eCourts in India

From policy formulation to implementation

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TABLE OF ABBREVIATIONS

CCEA --- Cabinet Committee of Economic Affairs

CIS --Case information System

COURTIS --Court Information System

CSS -- Centrally Sponsored Scheme

DG set --Diesel Generator Set

DOJ-- Department of Justice

EFC --Expenditure Finance Committee

HC --- High Court

ICT --Information and Communications Technology

JUDIS -- Judgement Information System

LAN--- Land Area Network

LOBIS ---List of Business Information System

MMP --Mission Mode Project

NCAER --- National Council for Applied Economic Research

NeGP --National eGovernance Plan

NIC -- National Informatics Centre

NJDG -- National Judicial Data Grid

PIB-- Press Information Bureau

UPS--- Uninterrupted Power Supply

VPN-- Virtual Private Network

WAN --Wide Area Network

EXECUTIVE SUMMARY

The use of information and communications technology (ICT) is imperative to enhance the quality of justice, reduce congestion in courts and ensure timely disposal of cases. Several countries including Australia, Canada and Singapore have been successful in implementing ICTs in judiciary, and have noted encouraging outcomes. On its part, India envisioned and planned the eCourts project to modernise justice delivery through complete computerisation of the subordinate judiciary, automation of a wide range of judicial functions, and web-based interlinking of all courts.

The eCourts project is a Mission Mode Project (MMP), being implemented by the National Informatics Centre (NIC) under the National e-Governance Plan (NeGP). It was created with the objective of providing services to all key stakeholders through ICT enablement and enhancing judicial functioning. Under the project, a National Judicial Data Grid (NJDG) has been created to monitor pendency in the lower courts and to act as a case information repository.

However, no comprehensive assessment of the project and its implementation has been undertaken thus far, a gap this report seeks to fill. For instance, the project has been delayed at every stage, with nearly all identifiable stakeholders being culpable. This is evidenced by delays in obtaining approvals and budgetary sanctions, delays in sourcing material from vendors, and delays in ensuring timely delivery of services envisioned under the project. At the planning stage, policymakers seem to have encountered difficulties in accurately forecasting problem areas which affected the coordination of planned activities across stakeholder groups. Budgeting has also been a concern, as characterised by estimate revisions and progressive underspending. Other drivers of delay in the eCourts project, as identified in this report, are short-sighted policy formulation, inability to mitigate foreseeable risks, flawed resource allocation and failure in ensuring timely implementation due to lack of coordination amongst those responsible.

The report recommends that a comprehensive data collection and data gathering plan aligned directly with the objectives of the eCourts policy be immediately formulated to collect historical and granular data. It also suggests defining and strictly adhering to timelines, and supplementing it with policy documentation that sets out clear accountability and monitoring guidelines for stakeholders. It stresses the need to conduct regular, periodic and exhaustive policy analysis to assess if the policy has met its objectives. The report also recommends that a data privacy plan and post-operational maintenance plan be immediately conceptualised and put into place.

I. INTRODUCTION

For a country like India, modernisation of the judiciary is likely to help overcome its problems of a burgeoning backlog, increasing arrears, and unprecedented delays in the disposal of cases. For any justice system to remain effective, efficient and relevant, it must keep up with the demands of a modern society and continually reform its apparatus and modes of functioning. Modernisation of a judiciary includes the comprehensive computerisation of courts and digitisation of services.

Computerisation and digitisation of the judiciary in India has been undertaken under several schemes and projects since at least 1990. The eCourts project is the most recent, and arguably, the most ambitious, attempt to introduce ICT in the Indian judiciary. It seeks greater standardisation in judicial processing, progressive service delivery and process reform of judicial functioning based on empirical data. To understand the planning and implementation of the eCourts policy in present-day India, it is important to trace the background of computerisation of judicial activities in India.

In 1990, the National Informatics Centre (NIC), began the computerisation of Indian courts with the Supreme Court of India. Specially designed applications implemented under the COURTIS (Court Information System) project, enabled the computerisation of routine activities such as filing of cases, generation of cause lists and order sheets, and issuance of orders and judgements. For instance, JUDIS (Judgement Information System) provides the complete text of all reported judgements of the court, and COURTNIC makes pending case status information available to litigants and advocates.[1] NIC also initiated computerisation of High Courts along the same lines. The LOBIS (List of Business Information System) database digitally generates daily and weekly cause lists for High Courts, and provides up-to-date information about fresh, disposed and pending cases. It has, most notably, eliminated manual cause list generation and helped registries of High Courts streamline their activities.[2]

These early efforts at computerisation in the higher judiciary in India helped improved disposal rates and general efficiency.[3] In fact, through better "grouping" of cases involving the same question of law, arrears of cases at the Supreme Court reduced from 1,00,000 in 1990, to 57,000 in just four years.[4] These successes, however, have been restricted to the higher courts.

A conspicuous lack of comprehensive computerisation in district courts and subordinate courts due to failed or incomplete attempts has severely limited the benefits of ICT adoption in the Indian

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[1] S Narayan, *Documenting Reforms* (Macmillan in association with Observer Research Foundation 2006) 103

[2] K. Pandurangan, *E-Justice: Practical Guide for the Bench and the Bar* (Universal Law Pub Co. 2009) 93-94

[3] E-Committee - National Launch of the Computerisation of Courts, Speech delivered on 9th July, 2007 at Pg. 3 available at <http://www.supremecourtofindia.nic.in/speeches/speeches_2007/e-committee-vb.pdf> accessed on 25 May 2015

[4] S Shiva Ramu, *Cyberspace And The Repositioning Of Corporations* (Universities Press (India) Limited 1999) 264

judiciary as a whole. The eCourts project was designed to overcome this limitation with its particular focus on the lower courts.

This report seeks to undertake a comprehensive assessment of the trajectory of computerisation projects for the subordinate judiciary, particularly the eCourts project, by reviewing its progress from policy formulation to implementation. It highlights glaring errors observed in project planning of the eCourts project, continuing implementation issues, and identifies practical recommendations to make the project effective.

This report has undertaken an extensive study of all publicly-available official documents related to the project, and has extracted and analysed data from primary sources. It has also relied on the report on the evaluation of the eCourts project conducted by the National Council of Applied Economic Research (NCAER) in association with Department of Justice to draw some its conclusions.

This report is organised into eight chapters. The introductory chapter provides a brief background of the computerisation of judiciary in India. The second chapter begins by tracing previous attempts at computerisation of subordinate judiciary and then discusses the evolution, policy formulation and planning of the eCourts Integrated Mission Mode Project. This chapter also highlights some of the problems identifiable in the planning stage of the eCourts project. The third chapter studies the issues with budgeting for this project and its implications on implementation. The fourth chapter elaborates on the deployment of the project and highlight its successes and failures. Issues with monitoring of the policy thus far are discussed in the fifth chapter. The sixth chapter attempts a policy analysis of the eCourts project. The seventh chapter sets down concrete recommendations that can be implemented to enhance the working of the eCourts project, and is followed by the conclusion which is the eighth chapter. This report identifies short-sighted policy formulation, inconsistent resource allocation and budgeting, avoidable delays, and lack of coordination, as delay drivers and suggests avenues for improvement.

II. POLICY FORMULATION AND PLANNING

A. Early attempts at computerisation

In 1997, NIC first attempted the computerisation of all district courts on the same lines as the High Court computerisation project under a Centrally Sponsored Scheme, and failed.[5] The project had

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[5] E-Committee Supreme Court of India, 'Report On Strategic Plan for Implementation of Information and Communication Technology in Indian Judiciary' (11 May, 2005) 45 available at <http://www.indianjudiciary.nic.in/images/main.pdf> accessed on 23 May 2016. The NIC claimed that equipment such as machines, printers and cables were purchased and dispatched but there was no further progress. The failure of this project was broadly attributed to lack of leadership, will, resources and understanding of potentiality of ICT usage in the judiciary.

sought to streamline judicial administration, increase transparency and provide lower court judges access to legal databases.[6]

The next attempt to computerise a limited number of subordinate courts was carried out in two stages. The first stage covered 700 city courts in four metropolitan cities and the second stage covered an additional 900 courts in state capitals or in cities where High Courts are located.[7]

During 2001-2002, under the first phase of this project, a centrally-funded pilot for the computerisation of all city courts in the four metropolitan cities of Delhi, Mumbai, Chennai and Kolkata, was sanctioned by the Centre.[8] An amount of over Rs. 14 crores was released to the respective states governments between 2001-2003 to implement this project, which envisaged the setting up of central enquiry, facilitation and filing centres, generation of computerised cause lists, notices, and such other services.[9] Although this stage was originally estimated to cost Rs. 10.60 crore[10], it was reportedly completed at a significantly higher cost. The exact cost, however, remains unclear as a press release[11] and a response to an application filed under the Right to Information Act, 2005,[12] noted Rs. 18.22 crores spending on this stage while a Ministry of Law and Justice report noted that this stage was completed at a cost of Rs. 17.26 crores.[13]

In 2003-2004, under the second phase of the same project, the NIC undertook computerisation of city courts in the state capitals or in cities where High Courts were located, at an estimated cost of 24.81 crores.[14] The Fifteenth Report on Demands for Grants (2006-07) noted that 900 courts were covered under this programme, at a cost of Rs. 24.24 crores.[15]

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[6] K Pandurangan, *E-Justice: Practical Guide for the Bench and the Bar* (Universal Law Pub Co 2009), 102

[7] Sixth Report on Demands for Grants (2005-2006) of the Ministry of Law and Justice (2005), Parliament of India, Rajya Sabha, 20 April at Pg. 22, available at <https://emsnmp.files.wordpress.com/2015/05/demands-for-grants-2005-2006-of-the-ministry-of-law-and-justice-click-here-open-file2.pdf> accessed on 25 May 2016

[8] Press Information Bureau (20 June 2001), "New Plan Schemes for Networking of Supreme and High Courts with Department of Justice", Government of India, available at <http://pib.nic.in/archieve/lreleng/lyr2001/rjun2001/20062001/r200620013.html> accessed on 25 May 2016

[9] Press Information Bureau (22 November 2003), "CJI to Inaugurate Computerisation of Delhi Civil Courts", Government of India, Ministry of Law and Justice, available at < http://pib.nic.in/archive/releases98/lyr2003/rnov2003/22112003/r221120031.html> accessed on 25 May 2016

[10] New Plan Scheme (n 8)

[11] Press Information bureau (4 December 2006), "Increase in Posts of Judges", Government of India, Ministry of Law and Justice, available at <http://pib.nic.in/newsite/erelcontent.aspx?relid=22764> accessed on 25 May 2016

[12] RTI No.15011/27/2007-JUS(M), Ministry of Law and Justice, Government of India (January 2008) available < http://mha.nic.in/hindi/sites/upload_files/mhahindi/files/pdf/rti-J-08.pdf> accessed on 25 May 2016

[13] Sixth Report on Demands for Grants (2005-2006) of the Ministry of Law and Justice (2005), Parliament of India, Rajya Sabha, 20 April at Pg. 22, available at <https://emsnmp.files.wordpress.com/2015/05/demands-for-grants-2005-2006-of-the-ministry-of-law-and-justice-click-here-open-file2.pdf> accessed on 25 May 2016

[14] Increase in Posts of Judges (n 11)

[15] Fifteenth Report on Demands for Grants (2006-07) of the Ministry of Law and Justice, Parliament of India, Rajya Sabha, 22 May at Pg. 28, available at < https://emsnmp.files.wordpress.com/2015/05/demands-for-grants-2006-07-of-the-ministry-of-law-and-justice-click-here-open-file2.pdf> accessed on 25 May 2016
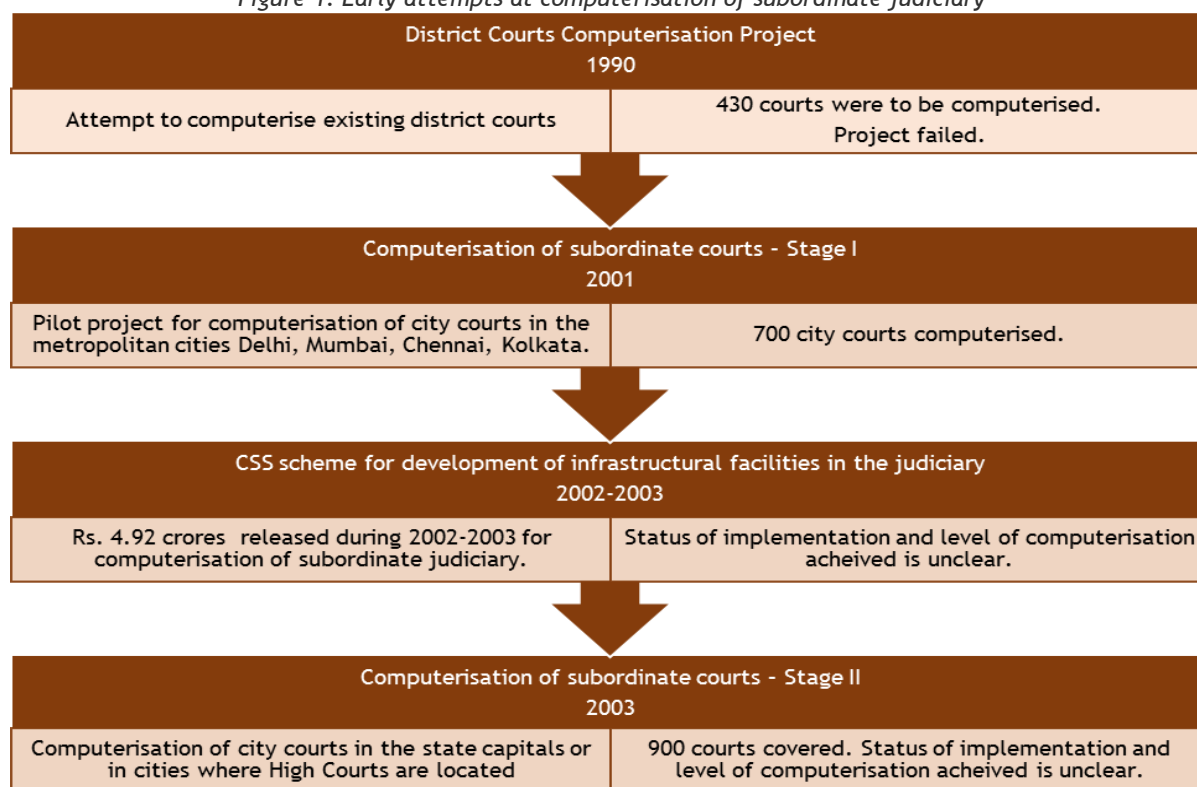
Besides this two-staged computerisation project, under a Centrally Sponsored Scheme (CSS) for the development of infrastructural facilities for the judiciary, funding for computerisation of subordinate courts was sanctioned in at least one budget, i.e., the 2002-2003 budget.[16] As information regarding these schemes is fragmented, the status of implementation of these projects and level of computerisation achieved in these courts is unclear. *Figure 1* provides a timeline and brief overview of the early attempts at computerisation of the lower judiciary.

The early attempts at computerisation of the subordinate judiciary saw multiple budgetary revisions and overlapping schemes for computerisation. The first ever computerisation project for the subordinate judiciary undertaken in 1997 failed due to lack of leadership, resources, will and non-cooperation with implementation efforts,[17] while the success of subsequent attempts are unclear. Further, the centrally sponsored scheme for development of infrastructure for judiciary generally covers construction of court buildings and residential accommodation for judges and judicial officers of High Courts and subordinate courts, but not computerisation of the courts. These revisions, irregular use of schemes, and lack of tracking of project progress demonstrates a lack of policy clarity and institutional coordination from the very beginning of computerisation efforts.

Figure 1: Early attempts at computerisation of subordinate judiciary

District Courts Computerisation Project 1990	
Attempt to computerise existing district courts	430 courts were to be computerised. Project failed.

Computerisation of subordinate courts - Stage I 2001	
Pilot project for computerisation of city courts in the metropolitan cities Delhi, Mumbai, Chennai, Kolkata.	700 city courts computerised.

CSS scheme for development of infrastructural facilities in the judiciary 2002-2003	
Rs. 4.92 crores released during 2002-2003 for computerisation of subordinate judiciary.	Status of implementation and level of computerisation acheived is unclear.

Computerisation of subordinate courts - Stage II 2003	
Computerisation of city courts in the state capitals or in cities where High Courts are located	900 courts covered. Status of implementation and level of computerisation acheived is unclear.

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[16] Press Information Bureau (29 November 2002), "Computerisation of Subordinate Courts", Government of India, Ministry of Law and Justice, The CSS for development of infrastructural facilities functioned on a 50:50 funding pattern with the Centre and the States contributing equally, until 2011-12, when the Government of India increased the Centre's share by revising the funding pattern to 75:25. See, 'Report of the Working Group for the Twelfth Five Year Plan', 15 available at < http://planningcommission.gov.in/aboutus/committee/wrkgrp12/wg_law.pdf> accessed on 25 May 2016
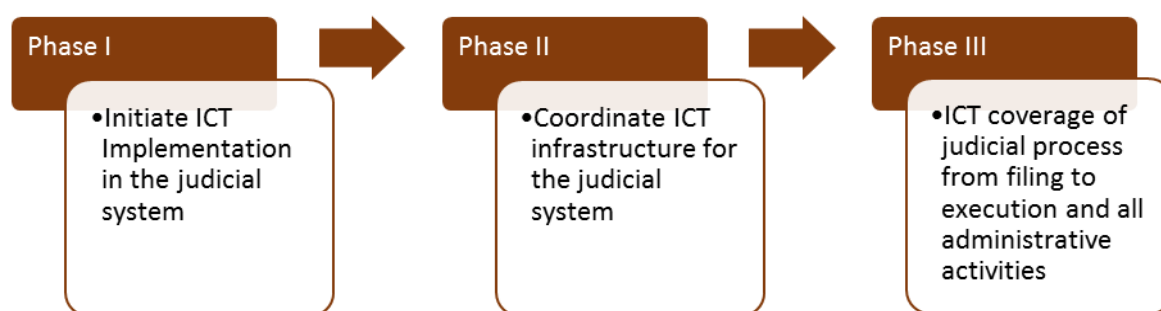
[17] Strategic Plan (n 5), 45

In light of these piecemeal attempts at computerisation of the lower judiciary, and an overwhelming realisation about the pressing need for modernising the courts, the eCourts project was conceptualised.

B. The eCourts policy

The genesis for the eCourts policy lies in the Chief Justice's Conference-2005, held on 4-5 September 2004, which endorsed a proposal made by the then Chief Justice of India, R.C. Lahoti, to establish an Information Technology and Judicial Reform Cell in the Supreme Court of India. Later, the joint Conference of Chief Ministers of States and Chief Justices of High Courts, on 18 September 2004 agreed, among other things, that the Central Government would take the lead in ensuring the full computerisation of all courts up to the level of district courts.[18] This role would include facilitating the use of technology such as video conferencing and digital signatures in courts, creating a database of pending cases for generating live statistics, preparing a strategic ICT-based plan to clear arrears, and securing the availability of information in a manner that was litigant-friendly.[19]

To follow up on this, the Supreme Court set up an 'E-Committee for Monitoring Use of Information Technology and Administrative Reforms in the Indian Judiciary', which on 11 May 2005, submitted a 'Strategic plan for implementation of information and communication technology in Indian judiciary' ('Strategic Plan'). Headed by Justice GC Bharuka, the E-Committee concluded that although the judiciary realised that ICT could help judicial processes, they lacked "a clear vision and a scientific action plan for meaningfully using the potentiality of ICT tools". The Strategic Plan recommended that a National Policy and an Action Plan be centrally devised, after discussions with all the High Courts, Central Government, State Governments and other knowledge and service providers.[20] Towards this, the Strategic Plan also suggested a three-phased implementation plan for incorporating ICTs into Indian courts (see Figure 2).

Figure 2: Phases of implementation of eCourts project

Phase I
- Initiate ICT Implementation in the judicial system

Phase II
- Coordinate ICT infrastructure for the judicial system

Phase III
- ICT coverage of judicial process from filing to execution and all administrative activities

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[18] Prior to this, several reports and recommendations by various bodies, had pointed out the need to streamline the use of ICTs to improve the performance of the Indian judiciary, notably the 124th Report of the Law Commission of India (1988), a report of the Indo-US Group Study (1996), a Report of the Indian Institute of Management, Bangalore prepared on a reference from the First National Judicial Pay Commission, Malimath Committee on Criminal Justice Reforms (2003), and the Final Report of the Asian Development Bank on India Administration of Justice Project (2004). Strategic Plan (n 5),1-2

[19] Strategic Plan (n 5), 2

[20] Letter from the Chairman forwarding the Report, Strategic Plan (n 5)

Soon after, the E-Committee held discussions to ascertain the existing status of technology, its applicability to court processes, pricing, implementation, scalability and such other details, with experts from several domains. Based on the inputs received, the E-Committee framed the 'National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian judiciary' ('Action Plan'). The E-Committee also recognised the need for an upheaval of the existing infrastructure in higher courts and accounted for the same at the eCourts policy formulation stage. The Action Plan acknowledged that until recently "the scope and purpose of using computers/ICT was not very clearly perceived or appreciated by the policy makers in the judiciary", and that although there was some progress (auto-preparation of cause lists, digital transcription of orders and judgements, and their publication online), there was no real advancement in achieving the "basic objectives of providing speedy, qualitative and cost-effective justice, reducing harassments and corruption or enhancing transparency and accountability".[21]

To realise this objective, the Action Plan retained the proposal enumerated in the Strategic Plan to implement ICT adoption in the judiciary in a phased manner. The first phase was designed to create digital infrastructure in the judiciary and implement customised software; the second sought to adapt judicial processes to the information age; and the final phase focused on the creation of an information gateway between the judiciary, public and government departments. The proposed activities across the three phases were detailed in the Action Plan (see Table 1).

Table 1: Proposed activities in 2005 Action Plan

| Proposed activities in Phases I-III of the eCourts project		
Phase I	**Phase II**	**Phase III**
1. Creation of computer room at all the court complexes with internet provisioning	1. Creation of ICT infrastructure for additional courts to be created during the project period as per the direction of the Supreme Court in All India Judges Association v Union of India, (2002) 4 SCC 247, pr. 25.	1. Use of advanced ICT tools, intensive training, warehousing and mining tool customisation to crystallise change management, biometric facilities. Gateway interface with other agencies.
2. Providing laptops to judicial officers and judges		
3. ICT training for the first year		2. Upgradation of centralised facility
4. System software (OS, RDBMS, office packages etc.)	2. Provisioning of video conferencing facility between undertrial prisoners and magistrate with video monitoring.	3. Digital archive of record room and digital library management system
5. Creation of centralised facility for system administration.		
6. Manpower development and retention cost	3. Installation of Wireless Internet facility system in the Supreme Court and High Court complexes.	
7. Upgradation of ICT Infrastructure in Supreme Court and High Courts (first year)	4. Infrastructure upgradation for centralised facility	
8. Project management consultancy, monitoring and change management	5. Manpower and training	
9. Extension of computer facility at	6. Upgradation of centralised	

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[21] E-Committee Supreme Court of India, "National Policy and Action Plan for Implementation of Information and Communication Technology in the India Judiciary (1st Aug, 2005) 5-6, available at <http://supremecourtofindia.nic.in/ecommittee/action-plan-ecourt.pdf> accessed on 25 May 2016

process places, judges chamber, court hall filing scrutiny section and certified copy section and computer room within the court complex.	facility 7.Digital archive of record room and library management system.	
10.Upgradation of ICT and power infrastructure		
11.Upgradation of centralised facility for system administration		
12.Upgradation of computer facility computer room and providing scanner at the computing facility.		
13.Manpower and Training Cost for the second year		
14.Upgradation of ICT infrastructure in Supreme Court and High Courts (2nd year)		
15.Project management consultancy, monitoring and change management.		

The Action Plan also estimated the break-up of the cost of the project, to be approximately Rs 854 crores, over three phases, and calculated that the entire project would take five years to conclude (see Figure 3).

Figure 3: E-Committee estimates of breakup of costs as provided in 2005 Action Plan

Supreme Court E-Committee estimates for the eCourts project (August 2005)
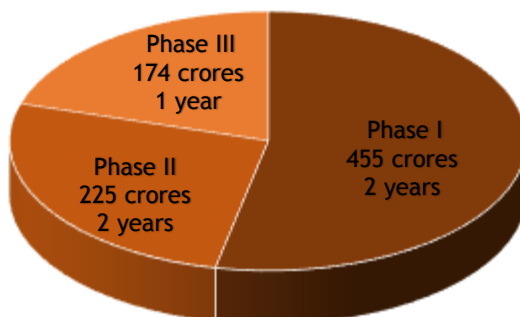
C. Preliminary evaluation of eCourts policy and project implementation

1. Phase I

(a) Budgetary revisions:

The first phase of the eCourts project was finally approved by the Cabinet Committee of Economic Affairs (CCEA) on 8 February 2007, with a budget of Rs 442 crore.[22] The budget for the phase was revised on 16 September 2010, to more than double the original budget, at Rs 935 crore.[23] By then the eCourts project had emerged as a 'mission mode project' (MMP)[24] under the National e-Governance Plan (NeGP)[25] and has since been co-opted as part of a four-pronged 'Technology for Justice' initiative that has been envisioned for India, comprising four pillars - ePolice, eProsecution, eCourts and ePrisons.[26]

A comparison of the two budgetary approvals for Phase I of the eCourts project made in 2007 and 2010 provides an insight into the intermediary stages of the eCourts policy planning process.

Table 2: CCEA approvals for Phase I

CCEA approvals for Phase I of the eCourts project in 2007 and 2010		
	2007 CCEA Approval	**2010 CCEA Approval**
Budget	Rs 442 crore	Rs 935 crore
Number of courts covered	13348 courts in 2100 court complexes	14249 courts in 3069 court complexes
Project deliverables	Provision for development of infrastructure including site preparation, hardware and software, imparting training to judicial officers and staff, development of LAN facility and other web-enabled applications.	Additional provision for Wide Area Network connectivity; data entry of pending cases; equipment for uninterrupted power supply for ICT infrastructure at the courts
Timelines	Intended to be completed in 2 years	Computerisation and ICT enablement of 12000 courts in 2100 court complexes to be completed by 31

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[22] Press Information Bureau (8 February 2007), "Computerisation of District and Subordinate Courts in the States and Union Territories", Government of India, Cabinet Committee on Economic Affairs (CCEA)

[23] Press Information Bureau (16 September 2010), "Revised cost estimates for implementation of Information & Communication Technology in the Indian judiciary as a Mission Mode Project 'E-court' under the National e-Governance Plan", Government of India, Cabinet Committee on Economic Affairs (CCEA)

[24] A 'Mission Mode Project' (MMP) focuses on a particular aspect of electronic governance (for example, e-courts, or land records). With the NeGP, MMPs have clearly defined objectives, scopes, and implementation timelines and milestones, as well as measurable outcomes and service levels. Under the NeGP, there are 31 mission mode projects (MMPs), which are classified as state (e.g., commercial taxes, e-Districts), central (e.g., banking, income tax, passport) or integrated (e-Courts, e-Procurement) projects. DeitY, 'Mission Mode Project'<http://www.deity.gov.in/content/mission-mode-projects> accessed 25 May 2016.

[25] The NeGP brings together e-Governance initiatives from across the country under a combined vision and cause, with the objective of bringing public services to citizens. The NeGP includes desiging, building and installing infrastructure that is accessible to the remotest villages in the country, and digitisation of records to enable easy, reliable access over the internet. DeitY, 'National e-Governance Plan' <http://deity.gov.in/content/national-e-governance-plan> accessed on 25 May 2016

[26] 'Digital India- Nation e-Governance Plan', (27 August 2014) available at <https://negp.gov.in/pdfs/DigitalIndia.pdf> accessed on 15 May 2016

		March 2012.
		Remaining 2249 courts in 969 court complexes to be fully computerised by 31st March, 2014*
		(*Later revised to 31 March 2015 [27])

Upon closer scrutiny of the approvals, the major issues that emerge are that of gross miscalculation in estimates regarding the cost of the project, project requirements and the timelines committed to for the implementation of the project.

In a period of three years, the budget for Phase I was recalculated to be more than double of what was originally estimated for that phase. Cost overruns are usually expected due to delays in implementation, but the revised budget for Phase I alone was more than the budget proposed for all the three phases.

(b) Project requirements and deliverables:

Project deliverables that were originally framed in 2007 did not reflect or include factors that would otherwise have been regarded as fundamental to any comprehensive computerisation project in India, such as digitisation of pending cases, and provisioning for uninterrupted power supply. The E-Committee of the Supreme Court observed in its Action Plan for Phase II, that the problem with data uploading and lack of delivery of online services online was due to the "lack of effective, stable and reliable WAN connectivity for the Courts," which had "assumed almost as much significance as availability of electricity for a system to work".[28] Clearly, these were learnings in the course of the implementation between 2007 and 2010, which led to these additions being made. However, these should reasonably have been anticipated and factored in the original plan itself.

(c) Adherence to project timelines:

The timelines for the implementation of the project have been repeatedly amended. For the first few years, it was persistently claimed that the first phase of the eCourts project would take only two years for implementation.[29] The project commenced only in 2007. Three years after the project actually commenced, in 2010, timelines for completion of Phase I alone were revised significantly. The eCourts portal was launched only on 7 August 2013. As a result, the lifetime of Phase I of the project has extended from its original two years to at least eight years, after which period also the full coverage appears to have not as yet been achieved (see also later discussion on

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[27] Department of Justice (2015), 'Government Sanction Order-Phase II of eCourts Mission Mode Project', F. No. 15018/3/2014-Jus-1I, Government of India, Ministry of Law and Justice, 4 August available at <http://supremecourtofindia.nic.in/ecommittee/Government%20Sanction%20Order%20-%20Phase%20II%20of%20eCourts%20Mission%20Mode%20Project.pdf> accessed on 23 May 2016

[28] E-Committee Supreme Court of India, 'Policy And Action Plan Document: Phase II Of The Ecourts Project' (8 Jan, 2014) 6, available at <http://supremecourtofindia.nic.in/ecommittee/PolicyActionPlanDocument-PhaseII-approved-08012014-indexed_Sign.pdf> accessed on 14 May 2016

[29] The 2005 Strategic Plan and the National Plan for Phase I delineated 2 years for completion of Phase I of the project. Further, even the 2010 CCEA approval earmarked only 2 years for computerisation and ICT enablement of courts in 2100 court complexes that were initially covered in the eCourts project.

implementation).[30] Considering the sheer number of courts covered under the project and the range of proposed activities, the original timeline of five years for the completion of the eCourts project was clearly overambitious. Every stage of the project, from design and procurement to initiation, required high-level multiagency cooperation and reasonable timelines for completion should have been set.

(d) Ensuing implementation issues:

As a consequence of timelines not being adhered to, the total courts to be covered under the project have had to be reassessed. According to the 2014 Action Plan for Phase II, new courts were being added periodically. The increased number of total courts to be covered was presumably to provide for these new courts[31] that continue to be added, further to the decision of the Supreme Court in *Brij Mohan Lal v. Union of India.*[32] This has thrown the implementation process into disarray, however, as some new courts were set up in existing court complexes that the eCourts project had already covered. The time lag between operationalisation and computerisation of these new courts has created situations where some courts in the court complex were still following manual processes, whereas the remaining courts in the same complex had been computerised.[33]

2. Phase II

(a) Budgetary revisions:

Figure 4: Original and revised estimates

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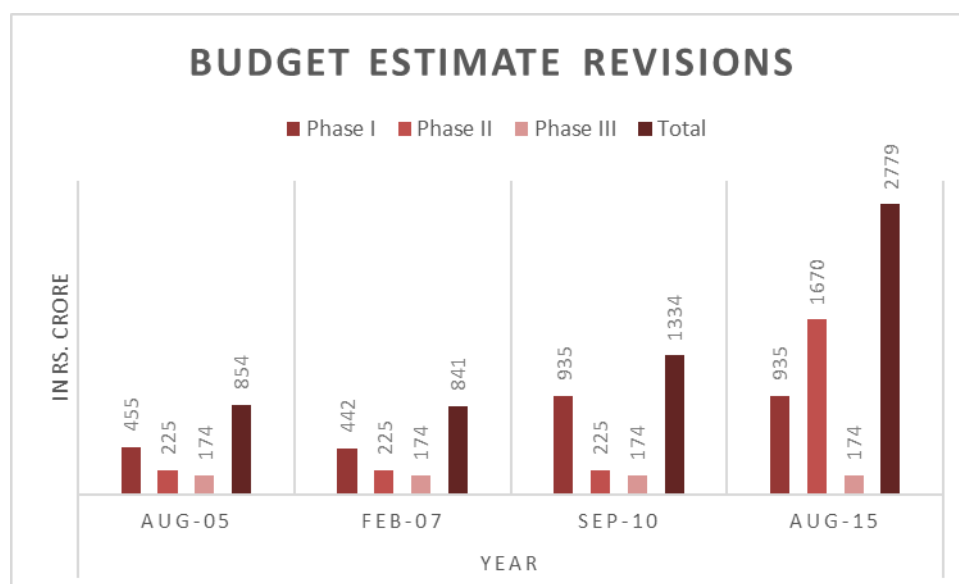
[30] As of 30 November 2015, a little over 93% of the mandated activities of Phase I of the eCourts Project had been completed. See, Press Information Bureau (10 December 2015), "E-Courts Mission Mode Project", Government of India, Cabinet Committee on Economic Affairs (CCEA),

[31] Action Plan Document: Phase II (n 28) 7-8

[32] [2012] 5 SCR 305. In this decision, the Supreme Court issued a directive to create additional positions in the subordinate judiciary of at least ten percent, along with a policy decision to double the existing strength of judges over the next five years.

[33] Action Plan Document: Phase II (n 28), Annexure 2-1, 3.

As Phase I was nearing completion, the plan for Phase II of the eCourts project was concluded by the E-Committee of the Supreme Court in January 2014. The plan was approved by the Government of India in August 2015 for a budget estimate of Rs. 1670 crores. This budget estimate, which is for Phase II only, is nearly double of the original budget estimate for the eCourts project over three phases (Rs. 854 crore) and also more than seven times the original budget estimate for the Phase II (Rs. 225 crore). This 2015 budget for Phase II is even higher than the revised 2010 budget for Phase I (see Figure 4). It is relevant to note that as per the original 2005 E-Committee plan, Phase II was to cost less than half of Phase I, presumably because most of the essential work was expected to have been concluded by Phase I itself.

(b) Project requirements and deliverables:

As Phase I neared completion, planned activities under Phase II of the eCourts project had also evolved significantly.

Table 3: Evolution of planned activities for Phase II

Activities planned for Phase II in the 2005 Strategic Plan and the National Policy	Activities planned for Phase II in the 2014 Policy and Action Plan
1. Video-conferencing between undertrial prisoners and magistrates with video monitoring. 2. Digital archiving, digitalisation of legal tools like case laws and statute laws 3. Inter-connectivity of law libraries 4. Wireless LAN connectivity 5. Larger deployment of computer systems and allied hardware. 6. Development and implementation of software for judicial and administrative processes in progressively identified sections/departments/activities/processes.	1. Video-conferencing for all courts and legal aid offices 2. Scanning/digitisation of case record, document management system for digital archiving/storage/retrieval 3. Court libraries computerisation 4. LAN implementation (and site preparation) fast tracked by decentralisation 5. Use of computers by all important sections of the Registry for day to day processes and service delivery 6. Unified Case Information System (CIS) for all Courts **Newer tasks:** 7. *Optimum automation of case workflow* 8. *Judicial performance assessment through ICT* 9. *Solar energy for power backup* 10. *Mobile based service delivery through SMS and Mobile Apps etc.* 11. *Judicial service centres to be used as Central Filing Center by equipping with sufficient infrastructure* 12. *Timely and regular updation of data on NJDG by all courts*

The scope of the activities planned for Phase II in 2005 had significantly enhanced by 2014 (listed 1-6 in Table 3), to include implementation in additional court complexes, upgradation of infrastructure based on evolving technological advancement and corrective implementation based on lessons learnt during the operationalisation of Phase I. For instance, provisioning of video conferencing is now planned for all courts and legal aid offices, as opposed to the facility initially being envisioned to provide video conferencing between undertrial prisoners and a magistrate. The 2014 Action Plan for Phase II had also included newer tasks such as workflow/process automation, comprehensive assessment of judicial performance through data generated by NJDG, discontinuation of manual registers and development of mobile based service delivery. The cabinet approval for Phase II of the eCourts project also confirm that these activities are being undertaken in this phase.[34]

While all of the proposed activities for Phase II (which is now required to also cover the remaining activities from Phase I) are essential components of the eCourts project, the automation of workflow and processes of judicial and administrative functions, and integration of all automated applications, is noteworthy as it is fundamental to the efficient functioning of the completed project. Newer tasks introduced into Phase II appear to fall under the activities planned for Phase III in the 2005 Strategic Plan and the approval for Phase II seems to suggest that the project will be complete at the end of Phase II itself. As there has been no mention of or reference to Phase III of the eCourts project since 2005, it is unclear whether this phase has been cancelled.

(c) Adherence to project timelines:

The 2014 Action Plan for Phase II outlined the project period for the phase to be three years with provisioning of additional support for sustenance after this period.[35] However, in August 2015, the budget approval document for Phase II of the project set the timeline for completion of the second phase of the project at "four years, or until the project is completed, whichever is later".[36] This is already greater than the duration of two years that was originally envisaged for the completion of the second phase. By indicating that the timeline for conclusion of the phase is when "the project is completed", it widens the timeline for implementation indefinitely, making it practically impossible to measure for accountability with regard to project implementation deadlines. Such a lack of policy clarity is shocking and unacceptable.

(d) Inability to mitigate perceived risks:

It is interesting to note that the E-Committee had anticipated a majority of the above described implementation issues and identified potential drivers of delay in its National Policy and Action Plan in August 2005 itself,[37] as shown in *Table 4*.

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[34] Press Information Bureau (16 July 2015), "Approval for Phase II of eCourts Mission Mode Project", Government of India, Union Cabinet available at <http://pib.nic.in/newsite/PrintRelease.aspx?relid=123318> accessed on 26 May 2016

[35] Action Plan Document: Phase II (n 28), 10

[36] Government Sanction Order (n 27)

[37] Strategic Plan (n 5), 28-30

Table 4: Delay drivers identified in 2005 Action Plan

Perceived risks and potential drivers of delays	Encountered in Phase I or II
Unavailability of pre-existing software seamlessly adaptable to justice delivery system	✓
Lack of dedicated in-house technical support	✓
Tendency of non-cooperation and/or obstruction by the functional staff and beneficiaries of the pre-existing system	Unclear
Delays in site preparation	✓
Delays in LAN implementation	✓
Delays in installation of hardware	✓
Cost overruns	✓

Despite having identified risks in advance as far back as in 2005, little seems have been done to mitigate these risks. To ensure timely initiation of activities and curb delays in Phase II of the project, the E-Committee recommended the adoption of a decentralised model for financial disbursement and procurement for this phase.[38] It is unlikely that this move will result in reduction of any implementation delays, as decentralisation merely transfers liability and accountability from the centre to the state. Ideally, the planning of Phase II should have accounted for a mitigation strategy to address potential risks.

(e) Ongoing issues with implementation:

The Action Plan for Phase II provided for extending Phase I, as a rollover or intermediate phase, to ensure completion of pending tasks and facilitate uninterrupted transition.[39] The commencement of Phase II was scheduled for 1 April 2014, and in the event of delay in approvals or commencement, Phase I activities would continue for an extended period of six months. During this intermediate phase, computerisation of an additional 1878 courts (setup after 2010 CCEA approvals) was planned and Phase II was scheduled to begin no later than October 2014.[40] Despite this, implementation of Phase II only commenced on 4 August 2015, over ten months after the expiry of the extension period. [41] Further, even by November 2015, only about 95% of the mandated activities of Phase I were reported as completed. It is clear that project planning of Phase II has failed to eliminate the time lags and implementation issues that were encountered during operationalisation of the first phase. As a result, there is no way to assess how this Phase II is being implemented.

Miscalculation of cost estimates and project requirements, and considerable timeline extensions for implementation have characterised both phases of the eCourts project planning. Implementation

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[38] Action Plan Document: Phase II (n 28), 12

[39] *Ibid*, Annexure 2-1, 1

[40] *Ibid*, Annexure 2-1, 2

[41] Press Information of India (10 December 2015), "E-Courts Mission Mode Project", Government of India, Ministry of Law and Justice available at <http://pib.nic.in/newsite/PrintRelease.aspx?relid=132954> accessed on 26 May 2016

and execution of the project components continues to be staggered and off schedule. These issues, identifiable on preliminary evaluation of the policy, have continued to influence the manner of implementation of the eCourts project and have been discussed in greater detail in the following sections.

III.IMPRECISION IN BUDGETING

Funds for the eCourts project, have been allocated in the Eleventh (2007-2012) and Twelfth Five Year Plans (2012-2017) for Rs. 740.60 crores and Rs. 1670 crores respectively. As discussed in the previous sections, the amount of the budget for the eCourts project has been repeatedly and drastically revised, thus indicating that policy-makers have failed to reasonably estimate the cost of such a project. Besides these revisions, budgeting for the eCourts project exposes other inexcusable imprecisions.

As discussed earlier, for Phase I of the eCourts project, i.e. the computerisation of 14,249 district and subordinate courts, and the upgradation of ICT infrastructure in the Supreme Court and the High Courts, the Cabinet Committee of Economic Affairs (CCEA) on 8 February 2007 approved a budget of Rs. 442 crores. By March 2014, the Government had approved the 2010 revised budget, of Rs. 935 crores.[42] According to an un-starred question answered by the Minister of Law and Justice in the Lok Sabha, Rs. 617.35 crores against the approved cost of Rs. 935 crores for Phase I of the eCourts project, had been released to NIC by 30 November 2015.[43]

Even though Phase II of the project was scheduled to commence by October 2014, it only received budget approval from the Union Cabinet in July 2015, nine months after the expiry of the extension period.[44] For Phase II of the project, an estimated budget of Rs. 1670 crore has been approved as per August 2015, for the next four years.[45] In this phase, the computerisation of 5,751 new courts is envisioned, in addition to enhancing the ICT infrastructure in 14,249 district and subordinate courts already computerised in Phase I. The Twelfth Five Year Plan provides for this phase, and expenditure is to be met out of the sanctioned budget under a grant from the Ministry of Law and Justice. The budgeting for Phase II incorporates a roll over component, to aid the completion of all pending objectives, targets and deliverables of Phase I, and ensure smooth transition.

A scrutiny of documents that outlining budgetary estimates, revisions and allocations,[46] parts of which have been reproduced in Tables 5 and 6, reveals some issues about the manner in which

[42] Ministry of Law and Justice (2010), 'eCourts Mission Mode Project – revision of cost estimates', No. J-15018/5/2010-JR available at <http://www.wbja.nic.in/wbja_adm/files/Notification%20on%20e-court%20Mission%20Mode%20Project.pdf> accessed on 23 May 2016

[43] Lok Sabha Unstarred Question No. 1846 (10 December 2015), 'eCourts Mission Mode Project', Government of India, Ministry of Law and Justice available at <http://doj.gov.in/sites/default/files/LS-Winter_Session-2015-Eng.pdf> accessed on 24 May 2016

[44] Approval for Phase II of eCourts Mission Mode Project (n 34)

[45] Action Plan Document: Phase II (n 28), 5

[46] Documents relied on to derive conclusions about budgeting for Phase I include, among others, Ministry of Law and Justice (September 2011), 'Report of the Working Group for the Twelfth Five Year Plan' available at <

budgeting for the eCourts project was carried out. Firstly, reporting of budgetary estimates and allocations for the eCourts project, by different ministries, is irregular and lacks uniformity. Discrepancies were noted in reporting of budget estimates, revised estimates and actual spending in different documents. This highlights a lack of coordination, cohesion and effective communication between different ministries regarding important budgetary particulars during the implementation of the project. Case in point, for the Financial Year 2013-14, three different documents report budget estimates and revisions differently (see Table 5).

Table 5: Anomalies in budget reporting

Document	Budget Estimate (Rs. Crores)	Revised Estimate (Rs. Crores)	Amount spent (Rs. Crores)
75th report for Demands for Grants (2015-2016) of the Ministry of Law and Justice[47]	118	77.58	38.73
Law Ministry document[48]	108	74.58	38.90
Grant No. 64 (Ministry of Law and Justice note) [49]	108.00	77.58	38. 89

Second, both actual allocation and requests for allocation have increased considerably over the years. This inability to budget appropriately is further evidenced by repeated and exponential revisions of the cost estimates of the project in both phases. Significant gaps exist in the proposed and actual expenditure for both phases, and actual spending has been much lower than original sanctioned provisions (see Table 5). Even as allocation has gone up, spending has come down. Uneven expenditure patterns and non-utilisation of funds in the eCourts project is evident at least since 2013-14.[50]

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http://planningcommission.gov.in/aboutus/committee/wrkgrp12/wg_law.pdf>; Press Information Bureau (2013), Computerisation of District and Sub-ordinate Courts, Government of India, 7 May; Demand No. 64, Notes on Demands for Grants, 2015-2016, Ministry of Law and Justice available at <http://www.indiabudget.nic.in/budget2015-2016/ub2015-16/eb/sbe64.pdf>; Demand No. 64, Notes on Demands for Grants, 2014-2015, Ministry of Law and Justice available at <http://indiabudget.nic.in/ub2014-15/eb/sbe64.pdf> accessed on 25 May 2016

[47] Seventy Fifth Report Demands for Grants (2015-2016) of the Ministry of Law and Justice, Rajya Sabha, Parliament of India, 72 available at <https://emsnmp.files.wordpress.com/2015/05/demands-for-grants-2015-2016-of-the-ministry-of-law-and-justice-click-here-open-file.pdf> accessed on 24 May 2016

[48] Available at < http://www.lawmin.nic.in/OB2014-15-e.pdf> accessed on 23 May 2016

[49] Demand No. 64, Notes on Demands for Grants, 2014-2015, Ministry of Law and Justice available at <http://indiabudget.nic.in/ub2014-15/eb/sbe64.pdf> accessed on 24 May 2016

[50] Seventy Fifth Report Demands for Grants (2015-2016) of the Ministry of Law and Justice, Rajya Sabha, Parliament of India, 72 available at <https://emsnmp.files.wordpress.com/2015/05/demands-for-grants-2015-2016-of-the-ministry-of-law-and-justice-click-here-open-file.pdf> accessed on 24 May 2016

This inability to spend sanctioned funds effectively can lead to stakeholders losing confidence in the project itself. More worryingly, if the eCourts project is not implemented in a time-bound manner, reduced spending will result in further reduction in allocation for the project. The policy and budgeting documents also reveal that the eCourts project is used confusingly to sometimes refer to and sometimes exclude a variety of different computerisation schemes for the judiciary. This makes the accurate tracking of budgetary allocations and revisions challenging.

Table 6: Reduction in allocation and underspending of funds

Computerisation of district and subordinate courts	Budget Estimate (Rs. Crore)	Revised Estimate (Rs. Crore)	Actual Expenditure (Rs. Crore)
2013-14[51]	108.00	77.58	38. 89
2014-15[52]	58.00	29.87	-
2015-16[53]	2.00	-	-
2016-17[54]	286.00	-	0.00 up to 31.05.2016

Besides the allocation for Phase II of the eCourts project, the Department of Justice also submitted a memorandum to the 14th Finance Commission, 2014, for special provisioning for the justice sector. While the total amount requested for was Rs 9,749 crore, two sub-proposals were related to the eCourts project for a total of Rs 1,232.18 crore, as follows: [55]

1. Augmenting technical support for ICT enabled courts (1600 professionals required to provide support to ICT enabled courts in the country) - Rs 479.68 crore
2. Scanning and digitalisation of case records of High Courts and District Courts - Rs 752.50 crore. This includes:
   a. Scanning and digitalisation of case records of pending and disposed cases
   b. Output file format of the digitised file will be PDF/A or its advanced versions with features like water-marking and digital signatures to ensure authenticity of the digitalised repositories

The Finance Commission noted that the proposal merited favourable consideration, but instead of allocating provisioning directly, and in line with the overall tenor of its report, urged state governments to use the additional fiscal space provided by the tax devolution proposed by the

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[51] Demand No. 64 2014-2015 (n 49)

[52] Demand No. 64, Notes on Demands for Grants, 2015-2016, Ministry of Law and Justice available at <http://www.indiabudget.nic.in/budget2015-2016/ub2015-16/eb/sbe64.pdf> accessed on 24 May 2016

[53] *Ibid*

[54] Statement of Budget Estimates, 2016-2017, Ministry of law and Justice available at < http://doj.gov.in/sites/default/files/sbe-2016-17.pdf> accessed on 24 May 2016

[55] Proposal of Department of Justice to the 14th Finance Commission (2015) 9-10 available at <http://doj.gov.in/sites/default/files/Proposal-14th-Finance-Commission_0.pdf> accessed on 26 May 2016

Commission to meet these requirements.[56] Interestingly, in 2014, the Action Plan for Phase II had included both these activities and proposed separate budgeting for both. However, the Expenditure Finance Committee (EFC) did not agree to this proposal at the time and the approval order for eCourts Phase II does not reflect these two components or budget for them.[57] As technical manpower requirement for effective implementation of the project and digitalisation of case records are indispensable to the eCourts projects, non-approval of the same by EFC and subsequent dilution of the proposal by the 14th Finance Commission is likely to severely impact the implementation of the project.

IV. DEPLOYMENT OF THE ECOURTS PROJECT

Phase I of the e-Courts Project covers 14,249 district and subordinate courts, and was scheduled to end in 2014. All sources[58] corroborate that this phase is largely complete, though some modules remain unfinished. The main successes and failures of the project are discussed below.

A. Successes

According to NIC, as of 1 March 2016, two modules are complete and three are nearly complete (see Table 7).[59]

Table 7: Status update of implementation

S No	Module/Task	Implementation status (number of courts)	Implementation status (percentage)
1	Sites funded	14249	100%
2	Sites readiness	14249	100%
3	Hardware installation	13436	94.29%
4	LAN installation	13683	96.02%
5	Software deployment	13672	95.95%

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[56] Memorandum of the Department of Justice, 14th Finance Commission of the Justice Sector (2015) 2-3 available at <http://doj.gov.in/sites/default/files/Memo-Justice-Sector.pdf> accessed on 26 May 2016

[57] Government sanction order (n 27)

[58] 'Status of Completion eCourts Integrated Mission Mode Project' (1 March 2016), Department of Justice, Government of India available at <http://doj.gov.in/sites/default/files/Status-of-eCourts-Project-as-on-1.03.16.pdf> accessed on 23 May

[59] Brief on eCourts Project- Phase I and Phase II (1 March 2016), Department of Justice, 2 available at <http://doj.gov.in/sites/default/files/Brief%20on%20eCourts%20Project.pdf > accessed on 15 May 2016

Additionally, according to the NIC:[60]

1. Laptops have been provided to 14,309 judicial officers.

2. The e-Courts portal is operational online and provides details of case registration, cause list, case status, daily orders and final judgments. Litigants can access case status information for over 5.5 crore pending and decided cases, and over 1.93 crore orders/judgments passed by district and subordinate courts.

3. Over 14,000 judicial officers have been trained to use UBUNTU-Linux OS and over 4000 court staff have been trained to use CIS.

4. Video-conferencing pilots in 500 courts and corresponding jails, spread out over five districts, have been completed.

An independent study commissioned by the DOJ and conducted by the National Council of Applied Economic Research (NCAER) in 2015 attempted to assess the impact of the eCourts project. It did so by studying different parameters across five High Courts selected to represent different geographical regions in India, a total of 100 court complexes comprising 20 court complexes each under each of the selected High Courts and 300 districts and subordinate courts and covered 1,936 respondents at the High Court and district/subordinate court levels. The study collected data from six broad categories of respondents: central project coordinators, judicial officers, court officials, lawyers and litigants, NIC and vendors, and reported its findings on benefits, successes and challenges for the eCourts.[61]

The NCAER study largely confirms NIC's conclusions, and enumerates certain prominent success of the eCourts project as follows:[62]

1. Enablement of electronic monitoring of court-wise case pendency and other key monitoring parameters.
2. Faster disposal of cases and reduction in pendency noted with greater control over management of cases.
3. Simplification of daily operational activities by allowing stakeholders access to electronic judicial services online and providing access to information through the internet.
4. Efficient and effective service delivery in consonance with access to justice for all, ensuring fast and fair trials likely to be achieved on successful completion of the project.

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[60] *Ibid*, 2-3

[61] National Council of Applied Economic Research, "Evaluation Study of eCourts Integrated Mission Mode Project", (New Delhi, 2015) XV1 available at <http://doj.gov.in/sites/default/files/userfiles/Report-of-Evaluation-eCourts.pdf> accessed on 18 May 2016

[62] *Ibid,* 7

Other factors assessed in the NCAER study also highlights the success of the eCourts policy (see Table 8).

Table 8: Successes of eCourts project highlighted in NCAER study

Awareness	85% of judicial officials, 90% of court officials and 95% of lawyers were aware of the e-Courts project
Training	Nearly 80% of judicial officials and 60% of court officials had received basic IT training.
Software quality	80% of judicial officers and the majority of court officials were satisfied with the CIS software, its transparency of information, the monitoring of court activities and the availability of information from the appellate court.
Satisfaction	Nearly all respondents said that computerisation increased effectiveness by reducing pendency and the time taken to file motions etc. by substantial orders of magnitude

Further, policy planning for Phase II has sufficiently recognised technological advancements and proposed the adoption of cloud computing for the eCourts project, in line with other eGovernance projects.[63] The E-Committee has provisioned for a National Level Cloud at National Data Centre as a disaster recovery and backup resource.[64] The Action Plan for Phase II has also provided for environmentally friendly, renewable energy alternatives, such as solar power, to be used for power backup.[65]

B. Failures

Even as Phase I of the eCourts project has largely been implemented, it is still behind schedule in under 10% of the target courts. Lack of forethought in planning and delays in implementation have emerged as two of the project's key failures. Moreover, the NCAER report, the only study of its scale to have solicited responses from lawyers, litigants, judicial and court officers, found that the degree of usage and satisfaction with the eCourts project varies considerably.

1. Lack of data on High Court websites

One of the project's deliverables was making case details available online, including cause lists, case status, daily orders and final judgments. The project ultimately aims to do so for all courts but the vast number of district and subordinate courts in the country make that an understandably long-term goal. What is particularly concerning, however, is that this has not yet been achieved even for High Courts which is the designated implementing agency for subordinate courts under

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[63] Action Plan Document: Phase II (n 28), 41.

[64] *Ibid,* 15.

[65] *Ibid,* 44.

their jurisdiction. A preliminary comparison of basic case details on 24 High Court websites,[66] can be seen in Table 9.

Table 9: Case detail availability on websites of High Courts

Detail	Available to some extent (however incomplete) in	Fully available or functional in	Unavailable	Notes
Case type, no. and year	-	22	2	-
Dates of filing; next & last listing	-	18	6	Although the columns are present for each case, some were not filled with the dates.
All orders passed up to date	1	15	8	-
Cause list with advance and daily list	6	16	2	Either advance lists are not available for many, or they are available on a central platform which is often incomplete or inaccessible. Certain websites had links but they were not functional.
No. of cases filed, disposed and pending per month	6	4	14	Some are either under construction, inaccessible, not mentioned explicitly or partial.
Display board of which case is being called out in court	-	13	11	Some are listed in the websites but the links are broken.
Judgments delivered	4	18	2	Some are either inaccessible due to software or captcha issues, or issues with the central platform. Some websites are updated only for a certain period of time.

The availability of basic case details on High Court websites is crucial for the eCourts project, and its aims of reducing pendency, streamlining case proceedings and so on. While scattered data on these parameters is available in many more High Courts, the percentage of High Courts that are functional fully is low. A detailed breakup of the availability of eCourts services on High Courts website has been appended as Annexure I of this report.

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[66] Case detail availability checked on the websites of High Courts of High Courts of Allahabad, Bombay, Calcutta, Chhattisgarh, Delhi, Gauhati, Gujarat, Hyderabad, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Madras, Manipur, Meghalaya, Odisha, Patna, Punjab and Haryana, Rajasthan, Sikkim, Tripura, Uttarakhand on 27 May 2016

There is also lack of clarity on the inclusion of High Courts in the eCourts project. Upgradation of ICT infrastructure of the High Courts was planned and separately budgeted for, to ensure it was compatible with the infrastructure at new ICT enabled courts at the lower level. Upgradation of ICT infrastructure at the Supreme Court and High Courts was an activity approved for implementation under Phase I of the eCourts project.[67] Project progress reports and other policy documents, however, are inconsistent in accounting for such ICT upgradation and in monitoring the progress of this deliverable.

2. Short-sighted policy planning

The four pillars of the Technology for Justice Initiative (a sub-project of e-Kranti head of Digital India project),[68] namely ePolice, eProsecution, eCourts and ePrisons projects, have not as yet been linked with each other, although there is scope to do so in the future. To maximise the benefits of ICT adoption in all aspects of governance, reconciling data across police, prisons, and courtrooms' databases; automating processing of bail and other applications can easily be realised. However, until 2014, there were no indications by way of policy proposals laying out the manner in which these linkages were be made. The Action Plan for Phase II merely provides for the design and deployment of systems and software, in a manner that ensures "smooth interoperability with Police, Jails, FSL etc.", i.e., other components of justice delivery system.[69] Establishing these linkages across the Technology for Justice initiative early in the policy process is especially important, as it is likely to involve coordination at the bureaucratic level between the Ministry of Home Affairs and Ministry of Law and Justice, as well as at the institutional level between police stations, prisons and courts. More importantly, the manner in which data is collected, generated and maintained, must facilitate cost-effective and functional interoperability.

3. Discontent with available infrastructure

According to the NCAER study, the availability of infrastructure, comprising hardware, LAN, DG set, UPS, internet connectivity and CIS software, ranges from 59% to 99%.[70] While key components of infrastructure were available in 90% of the lower courts, videoconferencing was only available in 59% of the locations surveyed by NCAER. [71] Further, only 15% of judicial officials and around 60% of court officials were satisfied with the infrastructure available, and expressed varying levels of dissatisfaction with the infrastructure. According to the NCAER study, officials also reported several technical difficulties with the CIS: reports could not be customised; cases could not be updated in bulk; dormant files were not shown; double entry cases could not be deleted nor case types

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[67] Action Plan Document: Phase II (n 28), Annexure-1-I

[68] EKranthi- Electronic Delivery of services, available at <http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 29 May 2016

[69] Action Plan Document: Phase II (n 28), 87

[70] NCAER (n 61), 140

[71] NCAER (n 61), 140

modified; the software was not available in local languages and special characters could not be used.[72] They also noted a lack of adequate training and skilled operators to use the software. In addition, lawyers also reported that often the portals they use are not updated regularly.[73] Many courts also face specific issues that do not show up in broad data categories; for instance, in several instances, no UPS has been provided or a VPN set-up was incompatible with the operating system.[74] Further, non-payment of telephone bills has resulted in disconnection of internet in in several subordinate courts, [75] limiting access to some of the eCourts services.

4. Lack of awareness

The NCAER study further reveals there was poor awareness amongst lawyers and litigants, the main target groups of the e-courts project. Only 48% of litigants are aware of the eCourts project, and a mere 17% had heard of the eCourts national portal.[76] While 66% of lawyers use the Judicial Service Centres located in court campuses which provide information about cases, only 6% use the online eCourts national portal, either because they have not heard about it or because they neither own nor know how to use a computer.[77]

5. Privacy and data security concerns

Some service products of the eCourts project, such as the national portal, are designed to host big data in a highly accessible manner in order to leverage speedy access to case information so that justice delivery is efficient, and time and cost effective. These comprise sensitive case information and litigant data, the electronic storing and transmission of which fuels suitable security and privacy concerns. Despite the risks and vulnerabilities associated with computerisation and digitisation, very little attention seems to have been paid to data security concerns. The Action Plan for Phase I makes a few passing, insubstantial references regarding the need for data security measures. But no concrete policy measures were laid down to protect the data uploaded on web-based, Internet-enabled applications. Similarly, the Action Plan for Phase II vaguely mentions secure connectivity and authentication mechanisms, but fails to identify and delineate tangible measures to secure data protection.

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[72] NCAER (n 61), 141

[73] NCAER (n 61), 142

[74] NCAER (n 61), 141-142

[75] K.S.Sudhi, Cash crunch hits subordinate courts (The Hindu, June 9, 2016) available at < http://www.thehindu.com/todays-paper/tp-national/tp-kerala/cash-crunch-hits-subordinate-courts/article8707866.ece> accessed on 29 May 2016

[76] *Ibid,* 142

[77] *Ibid*

V.MONITORING OF THE ECOURTS PROJECT

Phase I of the eCourts project implementation consisted of a certain sequence of tasks/modules to achieve computerisation.[78] Annual targets were associated with each module and these were monitored by the Department of Justice and NIC on a monthly basis. The NIC has made available a limited number of progress reports for the project, and monthly reports are available for the period December 2007 to March 2008, and from August 2010 to November 2013.[79] A detailed tabular analysis of the reports from August 2010 to November 2013 is provided as Annexure II.

The NIC progress reports follow different formats of reporting, at different stages of the project. The early reports, from December 2007 to March 2008, are between two to four pages long, and contain an assessment of the project deliverables, approximate timelines within which these deliverables are to be achieved, and an assessment of the infrastructure status in various High Courts and subordinate courts.

Following a gap in reporting between April 2008 and July 2010, the monthly reports resume from August 2010, but in significantly different format from what was provided in 2007-08. This next set of reports is lengthier, and in more detail, but the number of pages of the report varies, ranging from an 8-page update to a 31-page one. These reports offer an update on project status for each High Court and its subordinate courts, as well as the issues being faced by each set of courts.

For instance, there is an update about the orders issued for hardware and related components, software deployment and technical manpower. Issues and action points relating to site preparation, cost estimates, installation requirements are provided. A bar graph containing aggregate details about the courts is provided for each set of courts, with both numerical and percentage indicators, showing the total number of courts, and the number/percentage of courts in which each task/module has been completed. Likewise, a similar snapshot view by way of a bar graph of the all-India status of the project has also been made available.

From November 2010, there are country-wide aggregate statistics about the targets for each module, the status (number and percentage), and increment. A separate bar graph is provided for both courts as well as court-complexes. A consolidation of issues and responsibilities divided by stakeholders in each High Court is also present and the stakeholders are identified as the Judiciary (the Central Project Coordinator of the High Court), the Vendor (State coordinator), and the NIC (State coordinator).

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[78] Funding for site preparation, site preparation, site survey and LAN survey, issuance of LAN purchase orders, LAN delivery and LAN installation, issuance of hardware purchase orders, hardware delivery and hardware installation, funding for DG sets, DG Set procurement, software deployment, training of court staff on deployed application software, data entry and initiation of services delivery.

[79] Project Monitoring Website for eCourts Mission Mode Project <http://ecourts.nic.in/admin1/proj_doc.htm> accessed on 30 May 2016

This reporting of division of responsibility changed once again in July 2011. From here on, there is a disaggregation by module, responsibility, priority and issue description. The information pertaining to module and priority is entirely new. These reports average about 30 pages each, with the total number of issues identified being mostly over 200, and occasionally, over 300 in number.

From March 2012, the aggregate statistics on status of implementation is divided into district and taluka courts. However, issue-wise reporting abruptly ends in January 2013, and the report length is reduced to a four-page document in which a bar graph status update of progress all over the country is provided.

Figure 5: Reporting format and frequency
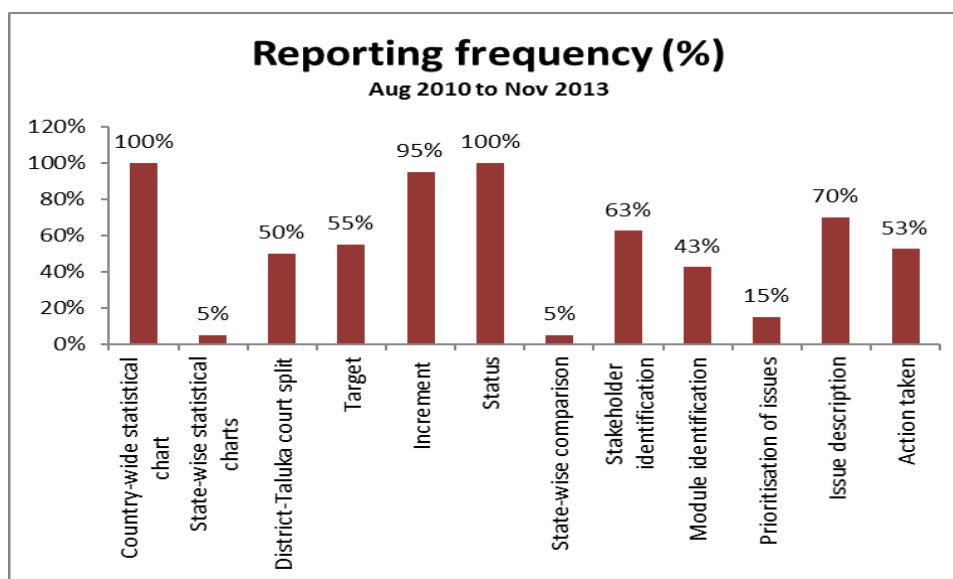
Besides the changes in the reporting formats, the reports also abruptly recalibrate target thresholds. This is because as per the approval of the Expenditure Finance Committee, 14,249 sites were to be computerised by March 2014, of which 12,000 were to be computerised by March 2012. Thus, targets and implementation status aggregates changed mid-way to adjust to this revised number.

Understanding reporting formats is essential to understand the manner in which a project's progress was measured internally. Frequent changes in reporting standards and formats make it extremely challenging to clearly understand the milestones achieved by the eCourts project, and the dates on which they were achieved.

To understand milestones, at best, one can rely upon the aggregate numbers periodically reported by the Department of Justice. For example, a status update of the implementation of the project as on 1 March 2016 regarding site funding, readiness, hardware and LAN installation etc was provided by the Department of Justice.[80] However, status updates are not provided about two

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[80] Brief on eCourts Project (n 59)

critical modules, i.e., training of court staff on deployed application software and data entry and initiation of services delivery.

For the purpose of this report, a robust analysis of the data collated from the NIC progress reports was undertaken to identify the stakeholder responsible for the maximum bottlenecks across each court, every month. This was done by identifying calculable tasks entrusted to each of the stakeholders, i.e., judiciary, NIC and vendors in order to assess which of the stakeholders were faster in completing tasks and which of them took longer. This assessment was attempted for each stakeholder groups for twenty courts[81] and across each month. This identification is crucial to ensuring speedy completion of tasks/modules through the introduction of pointed policy solutions aimed at easing task stagnation with the stakeholders.

Figure 6: Tasks across stakeholders
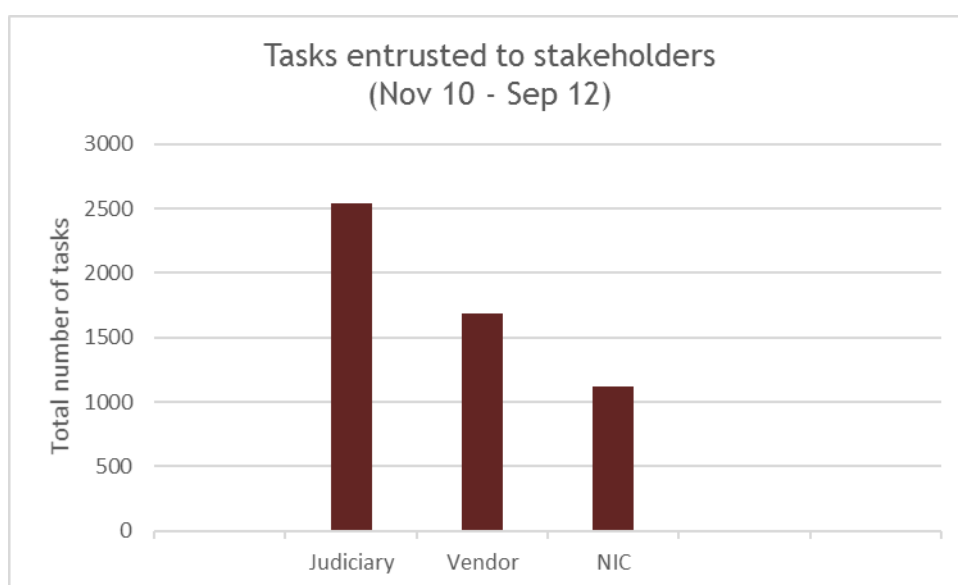
The total tasks pending with the judiciary, across all High Courts appears to be significantly greater than the total number of tasks pending with either the NIC or the vendors, and NIC appears to maintain the lowest number of pending tasks. However, the information made available through progress reports is insufficient to accurately identify the greatest driver of delay. This is because the progress reports provide no clarity on the exact manner of devolution of tasks that involve several stakeholders, and the information regarding the tasks in the progress report is too fragmented to make this assessment independently.

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[81] High Courts of Allahabad, Bombay, Calcutta, Chhattisgarh, Gauhati, Gujarat, Hyderabad, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Madras, Odisha, Patna, Punjab and Haryana, Rajasthan, Shimla, Sikkim, Uttarakhand.

VI.ANALYSIS OF THE ECOURTS POLICY

Policy literature offers many analytical frameworks to examine and assess public policies. One such framework, a six-dimensional analysis of combination of the effects and implementation of a policy[82] was found most suitable for analysing the eCourts policy. This framework allowed us to identify several indicators in context of the eCourts policy that could be assessed for a comprehensive policy analysis. Some of these identified factors could not be assessed due to the lack of adequate data necessary to make such inferences. The implementing agency ought to have ideally undertaken policy analysis concurrently with implementation to record intermediate effects of the policy. However, even as Phase I is near complete, no policy analysis of the project has been undertaken.

Figure 7: Policy analysis framework

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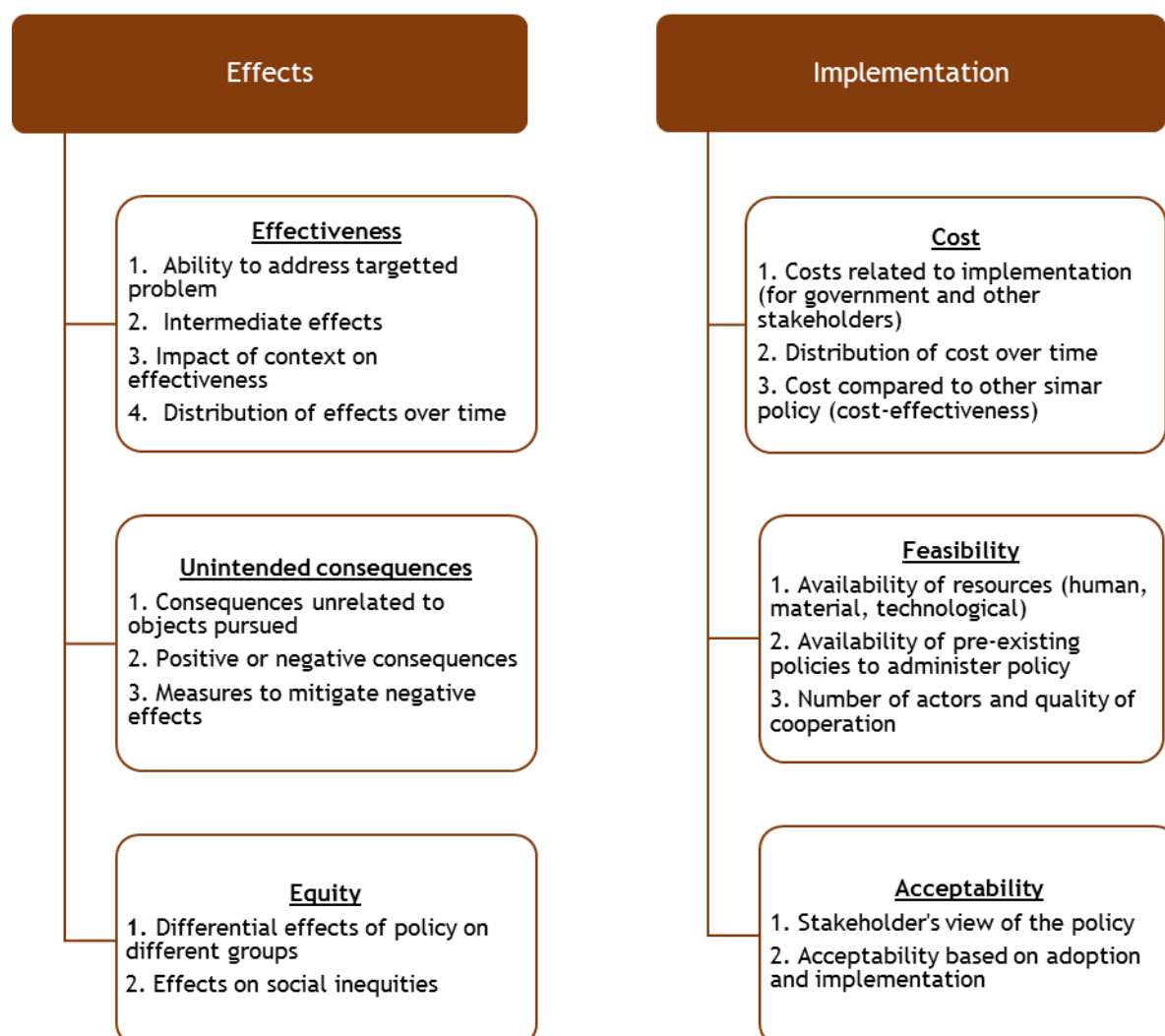
[82] National Collaborating Centre for Healthy Public Policy ,'A Framework for Analyzing Public Policies: Practical Guide' (2012) available at <http://www.ncchpp.ca/docs/Guide_framework_analyzing_policies_En.pdf> accessed on 23 May 2016

A. Effects of the policy

1. Effectiveness

At the stage of designing the eCourts policy, it was acknowledged that the core problem of the judicial system was its failure to provide speedy and affordable justice. The eCourts system was clearly designed with the intent to address this problem and its effectiveness must be measured on these parameters.

Disaggregating "speedy justice" is a complex exercise, and is admittedly a contextual assessment. Some intermediate effects of the policy such as the computerisation and automation of services such as filing of cases, issue of check slips, caveat checking, scrutiny check of plaints, preparation of summons, updating of daily orders, preparation of cause list, preparation of court diaries, transcription of evidence, warrants and notice generation, preparation and delivery of decree and issue of copy of judgement and order have already been observed. The impact of context on effectiveness of the project, the policy's success in addressing all targeted problem/s and the distribution of effects over time, however, can only be accurately assessed after the entire project is completed.

Further, in the absence of an empirical study on the cost savings afforded by this project to litigants and failure in capturing differential effects of the project on people from different economic strata, the idea that eCourts project facilitates affordable justice is only a theoretical abstraction.

2. Unintended effects

(a) Increased computer literacy

A necessary precondition for effective implementation of the eCourts policy was 'computer literacy' on the part of the various stakeholders, beginning with the court staff and judges; lawyers; and eventually, litigants and the public at large. Even as computer literacy was necessary for implementation, an imposed eCourts policy may also have compelled stakeholders to become 'computer literate' in order to be able to effectively use the system.

(b) Creation of peripheral services

The data made available as a result of the eCourts policy, i.e., electronic cause lists; dates of hearing; copies of orders and judgements, etc., has spawned an entire community of peripheral services and service providers. These include software providers who offer case management applications to lawyers and litigants, which can be programmed to generate personalised causelists, provide automatic reminders about hearings, and share information about case status or orders, and so on. At least 18 such applications, which are linked to the eCourts data portal, and provide access to a range of services including cause lists, display boards and notices, for a number of High

Courts and District Courts, are available for download on Google Playstore alone. The number of people using these case management applications, however, is dismally small as evidenced by the low number of installs for these applications (see Table 10). Only one application noted installs in the range of 10,000- 50,000 while several others displayed downloads in the range of 1-100, both of which are negligible fractions of the number of litigants and lawyers (the target audience). A detailed table containing the names of these mobile applications, their functions, number of installs and the courts covered under each app is provided as Annexure III.

Table 10: Number of installs

Number of Installs	Applications
0-100	3
100-500	5
500-5000	7
Above 5000	3

(c) Independent assessment of judicial performance

The publicly-available data recorded on the National Judicial Data Grid is an indispensable statistical source that independent empirical research can rely on to evaluate the functioning of the courts. Without a centralised repository that records such data, it would be difficult and time-consuming to access such data from all High Courts.

3. Equity

In the absence of adequate data to assess the differential effects of the eCourts policy on various groups, defined by parameters such as age, gender, socio-economic levels, literacy levels and so on, it is difficult to assess whether the eCourts policy is equitable or if the policy has perversely facilitated a trade-off between equity and speed of disposal of cases.

B. Implementation of the policy

1. Cost

An assessment of cost savings for lawyers and litigants is not easily obtainable. However, court officials have noted that computerisation of judicial activities, specifically the automatic consolidation of data on the server and storage on database, has led to an observable reduction in stationery and communication costs in a majority of courts.[83] The NCAER study noted that over 45%

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[83] NCAER report (n 61), 74

of lawyers have also observed cost savings after the introduction of computerisation and more than 40% of litigants said that computerisation promoted cost-effective justice.[84]

2. Feasibility

(a)Availability of resources

For the effective implementation and utilisation of services under the eCourts project, the continuous availability of trained and competent manpower is crucial. Judicial officers and court officers were extensively trained in Phase I of the project and their continued training is provided for in the Action Plan for Phase II. The installation of the infrastructure and software was carried out by trained technical experts. However, anecdotal evidence suggests that there is a lack of adequate manpower to provide technical support, upkeep and maintenance. The implementation of the project and execution of its component deliverables has often been stalled by the unavailability of manpower, material and technological resources. The pressing need for capacity building in terms of human resource was also mentioned in the NCAER study.[85] In recognition of this need, the Action Plan for Phase II has delineated the manner in which technical manpower requirement will be ascertained and laid down the role of the E-Committee in setting the minimum standards and qualifications for their hiring, and funds disbursement.[86]

After a careful assessment of the implementation issues faced in Phase I of the project, implementation of Phase II was decentralised and the responsibility vested with individual High Courts.[87] These High Courts will now have greater flexibility in procurement and directly engage with local vendors, in a bid to curb delays. In addition to decentralisation, the responsibility for post-operational maintenance was to be vested with state governments.[88] Therefore, permanent technical manpower is to be recruited and funded by the respective State Governments which is also responsible for annual maintenance contracts of hardware equipment, software tweaks, power supply system, data and power cablings, and the periodical training of Judges and court staff. This reduces financial burden on the Centre and may enable functional feasibility.

(b) Cooperation of stakeholders during transition

According to the NCAER study, while 45% of court officials observed a decrease in workload following computerisation, a sizeable percentage of workers claimed deterioration and expressed displeasure with the distribution of work. The NCAER report speculates that worker displeasure regarding altered distribution of work can be attributed to the demands of technical assistance

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[84] *Ibid,* 109

[85] NCAER report (n 61), 65

[86] Action Plan Document: Phase II (n 28), 80-82.

[87] *Ibid,* 10.

[88] Action Plan (n 61), 27

from these untrained court officials. Further, the recruitment of new technical professionals to support, maintain and accelerate the computerisation procedure could fuel job insecurity among court officials. However, there is little to indicate that court officials are either refusing cooperation or actively disrupting the transition from manual to electronic mode of working. In fact, judicial officers suggest the discontinuation of simultaneous manual and computerised modes, and insist on the eventual removal of manual processes.[89] Regardless, in courts that still employ dual mode of working for certain activities, manual mode of service delivery was clearly preferred over electronic mode.[90] Some High Courts even experienced non-cooperation from vendors,[91] which resulted in significant delays in implementation.

In addition to these factors, the possibility of employing existing mechanisms for the deployment of the eCourts policy and the extent to which policy makers are driving feasibility should have been examined to gain a holistic understanding of how feasible achieving objectives of the eCourts project, is.

3. Acceptability

(a) Hits on eCourt website

The eCourts National portal was launched in August 2013, and by January 2014, it was recording over 10 lakh hits per day as per information provided by National eTransactions portal.[92] The portal showcases the National Judicial Data Grid (NJDG) which provides easy access to case status, causelists, orders and judgments. Over 8000 courts were already active on the NJDG and data of over 2.5 crore pending and disposed cases was available on it by January 2014.[93] By September 2015, a majority of cases of district judiciary under all the High Courts of the country except Madhya Pradesh and Delhi, had been uploaded on NJDG and made accessible.[94] An exponential growth of hits on the eCourts National Portal and corresponding use of eTransactions was noted. Since the launch of the portal, over 2.2 crore eTransactions, which includes the services of case status, causelist generation, cases filed and registered, have been conducted.[95] Based on this data, it is possible to conclude with certainty that the portal is being used for varied purposes, which demonstrates a certain level of acceptability of the results of the project among the target population.

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[89] NCAER report (n 61), 39

[90] *Ibid*, 50

[91] *Ibid,* 130

[92] Action Plan Document: Phase II (n 28), 3

[93] Action Plan Document: Phase II (n 28), 3

[94] 'Portal giving info on nation-wide pending cases launched' (The Times of India, 19 September 2015), < http://timesofindia.indiatimes.com/india/Portal-giving-info-on-nation-wide-pending-cases-launched/articleshow/49027906.cms> accessed on 23 May 2016

[95] Action Plan Document: Phase II (n 28), 3

VII. RECOMMENDATIONS

1. Better data capture

The public access portal of the National Judicial Data Grid (NJDG) currently disseminates national, state, district and court-wise information about case filing and disposal of cases in lower courts on a monthly basis. It also separately provides data and details of pending cases by senior citizens and women. The NJDG is a dynamic database, which seeks to offer a snapshot view of the case pendency status in India. However, it is equally important to assess the working of the eCourts policy and differential effects of the implementation of the policy on various types of litigants. In order to do so, the NJDG must start capturing data related to cases under various parameters such as age, socio-economic categories and literacy levels. Such granular data is critically important to assess whether the policy is equitable in its approach, especially where the percentage of our population that is digitally literate is only around 6.5%. If the data and analysis reveal that the eCourts policy has not met its stated objectives, the policy must be adjusted accordingly.

What must be done: Put in place a comprehensive data collection and data gathering plan aligned directly with the objectives of the eCourts policy. Conduct a regular, periodic and exhaustive policy analysis exercise to understand if the policy has met its objectives. Adjust the policy to meet its objectives (mid-course correction).

2. Fixed timelines and accurate budgeting

The timeline for the implementation for Phase II of the eCourts project was originally estimated to be three years in the Action Plan. However, it was abruptly expanded at the budget approval stage to "four years or until the project is completed, whichever is later". No explanations appear to have been provided for extending this period. Such vague timelines for completion are extremely problematic and impossible to monitor. It also becomes difficult for stakeholders, such as litigants and lawyers, to have any certainty as to the eventual implementation of the project. An inability to implement the project in a time-bound manner or spend the allocated budget, as has been the case with the eCourts policy so far, will also result in reduction of future allocations for the project and severely affect its implementation. Timelines must be treated with sanctity. The implementation of Phase II must be strictly required to be completed within four years, with no scope for indefinite widening of timeline. Future sub-projects and phases must be similarly tied to defined timelines, accompanied with clear accountability and monitoring mechanisms.

What must be done: Define and strictly adhere to timelines, accompanied with clear accountability and monitoring, by way of policy documentation, and/or guidelines for stakeholders (e.g., judiciary, NIC, vendors). Future policy documentation must provide this information clearly.

3. Post-operational maintenance

In order to ensure continuation and longevity of ICT applications, the maintenance of hardware, the availability of technical manpower for support, and a periodic upgradation of obsolete software is imperative. Continued training for judges, judicial officers and court officers is equally indispensable, and the manner in which these will be ensured must be planned concurrently with implementation. Additionally, newer courts and court complexes will continue to be added even after the completion of the project period, and scaling of the eCourts policy must be planned to cover these courts, as and when they are instituted. The Expenditure Finance Committee (EFC) had strongly pressed for the responsibility of post-operational maintenance to be vested with State Governments before the initiation of Phase I of the project. This idea, among others, should be deliberated to assess its suitability. Further, training of judges must be innovatively designed to include online training modules to ensure greater standardisation of the same.

What must be done: Have a clear decentralised legacy, maintenance, and upgradation plan for software, hardware and related infrastructure. Design and impart regular training courses for judges and court staff on using these systems. Courses should optimise the use of virtual teaching tools to maximise reach.

4. Data privacy

In keeping with expected standards and global practices of processing of personal data, the eCourts policy must be supplemented by data privacy rules that sets out the manner in which data gathered, processed and stored by the eCourts project will be used.

What must be done: Have clear rules on data privacy, which must include consequences of data breach, infringement of privacy, etc.

5. Seamless implementation of technology for justice initiative

Policy clarity is required to ensure data flow between all four Technology for Justice Initiative projects (eCourts, ePolice, eProsecution, ePrisons). This must be done at the earliest to guarantee that the benefits of ICT adoption can be maximised by integrating data across these databases, and ensuring interoperability and compatibility with other components of justice delivery system.

What must be done: Design a coordination mechanism to ensure that the Technology for Justice Initiative is interoperable, compatible, functional and useful, which might require designing joint guidelines for the four projects under this initiative.

VIII.CONCLUSION

This assessment of the eCourts project from policy formulation to implementation sought to evaluate all aspects of the attempt to computerise the subordinate judiciary, and web-based interlinking of the entire judiciary. ICTs have the power to transform the justice system, as evidenced by the automation of activities such as case filing, scrutiny, registration, case allocation, court diaries, calculation of court fees, issue of certified copies of orders and judgements and their publication online. However, the progress made in the eCourts project has been slow, considering the time taken to achieve this level of computerisation, and the pending activities that remain to be completed still.

The computerisation of subordinate judiciary was first undertaken in 1997, and close to two decades later, the lower judiciary is yet to be completely computerised and interlinked. While the first phase of the project is nearly complete, the second underway although tremendously delayed, the third phase is yet to be deliberated on and a concrete plan evolved. The eCourts project was initiated with the two-fold objective of providing services to all key stakeholders through ICT enablement and enhancing judicial productivity to make justice delivery affordable, accessible and accountable. Only the first of these has observably been achieved.

The implementation of this project has been marred by delays caused by multiple stakeholders. The delays could have been prevented with better policy forecasting and coordination of activities within and across all stakeholder groups. The predominant drivers of delay in the eCourts project identified in this report are short-sighted policy formulation, inability to mitigate foreseen risks, flawed resource allocation, delays in funding approvals, no timely implementation, and lack of coordination in implementation. Failure in budgeting appropriately for the project, characterised by several cost estimate revisions and subsequent underspending of allocated funds, is also particularly striking.

Despite these concerns, the use of ICTs is essential for the overburdened judiciary in India, to modernise service delivery and streamline judicial processing. On completion, the eCourts project has the potential to fundamentally transform justice delivery and enhance the quality of access to justice afforded to all. Therefore, it is critical for policymakers to overhaul the eCourts policy and the manner of its implementation. Ensuring timely implementation of Phase II of the project and resourceful planning for the future that reflects the vision and aspirations of the ambitious eCourts project in an achievable manner is of paramount importance. Additionally, the manner in which the judiciary must undertake post-operational maintenance, and periodic technology upgradation must also be laid down to ensure longevity of the effects of project.

Annexure I : Availability of case details on HC websites

High Courts	Case Detail						
	Case type, no. and year	Dates of filing; next & last listing	All orders passed up to date	Cause list with advance and daily list	No. of cases filed, disposed and pending per month	Display board of which case is being called out in court	Judgments delivered
Allahabad	✓	✓	✓	✓	✓	✓	✓
Bombay	✓	✓	✓	✓	✓	✓	✓
Calcutta	✓	✓	✓	✓	✗	✗	✓
Chhattisgarh	✓		✓	✓	✗	✗	
Delhi	✓	✓	✓	✓	✗	✓	✓
Gauhati	✓	✓	✗	✓	✗	✗	✓
Gujarat	✓	✓	✓	✓	✗	✓	✓
Hyderabad	✓	✓	✗	✓	✗	✓	✓
Himachal Pradesh	✓	✓	✓	✓	✓	✓	✓
Jammu and Kashmir	✓	✓	✗	✓	✗	✗	✓
Jharkhand	✓	✓	✓	✓	✗	✓	✓
Karnataka	✓	✓	✗	✓	✗	✓	✓
Kerala	✓	✓	✗	✓	✗	✗	✓
Madhya Pradesh	✓	✓	✗	✗	✗	✗	✗
Madras	✓	✓	✓	✗	✗	✓	✓
Manipur	✓	✗	✗	✓	✗	✗	✓
Meghalaya	✗	✗	✓	✓	✓	✗	✗
Odisha	✓	✓	✓	✓	✓	✗	✓
Patna	✓	✓	✓	✓	✗	✓	✓
Punjab and Haryana	✓	✗	✓	✓	✗	✓	✓
Rajasthan	✓	✓	✗	✓	✗	✓	✓
Sikkim	✗	✗	✓	✓	✓	✗	✓
Tripura	✓	✗	✓	✓	✓	✗	✓
Uttarakhand	✓	✓	✓	✓	✗	✓	✓

Annexure II: Analysis of NIC progress reports[96]

	Length of report (pages)	Country-wide statistical chart	State-wise statistical charts	District-Taluka court split	Target	Increment	Status	State-wise comparison	Stakeholder identification	Module identification	Prioritisation of issues	Issue description	Action taken
Aug-10	31	✓	✓	X	✓	X	✓	✓	X	X	X	✓	✓
Sep-10	25	✓	✓	X	✓	X	✓	X	X	X	X	✓	✓
Oct-10	8	✓	X	X	✓	✓	✓	✓	X	X	X	✓	X
Nov-10	8	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Dec-10	10	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Jan-11	12	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Feb-11	13	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Mar-11	16	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Apr-11	15	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
May-11	15	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Jun-11	15	✓	X	X	✓	✓	✓	X	✓	X	X	✓	X
Jul-11	26	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Aug-11	30	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Sep-11	34	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Oct-11	36	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Nov-11	33	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Dec-11	36	✓	X	X	✓	✓	✓	X	✓	✓	✓	✓	✓
Jan-12	54	✓	X	X	✓	✓	✓	X	✓	✓	X	✓	✓
Feb-12	44	✓	X	X	✓	✓	✓	X	✓	✓	X	✓	✓
Mar-12	42	✓	X	X	✓	✓	✓	X	✓	✓	X	✓	✓
Apr-12	41	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
May-12	61	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
Jun-12	50	✓	X	✓	✓	✓	✓	X	✓	✓	X	✓	✓
Jul-12	53	✓	X	✓	✓	✓	✓	X	✓	✓	X	✓	✓
Aug-12	38	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
Sep-12	43	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
Oct-12	42	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
Nov-12	6	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Dec-12	50	✓	X	✓	X	✓	✓	X	✓	✓	X	✓	✓
Jan-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Feb-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Mar-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Apr-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
May-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Jun-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Jul-13	4	✓	X	✓	X	✓	✓	✓	X	X	X	X	X
Aug-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Sep-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Oct-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Nov-13	4	✓	X	✓	X	✓	✓	X	X	X	X	X	X

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[96] eCourts Status Reports, Project Monitoring Website for e-Courts Mission Mode Project, NIC, available at <http://ecourts.nic.in/admin1/proj_doc.htm> accessed on 29 May 2016

Annexure III: Mobile applications and HCs covered

S. No.	App Name and Developer	App Functions	No. of Installs	HCs Covered
1	Ideal Causelist for high court - Viselar Ventures	Access & search of cause lists, display board, notices	10,000 - 50,000	Bangalore Bench Court Bombay High Court Bombay High Court - Aurangabad Bombay High Court - Nagpur Calcutta High Court Delhi High Court Dharwad Bench Court Gulbarga Bench Court High Court of Allahabad * High Court of Allahabad - Lucknow Bench * High Court of Gujarat High Court of Judicature at Hyderabad High Court of Madhya Pradesh- Jabalpur High Court of Madhya Pradesh-Indore High Court of Madhya Pradesh - Gwalior High Court of Punjab and Haryana - Chandigarh Himachal Pradesh High Court Kerala High Court Madras High Court Madurai Bench High Court Orissa High Court - Cuttack Patna High Court Rajasthan High Court - Jaipur - Rajasthan High Court - Jodhpur
2	Indian High Court Case Status - Thorsignia	Users can inquire into the case details that are filed in high courts by just selecting their respective states and entering case numbers.	5,000 - 10,000	All
3	e Court India - dragonbytes	Access to case status and cause list.	100 - 500	District Court High Court Supreme Court
4	e-Courts - Satish Chandran	Access to case status and cause list.	1,000 - 5,000	Supreme Court High Courts District and Taluka Courts of India.
5	Indian Courts Causelists - Uneha ICT	Access to cause lists.	1,000 - 5,000	Supreme Court and 18 High Courts
6	SCS - High Court Causelist - MR Softwares	Access to display board and cause lists.	5,000 - 10,000	Bombay High Court, Aurangabad High Court, Nagpur High Court, Jaipur High Court, Jodhpur high Court, Andhra Pradesh High Court, Calcutta High Court, Jabalpur High Court, Indore High Court,

				Gwalior High Court, Delhi High Court, Gujarat High Court, Madras High Court
7	VAKIL Cause List & Display Board - Zooke Technologies	Access to display board and cause lists.	1,000 - 5,000	Supreme of Court of India Delhi High Court Punjab and Harayana High Court Rajasthan Jodhpurs Court Rajasthan Jaipur Court Chhattisgarh High Court Orissa High Court Allahabad High Court Allahabad Lucknow Bench High Court Patna High Court Bombay High Court Bombay - Aurangabad High Court Bombay - Nagpur High Court
8	Legalme - District Court - 945 signals	Access to cause list and case status.	1,000 - 5,000	District Courts of Tamil Nadu
9	Legalme - Supreme Court - 945 signals	Access to cause list and case status.	100 - 500	Supreme Court
10	TheLawAssist - RIMUS Technologies	Generates daily cause list.	1 - 5	Insufficient information
11	District Courts - NIC-TAPHC	Access to case status.	1,000 - 5,000	District Subordinate Courts
12	Himachal High Court CaseStatus - National Informatics Centre, Himachal Pradesh	Access to case status.	500 - 1,000	Himachal Pradesh High Court
13	e Court Maharashtra Judiciary -dragonbytes	Access to case status.	100 - 500	District Court List: Ahmednagar, Akola Amravati Aurangabad Beed Bhandara Buldhana Chandrapur Dhule Gadchiroli Gondia Hingoli Jalgaon Jalna Kolhapur Latur Nagpur Nanded Nandurbar Nashik Osmanabad Parbhani Pune Raigad Ratnagiri Sangli Satara

				Sindhudurg
				Solapur
				Thane
				Wardha
				Washim
				Yavatmal
14	e Court Tamil Nadu - dragonbytes	Access to case status	50 - 100	District Court List: Ariyalur Chennai Coimbatore Cuddalore Dharmapuri Dindigul Erode Kanchipuram Kanyakumari Karur Krishnagiri Madurai Nagapattinam Namakkal Perambalur Pudukkottai Ramanathapuram Salem Sivaganga Thanjavur The Nilgiris Theni Thoothukudi Tiruchirappalli Tirunelveli Tiruppur Tiruvallur Tiruvannamalai Tiruvarur Vellore Viluppuram Virudhunagar
15	Highcourt of Judicature at Hyderabad - NICTAPHC	Access to case status and display boards.	500-1000	High Court of Judicature at Hyderabad
16	TrenAdvoc Cause List- Advocates - Trenmax Software Solutions	Access to cause list.	100-500	Links to nic.causelist.in
17	CoLawyer App - CoAssistant Technlogies LLP	Access to cause list.	50-100	Jaipur High Court
18	Tarik - Nocturnals	Access to cause list.	100-500	-

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