

NATIONAL LEGAL SERVICES DAY

09.11.2021

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 ,State Legal Service Authorities and High Court Legal Services Committees. I extend my greetings and good wishes to all the Advocates and officers who have all been relentlessly working towards this goal.

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. HCLSC plays a critical role in ensuring that this constitutional guarantee is secured. As a result of HCLSC’s efforts, legal aid presents itself in many forms, and touches the lives of many. These include 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 HCLSC has tried to reach out to the community to spread legal awareness. I am confident that more people will increasingly and proactively seek out HCLSC. Moving forward, I encourage HCLSC to continue this pattern of engaging creatively. 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.

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 HCLSC for all its

tireless efforts in providing legal services to the needy and marginalized, particularly to those who need it the most. . You are fortunate to be in a position to be the instrument of change.

**Justice Tejinder Singh Dhindsa,
Chairman,
High Court Legal Services Committee**