

**INAUGURAL ADDRESS**

**BY**

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**ON**

**THE 15TH ALL INDIA MEET**

**OF**

**STATE LEGAL SERVICES AUTHORITIES**

**ON**

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**AT**

**Pravasi Bharatiya Kendra, Rizal Marg,  
Chanakyapuri,  
New Delhi – 110 021**

**Inaugural Address**

It is a matter of great privilege for me, to address this all India meet of the State Legal Services Authorities. I am pleased to visualise the commitment of the State Legal Services Authorities, to the fundamental cause of access to, and delivery of justice. We have surely come a long way, in our collective effort, of ensuring delivery of justice at the door step. At a glance, the agenda of the 15<sup>th</sup> all India meet, reflects that we still have miles to go, in furtherance of our obligation towards the needy. In 2016, India has performed poorly, on the World Justice Project's 'Rule of Law' index. It was placed at rank 66, amongst 113 countries. I feel, that in the proposed deliberations during this 15<sup>th</sup> all India meet, we should apply ourselves pointedly towards framing vital guidelines, and formulate specific steps to be taken, to lift the ranking position of India, in the 'Rule of Law' index. The State Legal Services Authorities have done commendable work, under the supervision of the National Legal Services Authority. But we need to reach out, in terms of actual service, to more of our country persons, especially children, women and the differently abled. For those historically oppressed, 'Justice for All', is still a dream.

## **NALSA's efforts in tune with International Call for 'Access to Justice'**

Article 39-A, the Constitution, primarily mandates, the State to secure, that the legal system promotes justice, on the basis of equal opportunity, including free legal aid, to ensure that opportunities for securing justice, are not denied to any citizen, by reason of economic or other disabilities. As judges, we are bound to ensure and endeavour, that the voiceless and the vulnerable, are not denied the benefit of Article 39-A, either by omission or commission. In this context, I must appreciate NALSA's commitment, which spearheaded a program, that all undertrial prisoners get representation from the first day of production in court. NALSA's 'Standard Operating Procedure' for this purpose, represents the adoption of one of the most modern management techniques. The procedure implemented through State Legal Services Authorities, enables a timely interface, between the empanelled lawyers of the District Legal Services Authorities, and the jail inmates.

This interface, must now be speeded up, in the light of the March 9, 2017 judgment of the Supreme Court, in Hussain vs. Union of India. In this case, detailed steps for monitoring of criminal cases, in the district courts, by High Courts, have been

laid down, with time limits, for expeditious disposal, and for performance assessment on that basis. Among the several points summed up in the judgment, on which High Courts may issue directions to subordinate courts, a significant one is, that ‘bail applications be disposed of normally, within one week.’

It is heartening, that NALSA has kept pace with the evolution of international law under the UN auspices, concerning legal aid and prisoners. The United Nations General Assembly adopted the Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, in December 2012. The UN's efforts in 2012, were integrated with the Standard Minimum Rules, for the treatment of prisoners, approved by the Economic and Social Council, in its resolution 663 C (XXIV) of July 31, 1957 and resolution 2076 (LXII) of May 13, 1977. These resolutions provide for, allowing visits by lawyers, and tendering of legal advice to the untried prisoner, for the purposes of his or her defence. NALSA's initiative, is also in conformity with Principle 11 of the Body of Principles, for the protection of all persons, under any form of detention or imprisonment, which also restates the position, that every detained person, should have the right to defend himself (or herself), and be provided with a lawyer.

NALSA's vision, is also integrated with Goal 16, of the UN

Sustainable Development Goals of the 2030 Agenda, adopted by the General Assembly, in September 2015, calling on all member countries, to ensure universal access to justice. Goal 16 also calls for building effective, accountable, and inclusive, institutions at all levels. I am hopeful, that NALSA's progressive approach, and the conjoint efforts of the State Legal Services Authorities in this direction, will yield excellent results.

### **NALSA and National Lok Adalat**

Our duty doesn't rest in only facilitating equal and adequate legal representation, but goes far ahead. The overburdened courts, due to the heavy litigation rate, that we regularly experience, makes it all the more obligatory, on the Indian judiciary to ease the docket, by creating ways and opportunities for amicable, speedy, and less, procedural disposal of cases. In this context, it is a pleasure to note, the recent initiatives of NALSA. Illustratively, the 2017 decision of the Executive Chairman of NALSA, to organise bimonthly National Lok Adalats for all subject matters. It is heartening to note, that a beginning was made in this regard, on February 11, 2017, when the first such National Lok Adalat held across the country, helped to settle more than 9.43 lakh cases. I understand, that these include 3.01 lakh cases, which were at the

pre-litigation stage, and 6.41 were pending cases. This endeavour, led to settlement of litigation, involving Rupees 1932.81 crore. I congratulate all concerned on this remarkable achievement.

**Holistic approach encompassing all persons:**

In tune with Goal 1, of the Sustainable Development Goals, which aims to ‘end poverty in all its forms everywhere’, as well as Goal 16, I recall the dedicated efforts of NALSA in ‘effective Implementation of Poverty Alleviation Schemes of 2015’. NALSA’s eight schemes launched in 2015 which were complimented with an additional two schemes in 2016, cover a wide range of classes of people, who need legal aid, in order to secure their legal rights. I am sure, these schemes mark a milestone, in the reach and development of legal services, rendered traditionally in our vast country. We have now matured, to provide an effective legal representation, to particular classes of people, caught in specific tragic or unfortunatesuffering, including adversity and misery due to an act of God. I am aware, that the schemes of NALSA, include legal services to – disaster victims, victims of sexual exploitation, victims of acid attacks, victims of drug abuse, besides services to senior citizens, children, tribals, differently abled persons, and workers of the unorganised sector. It is a matter of immense

satisfaction, that through these schemes, NALSA has emerged as the true champion of access to justice for many. But, we still have miles to go. This is in true compliance, with the mandate of Section 12, of the Legal Services Authorities Act, 1987, which stipulates the category of persons entitled for legal aid services.

**Embracing technology:**

I also take this opportunity to re-emphasise, on the need of embracing technological innovations, in our operations and management. This will enable us, to enhance outreach to the needy, and improve our skills, in handling complex legal situations, timely and effectively. Digitisation of records will help us to access, legal advice tendered in a particular case, by the concerned empanelled lawyer. It will also help us to identify the bottlenecks in delays for settlement of the cases. Use of technology, will enable all concerned in filing applications online. In this regard, I am particularly happy to note the launch of 'Web Portal of NALSA' last year, which facilitates online applications, as well as, monitoring of grievances. This will help us connect with people meaningfully, to facilitate legal aid through the concerned State Legal Services Authority and District Legal Services Authority.

## **Invest in Para-Legal Volunteers**

No law, policy or scheme can yield satisfactory results, until the promised benefits are actually delivered. India today has the world's youngest population. I think, there can't be a better opportunity than this, to invest in young Para-Legal Volunteers. We must train a cadre of PLVs, and attach them with the Taluka Legal Services Committee, and the District Legal Services Authorities. This will increase a common man's access to legal services institutions as PLVs will effectively give the aggrieved or victimized persons, timely information about their legal rights, and also guide them further, for making use of the legal aid services available. I have felt that victim of crime also needs access to justice. Let us make 2017 the year of Section 357 of the Cr.P.C.

I hope the deliberations in this 15<sup>th</sup> all India meet, will help in finding answers of many issues, and challenges associated with PLVs, for outreach programs of NALSA and State Legal Services Authorities.

The road is long, and may be quite cumbersome. It is an opportunity that has come our ways, let us grab this opportunity, and do whatever we can, in the service of the nation, and in the service of our countrymen. Here and now, should be our motto.

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