

FULL TEXT OF THE INAUGURAL ADDRESS DELIVERED BY
HON'BLE THE CHIEF JUSTICE OF INDIA SHRI JUSTICE N V RAMANA
AT THE 18TH ALL INDIA LEGAL SERVICES MEET

JAIPUR
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1. I welcome all the members to the 18th All India Legal Services Meet.
2. No modern democracy can be dissociated with the observance of “Rule of Law”. The question is, can the “Rule of Law” persist without the idea of equality? The idea of modern India was built around the promise of providing Justice: Social, Economic and Political. This is a strand which flows through out our Constitution and crystalised in Part III of the Constitution.
3. Undeniably, the colonial justice system inherited by the Independent India was out of step with the social reality. If law, and the legal process, continued to be a tool at the dispense of the privileged few, then the majority of the people would have sought justice in the streets.
4. In a country like India, legal aid forms a core aspect of the administration of justice. Administration of justice is not an act which is accomplished only within the courtrooms. It involves promoting and creating awareness about rights and facilitating social justice. It means creating a platform where parties can claim competing rights.
5. Only when equal access and participation is ensured in the justice delivery system, the faith and trust of all shall be won. Therefore, Access to justice came to be recognised as a fundamental right, as it is the key to defending other rights. In other words, unless people can access justice, they would be deprived of remedies in case of violation of their rights.
6. A single violation of a right, or a single case, can spiral into graver consequences quickly. An unlawful eviction may not only lead to loss of shelter, it may also lead to loss of livelihood which may result in lack of access to food or healthcare. Without state intervention in such circumstances through legal aid, violators will never be held accountable, and injustice shall prevail.
7. Considering the significance of the State’s role in administering justice, the Legal Services Authorities Act was enacted in 1987, nearly 40 years after independence. The Act was considered revolutionary, as it was much ahead of its time. After initial hiccups, we have now achieved great

success. Now, our services have reached every nook and corner of our country. Today almost 80% of our population are eligible to claim benefits under the NALSA Act.

In fact, I will not be surprised if NALSA becomes the largest service provider in our country.

- 8.** When I discuss the journey undertaken by NALSA in the past 27 years in my interactions with foreign dignitaries, it generates great admiration. Even the world's most advanced democracies do not carry out legal aid at such a massive scale. This has been possible only due to the cooperation of all the stakeholders: the Government of India, State Governments, judges from the Constitutional Courts to the District Courts, panel lawyers, para legal volunteers and the staff of the legal services authorities. The success of NALSA and the legal aid movement, is attributable to the joint effort of all involved.
- 9.** We are constantly evolving and learning from our past experiences. We are attempting to streamline our services and adopting modern tools and technology, while maintaining our original goal and belief. In pursuance of the aforesaid goals, today we have released four schemes. Although NALSA was already undertaking activities in this field, these will ensure much needed upgradation which will advance the cause of accessibility.
- 10.** Today, I am glad to see that two different initiatives for the benefit of the prisoners have been launched. In India we have 6.1 lakh prisoners in 1378 prisons. They are indeed one of the most vulnerable sections of our society. Prisons are black boxes. Prisoners are often unseen, unheard citizens. Prisons have different impacts on different categories of prisoners, particularly those belonging to marginalised communities.
- 11.** The new initiatives under the E-prisons portal are a step towards transparency and expediency, keeping the interests of the prisoner at the core. Now, all relevant information regarding an inmate, such as the details of their incarceration and pending court cases, are just a click away.
- 12.** Another great initiative launched today is that of e-Mulakat. Prolonged separation from family and society can have a detrimental impact on the mental health and socialisation of an inmate. Through this initiative, the families and well-wishers of inmates can be in constant touch with them with ease. The eParole application is another great initiative through which inmates can have continuity of social existence and interaction.

- 13.** A grave issue affecting our criminal justice system is the high population of undertrials in our prisons. Out of 6.10 lakhs prisoners in India, around 80% are under trial prisoners. Efforts like the Release_UTRC@75, brings back the spotlight on the necessity of continuously reviewing the existing undertrials for their faster releases. However, our goal should not be limited to enabling mere early release of undertrial prisoners. Rather, we should question procedures which leads to such prolonged incarceration in huge numbers without a trial.
- 14.** Today, we have also launched the New Legal Aid cases Management portal & Mobile app. This would be of great assistance to the legal aid beneficiary, as they will be sharing a common platform with the legal aid lawyer. This app will not only increase the efficiency of case management, but will also lead to accountability and transparency as to the handling of the case.
- 15.** The NALSA Online Mediation portal for commercial Mediation is the first Online Dispute Resolution (ODR) platform in the Government Sector. As we know, the government is the biggest litigator in the country.
Now, through the NALSA online mediation portal, various disputes can be resolved through ODR in an inexpensive, and time bound, manner.
- 16.** Over here, I would like to also commend the Supreme Court Legal Services Committee which is also doing a stellar job in making its services available at the grassroots level, by adopting modern technology. We must all appreciate the initiative taken by Brother Justice Khanwilkar to modernize the existing services by utilizing new technology. The new litigant centric approach of the SCLSC will further enhance the cause of accessibility.
- 17.** Today, in addition to taking stock of the progress made in the past three years, we will also be taking up discussion on 7 different agenda items. The selection of the agenda items indicates the multidimensional approach of NALSA. I hope the deliberations that take place here will have far reaching impacts on the lives of millions.
- 18.** But, much needs to be done. The challenges are huge. In our criminal justice system, the process is the punishment. From hasty indiscriminate arrests, to difficulty in obtaining bail, the process leading to the prolonged incarceration of undertrials needs urgent attention.

We need a holistic plan of action, to increase the efficiency of the administration of criminal justice. Training and sensitization of the police and modernization of the prison system is one facet of improving the administration of criminal justice. NALSA and legal service authorities need to focus on the above issues to determine how best they can help.

- 19.** Even when it comes to civil cases, particularly petty civil disputes and family disputes, they can be resolved by alternate dispute resolution methods. By using different services of NALSA, from Lok Adalats to mediation, justice seekers can achieve inexpensive and expeditious resolution of their disputes. The same will also reduce the burden on the Courts.
- 20.** To make the work done by NALSA more efficient and user centric, I want to highlight certain aspects that may be considered by the stakeholders during the upcoming deliberations.
- 21.** Although we have a large network of lawyers working with legal service authorities, it is very important for us to take feedback from the beneficiaries of such services. There needs to be active monitoring, in order to inculcate accountability.
- 22.** I am very happy that we are launching several new schemes. However, I think it is time to reevaluate, take stock and determine whether the intended results are being achieved through the schemes already launched. Now, it is high time we focus on the quality of our services. After all, the work done by NALSA is a Constitutional responsibility. The interventions should result in satisfactory positive outcomes. It is imperative to modernise and streamline the existing services by adopting technology.
- 23.** Over the past year, NALSA has successfully conducted nation-wide awareness campaigns. However, this is just the beginning. We must be ready with the infrastructure to accommodate the new justice seekers. We need to co-opt service-oriented youngsters for improving the quality of socio-legal services within the criminal justice system.
- 24.** The legal services authorities are under the able guidance and leadership of my brother Justice Lalit. Justice Lalit is known to be a forward looking Judge. I am moved by his efforts to spread awareness and outreach about legal aid services relentlessly over the past year.
- 25.** I sincerely thank Hon'ble Chief Minister Shri Ashok Gehlot ji and the Government of Rajasthan for hosting this event and for extending trademark Rajasthani hospitality. I am

impressed with the way this beautiful city of Jaipur is developed. I wish the Chief Minister the very best in his endeavours to develop the State of Rajasthan.

- 26.** As far as our Law Minister is concerned, I am running out of compliments for this fine gentleman. I hope NALSA continues to benefit from his active association.
- 27.** I take this opportunity to appreciate the efforts put in by various stakeholders: the legal services authorities, the panel lawyers, mediators and paralegal volunteers for showing immense flexibility and determination for the cause of justice. Every intervention is a clear indication of the important position you hold in our justice delivery system.
- 28.** I would also like to compliment Mr. Ashok Jain, Member Secretary, NALSA for his dedication and hard work. I remember the time I brought him to NALSA from Rajasthan. I had heard a lot of good things about him, and he has lived up to them.
- 29.** Now, I would like all of you to continue with your deliberations on the agenda items and would seek your leave for the day. I wish you all the best.
- 30.** Before I conclude, I would like to say a few things about the issue of pendency. I am glad that the Hon'ble Minister has referred to this issue. I have been repeatedly highlighting two problems that the judiciary is encountering. Judicial vacancies and judicial infrastructure. I hope the Government expedites the process of filling up of judicial vacancies. NALSA, as you all are aware and as is widely acknowledged, is a highly successful model. In similar lines, I had proposed creation of independent authorities for development of judicial infrastructure both at national and state level. Unfortunately it did not take off. I hope the Government of India revisits the proposal.
- 31.** I conclude, with the words of Mahatma Gandhi:
"My notion of democracy is that, under it, the weakest should have the same opportunity as the strongest."