

**E-Committee ICT National Conference for High Court Justices
(Computer Committee Chairperson & Members) [P-1313]
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The National Judicial Academy organized the “e-Committee ICT National Conference for High Court Justices (Computer Committee Chairperson & Members)” on 6th November, 2022. The conference was a Special Drive Outreach Programme of the e-Committee, Supreme Court of India in coordination with the National Judicial Academy. The conference was a part of change management exercise by the e-Committee, Supreme Court of India. The conference facilitated deliberations among participants on themes including Role of High Court Justices in High Court Computer Committee under e-Courts Project; E-Filing and Videoconferencing Facility in Courts and Integrating Artificial Intelligence in Court Processes: Challenges and Issues. The conference provided a platform to participants to share experiences and best practices on issues relating to ICT in courts.

Session 1: Role of High Court Justices in High Court Computer Committee under e-Courts Project

Chair: Justice Madan B. Lokur

Speaker: Justice R.C. Chavan

The session was commenced by Hon'ble Mr. Justice A.P. Sahi, Director, National Judicial Academy and the successful implementation of technology in some High Courts of the country was highlighted. The speakers opined that session will focus on how the members of the Computer Committee in High Courts can take forward the computerization of courts. Then the background of Phase I and Phase II of the e-Courts project was explained. The speakers focussed on the challenges in establishment of computer hardware and infrastructure in the courts of the country in Phase I of the e-Courts Project. The planning and preparation in this regard by the e-Committee under the guidance of the Supreme Court of India was discussed. It was highlighted that subsequent to the establishment of the infrastructure the focus was paid on development of the software in Phase II of the e-Courts Project. The e-Committee in Phase II suggested adoption of Free Open Source Software [FOSS] for computerization of courts because it was free, secure and customizable. The software system was established in two compartments i.e. core and periphery. The core could not be changed by high courts but the periphery software could be changed and modified according to the needs of high courts and district courts. The issue of use of different nomenclature for different category of cases across different high courts was discussed. It was opined that due to poor internet facility in many prisons of the country, the video conferencing facility could not be utilized for the hearing of bail applications. It was highlighted that many state governments was not ready to pay for the internet services in prison.

The discussion then focussed on the National Judicial Data Grid [NJDG]. It was highlighted that India's rank in the Ease of Doing Business was improved through the establishment of NJDG. The NJDG provides entire range of information regarding the performance of courts in the country. The speakers then discussed the establishment of the e-Seva Kendra in courts

and now there are about 4 lakhs e-Seva Kendras in the courts of the country. The litigants can collect information about their cases through e-Seva Kendras. They can know their case number and date of hearing and they can also get the copy of the order with nominal charges. The speakers then discussed the training of master trainers with regard to the operating system and e-Courts project and now master trainers are conducting training programs in state judicial academies. The speakers then focussed on changes in the mode of serving summons through technological means. The system of National Service and Tracking of Electronic Processes [NSTEP] was referred in this regard. The speakers discussed how the use of technology resulted in ease of depositing and collecting money in courts by litigants with regard to landlord tenant disputes and matrimonial disputes. The use of technology in reducing communication gaps between legal aid advocates and poor prisoners was also highlighted. The disposal of traffic challans cases through virtual court system was explained. It was highlighted that payment of various kind of fines and other payments can be paid through virtual court system and it reduces the use of precious judicial time in administering such payments.

The speakers emphasised that participants should take initiatives to use technology to help litigants and to improve administration of justice. The need of leadership and planning in enhancing use of technology was emphasised. The allotment and use of funds for ICT enablement across different high courts was discussed. While discussing about the periphery software system it was emphasised that all High Courts should exchange information regarding the developments made in their respective periphery software systems. The successful model can be adopted by other High Courts and this will prevent duplication of efforts. The information regarding development of ICT initiatives by one High Court can be shared with other High Courts and requirements of different High Courts can be ascertained and it can be done at one place to save cost. This will also bring uniformity across different High Courts. It was suggested that communication between various stakeholders should be held regularly including various departments of the National Informatics Centre, Interoperable Criminal Justice System (ICJS), Crime and Criminal Tracking Network & Systems (CCTNS) under the Home Ministry and CIS developers under the Department of Justice. There is need of optimum use of technical staff and review of the profile of the technical staff should be done periodically so that their services can be used for the new initiatives under the e-Courts project.

Session 2: E-Filing and Videoconferencing Facility in Courts

Chair: Justice Madan B. Lokur

Speakers: Justice R.C. Chavan & Justice A. Muhamed Mustaque

The session was commenced by Hon'ble Mr. Justice A.P. Sahi, Director, National Judicial Academy. The speakers focussed on challenges in the implementation of e-Filing system and digitization in courts. The value of digitization in freeing up the space occupied by files and documents was highlighted. The obstacles in getting funds from state governments in the initial phase of e-Filing and digitization process were discussed. The establishment of the Interoperable Criminal Justice System [ICJS] and unification of different systems under criminal justice administration were highlighted. The audit of the e-Courts project was discussed and the need of regular audit was emphasised. The speakers highlighted that about

300000 advocates have been trained by the e-Committee in the area of use of technology in courts. It was suggested that entry of papers in courts should be minimised and e-filing of cases should be promoted. The use of Citizen Service Centres for various services offered by the e-Courts project and the issue of generating funds for the use of technology in courts were discussed. The speakers said that for bookmarking of data there is open source software Ocular and it has been customized by the e-Committee.

The speaker suggested that litigants' trust and satisfaction should be a paramount concern while planning and implementing the use of technology in courts. The IT infrastructure and services should be built in tandem with values such as transparency, accountability and openness. The functioning of paperless courts in two districts in Kerala was discussed. The speakers emphasised that there should be initiatives by high courts under research and development standardization category. The initiatives taken by some High Courts including Kerala, Madhya Pradesh, Delhi and Bangalore should be shared. It was suggested that a policy body comprises of all stakeholders of the justice system which can provide suggestions to e-Committee should be established. There should be a Judicial Service Corporation which can identify requirements of each high court and can convey the requirements to research and development team for further process. The interaction between e-Committee with different stakeholders at State level was emphasised. The need of shift of ICT initiatives from individual to institutional structure was emphasised. The issue of network and security, absence of blockchain experts, artificial intelligence experts and software engineers was highlighted. While sharing initiatives by the Kerala High Court it was suggested that there should be a dashboard of all data of a court and it should be made available to all stakeholders. The features of dashboard developed by the Kerala High Court which provides all information related to cases pending in the court were discussed. It was suggested that dashboard should replace the need to have a physical office and it can be accessed from any place. The integration of blockchain technology for seamless availability of information to all stakeholders was explained. The presentation by the Kerala Digital University on restructuring the use of technology in courts was discussed.

Session 3: Integrating Artificial Intelligence in Court Processes: Challenges and Issues

Speakers: Justice A. Muhamed Mustaque & Justice Suraj Govindaraj

Deliberations in the session focused on the role of Artificial Intelligence (AI) in the judicial processes, its utility and limitations. The focal issue debated over was 'whether AI can supplant human beings in the judicial system?'. It was opined that while AI can be incorporated in streamlining administrative and back end functions in the judicial system; it would play only a supplemental role. It was opined that AI cannot supplant humans in the decision making process. It was further stated that humans alone can impart *dharma* or virtue and hence judicial decision making must rest in human hands.

The concept of AI was explained as a set of algorithms and intelligence to try to substitute human intelligence. The utility of AI in automation of court processes, analysis of data for generation of suggestions and improvements, and natural language processing was highlighted. It was stated that AI can potentially play three roles i.e. supportive role,

replacement, and disruptive role. Emphasis was placed on the need for deliberations on the extent to which AI can be integrated in the judicial system. It was opined that AI can be used in analyzing judicial data – to assess disposal rates, judge performance, docket, pendency, and the effectiveness of measures used to address the challenges faced by the judiciary. It was emphasized that the integration of AI in the court process will have a far reaching impact. AI can assist in the evaluation of judicial data, including individual perceptions, biases, etc. Such evaluation will enable judges to reflect on their decisions, ensure informed decisions, and establish institutional norms.

A demonstration of the features of the software developed by the High Court of Kerala was conducted, and the functionalities and utility of the same were explained. The utility of such a system in the analysis of roster; ensuring accessibility of orders, relevant case documents, annotations and personal research; enabling voice to text function; and in enabling remote location functioning was highlighted. The functionalities and benefits of the Supreme Court Vidhik Anuvaad Software (SUVAS) was emphasized. The need to develop a judiciary-owned database of judgments in order to limit the dependence on other databases like Supreme Court Cases, and the utility of AI in creating such database was stressed upon. Emphasis was placed on the need for meticulous designing, development and control of the AI processes, and also on the need for visualization of the future role of AI in judicial processes. It was stated that AI can be used to –

- streamline judicial administration,
- enable automation, transparency and openness,
- provide tools for intelligent analytics and research,
- enable the judiciary in spreading awareness and assisting litigants,
- provide support and augmentation tools.

The utility of AI in knowledge management, process management and in advisory services was underscored. Discussions were also undertaken on the potential benefits of the use of AI in the adjudication of summary offences, MACT cases, and traffic offences. It was stated that AI can be used in these cases to classify cases and co-relate the cases with decided cases.

Emphasis was placed on the need to transform all courts to partly virtual to integrate AI and Technology. Further, it was suggested that suitable category of cases to introduce such part virtual courts should be identified.

The features of the JUSTIS app were explained and the use of the app in analyzing the performance of judicial officers, assessing the judicial officer's involvement in the ADR processes, and analysis of judicial data to provide a predictive mechanism were pointed out. The utility of AI in the legal aid mechanism was highlighted, and it was stated that natural language processing can enable the judiciary in creating devices that understand speech or text and respond to litigants, and can help bridge the geographical and linguistic barriers to ensure access to justice.

It was stated that the courtroom is a hub of information and the judicial function is based on the analysis, research and interpretation of the information. Hence, the court is the center of information exchange and management. Administrative inefficiencies were cited as a reason which justifies the introduction of AI in court processes. Further it was pointed out that the rate of institution of cases is higher than the rate of disposal of cases resulting in the accumulation of cases for disposal. The resultant pendency and backlog was also flagged as a concern.

Emphasis was placed on the utility of AI in knowledge management. It was stated that AI can assist the judiciary in predictive analysis as well as in developing new declarative knowledge. AI can also assist the court in drafting of issues and charges, summarizing legal precedents, research and information search, and in organizing and collating case related information. Further, AI can provide smart search tools to the judge. AI can also be used to generate reports on court processes and functioning and to discover organizational inefficiencies.

The use of AI in business process management for the judiciary was emphasised upon. It was stated that AI can enable the judiciary to conduct predictive analysis, automate redundant tasks and reduce errors. AI can provide tools to streamline the court processes, enhance decision making capabilities of judges and improve the litigant's experience of the judicial process. AI can also be used to refine the recruitment process of the judiciary. The utility of AI in listing of cases was pointed out. The use of block chain to simplify and expedite processes was dwelt upon.

The integration of AI in the judicial processes by Estonia, USA, UK, Canada, Singapore, Brazil, Austria, Argentina and Abu Dhabi were highlighted in the discussion. The features of the telegram channel customized by the High Court of Karnataka for judges were demonstrated and its utility in organisation of docket and caseload was emphasised. Predictive learning was stated to be a major benefit of AI. Further, it was stated that AI can potentially assist the judiciary in tackling pendency. Emphasis was placed on the need for creative thinking, directional thrust, and seamless integration of old systems with new technological developments.