

Information and Communication Technology in Courts

At National Judicial Academy, Bhopal

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1. INTRODUCTION

The Courts in India with the Supreme Court of India as the Apex Court, the High Courts in the twenty-four States, seven Union Territories and the District Courts in each district, in three tiers namely the District and Sessions Judge, Civil Judges of Senior Division, and Civil Judges of Junior Division including Magistrates and various Special Courts and Tribunals, administer and enforce the laws to secure justice to the people of India. At present, more than 18282 Courts in 2875 Court Complexes, in the 687 Districts, including Taluka Courts in the Districts administer both the Central and State laws and dispense justice to the 1.2 billion people of various religions and cultures speaking 22 official languages, in 29 States and 7 Union Territories.

2. E-COMMITTEE AND E-COURTS PROJECT IN INDIA

The computers were introduced in the Supreme Court of India and the High Courts in India in the year 1991-92, for office automation, maintenance of accounts and preparing the pay rolls. The Supreme Court of India and some High Courts in the States started using the computers from 1997-98, for preparing daily business of the Courts and for printing of orders and judgments. With the rapid and exponential growth of Information and Communication Technology, the Chief Justice of India proposed to the Central Government to constitute an eCommittee to assist him to formulate a National Policy on computerization of Indian Judiciary. The eCommittee prepared a report on strategic plan for implementation and Information and Communication Technology in the Indian Judiciary, and presented it to the Chief Justice of India on 11th May 2005. The eCourts project proposed by the Chief Justice of India received financial sanction of the Government of India as integrated Mission Mode Project, which is a part of the National eGovernance Plan for Indian Judiciary. The eCourts project provides for ICT enablement of the Judiciary in India to make justice delivery system efficient and time bound, litigant centric, affordable, accessible, cost effective, transparent and accountable. The ambitious objectives envisage to develop, install and implement decision support systems; automate the processes to provide transparency and accessibility of information to stakeholders and, enhance judicial productivity both qualitatively and quantitatively. The Phase I of the eCourts project approved in February 2007 with lay out of Rs. 935 crores were successfully completed on 31st March 2015, in which 14,249 sites were readied with Computer Server Rooms and Judicial

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Service Centers for filing cases along with hardware, LAN and installation of servers in each court complex to store the data of cases. More than 14,000 Judicial Officers were provided with laptops and hardware was installed with LAN in 13,436 Courts. A large number of District Courts launched their websites. The entire amount could not be spent due to drastic decrease in the prices of hardware, variation in Dollar exchange prices and the consequent reluctance of vendors to supply hardware as per purchase orders.

3. CASE INFORMATION SOFTWARE

A Unified Case Information System(CIS) National Core 1, software was developed by National Informatics Centre, Ministry of Electronics and Information Technology in Phase-I, on Operating System based on Ubuntu (Debian based Linux) customized and upgraded by the eCommittee. It was decided to adopt Free and Open Source Solution (FOSS) for operating system, which does not need to obtain any license or pay subscription charges and can be freely customized. The entire project was built on foundation of open source technology. To cater to regional requirements, the Case Information Software was developed based on core and periphery models as two functional components. The core has all the features and functionalities, with some configurable variances as required by the Supreme Court, the Parliament, the High Courts and the Central Government or any National Agency, which is not open to customization nor the source code is open for distribution. Any modification in the core of the software is to be authorized by the eCommittee. The features and functions of the periphery are open to customization and development. It is cloud model compatible. The software development and management of the periphery model is given to the respective High Courts to be developed and thereafter integrated with the core by the Software Development Unit of NIC Pune. The new version CIS NC 2.0 has been rolled out and that the entire data of CIS NC version 1 and 1.0 is migrated to CIS NC 2.0 version. The support of the software on FOSS, is provided by in-house experts and competing multiple vendors who have domain expertise for support and customization of the same.

4. CHANGE MANAGEMENT

A change management exercise was undertaken by the eCommittee in which all the Judicial Officers and a large number of Court Staff were trained in the use of Ubuntu-Linux Operating System and Case Information Software. A Training of Trainer (TOT) programme was standardized in which the best trainees were picked up as trainers to impart training to the other Judicial Officers and Court Staff. As on date, almost all the Judicial Officers and 4000 Court Staff have been trained by the 218 Master Trainers in the Ubuntu-Linux Operating System and Case Information Software which was adopted to suit the requirements of the Rules of procedure in the Courts in the States. The text and audio-video tutorial material is made available online on the portal of the eCommittee. A process re-

engineering exercise initiated for standardizing the rules and procedures of the Courts for ICT enablement is underway to revise and update old and outdated Rules of procedure.

5. E-COURTS NATIONAL PORTAL

The eCourts National Portal launched by Chief Justice of India on 7th August 2013 provides user friendly services to Judges, litigants, advocates and Staff to access cause list, case status using any information such as case number, first information report number, party name, advocate name, filing number, Acts and case types. The daily orders, final orders and judgments are uploaded and are accessed on www.ecourts.gov.in. All the 687 District Courts in India have their own websites to disseminate information relating to District Courts using Drupal templates. On 11th May this year the Prime Minister of India in the presence of Hon'ble CJI inaugurated the Integrated Case Management System (ICMIS), integrating the Supreme Court and all the 24 High Courts of the country.

6. E-COURTS PROJECT PHASE-II

The eCourts Phase-II prepared by the eCommittee and approved by the Chief Justice of India on 8th January 2014 was sanctioned by the Government of India on 4th August 2015 at the cost of Rs. 1,670/- crores for advanced computerization, ICT enablement, capacity building and digitization of Judiciary. The main components of Phase-II provide additional hardware for Rs 749.31 crores to the 14,249 Courts covered in Phase-I, replacement of obsolete Laptops provided to Judicial Officers for Rs 69 crores, provision of hardware to Judicial Academies, DLSAs and SLSAs for Rs 50 Crores, and for uncovered and additional Courts totaling 20,000 Courts. Provision is made for technical infrastructure at the existing and new court complexes, providing monitors for display of information and real-time display of Court proceedings, Kiosks for Rs 340 crores WAN connectivity in all Court Complexes for Rs 231 crores etc. The Phase-II of eCourts project provides for additional installation of Video Conferencing infrastructure in Courts and Jails and to move on for making provisions for Court trial by recording evidence by Video Conferencing based on software based solutions with recording facility and document visualizer.

7. CLOUD ARCHITECTURE

With the advent of new technologies in hardware and networking the Phase II of eCourts Project provides for cloud computing and connectivity to all Court Complexes for implementing cloud computing concepts provided by the National Informatics Centre. The Government of India has promoted on policy level the use of Cloud Environment for eGovernance Projects for scalability, flexibility, economy and optimum use of resources. The Private Clouds based on open stack cloud at State Data Centers for Courts within the State, with Disaster Recovery at National

Data Centers is provisioned making it a two-tier Cloud Environment for the Courts of the country, while retaining server infrastructure already provided. A mix of options like SWAN, NICNET, 3G, Broadband, MPLS, NKN and NOFN, WIMAX/VSAT is provided to ensure uninterrupted connectivity to Courts across the country. In Phase II, the implementation of cloud computing for the cloud computing architecture is at advanced stage of completion. A provision has also been made for solar energy in 5% of the court complexes, the advanced software development, and continuous exercises of change management and judicial process re-engineering to dispense with manual registers and to move on to eFiling, preparing accounts, eOffice Suite and eProcurement Portals and ultimately leading from less paper Courts to paperless Courts. Several High Courts in the country including Delhi, Punjab, Bombay, Andhra Pradesh, Karnataka and recently Allahabad have eCourts with eFiling and presentation of evidence on electronic platform in the Commercial Divisions. The current phase also provides for Internet based Judicial Knowledge Management System including the Integrated Library Management System. The project aims at providing 30 citizens centric services from seven platforms including SMS-Push, SMS-Pull, E-mail, Websites, Mobile Applications, e service delivery of summons, Judicial Service Centre and Kiosks. The major thrust of the project is the unification and the standardization of all data including meta data moving on to online e-filing at the Central Filing Centers. The digitization of Court records has been undertaken successfully in the Supreme Court of India and several High Court with a state of art Digitization Center at Allahabad in open format, using the Document Management System, leading to dispensing with physical management of case records, easy retrieval and archival.

8. NATIONAL JUDICIAL DATA GRID

As on date, a litigant can not only access the cause lists in India to find status of the case, he can also find the daily orders and final judgments as well as the business transacted by the Court on each day, the cause of adjournment and the purpose for which the case is listed on the next day, through the services provided to him from the NJDG as well as on Mobile application.

A new accessibility complaint website has been launched as a single window platform for litigant centric services, with chronological analysis of uploaded data, providing among other for a Case Record Number (CRN), a 16-digit unique number assigned to each case, to provide the case status and all other information of the case including orders and judgments to the litigants. The real time National Judicial Data Grid (NJDG) integrating all the Courts in India provides for data warehouse of judiciary, with judicial performance assessment mechanism, preparation of all periodical returns for information to the Superior Courts, the Parliament and the Legislative Assemblies. The data on the National Judicial Data Grid facilitates Data Mining of Big Data, for Online Analytical Processing and

Business Intelligence Tools for efficient court and case management practices, policy planning, equal distribution of work and human resources, facilitating access to justice for litigants and for ease of work for Judicial Officers and statistical reporting to Superior Courts.

- NJDG works as a monitoring tool to identify, manage and reduce the pendency.
- Provide timely inputs for making policy decisions to reduce delay and arrears.
- Various intelligent tools are provided on NJDG to assist the decision makers.
- Promote transparency and access of information for all the stakeholders.

Currently, data of more than 70 million cases of which 25 million are pending, collected from more than 2875 court complexes across the country is available on National Judicial Data Grid. More than 50 million judgments/ orders are also available on the website with around 1 million hits recorded daily on the portal. eCourts services portal is web accessible, primarily, for the people with disabilities, in which Web Content Accessibility Guidelines (WCAG) are followed, ensuring that the services cater an all-inclusive approach. The Data of 21 High Courts is also available now on NJDJ.

The Phase II of eCourts project provides for Digitally Signed Certified Copies of Orders on-line with bar coding, ePayment gateways to deposit Court Fees and fines, and interoperability of the system horizontally and vertically in Courts and other collateral judicial functionaries such as police, hospitals, jails, forensic laboratories, juvenile care and protection homes etc. The system will integrate with National Court Management System and Interoperable Criminal Justice System with functional compatibility.

India is a multi-lingual country with 22 official languages and 12 scripts. The benefits of information technology can reach to the common man, only if software tools and human machine interface systems are available in people's own languages. eCourts project is implemented in the last mile Court, the District and Taluka Court of the country. The software is developed to suite the localized requirements. The software functions are in bi-lingual mode i.e. in English and local language of the State/ area. Services to the litigants are available in eight local language in over touch screen Kiosks installed in the Courts or over query counter available in every court complex.

9. PERSONAL INFORMATION PROTECTION

The web portal addresses the privacy concerns of the individuals in dispute in family matters, sexual offences and those offences in which the juveniles are involved as also the matters relating to national security. The Supreme Court of India and the High Courts in the States in India have issued several directions to

hide the party names and the judgments where the disclosure of such information concerns the privacy and may harm the reputation of the person. For all such cases involving individual privacy and protection of reputation, a facility has been created in the software to mask/ hide the names of the parties and the judgments. The data will remain on the National Judicial Data Grid, the names of the parties and the judgments, however, will be masked/ hidden by using the masking facility in the software.

10. WAY FORWARD

The challenges still lie ahead before the e Committee to ensure complete and accurate data entry; Case type Standardization and Unification; Judicial Process Re-engineering; Horizontal and Vertical Compatibility of software and interoperability, Data Security and Data Protection; Delivery of all 30 services through all the seven platforms; Less paper Courts: Achieving optimum Cloud Compatibility, and a stable connectivity.

In the last twelve years since the Computerization the Indian Judiciary has with support of Govt of India achieved remarkable success comparable to any other advanced judicial system in the world. The Phase II of the Mission Mode e-Courts Project will end in the last quarter of 2018, paving a way for Phase III, in which we may see the implementation of new technologies such as 5G applications, artificial intelligence, ambient intelligence; augmented reality; machine translation; mobile collaboration; speech recognition, internet of things (IOT) etc., to achieve an efficient, predictable, transparent and accountable judiciary.
