

**NATIONAL LEGAL SERVICES DAY**  
09.11.2015  
**ADDRESS BY HON'BLE UNION MINISTER FOR LAW AND  
JUSTICE**

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Hon'ble Prime Minister of India Sh. Narendra Modiji, Hon'ble Chief Justice of India, Shri Justice Dattu, Patron-in-Chief, NALSA, Shri Justice T.S. Thakur, Executive Chairman, NALSA, Ladies and Gentlemen,

Good morning to you all.

I feel it apt to begin by invoking the memory of Late Justice V.R. Krishna Iyer, who believed that "Society is guilty if anyone suffers unjustly." Today is an appropriate occasion to keep this thought in mind. The idea which started working in the form of National Level Committee to oversee legal aid programmes has taken the shape of creation of institutions such as National and State Legal Service Authorities. For almost three decades now, NALSA has been working towards the noble goal of providing legal aid and services to the citizens in need. I extend my greetings and good wishes to all the members and officers present here today who have all been relentlessly working towards this goal. The forefathers of the philosophy of legal aid – the Late Justice VR Krishna Iyer, and Justice Bhagwati, continue to inspire us today.

Article 39A of the Constitution gives mandate to offer free legal services for the poor. The notion of free legal aid finds its roots in the idea that no individual should have to undergo trial in the absence of legal assistance. A trial in which a poor or indigent person is not represented legally would be regarded as unreasonable and unjust. Free legal service is an inalienable element of reasonable fair and justice procedure. NALSA plays a critical role in ensuring that this constitutional guarantee is secured.

As a result of NALSA's efforts, legal aid presents itself in many forms, and touches the lives of many. These include legal aid clinics, Lok Adalats, prison legal aid clinics, and awareness programmes. The popular saying is that prevention is better than the cure. The same applies in the context of justice delivery. While legal assistance and legal aid clinics are essential, increasing legal awareness and empowerment is a key component in ensuring better

justice delivery. The prominence of making people aware of their legal rights and duties becomes more acute where marginalized groups and the poor are concerned. We must strive to work for reducing the gap in the capability of rich and poor litigants to extract from the justice delivery system.

I applaud the innovative and creative ways in which NALSA has tried to reach out to the community to spread legal awareness. The radio jingles created and disseminated by NALSA are an indication of its earnest attempts to provide important information to large audiences, particularly in rural and tribal areas. This ensures that the information provided is shared in a medium which is easily understood and recalled by those who need it most when the time comes. The potential impact of this is immense, and this kind of outreach should be emulated by other institutions responsible for sharing information. I am confident that more people will increasingly and proactively seek out NALSA and its services as a consequence of these advertisements.

Moving forward, I encourage NALSA to continue this pattern of engaging creatively. People are the best judges of what they need and the community's needs should be the priority of legal aid systems. For example, where legal awareness camps are being held, topics for such camps could be decided in consultation with local communities. A combination of interactive methods such as films and role-play may be used to disperse the message and engage the audience. This is likely to lead to better recall value amongst the audience and have long-ranging impact on the ultimate success of the legal awareness camps. The schemes could be designed taking into account the differential vulnerability of different sections of society. Providing legal services to the needy if not at the door step, but at minimal possible distance would improve the access to justice. Equally important is to focus on the quality of the legal services provided to the poor and vulnerable sections. We must find ways to encourage senior advocates to volunteer for legal aid services. Work done by the advocate in the pro bono activities could be taken as one of the criteria for designating him/her as senior advocate and later in selection of judges from the bar. This could also be extended to the promotions in lower judiciary by giving weightage to the activities carried out by the individual in the field of legal aid. Engagement of leading legal firms and leading law schools in the country to provide legal aid as a part of their social

responsibility and curriculum respectively could be an idea worth exploring in this direction.

Internationally, India is well poised to become a superpower in this century. Recently, the international community adopted a new sustainable development agenda at the United Nations, resulting in new goals that build on the eight Millennium Development Goals identified earlier. Of relevance to today's discussion is the Goal 16 of the United Nations' Sustainable Development Goals, which is dedicated to the promotion of peaceful and inclusive societies for sustainable development, *the provision of access to justice for all*, and building effective, accountable institutions at all levels. A key target for this goal is to promote the rule of law at the national and international levels and ensure equal access to justice for all. I look forward to the participation and role played by NALSA and its networks in ensuring that India achieves this goal by the target year of 2030.

One of the first steps taken towards this goal would be to address the issue of the 68% of undertrial prisoners lodged in various prisons. The Government joins hands with NALSA towards addressing this issue. Most recently, my office received a representation from 614 women prisoners in Tihar Jail, suggesting that they have been incarcerated for long periods under harsh conditions without access to effective legal services. Of these 412 women were undertrials. Their request was to be released on bail pending trial or pending appeal. This was taken up with NALSA and I am extremely pleased to report that our cooperation and the intervention of the Delhi High Court led to the release of 105 women undertrial prisoners. This is the kind of cooperation and coordination that must be replicated to reduce the population of undertrials. NALSA and the other State level institutions must seize this opportunity.

The legal aid movement had begun in order to set a foundation for social righteousness by bridging the gap between the fortunate and the less fortunate weaker sections of society. The genesis of this system was to secure social justice for the poor. On the occasion of National Legal Services Day, I take this opportunity to congratulate NALSA for all its tireless efforts in providing legal services to the needy and marginalised, particularly to those who need it the most. I will end by thanking you for inviting me to share my thoughts on this day. You are fortunate to be in a position to be the instrument of

change. I can assure you that you will always have the continued support and commitment of the Central Government.  
Thank you, and Jai Hind.

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