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REVOLUTIONIZING THE INDIAN LEGAL LANDSCAPE: PREDICTING THE IMPACT OF AI AND VIRTUAL HEARINGS

AUTHORED BY - ARYAMAN KESHAV

Introduction

The Covid-19 Pandemic brought the world to a complete standstill in 2019. The effect of the pandemic can easily be seen on the legal system of India as well. The legal landscape of India has is synonymous with paperwork and conventional means of functioning. Even though the computerization of courts initiative began in 2010, technology was employed sparsely within the legal realm of India prior to the epidemic. Technological innovation has become the need for the hour at this moment as cases keep piling up in Indian courts. This research paper seeks to explore the use of technology in terms of Artificial Intelligence and virtual hearings, examining their advantages and limitations, and assessing their impact on the justice system. Through an in-depth analysis of relevant case law and legislative provisions, the author aims to provide a thorough understanding of the current state of technology in Indian criminal courts and offer insights into their future potential.

Statement of Problem

While technology has the potential to revolutionize the criminal justice system by improving efficiency and accessibility, it also presents several challenges. The statement of problem for this research paper is to identify and evaluate the advantages as well as challenges and limitations associated with the use of technology in criminal procedure in India.

Research Question

1. Whether AI and virtual trials can be used to enhance the decision-making process under Indian judiciary, and what challenges and limitations need to be addressed?
2. Whether the implementation of this technology has resulted in reduction in case backlogs and improvement in access to justice?
3. How have other countries implemented new technology in their judiciary systems, and

what lessons can be learned from these experiences in order to improve the use of AI and virtual trials in India?

Research Objectives

1. To analyse the effectiveness of AI and virtual trials in enhancing the decision-making process of the Indian judiciary system
2. To analyse the experiences of other countries in implementing new technology, including AI and virtual trials, in their judiciary systems
3. To analyse the barriers that the Indian judiciary encounters while using AI and Virtual trials

Hypothesis

The use of AI and virtual trials has the potential to enhance the decision-making process in the Indian judiciary system, reduce case backlogs, and improve access to justice. However, successful implementation and adoption of these technologies requires addressing various challenges and limitations, as well as learning from the experiences of other countries in implementing similar technologies in their judiciary systems.

Research Methodology

The author would refer to publicly available material like research papers, books, documentaries as a source of data and information in their research.

CHAPTER 1: THE COVID-19 IMPACT

The COVID-19 pandemic that resulted in lockdowns in many countries globally has caused widespread disruption in all aspects of life. The most effective method to contain the spread of the virus in society has been social distancing. Nevertheless, these directives for social distancing have brought about significant changes to various industries worldwide.¹

When Covid-19 hit the world, it was expected that law would display its characteristic tendency towards crisis and maintain its typical caution by trying to hold on to the status quo and expecting

¹ “Covid-19 And the Revamping Of The Indian Legal System - Operational Impacts and Strategy - India,” available at: <https://www.mondaq.com/india/operational-impacts-and-strategy/1068670/covid-19-and-the-revamping-of-the-indian-legal-system>.

things to blow over rather than change its structure.² This rigid unchanging approach is justified because if law changes constantly for every crisis, it will exaggerate the situation even more as people would look at law for upholding the normal ways of life and in absence of such stability that law provides, would spiral into confusion. It has been ingrained in the structure of law to be stable and predictable.³ However, Covid-19 was different. It brought attention to the antiquated methods of dispensing justice, teaching law, and delivering legal services. Within a few weeks, online learning became the norm for law schools and technology has become crucial for operational purposes.

According to official numbers, while the number of new cases filed in both the higher and lower courts has reduced since the country-wide lockdown commenced on March 25, the disposal rate has also deteriorated as a consequence of the imposed closure of courts. In April of 2020, 82,725 cases were filed in Indian courts, with 35,169 cases being dismissed. In 2019, the average number of cases filed each month was roughly 14 lakh (total number of cases 1.70 crore), while the average number of cases disposed of was 13.25 lakh (total number of cases 1.59 crore).⁴

In Punjab, Haryana, and Chandigarh, seeing the outbreak of the virus, the District and Sub-Divisional Courts were instructed to only hear bail matters and cases that required immediate stay or injunction until further notice. All other cases were to be adjourned. Cases that were scheduled for final arguments, including those with specific timelines, were also postponed until a later date beyond March 31, 2020. Further courts were instructed not to bring any detainees who are still awaiting trial to court. Instead, they were instructed to use video conferencing to conduct hearings and extend remand.⁵

The Indian Parliament established a Parliamentary Committee Panel to investigate the entire situation and its ramifications. This marked the first of its kind report that was made by the

² Mark A. Cohen, "COVID-19 And The Reformation Of Legal Culture" *Forbes* available at: <https://www.forbes.com/sites/markcohen1/2020/04/14/covid-19-and-the-reformation-of-legal-culture/> (last visited May 2, 2023).

³ In times of crisis, legal systems may prioritize maintaining established legal norms and procedures, rather than making rapid changes that could have unintended consequences. This caution can be seen in the way that legal systems have responded to challenges such as war, terrorism, and pandemics, where there has been a tendency to rely on existing laws and regulations rather than enacting new ones.

⁴ Maneesh Chhibber, "How lockdown has hit judiciary, in numbers — April cases fall to 82k from 14 lakh avg in 2019" *ThePrint*, 2020 available at: <https://theprint.in/judiciary/how-lockdown-has-hit-judiciary-in-numbers-april-cases-fall-to-82k-from-14-lakh-avg-in-2019/413666/> (last visited May 3, 2023).

⁵ *Order of the Hon'ble Chief Justice of the Punjab and Haryana High Court*, No. 5/Spl./RG/Misc., issued by Registrar General, 11 April 2020.

Parliamentary Panel regarding the effects that the pandemic had. It also recommended “continuation of Virtual Courts even after the Covid-19 pandemic is over for some identified categories,” because “digital justice is cheaper and faster” and the court was “more a service than a place.”⁶

CHAPTER 2: VIRTUAL HEARINGS

As a result of the mass covid outbreak, virtual hearings are becoming a thing of the present more and more of late. Before the COVID-19 pandemic, virtual hearings were utilised for hearing criminal cases where accused was not able to come to the court for some security reasons. However, during the pandemic the courts had to adhere to covid safety protocols and hence even the non-criminal cases were taken to the online mode, and hearings were done through video conferencing. The Law Ministry of India in association with the Supreme Court E-Committee and the Department of Justice of India allocated funds in order to establish video conference cabins in 2,506 courts all across the nation. In September 2020, 5.21 crore (over Rs. 5 million) was allocated for cabin setup, and an additional Rs. 28.89 crore (nearly Rs. 29 million) was provided in October for the purchases of equipments.⁷

Before the COVID-19 pandemic, there was no such hurry seen in adopting technology in the actions of the Indian judiciary. Further, Indian judiciary even opposed the use of technology at one point. Even before the COVID-19 crisis, video conferencing was being used for court hearings, but there was disagreement within the judiciary regarding its usefulness and suitability. The Supreme Court of India was also uncertain about whether to E-hearing was to be supported or opposed for the process of justice administration.⁸

CHAPTER 2.1. JUDICIAL PRECEDENT REGARDING VIRTUAL HEARING

In *State of Maharashtra v. Praful Desai*, the Bombay High Court recognised the use of technology. The court held that the word ‘evidence’ includes electronic evidence, and that video conferencing can be used to record evidence.⁹ It was noticed that technological advancements

⁶ Parliament of India. Rajya Sabha Secretariat, Interim Report on the Functioning of the Virtual Courts/Court proceedings through video conferencing, 11 September 2020, available at <https://sansad.in/rs>, accessed 3 May 2023.

⁷ Editorial, “2.5K courts to be equipped for online hearing”, *The Tribune*, Dec. 7, 2020.

⁸ Jyoti Rattan and Vijay Rattan, “The COVID-19 Crisis – the New Challenges Before the Indian Justice and Court Administration System,” 12 *International Journal for Court Administration* 11 (2021).

⁹ *The State Of Maharashtra v. Dr. Praful B. Desai*, (2003) 4 SCC 601.

have enabled the potential of virtual courts that are identical to actual courts.

According to official numbers, while the number of new cases filed in both the higher and lower courts has reduced since the country-wide lockdown commenced on March 25, the disposal rate has also deteriorated as a consequence of the imposed closure of courts.¹⁰ The court made the following observations:

- 1) When both the parties have trouble meeting and there is no one place where they can meet conveniently then it may be acceptable to use video conferencing.
- 2) Supreme court itself has used the technology in various cases to record evidence.

This judgement by the Supreme Court resulted in video conferencing being used for the majority of transfer of petition cases. However soon afterwards, a subsequent three-judge bench decision of the Court in *Santhini v. Vijaya Venketesh*¹¹ reversed the decision in the case of Veni Nigam. The decision in *Santhini v. Vijaya Venketesh* was made by a majority of 2:1. While the majority (then Chief Justice Dipak Misra and Justice AM Khanwilkar) were opposed to video conferencing, Justice DY Chandrachud dissented and wrote an opinion in favour of video conferencing. Justice Chandrachud observed that responsible use of technology improves access to justice; and above all, contemporary technology is a facilitator, enabler, and leveller.¹²

The judgement in *Santhini v. Vijaya Venketesh*, to a significant part discouraged the usage of video conferencing in conducting hearings, However, when the emergency of COVID-19 gripped the nation, video conferencing became the norm.¹³ Due to the new conditions, the Supreme Court has begun to change its opinion on technology: ‘In fact, the Supreme Court fast-forwarded court hearings via video conferencing. The Supreme Court currently looks to be moving full steam ahead and supporting e-hearings in E-judiciary, but despite the COVID-19 issue, it took six years for that transition to occur in Indian justice administration.’ Moreover, in the case of *All India Association of Jurists v. High Court of Uttarakhand*, the Supreme Court held that Virtual Hearing was a Fundamental right of the people, and it cannot be taken away.¹⁴

¹⁰ *Krishna Veni Nagam v. Harish Nigam*, (2014) Transfer petition (CIVIL) NO. 1912 OF 2014.

¹¹ *Santhini v. Vijaya Venketesh*, (2017) Transfer petition (CIVIL) NO.1278 OF 2016.

¹² *Ibid.*

¹³ Ejaz Maqbool Hakim Akriti Chaubey, Mohammad Isa, “The Supreme Court is online: Pros, cons and the way forward for hearings by video conferencing” *Bar and Bench - Indian Legal news*, 2020 available at: <https://www.barandbench.com/columns/the-supreme-court-is-online> (last visited May 3, 2023).

¹⁴ *All India Association of Jurists v. High Court of Uttarakhand*, (2021) Writ Petition (Civil) NO. 941 OF 2021.

CHAPTER 2.2: THE RESERVATIONS REGARDING VIRTUAL HEARINGS

While E-judiciary and virtual courts are becoming a common sight day by day, the Indian judiciary still has some reservations regarding the use of such technology. When the Parliamentary Panel suggested the use of virtual courts in India, the Bar Council of India was not all that thrilled about it. Representatives of the Bar expressed concerns before the Parliamentary Panel, arguing that the virtual proceedings promote tech-savvy advocates while denying lawyers the option to deliver their position and adjust the course of arguments depending on shifting case dynamics.¹⁵ “An advocate gets to understand the mood of the judges and stands a better chance of convincing them during physical hearings,” according to the Bar. Further they claimed that virtual hearings have a psychological strain on both the judges and the advocates. Moreover, the Bar claimed that whatever evidence the court gets through video conferencing would distort the non-verbal cues that are important in determining a case such as facial expressions, postures etc. Further the access to these virtual hearings is another issue. Some people in the judiciary claim that this technological change will only be accepted by people who are financially well off and privileged, and not every member of the law society.¹⁶ Even the Parliamentary Panel conceded that more than half of attorneys, primarily in district and subordinate courts, lacked a laptop or a computer and lacked the abilities essential for virtual hearings. Further, contention was raised that Indian population does not have access to Internet. A stat show that in 2007, the internet penetration in India was about 4%.¹⁷ Similarly, India’s internet access is rather unevenly spread. While TRAI data shows that in 2019 urban India had an impressive subscription rate, while rural India had only 27.57 subscriptions for every 100 people.

CHAPTER 3: ARTIFICIAL INTELLIGENCE AND LAW

Artificial intelligence (AI) is a fast-evolving field that is altering our interactions with technology and our daily lives. AI is growing more widespread with each passing day, from voice assistants like Siri and Alexa to self-driving cars. AI applications has the capability to revolutionise nearly every sector. AI is a type of computer programme that analyses complicated algorithms and interconnected networks in order to generate additional sets of programmes with their own

¹⁵ “Retain virtual courts post COVID-19, too: Parliamentary panel, Sharma, Pratul”, *The Week*, 2020, accessed 3 May 2023.

¹⁶ “Virtual Courts: A sustainable option?,” *available at*: <https://www.barandbench.com/columns/virtual-courts-a-sustainable-option> (last visited May 5, 2023).

¹⁷ “India: internet penetration rate 2022,” *Statista* *available at*: <https://www.statista.com/statistics/792074/india-internet-penetration-rate/> (last visited May 5, 2023).

cognitive ability and behaviour. It has become an essential component of contemporary technology, making it practically faultless by analysing gaining knowledge from data, automatically improving its programmes, and upgrading itself to become wiser over time. AI is designed to think and act like a normal human would or replicate the thinking patterns and functions that human beings relate with human brains which includes functions like problem solving and cognitive learning.¹⁸ As we have discussed above, during the COVID-19 pandemic the case pendency rose to a really high number and the Supreme Court ordered that virtual hearing be put to use during those times. AI can be used for a plethora of instances, one of them being automation. Automation refers to technology that carry out tasks using rules. Most of these systems depend on decision trees, which are a form of flowchart that asks a series of questions, the responses to which decide which path is followed, until no more questions are asked, and a conclusion is reached. A lawyer can design the decision tree, or a machine can derive it algorithmically based on training data. These systems are typically used to provide advice or can be put to use for legal drafting.¹⁹ According to some estimates use of AI in legal drafting can reduce the time taken up in drafting by 85% thereby lessening the pressure on the lawyers which would in turn result in a reduction of internal expenditures.²⁰ the other use AI can put to, is decision making which also brings in its own sets of problems and solutions.

CHAPTER 3.1: LEGAL DECISION MAKING AND AI

Predictability and precedent are two things that are fundamental to any Law. What Artificial intelligence does is that it aligns these two fundamental aspects of law. In law, precedent is a judgement or decision of a court that can be referenced to in a subsequent dispute as an example to legitimise picking a comparable case or aim of law in the identical manner. Legal certainty is a crucial feature of the Dutch as well as Indian legal systems. It believes that the government's actions should come as no surprise. AI can be fed all the cases that have come to a court and then based on that it can work on precedence and give out orders.

Furthermore, using AI, UK experts sought to predict ECHR (European Court of Human Rights) decisions. The projections predicted if there would be a human rights violation with a 79 percent

¹⁸ Stuart J. Russell and Peter Norvig, *Artificial Intelligence: A Modern Approach*, Third edition, Global edition (Pearson, Boston Columbus Indianapolis New York San Francisco Upper Saddle River Amsterdam Cape Town Dubai London Madrid Milan Munich Paris Montreal Toronto Delhi Mexico City Sao Paulo Sydney Hong Kong Seoul Singapore Taipei Tokyo, 2016).

¹⁹ Clifford Chance, "Artificial Intelligence and The Future For Legal Services," (2017).

²⁰ *Ibid.*

accuracy rate. The method for assessing information to create expectations looks to be successful.²¹ However, here comes the debating point. Whether the legal decision making should be solely left on the AI? Is AI capable enough to decide cases on its own? United States is the shining example of the cases regarding AI as it is the place where most of this technology is utilized. The Arnold Foundation approach, which is employed in 21 US jurisdictions, analyses approximately 1.5 million criminal cases to predict defendant behaviour during the pretrial phase.²² Similarly the bail amount in Florida is also being determined with the help of AI.²³ Further, the Estonian Ministry of Justice is financing a team to develop a robot judge capable of adjudicating minor claims disputes under €7,000.^{24,25}

Some scholars are of the opinion that AI technologies will eradicate any preconceived notions and mental shortcuts that are inherent in human judgement and reasoning.²⁶ This acts as a plausible argument for why artificial intelligence systems have been given much too much power to handle and solve primarily societal (rather than technological) challenges in developed countries. Further Some scholars are even exploring employing AI to help reduce the solitary confinement issue in the United States by utilising smart assistants such as Amazon's Alexa as a form of "confinement buddy" for convicts. Researchers revealed that an algorithm could predict whether a suspect will run or re-offend better than a human judge in the research involving 1.36 million pre-trial detention cases.²⁷ So, taking these foreign instances into account, one might assume that AI can take the place of a human judge. However, there are some drawbacks to this as well.

²¹ Nikolaos Aletras et al., "Predicting judicial decisions of the European Court of Human Rights: a Natural Language Processing perspective," 2 *PeerJ Computer Science* e93 (2016).

²² "Judges Replacing Conjecture With Formula for Bail - The New York Times," available at: <https://www.nytimes.com/2015/06/27/us/turning-the-granting-of-bail-into-a-science.html> (last visited May 5, 2023).

²³ Ganesh Sahu, Anshu Goyal and Satyabrata Sahoo, "A Review on Uses of Machine Learning in Judicial Court," 7 (2022).

²⁴ "Can AI Be a Fair Judge in Court? Estonia Thinks So | WIRED," available at: <https://www.wired.com/story/can-ai-be-fair-judge-court-estonia-thinks-so/> (last visited May 5, 2023).

²⁵ In principle, both sides would submit papers and other relevant evidence, and the AI will provide a decision that may be appealed to a human judge. Estonia's 1.3 million residents already have a national ID card and are used to online services like e-voting and digital tax filing, so a robot judge could work.

²⁶ Aleš Završnik, "Criminal justice, artificial intelligence systems, and human rights" 20 *ERA Forum* 567 (2020).

²⁷ Jon Kleinberg, Himabindu Lakkaraju, et al., "Human Decisions and Machine Predictions*" *The Quarterly Journal of Economics* (2017).

CHAPTER 3.2: HUMANS VERSUS AI

In a study conducted in 2011 in USA, it was found that near the end of sessions, judges are more likely to make decisions ‘by default’ and deny probation, whereas the judges are more probable to grant probation immediately following eating.²⁸ The supporters of AI would take these instances of bias and say implementation of AI in the judiciary would make the courts bias free. That statement might not necessarily be true. That is because the data that is fed to the AI to function is itself not bias free.

Even formalised synthetic ideas like as averages, standard deviations, probability, identical categories or 'equivalences,' correlation, regression, and sampling are the result of a historical gestation marked by pauses, retranslations, and opposing interpretations. Cleaning such cultural and historical weight and tendencies from data, on the other hand, may not be feasible or desirable. AI inherently incorporates human biases. Because AI is fed language data that humans use, it will invariably pick up on existing prejudices in a society. Now it is possible that we de-bias the AI but that doing so would result in “fairness through blindness.” The Indian constitutional and criminal law ideas already reflect judgements regarding the relevance of opposing principles such as efficiency and fairness. For example, it is a common phrase used in India that goes ‘it is preferable to let 100 guilty people escape, then punish one innocent person.’ This cannot be learned by AI. It can learn how the judicial precedents operate but the human conscious and jurisprudence cannot be taught.

CHAPTER 4: IMPACT OF TECHNOLOGY ON JUDICIARY

Virtual hearings are becoming common day by day. In fact, numerous district and high courts have created their own Standard Operating Procedures (SOP) so as to govern how the virtual proceedings would be held. These SOPs in tandem with the trial-and-error method used by the courts have greatly made the process of virtual hearings more efficient and will continue to do so over time.²⁹ In the case of *Prashant Bhushan and anr.*³⁰ The Supreme Court observed that from 23.3.2020 to 4.8.2020, the total number of sittings on the various benches was 879. During this time, the Court heard 12748 cases and 686 writ petitions filed under Article 32 of the Indian

²⁸ Shai Danziger, Jonathan Levav, et al., “Extraneous factors in judicial decisions,” 108 *Proceedings of the National Academy of Sciences* 6889–92 (2011).

²⁹ Shreeyash U. Lalit and Raveena Lalit, “The New Normal in the Legal Profession: Embracing Technology” *Legal Education and Legal Profession During and After COVID-19* 237 (2022).

³⁰ *Prashant Bhushan and Anr.*, (2020) SCC Online SC 407.

Constitution. Since then, the number of virtual hearings has expanded significantly, with all types of things being listed for virtual hearings as courts have learnt to better adapt to the shift in processes. As of February 2021, there has been 52,353 virtual hearings.³¹ During the pandemic, approximately 45.37 lakh cases were brought in front of the district courts, while 20.60 lakh cases were heard by the High Court.³²

However, the pendency of cases has increased. On 1 April 2020, the total cases pending in the Supreme Court were 61,142.³³ On 1 April 2023, the total cases pending in the supreme court are 68,847³⁴. That is a 12.6% increase in case pendency. To resolve this issue steps were taken by the Supreme Court E-committee³⁵ and AI Committee. Aside from electronic filing rules and the provision of a single website to handle these filings across courts, the committee announced that they are in the process of making an intelligence system that will aid in making databased decision making and will also help with registries when the judge has to prioritise or schedule cases, which will then lead to greater predictability which will inturn help in making the court hall and the people inside, more efficient.³⁶ Similarly, Supreme Court's AI Committee aims to improve access to information and to achieve that technology is being used to translate Supreme Court languages. The goal is now to employ AI to help judges with legal research with the purpose of lowering pendency and boosting the efficiency of the system. The Supreme Court's AI committee has previously created and deployed a neural translation tool (SUVAAS) and, more recently, a court administration tool (SUPACE) in the last two years.

CONCLUSION AND RECOMMENDATIONS

The inclusion of new technology like AI and virtual hearings is a step in the direction of future. The main barrier to guaranteeing that these technological advancements are employed in a sustainable paradigm for judicial processes is a lack of internet connection and infrastructure to access e-courts and e-filing systems. Only 40% of Indians have internet access in 2022 (which is significantly higher than 7% in 2007 but still not enough), 30% lack basic literacy, and nearly

³¹ "SC is global leader in virtual hearings, says law ministry," *The Times of India*, 17 February 2021.

³² *Ibid.*

³³ Stats taken from 'Monthly Pending Cases: Supreme Court.' <https://main.sci.gov.in/statistics>. Accessed 4 May 2023.

³⁴ *Ibid.*

³⁵ The Supreme Court e-committee was formed in 2004 by an order of the Ministry of Law and Justice in response to a suggestion by the then Chief Justice of India.

³⁶ E-committee Supreme Court of India (n 51).

90% lack digital literacy.³⁷ To guarantee that the efforts made during the epidemic are sustained, lawyers, litigants, judges, and administrative employees must all have access to and understand digital technology. At the same time, technology and infrastructure should be built to guarantee that virtual hearings are held utilising a standardised, bespoke video conferencing platform, particularly for courts. Using technology to create a court platform, such as Zoom or Teams, might enhance the participation of junior and assisting counsels in delivering their arguments, as well as secure and timely file exchange. The courts might appoint officials to investigate the technology and work with specialists to hasten its deployment. Administrative duties such as patent evaluations, hearing scheduling, deed registration, and compiling cause lists might be handled by AI, but human judgement should remain an important part of the decision-making process. Further if virtual hearings are to become the new norm, then there is a need for an overhaul of the current laws regarding the presence and attendance of parties. In *Hani Nishad v. State of UP*³⁸, the accused was facing charges in 31 proceedings. Given these factors, the Supreme Court allowed the petitioner to submit a single personal bond that would be valid for all 31 instances. In the context of investor fraud cases, the Supreme Court has ruled in *State of Punjab & Anr. v. Rajesh Syal*³⁹ and *Narinderjit Singh Sahni v. Union of India & Ors.*⁴⁰ that each individual investor has the right to file a separate FIR, which results in a distinct charge sheet. These instances would lead to the accused travelling to so many different jurisdictions which would lead to first the harassment of the accused, and second the wasting of time of the courts. Section 317 of the CrPC allows the trial court to waive attendance only with the subjective approval of the trial court, and only if the Court believes that the accused's personal attendance is "not necessary in the interests of justice."⁴¹ As a result, unless it is determined that the accused's actual attendance is "not necessary in the interests of justice," it may be impossible for the accused to seek virtual hearing and attend the trial court procedure remotely.

Several nations, like the United States, the United Kingdom, and Estonia, have already integrated AI into their legal systems; nevertheless, India should proceed with caution before using this technique to make legal decisions. AI-based judgements are mostly dependent on mechanical and objective algorithms, which may be incapable of efficiently considering and distinguishing diverse contextual elements. As a result, it may be more acceptable for AI to function as an

³⁷"India: internet penetration rate 2022," *Statista* available at: <https://www.statista.com/statistics/792074/india-internet-penetration-rate/> (last visited May 5, 2023).

³⁸ *Hani Nishad v. State of UP*, SLP (CrI) No 8915/2018.

³⁹ *State of Punjab & Anr. v. Rajesh Syal*, AIR 2002 SC 3687.

⁴⁰ *Narinderjit Singh Sahni v Union of India & Ors*, WP (CrI) No 245/2000.

⁴¹ *Supra* 31.

auxiliary tool while the human brain continues to play a fundamental part in making legal decisions.⁴²

Hence, the author's hypothesis that the use of AI and virtual trials has the potential to enhance the decision-making process in the Indian judiciary system, reduce case backlogs, and improve access to justice is proven true but only after the government and the judiciary addresses the various challenges and limitations mentioned above.



⁴² Ganesh Sahu, Anshu Goyal, et al., "A Review on Uses of Machine Learning in Judicial Court," 7 (2022).