2022 DAKSH Annual Report





www.dakshindia.org



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Co-Founder's Message

Dear DAKSH Supporters,

As 2022 draws to a close, it is time for us at DAKSH to take a moment to reflect on the progress we have made over the past year. The worst of the COVID-19 pandemic is behind us and as we return to life, we must learn lessons from pandemic and re-imagine our future. Through these challenging times, our team has remained focused and dedicated to our mission of advancing judicial reforms and access to justice.

We have so much to be proud of this year. During the year, we ventured into new areas of work, welcomed new members to the team and forged exciting new collaborations. We have also had the opportunity to engage with the judiciary, policymakers and practitioners at various levels, sharing our research and expertise to inform the development of a more effective and fair justice system

The DAKSH Podcast has completed two seasons and has acquired a dedicated and engaged audience. Their support has motivated us to create and share accessible content to inform the public about important issues related to public institutions. This year we have also started two collaboratives, the GSTAT Coalition and the Judicial Data Collaborative. These collaboratives include several talented and innovative organisations and individuals, and we look forward to continuing to build strong and productive relationships with them in the future.

On the research front, we have engaged with algorithms in the judiciary, the need for an integrated database of judgments and ways to improve communication between law enforcement agencies and the media. We have ramped up our work on the presentation of judicial data in analysable and accessible ways with the launch of our High Court dashboard. We believe that this database will be an important tool in promoting transparency and accountability within the judicial system and will be a valuable resource for researchers, policymakers, and the general public.

In 2022, I was proud to see how quickly the DAKSH team adapted to each new challenge with agility and how they collaborated with each other and other organisations to make the most of various opportunities. We do not expect 2023 to be any less challenging than the previous two years. But we at DAKSH are excited to continue our work in the coming year, building on the momentum we have gained and collaborating with others who share our commitment to improving the justice system.

On behalf of the DAKSH I want to thank you for your support and partnership. Wishing you all a happy and healthy holiday season and a wonderful 2023.

Sincerely

Harish Narasappa

Co-Founder

Team DAKSH

DAKSH has a dynamic team of creative and dynamic individuals committed to its mission and vision.



Harish Narasappa Co-Founder



Surya Prakash BS. Programme Director



Leah Verghese Research Manager



Sandhya PR Senior Research Fellow



Anindita Pattanayak Senior Research Fellow



Smita Mutt Data Lead



Bhavya Sudhir Research Associate



Harshita Kesarwani Communications Associate

Consultants And Volunteers







Sachin Tantry



Sathya Sankaran

Governing Council

DAKSH has a dynamic team of creative and dynamic individuals committed to its mission and vision.



R Dhirendra
Co-founder and President



M V Sundararaman Secretary



Surekha Shetty Treasurer



Kishore Mandyam Co-founder and Member



Harish Narasappa
Co-Founder and Member

WHAT'S NEW

DAKSH Podcast

The **DAKSH Podcast** attempts to simplify the law and justice system for regular Indian citizens. We talked to experts in various areas of this domain and discussed our own research. We created a journey to understand how the complex and often forbidding law and justice system affects our everyday lives and why we should care about it.

We launched season 1 of the Podcast in February 2022 and season 2 in August 2022. So far, we have 18 long episodes and four short episodes.

The short episodes were introduced in season 2, where we break down important legal topics and discuss interesting historical nuggets.

Through this series, we interviewed guests and critically examined India's laws, judicial administration, the prison system, family law and other topics that we hope will help you understand our justice system and how it affects us as citizens. The guests include Justice Chandru, Justice Prabha Sridevan, Milan Vaishnav, Chaitanya Tamhane, Rohit De, Shwethaa Ballakrishnen and many others.



You can listen to the podcast on all music and podcast streaming platforms. Search for 'DAKSH Podcast'.

Here are the links to our DAKSH Podcast Channels -









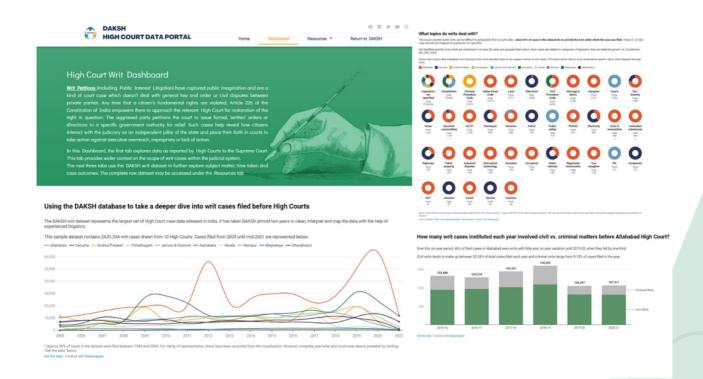
IMPACT

- Season 1 was in the top 10 Government & Policy podcast category on Apple Podcast India charts for 12 weeks straight with a peak position at No. 3
- Season 2 reached no.1 between November and December.
 And in the Top 3 for 14 weeks.
- All episodes individually featured in the top 10 Government
 Policy podcast charts with 'Women in the Constitution Assembly' peaking at 8 on debut, and 'Open Courts' and 'Algorithms in Judiciary' peaking at #1 on debut.

DAKSH High Court Database

Introduction of the High Court Writ Dashboard

Writ Petitions (including Public Interest Litigation) have captured the public imagination. These court cases do not deal with general law and order or civil disputes between private parties. Any time a citizen's rights (including fundamental rights) are violated, they can approach the relevant High Court for restoration of the right in question through a writ petition. The aggrieved party petitions the court to issue formal, 'written' orders or directions to a specific government authority for relief. Such cases help reveal how citizens interact with the judiciary as an independent pillar of the state and place their faith in courts to take action against executive overreach, impropriety or lack of action.



This <u>High Court Writ Dashboard</u> is based on the largest data set of High Court cases in India, with over 24 lakh writ cases drawn from 10 High Courts. Over the last two years, DAKSH has curated, interpreted and mapped this data with the help of experienced litigators.

This dashboard provides an interactive platform where students, academics, and researchers can explore the writ cases that are filed each year in terms of the courts in which they are filed, their subject matter, duration and outcomes.

MĀRGA

Workshops

<u>MĀRGA</u> (<u>Media And its Role in Governance and Accountability</u>) is an initiative by DAKSH which examines the role of the media in governance and accountability, especially in the justice system, and explores avenues to deepen democracy through strengthening the role played by the media. Through MĀRGA, we regularly conduct and design workshops on ethical reporting for students and young professionals interested in journalism.

In 2022, we delivered five workshops in different universities and colleges, both online and offline, for students across humanities, journalism and law.



Ethics and Norms on Police-Media Communication: Interactions Within the Justice

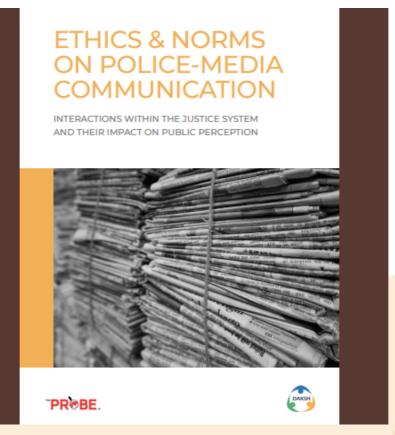
In collaboration with an independent news agency, The Probe we released a paper on *Ethics and Norms on Police-Media Communication: Interactions within the Justice System and their impact on Public Perception.*

A recent spate of incidents involving law enforcement agencies (LEAs) leaking evidence regarding ongoing criminal cases to journalists has necessitated this research. Incomplete, inaccurate or inappropriate communication by LEAs to the media and resulting in irresponsible reporting impacts various stakeholders. It can affect the right to a fair trial and the right to privacy of the persons involved in the case and their associates. It can also affect the investigation process itself. Larger concerns include eroding public trust in the judicial process and formal dispute resolution mechanisms.

In this paper, DAKSH and The Probe identified problematic practices in this field, mapped the existing regulations, and explored possible avenues to create a more robust system of communication that aids the ideals of a fair justice system. You can read the report **HERE**.

The paper was launched on June 15, 2022, with an online panel discussion between Meeran Borwankar (IPS), a lawyer and former officer of the Indian Police Service with extensive experience in law enforcement, Prema Sridevi, an investigative journalist and the founder of The Probe, and AS Panneerselvan a renowned journalist and editor with an extensive portfolio on media ethics and empowerment of news consumers. The panel was moderated by Anindita Pattanayak, one of the authors of the paper.

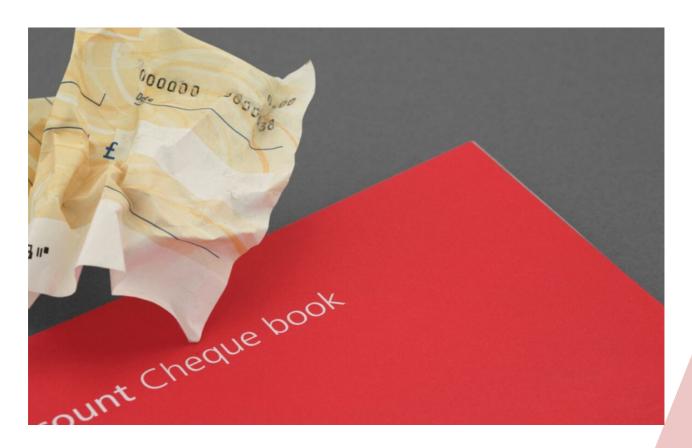
WATCH HERE



DAKSH Centre of Excellence

Collaboration with the Indian Institute of Technology, Delhi - Centre of Excellence (CoE)

<u>DAKSH Centre of Excellence (CoE)</u> for Law and Technology at **IIT Delhi** conducts rigorous, interdisciplinary research by leveraging the strengths and experience of IIT Delhi and DAKSH to produce a real-world impact on the functioning of the justice system.



Cheque Bounce Study in the Indian Court System

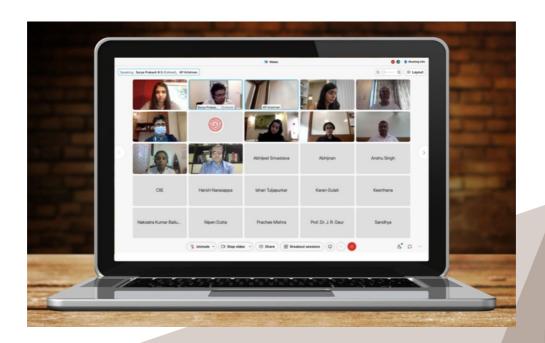
The CoE released a report titled <u>Cheque Bounce Study in the Indian Court System.</u> This report examined cheque-bounce cases in district courts to understand the volume of such cases, their duration, the time taken at various stages of the cases, and the causes for delay. This report will contribute to the growing literature on demonstrating the use of quantitative approaches in solving systemic problems in the field of law and justice.

Using the data extracted from the text of orders/judgments and the data provided by e-courts, the project constructed a predictive model to estimate the duration of a cheque bounce case based on its characteristics. This econometric model paired with court-level data aggregates on the volumes of cases and the prevalence of issues will give a solid foundation to objectively assess recommendations generally made to solve this problem and identify other interventions for efficiency gains.

Upcoming Project with IIT Delhi COE

We are curating a first-of-its-kind book in **India on the state of play of technology** in the law and justice system. The book will feature research on how advancements in tech are impacting the practice of law and policy in India. It will cover a wide range of issues focusing on the use of technology in making law and justice systems more efficient, legal practice more productive, making justice more accessible to the citizens, and discussion around whether and how such technology should be regulated and financed.

The book presents a state-of-the-art overview of current research and future thinking in the field of law and technology. It would be of interest to a wide audience including tech companies, government agencies, law firms, legal practitioners, academics, or any student requiring a head-start in the world of modernising law and justice systems.



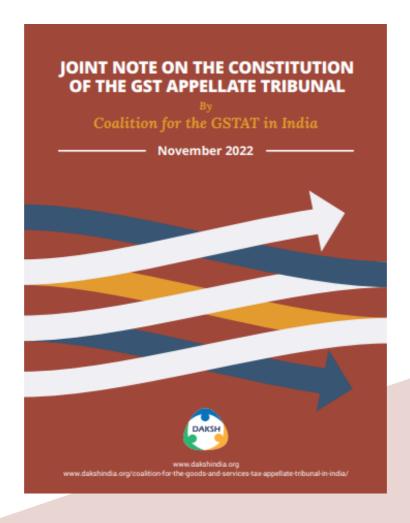
COLLABORATIONS

GSTAT Coalition India

Since the introduction of the goods and services tax (GST) in India more than four years ago, there has been an increase in litigation arising from unclear legal provisions. The lack of a GST Appellate Tribunal (GSTAT) has made the situation worse.

<u>The GSTAT Coalition India</u>, convened by DAKSH in April 2022, brings together experts from various domains to push for creating a GSTAT and develop a shared vision for a modern, digital GSTAT.

The Coalition for the Goods and Services Tax Appellate Tribunal in India ('GSTAT Coalition India') has been convened to advocate for the speedy constitution of and develop an inclusive and shared imagination of a modern digital Goods and Services Tax Appellate Tribunal ('GSTAT').



The <u>Joint Note on the Constitution of the GST Appellate Tribunal (GSTAT)</u> by the GSTAT Coalition India makes recommendations with respect to institutional design, operating model, and legal framework aspects for this brand-new institution.

The establishment of the GSTAT presents a greenfield opportunity to build a natively digital dispute resolution institution that can significantly ease doing business in the long term and signal India's intention to solve tax disputes fast and economically without compromising revenue interest.



Activities taken under the initiative -

- The Goods and Services Tax Appellate Tribunal A Concept Note submitted to key policymakers in May 2022
- Press Release GSTAT Coalition India submits GSTAT Concept Note to FinMin 4 May 2022
- India's GST appeal process requires urgent reforms too An op-ed by Dr Ajit Ranade in Mint in May 2022
- GST law brought a drastic change. But only a digital GSTAT can be the model for tribunals – An Op-ed by Harish Narasappa and Surya Prakash BS on The Print in October 2021

Judicial Data Collaborative

The <u>Judicial Data Collaborative</u> is an initiative to bring together researchers, technical experts, practitioners and organisations interested in the accessibility, quality and reliability of judicial data in India. These are essential to making courts and tribunals more transparent, accountable and easy to navigate for litigants.

We enable collaborations between researchers, technical experts, practitioners and organisations to create a shared vocabulary, standards and protocols for open judicial data sets, shared infrastructure and resources to host and explain available judicial data.

The objective is to drive and sustain advocacy on the quality and limitations of Indian judicial data and engage the judicial data community to enable cross-learning among various projects.



MoU with Indian Police Foundation

DAKSH signed an MoU with the <u>Indian Police Foundation</u> (IPF), an independent think tank on Policing and Law Enforcement to facilitate collaborations between the two organisations in the field of criminal justice system reform. The collaboration will enable DAKSH and IPF to work together on research projects and reports, convening discussion groups, hosting events that facilitate deliberation on reform issues and the generation of awareness amongst citizens, law enforcement agencies, media houses, and journalists.



Work with the Government

Litigation Management of the Government of Andhra Pradesh

Governments, both central and state, form the largest group of litigants in India. Public litigation, while an essential means to protect public interest and resources, ends up occupying a significant part of the scarce administrative bandwidth of government departments and officials and the entire judicial system. It is also mired in delays, omissions, and lapses arising in deficiencies within both the administrative and judicial systems. Such litigation arises not just out of rights violations but also from arbitrariness or lapses in executive decision-making.

The 13th Finance Commission Report states that the government is the single largest litigant in the country. As early as 1988, the 126th Law Commission Report stressed the importance of governments (both at the state and central level) strategizing their litigation policies to ensure effective management of government litigation. The courts have repeatedly insisted that government departments effectively use technology to provide a robust litigation management system.

DAKSH is assisting the Govt. of Andhra Pradesh in the process of establishing a Legal Management Unit (LMU) in the Governance Consulting Wing of the Andhra Pradesh Centre for Financial Systems and Services (APCFSS) to improve its litigation management practices.

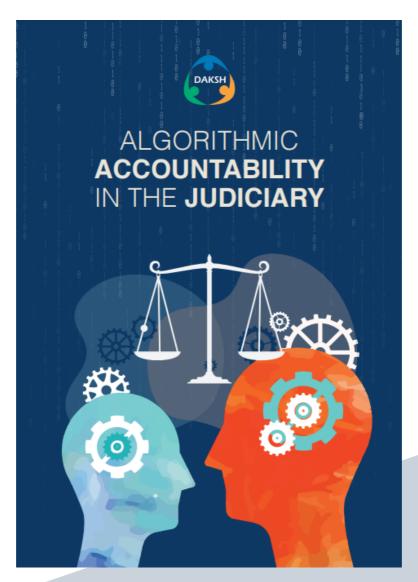


RESEARCH

Algorithmic Accountability

Access to justice for all remains the central focus when analysing various technology-related reforms. Technological interventions have the ability to enhance access and improve the efficiency of the various processes in the justice system. Using algorithms to perform tasks within the justice system presents a unique set of both opportunities and challenges.

This paper, <u>Algorithmic Accountability in the Judiciary</u>, elaborates on and explains the permeation of algorithmic technology and its usage in the justice system. It is important to study the use of algorithms in the context of the judiciary as we consider a shift from human management of certain tasks to machine management.



The impact of technological changes can create incredible avenues for improvement in the dispensation of justice. On the other hand, any incorporation of technology should be done cautiously while we continually monitor the results. Thus, the need to study the use and implementation of algorithms in the judiciary is cardinal to maintain the balance between efficiency and the rule of law.

On 26 May 2022, DAKSH launched the report, along with an online panel discussion. **WATCH HERE**

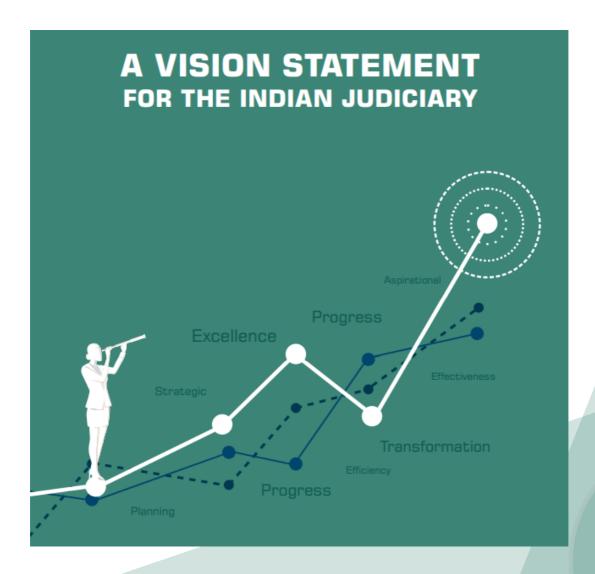
The panellists for the event were Jhalak Mrignayani Kakkar, Dr Sarayu Natarajan, and Naveen Thayyil and the session was moderated by Sandhya PR, Senior Research Fellow at DAKSH.



Vision Statement

This paper brings to the fore the need for vision statements for the judiciary in India. Vision statements, called by whatever name, are not meant only for setting aspirational goals for the judiciary.

As will be discussed in this paper, **A Vision Statement For the Indian Judiciary**, these statements lay down granular details about what targets the judiciary needs to achieve in a specific time frame, and how. Vision statements should also be mindful of how targets are arrived at. What the judiciary needs to achieve in the future should be informed by the progress made in the past, and must address the most imminent and foreseeable needs. To that end, vision statements look both into the past as well as the future.



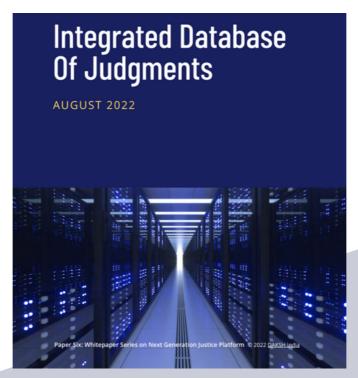
Next Generation Justice Platform

Integrated Database of Judgments - Paper 6 - White Paper Series on Next Generation Justice Platform

Over the past few years, technology has demonstrated its role in improving efficiency, transparency, and access to laws in India. DAKSH has explored the idea of a single source for laws to consolidate the various legislations across India in its white paper Single Source for Laws. An integral component of access to the law is the accessibility of decisions and judgments rendered by the courts. The creation of an integrated database of decisions of all the courts in India which will serve as an authentic source of case law is an urgent necessity in this context. This paper, *Integrated Database of Judgments*, the sixth in our series of White Papers on the Next Generation Justice Platform explores the need for access to an 'authentic source' of court decisions in the Indian context, the current scenario in India and how such a database should be created.

An integrated open database of judgments will facilitate effective public access to authentic versions of court decisions. Further, it will ensure the integrity of the information and minimise data redundancy, as a unified storage place also implies that a given court decision has only one primary

record.



Events

Panel Discussion on Next-Generation Tribunals in India - January 24, 2022

DAKSH organised an online panel discussion to spark a conversation on the vision for Next Generation Tribunals in India.

News on tribunals, be it about vacancies, the pendency of cases, poor infrastructure, oversight bodies, etc. have dominated headlines over the past year. It is undeniable that our tribunal system needs urgent reforms. At the same time, we must remember that some tribunals have fared better than their counterparts on different parameters – be it in the speedy disposal of cases, in staffing and recruitment, or in adopting new technologies.

On the eve of the 81st Foundation Day of the Income Tax Appellate Tribunal, on January 25, 2022, we began the first of the many conversations that are required amongst all sections of society to arrive at a shared imagination of next-generation tribunals in India.

The event was moderated by Aakanksha Mishra, Sr. Research Associate at DAKSH. The panellists for the discussion were Pramod Kumar, Dr M.S. Sahoo, A. Jatin Christopher, Bhargavi Zaveri Shah and Surya Prakash B.S.

You can watch the complete session **HERE**.



Beyond the headlines: Reporting on Gender-Based Violence - March 18, 2022

DAKSH hosted an online discussion on 'Media Coverage of Gender-Based Violence' on 18 March 2022.

Reporting on this subject requires sensitivity, nuance and a deep understanding of gender norms and patriarchal structures. Although the coverage of gender-based violence in the media has improved in recent years, such coverage continues to be sensationalist and episodic while ignoring entrenched power imbalances within families and societies that underlie such violence.

The panellists Rukmini S and Shalini Nair explored biased representations, stereotypes, prejudices and the use of criminal law to solve social problems. The session was moderated by Leah Verghese, Research Manager at DAKSH.

Watch the full discussion **HERE.**



Eleventh Annual DAKSH Constitution Day Lecture - November 25, 2022

In India's economic journey since independence, the Constitution has been a site of contestation regarding the way forward and has also evolved to become a facilitator. In the years to come, newer questions arising from technological developments will most certainly face courts which in turn may affect the conduct of business. Key constitutional questions from the spheres of privacy, digital currencies, climate change, health etc., may emanate in the horizontal applicability of rights, particularly against the gargantuan private corporations that are increasingly inundating our everyday lives.

DAKSH organised the <u>11th Annual Consitution Day Lecture</u> on November 25, 2022, at the Nehru Centre, Worli, Mumbai. The lecture was delivered by Cyril Shroff, Managing Partner Cyril Amarchand Mangaldas. Hon'ble Mr Justice Gautam S. Patel of the High Court of Judicature at Bombay was the Guest of Honour for the event.

Cyril Shroff spoke about how the economy interacted with the Constitution, and the evolving role of the state in business, and highlighted ten major economic issues we will face in the next 25 years. Justice Gautam Patel described the role of judges in society, the concept of justice and the role of the state in economic regulation.

The session ended with a Q&A session moderated by Harish Narasappa, Co-founder, of DAKSH. You can watch the complete event **HERE**, which includes a few highlights from the high tea.



DAKSH in the NEWS

Articles and Blogs by DAKSH Team Members and Interns

Pooja Murty

<u>ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ಪ್ರಾದೇಶಿಕ ನ್ಯಾಯಪೀಠಗಳು</u> - February 8, 2022 | DAKSH Blogs

Smita Mutt

Show me the money! Unpacking Infrastructure budgeting & planning for the Subordinate Judiciary - February 28, 2022 | DAKSH Blogs

Debditya Saha

Administration of Justice - Understanding the Phrase (Part I and Part II)
- March 4, 2022 | DAKSH Blogs

Sandhya PR and Smita Mutt

Focusing on Execution Proceedings - May 6, 2022 | DAKSH Blogs

Rakshit Agarwal

Custodial Deaths: A Heinous Crime - July 19, 2022 | DAKSH Blogs

Anindita Pattanayak

Fair Trial Goes Beyond Court - August 10, 2022 | The Hindu

Leah Verghese and Anindita Pattanayak

Can't Leave Judicial Appointments to Govt But Make Collegium System

Transparent - October 25, 2022 | The Quint

Sandhya PR

With a huge backlog of cases, the Indian judiciary should revisit the listing practices of courts - December 22, 2022 | Scroll.in

Featured

Ajit Ranade

India's GST appeal process requires urgent reforms - May 20, 2022 | The MINT

Our Bangalore

<u>DAKSH: On the MARGA of Strengthening Judiciary and Journalists for the</u>
<u>JANA</u> - October 18, 2022 | Cover Story for Bangalore Weekly

Indiaspend

A Separate Bail Law Can Help Decongest India's Jails: Experts - August 25, 2022

National School of Journalism: Public Discourse

Treading through the 'Land'mine - October 28, 2022

BQ Prime

Constitution Day: Justice Gautam Patel And Cyril Shroff On What Awaits Us In The 'Amrit Kaal' - November 26, 2022

Dainik Jagran

<u>देश के 25 उच्च न्यायालयों में हर साल 7.5 लाख तक रिट याचिकाएं होती हैं दाखिल, इनमें जनहित</u> <u>याचिकाएं भी शामिल - December 3, 2022</u>

Indian Express

<u>President Murmu's comments on affordable justice: Let's begin by</u> <u>bringing down legal fees</u> - December 24, 2022

Scroll.in

<u>Sedition, bail law and death sentence – major issues that Indian judiciary</u> <u>addressed in 2022</u> - December 28, 2022





DAKSH's Footprint











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