

Digital Justice Delivery



The e-Committee of the Supreme Court of India recently released its draft vision document for Phase III of the e-Courts project.

Features

- ✓ Phases I and II had dealt with digitisation of the judiciary, i.e., e-filing, tracking cases online, uploading judgments online, etc. This has helped in easing justice delivery procedures.
- ✓ Despite some hiccups due to the Covid-19 pandemic, the Supreme Court and High Courts have been able to function online.
- ✓ Phase III of the e-Courts project, reaffirms its commitment to the digitisation of court processes, and plans to upgrade the electronic infrastructure of the lower judiciary and enable access to lawyers and litigants.
- ✓ Most importantly, the Phase III proposes an “ecosystem approach” to justice delivery.

Benefits

- ✓ A live stream would help litigants follow the proceedings in their case and also assess their lawyers’ performance.
- ✓ People from far-flung States such as Tamil Nadu and Kerala do not have to travel all the way to the national capital for a day’s hearing.
- ✓ It would keep a check on lawyers’ conduct inside the courtrooms. With the entire country watching them, there would be fewer interruptions, raised voices and adjournments from the lawyers.
- ✓ Live-streaming will bring transparency and access to justice.

Drawback

- ✓ Live streaming of the Courts is susceptible to abuses and it can involve national security concerns and can amount to a violation of the fundamental right to privacy in matrimonial disputes and rape cases.
- ✓ The unauthorised reproduction of the live streaming videos is another cause for concern as its regulation will be very difficult at the government’s end.
- ✓ Concerns have also been raised about the commercial aspect of the whole issue. The agreements with broadcasters should be on a non-commercial basis. No one should profit from the arrangement.
- ✓ Infrastructure, especially internet connectivity is also the biggest challenge in implementing the live proceedings of Courts.