

FROM LEGAL AID TO SUBSTANTIVE JUSTICE: AN EMPIRICAL ASSESSMENT OF INDIA'S LEGAL SERVICES FRAMEWORK

by

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ABSTRACT

Access to justice is a constitutional commitment that extends beyond the formal availability of courts and legal remedies. In India, Article 39A of the Constitution requires the State to secure equal justice and provide free legal aid so that opportunities for securing justice are not denied because of economic or other disabilities. The enactment of the Legal Services Authorities Act 1987 institutionalised this commitment through the National Legal Services Authority (NALSA), State Legal Services Authorities, District Legal Services Authorities and Taluk Legal Services Committees. However, the expansion of institutional mechanisms does not necessarily establish that legal aid has translated into substantive justice. This paper empirically assesses the performance and limitations of India's legal-services framework through secondary analysis of official data published by NALSA for 2024–25 and 2025–26, including beneficiary statistics, legal-awareness programmes and Lok Adalat outcomes. The study finds significant institutional reach, with more than 1.65 million persons receiving legal services in 2024–25 and more than 2 million in 2025–26. Legal-awareness initiatives also reached over 37.2 million persons in 2024–25¹. And data collected by the researcher shows considerable inter-state variation and continuing concentration of beneficiaries among particular vulnerable groups. And the researcher is of the view point that we can not take numerical expansion as the expression of substantive access to justice. For effective and actual legal empowerment we need competent representation, timely intervention, institutional accountability and meaningful participation of beneficiaries.

¹ National Legal Services Authority, 'Awareness Camps/Programmes, April 2024 to March 2025' (NALSA 2025).

Keywords: access to justice, legal aid, legal empowerment, Article 39A, NALSA, substantive justice, Lok Adalat, legal awareness

1. INTRODUCTION

To have meaningful justice, it is very important that legal rights that have been guaranteed by different laws can be transformed into effective remedies. The rights such as equality before law, fundamental rights and judicial remedies are meaningless if the individuals lack the economic, social or informational capacity to enforce them. So, when we are talking about access to justice, it is not merely a matter of entering the courtroom but ability of individuals to understand their rights, obtain competent assistance, participate in proceedings and secure an effective remedy.

The Indian Constitution expressly recognises this dimension of justice. Article 39A directs the State to ensure that the operation of the legal system promotes justice on the basis of equal opportunity and to provide free legal aid so that opportunities for securing justice are not denied because of economic or other disabilities². Although Article 39A is contained in Part IV, the Supreme Court has progressively connected legal aid with the substantive guarantees of Article 21. In *Hussainara Khatoon v State of Bihar*³, the Court treated free legal services as an essential element of a fair, just and reasonable procedure⁴. In *Khatri (II) v State of Bihar*⁵, it further held that the obligation to provide legal assistance arises from the constitutional guarantee itself and is not dependent upon an accused person making a request for legal aid⁶.

The institutional response to this constitutional commitment is principally represented by the Legal Services Authorities Act 1987 ('LSA Act'). The Act seeks to provide free and competent legal services to weaker sections and to organise Lok Adalats to secure equal access to justice⁷. And within a decentralised structure, NALSA works consisting State

² Art. 39A, Constitution of India 1950.

³ (1980) 1 SCC 98.

⁴ *Hussainara Khatoon (IV) v Home Secretary, State of Bihar* (1980) 1 SCC 98.

⁵ (1981) 1 SCC 627.

⁶ *Khatri (II) v State of Bihar* (1981) 1 SCC 627.

⁷ Legal Services Authorities Act 1987, long title.

Legal Services Authorities (SLSA), District Legal Services Authorities (DLSA) and Taluk Legal Services Committees. And this framework also work on legal-awareness programmes, legal-services clinics, para-legal volunteers, victim compensation mechanisms, mediation and the Legal Aid Defense Counsel System.

But the important matter of concern is to understand and analyse to what extent this expansion of legal-aid institutions has successfully been transformed into substantive justice?

And this becomes the more important to understand because institutional activity is generally evaluated on the basis of indicators such as number of beneficiaries, awareness programmes, cases settled or legal-aid applications processed. And these indicators are not always the true factors to tell whether beneficiaries received competent representation, understood their legal position, participated meaningfully in proceedings or obtained timely and effective remedies.

And therefore, in this paper, efforts have been made by the researcher to understand the India's legal-services framework through an empirical analysis of official secondary data by analyses of NALSA's published statistics for 2024–25 and 2025–26.

2. OBJECTIVES AND RESEARCH QUESTIONS

This study is based on four principal objectives:

1. To examine the constitutional and statutory foundations of legal aid in India;
2. To empirically assess the reach of India's legal-services institutions;
3. To identify disparities and structural limitations within the existing framework; and
4. To examine whether India's legal-aid model is moving from mere service provision towards substantive legal empowerment.

3. RESEARCH QUESTIONS

The paper addresses the following research questions:

1. To what extent has India's institutional legal-services framework expanded access to legal assistance?
2. What do recent NALSA data reveal about the reach and distribution of legal services?

3. Does numerical expansion of legal-aid services necessarily indicate substantive access to justice?
4. What reforms are necessary to transform legal aid from a welfare-oriented service into an empowerment-oriented constitutional mechanism?

4. RESEARCH METHODOLOGY

In this study, the researcher has adopted the doctrinal-empirical socio-legal methodology and for that the researcher has analysed the constitutional provisions, legislation and leading Supreme Court decisions. And for secondary data, the researcher has exclusively examined the secondary data published by authoritative public institutions.

The principal dataset is NALSA's statistical information concerning persons benefited through legal services under the LSA Act during April 2024–March 2025 and April 2025–March 2026⁸. NALSA also publishes statistics relating to legal-awareness programmes, Lok Adalats, mediation, legal-services clinics and other activities⁹. The 2024–25 beneficiary dataset records 1,657,527 beneficiaries, while the 2025–26 dataset records 2,007,776 beneficiaries¹⁰.

The study uses descriptive statistical analysis, including comparison of annual totals, beneficiary categories, state-level variations and institutional outreach. The data are interpreted alongside the constitutional principle of equal access to justice¹¹.

A limitation must nevertheless be acknowledged. Administrative statistics measure institutional output, rather than the complete lived experience of beneficiaries. They do not necessarily reveal satisfaction, quality of representation, duration of proceedings, outcome quality or whether a beneficiary understood the proceedings. Consequently, the paper does

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⁸ National Legal Services Authority, 'Legal Services Beneficiaries, April 2024 to March 2025' (NALSA 2025); National Legal Services Authority, 'Legal Services Beneficiaries, April 2025 to March 2026' (NALSA 2026).

⁹ National Legal Services Authority, 'Statistics' <https://nalsa.gov.in/statistics/> accessed 24 March 2026.

¹⁰ National Legal Services Authority, 'Legal Services Beneficiaries, April 2024 to March 2025' (NALSA 2025); National Legal Services Authority, 'Legal Services Beneficiaries, April 2025 to March 2026' (NALSA 2026).

¹¹ Constitution of India 1950, arts 14 and 39A; Legal Services Authorities Act 1987.

not claim to measure the entire phenomenon of substantive justice; rather, it empirically evaluates the measurable reach and structural performance of the legal-services framework¹².

4. CONSTITUTIONAL AND STATUTORY ARCHITECTURE OF LEGAL AID

The constitutional basis of legal aid can be traced to Articles 14, 21 and 39A. Article 14 guarantees equality before law and equal protection of laws, while Article 21 protects life and personal liberty through a jurisprudence that has progressively incorporated fairness and procedural justice. Article 39A expressly directs the State to promote equal justice and free legal aid¹³. The Supreme Court's jurisprudence transformed legal aid from a policy aspiration into a constitutional obligation. In *M H Hoskot v State of Maharashtra*¹⁴, the Court recognised the importance of legal assistance as part of fair procedure¹⁵. *Hussainara Khatoon* subsequently emphasised the constitutional significance of free legal services for persons unable to afford counsel¹⁶. In *Suk Das v Union Territory of Arunachal Pradesh*¹⁷, the Court reiterated that the constitutional obligation to provide legal aid cannot be defeated merely because the accused did not specifically ask for a lawyer¹⁸.

The LSA Act operationalised this constitutional vision. Its long title explicitly links free and competent legal services with the objective of ensuring that economic disabilities do not prevent citizens from securing justice¹⁹. And the categories entitled to legal services had been mentioned in section 12 of the Act and section 13 laid down the provisions relating to applicable criteria. And in this Act, provisions relating to legal services authorities and Lok

¹² 'Government at a Glance 2023' (OECD Publishing 2023) ch 10, discussing the distinction between administrative performance indicators and broader assessments of public-service quality and user experience.

¹³ Arts. 14, 21 and 39A of Constitution of India 1950.

¹⁴ (1978) 3 SCC 544.

¹⁵ *M H Hoskot v State of Maharashtra* (1978) 3 SCC 544.

¹⁶ *Hussainara Khatoon (IV) v Home Secretary, State of Bihar* (1980) 1 SCC 98.

¹⁷ (1986) 2 SCC 401.

¹⁸ *Suk Das v Union Territory of Arunachal Pradesh* (1986) 2 SCC 401.

¹⁹ Legal Services Authorities Act 1987, long title.

Adalats have also been laid down. The basic purpose of this Act is to move legal aid beyond courtroom representation. And the legal services has widen to include legal advice, awareness, counselling, pre-litigation intervention, alternative dispute resolution and assistance to vulnerable groups. But a person who is not aware of legal remedies will not be able to access this and therefore legal awareness is a precondition of meaningful legal aid.

5. EMPIRICAL REACH OF LEGAL SERVICES IN INDIA

The scale of India's legal-services infrastructure is considerable. NALSA's 2024–25 data

record 1,657,527 persons benefiting from legal services. The corresponding figure for 2025–26 increased to 2,007,776, representing an increase of approximately 21.13 per cent²⁰.

Table 1: Persons Benefited Through Legal Services²¹

Category	2024–25	2025–26
Scheduled Castes	129,402	147,320
Scheduled Tribes	128,440	147,932
Women	316,151	414,795
Children	87,530	137,996
Persons in custody	472,954	557,772
Persons with disabilities	8,313	15,280
Industrial workmen	12,778	13,930
Transgender persons	844	1,072
Victims of trafficking/begar	793	553

²⁰ National Legal Services Authority, 'Statement Showing the Total Number of Persons Benefited Through Legal Services Provided Under Legal Services Authorities Act, 1987 During the Period from April 2024 to March 2025' (2025); National Legal Services Authority, 'Statement Showing the Number of Persons Benefited Through Legal Services Provided Under Legal Services Authorities Act, 1987 During the Period from April 2025 to March 2026' (2026).

²¹ NALSA, *Legal Services Beneficiaries Reports, 2024–25 and 2025–26*.

Victims of mass disaster etc	82,165	53,097
General income category	157,833	194,348
Others	260,324	323,681
Total	1,657,527	2,007,776

Interpretation: Table 1 clearly indicates that certain trends which could be explained as:

1. In both years, the persons in custody are the largest single beneficiaries as the number has increased from 472,954 to 557,772 which indicate towards the importance of legal aid within the criminal justice system, particularly for under-trial prisoners and persons unable to secure legal representation.
2. And, other major beneficiaries are the women and their numbers increased from 316,151 to 414,795.
3. And there is increase of services among children and persons with disabilities is notable which has increased from 87,530 to 137,996, while persons with disabilities increased from 8,313 to 15,280.

However, these numbers can not be interpreted as the proof of substantive justice because increase in beneficiaries may be because of increased legal need, greater institutional outreach, improved reporting or a combination of these factors.

6. STATE-LEVEL VARIATION: A QUESTION OF EQUAL ACCESS

The national aggregate conceals substantial geographical differences.

Table 2: Selected State-Level Beneficiary Data, 2024–25 and 2025–26²²

State	2024–25	2025–26	Change
Himachal Pradesh	6,222	6,512	+4.66%
Haryana	82,194	135,775	+65.19%

²² NALSA, *Legal Services Beneficiaries Reports*.

Punjab	65,513	85,128	+29.94%
Uttarakhand	34,208	52,059	+52.18%
Uttar Pradesh	22,732	31,748	+39.65%
Madhya Pradesh	233,009	231,101	−0.82%
Jharkhand	328,365	443,757	+35.14%
West Bengal	92,914	107,884	+16.11%

Interpretation: Table 2 clearly shows that 6,222 beneficiaries in 2024–25 and 6,512 in 2025–26 were recorded in Himachal Pradesh whereas Jharkhand recorded 328,365 and 443,757 respectively. Haryana also experienced a substantial increase, from 82,194 to 135,775. However, this data can not be exclusively used to rank the states because these numbers depend on many factors such as population size, socio-economic conditions, litigation patterns, administrative reporting practices and institutional capacity. And this raises an important constitutional question: does decentralized institutional availability necessarily produce equal practical access? And ofcourse the answer is in negative because equality of utilization can not be guaranteed on the basis of institutional architecture. And this challenge becomes more important to tackle in geographically difficult regions. And thus, legal empowerment is possible through localised delivery mechanisms.

7. LEGAL AWARENESS AS THE MISSING LINK

Legal aid cannot operate effectively if potential beneficiaries do not know that legal assistance is available. NALSA's 2024–25 data show that 462,988 legal-awareness programmes were organised nationally, with 37,232,850 persons attending them.

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Table 3: Legal Awareness Outreach, 2024–25²³

Indicator	National Figure
Awareness programmes organised	462,988
Persons attending	37,232,850
Average attendance per programme	Approx. 80.42

Interpretation: Table 3 clearly shows that legal awareness programmes are organised in quite numbers and attendance is more impressive but we have to understand that legal awareness can not be merely taken as a publicity exercise. But the success lies in when the individuals will be able to recognise unlawful conduct before disputes escalate.

In this direction NALSA maintains dedicated programmes concerning legal-awareness activities, legal-services clinics and para-legal volunteers. But the challenge lies in quality of awareness rather than merely counting programmes and participants.

8. LOK ADALATS AND THE QUANTIFICATION OF JUSTICE

The second major component of India's legal-services framework is alternative dispute resolution through Lok Adalats. The LSA Act empowers legal-services institutions to organise Lok Adalats. Their underlying rationale is to provide accessible, inexpensive and speedy dispute resolution. National Lok Adalats are conducted periodically across courts and tribunals. NALSA's schedule records four National Lok Adalats annually as the established practice²⁴.

²³ NALSA, *Statistical Information on Legal Literacy/Legal Awareness Camps and Programmes, April 2024–March 2025*.

²⁴ National Legal Services Authority, 'National Lok Adalat Schedule-2025' (14 November 2024).

Table 4: National Lok Adalat Disposal Trends²⁵

Year	Pre-litigation cases disposed	Pending cases disposed	Total disposed
2021	72.06 lakh	55.82 lakh	127.88 lakh
2022	110.15 lakh	109.11 lakh	219.26 lakh
2023	710.33 lakh	141.09 lakh	851.42 lakh
2024	646.35 lakh	126.34 lakh	772.69 lakh

Interpretation: Table 4 clearly shows that extraordinary scale of settlement-oriented justice in India but just disposal can not be taken as indicator of justice and this is the methodological problem. Because success of Lok Adalat does not merely depend upon disposal rates but also on procedural fairness, informed consent and the absence of coercion.

9. FROM LEGAL AID TO LEGAL EMPOWERMENT

The empirical evidence suggests that India's legal-services framework has moved substantially beyond the traditional conception of legal aid as free representation.

Table 4: INSTITUTIONAL MECHANISM

Dimension	Institutional Mechanism	Objective
Legal representation	Legal aid lawyers/LADCS	Effective representation
Legal awareness	Awareness camps	Rights consciousness
Community access	Legal Services Clinics/PLVs	Local outreach
Alternative dispute	Lok Adalats/Mediation	Accessible settlement

²⁵ NALSA, *National Lok Adalat Schedule 2025*.

resolution		
Criminal justice	Legal Aid Defense Counsel System	Dedicated defence
Victim support	Compensation schemes	Remedial justice
Digital access	Online legal-aid applications/helplines	Ease of access

Interpretation: Table 5 clearly shows that NALSA's Legal Aid Defense Counsel System is particularly significant because it attempts to improve the quality and professional management of legal aid in criminal matters. The model emphasises dedicated representation rather than treating legal aid as an incidental responsibility of a panel lawyer²⁶. The availability of online legal-aid applications and the 15100 helpline also indicates movement towards a more accessible system.

10. CRITICAL FINDINGS

The empirical assessment leads to five principal findings.

- i. Institutional expansion is significant: The increase from 1.65 million legal-services beneficiaries in 2024–25 to more than 2 million in 2025–26 indicates substantial institutional reach.
- ii. Vulnerable populations remain central to legal-aid delivery: Persons in custody, women, children, Scheduled Castes and Scheduled Tribes constitute substantial beneficiary groups which indicates that legal aid continues to perform its constitutional role of addressing structural disadvantage.
- iii. Awareness has become a major component of the framework: The data of 2024–25 clearly shows that participation of more than 37 million persons in legal-awareness programmes is an huge success.

²⁶ National Legal Services Authority, *Legal Aid Defense Counsel Scheme (Modified 2022)*.

iv. Geographic disparities: Because of geographical disparities, there is need to adopt stronger mechanism for identifying and reaching under-served communities

11. TOWARDS AN EMPOWERMENT-ORIENTED LEGAL-AID MODEL

This study clearly shows that there is shift from legal-aid model to a legal-empowerment model which is a good indicator. And for this the researcher proposes following suggestions:

1. Need to adopt outcome-based indicators instead of reporting just the numbers of beneficiaries, annual reports should record whether legal assistance resulted in representation, settlement, withdrawal, compensation, bail, release, restoration of rights or another measurable remedy.
2. Need to link legal-awareness programmes to referral mechanisms.
3. Need to adopt compulsory beneficiary feedback.
4. Need to strengthen specialized representation.
5. Digital access should follow a hybrid model. Online applications and helplines should be accompanied by physical facilitation centres so that digital exclusion does not become a new form of legal exclusion.