

**ADDRESS BY THE HON'BLE PRESIDENT OF INDIA  
SHRI RAM NATH KOVIND  
ON THE OCCASION OF INAUGURATION OF THE NATIONAL LAW DAY  
CONFERENCE**

**New Delhi, November 25, 2017**

1. It gives me great pleasure to be inaugurating the National Law Day Conference jointly organised by the Law Commission of India and NITI Aayog. Our Constitution was adopted on November 26, 1949. Two months later, on January 26, 1950, the Constitution came into effect and India became a Republic. From 1979, November 26 began to be observed in the Supreme Court as National Law Day. In 2015, the Union Government gave a fresh impetus to the celebration and gave it the name of Constitution Day, by a due gazette notification.
2. This twin process of naming was appropriate. Law and the Constitution have a symbiotic relationship. Our Constitution is both a major source of our laws, as well as the custodian of an ethic and a value system that inherently believes in the **dharm**a of law. On this day, we recall with gratitude the members of the Constituent Assembly who gave us this vibrant and inspiring document, our Constitution. And in particular we pay tribute to Dr B.R. Ambedkar, the chair of the Drafting Committee, and in a sense the Chief Architect of our Constitution.
3. I must record my appreciation of the Law Commission as well. It is a cherished national institution that has made an invaluable contribution towards reforming our laws, enhancing justice delivery and simplifying procedures. Of course, this process is continuous and the mandate of the Law Commission therefore remains.
4. I am told that this conference is structured around the theme of the interface between the executive, legislature and judiciary. I look forward to the deliberations and actionable outcomes. And while not wanting to anticipate the discussions, I would like to leave the

distinguished audience gathered here with some thoughts on how we can all make an effort to strengthen the justice delivery system that we so appreciate.

5. The first point I would like to emphasise is the need to ensure speedy justice with a greater efficiency. While we take pride in our courts and their independence, it is a paradox that the poor often shy away from a legal battle, worried about the duration and the cost. And the well-off sometimes use the judicial process and its intricacies to delay resolution to issues they simply do not want resolved.
6. This paradox needs to be addressed. As I have said earlier, perhaps the time has come to examine the issue of adjournments and whether they are to be limited just to absolute emergencies – or continue to be allowed to be used for tactical delays by one party or the other.
7. This is the age of instant communication and technology. We must use these tools to speed up the justice delivery process. Expectations of our people are justifiably high. And only the judiciary has the capacity to fulfil them. Alternate dispute resolution mechanisms have to be looked at very seriously, including in their ability to prevent matters from coming into the courtroom at all.
8. My second point relates to access to justice for the common person. This is linked to and yet different from the issue of efficiency and speed. India has acquired a reputation for an expensive legal system. In part this is because of delays, but there is also the question of affordability of fees.
9. Access to justice is not through lawyers alone. It is possible to envision the disposal of civil applications in the absence of advocates. I am also aware that many lawyers are already engaged in providing services free of charge, beyond their legal briefs, as a payback to society. They do so either through the

Legal Services Authority, at the state or national level, or of their own accord. One must appreciate this.

10. However, it is important to institutionalise this mechanism rather than leave it to the goodness of the individual. The idea that a relatively poor person cannot reach the doors of justice for a fair hearing only because of financial or similar constraints violates our constitutional values and our republican ethic. It is a burden on our collective conscience. I leave it to our legal fraternity, our lawyers and advocates and our Bar Associations, to find an answer.
11. Access also relates to simplifying laws and repealing outdated laws – an area where the Law Commission has done our country enormous service. I understand the Government has identified around 1,800 laws that require to be removed from the statute books. In the past three years, Parliament has repealed about 1,200 obsolete and unnecessary laws. This will decongest the statute books and promote ease of governance.
12. Similarly, enhancing legal literacy and simplifying legal rules; easier language while delivering judgements, so that these are understood by a greater number of people; and, as I have suggested earlier, the quick availability of certified translated copies of High Court judgements in the local language of the state or region – these are all endeavours that will take justice closer to ordinary citizens.
13. We live in a fast-changing world. And my third point relates to updating our legal and regulatory frameworks as society and the economy change. In recent times, new laws have been enacted to meet new situations. For example, the GST legislations have helped in the economic integration of the country. Among other things, states have been permitted to tax services. This has promoted the goal of **cooperative federalism**. New laws related to bankruptcy and insolvency or – in the social sector – to extending paid maternity leave to 26 weeks too are an answer to emerging economic needs and social sensitivities.

14. This is an age when technology is developing much ahead of the law. We have already seen it in the case of Internet law and cyberspace regulation. We are entering the Fourth Industrial Revolution. The relationship between humans and machines will test previous precedents and even our template of ethics. Our legal system and our judiciary must continue to be responsive. The time available for our jurists to respond to innovations will become only shorter.
15. In the days ahead, this will call for greater specialisation and mid-career updating of skills. We are about to encounter a whole new dynamic – where traditional human laws will confront cognitive machines. I am confident our judicial system will be more than equal to this challenge.
16. Finally, there is the issue of further upgrading human resources. Our higher judiciary has been recognised as being of exceptional quality. It has a global reputation for its sensitive understanding of the interplay between law and justice. Our lower judiciary probably requires some capacity support. This sometimes leads to the inadvertent and misleading impression that our higher judiciary is an elitist enterprise.
17. It is the sacred duty of the higher judiciary to groom district and sessions judges and raise their skills. In this manner, more and more of them can graduate to the High Courts. This will also enhance trust in our lower courts and their judgements and serve to de-clog our High Courts.
18. Of the 17,000 judges in our subordinate courts, High Courts and Supreme Court only about 4,700 – roughly one in four – are women. In addition, there is an unacceptably low representation of traditionally weaker sections such as OBCs, SCs and STs, especially in the higher judiciary. Without in any manner compromising on quality, we need to take long-term measures to remedy this situation. Like our other public institutions, our

judiciary too has to be judicious in being representative of the diversity of our country. And the breadth and depth of our society.

### **Ladies and Gentlemen**

19. Public life is today a glass house. There is a relentless demand for transparency and scrutiny. Our legal fraternity needs to be mindful of these legitimate urges of the people – the ultimate masters in a democracy. All three organs of the state – the judiciary, the executive and the legislature – are obligated to be models of good conduct. They also need to be careful not to cross into each other's finely-defined spaces. Or give the opportunity to read transgressions even when none is intended.
  
20. This can occur in many circumstances. For instance, when extraneous comments and **obiter dicta** come to dominate public debates, crowding out a substantive understanding and deliberation of a well thought-out judgement.
  
21. I am sure these points, and many others, will form part of the discussions over these two days. I look forward to a fruitful exchange and set of recommendations. I wish the conference and all of you here a very happy National Law Day.

Thank you  
Jai Hind!