

INAUGURAL ADDRESS DELIVERED BY HON'BLE ACTING CHIEF JUSTICE IN THE INAUGURATION OF '**LAUNCHING OF LEGAL AID PROGRAMME FOR BONDED LABOUR, REVIEW MEETING OF DISTRICT LEGAL SERVICES AUTHORITIES & MEGA LOK ADALAT OF DLSA, CHENNAI**' – 27.07.2013 – 09.30 AM

-----

Mrs. Justice R. Banumathi, Executive Chairperson, Tamil Nadu Legal Services Authority, Mrs. Justice Chitra Venkataraman, Executive Chairperson, Puducherry Legal Services Authority, Mr. Justice N. Paul Vasanthakumar, Chairman, High Court Legal Services Committee, Members of Tamil Nadu & Puducherry Legal Services Authorities, Sister and Brother Judges, Chairmen and Secretaries of District Legal Services Authorities, Chairman, Bar Council of Tamil Nadu, Ladies and gentlemen,

Good Morning to all of you,

We are here to review the work done by us so far. Keeping up with the motto of the NALSA, 'Access to justice for all', we have to work together for achieving the objects for which the Legal Services Authorities Act, 1987, had been enacted.

It is heartening to note that the Tamil Nadu State Legal Services Authority has taken up a special programme to sensitise the Chairmen and Secretaries of District Legal Services Authorities on this important issue of bonded labour system. The menace of bonded labour, also called debt bondage, though outlawed in 1976, still remains prevalent because of weak enforcement of law and also due to poverty, absence of alternative credit sources, a lack of justice and rule of law. Though it is against the Articles 21 and 23 of the Indian Constitution and Bonded Labour System (Abolition) Act, sadly, this practice still prevails. According to research papers, it seems that though there is a decline of bonded labour system in the agrarian sector, new forms of bondage are emerging in many different sectors of the informal economy and the migrant labourers appear particularly vulnerable to bonded labour exploitation. Their prevalence is high in brick kilns, stone quarries, crushers and mines, power looms and cotton handlooms, carpet weaving etc. The need of the hour is to rehabilitate the released bonded labourers and to keep a watch on those who were rescued so that shall not lapse into bonded labour again. We have a number of legislations

regulating conditions of work of contract and migrant labour, child labour in hazardous industries and for minimum wages. However, these legislations remain in paper only. The DLSAs can take concerted effort to ensure implementation of the law.

On perusing the statistics, I find that in the month of March 2013, we had disposed of 5,503 cases holding 530 Lok Adalats whereas in April, 2013, there were 436 Lok Adalats, including 82 Lok Adalats at the High Court level. We were able to dispose of 12,564 cases awarding an amount of Rs.107 crores. An award of Rs.77 Crores had come about by disposing of 10565 cheque bouncing cases in Chennai city. But this has drastically come down in the month of May 2013 with only 149 Lok Adalats. The districts of Karur, Nagapattinam, Perambalur, Theni and Virudhunagar did not hold any Lok Adalat in the month of May 2013 and the total disposal rate for the month of May 2013 is 861 cases. Though intervening vacation might have been a reason, I request all of you not to allow the momentum to lose. We should not pat our back for this achievement. We have to do a lot more. I request the Chairman and Secretaries of DLSAs to organise more and more Legal Aid Programmes.

The stark reality is that a substantial portion of population of our country still suffers from extreme poverty with no social security. They nurture apprehension about the relevance of the legal system and we have an onerous duty to remove their misconceptions and fears and make them aware of their rights. Justice would have no meaning if only a privileged few could access it.

Justice W.J. Brennan had once said that

“Nothing rankles more in the human heart than a brooding sense of injustice. Illness we can put up with. But injustice makes us want to pull things down. When only the rich can enjoy the law, as a doubtful luxury, and the poor, who need it most, cannot have it because its expense puts it beyond their reach, the threat to the continued existence of a free democracy is not imaginary but very real, because democracy’s life depends upon making the machinery of justice so effective that every citizen shall believe in and benefit by its impartiality and fairness”

The preamble of the Act emphasises three essential functions of the legal services authorities i.e. provide free and competent legal services to the weak and poor, ensure that opportunities for security justice are not denied and organize lok adalats. We all have a larger role to play in ensuring the implementation of Article 39A of the Constitution which directs

that the State shall secure that the operation of the legal system promotes justice, on the basis of equal opportunity and shall in particular, provide legal aide to ensure that the opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. Legal services is an important tool which makes the ideals of justice, liberty, and equality, a reality.

I am sure that under the dynamic leadership of sister Mrs. Justice R. Banumathi, we shall be able to scale new horizons and achieve the object for which the Legal Services Authority has been created.

Before parting, I thank the organisers for giving me an opportunity to share my views with all of you. I wish the Mega Lok Adalat of DLSA, Chennai a great success.

\*\*\*\*\*