

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

RAJYA SABHA
STARRED QUESTION No.86
ANSWERED ON 27.07.2023

Establishment of e-filing centers

***86. Dr. Laxmikant Bajpayee:**

Will the Minister of Law and Justice be pleased to state:

- (a) whether any letter was written on November 30, 2022, related to setting up of e-filing centers for Chief Justices of High Courts and carrying out the judicial proceedings through virtual method in light of the supreme principle of cheap and accessible justice and the interest of litigants; and
- (b) whether any reply has been received from the Chief Justices, if so, whether it is positive or negative, if negative, further steps Government proposes to make virtual method effective?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF
STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)

(a) to (b): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (b) in respect of Rajya Sabha Starred Question No. 86 for reply on 27.07.2023 regarding establishment of e-filing centers asked by Dr. Laxmikant Bajpayee.

(a) : A letter dated 09.03.2023 was addressed to Chief Justices of all High Courts by Hon'ble Minister of Law & Justice, Shri Kiren Rijiju regarding creation of Virtual Benches through facility of e-filing and enabling virtual hearing of cases in lieu of establishing Additional Benches of High Court. However, no communication dated 30.11.2022 was sent by Department of Justice.

Establishment of additional benches of High Courts where geographical area of the State is large and terrain is difficult is a long standing demand of states. For the establishment of additional Benches of a High Court, there is a prescribed process that involves long duration of time. However, the creation of Virtual Benches through the facility of e-filing in different districts in the State and enabling virtual hearing of cases from the district dispenses the need of establishment of additional benches of High court. It is an acknowledged fact that, during the Covid pandemic period, virtual hearings through video conferencing came to the rescue of the common man, as normal Court proceedings in congregational mode was not possible. It was the eCourts Mission Mode Project which had already established the essential computer and VC logistics as well as connectivity that enabled the swift operationalisation of video conferencing and virtual hearing during the Covid pandemic. In addition, under eCourts Project, eSewa Kendras in court complexes to serve as a one stop solution for eFiling, virtual hearing/video conferencing and other e-facilities have been provided free of cost to common citizens who do not have the computer and internet connectivity. Taking a lead in this sphere, the High Court of Orissa (Cuttack) has established 20 Virtual Benches of High Court at District Courts facilitating advocates/party in person to appear through the Virtual High Court Centers and conduct cases before the High Court. Guidelines for the same are available on the website of High Court of Orissa.

(b) : Responses have been received in respect to the letter dated 09.03.2023 from High Courts of Karnataka, Tripura, Chhattisgarh, Madhya Pradesh and Sikkim who have supported the decision of use of facilities provided under eCourts Project for promoting cheap and accessible justice through virtual methods. The decision to establish Virtual Benches of High Courts is an administrative matter of the concerned High Courts and the Central Government is not directly involved in the matter.

Additionally, the following e-initiatives under eCourts Project Phase II have been undertaken by Government to make virtual method of justice delivery accessible and available for all:

- i. Under the Wide Area Network (WAN) Project, connectivity has been provided to 99.4% (2976 out of earmarked 2994) of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- ii. National Judicial Data Grid (NJDG) is a database of orders, judgments, and cases, created as an online platform under the eCourts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information in respect of over 23.34 crore cases and more than 22.21 crore orders / judgments (as on 03.07.2023).
- iii. Case Information Software (CIS) based on customized Free and Open-Source Software (FOSS) has been developed. Currently CIS National Core Version 3.2 is being implemented in District Courts and the CIS National Core Version 1.0 is being implemented for the High Courts.
- iv. A new software patch and court user manual for COVID-19 management has also been developed. This tool will help in smart scheduling of cases thereby enabling judicial officers to retain urgent cases and adjourn cases not urgent on cause list. A user manual for this patch has also been issued for the ease of the stakeholders.
- v. As part of eCourts project, 7 platforms have been created to provide real time information on case status, cause lists, judgements etc. to lawyers/Litigants through SMS Push and Pull (2,00,000 SMS sent daily), Email (2,50,000 sent daily), multilingual and tactile eCourts services Portal (35 lakh hits daily), JSC (Judicial Service centres) and Info Kiosks. In addition, Electronic Case Management Tools (ECMT) have been created with Mobile App for lawyers (total 1.88 crore downloads till 30.06.2023) and JustIS app for judges (19,164 downloads till 30.06.2023).
- vi. India has emerged as a global leader in conducting court hearing through Video Conferencing. The District & Subordinate courts heard 1,98,67,081 cases while the High Courts heard 78,69,708 cases (totaling 2.77 crore) till 30.06.2023 using video conferencing system. The Hon'ble Supreme Court of India held 4,82,941 hearings through video conferencing till 15.05.2023. VC facilities have also been enabled between 3240 court complexes and corresponding 1272 jails. Funds for 2506 VC cabins and VC equipment for 14,443 courtrooms have also been released. 1500 VC licenses have been procured to promote virtual hearings.
- vii. Live Streaming of court proceedings has been started in High Courts of Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh & Hon'ble Supreme Court of India thus allowing media and other interested persons to join the proceedings.
- viii. 22 Virtual Courts in 18 States/UTs have been operationalized to handle traffic challan cases. More than 3.26 crore cases have been handled by 22 virtual courts and in more

than 39 lakhs (39,16,405) cases online fine of more than Rs. 419.89 crore has been realized till 30.06.2023.

- ix. New e-filing system (version 3.0) has been rolled out for the electronic filing of legal papers with upgraded features. Draft eFiling rules have been formulated and circulated to the High Courts for adoption. A total of 19 High Courts have adopted the model rules of e-Filing as on 30.06.2023.
- x. e-Filing of cases requires the option for electronic payment of fees which includes court fees, fines and penalties which are directly payable to the Consolidated Fund. A total of 20 High Courts have implemented e-payments in their respective jurisdictions. The Court Fees Act has been amended in 22 High Courts till 30.06.2023.
- xi. To bridge the digital divide, 819 eSewaKendras have been rolled out with the intention of facilitating the lawyer or litigant who needs any kind of assistance ranging from information to facilitation and eFiling, thus enabling citizens of the nearby areas to access the High Court facilities. It also assists the litigants in accessing online e-Courts services and acts as a saviour for those who cannot afford the technology or are located in far-flung areas. It also aids to addresses the challenges caused by illiteracy among citizens at large. It will provide benefits in saving time, avoidance of exertion, travelling long distances, and saving cost by offering facilities of e-filing of cases across the country, to conduct the hearing virtually, scanning, accessing e-Courts services etc.
- xii. In addition to eSewaKendras, as part of the DISHA (Designing Innovative Solutions for Holistic Access to Justice) scheme the Government of India has launched Tele Law program since 2017, which provides an effective and reliable e-interface platform connecting the needy and disadvantaged sections seeking legal advice and consultation with panel lawyers via video conferencing, telephone and chat facilities available at the Common Service Centres (CSCs) situated in Gram Panchayat and through Tele-Law mobile App.
- xiii. National Service and Tracking of Electronic Processes (NSTEP) has been launched for technology enabled process serving and issuing of summons. It has currently been implemented in 28 States/ UTs.
- xiv. A new “Judgment Search” portal has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.

In the Union Budget 2023-2024, the Government of India announced Phase-III of eCourts project with an outlay of Rs.7000 crore. Based on the Detailed Project Report (DPR) approved by the eCommittee, Supreme Court of India, the Expenditure Finance Committee in its meeting held on 23.02.2023 has approved the eCourts Phase III with a total outlay of Rs.7210 crore.

Further, the Empowered Technology Group chaired by the Principal Scientific Adviser to the Government of India in its meeting held on 21.06.2023 has also recommended to the Cabinet the eCourts Phase III for approval.
