ICT and Courts

National Judicial Academy
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Dr S. Muralidhar
Judge, Delhi High Court
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A quick recap

- 1985 Conference of CJI and CJs: resolves to eliminate arrears 'with utmost speed'
- Early 1990s: Many HCs started developing own software systems
- 1994: Conf resolved that a management exercise be carried out to reduce arrears; work out judge-case ratio
- 1997: First 430 courts were computerised; development of a common e courts software programme in C Language on Linux Platform by NIC and the Supreme Court; decision to operate on Free and Open Software System (FOSS)
- Many district courts started own websites

A quick recap

- 24 Dec 2004: First e-Committee notified with Justice Bharuka as Chair
- 1 Aug 2005: Natl Policy and Action Plan approved by CJI
- 2006: JUDINET launched in Maharashtra: a common data platform
- 2006: Conf acknowledges use of ICT tools to reduce arrears; plethora of applications and platforms; comprehensive computerisation a challenge
- 2007: CCEA approves Ecourts Mission Mode Project Phase I at a budget of Rs.441.80 crores; extended till March 2015 at an enhanced budget of Rs. 935 crores
- 2008: E Committee decides to have a common Case Information System (CIS 1.0) on Linux based platform with Ubuntu operating system
- 2009: Conf: HCs to make scientific and rational analysis of arrears

A quick recap

- October 2009: CIS 1.0 pilot rolled out in Ernakulam
- Transition to CIS platform by all courts till end 2016
- By end 2015 targets of Phase I e Courts Project achieved: laptops to judicial officers; CIS deployed; Judicial Service Centres in district courts; change management and training; process reengineering; video conferencing in jails and courts;
- The national e-Courts portal (http://www.ecourts.gov.in) launched. Provides online services: details of case registration, cause list, case status, daily orders, and final judgments. NJDG data launched in September 2015. Facilitates judicial monitoring of pending cases.

A quick recap

- August 2015: Phase II of the project approved by Union Cabinet at a cost of Rs 1670 crore and duration of four year
- Proposes delivery of 30 different services to the litigants through seven different platforms
- Services include:
- Increasing computers per court from 4 to 8
- Providing authentication devices to process servers
- Hardware to DLSAs and SJAs
- Information kiosks in each court complex
- Centralised filing
- Computerising libraries of courts
- Solar energy enabling

A quick recap

- Service Delivery through use of cloud computing: Dispensing with the need for servers in individual court complexes and improving efficiency and scalability of the automation of courts.

- Protocols for updation and improving connectivity to expedite data updation to NJDG by all courts.

- To promote use of ICT for day-to-day activities by discontinuation of manual registers and court registers to be maintained only in e-form.

- Mobile based service delivery through SMS and Mobile Apps

- Digitised documents/case records pertaining to a particular court will be automatically generated in the court at the time of hearing.

The story of the Delhi Courts

- Cause lists generation
- Computers as word processors
- Digitisation of old records
- Non-Linux based systems; propriety software
- E-court fee
- Paperless courts launched in Dec 2009
- Feb 2010: Paperless district court
- E filing in 2013: three jurisdictions
- The future: efiling at district courts; on line filing; tele-presence; data integration

Main aims of ICT enabling of courts

- Facilitating access to justice: expedient, efficacious, simplified processes; inexpensive; accessible

- Gradual transition from physical courts to e-courts

- More data does not mean more information; reliability and confidentiality are key aspects

- Balance between openness/transparency and respecting privacy concerns

- Online publishing of orders and judgments

- Integration of data (vertical and horizontal)to avoid duplicating costs and effort

The future

- AI and Courts
- Virtual Courts: Online dispute resolution
- Machines can go wrong
- Challenges of rapidly changing technology
- Training and infrastructure support
- Has to be litigant centric
- Transformation of tribunals as well; integration of systems

Challenges

- Electronic evidence: reception, preservation, presentation, proof and destruction
- Infrastructure issues: An independent institution for technical support?
- Connectivity network issues
- Aptitude of judges and staff: the dipping learning curve
- The pros and cons of 'transparency'
- Coping with changes: changes in laws and legal systems