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# **A COMPARATIVE ASSESSMENT OF RECENT GLOBAL LEGAL DEVELOPMENTS AND INDIA'S LEGAL SERVICES AUTHORITIES ACT OF 1987**

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## **ABSTRACT**

The study aims to draw a comparative appraisal of the “Legal Services Authorities Act, 1987” of India to the current trends in the globe on “legal aid and access-to-justice” notions. The identified objectives are to evaluate the framework and enforcement of the Act and identify global policy and legislative trends in 2015-2025 compared to the Indian framework. The study used Qualitative plan that follows the doctrinal and comparative legal research design and relies on secondary sources like statutes, case laws, international conventions, and academic sources are utilized in the paper. The results prove that despite the systematic framework of legal assistance provided by the Act with references to the assistance of NALSA, the State, and District authorities, it undergoes the shortage of inclusiveness and outreach. The findings indicate that the existing trends in the world are centered on technology, sustainable finances, alternative service providers, and community-based solutions. Legal aid system in India is dynamic but requires the reforms to ensure that it is adjusted to the international level of requirements and offer justice to everyone in a just manner.

**Keywords:** Legal Aid, Justice, Legal Services Authorities Act, Global Legal Developments

## **1. Introduction**

The function of legal assistance in society, especially in promoting access to justice, has been a significant focus for researchers, politicians, and practitioners worldwide. This focus stems from the recognition that access to justice transcends legal concerns, being a critical aspect of social justice, poverty reduction, and democratic government (Okoro 2022). The fundamental premise of access to justice underpins arguments on legal assistance. The entrenched differences in access to civil justice highlight the racial, socioeconomic, and gender inequalities that permeate the judicial system (Minow 2022). This imbalance hinders individuals' capacity to pursue legal remedy and protection while also intensifying social isolation. The convergence of social exclusion and civil law issues highlights a detrimental loop in which marginalized populations, unable to access the civil justice system, experience increased marginalization (Wahab & Khairi 2020).

The “Legal Services Authorities Act, 1987”, was adopted by the “Central Government of India” in accordance with “Article 39-A of the Constitution of India” and the endorsements of its committees. The Legal Services Authority Act of 1987 became effective on November 9, 1995, subsequent to the Amendment Act of 1994, which instituted various modifications to the principal Act (Okoro 2022). According to the Act, individuals who are “economically disadvantaged, marginalized, or disabled qualify for legal aid.” In 1971, “Justice P.N. Bhagawati” instituted the legal aid plan, which was supervised by the “Legal Aid Committee”. On December 5, 1995, Justice R.N. Mishra founded the National Legal Services Authority, significantly contributing to the implementation of the Act (Mahawar 2022).

The Legal Services Authorities Act of 1987 establishes legal services authorities to deliver free and proficient legal assistance to marginalized segments of society, ensuring that no citizen is deprived of justice due to economic or other impediments, and to facilitate Lok Adalats to ensure that the legal system operates to encourage justice on an equitable basis (Sharma 2022). Article 39A of the Constitution of India mandates the provision of free legal aid to impoverished and marginalized segments of society, thereby ensuring equitable access to justice for all. Articles 14 and 22(1) of the Constitution mandate the State to guarantee equality before the law and a legal framework that fosters justice based on equal opportunity for all (Boon 2023). The Legal Services Authorities Act was enacted by Parliament in 1987 and came into effect on November 9, 1995, to create a uniform national framework for delivering free

and competent legal services to marginalized segments of society based on equal opportunity (Susskind 2023).

The “National Legal Services Authority” (NALSA) was established under the Legal Services Authorities Act of 1987 to oversee and assess the execution of legal aid programs and to formulate policies and principles for the provision of legal services as stipulated by the Act (Reich 2020). A “State Legal Services Authority” has been established in every State, and a “High Court Legal Services Committee” has been formed in every High Court. “District Legal Services Authorities and Taluk Legal Services Committees” have been established in the “Districts and most Taluks” to implement the “policies and directives of NALSA,” provide free legal services to the populace, and hold Lok Adalats within the State. The Supreme Court Legal Services Committee has been established to oversee and execute the legal services program pertaining to the Supreme Court of India (Rosenbloom 2022).

Various studies conducted by both national and international organizations have evaluated the requirements for legal aid and monitored advancements across various countries and areas. However, scant information exists regarding the efforts of various countries globally to address the legal aid requirements of their citizens. The UNDP and UNODC conducted this Global Study on Legal Aid to create a foundational understanding of the definitions and implementations of the right to legal aid in various countries and contexts, as well as to catalog the diverse legal aid services offered in civil, criminal, and administrative cases, encompassing legal advice, assistance, and representation (UNDP et al., 2016).

Technology has made substantial progress in most facets of life, including the legal sector. These developments have transformed the delivery of legal aid services, enhancing accessibility, cost-effectiveness, and efficiency. Technology's paramount contribution to legal aid is in its capacity to render legal services readily accessible to individuals who cannot physically attend legal aid centers or courts (Balthu et al., 2022). Digital platforms allow individuals to access legal information, advice, and representation all from their home or office. Virtual hearings, video conferencing, and online dispute resolution have become more popular, allowing individuals to participate in legal proceedings remotely (Brillopedia 2023).

The developments in legal aid have made it possible for technology to support better access to justice. However, there are various issues that must be addressed to “ensure legal aid services” that use technology are effective and accessible to all. One of the main challenges is ensuring

that everyone has access to the technology, especially individuals who may not have a digital device or internet access (Goncearenco 2023). In that regard, a legal aid clinic could be established in rural or impoverished areas to provide access and enhance knowledge of legal rights. Furthermore, applications like Nyaya Bandhu and Vidhikarya help connect attorneys with clients, allowing individuals to access legal aid from anywhere at any time. Law firms may also provide pro bono services to ensure that access to legal aid is available to impoverished and economically disadvantaged areas (Spring et al., 2022).

## **2. Review of Literature**

**Bhaskar, A., et al., (2024)** evaluated Legal Aid through Law Schools an Examination of Legal Aid Cells across India. “Article 39A” was mandated by the “42nd Constitutional Amendment to ensure justice” for all individuals by the State. In a diverse country such as India, it was a prerogative to ensure that all of its citizens had access to justice without socio-economic challenges. As part of the “Centre for Research and Planning, the Supreme Court of India” surveyed law schools to gather information on the configuration of “legal aid cells”, the structure and organization of the cells, what activities had occurred, whether these complied with NALSA regulations and the NALSA scheme, if the legal aid cells had partnered with others to improve outreach, and other factors.

**Vaidya, U., & Chauhan, S. S. (2024)** examined the legal services authorities. Act of 1987. The Indian government instituted CILAS, the "Committee for Implementing Legal Aid Schemes," on September 26, 1980. Previously to “the establishment of the Legal Services Authorities Act” in 1987, this Committee, led by “Justice P.N. Bhagwati”, regulated and managed all legal aid initiatives across India without interruption. On November 9, 1995, the GOI instituted the "Legal Services Authorities Act (LSA Act) originally passed in 1987”. To remove financial and other barriers to access to justice, the initiative established Legal Services Authorities throughout the country to ensure that low-income populations were provided with competent and free legal assistance.

**Singh, M., & Upadhyay, S. N. (2024)** examined the framework of “legal aid services” and the effects of its digitalization on the organization of criminal justice in India, focusing on the “District Legal Services Authority (DLSA) in Surguja in Ambikapur, Chhattisgarh”. The appointed defense attorneys had been hesitant to advance the cases of inmates during the bail and trial phases. As a result, the integrity of fair criminal trials consistent with due process was

negotiated, the fundamental right to “effective defense counsel was threatened,” and the public's trust in the “criminal justice system” was diminished.

**Legal vidhiya, (2023)** concentrated on the details of the “Legal Services Authorities Act, 1987”. The “Legal Services Authority Act, 1987”, was of unprecedented importance in India, to provide access to justice for all, regardless of economic class. The study underlined the important features of the Act, including legal aid, the incorporation of the multiple levels of “legal services organizations, and pioneering alternative dispute resolution systems.” It emphasized the importance of the Act in enhancing underserved communities and protecting fundamental rights. This legislation was intended—as it was for society—to pursue the goal of equitable access to justice.

**Chauhan, S. (2023)** studied the challenges to reconciling the legal necessities and problem-solving practices of individuals residing in rural and isolated places. The study addressed barriers to realizing justice, especially for the rural strata, and particularly for those in geographically remote regions. It also emphasized why rural people prefer informal processes over formal ones to resolve their legal problems. The study looked at responses by “legal aid” organizations to promote “access to justice” for rural residents. It studied the promotional methods used by legal aid organizations to engage the rural community and early intervention strategies to support individuals with their legal issues.

**Goncearenco, L. (2023)** evaluated the provision of legal aid services with respect to technology innovations, general public legal services provision, and collective finance models. A broad literature review was used; comparative analyses and case studies were examined to identify core concepts, theories, and best practices of legal aid provision. The study acknowledged that technology was a useful tool for legal aid services to promote efficiency, increase reach, and improve service delivery. The study provided recommendations and insights for legal aid services, legislators, and funders to improve service delivery regarding legal aid provision using technology, pro bono services, and collective finance.

**Balthu, K., Reid, I., & Clegg, B. (2022)** examined the extent of digitalization in the “provision of legal services”. It examined the diversity of emerging technologies while considering their value proposition to the consumer. An exploratory study design with an additive technique was utilized to investigate the function of legal technologies and their perceived efficacy. The studies employed a mixed methods approach, featuring a comprehensive longitudinal case

study followed by a survey of 250 legal practitioners engaged in common law globally. The findings encompassed the identification of challenges encountered by “professional service organizations,” specifically regarding the adoption of innovative technologies necessitated by the imperative to augment client value propositions within the “legal services industry.”

**Okoro, A. S. (2022)** analyzed the “function of legal aid in improving access to justice”, emphasizing its accessibility, quality, obstacles, societal influence, and prospective developments. This qualitative research utilized semi-structured interviews with 22 participants from diverse socioeconomic backgrounds and geographical areas. Important findings pointed out key challenges in accessing legal aid: awareness of legal aid, eligibility criteria, application process, availability of service and descriptive factors. Quality of service was highly dependent on the lawyer's experience and the client-lawyer relationship. The research highlighted the importance of ongoing innovations, regulatory changes, and targeted work in the “legal aid” sector.

**Victoria, A. (2021)** concentrated on the thorough assessment of the “Legal Services Authorities Act, with special reference to Lok Adalat”. “Pursuant to the Constitutional mandate of Article 39-A” and recommendations made by “Committees of the Central Government , the Government of India passed the Legal Services Authorities Act, 1987”, primarily to provide formal recognition to “legal aid programs in India”, and its main purpose was to provide justice to the vulnerable sections of society, principally the poor, the marginal and other socially disadvantages women and children. The Act created state “legal service authorities, district legal services authorities and taluk legal services” authorities in addition to the (NALSA).

**Jain et al., (2017)** assessed how effective the “legal services authorities in India” were. Access to justice was a basic human right but still a “distant dream for the poor and marginalized.” Free legal aid was an activity intended to “promote and protect the rights of the poor, poorer, and uneducated,” while also providing equal justice. Legal aid was intended for individuals who were unable to afford the costs associated with legal representation. The notion of “legal aid aligned with the Preamble of the Constitution of India,” which guaranteed “Social, Economic, and Political Justice to all citizens.”

### **3. Research Gap**

The literature gap where studies have been conducted on the provisions, institutional

framework, and technological convergence of the “Legal Services Authorities Act, 1987”, little has been placed on its practical effectiveness in the delivery of fair justice to different socio-economic groups and rural communities. Although it pays attention to the strategies of legal aid, digitization, and Lok Adalats, there is no sufficient empirical evidence on how the effectiveness can be measured over time such as the fairness of the procedure, inclusivity, as well as trust to the justice system by the people. Moreover, the links between legal services based on technology and the traditional formations are poorly studied and this creates an opportunity to make comparative research and outcome-based ones more open.

#### **4. Methods and Materials**

The study used a qualitative research methodology to carry out a comparative evaluation of “the contemporary world developments in the legal field and the Legal Services Authorities Act, 1987 of India”. The statutory law, judicial interpretation, and scholarly opinions have been critically evaluated using a doctrinal and comparative legal research design. The study is based entirely on secondary data sources including legislations, case laws, international conventions, academic articles and reports and commentaries. The study will facilitate systematic analysis and comparison that will allow the researcher to identify convergences, divergences, and shifts in trends in the legal assistance mechanisms, and thus provide greater depth of consideration both, the functioning of “legal aid systems in India,” and its capacity for flexibility.

#### **5. Research Objective**

- I. To conduct a comparative assessment of the Legal Services Authorities Act, 1987 (India) against recent global legal-aid and access-to-justice developments.
- II. To identify global policy and legislative trends (2015–2025) that bear relevance to India’s Act and institutional arrangements.

#### **6. Research Hypothesis**

H1: There are significant differences between the Legal Services Authorities Act, 1987 and recent global legal-aid and access-to-justice frameworks in terms of legal structure, implementation mechanisms, and inclusivity of vulnerable groups.

H2: Recent global policy and legislative trends in legal aid (2015–2025), such as technology

integration, sustainable funding models, and alternative service providers, are positively associated with reforms needed to strengthen the Legal Services Authorities Act, 1987 in India.

## **7. Result based on Objective**

**Objective 1: To conduct a comparative assessment of the “Legal Services Authorities Act, 1987” (India) against recent global legal-aid and access-to-justice developments.**

The Legal Services Authorities Act, 1987 (India) provides an outline of how free and competent legal assistance can be offered to the marginalized, disadvantaged, and economically weaker members of the society, and thus, promote access to justice and equal treatment before the law (Mlindsey, & Mlindsey. 2022). It institutionalizes the law aid services by having State and District Legal Services Authorities that guarantees legal advice, representation, and assistance at no cost to those who cannot afford it. The concept of leaving no one behind is consistent with this Act as it allows the poor and vulnerable to be empowered legally as legal aid is a key ingredient of the right to receive justice within Indian law (IAJF 2025).

In comparison, recent trends in the field of international legal aid and access-to-justice revolve around broader, internationally recognised norms and efforts, such as those integrated in the 2030 Agenda of sustainable development of the United Nations where Goal 16 asks states to promote peaceful societies and to ensure access to justice to all people (Fraser 2025). The services of the organization are focused on the delivery of legal services and the integration of alternative dispute resolution, restorative justice, and specialized services in vulnerable populations with the emphasis on a sustainable and accessible and inclusive legal system. Moreover, the awareness of the necessity to bridge the gap in the justice by means of paralegals, law students, and civil society organizations is increasing, along with the technology redesign to improve the delivery of the legal help (Sood 2019). Despite the fact that the Legal Services Authorities Act of India created the first conditions under which institutional legal assistance may have been applied, nowadays the world tends to be more multidimensional and multi-actor in its approach that would contribute to the narrowing down of the gap in justice on the global scale and the emerging social and technological problems (Khanna 2025).

**Objective 2: To identify global policy and legislative trends (2015–2025) that bear relevance to India’s Act and institutional arrangements.**



The evolution of the legal institutionalization of aid and the extensive proliferation is the policy and legislative environment of the globe between 2015 and 2025, in the form of the main human right and the main “component of access to justice”. Many countries have turned to the development or strengthening of some components of law assistance, often in line with the international regulations, including the Sustainable Development Goal 16 of the United Nations, which emphasizes the concept of the inclusive justice system (Sattiraju et al., 2023). These trends are the additional expansion of the legal information to encompass not only the criminal but also the administrative and social justice, an emphasis on vulnerable groups, including women, children, migrants, and owners of human trafficking victims (Hamdan et al., 2024). There is also a distinct tendency to develop national legal aid policies with specifically identified strategies, methods of funding and accountability to ensure the effective and sustainable implementation (Ashok and Thomas 2023).

These international tendencies in terms of India are in connection with the focus of the Indian Legal Services Authorities Act in terms of institutionalized legal assistance in the form of State and District Legal Services Authorities. The worldwide movement towards multi-layered legal aid structures and integration with broader justice reforms (e.g., limiting pretrial detention, securing judicial independence, and involving community agencies) can inform the institutional arrangements in India (Ghosh 2023). What is more, the growing focus on the expansion of the legal aid coverage, the easy interaction with international laws of human rights, and the innovative approaches to delivering legal services, such as the use of the technology, are all consistent with the further development of the legal aid system in India to address the needs of the modern world and provide all people, in particular marginalized populations, with access to the justice (Tarar et al., 2021).

## **8. Discussion**

As the comparative analysis reveals, as the “Legal Aid Act, 1987” of India offers the “provision of legal aid” on the foundation of the institutional arrangements, e.g., NALSA, “State and District Legal Services Authority”, it still faces the challenges in ensuring its inclusivity and effectiveness across different social-economic groups. Multi-actor models with civil society, paralegals and community-based organizations form the basis of global models when compared to the Act in India which is more state-heavy. The global pattern considering the recent past also indicates the merger of technology, restorative justice as well as sustainable funding

patterns to fill the justice gap (Fraser, 2025; Khanna, 2025). Although additional forums such as digital platforms and Lok Adalats have been implemented in India, according to the practical data, they are less effective in rural and marginalized groups, in which the existence of the mentioned barriers concerning digital illiteracy, ignorance, and poor outreach can be observed as an ongoing concern (Chauhan, 2023; Singh and Upadhyay, 2024). This explains why legal aid system in India should focus on changing the paradigm of accessing the procedures with substantive results of justice.

In addition, the global transition to the conception of “legal aid as a human right governed by SDG 16” is in line with the Indian constitutional requirement of Article 39A but it needs more robust implementation plans. In numerous states, inclusive legislations on legal aid are being implemented to serve civil, administrative, and social justice cases in addition to criminal cases and protect more vulnerable populations such as women, migrants and those who have been trafficked (Hamdan et al., 2024; Ashok and Thomas, 2023). Although the Act of India was initially progressive in its nature, it still needs reforms to include such innovations as pro bono engagements, delivery systems rooted in technology, and legal empowerment initiatives that serve the community (Goncearenco, 2023; Balthu et al., 2022). Enhancing public trust would be achieved by; strengthening accountability, funding mechanisms, and outcome-based assessments; ensuring that the “legal aid framework in India” would be in line with the new global standards of inclusivity and access.

## **9. Conclusion**

The study concludes that the “Legal Services Authorities Act, 1987” has played a crucial role in putting in place a structured system of legal services in India, so that weaker and disadvantaged sections of the population are not deprived an essential necessity to society, which is access to justice. The Act has established the foundation of equal access to justice envisaged in the Constitution by operationalizing the mechanisms of “access to justice including the National Legal Services Authority (NALSA), State Legal Services Authorities, District Legal Services Authorities and auspices of forums like Lok Adalats.” This has contributed to increasing legal empowerment and redressing long-held inequalities within the justice delivery system. Even though successful, some of the determinants of effectiveness, inclusiveness and equal access across various socio-economic and geographical contexts/circumstances remain reparable.

However, recent developments in the worldwide legal aid sector show a behavior of integration surrounding technologies, sustainable financing, diverse service delivery, and community-based systems to expand the reach of legal aid provision and improve its provision. The Act will need to respond to the new trends globally as well as to the contemporary demands of justice, in order to enhance its provision. It will be necessary to take a broader and forward-thinking approach to address innovation, establish a real sense of institutional accountability that measures substantive justice outcomes, to ensure that the promise of justice can be delivered in a genuine meaning.

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