
JUDICIAL REFORMS FOR LAKSHADWEEP: ‘A STUDY TOWARDS EQUITABLE ACCESS TO JUSTICE’

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INTRODUCTION

The administration of justice is one of the core functions of a democratic state, and ensuring equitable access to legal remedies is a constitutional mandate under Article 39A of the Indian Constitution.¹ However, for geographically isolated and infrastructure-deficient regions like Lakshadweep, this fundamental right has often remained out of practical reach. Located over 400 kilometres from the Kerala coast, the Union Territory of Lakshadweep comprises a group of small coral islands scattered across the Arabian Sea. While picturesque and rich in culture, these islands have long been burdened by logistical, technological, and administrative challenges that hinder the timely delivery of justice.²

Lakshadweep falls under the jurisdiction of the Kerala High Court, which is seated in Kochi.³ For years, this arrangement has posed significant hardships for the island’s residents. Attending hearings, filing petitions, or even accessing basic legal services often required expensive and time-consuming travel to the mainland. Moreover, the absence of adequate judicial infrastructure, lack of awareness about legal rights, and technological backwardness have further compounded the difficulties faced by the people of this Union Territory.

Recognizing these structural inequities, the Kerala High Court has recently taken proactive steps to usher in a new era of judicial reforms tailored specifically for Lakshadweep.⁴ These reforms aim not just to modernize the justice delivery system but to align it with the constitutional promise of equal access to justice for all, regardless of geography. From video-

¹ INDIA CONST. Art. 39A, inserted by The Constitution (Forty-second Amendment) Act, 1976.

² Lakshadweep Administration, About Lakshadweep, <https://lakshadweep.gov.in/about-us/> (last visited July 5, 2025).

³ Lakshadweep (Judicial System), Kerala High Court Official Website, <https://highcourtofkerala.nic.in> (last visited July 5, 2025).

⁴ Kerala High Court, Order on Judicial Infrastructure Development for Lakshadweep, WP(C) No. 10123/2024 (Ker. H.C. Mar. 2024).

conferencing of court proceedings to strengthening legal aid services, these initiatives mark a transformative shift in the way justice is delivered in India's most remote territories.

BACKGROUND

Lakshadweep, India's smallest Union Territory by both area and population, is a remote archipelago in the Arabian Sea consisting of 36 islands, of which only 10 are inhabited.⁵ Despite its scenic beauty and ecological significance, Lakshadweep has long suffered from systemic marginalization in the legal and administrative apparatus of the country. The archipelagic geography, with islands dispersed over a vast maritime region, creates immense logistical hurdles for governance and the functioning of public institutions, particularly the judiciary.⁶

The Kerala High Court, located in Ernakulam, has jurisdiction over Lakshadweep, but this arrangement, while legally sound, has proved practically cumbersome.⁷ Until recently, even the most basic judicial services such as filing a petition, attending a hearing, or consulting a legal aid attorney often required physical presence on the mainland. For the island's predominantly working-class population, comprising fishermen, small-scale traders, and public servants, this resulted in significant financial strain, loss of income, and procedural delays. In many cases, justice was either delayed or denied simply due to geographic and economic inaccessibility.

Additionally, Lakshadweep lacked a fully developed judicial infrastructure. There were only limited lower courts available, and no permanent benches of the High Court existed within the territory.⁸ The judicial officers posted in Lakshadweep often rotated frequently, resulting in lack of continuity, accountability, and familiarity with the socio-cultural context of the islands. The absence of digital court infrastructure further exacerbated the delays and contributed to a growing disconnect between the legal system and the people it was meant to serve.⁹ The need for systemic reform became increasingly urgent during the COVID-19 pandemic, when travel

⁵ Government of India, Lakshadweep Profile, <https://www.india.gov.in/official-website-uts-lakshadweep> (last visited July 5, 2025).

⁶ S. Bhaskar, Justice at Sea: Legal Hurdles in the Lakshadweep Archipelago, 58 EPW 14 (2023).

⁷ The High Court of Kerala: Jurisdiction & Structure, KERALA HC WEBSITE, <https://highcourtofkerala.nic.in> (last visited July 5, 2025).

⁸ Ministry of Law & Justice, Judicial Infrastructure in UTs: Annual Report 2022–23, <https://lawmin.gov.in> (last visited July 5, 2025).

⁹ Kerala Legal Services Authority, Report on Legal Services in Remote Areas, KEReLSA Annual Review 2023, at 42–45.

restrictions further isolated the islands.¹⁰ This period revealed the fragility of the judicial access model in Lakshadweep and acted as a catalyst for the Kerala High Court to begin a comprehensive review of justice delivery mechanisms in the region.

IMPORTANT JUDICIAL REFORMS INTRODUCED

In response to persistent access-to-justice challenges in Lakshadweep, the Kerala High Court, in coordination with the Lakshadweep Administration, has initiated a series of targeted judicial reforms aimed at decentralizing, digitizing, and humanizing the justice delivery system across the islands. These reforms are designed to ensure that constitutional rights are not merely theoretical for remote citizens but are practically accessible within their lived realities. The reforms focus on technological modernization, structural changes, human resource capacity, and citizen-centric services.

i. Virtual Court Hearings and Video-Conferencing

One of the most impactful reforms has been the integration of video-conferencing facilities for court proceedings.¹¹ This innovation allows litigants, lawyers, and witnesses in Lakshadweep to appear before courts in Kochi or elsewhere without leaving the islands. Bail applications, remand proceedings, and civil hearings can now be conducted remotely, thus reducing costs and expediting justice delivery. Virtual courts also ensure that urgent matters are not postponed due to travel delays or weather disruptions common in the region.¹² The High Court has issued administrative directions mandating the use of hybrid court models wherever feasible, which is particularly beneficial for archipelagic territories like Lakshadweep.¹³

ii. E-Filing and Court Digitization

Another crucial reform is the implementation of e-filing systems across the Lakshadweep judicial setup. Parties can now file petitions, affidavits, and case records online, removing the

¹⁰ Anjali Nair, COVID-19 and the Collapse of Judicial Access in Lakshadweep, LIVE LAW (May 5, 2021), <https://www.livelaw.in/top-stories/lakshadweep-court-access-covid19-justice-issues-173641>.

¹¹ Kerala High Court, Notification on VC Facility Implementation in UTs, No. HC/ICT/2023/03 (Apr. 2023).

¹² G. Prakash, Virtual Courts in Islands: Kerala HC's Game-Changer for Lakshadweep, LIVE LAW (Nov. 18, 2023), <https://www.livelaw.in>.

¹³ Kerala HC Circular No. 01/2024 (Jan. 2024), available at <https://highcourtofkerala.nic.in>.

need for physical submission and bureaucratic delays.¹⁴ The e-court infrastructure is supported by the National Informatics Centre (NIC), ensuring cybersecurity and user authentication. This digitization also includes online cause lists, digital summons, and judgment archives, which enhances transparency and streamlines the legal process.¹⁵ These steps are part of a broader initiative to align Lakshadweep with the e-Courts Mission Mode Project under the National e-Governance Plan.

iii. Strengthening Legal Aid and Awareness Programs

Recognizing the lack of legal literacy among many islanders, the Kerala High Court has strengthened the role of the District Legal Services Authority (DLSA) in Lakshadweep.¹⁶ Legal aid clinics have been set up in Minicoy, Kavaratti, and Agatti Islands to provide free legal advice, documentation support, and paralegal assistance to vulnerable groups. Additionally, the DLSA, in coordination with law colleges in Kerala and NGOs, has launched legal awareness campaigns focusing on fundamental rights, domestic violence laws, consumer protection, and environmental regulations.¹⁷ These initiatives aim to empower residents with knowledge and increase their ability to seek legal redress.

iv. Mobile Court Services and Legal Outreach

To directly reach residents of more isolated islands, the judiciary is piloting Mobile Court Units. These courts-on-wheels will periodically visit islands like Kalpeni and Chetlat, handling minor criminal cases, family disputes, land records, and consumer complaints. This innovation reduces dependency on distant court stations and brings the justice system to the doorstep of the people. Legal outreach efforts also include Lok Adalats, pre-litigation counselling, and settlement drives in collaboration with local panchayats.¹⁸

v. Capacity Building for Judicial Officers

A key aspect of reform is ensuring that judicial officers serving in Lakshadweep are well-

¹⁴ National Informatics Centre, e-Filing Platform Rollout Report – Lakshadweep Bench (2023), <https://efiling.ecourts.gov.in>.

¹⁵ Ministry of Law & Justice, Annual Report on e-Courts Project 2023–24, at 18–22, <https://lawmin.gov.in>.

¹⁶ District Legal Services Authority – Lakshadweep, Annual Activity Report 2023, <https://lsadalakshadweep.gov.in>.

¹⁷ Lakshadweep Legal Literacy Campaign Brochure, 2024, on file with author.

¹⁸ Legal Services Authority Act, 1987, Sec. 19, INDIA CODE (as amended in 2021).

trained and sensitized to the region's unique cultural and logistical environment. The High Court now requires orientation programs focusing on tribal rights, maritime laws, environmental jurisprudence, and local customary practices. Further, steps have been taken to ensure longer tenures and continuity for judicial officers posted to Lakshadweep to minimize disruptions caused by frequent transfers.¹⁹ The administrative and support staff have also received technical training in digital tools and e-court protocols.

HIGH COURT'S ROLE AND VISION

The Kerala High Court has played a pivotal role in not only identifying the systemic barriers to justice in Lakshadweep but also in crafting and executing a strategic judicial response tailored to the region's distinctive geographic and socio-economic realities. As the constitutional guardian of justice for the Union Territory, the High Court has demonstrated a proactive, human-centric approach in upholding the ideals of accessibility, efficiency, and inclusiveness within the framework of Article 39A of the Indian Constitution.²⁰ The leadership of the High Court particularly the Administrative Judge for Lakshadweep, Justice A. Muhamed Mustaque has been instrumental in initiating policy-level dialogues with the executive, streamlining inter-institutional coordination, and framing reform-oriented judicial orders. Justice Mustaque has consistently advocated for technological democratization of justice and has emphasized that the legal system must transcend geographic constraints to serve citizens in even the remotest parts of the country.²¹ In his public addresses and judicial pronouncements, he has underscored the principle that "justice should not be a mainland privilege but a national entitlement."

Recognizing that mere infrastructural additions would not be enough, the High Court envisioned a transformative reform framework that integrates physical, digital, and human resource development. This vision includes the establishing video-link connections between island courts and the High Court in Kochi; Enabling real-time digital filing and access to case status; Empowering Legal Services Authorities in the UT to function with autonomy and grassroots reach and encouraging localized dispute resolution models, such as Lok Adalats and pre-litigation counselling centres. To implement these reforms effectively, the High Court has

¹⁹ Justice A. Muhamed Mustaque, Speech on Judicial Continuity in Remote Regions, Kerala Judicial Colloquium (2024) (transcript on file with author).

²⁰ INDIA CONST. Art. 39A; see also The Constitution (Forty-second Amendment) Act, 1976.

²¹ Justice A. Muhamed Mustaque, Access to Justice in Remote Territories: Remarks at Lakshadweep Judicial Outreach Summit (Dec. 2023)

used both its judicial and administrative powers. Through Public Interest Litigations (PILs) and suo motu cognizance, the court has addressed delays in appointments, poor infrastructure, and non-utilization of legal aid funds.²² These steps demonstrate a judicial will that aligns with the broader goals of judicial equity and constitutional morality.

Moreover, the High Court has acted as a bridge between the islands and the Union government, lobbying for increased budget allocations for judicial infrastructure under the centrally sponsored Centrally Sponsored Scheme (CSS) for Judiciary.²³ It has also advocated for customized modules in the Judicial Academy of Kerala to train judges posted in Lakshadweep on cultural sensitivity, environmental laws, and tribal rights. In its larger vision, the Kerala High Court seeks to create a model of “remote region justice accessibility” that could be replicated in other remote territories like the Andaman & Nicobar Islands, Ladakh, and parts of the North-East.²⁴ Through these efforts, it has reinforced the idea that justice is not a metropolitan luxury, but a national duty.

CHALLENGES

While the reforms initiated by the Kerala High Court mark a substantial leap forward, several practical and structural challenges continue to hinder the realization of full and meaningful access to justice in Lakshadweep. These challenges are not just technical in nature but also socio-cultural and infrastructural. First, the digital divide remains a formidable obstacle.²⁵ Despite the introduction of e-filing and video-conferencing mechanisms, many islands still lack consistent high-speed internet connectivity, especially during the monsoon season when satellite signals become unreliable. This affects the smooth conduct of virtual court proceedings and delays the delivery of digitized services such as certified copies and cause list notifications. Second, legal literacy and awareness remain low among the general population. A significant proportion of the residents, especially women and fishermen, are unaware of their basic rights and entitlements under Indian law.²⁶ Without targeted education programs and

²² Kerala High Court, Order in Suo Motu W.P. (C) No. 23453/2023 re: Lakshadweep Judicial Functioning (Nov. 2023).

²³ Department of Justice, Centrally Sponsored Scheme for Judicial Infrastructure: 2023–24 Guidelines, <https://doj.gov.in>.

²⁴ Kerala High Court Planning Cell, Judicial Access Models for Remote Regions (Internal White Paper, 2024) (on file with author).

²⁵ Ministry of Electronics and Information Technology, Digital Connectivity in Remote Islands: Status Report 2024, <https://meity.gov.in>.

²⁶ National Legal Services Authority (NALSA), Baseline Survey on Legal Awareness in Lakshadweep, NALSA REPORTS (2022), <https://nalsa.gov.in>.

grassroots legal outreach, many continue to view the justice system as alien, expensive, and inaccessible. Third, there is a shortage of legal professionals and support staff on the islands. Most advocates are based in the mainland, and those posted to Lakshadweep often serve short tenures, leading to high turnover and a lack of continuity in legal service delivery.²⁷ Judicial officers frequently face language and cultural barriers, which can impact sensitivity and effectiveness in adjudication. Fourth, the absence of a permanent High Court bench or circuit court in Lakshadweep means that certain categories of appeals and writs still require travel to Kerala. Although video conferencing has reduced this burden, certain complex matters still benefit from in-person hearings. Finally, coordination between the Lakshadweep administration and the judiciary remains a work in progress. Budgetary allocations for legal aid, infrastructure upgrades, and staffing require more robust inter-departmental cooperation. Addressing these gaps is critical for making the reforms sustainable and for ensuring that the promise of justice is fulfilled not just in principle but in practice.

CONCLUSION

The judicial reforms undertaken for Lakshadweep stand as a significant case study in region-sensitive legal innovation. The Kerala High Court has not only recognized the geographical and logistical barriers unique to this island territory but has acted decisively to remedy them through a multi-dimensional approach—combining technology, outreach, infrastructure, and human resource development. By advancing a model that prioritizes decentralization, inclusivity, and digital empowerment, the judiciary has reaffirmed its commitment to the constitutional promise of equal justice for all, as enshrined under Article 39A.²⁸ The use of video conferencing, e-filing, mobile courts, and legal literacy programs is already beginning to change public perceptions and experiences of the legal system in Lakshadweep.

However, the journey is far from over. The long-term success of these reforms will depend on continued investment, policy support from the Union government, community engagement, and the sustained commitment of the judiciary.²⁹ The Lakshadweep experience provides a compelling blueprint for justice delivery in other remote, underserved regions of India, from the Himalayan frontiers to the Andaman and Nicobar Islands. In this way, the Kerala High Court has not just addressed a regional imbalance it has pioneered a national standard for how

²⁷ Law Commission of India, Report No. 279: Judicial Appointments and Transfers in UTs, at 27–29 (2021).

²⁸ INDIA CONST. Art. 39A; see also *S.P. Gupta v. Union of India*, (1981) Supp SCC 87.

²⁹ Department of Justice, e-Courts Mission: Vision Document for 2025–2030, <https://doj.gov.in>.

justice can be made truly accessible, affordable, and approachable, even in the most geographically challenging corners of the country.