
ACCESS TO JUSTICE AND LEGAL AID IN INDIA: A SOCIO-LEGAL STUDY

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ABSTRACT

The rule of law includes access to justice as one of its pillars but in India this has proven to be elusive to many of the marginalized citizens. This socio-legal research provides an analysis of how the legal aid system in India supports the delivery of justice concentrating on publicity of legal aid and efficacy of legal aid services. The paper puts the problem within the constitutional imperative of the free legal aid and tracks the development of the legal aid institutions. It is a mixed approach, based on a doctrinal and empirical method: the statutes, case law, and scholarly literature analysis, as well as recent statistics on the use of legal aid. The results show that there is still a gap between what was promised of justice to all and the realities on the ground. In many areas, the extent of legal aid schemes is threatened by the low publicity on the issue of free legal aid. Simultaneously, access to legal aid is limited in effect in regions where it is availed, due to systemic issues - such as insufficient funding, overworked legal advice attorneys, and disproportionate quality services. However, this has not been the case because the legal aid system has grown vastly and has served millions of cases with both Legal Services Authorities and Lok Adalats. As the paper ends, the legal aid in India is being strengthened by legal advocacy, and the operational and financial means of legal aid reform such that access to justice can become a factual experience of every citizen in India.

Keywords: Access to Justice; Legal Aid; India; Awareness; Effectiveness.

Introduction and Research Problem

Access to justice implies the capability of persons to access equitable reparations with the help of formal courts¹. This is the ideal in India in the Constitution - Article 39A admonishes the State to make available free legal assistance so that access to justice may not be denied on economic or other grounds of disability. In response to this requirement, Parliament passed the Legal Services Authorities Act 1987 which established statutory authorities at the national, state and district levels to provide free legal services². In spite of these strong legal frameworks, the fact remains that still large parts of the population find it difficult to negotiate their way through the legal framework. This is the research problem in its essence with the fundamental question being, to what degree has the legal aid mechanism in India realized the constitutional promise of equal justice to the poor and the vulnerable?

The imperative for legal aid in India was recognized early. The Law Commission of India's 14th Report (1958) highlighted how the high cost of litigation and lawyer fees effectively barred indigent people from the courts³. Two decades later, the Expert Committee on Legal Aid (1977) chaired by Justice P.N. Bhagwati envisioned a nationwide program called "National Juridicare" to bring "equal justice – social justice" to the doorstep of the poor⁴. Legal aid was thus conceived not as charity but as an obligation of the state to uphold the rule of law. The Supreme Court of India reinforced this vision through a series of seminal judgments. In *Hussainara Khatoon* (1979), the Court drew attention to the plight of thousands of undertrial prisoners too poor to secure legal representation, which spurred the nascent legal aid movement⁴. Thereafter, in *Khatri v State of Bihar* (1981) the Court stated categorically that non-provision of counsel to an indigent accused could not be excused by the fact that the state did not have funds - the fact that it had no money would not justify its failure to offer free legal assistance. In *Suk Das v Union Territory of Arunachal Pradesh* (1986)⁵, the Court further did so. In UT of Arunachal Pradesh, which held that a criminal investigation commenced in the absence of the accused being advised of his right to have a free legal assistance is per se vitiated. The availability of counsel is another significant aspect of fair procedure which was solidly entrenched as a result of such judicial pronouncements in Article 21 (right to life and liberty).

¹ Mauro Cappelletti and Bryant Garth, 'Access to Justice: The Worldwide Movement to Make Rights Effective' (1978) 1 *Access to Justice* 1.

² Constitution of India 1950, art 39A.

³ Law Commission of India, *Fourteenth Report on Reform of Judicial Administration* (1958).

⁴ *Hussainara Khatoon v State of Bihar* AIR 1979 SC 1369.

⁵ *Suk Das v Union Territory of Arunachal Pradesh*, (1986) 2 SCC 401.

However, even in the context of the constitutional and institutional framework, there is a serious concern of the ground reality. There are several target groups of those who are meant to gain the services of legal aid, but they do not know their rights or they are unable to utilize the services effectively. The research problem, then, can be described as a socio-legal paradox in that India has a legal aid system that is designed as one of the largest in the world, but does it in fact guarantee access to justice in practice? The sections further address this issue by using particular research questions and evaluation of the empirical evidence about the level of awareness and effectiveness of legal aid services in India.

Research Objectives

The research will address the gap between the high hopes of the free legal aid and the actual experience of those who seek justice. The following are the main objectives: (1) to determine the extent of the general awareness of the populace regarding the availability of free legal assistance in India, particularly among the socio-economically disadvantaged communities; (2) to test the efficacy of the current legal aid provisions (including the National Legal Services Authority and Lok Adalats) to provide timely and quality justice; (3) to identify the main obstacles - legal, institutional and social - which obstruct the achievement of equal access to justice; and (4) to establish the recommendations related to legal and policy changes to make the process of.

Research Questions

Based on the above objectives, the research questions that guide the study are as follows. To begin with, what is the level of awareness amongst people on the grassroots about availability of free legal aid as well as the means by which they become aware of their rights to the law (or not)? Second, how practical are the legal aid services in India - are the beneficiaries of legal aid getting similar results as those who can afford a lawyer and are systems such as Lok Adalats reducing the costs of formal litigation? Third, which are the structural or operating problems that hinder the operation of legal aid institutions (e.g. lack of funding, inadequate manpower, training or bureaucracies)? Lastly, in what ways (legal, administrative, or technological) are reforms or innovations more effective to ensure that legal aid in India is more accessible and effective?

Research Hypotheses

In the light of the situation, and the questions, this study is conducted under three hypotheses.

H1: There is low awareness of free legal aid among people in India, more so among the rural poor and other disadvantaged groups leading to poor delivery of legal aid services. **H2:** The modern legal aid system though comprehensive in theory is challenged by problems of effectiveness such as overtaxed legal aid counsel and inadequate resources that restrain its effectiveness in achieving positive results in assisting indigent litigants. **H3:** The increased funding, quality supervision, capacity building, and legal awareness will be a significant contribution to the access to justice, as indicated by the increased use of legal aid, decreased case pendency of poor litigants, and increased contentment with justice delivery in this segment.

Research Methodology

This study adopts a **socio-legal research methodology**, combining doctrinal analysis with empirical insights⁶. On the conceptual level, it analyses the provisions of the constitution and legislations and major court rulings that have consolidated the legal assistance system in India. The Constitution of India and the Legal Services Authorities Act are examined as primary sources and the case law established by the Supreme Court is examined to broaden the right to legal aid. On the empirical, the study is summarizing data available in government reports and previous field research to understand the operations of the legal aid system in practice. The statistical data - e.g., the amount of legal aid beneficiaries, the cases that Lok Adalats disposed of, and the surveys of the population on the subject of legal knowledge - are analysed to make out the trends and results. It is therefore analytical and descriptive in approach and attempts to draw comparisons between the desired operating way of legal aid (as prescribed by laws and schemes) and the real performance indicators. Data can be found in annual reports and press releases of the National Legal Services Authority (NALSA), where one can find the latest statistics on delivering legal aid, independent research by scholars and non-governmental organizations on the topic (legal literacy and quality of services offer).

This has ensured the study is reliable and nuanced by triangulating these sources. Literary qualitative data - interviews of legal aid attorneys and stories of previous studies beneficiaries - are also used to show the human side of abstract policies. Comprehensively, the socio-legal approach allows seeing access to justice in its entirety: not only through legal dogmas and institutional structure but addressing the social reality and everyday lives of people to whom

⁶ Upendra Baxi, 'Social Action Litigation in India' (1985) 1 *Journal of the Indian Law Institute* 1

the system is addressed. The results of the literature review below place this question within the context of the extant literature.

Literature Review

Academic discourse on access to justice in India is rich, reflecting both optimism about constitutional ideals and skepticism about on-ground implementation. Scholars like *Marc Galanter* and *Jayanth Krishnan* have observed the paradox that while India has a “flourishing constitutional order” and activist higher judiciary, the courts accessible to ordinary people remain beset with “massive problems of delay, cost, and ineffectiveness,” discouraging people from seeking remedies⁷. They observe that the formal judicial system is held by the vast majority of Indians at very low rates, a tendency that can be explained by the systemic barriers that the legal aid is expected to mitigate. Upendra Baxi and others in various other empirical studies in the 1980s had earlier reported the same phenomena, that the legal system is perceived by the poor as alien or biased and that this condition results in a kind of disengagement, which has to be overcome through legal aid schemes.

Historically, legal aid in India may be said to have emerged in the legal anthropological work of Oliver Koppell, in his seminal article of 1969, the Indian Lawyer as Social Innovator, which criticized the half-hearted application of early legal aid programs prior to the Emergency period. Koppell noted that projects in the 1960s such as state-level legal aid boards were not only under-funded but they were also incompetent to attract good lawyers. This is true to subsequent criticism that legal aid in India has been more talk than action. Famous jurist Justice V.R. Krishna Iyer - who himself was an architect of legal aid policy - has regretted that even the best intentions of statutes even with the best intentions sound hollow unless they are supported by political goodwill and social consciousness.

Dr. S. Muralidhar in his work *Law, Poverty and Legal Aid* (2004) gives an elaborate assessment of the role played by legal aid in the criminal justice system. He puts emphasis on the fact that in spite of legal requirements, poor undertrial prisoners remained unrepresented long before the judicial higher courts interceded in the late 1970s and 1980s. Muralidhar suggests that the lack of capacity and responsibility: The lack of trained duty counsel in most districts and the lack of monitoring in legal aid representation were found to be endemic

⁷ Marc Galanter and Jayanth K Krishnan, ‘Bread for the Poor: Access to Justice and the Rights of the Needy in India’ (2004) 55 *Hastings Law Journal* 789.

problems that resulted in a scenario where de jure rights were not met with de facto assistance by many arrestees.

Later research has been done on the performance of legal aid institutions. In 2018, the Commonwealth Human Rights Initiative (CHRI) detected glaring infrastructural deficiencies - one discovery was that India had about one legal aid lawyer per 18,000 inhabitants, about fivefold that number in some developed districts. There has also been a question mark on the quality of lawyering of legal aid. According to Pandey (2023), a 2020 study observed that large proportions of legal aid attorneys were unhappy about honorariums and late payments, which influenced their motivation and performance. Indeed, **Suryanshi Pandey**'s investigation into free legal aid revealed that, as of 2022, India's government expenditure on legal aid was about ₹0.78 per capita – among the lowest in the world. This chronic under-investment correlates with low remuneration for legal aid panel lawyers (sometimes as little as ₹5,000 per month for young attorneys), leading to a shortage of experienced lawyers willing to take up legal aid cases⁸.

This kind of knowledge provided by the literature indicates that when the effectiveness of legal aid is to be evaluated the focus cannot be on the number of beneficiaries but rather on how well and timely the assistance provided. Overall, the literature indicates that there is an agreement that even though the Indian commitment to legal aid is constitutionally and legally established, the practical meaning of access to justice to all is still on the way. Two important issues are well identified, awareness and effectiveness, that constitute the analysis in our analysis. Ignorance of the law is also a recurrent factor that is cited as one of the main barriers to justice among the poor since they are unable to demand what they do not know. Effectiveness on the other hand is in concern of the success of the system to those who do use it, and in this case, the resource constraints and other inefficiencies in the system tend to be raised. These two parameters are therefore explored in the next section with recent data and analysis.

Research & Analysis

Awareness of Legal Aid in India

The basic issue of the effectiveness of any legal aid system is the level of awareness of the target population on the existence of such a system and how these people can get it. In India, even after legal literacy campaigns in the whole country, it has been found that awareness rates

⁸ S Muralidhar, *Law, Poverty and Legal Aid: Access to Criminal Justice* (LexisNexis 2004).

are alarmingly low in areas where it would most be needed by the legal aid. To depict this gap, the use of a grassroots survey in rural Punjab (2018) is used. More than 60 percent of the people interviewed in that study said they were totally unaware of the availability of the free legal aid services in their locality and merely 19 percent of them were fully aware of such services. Other respondents who were less likely to be aware of legal aid had only partial or some awareness of legal aid, usually acquired incidentally e.g. by attending a court session or participating in a legal literacy event - as compared to proactively reaching them. The Punjab survey on legal aid awareness has been summarized in Table 1 below:

Table 1: Legal Aid Awareness among Rural Population (Punjab, 2018)

Awareness Level	Respondents (%)
Fully aware	19.2%
Partially aware	18.3%
Not at all aware	62.5%

Survey data of Supreet R Sukhija et al, 2018 (Catalyst Journal of Management) - indicating the percentage of respondents who know about free legal aid in Sangrur and Barnala districts. The data provided above supports a very grim truth which is that most of the rural populace sampled were unaware that they were entitled to free legal aid. This finding is not isolated. Other measurements have concurred with the fact that legal awareness in India is still immature, particularly among the underprivileged groups. The reasons are manifold. General literacy comes first: at the low levels of basic literacy, legal literacy is even worse, and further aggravated by social influences such as caste, gender, and geographic isolation that might inhibit exposure to informational sources on rights. And even among the literate, it is not common knowledge in most of the villages how to get procedural assistance in getting a legal aid (i.e. taking an office in a Legal Services Authority or applying online). In response to this, the Indian authorities have had to conduct intensive legal literacy and awareness programmes. NALSA has The Legal Services Authorities that plan many thousands of camps, workshops and publicity drives annually. It is worth noting that the legal awareness programmes were carried out in the country between 2022 and 2025 and approximately 15 crore individuals were reached by conducting rallies, seminars, and door-to-door campaigns. Table 2 shows the magnitude of such programmes over the last few years:

Table 2: Nationwide Legal Awareness Programmes by Legal Services Authorities (2022–25)

Year	Programs Organized	Persons Attended
2022–23	4,90,055	67,517,665
2023–24	4,30,306	44,922,092
2024–25	4,62,988	37,232,850

Compiled from NALSA statistics (Press Information Bureau release, 8 Nov 2025) – showing the outreach of legal awareness initiatives by year.

The attendance and sheer number of programmes (cumulative attendance is said to be approximately 15 crores in three years) imply an enormous effort in disseminating the knowledge about the law. Such campaigns are such as the recent Pan India Legal Awareness and Outreach Campaign 2021 which targeted the population of villages in particular. Although this is a good move and probably has led to gradual changes, the low awareness rates in surveys show that there is a disjunction between attendance and comprehension. It has been observed in the field that most of the villagers attend the legal awareness camps on general interest or the presence of a visiting official but may not internalize the information given or never take any action on it. In the Punjab survey, over 50 percent of the respondents who had attended a legal awareness camp could not recollect the aims and contents of the camp clearly. This indicates quality and follow up problems with these programmes.

Also, there is the tendency of awareness to be concentrated on the people who have already encountered the legal system to some extent. The Punjab research established that most of the respondents who had heard of free legal aid had heard of it during their respective court proceedings or by lawyers who they used to deal with. This means that there is a reactive, and not proactive, awareness about legal assistance: citizens get to learn about legal assistance only when they are already involved in legal predicaments, which cannot be considered optimum. It is preferable that awareness should preclude and avoid the rise of legal issues - e.g., the knowledge of rights may enable people to avoid exploitation or seek legal assistance earlier.

Eligibility awareness is yet another aspect of awareness. Legal aid is provided to specific groups in India; it is provided to individuals who fall within a given income range, Scheduled Castes/Scheduled Tribes, women, children, prisoners, etc. as the Legal Services Authorities Act and state regulations have established. Most ones who fall under these categories do not

understand that they have a right to free counsel. Indicatively, almost 80 percent of the Indian population are technically eligible to receive legal aid services (through income or category) but a small portion would identify themselves as potential beneficiaries. It is a very important task to bridge this knowledge gap.

To conclude, where there are massive legal literacy programs, ignorance remains a basic challenge. Individuals, that require legal assistance the most, are also not even aware of the existence of this mechanism. This deteriorates access to justice at the very entrance - It is a right which is unknown, and, practically speaking, a right denied. The following sub-topic shifts to the question of efficacy: of those who are able to become aware and get legal assistance, how effective is the system?

Effectiveness of Legal Aid in India

Legal aid effectiveness can be measured by considering quantitative measures (e.g. cases solved, promptness, success rates) and qualitative measures (e.g. case representation quality, satisfaction by beneficiary). During the last decades, the legal aid system in India has increased its output manifold. Millions of individuals have accessed free legal services and massive number of cases have been dealt with in alternative forums backed by legal aid. But the expansion has also helped raise the issues that compromise the quality and efficacy of such services. The number of people accessing and using legal assistance is one of the indicators of effectiveness. The official statistics indicate that more than 44.22 lakh individuals have received legal assistance and advice given by Legal Services Authorities in the three-year period between 2022 and 2025. This is an indication of gradual annual growth in the uptake of legal aid. The trend in the number of individuals who had the assistance of free legal aid as shown in figure 1 below has been on the increase in the last few years.

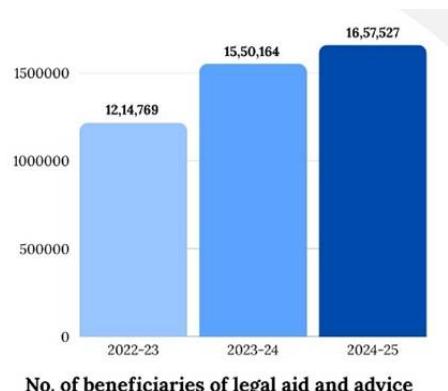


Figure 1: Number of beneficiaries of free legal aid in India (2022–23 to 2024–25).**

Source: NALSA annual data (2022–2025) as reported by Press Information Bureau.

Figure 1 has a positive trend - it shows that legal aid is now reaching more people than it did previously, which can be ascribed to the increased outreach and perhaps a higher need at some stages at some point (such as legal problems in the aftermath of the pandemic can have made more indigent individuals seek assistance). Secondly, Lok Adalat system has become an important part of legal assistance performance. The Lok Adalats (people courts) are centers that offer a compromise on a dispute and are governed by the Legal Services Authorities Act, in most cases within a day and without fees. Between 2022 and 2025, a total of 23.58 crore cases were settled by Lok Adalats (national, state, and district-level Adalats) - a figure which incorporates still pending court cases and pre-litigation cases settled in an amicable court resolution. Lok Adalats have in effect helped the formal justice system not to come down on its own weight through the settlement of such a huge caseload. Figure 2 demonstrates the cases which are resolved in National Lok Adalat drives within the past three years:

Cases settled in National Lok Adalats (year-wise, 2022–2024)



Cases settled in National Lok Adalats (year-wise, 2022–2024).

*Figure 2: Cases settled in National Lok Adalats (year-wise, 2022–2024). ***

***Source:** NALSA reports on National Lok Adalat outcomes (cumulative figures). *

The Figure 2 data highlights how the institutional innovations such as Lok Adalats help in effectiveness through the speedy resolution of cases. Nonetheless, the efficiency of Lok Adalats remains a controversial issue - they clear the backlog, but the question remains as to whether the trades offs that are arrived at are just or merely expedient. Other researchers caution that the excessive focus on the number of settled cases may not consider whether the settlements were fair, particularly when one of the parties is poor and unrepresented. Since Lok Adalats largely handle relatively minor civil and compoundable criminal cases (like traffic fines, utility bills, family disputes), their success should be viewed as one facet of access to

justice, not a panacea for all legal problems.⁹

One of the most important dimensions of effectiveness is the quality of the legal representation given to assist the recipients. The provision of legal aid to India is usually provided through empaneled lawyers compensated through an honorarium by the state. There are two aspects of the quality problem: capability and devotion of the lawyers and encouragement and motivation they get. It has also been revealed through investigative reporting that some of the legal aid lawyers are young or less experienced lawyers whose meager payments cannot sustain them as full-time employees. As an example, in Delhi panel lawyers were reported to earn as little as 1,500 to write significant pleadings, and around 750 per successful court appearance, and have limits that restrict overall fees regardless of the complexity of the case. Comparatively, private lawyers can make an order of magnitude more on comparable cases, so that talented lawyers are not financially motivated to participate in or remain in the legal aid pool. It is not poor legal aid, as Justice U.U. Lalit rightly called it, legal aid to the poor - a demand to set standards higher than is sometimes heeded. In India, approximately 50,000 lawyers are registered as legal aid providers, though the distribution is uneven (in rural areas, the number of active legal aid lawyers is very few) and they are often balancing a private practice with the allocated case, which may result in insufficient attention to each case.

Besides, payment lags by authorities, infrastructural support (such as offices or travel allowances to meet indigent clients), and status given to legal aid lawyers are all performance impairers. According to a survey mentioned by CHRI, 34 percent of legal aid attorneys had grieved of late salary and approximately 20 percent officials cited bad infrastructure as an obstacle. These circumstances may prove into less efficient lawyering, e.g., not doing adequate research, or even interaction with the client, and worst-case scenarios, direct perfunctory representation. It has also been experienced that appellate courts were forced to intervene in cases where it was clear that the legal aid counsel failed to competently represent the client thereby defeating the very nature of the free legal assistance.

Public trust and satisfaction is another measure of efficiency. Services may not be used at all even when they are available as long as the beneficiaries feel that it is low quality or biased. It is anecdotal that most poor litigants will pay a lawyer (they will often take out a debt) instead of using a free legal aid lawyer because of a stigma or belief that a free service will be of poor quality. It is an alarming sign since it implies that the quality of legal assistance does not only

⁹ National Legal Services Authority (NALSA), *Annual Report 2022–23* (Government of India).

lie in the services provided, but in the trust in the services. The restoration of this trust must be carried out by systematic improvements and success stories that will reflect competent advocacy.

Even through these challenges however, there are positive changes which lead to effectiveness. Among them is the creation of Legal Aid Defense Counsel (LADC) systems in certain districts, in which full time lawyers are designated on salaries to do legal aid cases (especially criminal defense cases) in a public defender-like system. According to pilot LADCs (reported by NALSA), initial results are promising with an increase in the case disposal rates with more than 786 lakh cases being disposed by LADCs in about 2 years in 668 districts. This indicates the advantage of having committed, responsible legal assistance attorneys in comparison with ad-hoc appointed counsel. The other initiative, under the DISHA scheme, is tele-law services, which relies on technology to link the rural citizens to panel lawyers through video conferencing to receive legal advice. As of February 2025, more than 2.1 crore individuals had received legal guidance or assistance in the form of tele-law and other forms of outreach under DISHA. It means that the access is successfully expanded through digital channels, but the connection and recognition of such services are still restrictive criteria in rural locations.

To sum up, legal aid in India is a rather ambivalent phenomenon. On one hand, the mere numbers of outputs - millions helped, cases closed justify a system that is bringing a change in facilitating access to justice. Input and process metrics on the other hand, funding per capita, lawyer engagement, quality of representation demonstrate a lot of failure. It is therefore not a lack of demand or scope that limits the scope of the system, but issues of resources and governance. In the following section, we move on to the potential solutions and reforms that would help correct the given issues, thus, improving awareness and effectiveness of legal aid as two pillars of access to justice.

Suggestions and Recommendations

There are multiple prongs, that are needed to bridge the disparity between what is promised and delivered by legal aid in India. Following the analysis provided above, the following recommendations can be offered to address the issue of access to justice by ensuring a more robust legal aid system:

1. Strengthening Legal Awareness: legal awareness of the people must always be an ongoing process, as opposed to a one-off affair. The state has to invest in prolonged legal literacy

campaigns, perhaps making them a part of school and adult education programs. Such creative approaches as street theatre, community legal volunteers, and collaboration with civil society can expand the scope of the legal aid awareness. Demystification of legal procedures in easy local languages is essential. Also, all the police stations, panchayat offices and all local courts must have the information about the availability of free legal aid and contact information well placed. Considering legal aid helpline numbers as a means of making the services of legal workers common knowledge (via mass media and mobile messaging) can help make sure that individuals know where to address in times of crises. The objective is to popularize knowledge of basic legal rights and free aid in the same way that knowledge about primary health services is popularized.

2. Boosting Funding and Resources: It should be acknowledged by the government that legal aid is most vital as the state healthcare or education is in a democracy - it must be properly funded. At the present rate of around 7 per capita expenditure, legal aid budgets ought to be far more augmented so that each district legal services authority has enough money to run, pay lawyers and create awareness. The budget must also be allocated to court representation as well as upstream services such as legal counseling and mediation that can eliminate litigation. In addition, corporate social responsibility (CSR) and partnerships with the government would be exploited to fund legal aid clinics, particularly in the remote communities, under sound regulatory control.

3. Improving Quality of Legal Aid Services: This is necessary to lure good lawyers to join legal aid. This can be achieved through updating the fee system in order to provide reasonable fees and fair payments to panel lawyers. Increased compensation and some version of job security (such as retainer agreements with guaranteed minimum income) would motivate qualified advocates to the legal aid cases, as proposed by the recent studies. The legal aid lawyers should be provided with regular training programs in the areas of client counseling, trial advocacy, and changes in welfare laws - this would make them more effective. Moreover, one of the most important things is the establishment of a strong monitoring and feedback system: not only the Legal Services Authorities ought to review the performance of their lawyers (peer review or court visits), but also seek feedback on their experience offered by the aid beneficiaries and utilize it to improve or dismiss underperforming lawyers.

4. Expanding Legal Aid Delivery Models: New delivery mechanisms can be added to the old one of ad-hoc appointments. The LADC system of having a public defender should be extended

to all the major districts but the real lawyers should carry the serious criminal cases on behalf of indigent accused on full time basis. They should take advantage of law schools and legal clinics: they can combine clinical legal education courses with legal aid, as envisaged by the 1977 Juridicare Committee: the senior law students, under supervision, supply the basic legal help and research assistance on cases. This does not only increase manpower in assisting the law but also provides awareness to upcoming lawyers. Moreover, bar councils should be invited to offer pro bono contributions by experienced lawyers, credits can be offered, and so on. A new program initiated by the NALSA, Nyaya Bandhu (pro bono advocate) is a move towards this direction that needs to be enhanced.

5. Focusing on Marginalized Groups: There are vulnerable groups that need special attention. As an example, women, children, scheduled tribes and persons with disability may require legal assistance on specialized panels or cells with experience in that area (family law, juvenile justice, land rights, disability rights, etc.). The prisons with legal aid clinics should be noted especially - a considerable portion of the undertrial prisoners is being held up in jail just because of lack of surety or legal consultation to make bail applications. The unnecessary detention can be decreased by the regular visits of legal aid lawyers to prisons (and following their results). The guidelines set by the Supreme Court regarding the need to inform the people involved in the accused of their right to free legal advice should be adhered to against all odds in the police and magistrate level. To create accountability, each court is supposed to indicate whether an accused was given legal aid and the answer.

6. Embracing Technology: Technologies can facilitate the delivery of legal assistance. Legal aid applications (which already exist on the site of NALSA) should be made easy to use and in various languages. Tele-law consultations (through video or phone) use should be improved and more connected and the village level entrepreneurs or paralegals who facilitate such consultations should be trained. A system known as Legal Aid Management System (LAMS) can be created that will track all applications, lawyers placement, case progress and results in the country - creating transparency and information to aid in policy decisions. Technology is also able to contribute to the spread of awareness (e.g., information on legal rights on the most popular social media in an infographic format) and, of course, the training of legal aid providers with the use of webinars.

7. Policy and Legislative Support: Policy reforms could strengthen the legal aid system. Among the proposals by professionals is to ensure that the right to counsel is in fact enforced

by means of amendments to the Code of Criminal Procedure so that all convictions founded on the failure of the accused to have the aid of counsel and a failure to forgo it are overturned. This would support the Suk Das principle in law. The other concept is to increase eligibility in deserving cases - such as in civil cases, such as eviction or domestic violence, even people above the formal income limit may badly require free legal assistance. In such instances, local committees might be given the authority of dispensing. Finally, more effective exchange of legal assistance authorities and civil society (NGOs dealing with human rights) can assist in finding the cases of systemic significance (e.g., bonded labour, trafficking, caste atrocities) when legal aid can assume the form of social justice litigation, rather than of individual cases.

The recommendations are listed above, which, in case implemented, may make a massive difference in legal aid awareness and effectiveness. In fact, the recent academic literature has highlighted the idea that the holistic approach, which incorporates both the community legal empowerment and institutional reforms, is necessary in order to make access to justice real. The legal aid has to be regarded as an investment in social justice: each rupee of legal aid has a potential to save many more rupees to the poor (in false fines, in lost wages or in prosecution) and to make people believe in the justice system.

Conclusion

Access to Justice and Legal Aid in India: A Socio-Legal Study identified the need to study whether India as a country is fulfilling its basic mandate of making sure that justice is not only the reserve of the privileged but is also the right of even the poorest citizen. The research concludes that India has gone a long way - legal framework of aid is ready and there is no use denying the fact that the country has recorded impressive progress in terms of cases that have been settled and support provided to the millions who otherwise cannot be heard in the court of law. Cases in the courts have established a number of seminal cases that have solidified free legal aid and provision of legal aid into an inseparable part of the fair procedure and constant campaigns by the Legal Services Authorities have extended the coverage of the legal aid services. Nevertheless, the analysis also highlights the gap between entitlement and enforcement that is quite large.

The Achilles heel has been a lack of awareness: the number of Indians requiring legal help is too high, either they are unaware of its existence or they are unaware how to access it. At the same time, those who are actually accessing legal aid also tend to face a system overwhelmed by scanty resources - underpaid attorneys, slow service, and sometimes even poor quality of

legal service. Essentially, the doors of justice may have been officially opened with the help of progressive laws, but there exist real barriers on the way to the doors. In order to be able to realize the constitutional dream of Article 39A, the simple presence of a legal aid program is insufficient; its accessibility, quality, and credibility has to be guaranteed. This will need concerted efforts: increased budgetary allocations, increased efficiency in the administration, building capacity of legal aid providers, legal literacy movements in the community.

The recommendations given - including energizing legal awareness initiatives to changing the manner in which lawyers engage legal aid - are a step in that direction. Their implementation will require political goodwill, bureaucratic priorities and cooperation between the state and the civil society.

Ultimately, effective legal aid is both a means and an end in a democratic society¹⁰. It is one way of empowering the marginalized, redressing the balance of the judicial process and avoiding injustice. And it is our goal in itself, the extent of our advancement in ensuring the rule of law is meaningful to all. With India moving on, it will be in the way it addresses these socio-economic inequalities that the legal aid system will be strong, in numerous ways, the measure of the interest in the formulation of justice and equality. It is hoped that ten years down the line, access to justice scholarship will not be reporting paradoxes but progress - of legal aid actually closing the justice gap, and of the courthouse door actually being open to all Indians in need.

¹⁰ Suryanshi Pandey, 'Why Is the Quality of India's Free Legal Aid So Poor?' (India Development Review, 20 January 2023).