

SPEECH¹

Principal Prof. N. Vani Shree, distinguished faculty members, organizers from CEERA and the officers of the Department of Justice, participants, dear students, ladies and gentlemen,

A very good afternoon to all of you.

It gives me immense pleasure to be amidst this vibrant gathering of young law students and teachers at JSS Law College, Mysuru, an institution that has, for decades, has consistently upheld the highest ideals of legal education and public service. I am deeply honoured to be invited as the Chief Guest for the 4th Prof. V. S. Mallar Memorial Legal Aid Competition, jointly organized with CEERA, National Law School of India University, and the Department of Justice, Government of India.

I. Homage to Prof. V. S. Mallar

Before anything else, I wish to pay my respectful homage to Prof. V.S. Mallar, a visionary legal educator whose contributions to legal aid and justice have left an indelible mark on our jurisprudence.

Prof. Mallar was not just a scholar; he was a beacon of empathy, advocating for the marginalized and emphasising the role of law as a tool for social transformation. His contribution to public law, legal aid, and constitutional thought remains an inspiration to generations.

His teachings embodied the spirit of the ancient ideal: “धर्मो रक्षति रक्षितः” i.e., Dharma protects those who protect it. He believed that the law is not just a profession but a sacred duty to protect the moral order of society. This competition, held in his memory, is a living tribute to his enduring spirit. It embodies his conviction that legal education must extend

¹ Speech by Hon’ble Mr. Justice Pankaj Mithal, Judge, Supreme Court of India, on the occasion of inaugural ceremony of 4th Edition Prof. V.S. Mallar Memorial Legal Aid Competition 2025-26 organized by JSS Law College, Karnataka, on 08.11.2025 through Virtual Meeting.

beyond classrooms into the heart of communities, fostering awareness, advocacy, and action.

II. The Spirit of Legal Aid

At the heart of this event lies the noble idea of legal aid, the belief that justice must be accessible to every individual, regardless of wealth, background, or influence. Legal aid is not an act of generosity; it is the very soul of justice. Legal aid ideals that access to law should never be the privilege of the rich, but the right of every individual. It is the means by which the Constitution breathes life into its promise of equality before law.

As Justice P.N. Bhagwati once remarked, *“Legal aid is not a charity or bounty, but an obligation of the State and a right of the citizen.”* This principle is enshrined in Article 39A of our Constitution, which directs the State to ensure that justice is not denied to any citizen due to economic or other disabilities.

Our ancient texts echo this duty. In the Mahabharata, it is said: **“सर्वभूतहिते रतः स धर्मः”** i.e., *One who is devoted to the welfare of all beings is righteous.* That, indeed, is the spirit behind legal aid, that is, law in the service of humanity. When we provide legal aid, we preserve the dignity of every citizen, ensuring that no one stands unheard or unrepresented before the law.

III. Freedom from Violence - A Moral and Legal Calling

The theme chosen this year, *“Freedom from Violence: Legal Provisions for Safety and Security of Women”*, is deeply significant and addresses one of the most pressing moral and legal challenges of our time. In a nation advancing rapidly in technology and education, the shadow of gender-based violence continues to cast a long, dark pall over our collective conscience.

Despite the constitutional guarantees of equality and a rich body of protective legislation, the lived reality of many women still reflects vulnerability and fear. Ensuring the safety and dignity of women is not merely a legal imperative but a moral and societal one.

Violence against women is not merely a criminal act; it is a violation of human dignity and constitutional morality. It destroys confidence, curtails freedom, and erodes the foundations

of equality. It shakes the conscience of our society and strikes at the heart of our civilizational ethos that reveres womanhood as sacred.

Even our scriptures, like the Manusmriti, declare “यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः।

यत्रैतास्तु न पूज्यन्ते सर्वास्तत्राफलाः क्रियाः।।”

which means that “*where women are honoured, there the gods rejoice, and where women are dishonoured, all actions, no matter how noble, remain unfruitful*”. If the honour of women is the measure of divine joy, then violence against women is not just unlawful, it is adharma. And dharma must always prevail over adharma.

IV. Legal Provisions and Evolving Jurisprudence

India's legal framework for women's protection has evolved into a robust arsenal, reflecting the State's unyielding commitment to gender justice. From the Dowry Prohibition Act of 1961 to the Protection of Women from Domestic Violence Act, 2005, and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013—each statute marks a deliberate stride toward a responsive justice system. The Criminal Law (Amendment) Acts of 2013 and 2018, catalyzed by the tragic Nirbhaya incident, introduced stringent penalties, including the death sentence for heinous rapes, alongside fast-track special courts to expedite trials.

More recently, the Bharatiya Nyaya Sanhita, 2023, replacing the Indian Penal Code, has fortified these protections with dedicated chapters on crimes against women and children, emphasizing community service for minor offenses while imposing harsher deterrents for sexual violence, including provisions for online harassment under the Bharatiya Sakshya Adhinyam.

Yet, as our judiciary has consistently affirmed, laws are only as potent as the societal consciousness that animates them. Landmark judgments illuminate this path. In *Vishaka v. State of Rajasthan*, the Supreme Court laid down pathbreaking guidelines on sexual harassment at the workplace, reading Articles 14, 15, and 21 as guarantees of gender justice, later enshrined in the POSH Act. In *Laxmi v. Union of India*, the Apex Court laid down guidelines for acid attack victims, reminding us that compassion and justice must walk together. And in *Nipun Saxena v. Union of India (2018)*, the Court underscored the

inviolable right to privacy and dignity for survivors, ensuring that judicial processes heal rather than retraumatize.

These pronouncements carry a unifying message: The law must not only punish the perpetrator; it must protect the victim, foster healing, and empower the resilient spirit within.

V. The Many Faces of Violence: Beyond the Obvious

When we invoke women's safety, our discourse often confines itself to physical assaults, yet violence manifests in insidious, multifaceted forms i.e., emotional, economic, digital, and institutional.

Cyber harassment, stalking, and defamation on digital platforms have become modern tools of intimidation and abuse. The Information Technology (Amendment) Act and recent judicial pronouncements like *Shreya Singhal v. Union of India*, have tried to address this evolving challenge. Yet, awareness and early intervention remain key.

We must also confront the invisible forms of violence, like denial of education, unequal pay, lack of representation, and social exclusion. As has been observed by Supreme Court in many judgements, gender equality is meaningless without equal opportunity and respect.

The National Family Health Survey tells us that nearly one in three women in India has faced some form of domestic violence. But only a few seek help. That gap, between suffering and seeking, is where the true test of our legal and social consciousness lies. Addressing the injustice faced by many women in our country, requires not just legislative evolution but a cultural renaissance, one where empathy supplants entitlement.

We must therefore expand our understanding of justice from retribution to restoration, from punishment to protection.

VI. Law Students as Catalysts for Change

Dear students, as future lawyers, judges, and policymakers, you are more than participants in this event, you are torchbearers of its message. You stand at the confluence of tradition and transformation. You are the bridge between the Constitution and the community.

The practice of law is not merely about knowing rules; it is about knowing people. The best lawyers are not those who argue the loudest, but those who listen the deepest. Every argument you make can empower someone, and every silence you break can restore someone's faith in the system.

Therefore, even as you master constitutional provisions and procedural codes, remember to nurture your human side, empathy, patience, and integrity. These are the true foundations of justice. Remember: the future of legal aid lies not only in courtrooms but in conversations, in every dialogue that makes someone aware, confident, and fearless.

VII. Reimagining Legal Aid in the Modern Era

Legal aid today stands at a transformative crossroad. Technology, innovation, and artificial intelligence are reshaping the ways we connect with people and deliver justice.

Imagine a future where a woman from a remote village can access legal advice through her mobile phone, where virtual legal clinics connect young lawyers to communities nationwide, and where language barriers are broken by real-time translation tools.

This is not a distant dream; it is already happening. The Tele-Law programme of the Department of Justice has facilitated lakhs of online consultations across India. Legal Services Authorities are expanding outreach through e-adalats and online mediation. These are steps toward a justice system that is not only efficient but inclusive.

But we must remember that technology is only a tool. The heart of legal aid is still the human touch, the compassion, patience, and commitment of lawyers who see law not as a transaction, but as a service to society.

As Mahatma Gandhi once said, *“The true measure of any society can be found in how it treats its most vulnerable members.”* Let our legal aid institutions be that measure - firm in principle, soft in approach, and unwavering in humanity.

VIII. The Evolving Role of Judiciary

The judiciary, too, has a vital role in ensuring that access to justice is real, not rhetorical. Over the years, our courts have expanded the scope of Article 21 to encompass not merely the right to life but the right to live with dignity and safety.

The establishment of Legal Services Authorities under the Legal Services Authorities Act, 1987, was a milestone in institutionalizing access to justice. From national commissions to district-level legal aid centres, the judiciary continues to nurture this network of compassion. We have also seen the rise of Lok Adalats, Family Courts, One-Stop Centres, and Mediation Cells, where disputes are not just resolved but reconciled with dignity. . This is where the true philosophy of Nyaya manifests, not in adversarial victory, but in social harmony.

Today, the judiciary is not only the guardian of rights but also a facilitator of inclusion. Our courts are increasingly adopting a compassionate approach, especially in cases involving women, children, and marginalized groups. The idea is to make the court not a fortress of law, but a house of justice

In the coming years, technology and artificial intelligence will revolutionize access to legal aid. As our judicial system moves toward digitization, with e-filing, virtual hearings, and AI-assisted translation tools, our challenge will be to ensure that technology remains inclusive and does not deepen the divide. The promise of justice must reach every corner of India, from the courtroom to the countryside.

IX. A Personal Reflection

Over my years on the Bench, I have often seen that those who approach the courts in their most vulnerable moments do not come merely with petitions, they come with faith. Faith that the law will protect them. Faith that the system will hear them. Faith that justice still lives. That faith is sacred. Every act of fairness, every gesture of empathy, and every moment of listening reinforces that faith. It is our collective responsibility, as judges, lawyers, students, and citizens, to ensure that this faith is never broken.

X. The Road Ahead: From Awareness to Action

Friends, as we look toward the future, let us remember that the goal of legal aid is not to create dependence but to foster empowerment. A truly just society is one where citizens do not live in fear of injustice because they understand their rights and have the confidence to assert them.

The next phase of India's legal aid movement must therefore combine innovation, inclusion, and inspiration. We must take legal education into villages, schools, and workplaces, where awareness can prevent exploitation before it begins.

In that sense, each of you participating in this competition is part of a national mission, to make the Constitution a living document, not just a framed text.

XI. Conclusion

Swami Vivekananda once said, "*They alone live who live for others; the rest are more dead than alive.*" That, in essence, is the spirit of legal aid, living for others, speaking for others, and standing up for those who cannot stand for themselves.

Let us remember that every act of compassion, every moment spent helping someone understand their rights, every effort to make the law more accessible, is a step toward fulfilling our duty to the Constitution and to humanity. The law gains its nobility only when it serves the powerless.

I extend my best wishes to all participants and hope that you continue to use the power of law to heal, to uplift, and to transform. May this competition inspire you to live that ideal, to use your intellect not only to argue, but to heal; to see law not as power, but as purpose.

In the words of Swami Vivekananda, "*Arise, awake, and stop not till the goal is reached.*" Let that goal be the creation of a society where freedom from violence is not a privilege, but a right realized for every woman.

I once again congratulate JSS Law College, CEERA, and the Department of Justice for nurturing such an initiative that transforms learning into service and knowledge into kindness. Thank you once again for inviting me, and I wish this competition, and all its participants, every success in their journey of learning and service.

Jai Hind.