Digitisation Will Reduce Pending Cases In Supreme Court of India and Ensure Speedy, Efficient, Effective Delivery of Justice

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1. Abstract:
The digitization of the court records is the key to reduce the pending cases in the Indian Judiciary, implementing the Artificial Intelligence Technology to the legal field in brisk is the need of hour from the lawyers and litigants as they are the initiators of the proceedings and also the arguments through digital mode with the data record instantly by raising number of judicial officers, disparity in number of case filed with case disposal can be reduced coupled with the Artificial Intelligence use from administrative level to the decision making of the judicial officer by regulating the Machine data by cross checking with the Human intellect above all mindset to utilise to maximise use of AI with commitment by all the users can achieve the goal. The lethargic attitude towards the technology by all the users, in spite of hard effort to AI use lacking leads to the rising of case rather reducing. The future of pending case in turn raise in such a way that have great disaster /chaos in the society leading unrest among the citizen and globally economically not par with the developed country in respect of technology.

2. Introduction:
Chief Justice of India NV Ramana has stated in Indian courts pendency of cases has reached 45 (4.5 crore) million. Former Supreme Court judge Justice (retd) Markandey Katju had said on non-filing of fresh cases present to clear the backlog about 360 years in all the India courts, pendency stood at about 3.3 crore cases. As per the National Judicial Data Grid in Supreme Court 69,000 cases, 3.9 crore cases in the District and Subordinate Courts and 58.5 lakh cases in other courts.

The digitalizing of data is the latest booming in all field in particular increasingly use of technology in legal profession do have some significant development especially during covid-19 with digitisation of judicial records and e-courts. The technology to be used for better utilisation of digitisation of court records, e-filing of cases, virtual hearing and live streaming of court proceedings.

The limited manner technology used in criminal cases as not possible for physical presence of accused or extending remand of the accused. Whereas Matrimonial cases, Domestic Violence, Bounced Cheques, Motor Accident compensation may be referred to mediation centres and Lok Adalat’s for virtual hearing. The Supreme Court of India in Anjali Brahma war Chauhan v Navin Chauhan allowed the family court, Gautam Buddha Nagar, to conduct the trial of a matrimonial case through videoconferencing beginning a step further.

The Supreme Court allowed the live-streaming of Constitutional and National importance ensuring speedy, time effective, transparency and openness. The technology knowledge, will power to benefit the technology to utilise for the judiciary for effective, time bound disposal is the need of the hour.

The Supreme Court is following the standard operating procedure as standard uniformity on all Indian Courts using reliable source of digital data for instant access of all court’s record. The digitisation kick started in the year 2005 setting up citizen centric digital processes e-filing, this is environmentally sustainable friendly curtailing the physical paper records missing or time saving in transfer to another court. The digitization of data and e-filing will meet the object of reducing the pending cases.

3. Keywords
Digitisation Technology, Judiciary, disposal of cases, increase in number Judges, digitalise hearing

4. Chapterization
a. Technology replace Manual work
Adopting new technology in judicial work reduces time, cost and effort by curbing the repeated work processing to be replaced by one press button to get all data of the case record instantly for aiding judicial decision

I. Avoiding repeated use of paper records in appeal from lower courts delay is minimised to maximum extent
II. Judicial decision processing is on the tip of the judges system for verification
III. Audio and Video recording used in argument by virtual or physical or can be used along with recording of hearing or digitisation of hearing
IV. E-Filing of cases with necessary court fees and respondent WhatsApp number with Mail-id for electronic notice
V. Counter reply by respondent digitally with the stipulated period or else taken as exparte
VI. Indian Judiciary is lacking in implementation of e-project with strict adherence of rules commitment
VII. Minimising the judicial burden adopting the transformative technology in virtual courts for disposal of Motor Vehicle Act, 1988 and Employee Compensation Act, 1923 where the compensation is calculated as per statute or case law

b. Intra and Inter digitally connected infrastructure

The digital infrastructure is the backbone in advancing the e-Courts project, its technological architecture to be designed to meet the diverse needs of stakeholders. The digital infrastructure connect and collaborate the different parts of justice delivery system like police, prisons, legal aid, litigants, lawyers and judicial officers, some of the key elements to the digital architecture are:
I. Building the infinite number of additional services as backbone to the user of technology
II. Design with decentralised improvements, configuration and extensions to varied courts and users for sustainable solutions achieved through microservices architecture as pieces are interchangeable and replaceable without change in infrastructure
III. Ecosystem collective strength of private, public and civil society integrating of sectors to achieve the goal of centric justice delivery system
IV. The ecosystem build on trust and collaboration with standards, certifications and specifications building solutions with space and time
V. Promoting transparency, openness and inter-operability between the judicial platform and other system unique case locator / tagging to identify the case details
VI. The scrutiny of data of specific unique number for connecting the laws, procedures and facts for implementation of litigation risk assessment services

c. Judicial Officer optimising the assigned responsibility

The work assigned to the concerned authority need to have full role and responsibility justifying his work giving full competency need for the goal as the judicial officer is assigned with the additional work giving way to the less utilising the efficiency or less involvement to the decision they need to focus more to optimised for judicial decision rather for additional responsibilities in the process less utilising the dedicated expertise in respective field, engineering technology design is missing. The accountability of the work is also lacking due to their confusion, incomplete knowledge to reach the mission whereas the reaching needs full pre-design structured and in the process in case of calamity also need to work out to overcome the unforeseen circumstances this need accountability workout for the calculated and forethought to meet well accomplished mission.

d. Digitisation beneficiary to Judiciary

The direct innervation of targeted resource for effective decision with less time and cost as the data on the one press of the button can access coupled with previous brief introduction and clarification to decide without much time. The integration of the other judicial connect system police, prison, prosecution, academician, research scholar and legal aid for sharing the information with speed and effective transformation. The legal system can also be accessible to the outside the judiciary to update and better informed by minimising the paper work reducing the time and manufacturing of the same to the electronic system protecting the biosystem. The time to appeal records need human resources, time and cost is minimised to great extent by instant electronic data on one press of the button to all accessor.

e. E-filing and Virtual hearing lack of implementation

The paper use by supreme court is roughly 12,500 tonnes by destructing about 3 lakhs of trees is not utilised by the users made by the committee has made detailed SOP/ Standard Operating Procedure for payment, filing petition, fees etc., is not in use as programmed. The primary concern of the users are internet frequent dis-connectivity due to poor technology infrastructure and lawyers, litigants, court officers, judicial staff and litigants mindset to commit use of technology is major drawback for the technology implementation. The lethargic attitude towards gaining knowledge of technology implementation is very slow is far from practice than preaching the same. The strict use of the technology from the top level will automatically insist on lower hierarchy to make use of technology in judicial work will certainly reach the goal of speedy disposal of cases.

f. Future online justice

online judgement by the decision maker to the litigant without physical presence of either lawyer or litigant only through paper work/electronic paper reducing the time consumed for physical presence of all parties, record transfer from lower court is time is minimised without missing of any record paper for effective disposal with all the accessible ingredients for early effective disposal without leaving space for any waste of time, in delivering the justice to the ender users curbing to repeat the offence
thereafter. The citizen centric justice is conveyed without any hindrance of any vestigial interest people if the same continues reciprocal of reducing the crime with online judge decision is most appropriate like using ATM card used only money is in the bank likewise the online justice card used till the online judge depart justice to the litigant/society for peaceful coexistence of human kind. The misuse of manual handling of the papers is reduce to great extent focussing on justice deliver mechanically irrespective of caste, creed and race. The international crime is also reduced on using the technological tools for identifying the criminals within short period and punishing this scare habitual offender provided the police official always to be upfront with the latest technology tools to overcome the crime of habitual offenders thus reduces the cases by punishing by fine or imprisonment immediately.

g. Artificial Intelligence use infancy stage in legal fraternity

AI/ML is taking baby step for furtherance of justice system as the data input to the system to be made by the engineer acquainted with the legal term can provide perfect data for functioning of the Artificial Intelligence without which prejudice delivery of justice /dysfunction as currently artificial intelligence need to be implemented in the preliminary stages of justice system as software in analysing legal papers, identifying critical areas and provisions for the facts of the case . In US courts safety Assessment helps judges to decide best on the risk factor score of the offender if bail taking previous record to consider whether re-offend on bail ,the technological advancement has become integral part of judicial system in US,china,Singapore and UK. In China system of system/SOS smart court connect various courts across the country of China.

h. Artificial Intelligence /Machine Learning current hotspot for the US Judiciary

Artificial Intelligence is the machine action like human intelligence including technologies like machine learning, pattern recognition, big data, neural networks, self-algorithms etc., data sets in machine works on different situation and self-automotive. The efficiency of the system to self-analyze data e.g. Self-Driving Cars. Machine learning is one of the types of AI that makes software applications more accurate to predict results without having to be programmed, ML algorithms use historical data to input and predict output values. AI/ML enables litigants to apply effective, prompt and appropriate judgments and precedents in judge analysis to advance effective delivery of judgments, automated system, self-analyzing data to improve the efficiency of the system eg. Self-driving cars. And the criminal justice system is well organized through internationally advanced technology. AI has entered the stages of the criminal justice system and is employed in solving crimes, photographing crime scene evidence, identifying suspects using a variety of surveillance techniques, identifying crime hot spots and pre-criminal interventions. It is used in bail orders. Release of prisoners, AI is used to detect or predict the risk of flight or re-crime after bail. Technology is used for good or bad as AI is used to morally act by human emotions. To justify from or AI or human rights integral part of the three gives the best results.

This applied research effort explores the various forms of artificial intelligence that increase or decrease racial systemic injustice. Each thematic area of the identification, analysis and debate of a systemic issue has been leveraged in examining the merits and drawbacks of using algorithms to automate human decision-making in racially sensitive environments. Through analysis of historic systemic patterns, implicit biases, existing algorithmic risks and legal implications, it has been claimed that natural language processing-based AI, such as risk assessment tools, have racially different outcomes. It concluded that more legal policies are needed to regulate and restrict how internal government institutions and corporations use algorithms, privacy and security risks, and auditing requirements to address the consequences of racial injustice and the past to be different from the practices of discrimination.

Indian Judiciary’s preliminary implement of SUVAS / High Court Vidhik Anuvaad Software is for translation in regional languages, SUPACE / High Court Help Center automatic for effective decision making and reduction of pending cases.

I. Regulating and Ethical act of artificial Intelligence

The data set in the tools of the artificial intelligence by the programmer is the responsible for the act of the AI as the data set is programmed to act in desire manner thereafter AI with super intelligence will act by its own to the destructive behaviour this is to be regulated and to be responsible for the act of the AI in legal statue manufacturer and end user to be legal statue fastened for their act, and the ethics of the human emotion need to be incorporated to AI like human beings for judicial decision if the same is regulated AI dominate the human kind then under the mercy or dominant of the AI ruling the human beings perish need serious consideration in AI technology regulating .

5. Conclusion

The head start of AI use in legal field is very promising outwardly but the implementing/investment of the project is very exhausting only in paper rather implementing to the judicial work if not full swing at least to appreciable extent is lacking, resulting in mis match technology use to overload of cases this need to be address by not the authority but real users lawyer, litigant first as they are the initiators of filing cases and argument addressed by lawyers , so the urgent need of intellect law knowledge in the integration of data of AI in the justice system requires a comprehensive legal, regulatory and ethical framework to establish trust in these technologies.
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