

DIGITALIZATION IN INDIAN JUDICIARY SYSTEM

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Abstract - John Rawls, an American moral and political philosopher in the liberal tradition, defines Justice as basic fairness in multidimensional interactions between humans and their institutions. This paper gives a detailed analysis of digitalization of judiciary system. Efficacy of the judicial system is therefore vitally connected with the development of the country. In this paper, we are going to make the judiciary system online by which we means all the record, data, information, status, pendency, trials, etc. will be stored online and can be traced back for its efficient use for the faster trial. It will save time and energy. Amid Pandemic, it became the need of time to develop such system, so the cases can be trailed in online mode via Video conferencing . Facility of Chat bot have also provided. It will beneficial to Courts, Advocate and petitioner.

Objective of the study:

- To provide efficient & time-bound citizen-centric services delivery as detailed in e-Court Project Litigant’s Charter.
- To develop, install & implement decision support systems in courts.
- To automate the processes to provide transparency and accessibility of information to its stakeholders.
- To enhance judicial productivity, both qualitatively & quantitatively, to make the justice delivery system affordable, accessible, cost-effective, predictable, reliable and transparent.

Key Words: Information Technology, Chat bot, Judiciary, Video Conferencing, E-Judiciary, ICT revolution (Size 10 & Bold)

2. PROBLEM STATEMENT

1.INTRODUCTION

In the wake of Coronavirus Pandemic, the Supreme Court (SC) has passed directions for all courts across the country to extensively use video-conferencing for judicial proceedings. The Supreme Court exercised its plenary power under Article 142 to direct all high courts to frame a mechanism for use of technology during the pandemic. The SC, is moving towards technological advancement for its functioning and is conducting hearings through online. Qualified Judge(s) and which has a well-developed technical infrastructure. The working of e-courts requires an online environment and an Information and Communication Technology (ICT) enabled infrastructure. Litigants can view the status of their case online through various channels created for service delivery. Litigants can file the complaint electronically through e-Filing and also pay the Court Fees or Fine online. This suggests that identifying smarter ways of working across all sectors like public services including the judicial administration. And one of the recent developments is that the government makes digitalization of the legal system in the whole country. So, Center Government has asked all States to link prisons with courts through the video conferencing for the time-saving trail and also to save costs of escorting under trials to courts.

Present of Judiciary	Future of Judiciary
Rapid accumulation & slow disposal rate.	Slow accumulation & rapid disposal rate.
Physical carrying of Case File and evidences to Courtroom.	No need to carry as they are available at click of a mouse.
Files prone to tampering & environmental degradation.	Tamperproof records with Information record cycle.
No Visual playback of the case.	Video records will help to Playback.
Physical Transfer of case to Other courts cause long delays.	No such effect. Files can be transferred across Courts in seconds.
Case cannot proceed due to the non-availability of accuse: Witness on the Scheduled date.	Though video conference facility they may be allowed to participate in proceedings from remote locations.

3. DIAGRAM

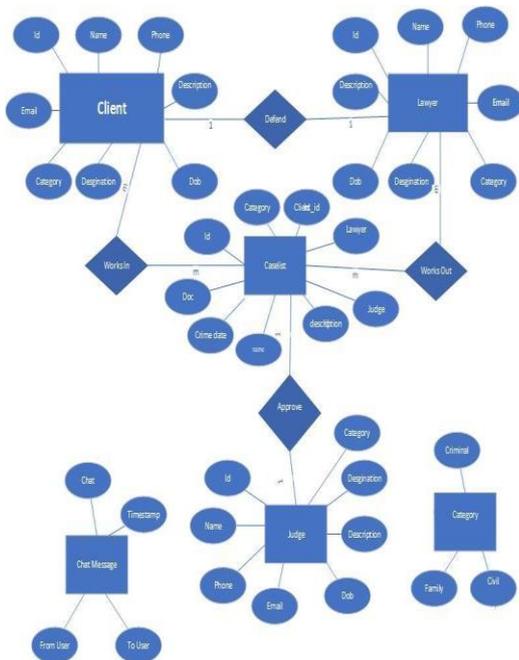


Fig -1:ER Diagram

4. RESEARCH METHODOLOGY

Since the nature of the research paper is theoretical; hence the data has been collected through secondary sources, for example, reference books, internet, journals, etc. have been widely consulted to develop the plan of the research papers.

5. IMPLEMENTATION

5.1 PART - A

The entire courtroom proceeding are video graphed by using high-resolution cameras and the control of the whole proceeding recording is on the hand of the judge who can start or stop at any time during the proceeding and the evidence like (knife, gun, etc.) and also other case-related documents, file notes summons orders, etc. have been scanned and digitized via scanners and are available to only authorized persons like the judge, lawyers, and public prosecutor for reviewing. The system is integrated with the video conferencing system with the other locations over broadband IP or ISDN network these locations can be police stations, jail, or hospitals. This takes a great advantage to save time and cost and it is much safer too. These are the following features of the system it was only accessible by authorized persons or users. Upload the scanned files or evidence. It allows the judges that they saw the recording of proceeding for the review of the case and why the case was rescheduled last time.

And the information of content is available for (24*7) Live webcast of the case proceeding through the web portal. Court Live Proceeding The courts proceeding are live and it was seen on court website by an authorized person or if anyone

wants to see the proceeding (lawyer or other concerned people) then they can see the live proceeding then first they fill the online registration and after reviewing the application by the administrator and then after they can access a particular case. Without technology and / with technology in the court When we think about the judicial process or a court then the first thing that comes to our mind is that thick files and hot arguments between the lawyers. And when we start use the technology then the judge can view the recordings and other related documents of a particular case on just one click and as a result of which both judge and lawyers save the precious time and come directly to the point by reviewing the recorded video. Court functioning without technology Court functioning with technology Carrying of the case file and evidence to the courtroom at each hearing. No need to carry a case file and evidence at each hearing the all are available at just in one click of the mouse by the judge and concerned staff and also they reduce the human load on the court Carrying of evidence if required by the judge for review. Different courts can share information online. The case documents and the evidence of case files are submitted manually in the court by police, forensic team, and other stakeholders. Through police, the forensic team and other stakeholders can upload the required documents to the case file from their premises itself. And if they accuse/witness have not come on the scheduled date and time then the case delays many years for the final hearing.

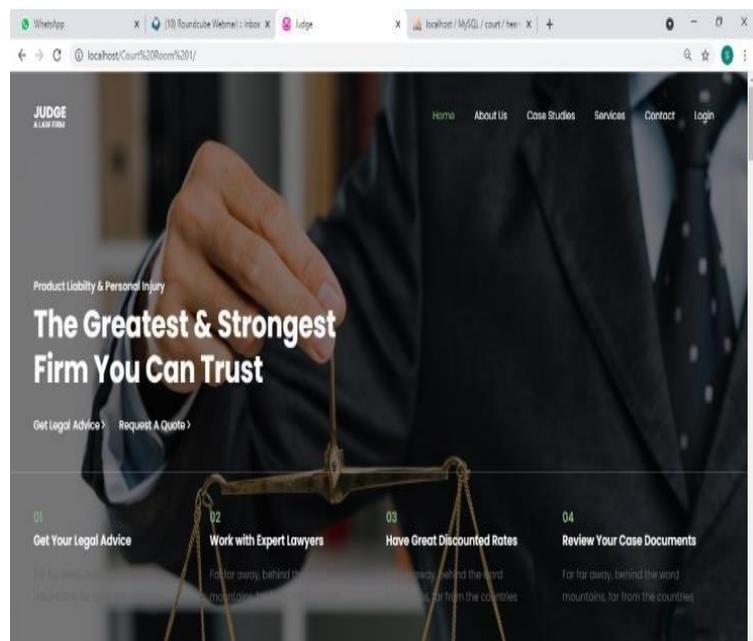


Fig -2: Home Page

5.2 PART- B

Video conferencing: Using video conferencing any person can give his/her deposition from remote place. He/she just needs a video conferencing setup either hardware or software based with internet connection. Initially three hospitals, FSL, two police stations and jail are connected to eCourt for video conferencing. Producing accused/witness every time in court consumes enormous amount of resources

(transportation cost, security time and manpower etc.) of the government, Using Video conferencing, they can give their deposition from hospitals , jails or any other place where they might be present.

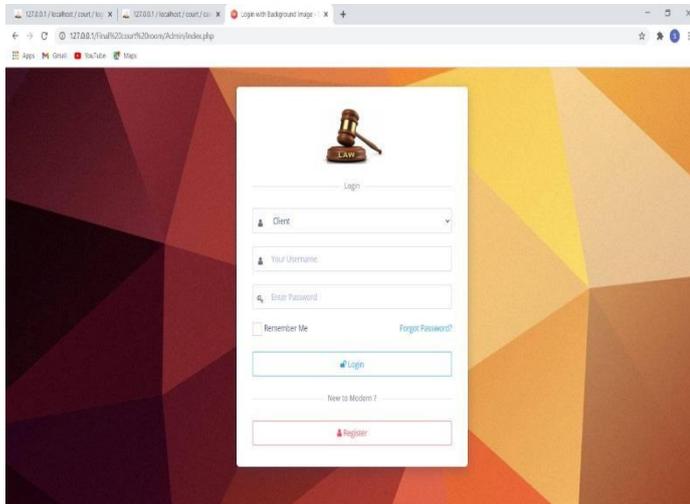


Fig -3: Login Page

6. CHALLENGES AND WAY FORWARD

In the present circumstances, the virtual courts may seem a necessity, however, it goes without saying that at present there are a whole lot of glitches and shortcomings in its execution.

- E-Courts will also prove to be **cost-intensive** as setting up state of the art e-courts will require the deployment of new-age technology.
- **Hacking and cyber security:** On the top of technology, cyber-security will be a huge concern too. The government has initiated remedial steps to address this problem and formulated the CyberSecurity Strategy but it is more on the side of prescribed guidelines alone.
- **Infrastructure:** Challenges can erupt due to insufficient infrastructure and **non-availability of electricity and internet connectivity** in most of the Talukas/villages.
- Electricity connection is a must along with internet connectivity and computers to ensure justice reaches every section equally.
- **Maintaining e-courts record:** The paralegal staff is not well equipped and trained to effectively handle document or record evidence, and make them readily accessible to the litigant, to the council as well as to the court.

WAY FORWARD:

- To address the aforementioned challenges, the first and foremost step is to draw up a policy for encouraging the setting up of e-courts.
- The government must make dedicated efforts in the training of personnel to maintain all the e-data. These include maintaining proper records of e-file minute entries, notification, service, summons, warrants, bail orders, order copies, e-filing etc. for ready references.
- Conducting training sessions to familiarise the Judges with the e-courts framework and procedure can give a huge impetus to the successful running of e-courts.
- Creating awareness around e-courts through talks and seminars can help bring to light the facilities and the ease that e-courts can facilitate.

7. CONCLUSION

We have presented a state-of-the-art technique for introducing ICI in Indian courts for digitally preserving case files and visual information in chronological sequence. The design can be utilized to will help our judicial system to streamline and expedite their operation and case disposal rate in secure and cost effective manner.

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REFERENCES

- [1] Dr. Setlur B. N. Prakash (2014). E Judiciary: A Step towards Modernization in Indian Legal System. Journal of Education & Social Policy, pp 111-124.
- [2] www.Ecourtproject.com
- [3] <https://www.cambridge.org/core/journals/legal-information-management/article/indian-judicial-system-transition-from-print-to-digital/D725B074AD49B1D806D19ECD6D5992E5>
- [4] <https://vikaspedia.in/e-governance/online-legal-services/how-do-i-do>
- [5] <https://pogar.org/https://pogar.org/>
- [6] <https://districts.ecourts.gov.in/prakasam/latest-news>
- [7] http://www.ecourts.gov.in/ecourts_home/