show you what another PC is on and connected to it, if you

click on it then you will get to know what he is connected to and can even access to files in his computers. Coming to our issue see you in your PC you have typed one judgment draft judgment is there in your laptop, you connect it to internet in your chamber your local connection within the campus a person like me can access your draft judgment therefore technical people will say that everything is proper everything is manageable, but we have to be careful so every file therefore we were telling every file must be password protected if there is some issue which is a normal, suppose there is a judgment of a motor bike accident claim case probably except amount there is nothing confidential and amount everybody knows it may be 5000, here or there. so change your password change, no password of PC is one thing and password for files is also can be there you can protect every file with different password, you are absolutely right I learn computer only because I have remember 1000 of address and so many details as a child so I learned computers but then now after mobile phone we forget phone no.s otherwise as a child I use to remember so many phone no.s because father or grandfather as simply as subot dial this no. so how many time you will search it so I have to remember because I was repeatedly dialing it so I recollect it now we never dial the no. we simply select the name and click it so we, yes our own phone no.s we many a times we don't know, so this is the issue so far as local area network is concern. now again coming to some more technical issue initially why this bandwidth IP address every dispute is there or dispute or disturbance is there so far as IP address is concerned probably i want something which is different than my knowledge see suppose i am using one smart phone one tablet, laptop, PC at present I am using 4 equipment at my control at my residence so within my residence there are 4 IP address use by me all machine would have a separate IP address so if all of us are using at least 2 3 4 minimum 2 now smartphone and one PC at least so this 255 no.s are exhausted therefore we have to shift to new set this is one issue then why there is a dispute between blackberry and Indian government, now again is the issue the reason is initially blackberry has said that we don't allow anybody to enter into our IP scheme our IP address scheme is specific and we will not disclose it so that nobody can enter into it and nobody can snatch data. but whatever we do till delivery of judgment those information with in the periphery of administrative system our administrative orders, files, notes justice suchdeva was showing you notes on screen, I have developed one model court, everything is very good I have studied Singapore court for this development of such technology here in also but all are risky if notes are only on internet or in any machine and if the machine is compromised or connected with

some network your notes will be out it is possible see nobody will do it is a different issue then why we lock our house every day, to ensure that nobody enters it so we have to keep our house close and the difficulty here is everybody is right when saying that no technology is safe it is safe nobody will bother to what you are doing the person who are concerned with that subject he will do anything so it is difficult therefore there is a difference now we are coming again to network so at present what is the difficulty almost all states have their own state wide area network, which a a intranet of computers with in the state administration, from tehsil till capital city, to have a benefit of this technology for there internal administration, therefore there are 2 issues one they are also short of bandwidth and no. of IP address and two they don't want to get connected with any other network see as soon as state wide area network allows the NIC network to have an internal connectivity there is a security issue information of state machine no state cannot ensure security for all its employees if there is some leak or if there is some intrusion, that is entering into somebodies machine then information of state will be leak to central government which some states doesn't want, this is major issue the 3rd issue which is also BSNL and MTNI people and NIC people are not ready to disclose the properly to us because they want to see that let there be a dump of IT machine equipment in a every were in the nation because IT industry is now they are in trouble they don't have are to sell it the difficulty is unless there is a fiber cables throughout India the connectivity now we are coming to bandwidth i have to explain YOU BY SOME PICTURES, data is not in the form of any alphabet or sign but it is always in the form of if it is digital or analog it is in 8 string were if it is 8 7 zero last is for electricity, now this string is called a bus if it is a single data cable it will travel one after another, it will travel one after another therefore now in new technology this 2 pair cable has gone out but BSNL MTNL network is when we say we have broadband connectivity through BSNL up to the modem there could be 2 pair telephone line, this modem is simply modem + amplifier this 2 pair cable is sending data in a one after another but our fiber cable or 8 pair cable data is traveling in a bulk, so speed would be extraordinary, therefore there is a bandwidth issue, when you see in YouTube any movie it takes so much time to download in internet the buffering will start it is because of these difficulties technical after reaching to your modem to modem till your PC it is 8 pair till modem it is 2 pair therefore buffering, therefore the process of buffering, it gathers the information and them gives to you, unless this situation is solved unless there is no fiber cable in our courts, today there may be a fiber cable from court till nearest center it is not enough because incoming

flow in modem is mainly through BSNL line, BSNL is installing fiber cable throughout India unless they complete it we have to wait, there will be a bandwidth, network problem, this is the exact technical details, if there is any questions if not then we can discuss other things we understand that it is too technical but you must know something so that you can cope up with your work when you are in your office.

Mr. Talwant Singh: we have started with the E-Courts in a big way in Delhi so this E-Courts were not getting enough data from the server because we were having this old cables copper cables in our courts so we changed the LAN we went for fiber even then the speed didn't increase considerable so I asked my technical staff you advised us that we should have fiber cable then it will work better they say sir now the fiber cable has reached up to the computer but the computers port which has to receive the data it is still old. so they say you have come through a flyover up to the machines and now again there is a red light, there is a connection now it has to pass through that single lane only, so now we are changing those ports also so you must have to understand that were exactly this choking is happening so that you are able to remove that, even changing to optical fiber will not solve the problem unless and until you change the ports were you are terminating that optical fiber cable.

justice shah: so both conceptual the hardware and software conceptual IP4 and IP6 so the hardware if both are not compatible all are not in a proper scrutinized there will be no proper result but the bottom line is irrespective of all such things we must follow the or adapt the Technic and at least at local level we must complete the data entry work, installation so as soon as data entry is over whenever there is a proper bandwidth available we are up within a hours, see if building we want to build a building or house or any project first if it entire house is completed in a year 12 months probably first 8 9 months there will be no progress 9 10 months you will see all of sudden 50% progress but on 12 month you will show 100% progress so we are on that 1st phase or 2nd phase so cope up with the requirement you convey it to E-Comity and rest assure now it is very much clear that whatever you need you have to convey it to E-Comity and the comity will certainly take care of it don't bother to ask for anything from E-Comity.

Mr. Yogesh Pratap Singh: So do we have any question or any queries. Thank you sir, S.G. Shah such a technical issue such smoothly and covering all the technical aspect to it. It's time for tea brake.

Session 10

Development of Apps to facilitate work at District Court

Justice S.G. Shah

Mr. Talwant Singh

Justice Shah: Hello everyone, before we start the new subject, and before Talwant singh starts his presentation I would like to complete left over part of digitization and technical issue on it, as I was explaining yesterday, practical we are able to access the information from any evidence book by our naked eye, only requirement is knowledge of language and eyesight if there is a to digitize all the record that move is practically to use the data speedy and in better manner but there is one another aspect that you digitize everything and destroy every physical record there I have to warn you because as a district judge you have to follow the, not only the rules but you must realize this that digitized data cannot be access by naked eye, for accessing digital data as we were discussing yesterday we need electricity equipment hardware software and yesterday we have seen my presentation compatibility even if software is there if fonts are not there in machine even your text would not be readable the reason is that in digital format when any record is saved it is not saved in the form of characters but it is saved in the form presence or absence of electric current or magnetic field in the form of this eight string, so when we again convert it so now we are dependent upon electricity, technology, technician, so many thing, whereas when we convert it into in addition to digitization because digitization is required for easy access and access from anywhere, I am not running those slid show now because time would not permit it, but digitization is mainly required for storage of bulk data, so as to access it immediately, easily, fast, coping it , printing it again for any purpose and one more reason is research, if entire data is available in one set in digitized form, we can research something over it, we can play with that data, if time permits I will show you some files how data, what is difference between information and data every, this booklet today is an information, but if it is digitized then out of entire booklet if you want to know that somebody was asking him yesterday how you are imposing cost, see if you want to know where is the provision of it is just an example subject is not material, subject is not material it is a live example that were is the provision of cost in CPC if you have a book of CPC how you will

find it, it will be difficult so it is an information, but it converts into data when it is digitized some intellectual part is added into it were now because of intellectual part is that software, now because of that software by clicking the word cost, in a digitized form of a CPC in a word or PDF or any format, the machine will show you the line where the word cost is there so your time saving is there out of 5000 pages if you want to know that where the word cost is where the word review is used it will be difficult for you to go through page to page or heading and then do find out the word but you simply open the text file entire CPC text soft copy there is a search feature control + F you write down word cost, where ever cost word is there it will be shown, so digitization is mainly for this purposes but for saving the record microfilming is better because from microfilm again though microfilming is done through this computerization process the film is a physical format where information now it is only information it is not data, information is saved in the same manner alphabets in a form of pictures and it can be accessed either through similar machines on a monitors or even by naked eye or by only by magnifier glass you can magnify it on a white background simply I think all of you realize it magnifying a microfilm on a white background is quite easy, so you can access that information without help of any technology, without help of anybody else it is visible by our naked eye we can identify that what is written in a micro film, but if it is showing, if we destroy the relevant information record original evidence, original documents see even IT Acts confirms that sell deed, will that should not be destroyed even it must be produced physically only, so there is a difference between digitization and its use whether record is to be destroyed or whether record is to be saved till our rules permit, so be careful don't destroy the record unless you are certain that it is sure that you will get it and rest assure after couple of decades whatever is there in this soft copies may not be easily accessible if we are not changing hardware, software everything and then one more thing, convert all old data into new set up so everything is a cost effective anyway now let.

Mr. Talwant Singh: Everyone uses ok, so we have developed some mobile apps for court work we will discuss them, this is now the age of mobile apps earlier we use to have websites, from websites we came down to mobile compliant websites, dynamic websites, and now it is the time of mobile apps only, I think it is predicted within next 3 to 5 years everything will be available on mobile, flip card has come only in mobile app version now, you cannot access flip card from any website ok similarly other institutions also coming under, organizations also coming to mobile

apps, for judiciary we have developed 3 apps more are in the process, the first is I think what I feel is the in civil cases especially most of us are stuck at the summons stage ok, it takes generally it takes around 6 months to one year to serve a summon this is the normal thing that we experience because in Delhi we give a date of about 3 months first 2 summons return back with the report, bar bar janey pe ghar pe tala band milta he, paney vala ghar pe nahi mila, ghar nahi mila, no. ultey sidey, all those standard replies are given by this process servers and since I was a lawyer who 15 years for a long time so we know were these reports are return, and how these reports are return, because we our self's, manage certain reports as lawyers, so to we are using our experience as a lawyer and we are trying now that we use that experience positively, to see that the cases are expedited, suppose the case has been filed today and on the very first day the summons are served or you get a proper report I think the disposal time can be reduced by half this is my own assessment, ok similarly in criminal trials if all the witness have been served properly and they are there in court then no judge will ask a witness to go back, the problem is that witness they don't turn up and we get all those type of shady reports, so we have come up with this app and we are trying to set up this again this problem of getting some government funds, for buying some mobile phones, we are stuck there we will be able to get through Delhi we don't have that problem, we will be starting the experience every process server will be given a smartphones, now the cast has come down to 251 rupees, we are not going for that one, we will buy a smartphone worth around 5000 rupees, ok, so and although all the our process server they carry their own smartphone but naturally since we are giving them we are asking them to do something extra for us naturally we will give them mobile phones along with an internet connectivity and talk time of 100 rupees so that they can use it for their personal use also we don't mind at least they are doing the service to us, so the in this mobile app whatever you see on the right side is the screen what they will see on the mobile phone on the left side we have just explained it what exactly it is, the login for the app is there it is the mobile number itself and the password is given to them which they can change anytime they want to, when you open the app, on the main menu there will be pendency list, delivered list, change password, logout icons, as soon as you open the pendency list the summons which are in red colour that means the summons is pending and when he opens any summons he will get to know the details of the summons along with the GPS. There is a web application available as well. When the person gets a summons he just have to enter the IP address of the case and other details will be available to him and a GPS location is also available with the help of GPS

location the person will be able to find the address where the summons have to be delivered along with the directions to that place, and next date of the summons is also given. When the person reaches the address where he has to deliver the summons there he has to take the picture of the house and second he has to take the picture of the sign this way it will be the proof that the summons has been delivered. Similarly the delivery list is there, and as soon as the summons is delivered it will be updated. They will also be provided with motorcycle as well. We also have technicians in our court who take care of all the complaints related to computer connectivity, etc., when they get a complaint what they do is they just go and see the problem, sometimes the problem is very simple it is just that the wire is out, or if there is any bug in the computer then they just remove the bug and the computer starts working properly again, if we do the official complaint the guy will take 2 days to come and do that same easy thing, if the problem is aggravated, if the printer is not working, etc. so for that we have spare computers and printing machines they will change the machines, they will bring the old machine to their office then they will lodge a complaint with the EMC provider so this way we have kept our computer system up in 24/7 there has been no day when a court has not functioned because the computer system is not working so this team is available so any person who is running this system in the process serving branch they can get in touch with them immediately a person will come and rectify the problem this is the first software that I wanted to show it to you mobile app Second app is developed for the judges it is E-Avkash. Judges leave information system. There is mostly a problem that the judges take a leave at any time and the lawyers and the clients are not informed of it then it causes a problem for them as they have to come to the court. Whenever a Judge is on leave it is uploaded on this site and the lawyers come to know that this judge will be on leave. Leave is only to be applied through this app and the judges even if they decide to take a leave in the morning 9:30 even then they can apply for leave from this mobile app and it will be immediately updated. The main menu will have new leave entry, leave history, and change password and logout icons. If you want to apply for leave choose the new leave entry icon then select court complex and then enter the date of leave, then a page will open where you have to select the type of leave you are taking, select it then submit it will be uploaded on the app and other will come to know about the leave. The option of leave history keeps a track of all the leaves which you have taken and it helps the judicial officer as well as he doesn't have to remember which leave he had taken and when as this app will keep the track of it. The third app is for litigants and lawyers it gives all the reading material regarding the High

Court and the District Court. Home splash screen Contains Logo and check internet connection in the Background. Redirects to main screen in 2-3 seconds. MAIN MENU SCREEN Contains several menu items and utilities available in the app. Cause list screen first screen asks for date and court complex for which Cause list is required. Second screen asks the designation of judges for which the order is required. Third screen prompts name of Judges whose cause list is available in the system and displays upon touch on the name of the judges. Daily orders section works similarly on the pattern of Cause list and displays the Daily Order and so the Judgement section works. Daily orders section works similarly on the pattern of Cause list and displays the Daily Order and so the Judgement section works. Judges List screen displays the list of Judges District wise and Complex wise with their name, Designation and Room No. in which they hold the court. high court case display screen this screen displays live case listing of the Delhi High Court number wise and refreshes automatically if another matter is hearing by Honorable Judge. This screen displays live case listing of the Delhi High Court number wise and refreshes automatically if another matter is hearing by Honorable Judge. Slider menu is available on touch of the left top Hamburger icon which displays all the available menu in the map if you are anywhere in the app. The fourth app is under process, it will have all summons and all the passes will be issued with a QR Code It has enough information about a particular person. A person who wants to generate his own pass he can do so with the mobile phone but that number should be registered with the court and one time password will be provided to that person as soon as he open the app and enters his number and even a GPS system will be provided through which he can know the way to the court room he so likes to visit. these are the 4 mobile apps on which we are working right now, more much more no. of mobile app are in the process, any suggestions any questions regarding these apps you can ask.

Justice Shah: So far as this mobile application are explained by Mr. Singh is concerned probably most of you may be thinking that how it would be helpful to the district courts, you are right to some extent the first mobile app is practically for process server but you must be aware or if you are not aware please go through the documentation of second phase the e-comity has decided to have similar type of facility for all the process server throughout India a process server would have a GPS enable decide so that he can go to particular place and we can confirm that whether service is completed or not in time, the real reason for all such activity is that study shows that practically

the foremost and first reason for maximum delay in judicial process is the service of the first notice or the first summons, for this a GPS system will be created so that a track can be kept on the services as to where they are being served or not. The second issue is the problem of forwarding bulk papers, it is because there are so many papers that it becomes hard to pass on. To avoid this problem these files will be emailed and then they can have a print of the soft copy. Another thing is language, there is a thought that there should be an app made regarding regional language but it is very difficult on day one but in future everything will be taken care of, so people at large people using even a smaller device like phone they will be able to get every information at their end without approaching the court, another issue in the court is the non-communication or lack of communication with the lawyers and the client, if a case is fixed on a particular date the lawyer notice that record that note or date but unless he convey it to the client unless he call, to appear before the court, on next day he will give one pretext either he is busy or he is having some stomach pain or his client have stomach pain. Do you have any questions so far as web the applications are concerned? How many of you are comfortable with digital signature and cryptography, if you are any one of you are comfortable with digital signature and cryptography do you know the difference between the digital signature and cryptography, whether digital signature is a secure method to secure our soft copy, if you sign any document digitally would it be a secured document? Either you have not listen for 2 days or you are not interested, now it is last 10 minutes but you have to answer it whether a soft copy of judgment or any document sign digitally whether it is safe or not? you need the answer ok, so that is a good reply but somebody has said yes and somebody has said no who are they I don't see them, see the difference therefore let us see this first digital signature means a digital code generated and authenticated by public key encryption which is attached to an electronically transmitted document to verify its contents and the sender's identity but then digital signature means authentication of electronic record, not securing, electronic record means data record or data generated image or sound receive or send in an electronic form or microfilm, certificate to be issued by certifying agency regarding digital certificate, digital signature asymmetric cryptography system and hash function details as prescribed so digital signature is using cryptography but it is not safe it do not secure the document it simply authenticate the document that this is authenticated document or a digital record. Digital signature is basically a digital signature in two way process involving two parties the signer crater of the digital signature and the recipient verify of the digital signature, a digital signature is complete if

an only if the recipient successfully verifies it, now see this is another difficulty if you issue a check your banker accept the check and owned it that's all, so even in normal signature there is a signer and a verifies if your bank manager doesn't recognize your signature then probably he would not owner your check so signature is also verified or accepted by the signer in other document it is accepted by the signer, so what is the need of digital signature it has been realized that internet being a public network would never be secure enough and there will always be a fear of interception transmission errors, using internet as a medium hence the goal was to protect the message not the medium, now rest assure encryption is done by cryptography but cryptography when it is for digital signature it doesn't secure the document it simply authenticate the document so if you believe that i have signed my judgment digitally therefore it is secure it is not so, and how it is done a plain text will be encrypted one hypertext will be created but when it is to be checked again reverse of encryption will be there and plain text will be readable, and there are two type of cryptography asymmetric and symmetric cryptography, for you can skip it when a single secret key is used to maintain communication between the sender and the receiver it is referred to as a symmetric cryptography a private key cryptography system, no need to bother, now this is interesting for you message 1 so now when it is encrypted the encrypted message 1 will read like 98654901abe45 so nobody now what is written this is the, so text readable by human being is converted in to a text or information readable by machine only, therefore digitization alone is not safe, similar is the second message, so this the simple encryption and decryption same key symmetric cryptography, different keys, keys of a pair public and private key so in that issue we sign any document for public at large, now how this digital signature works, this encrypted message is there, 9a46hd7422ufg53n, now what this hash value is, hash value is sum of all such text, message length, hash function and hash, arithmetical calculation will be done with that machine language which are more in no's to arrive at a 128 string, your machine language of any text will be 5 lines 50 lines or 500 lines, when hash function is activated by the machine it will provide a hash value which would be 128 bit and 168 bit in a new technology, digitally signed means it is not a sign made by you by your hand it is a signature assigned by the machine to the machine readable text of that document, and this is the digital signature of any such soft copy of any document, text, voice, anything. going deep will be very difficult some sort of functions would be there which would result into 128 bit and 160 bit string of machine readable language like this and it is a digital signature of that particular document now see the difference all your check you

will sign the same, all your judgments signature is common, for all your judgment string of digital signature will be different it will never be same, it could never be same, just one minute let me finish this, so this the broad scenario how it works so which is what I have just explain you so I will not repeat it, but now what is to be realized is, now see the difference a sentence is there it's hash value is there in purple colour, it's digital signature is there a sentence is there, it is different, do you realize hash value means a machine readable text is converted into particular string, and digital signature is now arithmetic decided by you, you means it is provided to you by registered service provider, you cannot decide it, because otherwise I and me both may decide the same string, so it cannot be decided by us, now it is more complex and difficult, but the most important is, here a dot is added some were, then if you read it properly this hash value and digital signature gets change, a dot or comma either added or removed from the document the hash value of that document and there by digital signature string would be changed, so it authenticate the document that if I receive the email, and if I make some corrections because it is easy for me to make corrections, if I receive an email from Mr. Singh and then I make some changes on my own and then say to him, that oh you have written it like this to me, he can say no, check my digital signature, because hash value of both the document would be different, so as soon as a dot is added or removed this hash value and digital signature gets change, even if a space is added hash, digital value will be changed, so these are what I have explained the same text I will not repeat it. But only one more slide regarding encryption, now this was digital signature now I am talking about password or encrypting your document, now every machine has a tin build feature. Types of cryptography, Conventional cryptography, Data encryption standard, Public-key cryptography, Authentication, Digital signature.

Mr. Talwant Singh: The practical part of it, we started getting, electronic copies of challan about 5 years ago in our courts, along with the paper copy of challans, paper we have not discarded in Delhi, so there the issue was whether the investigating officer should sign it with digital signature, or we want the hash value certificate, so we decided to have hash value certificate because this is something, there are many software's available, through that you can ask your machine to generate the hash value of particular file, video, or audio, anything, the beauty is that if the same file, video, audio you take to any machine in the world, and you ask that machine to generate the hash value, the hash value will remain the same. it ensures authenticity, even digital signature, that nobody has

who has signed this document basically digital signatures attach your name to the document, that Talwant Singh has signed this document these are his digital signatures and the originator of the document and the moment you start making any changes in that document my signature will disappears from there, ok you cannot say that this document was signed by me, but we never wanted that, you know, we only wanted to see that this document is the original document which the investigating officer has filed so the Delhi High Court about 7 years ago they directed Delhi police to file all serious challans along with e-copies of the challan, all the matter of CBI in matters of corruption all those challans are coming to our courts along with the CD, the CD along with the hash value certificate in paper saying that sometimes they write hash values on the CD itself and they give an additional certificate also that I have generated the hash value certificate of this CD and this is the hash value, again 128 string hash value is there, ok. so we give that copy to most of the cases we are not giving paper copy to the accused or to their council we just give ask them to bring their pen drives and take the files from the court computer, we are saving 100 and 1000 of paper with that exercise. Digital signatures are expensive, no one issues digital signature free of cost, we are getting it in Delhi and you will also get in due course the government is going to pay for that, even for government it is not free. But with this hash value the basic concept of authenticity is secured.

Justice Shah: My email id and phone no. is there, on any technical issue you can contact me at any time.

Mr. Yogesh Pratap Singh: Sir I will do that. Thank you sir, first of all on behalf of National Judiciary Academy I would like to extend my many thanks to Justice S.G. Shah for his outstanding support throughout day 1, from session 1 to the last session, thank you so much sir. Can we have a big round of applause for his justice and I would also like to thank, many thanks to Mr. Talwant Singh sir for his outstanding presentation on various difficult, technical aspect related to ICT thank you so much sir and so programme technically it is over but i would request all the participating judges to stay back for 5 minutes and I may request the our resource faculty they may continue we just need 5 minutes with all of you, our Dr. Geeta Oberoi ma'am would like to interact just for 5 minutes sir.

Dr. Geeta Oberoi: So, this is time to say goodbye to all of you and also get your feedback like whatever issues are there please write down, with respect to food or your stay, anything, because this feedback help us to deal with issues that are not comfortable to the stay of the judges who come here as participants and we can take these issues with outsource agencies and see that things are improved so whatever issues are there please write down. Any other thing that you have for suggestion also please provide that also. We hope that your 3 days stay was useful. What do you think is there some change in the way you think, you think more technology can be as we started with first question, first day first question that should we go technology way, to solve our problems with the Bar. Not every way of course Bar is confronting the bench but were it is confronting, were there are issues in those districts, in those courts, can we take a resolve to technology to solve our problems, you have learned enough about technology in these 3-4 days. So what is answer actually after 3 days, same answer?

Participant: Madam Technology is very important, and very useful and very necessary, for our judiciary but this is not answer which is created by advocates. Advocates are required to be efficiently controlled by some institution and rules the reason of all the nuisance made by them is due to lack of such effective control.

Dr. Geeta Oberoi: Ya but problem is we cannot actually depend on other people that when they will make there rules and they will control themselves effectively, what can be our solution. This is all about innovation.

Participant: The technology is not the answer.

Mr. Talwant Singh: I tell you technology is the answer, we had a court in our district judge there, one of the most rowdy Bar we had there. So one accused who was brought to court, he was beaten up by lawyers, we have CCTV cameras, we captured, we zoomed in on that seen, my person who was sitting in the control room, he zoomed it there, he recorded everything, so I got a copy of that, I was able to identify 2- 3 young lawyers who are bating that mob, so I called them one by one to my cambers. I told them look here is the CD please go through it, without High Court never asks for its copy. I told them falsely I said now I am sending this copy to High Court, because High Court is very serious about it and they want to take action against the people who have been

identified in this CD. No, no sir please mat bhejna, aaj ke baad me kabhi nahi jaunga, my father-in-law is a judge in High Court, I said you want to be like your father-in-law or you want to be a, one of those rowdier, No, no sir tomorrow on wards you will not get any complained against me, so those 3 lawyers have identified, I called them to my chambers and after that everything is very peaceful. So you use technology to your own benefit, why cannot you use technology. Had that scene be not recorded in CCTV nobody would come and admit that they have done this. I showed it to them on my computer, I say, I have go the CD I am forwarding it to High Court, let the high court take whatever action they want to take against you, so then they said sir please don't. and till I am there these 3 guys will be under control who were leading the mob every time there is some problem in our court complex, so now they are every peaceful, they come and touch your feet and all you do all those things.

Participant: At Jabalpur there are 47 cases registered against advocates and the police is unable to arrest them. After all what will we do by technology and the police is totally ineffective and it does not dare to arrest them, it does not dare to file a charge sheet against them.

Dr. Geeta Oberoi: So that is why I am saying the police is ineffective, the Bar is not cooperative so may be technology can be answer.

Participant: My point is that the lawyers are one of the important stake holders of justice dispensation system, we are computer savvy, steps have been taken to bring us, educate us, make us computer savvy, and IT savvy, but unless the bar, they are also educated and they are also educated to the level that they become part of the system they start using the system effectively otherwise we will be leaving out a major portion of the Bar who will not be able to cope up with the changes which we are trying to bring in the judiciary.

Dr. Geeta Oberoi: No but they have to come up with the changes, it is profession, it will earn money, privately.

Participant: Who will take up that cause because maximum no. of the lawyers they are not computer savvy may be those lawyers who are passed out from 5 years course or who are new comers.

Justice Shah: I know your issue, i have faced it because I have computerized Gujarat judiciary and Gujarat high Court in 97, 95-97 you are right on day one when I started inquiry counter in campus advocates have literally stop me they were annoyed up on me, today difficulty or the difference is now advocate are asking more inquiry counters, more facility and everything. Time is the only essence, because of the time constrain i could not run all my slides, time will take every course by passage of time everybody will learn it there is no option so today you are right, today judges, advocates are not comfortable, the next generation would be comfortable, we have to see a long way, not today but along 10 years after, so today if we do something it would be benefited to next generation, but if we don't do anything today.

Participant: I am not talking about not doing anything because they are teaching computers right from class 1 on wards so after a decade or 2 everybody will be computer literates, but during this gap type, something has to be done to bring those lawyers, who cannot reach out, who are not in a position to educate themselves.

Justice Shah: They will on their own do it, don't worry them are doing it.

Mr. Talwant Singh: Some bar associations are taking steps, Delhi High Court Bar association, they requested me I asked a private company they organized a one week camp for the lawyers, you will be surprised to know all seniors lawyers AGED 50 OR 60+ senior designated lawyer they came and sat there for about 2-3 hours they say we cannot ask our children's to teach us computers, since you are here they came and have taken training and now they are comfortable in using Delhi High Courts.

Participant: Sir when we amended CPC they were not happy, when we introduced family courts they were not happy, but still they have to adapt to the changes, they will do so gradually, let's be positive they will do it.

Justice Shah: There was a dispute regarding separation of material facts so other side has argued he complained before me, your Lord, you order was not uploaded on internet for 3 days therefore I could not disclose it, so now they, they verify everything on every day, that passage of time everybody will be in order.

Dr. Geeta Oberoi: So with this we conclude and I think we should again meet next year for this kind of this kind of conference because I think by next year, next academic year more innovations would be there coming from Justice Shah and Mr. Talwant Singh also. I think surly they will develop some app more useful to the judiciary and with this hope, I am thinking that all of you will also take keen interest in this subject and develop something we promise to meet next year, in 2017 so till then good bye, all of you and happy journey back home.