

# ACCESS TO JUSTICE IN INDIA

**Judicial Insights  
2024-25**

॥ न्यायस्त्र प्रमाणं स्यात् ॥



**S.K. Malik Chair  
on Access to Justice**

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National Law University Delhi Press

**ISBN: 978-93-47698-60-6**

**Published by**

National Law University Delhi Sector-14, Dwarka New  
Delhi, India 110 078

**Year: 2025**

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Dr Bharti Yadav has been a faculty member at the National Law University Delhi since 2012. Her areas of interest consist of Criminal Law, Research Methodology, Legal Aid and Clinical Legal Education. She has been involved in administrative reform initiatives at Delhi Prisons by conducting various empirical research. She has collaborated with the Delhi Legal Services Authority for its various Legal Aid initiatives. She has been a resource person at the Haryana Institute of Public Administration for its various training programs and a resource person for a live legal awareness program on Gyan Darshan TV channel. She is the course coordinator of the UGC e-Pathshala course on Access to Justice and also the UGC MOOCs course on Access to Justice, which has been translated into eight vernacular languages. She is the faculty coordinator of the NLU Pro Bono Club, which engages university students in community outreach programs. She is the In-Charge for the S. K. Mallik Chair on Access to Justice, dedicated to conducting research for promoting Access to Justice.

She offered seminar courses at the University of Wurzburg, Wurzburg, Germany in the year 2016 & 2017. She was invited by Justice Academy, Ankara, Turkey to address Judges and advocates on art of cross examination in the year 2017. She has presided over sessions on promoting justice education at the international conferences of The Global Alliance of Justice Education in Turkey, Mexico, South Africa and Poland. She is the South and Central Asia region female representative for the Steering Committee for Global Alliance for Justice Education. She is the Secretary, Executive Committee, GAJE. She is a member of the GAJE UN ECOSOC committee and Chair of, Membership Committee of GAJE. She has many national and international publications of articles and books to her credit. She has organised many international and national workshops and conferences on criminal law and clinical legal education.

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Nyamat Sekhon is a legal professional working in environmental law, human rights, and constitutional studies. She is currently pursuing her Ph.D. at the Rajiv Gandhi National University of Law (RGNUL), Patiala, where her research explores the intersections of environmental governance, human rights, and climate justice. She holds an LL.M. in Environmental Law from the Central University of Punjab, Bathinda, where she graduated with distinction, and a B.A. LL.B. (Hons.) from RGNUL with a specialization in Constitutional Law and Political Science.

Nyamat has been actively engaged in academia and legal research, having served as an Assistant Professor of Law at the University Institute of Legal Studies, Chandigarh University, and as a Research Assistant on the collaborative project “*Access to Justice*” between RoundGlass India Centre, Seattle University, and Jindal Global Law School. She currently holds the position of Academic Fellow under the S.K. Malik Chair for Access to Justice at the National Law University, Delhi.

Her academic contributions include several peer-reviewed publications in reputed journals and book chapters with national and international publishers, such as Elsevier and Manchester University Press. Her research spans diverse themes including refugee protection, gender justice, climate change, and sustainable development.

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## PREFACE

Access to justice is the cornerstone of any democratic legal system. The Constitution of India envisions justice—social, economic, and political—as the guiding principle of governance. Within this framework, legal aid stands as both a moral commitment and a constitutional imperative, ensuring that no individual is denied justice merely due to poverty or social disadvantage. Article 39-A of the Constitution, read with Articles 14, 21, and 22, reinforces the State’s obligation to guarantee equal access to the law, a right that has been judicially recognised as an essential element of a fair trial and a just procedure.

This compilation titled, “Access to Justice in India - Annual Survey 2024-25” brings together a curated selection of recent and seminal decisions of the Hon’ble Supreme Court of India that have shaped the jurisprudence on legal aid. It captures the evolving judicial understanding of legal aid not merely as a statutory duty but as a fundamental right intrinsic to the right to life and personal liberty. Through these judgments, the Court has continuously expanded the contours of this right—from prisoners and undertrial detainees to women, children, victims of human trafficking, and other vulnerable groups—transforming legal aid into a dynamic instrument of social justice.

The collection underscores the judiciary’s consistent emphasis on the role of Legal Services Authorities, established under the Legal Services Authorities Act, 1987, in operationalising access to justice at every level—national, state, district, and taluka. From ensuring






representation for the indigent accused to monitoring prison conditions and facilitating compensation to victims, these authorities have emerged as crucial bridges between constitutional ideals and lived realities. The decisions compiled here reflect how the Supreme Court has monitored, guided, and refined their functioning, thereby institutionalising the right to legal representation as a concrete, enforceable right rather than a benevolent gesture.

Each judgment included in this volume has been selected to highlight a particular aspect of the legal aid framework—its constitutional foundation, its procedural manifestations, and its reach among diverse beneficiaries. Collectively they present an integrated picture of India’s constitutional journey toward achieving substantive equality before the law. The work is divided into two major parts: Part I addresses the scope and concept of legal aid, including its relationship with fair trial, speedy justice, and alternative dispute resolution through Lok Adalats; Part II focuses on the categories of beneficiaries, particularly people in custody, women and children, and other vulnerable or marginalised sections of society.

In compiling this book, our objective has been to make accessible, in a single volume, a comprehensive resource for academics, practitioners, policy-makers, and students of law. It seeks to aid understanding of how the Supreme Court’s interpretative wisdom has deepened the meaning of access to justice, linking it to human dignity, equality, and freedom from arbitrary deprivation of liberty.







## FOREWORD

The sanctity of law is perceived by the ends it wishes to achieve and the most omnipresent convention that law supports is ensuring the ends of justice. The Constitution of India envisions justice - social, economic and political - as the foundational structure for a democratic society. But the promise remains hollow if the same is not strengthened by means of ‘access to justice’ mechanisms by the State to ensure equity amongst people from different socio-economic backgrounds. The establishment of these mechanisms alone is not enough. It becomes equally imperative to understand and evaluate the working of these mechanisms when perceiving the idea of justice in India.

The Constitutional mandate of how justice should be experienced and realised can be understood by seeing the working of the manifest embodiment of the ideal, the Supreme Court of India, through its pronouncements over the years which have shaped, strengthened and actualised the principle of access to justice handholding it from thought, to letter and to implementation. The judicial understanding is an evolving concept which adjusts and varies as per the needs of the society and changing socio-economic circumstances.

This annual survey on “Access to Justice” for the year 2024-25 aims to give an insight on how the judiciary takes this notion and practically applies it to cases in the present times. The premise of this survey follows the contours of access to justice in its many facets like the working of the Legal Services Authorities, Speedy Trial and Lok Adalats and also traces out the beneficiary categories as listed under the Section 12 of the Legal Services Authorities Act, 1987.



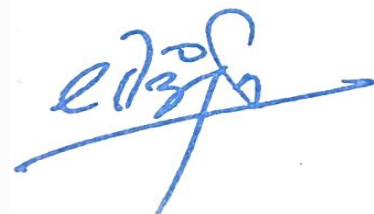


It traces the judicial observations and directives in cases concerning the broad question of access to justice in order to give an understanding how the idea is being shaped from being merely a letter of law to a living reality.


It gives me immense pleasure to write the Foreword for this 'Access to Justice in India - Annual Survey 2024-2025' which marks the start of a flagship initiative by the S.K Malik Chair on Access to Justice to shed light on how the concerns of limited access to justice are tackled by the Apex Court of the country, thereby, setting the groundwork for the working of the judiciary nationwide.

This survey provides a starting point for future research by academicians, law-makers and legislators aiming to contribute to the improvement of the access to justice structures in India by identifying its lacunae traced out of the realities in lived in the courtroom. It acts as an exhaustive collection of judicial decisions to understand the undercurrents guiding and motivating the judiciary when answering access to justice questions presented before it from diverse fields.

I congratulate the editors of this survey for their efforts in bringing forth topical and neoteric understanding of access to justice from a judicial standpoint.



Prof. (Dr.) G.S. Bajpai  
Vice Chancellor  
National Law University of Delhi






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