

CHAPTER I

1. INTRODUCTION

1.1. Background of the study

These days IT has become the buzzword in Nepal. The impact of the information technology is felt in education, research, agriculture, medicine, government, business and entertainment in almost all parts of the world. The role of IT in Rural development plays the vital factor to achieve all attributes that rural people are facing today in much convenient manner.

Comparing to development in the information technology sector, rural areas are still facing the similar problem since last 20 years. So, the concept of implementing information technology and its role is the urgent need for the rural development for good governance. Information Technology can be powerful tools in promoting social inclusion that leads to empowerment. As we all know that access to relevant information and transparency is the crucial factor for empowerment, development and achieving good governance. Hence, IT is the sine qua non of rural development and must go in parallel to develop skilled human resources, utilize local resources, improve productivity, empowerment rural people, promote good governance, share information and connect to global world easily. Though IT has the vague role and infinite application in overall rural development, only few applications with certain rural zone is covered and the problem will be discussed focusing on e-judiciary in Ilam.

IT is being used in almost every field now and judiciary should not be an exception. There is a need right now to make judiciary more equitable, transparent, speedy and economic. This, in researcher's view, is not possible without the use of information technology in judicial sectors. Therefore, the concept of e-Judiciary comes in and focus will be targeted especially in ilam district. Its basis is judiciary thus, should be primarily concerned with providing justice to the citizens. It should fulfill what justice seekers

demand from the system, that is, speedy, less expensive, quality, corruption free justice. Also, transparency and accountability of the judicial system should be maintained. It is a process of transforming judiciary, not changing or translating it. It is only addition of information technology to the existing system in a stable manner. So, we can say that e-Judiciary is a body which uses information technology (IT) for its proceedings to provide justice to people.

In order to improve the accessibility to IT and ultimately bring the people in realm of socio-economic development, from the year 2010 AD, Nepal government is implementing multilateral project about establishing e-judiciary in all Appellate and district court in coordination with European Union. The use of IT for development of e-judiciary in Nepal started only recently and was first tested on Supreme Court of Nepal in 2005. Recently, Nepal government has hired sixteen IT engineers in all sixteen appellate courts and support IT staffs in forty five district courts of Nepal. The possible benefits of an e-Judiciary service for the rural community include speedy justice service, transparency, better delivery of justice, better knowledge of the judiciary, improved knowledge of the law, accountability and easy access to public for case information.

1.2 Statement of the Problem

This research focuses on investigating and developing an adaptable, sustainable, and usable e-Judiciary service web application for traditional justice administration at Ilam Appellate court and district court. Rural population is predominant and around 85 percent of total population lives in rural areas (ADB, 2009). Majority of the poor people living in rural and often isolated areas have no contact with the world beyond their nearest neighbors. They live in information-deserted areas. Limited means of communication with the outside world are major reason for the isolation and economic backwardness of rural communities. Recent development in the field of IT has made it possible to connect different geographical regions in cheaper cost than ever before.

According to ADB survey conducted in (2007), Citizens make an average of two visits, for up to 6 hours each time, and wait for 2 hours at village development committee (VDC). In general, government processes are bureaucrat-centric and not citizen or

service oriented. Introduction of IT in public service delivery might help convert bureaucrat centric approach into citizen centric service by providing quality service in convenient and most effective manner often in very low cost than the traditional methods.

Talking about Nepal Judiciary system, it has three tiers of court system: Supreme Court, Appellate court and District court. Apart from that the Criminal and Civil Court are more or less same in operation except some of their legal mechanism. The current unitary method of the court system practices a hierarchy where the Supreme Court is the foremost and then the Court of Appeal and the District Court and so on. Talking more about the hierarchy of court system, people are facing problems due to the current system where the decision are not timely done and can be challenged where even a small case would take years for justice. Specially in the lower courts things can be easily manipulated and people have to wait for decades just for hearing where the judges rules out for the next date and poor and unreachable have no chance of justice.

To counter this irregularity in judicial system especially in remote areas of Nepal, Implementation of information technology can act as a milestone for all rural people. The research will be done mainly focusing on this particular subject so that the maximum number of rural people can easily get the justice in transparent, effective and during short timeframe. People should not have to stay around court for week or months just to listen for the final verdict and justice from judges. There will not be any middle person or mediator to relay the court's final decision to the general people. All the information of case status will be instantly updated in the internet and the people can see, hear and collect from the nearby cyber, computer center or neighbor home as well if they don't have the internet and computer facilities in their home.

Thus there is an urgent need for an e-Judiciary service at Ilam District and connected areas to provide a proper judicial information and service. This will lower the gap between the traditional judiciary system and citizen centric service. People can collect the court data, verdict and other necessary information immediately if they need. They can be updated via internet about the pending case status and final case status easily. Therefore, through the help of the IT infrastructure currently being setup in Ilam

District, the traditional judiciary will have an opportunity of providing the society with the necessary judicial knowledge they require in an instant manner.

1.3 Objectives of the study

This research was carried out for the following objectives:

- To study and compare the utilization of e-judiciary system and its services with traditional judiciary system
- To compare the accessibility of latest digital copy with traditional hard copy
- To study are all stakeholders (plaintiff, defendants, appellant, respondent, lawyer, staffs etc) of court are well facilitated and satisfied by the new digital system.
- To study whether the staffs of court are well trained for implementing effective use of e-judiciary system for public people.

1.4 Significance of the study

There is a need for this study to assess and understand how information technology (IT) in rural area of Nepal, especially in legal sector is implemented. The focus falls on courts in rural and semi-urban areas and services of those courts to rural and semi urban people. The reason is that people of these areas do not have adequate knowledge of computer and those areas are also not fully equipped with computer facilities. Most of the court staffs from administrative staffs to judges do not have computer knowledge and they are not much familiar with the use of computer system in daily office activities. Though the government has brought the concept of e-governance but there is no sufficient homework for the implementation of e-governance (especially in e-judiciary).

First of all there are not enough material and human resources allocated for the outcome of role of e-judiciary. Material resources includes computer, printer, networking devices, Xerox machine, fax, router, switch, projector etc. These resources are not fully distributed on the required institution but at the time being it is being a good initiation.

Similarly, the human resources include the well trained office staffs in computer field. All the staff from lower level to the higher level should be computer literate and system familiar, which is the key component for the utilization of new technical office resources and achieving maximum goal. At the same time, good and effective IT trainer should be deployed for the extensive IT training and implementing e-judiciary via the use of court software and other necessary digital methods in traditional court system transformation. To enhance the skills of the staff there should be high extensive IT training from skilled IT trainers.

This is the core part not only for the e-judiciary but for the whole development of the country as well. Former South African Minister of Communications, the late Dr Ivy Matsepe-Casaburri, stated that her government recognized that the IT sector is at the epicentre of growth and development of the country, and that this will be achieved through lowering input costs, increasing efficiency and development of skills.

The result of the case is very tedious to find out by the public people who are engaged with the case process in the court in traditional way of judiciary system. Innocent people should follow the elites group in village or provide money to the lawyers just to render the information via them. At this point, they act like an agent who just provides the case related information. This is a frequent practice in almost all corners of the Nepali society and it is directly affecting the villagers and urban people as well. So to accelerate the output of the case hearing and the result the digital method of case result should be published in the website from where all the people can access it. This train is in practice but is still not effective especially for the rural and uneducated people. Usually they are not well facilitated with computer and knowledge of internet. So first priority should be to focus on education of rural people and uplift their knowledge on social, cultural and technical issues for conducting daily livelihoods.

To some extent, this problem can be reduced by deploying telecenters around the rural area of Nepal especially in the focused zone and uplift the education level of the rural people so that they will be able to access the internet and utilize the web portal.

For instance, South Africa has high illiteracy levels especially in rural area and it is believe that telecentres should be employed by South Africans, especially by

government departments such as Education, Science and Technology and Communications to assist in the reduction of illiteracy by teaching local residents pertinent issues and courses which are geared towards the improvement of their education and computer skills.

More than 80 percent of rural people are illiterate and have no idea about information technology. So this is the most comprehensive and essential need to integrate the IT knowledge with the development sector and make technology friendly and raise awareness among all the people.

1.5 Limitation of the study

The study took only in Appellate court and district court of Ilam, a hilly district of Nepal, thus have number and geographical bias. Sample of cases and its process were taken from the Ilam Appellate and district court since Ilam Appellate court manages and monitor the cases of whole Mechi region. This will have some affect in finding the total outcome in whole rural sector which is mainly focused in country's rural area. Thus, geographically limited area is chosen and the fruitful condition is illustrated.

Another limitation for this study was lack of interest from both the policy makers and judiciary staffs. Since most of the judiciary staffs were not computer literate and are old aged as well. As we all know that, Judiciary system in Nepal is an orthodox institution where mostly traditional thinking people are attached. The overall working procedure in this sector is quiet lousy and lengthy. It is not people friendly and service oriented. So, the main limitation is the mind set of those people to transform the traditional system judiciary into digital system judiciary (e-judiciary).

The policy makers in the government body as well as the supreme body of the court are not much interested in digitizing the court and establishing paperless court as they are very much likely with the traditional way of solving problems and paper works.

Limitation of fund in IT investment for transforming traditional judiciary into e-judiciary was also the limiting factor for this study. This is directly related to the poor

government and weak budget allocation in the field of information and technology to achieve and implement e-judiciary.

1.6 Organization of the study

This paper contains six chapters. The first chapter deals with the introduction, rationale, research objectives, research questions, limitations and organization of the study conducted. Review of the available literature on Information Technology and E-judiciary is taken into account in chapter two. Chapter three concentrates on description of the study area. Similarly chapter four describes the methodology adopted to carry out this research and analysis. Chapter five assesses the e-judiciary contribution to rural development. The last chapter draws some conclusion and recommendation as per the conclusions drawn from the study.

CHAPTER II

2. REVIEW OF LITERATURE

E-government is the use of information and communications technologies (ICT) to transform the traditional government by making it accessible, transparent, effective and accountable.

World Bank, 2007 "E-Government" refers to the use by government agencies of information technologies (such as Wide Area Networks, the Internet, and mobile computing) that have the ability to transform relations with citizens, businesses, and other arms of government resulting effective output, transparent task and easy access information. ICT can play an important role in many aspects of rural development. It can also help to better govern various aspects of rural development. The working definition (*used by the British Council*) emphasizes that "Governance involves interaction between the formal institutions and those in civil society. Governance refers to a process whereby elements in society wield power, authority and influence and enact policies and decisions concerning public life and social upliftment."

Information technologies (IT) have a potential for economic growth and social empowerment (Nandi, 2002). Direct or indirect application of IT, in rural development sector has also been referred to as "Rural Informatics". Rural economies can be benefited from IT by focusing on social production, social consumption and social services in the rural areas (Malhotra, 2001).

Investigation and Development of an e-Judiciary Service for a Citizen-Oriented Judiciary System for Rural Communities of Transkei, in the Eastern Cape Province of South Africa was undertaken by M.S. Scott (2010). The primary objective of the project was to develop a web application to support traditional justice administration in the Dwesa community (Africa). Through the availability and use of the service,

community members are provided with understanding and knowledge about judiciary operations and services in their community.

The benefits of Information and Communication Technology (ICT) are numerous and almost all segments of human activity benefit from it (Scott *et al.*, 2008). The development of information and communication technology research projects is changing the way people live and interact with each other. The Internet provides a platform for new and improved services and ways of communication which are of benefit to people at large (PeerPapers, 2009). Rural areas have a great potential to compete successfully worldwide, but unless they embrace the Information and Communication Technologies (ICTs) revolution by rapidly and actively using ICTs for knowledge dissemination, this potential will not be realized.

Judge **Lungten Dubgyur** in his research paper (Judicial reforms and access to justice through the use of information and communication technology in Bhutan) has stated that with the inception of ICT in the judiciary, it has enabled the judiciary to carry out its judicial functions or judicial services in a more timely and efficient ways.

The Royal Court of Justice with the support from UNDP has formulated the Royal Court of Justice Strategic IT Plan (2000). The plan envisaged the development of communication infrastructure and website development and the development of an integrated web-based judicial management system as the way forward. Amongst others, it included the establishment of LAN in the courts, website for the judiciary, e-mail and Internet access in district courts, enhance data collection and reporting of Case flow and fully automating the judiciary's procedures using web-based technologies and the Internet architecture.

Based on the above Strategic IT Plan, the judiciary adored the induction of ICT as a powerful medium, important tools and its resourcefulness in the management of justice in a transition and transformed judiciary. As the core and basic objectives of the judiciary is to provide effective and efficient judicial services, this demands that our justice system is responsive towards ever increasing public access, fairness, accountability, transparency, and timeliness in the judicial administration.

Mayank Saxena (Senior ICT Analyst) states that e-Judiciary can streamline judicial proceedings leading to speedy trials. The Indian Government has realized the

advantages of e-Judiciary and taken some vital steps towards it. Presently, the Supreme Court has undertaken 'e-courts' efforts in three phases as a Mission Mode Project under the National e-Governance Plan (NeGP) to link about 15,000 courts from the District Court to the Supreme Court through a Wide Area Network. A plan to provide required infrastructure and concentrate on capacity-building, judicial process from filing to execution, and finally making the information available online between the courts, prosecuting and investigating agencies, prisons, land records and registration offices is also underway, leading accelerated disposal of civil and criminal cases. Our former President, A P J Abdul Kalam, had suggested the creation of e-judiciary by establishing "Judicial e-Governance Grid" from the district courts to the Apex Court in order to cover the entire judicial system in the country. There are some provisions in the IT Act, 2000 that are inevitable for the smooth functioning of the justice system such as legal recognition of e-Records, legal recognition of digital signatures and retention of e-Records. There are some High Courts whose Web sites display the daily cause list, the judgment delivered and information that is useful to the citizens.

The Singapore Judiciary is the first judiciary to fully adopt e-judiciary and implement paper less court in the world. Chief Judge **Richard Magnus** of Singapore Subordinate Courts states that, In information technology, we have progressed from a technology pragmatist to a technology innovator, in just one decade. These milestones are chronicled and may be accessed from the "Years in Review" component of our website, <http://www.subcourts.gov.sg>. The Singapore Judiciary has consistently been rated by world-renowned independent surveys as a premier court system. Since 1996, we have deliberately outsourced both application development and facilities management, in cognizance of the severe shortage and cost of IT professionals with specialized IT skills, and also to support the growth of the IT industry in Singapore. We are among the first court systems to deploy virtual court services to the public through multimedia kiosks located conveniently within our city-state. Besides providing court-related information in our web site, including giving cyberspace visitors a virtual tour of our court premises, we use the Internet to enable electronic filing of documents to the courts. In our Small Claims Tribunals Electronic Filing System, bulk users and members of the public are able to file claims remotely and concurrently make electronic payments for lodgement

through a cash card or electronic banking facility. The submitted claims are automatically updated to the Small Claims Tribunals' claims database. Good case management is fundamental to an effective and efficient court

System. Case management systems were the pioneer applications rolled out in the initial phase of our computerization: these systems included the Case Registration and Information System for criminal cases, Tickets and Summons System for regulatory offences, Civil System for civil matters, and the Warrants System, Magistrates' Appeal System, Small Claims Tribunals System and Bailiffs System, which are self-explanatory. Today, we have grown our second generation case management systems. They mainly run on Oracle databases and either Power builder or Oracle client software. Electronic documents are standardized in PDF format and workflow software used is FileNet.

CHAPTER III

3. RESEARCH DESIGN

3.1 Rational of the selection of the study area

Country Background

Nepal is a land locked Asian country between China and India located at Latitude: 26° 22' N to 30° 27' N Longitude: 80° 4' E to 88° 12' E. It covers an area of 141,181m², with average length 885 km (East to West) and average width 193km. (North to South.). It population is about 25,284,463 (July 2001 est.). Kathmandu is its capital.

Description of Ilam district

Ilam district is in the eastern hilly region of Nepal and it has been selected as study area because of the following reason;

1. Researcher is familiar with the district.
2. Comparing to other urban district it is quiet far from main city area.
3. Until now, no one has conducted research about this subject in this region.

3.2 Sampling procedure

Appellate court and district court of Ilam were chosen on the basis of judgmental sampling techniques. After consultation with the appellate and district courts staff and analysis of records in both courts, a list of respondents was prepared with the following considerations;

- Plaintiffs and defendants of district court and appellant and respondents from Ilam Appellate court
- Staffs working in district court and appellate court
- Lawyers from Ilam district

Then the respondents were selected randomly for the study.

3.3 Sample size

Out of 385 cases in appellate court and 220 cases in district court of Ilam, ten percent random sampling was taken. 26 staffs of appellate court, 32 staffs from district court and 12 lawyers from bar were also taken as respondents for this research.

3.4 Data collection tools and techniques

3.4.1 Primary data collection

A formal questionnaire was designed for the respondents. The methods that were used in the study and implementation of the system included qualitative research using interviews, questionnaires and household surveys were done.

Focused Group Discussions were conducted with judiciary staffs of both courts.

3.4.2 Secondary data collection

All the secondary data were collected through the previous publication, research related to it, journal, article, progress report containing information related to the subject context to back up the findings.

3.5 Data Analysis

The explorative as well as descriptive presentations of the findings were demonstrated in the research reports. Analysis of the findings was conducted by using different statistical techniques such as frequencies, percentages and proportions etc. It was also graphically depicted.

CHAPTER IV

4. DATA PRESENTATION AND ANALYSIS

Acquired primary and secondary data have assisted in the preparation of this section of the report. This chapter contains the knowledge level of Judiciary staff of Appellate court and District court in Information Technology before IT training and after Training. The overall time duration of case from the time of case registration to the time of final decision from the judges is also presented. The case status of the respondents, case type, family number location and the case details before and after implementation of computerized system in court are presented and a brief analysis is done according to the questionnaire submitted to the number of respondents.

FINDINGS I

4.1 Socio-economic Characteristics of the Respondents

4.1.1 Population and Family Size of the Sampled Respondents

Total respondents from court staffs and plaintiff and defendants are 58 and 440 respectively. Following table and figure represent the average family size and number of men and women.

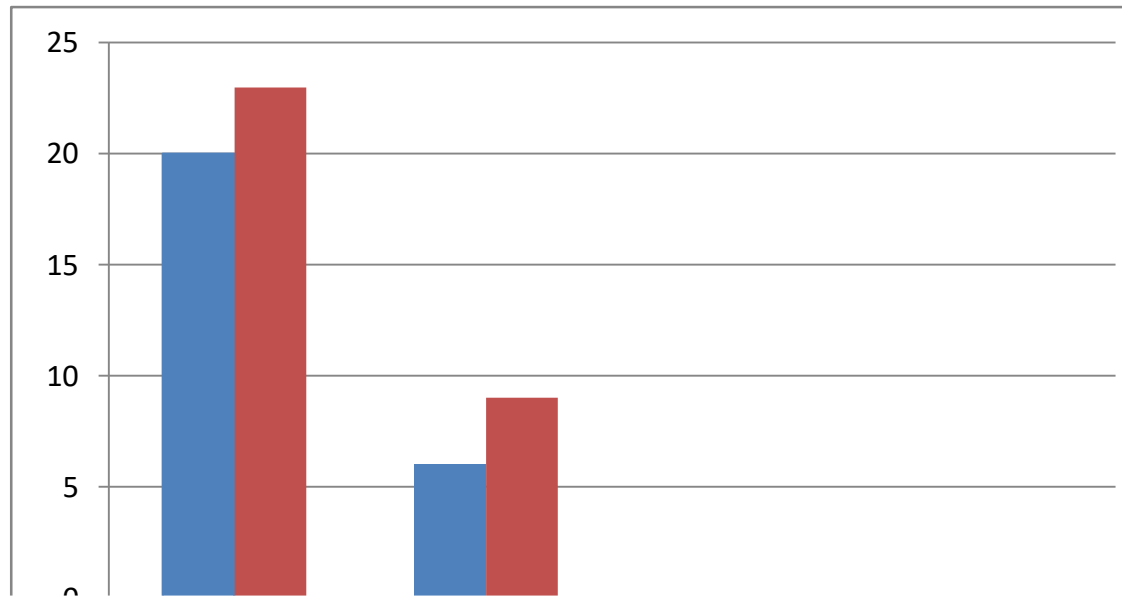
Table 4.1: Population status and family size of respondents

Court	Staffs					Aver age famil y size	Defendants/Plaintiffs					Aver age famil y size
	M en	% M en	Wom en	% Wom en	Tot al		M en	% M en	Wom en	% Wom en	Tot al	
Appell ate	20	76. 9	6	23.0	26	5.5	60	78. 9	16	21.1	76	5.7

District	23	71.8	9	28.1	32	5.5	38	86.3	6	13.7	44	5.6
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(Source: Field survey, 2013)

Figure 4.1: Population of court staffs



The percentage of men is more than percentage of women in case of both court staffs and other respondents. During survey women are reluctant to answer the question and provide the relevant information than men. This shows that women are still suppressed and behind in decision making and leading role. Mostly, this is the problem all over Nepal. Women are still awkward during the presentation and only few staffs in the court are open and frank towards the problem and the discussion session. In court, there are very few women staffs and only few are in the higher post (officer level) and most of them are below the officer level and are very much dedicated towards the assigned job in Judiciary.

4.1.2 Ethnic composition of the study area

The study areas are somewhat heterogeneous in terms of ethnic composition. During study and research the overall composition of court staffs and plaintiffs as well as defendants of both Appellate and District court were observed. The court staff both in appellate and district court consists of Brahmin and Chettri as majority groups. Since the staff of Judiciary sector is also appointed through open competition via Public Service Commission of Nepal. Despite this fact, these days the Nepal government adopted the quota system which also inherits the different cast mainly dalit, indigenous and Madhesis. Hence, few numbers of dalit are also present in the court. Basically, Gurung and Rai include in the Dalit castes here and rests are primitive group.

Table 4.2: Ethnic composition of the study area

Castes	Staffs				Plaintiffs / Defendants			
	Appellate court		District court		Appellate court		District court	
	No.	Percentage	No.	Percentage	No.	Percentage	No.	Percentage
Brahmin/ Chettri	10	38.46	17	53.12	8	10.5	17	41
Dalit	3	11.53	8	25	3	4	4	9
Primitive Group	13	50	7	21.87	61	85.5	20	50
Other	-	-	-	-	4	5.2	3	6.81
Total	26	100	32	100	76	100	44	100

(Source: Field Survey, 2013)

Figure 4.2: Ethnic Composition of court staffs

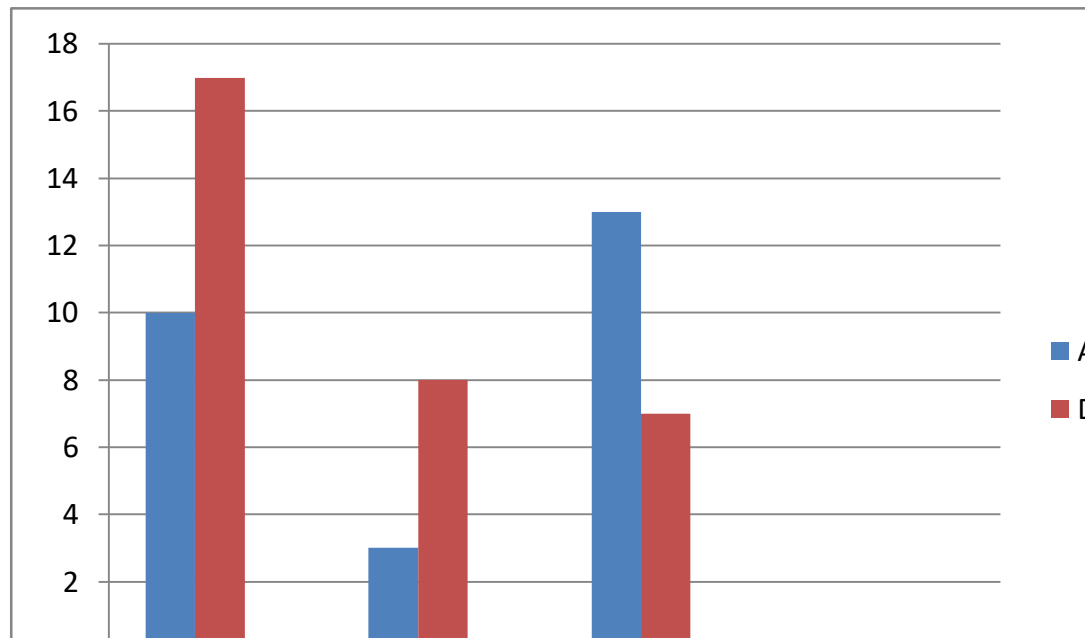
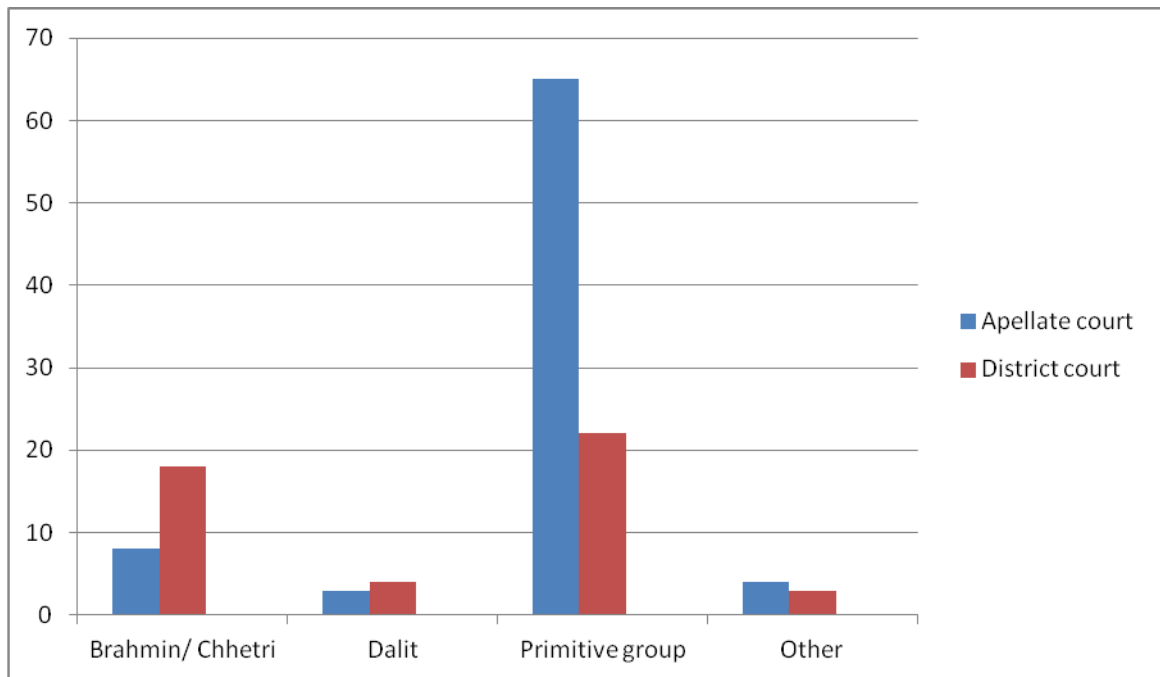


Figure 4.3: Ethnic Composition of plaintiffs / defendants



4.1.3 Age composition of the respondents

Table 4.3: Age Composition of the respondent's family

Age Class	Staffs				Plaintiff / Defendants			
	Appellate court		District court		Appellate court		District court	
	No.	%	No.	%	No.	%	No.	%
Below 5 yrs	-	-	-	-	0	0	0	0
5-15 yrs	-	-	1	3.12	2	2.6	1	2.3
16-35 yrs	5	19.23	7	21.87	25	33	18	40.9
36-50 yrs	18	69.23	23	71.87	38	50	23	52.3
>50 yrs	3	11.53	1	3.12	11	14.4	2	4.5
Total	26	100	32	100	76	100	44	100

(Source: Field Survey, 2013)

The table shows that the majority of the people from court staffs were age group of 36-50 years occupying 69.23% and from plaintiff / defendants 36-50 years occupying 52.3%. In each court there will be the Judge and mostly they are above 50 years. In Appellate court, there are 3 panel of judges whereas in district court there are only 1 judge.

Figure 4.4: Age composition of the court staffs

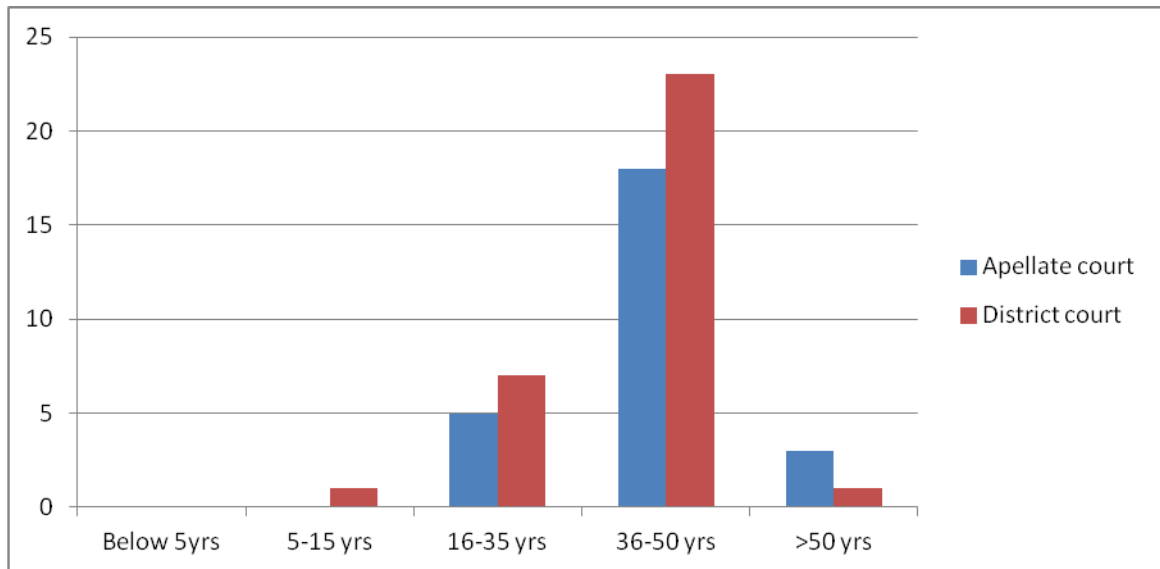
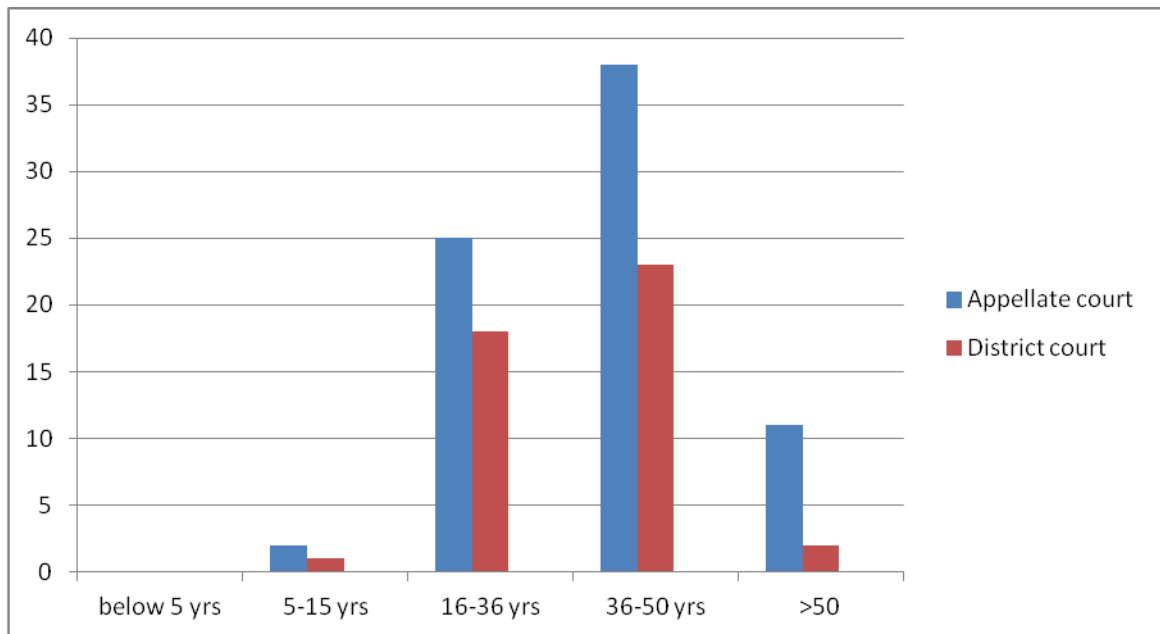


Figure 4.5: Age composition of plaintiff/ defendant



4.1.4 Occupational status of Users

Following table shows the main source of income of respondents. Most of the respondents were service holder in case of court staffs. In case of plaintiff/ defendant of both courts they are engaged in agriculture, mostly affiliated with farming occupation i.e. 64.5% and 65.9% of appellate and district courts respectively.

Table 4.4: Occupational status of Sampled HHs

S.N.	Occupation	Court staffs				Plaintiff/ defendants			
		Appellate court		District court		Appellate court		District court	
		No.	%	No.	%	No.	%	No.	%
1	Agriculture	-	-	-	-	49	64.5	29	65.9
2	Service	24	92.3	29	90.62	4	5.3	4	9.1
3	Business	-	-	-	-	1	1.3	-	-
4	Wage labor	2	7.69	3	9.37	3	3.9	2	4.5
5	Foreign employment	-	-	-	-	19	25	9	20.5
Total		26	100	32	100	76	100	44	100

(Source: Field Survey, 2013)

Figure 4.5: Occupation status of court staffs

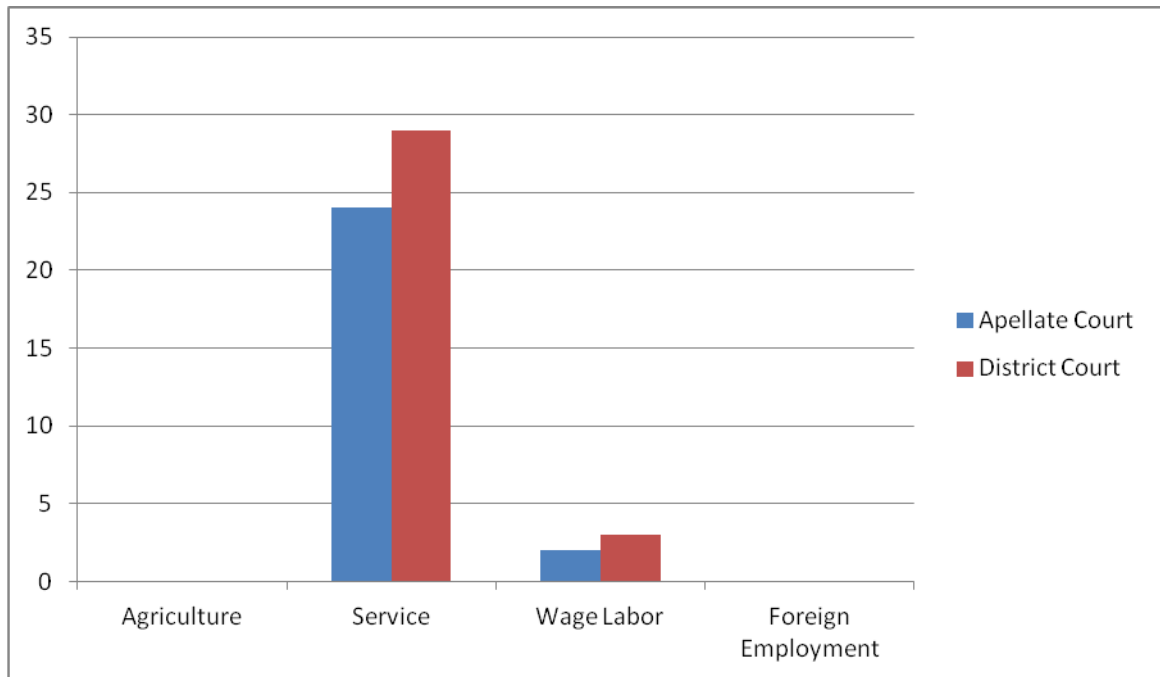
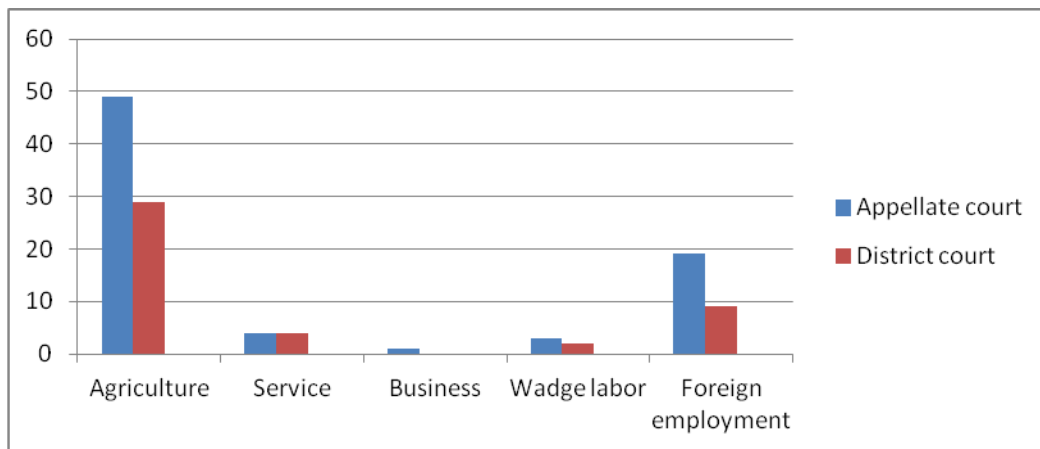


Figure 4.6: Occupation status of plaintiff/ defendants



4.1.5 Educational status of the respondents

The education levels of the respondents are divided into five categories as illiterate, primary, secondary, SLC and College/University.

Table 4.5: Educational status of Users

S.N.	Education status	Court staffs				Plaintiff/ defendants			
		Appellate court		District court		Appellate court		District court	
		No	Percent	No	Percent	No	Percent	No	Percent
1	Illiterate	1	3.8	2	6.25	13	17.1	8	18.3
2	Primary	3	11.53	2	6.25	32	42.1	17	38.6
3	Secondary	4	15.38	3	9.37	15	19.8	7	15.9
4	SIC	2	7.69	5	15.62	10	13.2	9	20.4
5	College/University	16	61.53	22	68.75	6	7.8	3	6.8
Total		26	100	32	100	76	100	44	100

(Source: Field Survey, 2013)

Since most of the respondent's (plaintiff/ defendants) education is up to primary level they have little or no knowledge of internet.

Figure 4.7: Educational Status of the court staffs

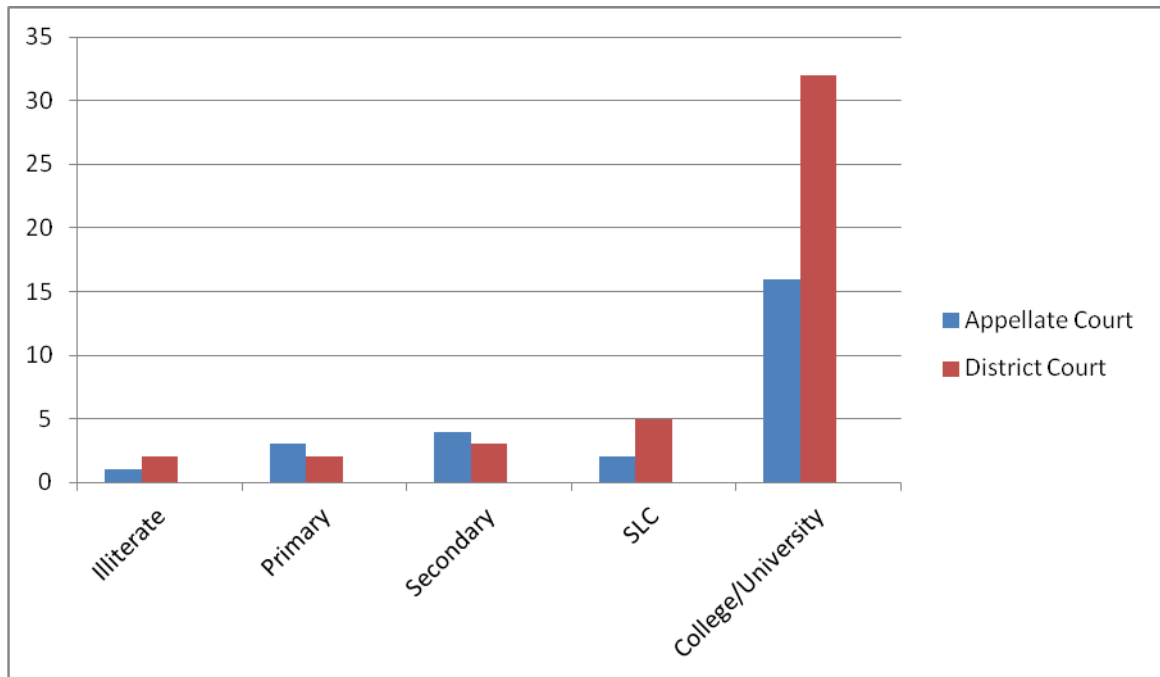
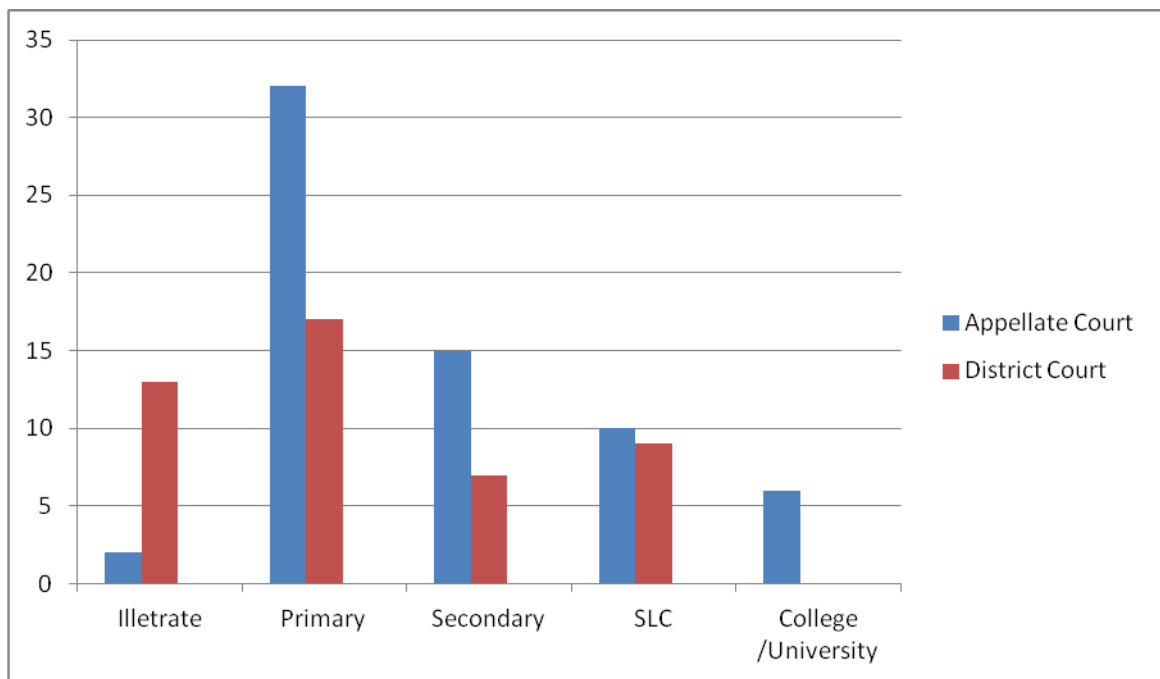


Figure 4.8: Educational Status of plaintiff / defendant



FINDINGS II

4.2 E-knowledge of judiciary staffs

Knowledge of Information Technology of staffs of appellate court and district court of Ilam.

Table 4.6: E-knowledge before IT training

Personnel	Appellate court	District court
Judges and registrar	Basic level, low level	Basic level, low level
Officers	Basic level	Basic level
Non-officers	Basic level, low level	Basic level, low level

(Source: Field Survey, 2013)

After implementation of e-judiciary system in Nepal, IT training has been given to judiciary staffs.

Table 4.7: E-knowledge after training

Personnel	Appellate court	District court
Judges and registrar	Moderate level, high level	Moderate level
Officers	High level	High level
Non-officers	Basic level, sufficient knowledge	Basic level, sufficient knowledge

(Source: Field Survey, 2013)

4.3 E-judiciary system

From 2011, Nepal government has implemented the concept of e-judiciary system so that decision making process could be faster, transparent, information to public could be delivered, and case recording system could be safe and easily accessible. For this judiciary staffs should have knowledge about e-judiciary system. From study knowledge of staffs of Ilam appellate and district court are as follows

Table 4.8: E-judiciary system before training

Knowledge level	Appellate court	District court	Bar
Well informed	2	-	-
Little informed	4	2	1
No idea	20	30	11

(Source: Field Survey, 2013)

Figure 4.9: Knowledge level of judiciary staffs before training

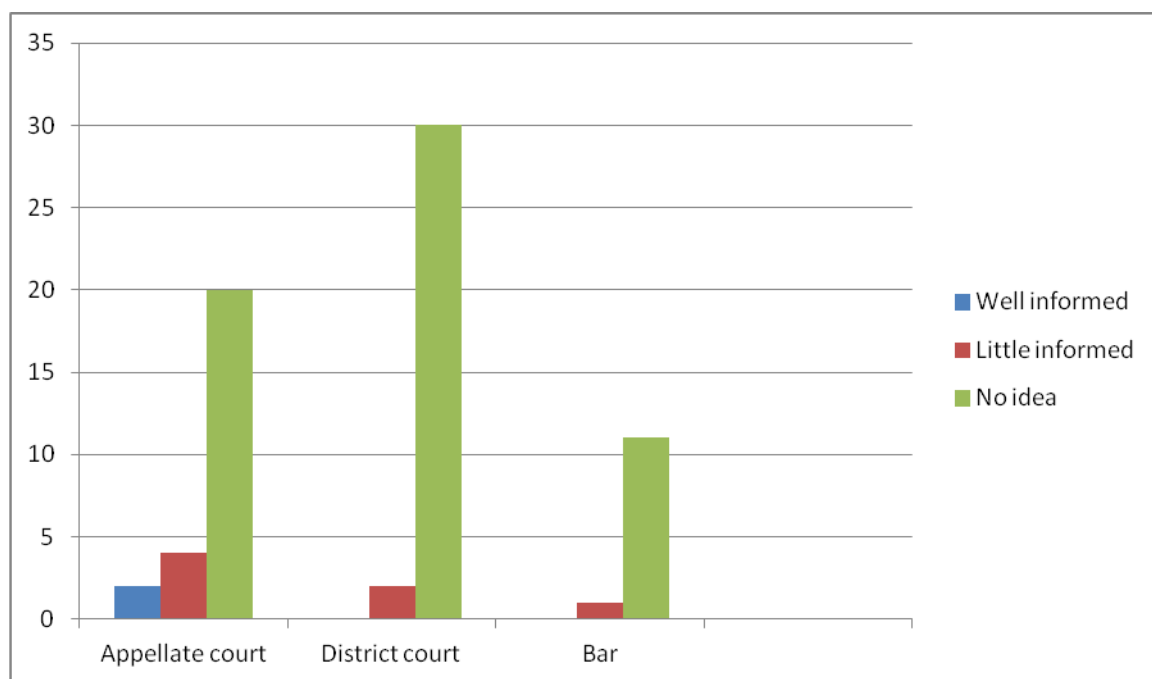
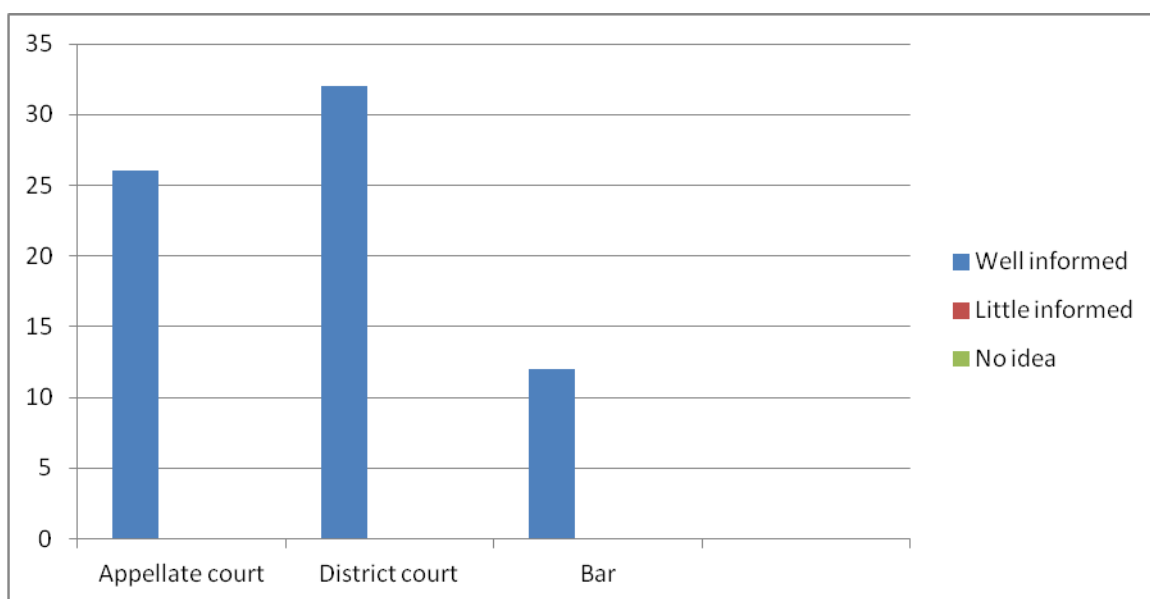


Table 4.9: E-judiciary after training

Knowledge level	Appellate court	District court	Bar
Well informed	26	32	12
Little informed	-	-	-
No idea	-	-	-

(Source: Field Survey, 2013)

Figure 4.10: Knowledge level of judiciary staffs after training



4.4 Case registration time duration

Both in appellate and district courts, duration of case registration and final verdict in traditional process and after implementing e-judiciary process are as follows:

Table 4.10: Before implementation of e-Judiciary System

Case registration time	Final verdict time
If all criteria are met then within 1day. Otherwise it takes 2-3 days.	In average 25-30 days otherwise 40-70 days depends upon case type, overall criteria meet and judge's mood as well.

(Source: Field Survey, 2013)

Table 4.11: After implementation of e-Judiciary system

Case registration time	Final verdict time
If all criteria are met then it takes few hours. Otherwise it takes 1 or more than 1 day.	In average 15-20 days otherwise 30-40 days depends upon case type, case priority and case complexity.

(Source: Field Survey, 2013)

Table 4.12: Work duration of judiciary employees

Appellate court			District court		
Post	Number	Time period (Years)	Post	Number	Time period (Years)
Judges	3	12-15	Judges	1	16
Registrar	1	9	Registrar	1	8
Officers	7	3-7	Officers		6-12
Non-officers	15	2-8	Non-officers		2-6

(Source: Field Survey, 2013)

FINDINGS III

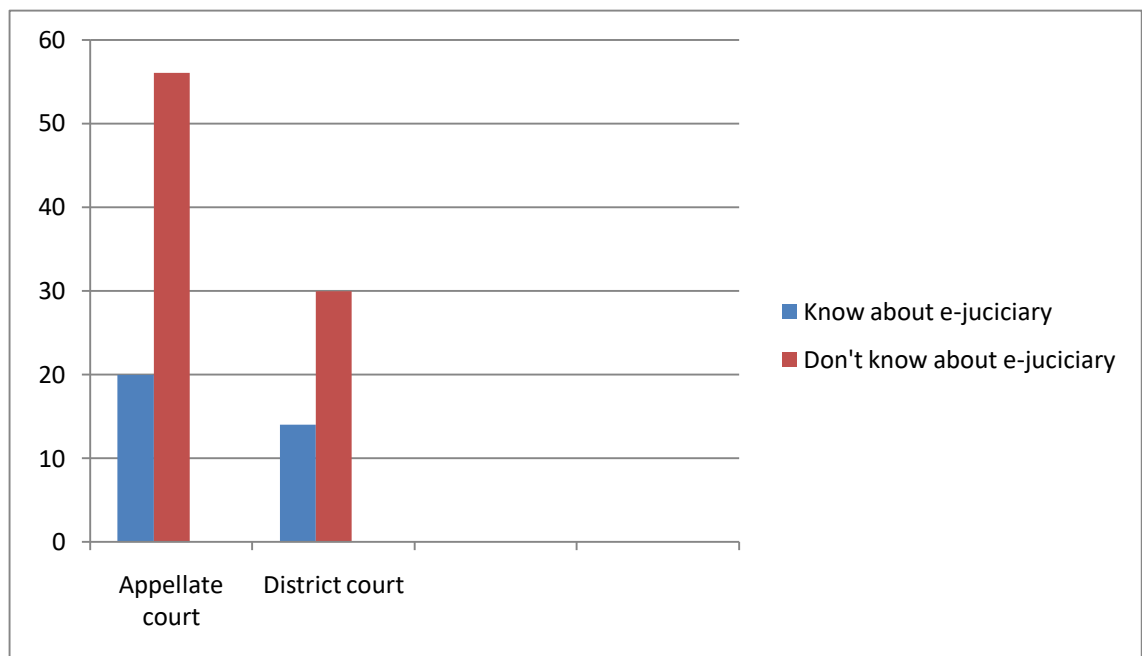
4.5 Access to internet

World is shrinking with the invention of internet. People of one place can easily get connected to people of other place. One can easily acquire information need through internet. Ilam being far eastern district is still struggling to develop infrastructure for internet. Information and Communication Technology (ICT) around Ilam is facilitated by Nepal Telecommunication Corporation (NTC), United Tele Limited (UTL) and Ncell. Other Internet service provider (ISP) is World Link, Subisu. Using above services there are around three Cyber Communication in Ilam and one American information centre which provides the facility of e-library to the people of ilam and mostly youths and students. Numbers of these ICTs are very least in comparison to total population of Ilam. Basically, there should be adequate number of ICT services via government agencies and other information center to boost the right to information for the people of eastern Nepal. Hence, the information and technology services around the chosen city should be made more wide and accessible to all the people via government fund and other government institutions.

4.6 Public access to e-judiciary

One of the factors of good governance is transparency. Implementation of e-judiciary aid some step towards good governance as it is easily accessed by public. According to public e-judiciary is one of the best practices in Nepal especially in rural area for the development purpose. Though it could be boon for rural development of Nepal because of less development of IT infrastructure it will take time to be familiar. Public people and other stakeholders are very happy mainly in terms of case having day and case decision day. They can easily see the updated case without being dependent on lawyer. Though e-judiciary make access to information easy, there are people who are illiterate and have zero knowledge of computer and they are mainly rural people. More awareness program and detail of digital system in court should be made public. Government should promote IT education from school level. Out of 76 respondents (plaintiff and defendants) of appellate court only 20 people and out of 44 respondents (plaintiff and defendants) of district court only 14 people know about e-judiciary system. This show most of the rural people are unknown about the implemented e-judiciary.

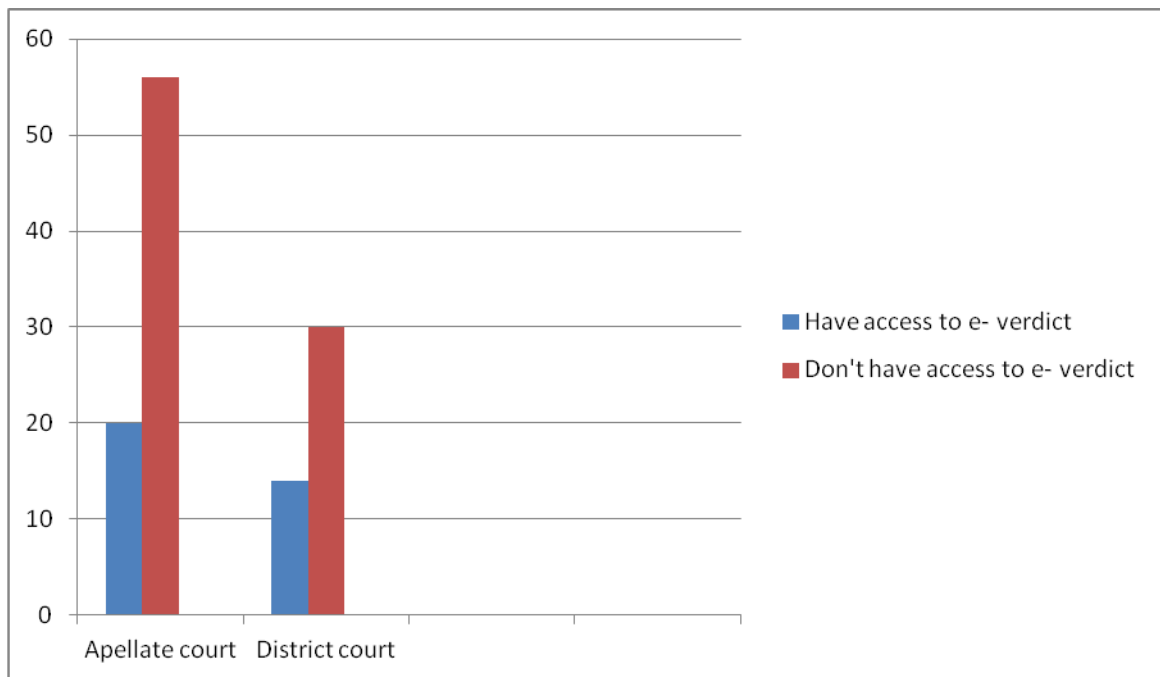
Figure 4.11: Idea about e-judiciary system



4.7 Access to e-verdict

Case status is updated daily during the office hour. More awareness program and details of digital system in court should be made public. Advert is needed so that all people who are connected with the internet get facilitate. As soon as the case hearing is done and judges give the final verdict, case status is updated spontaneously by the bench officer and the updated status will be available in internet promptly. Computers with internet facility are provided to all the bench officers for the case status update. Though the verdict is accessible to public, out of 76 respondents of appellate court only 20 people and out of 44 respondents of district court only 14 people can see or have access to the verdict in internet. Rests of them either don't have knowledge about e-judiciary or don't have access to computer/internet facility.

Figure 4.12: Public access to e-verdict



CHAPTER V

5.CONCLUSION AND RECOMMENDATIONS

5.1 CONCLUSION

This research paper is mainly focused on the role of Information Technology in rural sector of Nepal by studying the e-judiciary service for rural communities. It also signifies how the information technology can play the imminent role for good governance and the rapid development of the rural society, rural communities and the rural people.

The impact of using information and technology in the government as well as private institution of rural area is briefed in detail and the broad overview of economic impacts of IT in rural sector is presented.

The study has a strong correlation between the levels of education among the local people of Ilam and court staff, IT knowledge and skills, use of technology and the socio-economic factors of the rural people.

The direct impact and clean output of IT can be seen in the Judiciary of Ilam district. The way of task done in the court by the staff as well as citizen activities related to the court are more transparent, speedy and public oriented.

The enactment of the Nepal government national policy on use of IT and its implementation also does not guarantee the effective use of IT especially by the rural communities.

After the implementation of IT in the court, the formation of e-Judiciary provides the path for the rural community in getting access to the most common type of court information.

Effective use of e-Judiciary has speed up the processing time of case registration and the final verdict without multiple visits to the court and bribes just to seek the necessary case related information.

5.2 RECOMMENDATIONS

Since the overall thesis is based on the problematic scenario of the role of IT in Rural sector for the development initiative, here are some recommendations for the implementation of the e-judiciary in rural communities via government institution and the necessary task to be undertaken.

- First task to be done is to educate primary level students, people and other stakeholders with computer knowledge and use of Information Technology. This can be achieved by mobilizing the local government body coordinating with the local vendors and implementing tele centers around the rural area. Nepal Telecom can also be utilized for the cooperation and upliftment of the knowledge of internet and data services for rural communities.
- Extensive training should be provided to all the staff of court with all modern tools and techniques. The staff as well as judges should be provided with basic devices required for the computer and IT training with some incentive so that they will be highly motivated for the knowledge gain.
- The lawyers and the associated stakeholders should also be provided with the IT training so that they can easily access the court website and follow the e-judiciary system that is being implemented in the court. Frequent update and workshop should be conducted among the lawyers of the Bar association and court staff conducting mutual IT knowledge sharing seminar.
- Since most of the villagers and rural zone people are unaware about the implementation of e-judiciary, they should know the system ongoing in the court and all the rural communities should be made aware by conducting various awareness program so that they will be maximum benefitted with the new system adopted in the judiciary sector. It is best to publish a booklet and distribute all of them via local government body like VDC and other local communities.

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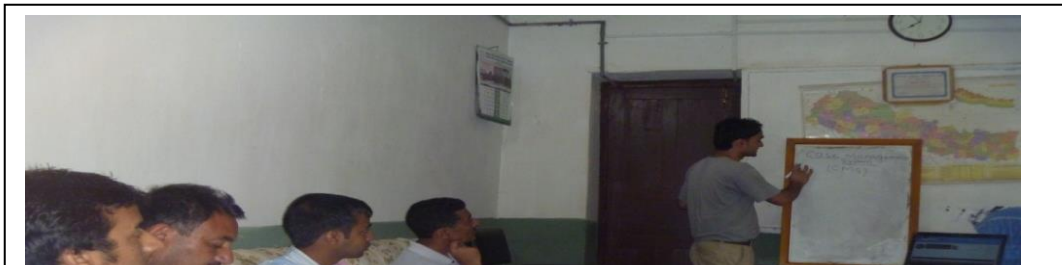
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PHOTOGRAPH



Fig

IT training to court staffs, Ilam



Group discussion of staffs of appellate court and district court, Ilam