

A hand in a dark suit sleeve is shaking hands with a digital circuit board. The circuit board is glowing blue and has a central square chip. In the background, a wooden gavel rests on a dark surface.

INTEGRATED LEGAL MONITORING SYSTEM

**Integrated Legal
Monitoring System
enabling smart
case management
and fast disposal
of cases for better
governance.**

Pendency is the major deterrent to the vital functioning of the government. The total pendency in India is 3 crores, out of which 46% is government litigation. According to the World Justice Project Rule of Law Index 2019, India ranks 97 in civil justice out of 126 countries.

Besides being a constraint on the public exchequer, government litigation has contributed to judicial backlog, economic loss discouraging foreign investment and loss of faith on governance. In more than 90% cases, the Government side fails to prove the point. This is due to the lack of an efficient monitoring and case management system.

The School and Mass Education department of Odisha faces legal cases about 10 cases on an average every day or more than 3000 cases (approx.) every year.

A close analysis shows that most of the cases are related to pension, promotion, teacher's aid and salary and are filed by the employees (those who are quite aware of the rules and regulations). Lack of tracking and monitoring system leaves the department uninformed about the cases resulting in pendency which ultimately affect the image and vital functioning of the department.

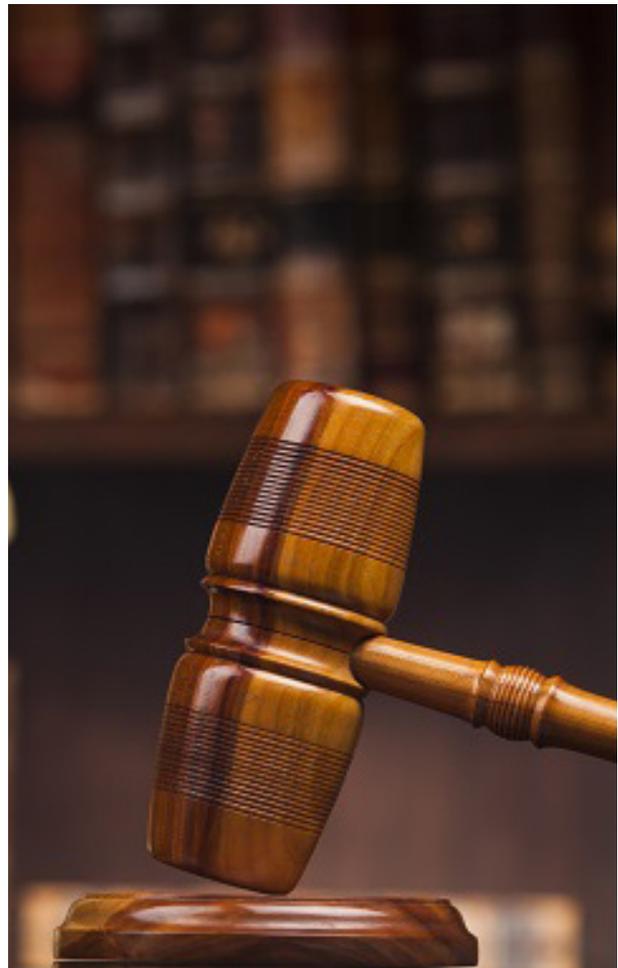
Pre Scenario

It was estimated that almost 80,000 cases were pending without being addressed in the department by 2017. The reason behind such pendency was lack of communication channel and monitoring system that left the government uninformed of cases filed. This resulted in a situation where the cases went in favour of the petitioner and due to non-compliance of the court order, serious and embarrassing consequences like contempt cases were filed against the Secretary and Director of the department making them appear before the court. As the number of cases increases, a lot of the vital function of the department gets affected when a lot of resources, time and manpower is delegated to look into the matter.

The traditional litigation journey starts with petitioner filing a case in the court. There are different courts like Odisha Administrative Tribunal and State Education Tribunal where the case is appealed. Court accepts and issues plaint copy which contains all the details and timeline to submit CA (Counter Affidavit). The plaint copy is sent to the department through multiple mediums like post, court and through an advocate, resulting in time delays. The details of the cases are registered and recorded in the database of the court. There are chances of cases being missed out from getting registered. The opposite party receives the case and assigns the case to the SO/Dealing Assistant/Branch officer/ASO. Higher office authorizes the subordinate office to file CA but such information is not readily available for others as to who is assigned. This result in lack of accountability. Preparing the PWC/CA and getting vetted physically by an advocate take a long time and is also a cumbersome and expensive process. The lack of timely information about the important dates of submission of CA and other hearing dates result makes it difficult for the department to dispose of cases resulting in pendency.

Challenges:

- > Lack of information about the cases filed
- > Time delays in intimation of the case details, hearing dates, PWC/CA submission, court orders and compliance timelines
- > No Alert system to inform about the hearing dates and submission of CA
- > Lack of information about the officials assigned for case and PWC/CA authorization
- > Absence of oversight, monitoring of cases and workflow management that results in lack of accountability
- > Several manual backs and forth of PWC/CA or rejoinder vetting by Standing Counsel which is a time-consuming and expensive affair
- > Risk of Contempt of Court demand for the personal appearance of the Secretary/ Director results in creating a poor image of the dept.
- > Hampers the vital functions of the department as time, resources and money is engaged in dealing with the cases



Solution

The Integrated Legal Monitoring System is a robust web-enabled system which provides timely information, notification and alerts to manage and dispose of legal cases filed against the department.

- > The department is able to keep track and monitor all the pending, disposed, complied and duplicate cases. The control sheet helps in providing all the basic information about the case, counter affidavit order compliance, appeal and contempt.
- > It also provides the information on Assignment, Authorization status for respective office. Once the case is registered, it is assigned to the respective dealing assistants and other officials providing them with the login credential and case management facilities. This ensures accountability and transparency in the workflow.
- > The Standing Council of AG office appoints specific advocates out of the 14 dedicated for SME department to look into the matter by creating their login credentials.
- > The authorized official who has been selected by the Secretary/ Director then provides the para wise comment and counter-affidavit which can be vetted online by the advocate and be uploaded in the system. A rejoinder or additional affidavit can also be submitted through this system.
- > The timely notification and reminder help in keeping track and completing action within the time period provided by the court. This avoids unnecessary delays and saves a lot of time and resources of the government. It also facilitates proper planning and delegation of work in managing cases, channelizing workflow, meeting compliances and avoiding the risk of contempt.
- > The system improves coordination with other departments by facilitating better communication for smooth and timely disposal.
- > In both the cases of contempt and reviser, the additional information is added to the parent case and follows the same procedure.

This unique monitoring system through the MIS provides monitoring and exception reports for analysis. The web-based system makes it accessible from anywhere and facilitates to work at any time. It is flexible enough to allow integration into any systems which make it get information in sync with others which saves a lot of time.

Post Scenario

Within a time span of two years of implementation, the pendency has been reduced from 80,000 in 2017 to 25,000 in 2019. There was a drastic decrease in the time taken in vetting the PWC/CA from three to four weeks to one day, facilitating one to do it online. This made it even convenient for the one who had to travel from the interior of the state to the court. The whole litigation process was fast-tracked with timely information and alert which helped in taking right action and compliance to dispose of the case.

The system has successfully been able to track information about the cases as follows:

Total No of Pending Cases	25,710	/	Contempt Cases	1,136	/	Disposed Cases	54,449
----------------------------------	---------------	---	-----------------------	--------------	---	-----------------------	---------------



As a way forward the system is looking towards future integration with Odisha Secretariat Workflow Automation (OSWA) which would help keep track of the file movement easily. The effort is being made to simplify the process and the display of information for the convenience of the users. Creation of alert dashboard, case calendar, communication stack (inbound and outbound communication) along with close chat options and WhatsApp integration are some of the upcoming feature enhancement for the system in pipeline.

This ICT enabled monitoring system has the potential to be implemented in the government departments and ministries facing the herculean task of managing cases and reducing pendency, the risk of contempt of court and utilizing the time and resources for the vital functioning of the government.