

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)

RAJYA SABHA
UNSTARRED QUESTION NO-588
ANSWERED ON 07/12/2023

IMPLEMENTATION OF VIRTUAL COURTS PROJECT

588. SHRI S. NIRANJAN REDDY:

Will the Minister of *Law and Justice* be pleased to state:

- (a) the current status of the Virtual Courts project across various States in the country;
- (b) the protocols being established to safeguard the confidentiality and security of sensitive data and court records in the Virtual Court system;
- (c) the manner by which the Virtual Court system is being integrated with existing case management systems to ensure efficiency and minimize delays in the judicial process; and
- (d) whether there is an ongoing effort to amend the current legal framework to accommodate the nuances of virtual court proceedings and if so, the details of these amendments?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

- (a) As on 30.11.2023, 25 Virtual Courts in 20 States / UTs viz. Delhi (2), Haryana, Chandigarh, Gujarat (2), Tamil Nadu, Karnataka, Kerala (2), Maharashtra (2), Assam, Chhattisgarh, Jammu and Kashmir (2), Uttar Pradesh, Odisha, Meghalaya, Himachal Pradesh, Uttarakhand, Madhya Pradesh, Tripura, West Bengal and Rajasthan, have been operationalized to handle traffic challan cases. More than 4.11 crore cases have been handled by these virtual courts and in more than 45 lakhs (45,92,871) cases, online fine of more than Rs. 478.69 crore has been realized till 30.11.2023.
- (b) The Supreme Court in its decision in Justice K S Puttaswamy (Retd.) v. Union of India has held that right to privacy is protected as an intrinsic part of right to life and personal liberty under Article 21 and as a part of the freedoms governed by Part III of the Constitution. To

balance the right of privacy, right to information and data security, a Sub-Committee consisting of six judges of the High Courts, assisted by technical working group members consisting of domain experts, has been constituted by the Chairperson of the e-Committee to suggest/recommend secure connectivity and authentication mechanisms for data protection and to preserve the right to privacy. The Sub-Committee is mandated to critically assess and examine the digital infrastructure, network and service delivery solutions created under the e-Courts project and give solutions for strengthening data security and for protecting the privacy of citizens.

- (c) Virtual Court is a concept, aimed at eliminating the physical presence of litigant or lawyer in the court and for adjudication of cases on a virtual platform. The concept has been evolved in order to efficiently utilize court resources and to provide litigants with an effective avenue to settle petty disputes while adhering to all the judicial processes.

Virtual Court can be administered by a Judge over a virtual electronic platform whose jurisdiction may extend to the entire State and function 24x7. Neither litigant nor Judge would have to physically visit a court for effective adjudication and resolution. Communication would only be in electronic form and sentencing / payment of fine or compensation would also be accomplished online. These courts may be used for disposal of cases where there may be proactive admission of guilt by the accused or proactive compliance of the cause by the defendant on receipt of the summons and electronic form as in the cases of traffic violations. Such matters are generally treated as disposed of after the payment of the due fine etc.

- (d) Proceedings of Virtual Courts is an administrative matter which falls strictly within the purview and domain of the judiciary and respective State Governments. Central Government as such has no direct role to play in the matter.
