

IT IN JUDICIARY*

In these days of advancing technology when the globe is shrinking,

we cannot afford to remain isolated. We have to move. If we do not update, we are outdated. We have to move collectively with a common goal and concerted effort. Those who are behind must follow the footsteps of those who are ahead and those who are leading owe a duty to those who are lagging behind to take them along with them. This Workshop has familiarized all of us with the activities going on in different High Courts towards introduction of IT in Judiciary. However, the efforts are isolated and fragmented. A combined and synchronized effort is needed to achieve the ultimate goal of interlinking the entire judicial system and its components in the country. The spread of the network has to be from the apex institution to the litigants situated in far fetched corners of the country. The Supreme Court of India, as a premier institution of the country, has taken the lead. The object of this Workshop has been to bring all the High Courts of country to a common meeting place, where IT potentials and judicial requirements can learn each other and to let one High Court know what the other is doing. I hope we have succeeded in achieving this object. The participants and all the High Courts of the country are grateful to Hon'ble the Chief Justice of India for the keen interest which His Lordship has taken but for whose involvement and encouragement this Workshop would not have been a success. I must convey to My Lord the Chief Justice of India, on behalf of all the participants, that they are beholden to Your Lordship!

Certain contemporaneous events needs to be noticed. The latest issue of 'India Today' carries a write up on the expectations of peoples of this country from judiciary. 'The Hindu' of 20th November carries a lead article contributed by Mr. Vishwanathan, Member Secretary, Law Commission of India, which gives a new insight into the causes of arrears. We must think over these. The Judges traditionally are reserved and conservative. In the traditional justice delivery system, the Judge is a passive spectator and makes an active contribution only when it comes to the hearing of arguments and giving the decision. The modern concept is: the Judge has to be on the front seat, wielding the steering or holding the reigns of litigation and playing active role from day one till the end. Our attack on problem of arrears has to be two-pronged. Firstly, we cannot check the inflow of cases but we can find out additional outlets which lay in alternative dispute resolution system which we have to innovate and apply. Personally I feel convinced, that over and above Arbitration and Lok Adalats, Mediation and Conciliation are going to be the order of justice administration system of tomorrow. Secondly, we have to increase our efficiency by resorting to use of science and technology for which we shall have to first exert to learn, equip ourselves and then deliver a better service to the society.

The most common problem faced by all the High Courts is the financial crunch. The budgeting is most neglected subject in all the High Courts. We should learn from the examples of Delhi and Gujarat High Courts and consciously prepare the budgets which will

partly take care of our financial needs. The announcement by the Govt. of India of its very ambitious plan for introduction of IT in Judiciary with substantial funds, which coincided with the inauguration of this Workshop is a welcome omen. We are very happy that My Lord Justice V.N. Khare has agreed to shoulder the responsibilities of heading the high level committee appointed by the Govt. of India in consultation with the Chief Justice of India which has to give its report in two months. His Lordship Mr. Justice Khare believes in – ‘less said and more done’. Our hopes are riveted on Hon’ble Justice Pattanaik, the Chief Justice of India, and his senior most colleague Hon’ble Justice V.N. Khare.

In any august institution, continuity of programmes brings success and adds luster to the institution. The High Courts of the country have high hopes, as I have been able to sense during these days, from the Supreme Court of India to give a lead. The Supreme Court of India is the only institution which can play a strategic role in infusing and giving meaning to concerted action of all the High Courts, i.e. the Indian Judiciary as a whole, for marching ahead together. It shall have to be the torch-bearer. We are all very thankful to Hon’ble Justice V.N. Khare for being present amongst us and delivering the valedictory address.

We are thankful to all those persons and institutions who have contributed to the success of this Workshop.

I am also thankful to brother Judges who inspite of being busy with several prefixed appointments for the weekend other than burying their heads into the SLPs fixed for Monday, yet found time for encouraging this Workshop so much as they could.

On behalf of the Committee, I express my grateful thanks to IIIT Allahabad, Dr. Agarwala and his team. I also request him to convey our sincere thanks to the Director, Dr. M.D. Tiwari and also convey that we wish him a very early recovery. He has suffered a slip disk and, we are informed, he is bed ridden. We have missed him at the Workshop. I would also like to thank in particular the young boys and girls from IIIT Allahabad who have acted as instructors and also invigilators and told us that age is no bar to learning.

I would also thank our Registrar General, Mr. Bhadoo, Registrar, Mr. Cheema and his team for working over time till late in the evening and early in the morning for the requisite arrangements.

The spirit that has been ignited in this Workshop must be kept a burning desire. I request, on behalf of Hon’ble the Chief Justice of India and Justice V.N. Khare, to all the Chief Justices to carry the message of this workshop in their respective High Courts and continue to act. IIIT Allahabad has assured to extend its helping hand to all the High Courts and they are prepared to organize such like Workshops even on a larger scale in the High Courts. You have to plan how to make best use of them. They have extended their hand. We have to hold and shake it.

Hon’ble the Chief Justice of India requested the Chief Justices to be accompanied by one Judge of the High Court for participation in this Workshop. Here, I would sound a note of caution through an anecdote.. A large commercial establishment installed a computer to take care of its activities. All concerned were surprised at the wonders which the computer was doing in solving their problems and increasing their performance. Soon it was found that the performance of the computer was going down. The experts advised that the computer was over burdened. So they installed a bigger computer. The bigger computer displayed its performance but shortly afterwards the performance once again started sinking. Experts

conducted a study. The report was – “the bigger computer was more intelligent and transferring all its job to the smaller computer”. I request the Hon’ble Chief Justices of different High Courts not to be bigger computers. I am confident they would continue to be leaders and give guidance to their colleagues for moving in right direction.

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* Valedictory speech delivered on 24th November, 2002 at the workshop of High Courts for IT in Judiciary organised by Chief Justice of India.