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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2018/2021

ANIL KUMAR HAJELAY & ORS.

..... Petitioners

Through: Petitioner No.1-in-person.

versus

HONBLE HIGH COURT OF DELHI

..... Respondent

Through: Dr.Amit George, Advocate with Mr.Ankaneil Bhaumik and Mr.Adhishwar Suri, Advocates for R-1 along with & Mr.Abhilash Malhotra (CPC).

Mr.Anug Aggarwal, ASC with Ms.Arshya Singh, Mr.Aakash Dahiya, Mr.Yash Upadhyay, Mr.Siddhant Dutt and Ms.Mahak Rankawat, Advocates for R-2.

Mr.Sanjay Kumar, Ex-Engineer (E), PWD.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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29.04.2024

1. Vide order dated 21st October, 2021, this Court directed the Office of Registrar General of this Court to file a response, duly supported by the expert opinion from the relevant field, to the revised estimate proposal and specification prepared by PWD.



2. Accordingly, NIC Delhi was engaged as an expert by the Registrar General in this regard and the preliminary estimate/proposals received from the PWD were shared with NIC for their expert opinion. NIC requested that the proposal may be forwarded to them after approval of IT department/IT branch of GNCTD.

3. Thereafter, vide letter dated 3rd February, 2024, PWD shared “Preliminary Estimate for Court room in Delhi, July, 2023” along with the comments of the IT department of GNCTD. The said estimate was again shared by the Office of Registrar General with NIC for its expert opinion.

4. Thereafter, vide letter dated 8th April, 2024, another preliminary estimate dated 29th February, 2024 for a sum of Rs.361,27,96,437/- was shared by PWD with the High Court. This said estimate was also shared with NIC for their expert opinion. In respect of estimate dated 29th February, 2024, several rounds of meeting were conducted amongst the stakeholders to deliberate on the configuration proposed by the PWD.

5. PWD, vide its email dated 16th April, 2024, shared the preliminary estimate with updated configuration which was finalized after deliberations with all the stakeholders. The said configuration/specifications for ICT equipments were shared with the NIC and were approved by the NIC vide its email dated 16th April, 2024. The observations made by NIC are reproduced below:-

“The aforesaid configuration for Hybrid Courts as proposed by the PWD in their trailing email is latest, compatible and meets the requirement for functioning of the hybrid Courts.

It is emphasized that this report is limited to the ICT components to be installed in the Courts. It is deliberated that the networking component, live streaming platform and the data centre being the essential components of this project will be covered by the PWD in the remaining phases of the project.”



6. NIC, in their expert opinion, approved the proposed configuration for hybrid Courts but also emphasized on deployment of networking component, live streaming platform and the data centre being the essential components of this project and recommended to cover the same in next phase of the project.

7. It is informed that the office of Principal Secretary (Law, Justice & LA). GNCTD through its reports dated 19th April, 2024 and 23rd April, 2024 informed that preliminary estimate dated 19th April, 2024 for a sum of Rs.387,03,19,388/- is sent for seeking exemption from the Model code of conduct from the Election Commission of India ('ECI') in view of the ongoing Lok Sabha Elections in the country and as soon as the request seeking relaxation is approved by ECI, the modified preliminary estimate dated 19th April, 2024 shall be immediately processed and shall be put up before the Competent Authority for obtaining Administrative Approval and Expenditure Sanction.

8. Dr.Amit George, Advocate appearing for High Court of Delhi submits that the project needs to be expedited as hybrid hearing has been made compulsory in the Delhi District Courts vide Office Order No.01/RG/DHC/2023 dated 5th June, 2023. Further, vide Notification No.19/Rules/DHC dated 14th March, 2024, compulsory e-filing has been mandated in all cases of Civil Jurisdiction (including Family Court cases) as well as all Criminal Complaint cases in all the District Courts in Delhi.

9. Mr.Abhilash Malhotra, CPC, Delhi High Court submits that the network, Data centre and live streaming platforms are integral part of this project. The Courts can only use the ICT equipment to its best potential when the network is made robust. He also submits that from the point of



view of disaster management, data centre is the need of the hour. Similarly, to comply the live streaming rules, the Government also needs to provide a dedicate live streaming platform to the District Courts and it will not be prudent to live stream the proceedings on private commercial platforms.

10. In view of the above scenario, following directions are being issued which are to be complied by the concerned Respondents:

- a. GNCTD is directed to forthwith expedite the financial sanction in respect of all the 691 Courts as stated in preliminary estimate dated 19th April, 2024 for a sum of Rs.387,03,19,388/- as per the configuration approved by NIC and to implement the same on priority.
- b. Two pilot Courts be also set up initially in each district and in case the performance is found satisfactory, the project be implemented in all the Courts.
- c. In the interregnum period, PWD/GNCTD is directed to submit a preliminary estimate qua the components of networking, live streaming platform and data centre on priority so that the ICT equipments which will be installed in first phase can be put to their optimum use. The Registrar General shall consider the said proposal in consultation with NIC and office or Chairman, IT & Digitization, Delhi District Courts.

11. Put up for filing of status report qua the above issued directions on 16th July, 2024.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J
APRIL 29, 2024/TS