

Imbibing digital technology in District Judiciary

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We are living in a techno savvy world and digital technology has begun to assist in legislature, executive and judiciary. Delving into the district judiciary, the digital technology seems promising and is deemed to have an important role to play in helping find right solutions for imparting justice at this grass root level. Meanwhile, creating technology ecosystem, assessment of digital knowledge and its implementation within the system are all intertwined. Hence, we need to work with these said points to clearly define challenges within and boldly tackle issues as and when they arise.

2. Need for digital transformation in district judiciary:

As per National Judicial Data Grid, as of 01.12.2024, total 4,56,79,632 cases are pending in the courts, with many languishing for decades. District courts are the backbone of India's judicial system. To tackle age old cases is one of the persistent challenges in district judiciary. Embracing digital technology in vital stages of pending cases, shall increase the pace of the record and shall prepare the record for the next stage. It shall not only modernise the district judiciary but shall also strengthen rule of law in India.

3. Use of Digital Technology in District Judiciary

Digital technology in district judiciary acts as a booster for speedy justice. Some of the areas in which the digital technology can play a vital role are described in the points below:

3.1. Software/App for recording the statement of the witnesses and their

transcription: With the advent of AI (Artificial Intelligence) we have with us efficient software that may be further developed so that witnesses can convert their statement into English/ regional languages while simultaneously understanding in their own language. There are many voice translator software/app present in the digital realm but for privacy an inhouse app shall be developed specifically for the district judiciary covering all the regional languages and dialects of Bihar. Bihar has multiple regional languages and it is quite challenging for the judicial officers to know each and every language and hence this type of an app/ software will be a huge help for an efficient judicial system.

3.2. District data base of all Ld. Advocates:

In most of the records especially in the old ones, name of the advocates and their phone numbers are not mentioned in the record or are partially erased. If there exists a district level list of all the advocates representing the parties in the records present in the specific court, it would be easier for the court to figure out the advocates with

partial information. A digital record should include their name, phone number, enrolment number and must be updated every month to ensure every advocate's record. The Systems officer has a vital role to play in this update.

3.3. Unique ID for witnesses along with their contact numbers:

It is seen in most of the cases that the case keeps on pending for want of witness deposition for many years. During these years their files undergo lots of wear and tear and recorded phone numbers are often changed by witnesses. This issue warrants a system where a digital unique number ID has to be assigned to them in every case along with all the necessary data points should be as name, contact details, recorded information etc. In case they do not turn up, a communication through phone call may be made to them identifying whether they are genuine or the data needs to be updated. While accepting the charge sheet, if a unique number is mentioned for the witnesses mentioning their current address and phone numbers, it would be much easier for the court to track the witnesses even if the record becomes old.

3.4. Using digital technology to identify bailor:

Identification of bailor in the court is also one of the issues in the district judiciary. Developing an app or a software that can identify the bailors with their address and phone number shall give help in the sense that if the accused becomes absent again then bailors shall be clearly identified and be given a notice to present the accused on the specific date.

3.5. Creating Digital Documents

The Hon'ble Supreme Court has emphasized upon "adoption of different technologies that increase the machine readability of typed, handwritten, scanned or printed documents including optical character reader (OCR), smart forms etc. Creating digital documents shall have a long-time impact in the justice delivery system. For instance, in old records where original FIR or Charge-sheet or any other relevant documents are missing, the time for reconstruction of the said missing documents may be saved, if digital document duly authenticated by digital signature of the presiding officer is created. If all the records are digitally stored in a password protected file, the issue of missing records can be solved easily.

3.6. Digital technology for court staffs:

The court staffs remain under tremendous pressure as to all the manual work, be it calculating the court fees or sending the process to the concerned authorities for service, making periodical statements, maintaining the registers etc. Inserting the digital technology within the district judiciary shall not only minimise their pressure but shall also make the finances transparent.

3.7. Digital technology as a means to reduce manual error:

In terms of manual error that is often seen even while entering name, age, etc. of the parties, in the record creates a lot of confusion for the presiding officer later on. Creating a digital document of the record shall reduce these manual errors and shall save time.

3.8. Creating separate official email id in every court of district judiciary:

Official email-id must be created for every court of district judiciary backed by data centres overseen and secured by National Informatics Centre. These regular e-mail exchanges will make the communication of every court efficient, recorded and fast within the judiciary and with the executive.

3.9. Connecting thana with the concerned court digitally

Connecting thana with the concerned court through online medium is highly important in the sense that most of the time court keeps on waiting for the process to be served and seeking for its execution report. A bridge is required to be built up between the judiciary and law enforcement agencies. If the court has ordered a process to be served via thana today and immediately a mail or whatsapp is received by them to comply the order, the compliance shall be quick and simple. A pilot project may be started for disposing old cases pending for appearance and may be disposed via this mode.

3.10. Digital knowledge training for staffs

When we say digital infrastructure, we always prioritise of creating digital infrastructure but we often forget that digital infrastructure would be in vain if our human resources are digitally less knowledgeable. Imagine a farmer having tiller machine, but has no knowledge of how to use it.

One of the factors for granting promotion to the staff members must be their efficiency in digital knowledge. For this it is highly necessary that the staffs must be given time to time training and their efficiency must be recognised by the digital

knowledge they have and their performance in the court work. If we inculcate the same in the district judiciary system, it would be a great achievement to excel the system. In judiciary it is highly required to have a better digital competency among the staffs. The court runs not only with the presiding officer, but with the collaboration of all the staffs as a team. When we want results of better disposal, it is indispensable that all the staffs work efficiently and within time. For this, the digital knowledge and its implementation in the day-to-day court work among the staffs must be enhanced. For instance, most of the court staffs are unaware of sending the e-process through NSTEP. The Process Admin (Nazir) must be aware regarding the same and all the court staffs must be well equipped with this.

4. Challenges in the technological set-up

4.1. Official email ids need to be digitally protected:

When we say having technological set-up we also have to see that the set-up is protected enough. For instance, creating official email id and sending the process through email id may lead to issue of phishing, spamming targeting the system. Section 66D of Information Technology Act, 2000 imposes a penalty for upto three years of imprisonment or fine of upto 1 lakh rupees or both. In addition, under section 319 of BNSS, the individual can be punished if the attackers are involved in fraudulent activities involving identity theft and deceit to obtain sensitive information. Further, section 66 of the IT act criminalises intentional introduction of malware. Identity theft is punished under section 66C of the IT Act. Thus, protecting official email IDs of court is essential to ensure confidentiality, security and integrity of judicial communications.

4.2 Data security and data maintenance:

Regular update in the digital documents may be made by establishing a separate server room in the court. The system officer along with his team may act as an in charge of the server room taking care of all the data security and data maintenance. Having the digital infrastructure also requires upgradation and timely maintenance of the infrastructure provided.

4.3 Establishing digital learning cell for enhancing digital knowledge among judicial officers and court staffs within the court.

Digital learning cell for enhancing digital knowledge among judicial officers and court staffs may be established in every court. Regular training of judicial officers and their staffs may be done there for enhancing their digital knowledge and its implementation in the regular court work.

5. Conclusion:

Imbibing digital technology in India's district judiciary is no longer an option but a necessity. Integration of digital technology in India's district judiciary marks a transformative step towards enhancing efficiency, transparency and accessibility in the justice delivery system. Undoubtedly, E-court portal, online case management and virtual hearings have addressed the systemic delays and has reduced procedural bottlenecks. While challenges persist, proactive measures and sustained investment can overcome these barriers. Successful implementation of digital technology requires robust infrastructure, continuous training for judicial staff and addressing the digital divide to ensure inclusivity. With sustained efforts and policy support, digitalisation can significantly strengthen the district judiciary, ensuring timely justice and strengthening public trust in the legal system. This evolution shall be pivotal in realising a truly accessible and efficient judicial framework for all.

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