

कार्यालय- प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.)

पृष्ठांकन क्रं/.....4564/2024

उज्जैन, दिनांक 08 MAY 2024

प्रतिलिपि - समस्त न्यायाधीशगण जिला मुख्यालय एवं तहसील न्यायालय की ओर माननीय रजिस्ट्री के ज्ञापन क्रं. Reg(IT)(SA)/2024/599, जबलपुर, दिनांक 01.05.2024 की छायाप्रति प्रकरणों की सुनवाई हेतु वीडियो कॉन्फ्रेंसिंग का व्यापक उपयोग किये जाने सूचनार्थ एवं पालनार्थ प्रेषित।

संलग्न - उपरोक्तानुसार.


वास्त-प्रधान जिला एवं सत्र न्यायाधीश
उज्जैन जिला उज्जैन.



HIGH COURT OF MADHYA PRADESH

PRINCIPAL SEAT – JABALPUR

No. Reg(IT)(SA)/2024/599

Jabalpur, Dated:-01/05/2024

:: MEMO::

To,

urgent

JSA

21/5/24

The Principal District and Sessions Judge,
All District and Sessions Courts in the State of M.P.
District - _____

Sub: Regarding the usage of video conferencing for hearing for extensive use of e-filing and e-payments.

Ref: E-mail dated: 23.02.2024 and letter dated: 20.02.2024 of Shri Arjun Ram Meghwal, I.A.S. (Retd.) Minister of State for Parliamentary Affairs and Culture Govt of India.

As directed, under the subject cited and with reference to above, it is to inform that Hon'ble Chief Justice vide order dated: 22.04.2024 has been pleased to direct you to take up the matter regarding the extensive use of video conferencing for hearing of cases through video conferencing, use of e-filing and e-payments at District and Tehsil Courts in the State of Madhya Pradesh.

[Signature]
01/05/2024
(F.H. QAZI)
SPSA(SA)

Encl: As Above

02 MAY 2024
6442

Fwd: Encouraging use of hearing of court cases through Video Conferencing-Madhya Pradesh

From : Registrar General High Court of Madhya Pradesh
<rg.mphc@indiancourts.nic.in>

Fri, Feb 23, 2024 06:19 PM

2 attachments

Subject : Fwd: Encouraging use of hearing of court cases through Video Conferencing-Madhya Pradesh

To : usdey15@gmail.com, Registrar IT High Court Jabalpur
<Regithcjb@mp.gov.in>, fasahatqazi@rediffmail.com

From: "Office of JS(eCourts)" <js.ecourts-doj@gov.in>
To: "Registrar General High Court of Madhya Pradesh" <rg.mphc@indiancourts.nic.in>
Cc: "Pravash Prashun Pandey" <pravash.panday2@gov.in>, "ASHOK KUMAR" <dir-ecourts-doj@gov.in>, "Suresh Mahan" <suresh.mahan@gov.in>, "Priyanka Bhadana" <priyanka.bhadana@govcontractor.in>, "CPC MP High Court" <cpc-mp@aij.gov.in>
Sent: Friday, February 23, 2024 4:53:51 PM
Subject: Encouraging use of hearing of court cases through Video Conferencing-Madhya Pradesh

Dear Madam/Sir,

I am directed to forward the letter by Hon'ble Minister of State (Independent charge) for Law and Justice on the subject stated above.

Regards,

JS(eCourts),
Department of Justice, Ministry of Law and Justice,
Room No. 25, Jaisalmer House,
26, Mansingh Road, New Delhi-110011.
www.doj.gov.in
Tel. No. 2338 1496



Annexure- SM vs P&H.pdf
107 KB

Chief Justice (High Court of Madhya Pradesh)_0001.pdf
1 MB

अर्जुन राम मेघवाल, आई.ए.एस. (रिटायर्ड)
Arjun Ram Meghwal, I.A.S. (Retd.)



विधि एवं न्याय राज्य मंत्री (स्वतंत्र प्रभार)
व
संसदीय कार्य और संस्कृति राज्य मंत्री
भारत सरकार, नई दिल्ली-110001
MINISTER OF STATE (I/C) FOR LAW & JUSTICE
AND
MINISTER OF STATE FOR
PARLIAMENTARY AFFAIRS AND CULTURE
GOVERNMENT OF INDIA, NEW DELHI-110001

20 FEB 2024

D.O. No. 15012/07/2022-eCourts

Respected Chief Justice,

As you are kindly aware, the Department of Justice in close coordination with eCommittee of Supreme Court of India is implementing eCourts Mission Mode Project with the aim of universal computerization and Information and Communication Technology enablement of all the District & Subordinate Court complexes. The project has served to provide access to all Court related information in an easy way and bridge the digital divide to ensure easy access to justice for citizens.

The Covid-19 pandemic had put the spotlight on the gaps in the technological preparedness and the readiness of the judicial system to embrace change. Video conferencing emerged as the mainstay of the Courts during the Covid lockdown period when physical hearings and normal court proceedings in the congregational mode were not possible. In fact, India has emerged as the global leader in conducting Court proceedings using the virtual mode with more than 3 crore VC hearings across all High Courts till 31.12.2023. The Hon'ble Supreme Court of India held 6,24,427 hearings through video conferencing till 04.01.2024. This accomplishment can be attributed purely to the tremendous efforts made by all the High Courts in this sphere.

Under eCourts Phase II, the Government of India has invested Rs.119.29 crore to establish Video Conferencing Infrastructure in various courts. VC facilities have also been enabled in 3240 court complexes and 1272 jails. Funds for 2506 VC cabins and VC equipment for 14,443 courtrooms have also been released. 1500 VC licenses have been procured to promote virtual hearings.

The Supreme Court eCommittee which is implementing the eCourts Project in partnership with Department of Justice (DoJ), Government of India, has prepared model rules on video conferencing and circulated to all the High Courts for expediting the consolidation, unification and streamlining of the procedure for quicker adoption of video conferencing by High Court. It is commendable that all High Courts have adopted these rules.

However, to enable the implementation of a completely digital system, adoption of e-Filing, e-Payment along with the use of virtual hearings is necessary.

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eCommittee has also prepared model rules on e-Filing in 2021 and circulated to all the High Courts for easier adoption of e-Filing. As on 31.12.2023, these rules have been adopted by 21 High Courts and e-Payments facility has been implemented only in 21 High Courts. A total of 27 lakhs cases have been filed through e-Filing till 31.12.2023.

As Phase II of eCourts Project got over in March,2023, the Union Cabinet has approved Phase III of the eCourts Mission Mode Project in September,2023 with a budgetary allocation of Rs.7210 crore which includes further strengthening of Video Conferencing Infrastructure, for which a budget of Rs.228.48 crore has been allocated. Taking the gains of Phase-I and Phase-II to the next level, e-Courts Phase-III aims to usher in a regime of maximum ease of justice by moving towards digital, online and paperless courts through digitization of the entire court records including legacy records and by bringing in universalization of e-Filing/ e-Payments through saturation of all court complexes with e-Sewa Kendras. It will put in place intelligent smart systems enabling data-based decision making for judges and registries while scheduling or prioritizing cases. The main objective of the Phase-III is to create a unified technology platform for the judiciary, which may provide a seamless and paperless interface between the courts, the litigants and other stakeholders. The project will help provide a smoother user experience by building a "smart" ecosystem. The eCourts Phase-III may thus prove to be a game changer in ensuring ease of justice by making the Court experience convenient, inexpensive and hassle free to all the citizens of the country.

The Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice in its 134th Report on "Functioning of the Virtual Courts/Court Proceedings through Video Conferencing" has viewed with some concern that the impetus to use digital means to conduct hearings has slowed down in the post pandemic period and has also recommended the increased usage of Video Conferencing, and providing better facilities to the lawyers and public for its use.

The advantages which accrue to the users from facilities like Video Conferencing, e Filing, e Payments etc are very well known and even the Hon'ble Supreme Court of India, in its recent judgment in the case of Sarvesh Mathur vs The Registrar General, High Court of Punjab & Haryana [WP (Cr.) No. 351 of 2023] has issued directions for increasing the utilization of hearings through video conferencing, the details of which have been summarized in the enclosed document for your ready reference.

In addition, the Apex Court, in its judgment in the case of The State of Uttar Pradesh & Ors. versus Association of Retired Supreme Court and High Court Judges at Allahabad & Ors [Civil Appeal Nos 23-24 of 2024] has endorsed a Standard Operating Procedure (SOP) for the appearance of Government Officials before the Courts, which specially emphasizes allowing the Government officials, as a first

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option, to appear before the courts through video conferencing, thus saving significant loss of official time spent in appearing in-person by the Government officials.

The Bhartiya Sakshya Act, 2023 which has replaced Indian Evidence Act, 1872 also allows electronic presentation of oral evidence, enabling remote testimony and ensure that electronic records will have the same legal effect as paper records.

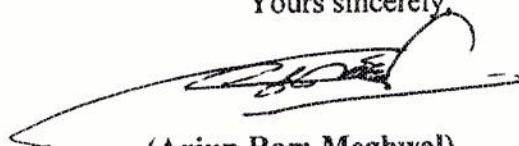
It may, thus, be appreciated that the Government has invested an immense amount of funds in developing the IT and VC infrastructure of the Courts. However, it appears that with the return of normalcy post Covid-19, the momentum of utilization of VC hearings has slowed down considerably which is a matter of great concern and even the Supreme Court of India has observed this in its recent judgement.

Therefore, it is requested that the usage of the IT infrastructure established under eCourts Mission Mode Project may be encouraged to the fullest and hearing of court cases through Video Conferencing mode along with e-Filing, e-Payments may be promoted by issue of necessary instructions, so that the benefits of initiatives taken by Government of India and Hon'ble Supreme Court of India can percolate to the masses and deterrents like high cost and traveling long distance can be mitigated for the common man and we can truly move to a phase of " Justice for all".

With regards,

Yours sincerely,

Encl: As above



(Arjun Ram Meghwal)

Shri Justice R.V. Malimath,
Hon'ble Chief Justice,
High Court of Madhya Pradesh,
Madhya Pradesh.