NATIONAL JUDICIAL ACADEMY

Workshop for Chief Justices of High Court on ICT Enablement of Indian Judiciary through ECourts Project & Way Forward

03rd October 2021

Prof. S.P Srivastava & Dr. Sonam Jain

Faculty, National Judicial Academy

<center>**Objective of the Programme**</center>

Pursuant to the initiative taken by the eCommittee of the Supreme Court of India, a workshop has been scheduled for the Hon'ble Chief Justices of the High Courts on "ICT ENABLEMENT OF INDIA JUDICIARY THROUGH E-COURTS PROJECRT". The objective of the program is to apprise the Hon'ble Chief Justices of the High Courts of the initiatives taken by eCommitte of the Supreme Court of India on eCourts and implementation of Information and Communication Technology (ICT) tools in the justice delivery system. The workshop aims to emphasize on delivery of efficient, time-bound and citizen-centric services through the medium of technology.

The discussion in the workshop will examine the contribution of ICT in the growth and modernization of Indian Judiciary under eCourts, and the concerns & bottlenecks to be addressed to ensure effective access to justice. The workshop would also seek to assess the Role & Impact of High Court Computer Committees in eCourts Project. The sessions would scrutinize the eCourts Technical Infrastructure and identify infrastructure requirement for effective ICT enablement. The workshop will facilitate discussion on best practices to enhance judicial productivity, both qualitatively & quantitatively, to make the justice delivery system affordable, accessible, cost effective, predictable, reliable and transparent which is in alignment with the eCourt project.

Session-wise Programme Schedule

Session 1 – ICT growth of Indian Judiciary under e-Courts & Its way forward

Session 2 - Role & Impact of High Court Computer Committees in eCourts Project & E-Courts-Technical Infrastructure through NIC

Session 1 – ICT growth of Indian Judiciary under e-Courts & Its way forward

Speaker - Hon'ble Dr. Justice Dhananjaya Y. Chandrachud

Co-Speaker - Mr. Ashish J. Shirodhonker

Pursuant to the initiative taken by e committee the National Judicial Academy, Bhopal organized a one day online "WORKSHOP FOR CHIEF JUSTICES OF HIGH COURT ON ICT ENABLEMENT OF INDIAN JUDICIARY THROUGH ECOURTS PROJECT & WAY FORWARD". The workshop was designed and conveyed by the member (HR) E-Committee, Supreme Court of India. The sessions included ICT growth of Indian Judiciary under e-Courts & Its way forward and Role & Impact of High Court Computer Committees in eCourts Project & E-Courts-Technical Infrastructure through NIC.

The Director, National Judicial Academy welcomed Hon'ble Dr. Justice Dhananjaya Y. Chandrachud, Judge, Supreme Court of India and set the tone for the session by stressing that the world had moved from the age of typewriters to a new age technology and travel has become compulsion in order to keep pace with the world globally. Data and information are seamlessly available, how and to what extent this technology can be harnessed to the best of the benefits is the greatest challenge that needs attention. He further introduced the Chairperson of eCommittee Hon'ble Dr. Justice Dhananjaya Y. Chandrachud, Judge, Supreme Court of India to initiate the deliberations.

His Lordship clarified that the purpose of the workshop specifically designed for chief justices is because of the immense potential and importance of ICT to the Indian Judiciary. There is a great digital divide in India. The purpose of the eCourts project is not just to foster the adoption of technology but it's a committee on technology that have a socially purposive object in mind.

Dr Justice Dhananjaya Y. Chandrachud pointed out Pandemic hit people in many ways, all other emergency services were shut down including courts. Lawyers, litigant's court staff and judges have been profoundly affected by COVID. The Indian judiciary have adopted to the evolving situation at a rapid pace. In few months Supreme Court and High Courts were reopened with one major change that all the proceedings were conducted in virtual modes. The situation was new and unprecedented and the judiciary had faced many challenges like choice of platform for virtual courts and how access to it can be controlled. These decisions were directly affecting the justice delivery mechanism. The idea of eCourts projects is to develop at the district level and further it may go up to the highest court.

It was mentioned that the ECommitte of the Supreme Court has come a long since it was first constituted by Chief Justice Lahoti in 2005 to prepare a National Policy and action plan on computerization of Indian Judiciary and advise technological, communication and management related changes across all courts in India. In August, 2005 the ECommittee has come up with its first action plan which divided the work in three phases, the first one being, initiation of ICT implementation in the Judicial System followed by the second phase in January 2014 as the Coordination of ICT Infrastructure for Judicial System. The ECommittee appointed experts who work with Judges and came out with the vision plan for phase three document. This vision plan has been circulated to all the High Courts and are still receiving suggestions on the same as pointed out by the speaker. The criticism that are involved with eCourts projects was discussed. It was opined that the pandemic accelerated the push towards going digital and in doing so the efforts of the ECommittee for last 16 years cannot go unnoticed. The shift towards going digital involves great challenges and there are glaring gaps in our ICT implementation both at the micro and macro level. The primary barrier is not the digital divide but it is the mental divide as discussed during the discourse. It was highlighted that this transition is difficult per se for anyone but the right push, some help and a little perseverance is required to make it a regular habit.

Further, the transition of ICT in the Indian Judiciary by mentioning about the pitfalls and the plights of many persons with visual disability was discussed. Many advocates' files scanned copies of their printed documents which is difficult for person with visuals disability to read. It was decided to make websites of the various courts disabled friendly and accessible to everyone in true sense. It was highlighted that NJDG is revolutionary step and a request was made to all the participant justices to make use of it as a court management tool in fostering the efficient management of the High Courts and District Judiciary. Introduction of virtual Traffic Challans, Paperless courts, video conferencing facilities between courts and Jails, setting up of Eseva kendra, WIFI, ensuring Epayments, communication by registry through SMS and emails are some of the Einititaves of High Courts in order to supplement ICT in Indian Judiciary.

The second part of the session was presented by Mr. Ashish J. Shirodhonker, HOD, ECourts Project wherein he presented the eCourts Initiatives like Case Information System (CIS), National Judicial Data Grid (NJDG) and Virtual Courts. He highlighted that the CIS is completely built on free and open source technology (FOSS Technology). Around 3267 court complexes across the country and in bilingual language are computerized. Various types of

services are provided through service delivery channels like Web Portals, Mobile App, SMS, Automated Emails and Touch Screen Kiosks. NJDG website helps in monitoring the pendency and disposal of the cases on various parameters like case type, age of the case and disposal nature were deliberated upon. Another service delivery channel is the mobile app which is a common app for District Courts and High Courts. The speaker highlighted the various feature of the mobile app like facility to search and track cases using QR Codes, calendar feature to view occupancy at a glance and through import/export facility backup of the portfolio case can be save on a local storage drive. Online payment of court fee, fine, penalty and judicial deposits has been initiated online through epayment portal. National Service and Tracking of Electronic Processes (NSTEP) is the other features for speedy transmission of processes and service status within state and outside state was discussed during the session. The last part of the presentation was on Virtual courts through which physical appearance of the offender/violator in the court is eliminated. Further, the number of judges performing judicial work in adjudicating traffic challans across the state can be reduced virtually to single judge. ECourts system has integrated with other system like UMANG (Unified Mobile Application for New-age Governance) and CSCs (Common Service Centres) for the smooth functioning. Lastly, the speaker pointed out the facilities that are available to judicial officers like JustIS Mobile App which helps them to monitor pendency and disposal at finger tips and facility to tag important cases and mark short note for a case is available.

Session 2 - Role & Impact of High Court Computer Committees in eCourts Project & E-Courts-Technical Infrastructure through NIC

Speakers - Hon'ble Justice Rajiv Shakdher, Justice Nitin Jamdar & Hon'ble Justice A. Muhamed Mustaque

The Speakers for the second session of the day were Hon'ble Justice Rajiv Shakdher, Judge Delhi High Court, Hon'ble Justice Nitin Jamdar, Judge Bombay High Court and Hon'ble Justice A. Muhamed Mustaque, Judge Kerala High Court. Hon'ble Justice Dhananjaya Y. Chandrachud begun by introducing the themes for the session like Role & Impact of the IT Committee in Creating & Progressing e-Eco System in Delhi High Court & Delhi District Courts, Usage of CIS & NJDG for Court Administration and Institutional Structural reforms – Plans & Objectives.

The session commenced by broadly speaking about the Role and Impact of IT Committee across the several High Court of the Country. He discussed about the progress of ECommittee

in Delhi in Phase 1 by discussing about the infrastructure, Email Services, Software Services and Video Conferencing. Further, he mentioned about the data management System (DMS), e-Library, NSTEP, software for Finance & Accounts and providing continuing education through online Training programs were the progress in phase 2. The speaker highlight about phase 3 by providing details about the software services like Interoperable criminal Justice System (I.C.J.S), enabling Data sharing amongst various stakeholders i.e. Court, police, Prosecution, Prison etc. e-filing, mobile App, SMS Facility E-cause list, online order & judgements were the software services provided for Judges, Advocate's and litigants. Additional services in phase 3 were also launched like Virtual Court for Traffic cases, Digital Courts of Negotiable Instrument Act, Telepresence Facility and virtual & Hybrid Hearings. You-Tube Channel of Delhi High Court, e-Lok Adalat Online Legal Service Application Form and facility to apply for Pre institution Mediation in Commercial Cases were also deliberated upon. Furthermore, the speaker discussed his vision for immediate future by providing Online Certified Copies, paperless Service of court process, doing away with physical copies of judgements and orders and live streaming of court process.

It was discussed in details about the CIS and NJDG software. The CIS NC 3.0 is the presently used version which is based on Free and Open Source Technology. The main features includes unique case number record, e-filing and e-pay, templates for orders and Judgments, Automated SMS and Emails etc. Judges, registry, Advocates, litigants and Government Agencies are the users of NJDG as discussed by the speaker. Admin Login feature in NJDG was highlighted by the speaker which is a unique feature and it is not accessible by the public in general. Digital inspection of a court can be done in seconds through NJDG. Judicial Time Spent, Pendency Report, Judge Wise case disposal and query builder are some of the features under Admin Login. He further discussed about the features of open access NJDG like case type-wise/stage-wise pendency list, age-wise pendency chart, the graphical representation of Institution v. Disposal of cases were also available. Case Alert tabs and Lok Adalat Report can also be accessed through NJDG. Mediation, Legal Aid, Internal Inspection Reports etc. were the further uses of CIS as mentioned by the speaker.

On the theme of Institutional Structural Reforms – Plans & Objectives. The speaker discussed about the Evolution of Digital Space in Judiciary. Building IT Infrastructure, overseeing the implementation of the projects, Introduction of CIS, Citizen Centric Approach were the steps taken under phase 1 and 2 respectively as discussed during the discourse. The speaker

mentioned about the shift to Eco System as the goal for phase 3. Talking about the plans and objectives of IT Directorate, the speaker stressed to make a role shift from implementing agency to transformative agency and conducting independent study for total automation. The approach should be to bring about structural changes through interactive mode. An IAS Officer was appointed as Nodal officer for the e-court in the State of Kerala who is taking a proactive role in extending the Government IT released projects and services to the High Court. IT Directorate focuses on three areas i.e. Judicial Function, Judicial Administration and Administration. If process re-engineering for complete automation can be made than fundamentals changes in the State Judiciary can be brought. The speaker discussed the importance of the role of an Independent Entity for Research & development, Maintenance and training, Security audit etc. under the short term goals keeping in mind the user perspective all in one platform (Judicial and Administrative functions) a dashboard for Chief Justices, Judges, advocates, employees is created. The speaker also discussed about the focus on Inclusive Access to Justice like Hybrid Model for Court Hearing, connecting mainstream Judiciary through Technology and Access from remote locations. Process Re-engineering through complete automation, bringing reforms in the rules and also re-deploying surplus manpower for creating more courts in district Judiciary were the long term goals as discussed in the session.

The session concluded on the line to have an ICT enabled and access friendly Judiciary and to set up an IT cadre with technical advisors in every High Court. Lastly, the major committees on Live Streaming Rules, Video Conferencing rules, and efiling Rules, Electronic Registers and Data Security & privacy was highlighted being the recent developments in eCourts projects.