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"Justice at the Margins - A Critical Assessment of Legal Aid Accessibility, Institutional Accountability, and Rural Governance in Kaimur District of Bihar"

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ABSTRACT

Access to justice is one of the core entitlements under the Indian Constitution, and it is intrinsically linked with the rule of law. Despite the extensive constitutional and legislative provisions for free legal aid, there are noticeable disparities in the availability of justice delivery resources between urban and rural areas in economically backward districts. This research focuses on the access to legal aid, institutional accountability and rural governance in Bihar's Kaimur district. Particular emphasis is placed on examining the implementation of legal policy, especially legal aid, under Article 39A of the Constitution, the Legal Services Authorities Act, 1987, and institutional mechanisms of the National Legal Services Authority (NALSA), Bihar State Legal Services Authority (BSLSA), District Legal Services Authority (DLSA), Panchayati Raj institutions, and local governance. This research focuses on assessing the effectiveness of the legal aid delivery mechanism, particularly the recent judiciary trend of 2023-2026, in protecting the rights of the vulnerable and underprivileged groups. The paper uses the latest statistics published by NALSA, the Department of Justice, National Crime Records Bureau (NCRB), Bihar Economic Survey, and other local government bodies to ascertain the level of legal aid accessibility in rural Bihar.

Keywords *- Legal Aid, Access to Justice, Article 39A, Rural Governance, Kaimur District, Institutional Accountability, NALSA*

INTRODUCTION

Justice without accessibility is not justice. It is the foundational principle of constitutional democracy that access to justice must be available to all citizens regardless of their social, economic, and regional status. In other words, justice must be accessible, fair, and available to every individual under the sun. The framers of the constitution realized that justice delivery in the truest sense can only happen if justice is available to the poor and vulnerable sections of society without discrimination. Their vision has been captured in Art. 39A of the Constitution

which provides that the state shall seek to secure free legal aid to all poor and vulnerable sections of society.[1]

India has one of the most extensive institutional legal aid delivery mechanisms in the world. The Legal Services Authorities Act, 1987, provides for a justice delivery framework consisting of the NALSA, DLSA, Taluk Legal Services Committees, LADCS, PLVs and Lok Adalat. According to the latest NALSA reports, millions of people across the country receive legal counselling, aid, victim compensation, mediation support, and legal literacy services on an annual basis. However, the numbers fail to reflect the scale of challenges in terms of accessibility, particularly in rural areas and among vulnerable groups.

There is no doubt that free legal aid provision plays a critical role in reducing social and economic disparities by helping poor people defend their rights in courts of law. It also plays a meaningful role in promoting rule of law, social justice, and equality. Even though free legal aid services have been extended to almost all districts in the country, there are significant disparities in service accessibility in remote, hilly, and backward areas of India, such as Kaimur district in Bihar. Located in the south-western part of Bihar, Kaimur district neighbours Uttar Pradesh. It has a large rural population, scattered habitation, substantial Scheduled Caste population, forest lands, agricultural labor, and vulnerable populations.[2]

This paper uses the case study of this district to highlight the issues of legal aid accessibility and institutional accountability in rural India. Particular focus is placed on examining how far India's institutional mechanism for free legal aid services meets the requirements of the Constitution, particularly in light of the latest jurisprudence on the right to free legal aid. It also focuses on recent developments, including case laws, reforms, and research, concerning free legal aid in rural India between 2023 and 2026.

CONSTITUTIONAL AND STATUTORY FRAMEWORK OF LEGAL AID IN INDIA

The Indian Constitution seeks to secure social justice for all citizens of the country. Art. 14, 21, and 22 of the Constitution guarantee equality before the law, freedom of life and personal liberty, and right to consult and be defended by a legal practitioner of one's choice respectively. In addition, Art. 39A of the Constitution specifically requires the state to secure free legal aid to all poor and vulnerable sections of society. Although the DPSPs are not justiciable, court has frequently emphasized the need for legal aid to poor people, especially under-trials. For instance, in *In Re: Policy Strategy for Grant of Bail*,[3] court observed that failure to provide legal aid to under-trials constitutes a violation of their fundamental rights under Art. 14 and 21.

[1] Prabhjot Chahal & Simran Gill, *Legal Aid in India*, 7 Int'l J. Multidisciplinary Rsch. No. 2 (2025), https://doi.org/10.36948/ijfmr.2025.v07i02.39684.
[2] Yenny Aman Serah, Rini Setiawati, Resmaya Agnesia Mutiara Sirait, Liza Marina & Agustinus Astono, *Accessibility Legal Aid in Realize Fair Teacher Protection*, 23 Pena Justisia: Media Komunikasi dan Kajian Hukum No. 3, 3966–3977 (2024), https://doi.org/10.31941/pj.v23i3.5256.
[3] (2023) 7 SCC 252.

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Similarly, in *Shankar Mahto v. State of Bihar*,[4] court held that legal aid must be provided to undertrials even before trial commences. Moreover, in the same case, court also directed that the right to free legal aid to under-trials also includes the right to time-bound and effective representation by legal aid counsels. court noted that the failure of legal aid counsels to deliver quality and time-bound representation to under-trials is also a violation of Art. 21 and 39A of the Constitution. Accordingly, court directed all States to establish institutional mechanisms to monitor the performance of legal aid counsels and strengthen prison legal aid clinics.

In addition to criminal cases, free legal aid plays a critical role in helping poor people access various social welfare services and state benefits, including victims' compensation, protection from gender-based violence, and domestic help, among others. Consequently, the issue of legal aid to poor people cannot be addressed by courts alone. It requires a collective effort on the part of the legislature, executive, judiciary, local bodies, and civil society.

A significant contribution to the provision of free legal aid to poor people came through the Legal Services Authorities Act, 1987. The main objective of the Act was to give effect to Art. 39A of the Constitution. In this regard, the Act provides for the establishment of the NALSA, SLSA, DLSA, Taluk Legal Services Committees, and Lok Adalat for providing free legal services and making justice accessible to all.[5]

Section 12 of the Legal Services Authorities Act specifies the vulnerable groups entitled to free legal aid. Besides poor people, the vulnerable groups include women, children, scheduled castes, scheduled tribes, persons with disabilities, industrial workers, victims of trafficking, persons confined in prisons, and victims of natural disasters. Over the years, the roles of the Legal Services Authorities have expanded to include pre-litigation legal advice, assistance with victim compensation claims, conducting legal literacy campaigns, providing legal aid to victims of disaster, establishing prison legal aid clinics, legal aid for women and children, and tele-law services.

The recent reforms that have had a significant impact on legal aid delivery in India include the establishment of the Legal Aid Defense Counsel System. Designed to provide quality criminal defense legal aid to poor people, the system provides full-time legal aid defense counsels for use by the DLSAs. The system covers more than 650 districts in India as of 2026. Notably, NALSA has issued guidelines for the implementation of the LADCS in different states.[6] Some of the key aspects covered by these guidelines include guidelines for prison visit by legal aid counsels, case monitoring mechanisms, digital management records of beneficiaries, and feedback on the quality of legal aid services. Recently, in *Shankar Mahto v. State of Bihar*,[7] court directed States to ensure that legal aid defense counsels be appointed in all districts and

[4] (2025) SCC OnLine SC ___.
[5] TinNgo Deng, *Accessibility and Challenges of Legal Aid for Victims of Pneumoconiosis*, 11 Advances in Educ., Human. & Soc. Sci. Rsch. No. 1, 477 (2024), http://dx.doi.org/10.56028/aehssr.11.1.477.2024.
[6] Viral Kundawala & Kalpeshkumar L. Gupta, *Role of Free Legal Aid in India: A Legal Perspective*, 21 Economic Sciences No. 2, 381–85 (2025), https://doi.org/10.69889/mdka5753.
[7] (2025) SCC OnLine SC.

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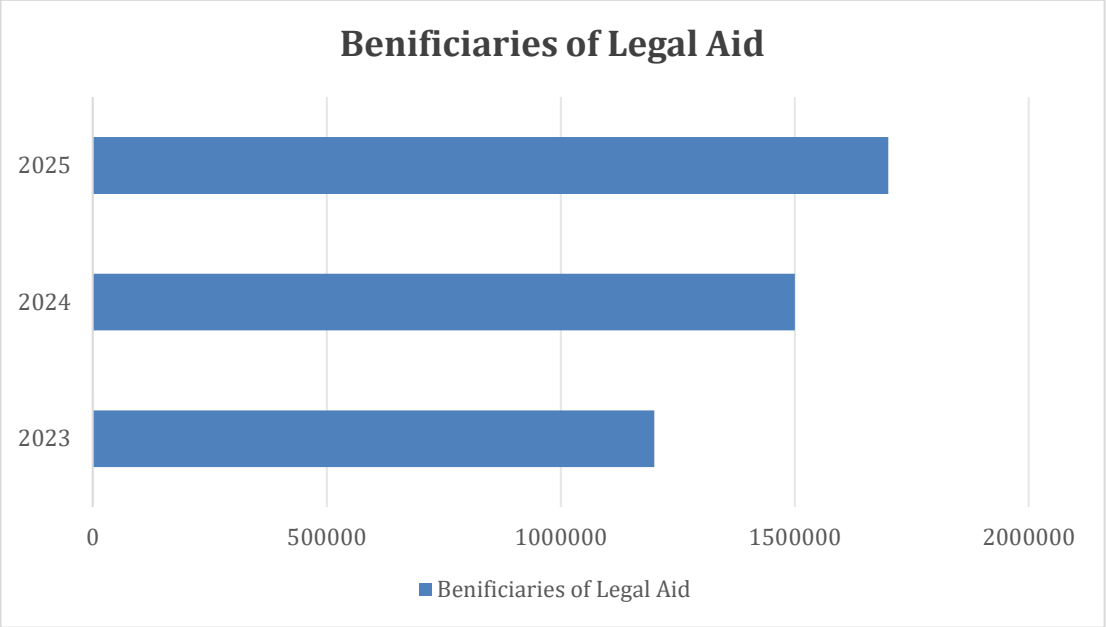
monitored on a regular basis to ensure they provide efficient and effective legal aid services to under-trials.



Graph 1 - Beneficiaries of Legal Aid[8]

INSTITUTIONAL STRUCTURES FOR JUSTICE DELIVERY IN RURAL INDIA

India's legal aid delivery mechanism consists of several institutions that operate at the national, state, district, and village levels. The following table shows the key institutions and their roles.

Table 1 - Institutional Aid Framework

Institution	Primary Responsibility	Relevance to Rural Districts like Kaimur
NALSA	National policy, funding, monitoring and guidelines	Standardizes legal aid across India
BSLSA	State implementation, supervision of DLSAs, legal literacy	Coordinates legal aid programmes throughout Bihar

[8] Ministry of Info. & Broad., Press Info. Bureau, *India's Legal Aid and Awareness Initiatives* (Nov. 8, 2025), https://www.pib.gov.in/PressNoteDetails.aspx?NoteId=155936&ModuleId=3&reg=3&lang=2.

District Legal Services Authority (Kaimur)	Legal representation, Lok Adalat, prison legal aid, legal awareness	Principal institution responsible for district-level access to justice
Taluk Legal Services Committee	Block-level legal services and outreach	Extending services to rural populations
PLVs	Community legal awareness, identification of beneficiaries, assistance in documentation	First point of contact in remote villages
Panchayati Raj Institutions	Local dispute facilitation, awareness, coordination with DLSA	Bridges governance and justice delivery
Legal Aid Defence Counsel System	Professional criminal defense representation	Improves quality of legal aid in criminal cases

Notably, the institutions listed above do not operate independently. Instead, they perform their duties in collaboration with other government agencies. For instance, in relation to legal aid delivery, the DLSA collaborates with the district magistrate, police, prison administration, social welfare departments, women's development and child protection societies, and Panchayati Raj institutions to facilitate access to legal services for eligible beneficiaries.

Recent institutional data suggests that India's legal aid ecosystem is witnessing a growth spurt in both penetration and scale. As per NALSA, the recently launched LADCS has been launched in over 650 districts across the country. The new system replaces the erstwhile panel advocate system with full-time criminal defense counsels.[9]

In terms of numbers, the LADCS dashboard shows that 1.56 lakh legal aid cases have been assigned with 1.11 lakh cases disposed off, including 49,998 bail assignments with 46,422 bails disposed off. While the figures reflect the growing institutionalization of criminal law aid, the very fact that people from weaker sections of society have to approach legal aid counsels for bail and other related services underlines the huge pent-up demand for free legal services.[10]

The rising number of remand and bail cases also shows that legal aid plays a critical role in ensuring the constitutional rights of undertrial prisoners are not violated as enshrined in Art.

[9] Sohail Nazim, *Historical Development of Legal Aid System in India: A Legal Perspective*, Hist. & Soc'y S. Asia (2022), https://doi.org/10.1177/22308075221119253.
[10] Chetan Trivedi, Disha Dogra, Ankita Tandon & Sunil Kumar, *The Provision of Free Legal Aid in India*, 2 Revista Gênero e Interdisciplinaridade No. 6 (2022), http://dx.doi.org/10.51249/gei.v2i06.517.

21 and 39A of the Indian Constitution. Similarly, the BSLSA Annual Report, 2024-25, also reflects healthy performance with respect to pendency of cases and outreach of legal aid services. As per the report, 365 fresh applications were received in the State from the NALSA digital portal as to 2024-2025. All the applications were scrutinized and forwarded for necessary action.[11]

BSLSA has also been implementing the Special Lok Adalat programme on the directions of court. In this regard, the report says that notices in 2,793 matters were sent out in the State in connection with Lok Adalat for amicable settlements. As far as funds are concerned, a sum of more than ₹1.35 crore was spent on legal aid in the form of court fee reimbursement, while more than ₹1.93 crore was spent on organization and publicity for Lok Adalat.[12]

Expenditure also includes an amount of more than ₹68.8 lakh paid to the Para Legal Volunteers for conducting legal awareness camps and talks. The report also shows that more than ₹4.14 crore was spent on Information, Education and Communication (IEC) related activities, outreach programmes and legal literacy, suggesting the state's shift from being merely a facilitator to a proactive player in legal empowerment efforts.[13] While there has been a quantum jump in institutional building, the figures also suggest that districts like Kaimur still need to ramp up their last-mile service delivery mechanism to ensure that people's legal rights are protected. It is also necessary that DLSA, Panchayati Raj Institutions and district administration work in tandem to ensure effective grassroots justice delivery and make people aware of their legal rights.

RURAL GOVERNANCE AND LEGAL AID ACCESSIBILITY IN KAIMUR DISTRICT, BIHAR

The dispensation of legal aid in rural India is significantly determined by socio-economic factors. Kaimur district in the south-western part of Bihar comprises 11 community development blocks, more than 1600 villages, and 4 assembly constituencies, Bhabua, Chainpur, Mohania (SC), and Ramgarh. The primary occupation in the district is agriculture, and many people survive on marginal farming and labour. The area covers forest lands and hills contiguous to the Kaimur Wildlife Sanctuary, and remoteness of the region adds to the challenges in accessing legal justice.[14]

Poverty, unemployment, illiteracy, gender inequality, and reliance on government welfare schemes are some of the major problems that lead to disputes over land, caste discrimination, domestic violence, social security matters, and criminal justice. At the same time, many

[11] National Legal Services Authority, Annual Report 2024–2025 (Nat'l Legal Servs. Auth. 2025), https://www.nationalnalsa.org/annual-report.
[12] Bihar State Legal Services Authority, Annual Report 2024–2025 (Bihar State Legal Servs. Auth. 2025), https://www.patnahighcourt.gov.in/bslsa/PDF/Annual%20Report%20BSLSA.pdf.
[13] *Id.*
[14] *Supra* note 11.

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individuals and families face a severe lack of awareness about the free legal aid schemes provided under the Legal Services Authorities Act, 1987.

While many areas promote digital inclusion, the lack of internet penetration and digital literacy becomes a limiting factor in using online legal aid services. Therefore, the physical presence of the DLSA, Taluk Legal Services Committee, Panchayats, and Para Legal Volunteers remains vital in providing justice. The DLSA is the primary authority for legal aid in Kaimur district. It falls under the aegis of the BSLSA and provides free legal aid, Lok Adalat services, legal literacy, prison paralegal aid, victim compensation, pre-litigation settlement, and LADCS. As per the reports by BSLSA, legal aid in Bihar witnessed a stupendous growth during 2024-25, especially legal awareness camps, victim compensation, prison visits, Lok Adalat, and other such services.[15]

The system of PLVs is one of the most successful institutional innovations in Kaimur district. These volunteers serve as the contact point between the vulnerable and legal aid system, help identify eligible cases, organize legal literacy camps, and facilitate access to government welfare schemes. They can be particularly helpful in far-off places like Kaimur, which are miles away from judicial venues. The recent emphasis on the LADCS has improved the criminal justice system in Bihar. This system replaces the panel system with a full-time counsel, who provides better litigation support to the underprivileged. The LADCS has received court's blessing in *Shankar Mahto v. State of Bihar*.[16]

Table 2 - Major Challenges Affecting Legal Aid in Kaimur District

Issue	Practical Impact	Governance Implication
Low legal literacy	Citizens unaware of free legal aid	Under-utilisation of DLSA services
Geographical isolation	Difficult access to courts	Increased dependence on Panchayats
Poverty	Inability to hire advocates	Greater reliance on State-funded legal aid

[15] Legal Aid Defence Counsel System (LADCS) Dashboard, Nat'l Legal Servs. Auth., https://ladcsdashboard.nalsa.gov.in/ (last visited Aug. 4, 2026).
[16] 2026 INSC 369.

Digital divide	Limited use of Tele-Law and e-services	Need for physical legal aid clinics
Shortage of trained legal aid lawyers	Delay and inconsistent representation	Reduced quality of legal assistance
Weak institutional coordination	Delay in victim compensation and welfare claims	Reduced public confidence

INSTITUTIONAL ETHICS - A CRITICAL ASSESSMENT

Institutional accountability has been the norm in most of the recent legal aid judgments. Earlier verdicts primarily focused on declaring legal aid as a moral obligation, while recent judgments emphasize the need to ensure legal aid as institutional accountability to deliver quality services. *Shankar Mahto v. State of Bihar*[17] is the latest in a series of progressive judgments concerning free legal aid to the poor. Court laid down comprehensive guidelines to improve the prison, legal, and judicial systems in the state. According to these guidelines, DLSA must report to the SLSA, which, in turn, would report to the NALSA. The verdict mandated the organization of legal aid awareness camps in police stations, post offices, railway stations, village-level meetings, and street plays in rural areas.

Besides, *In Re: Policy Strategy for Grant of Bail*[18] made it clear that the prolonged detention of economically backward undertrial prisoners was a violation of their fundamental rights. Court directed that the States must provide legal aid at the time of arrests and remand and emphasized the need for institutional coordination to ensure speedy trials. The most salient feature of this judgment is that it highlights the role of legal aid as an essential aspect of Art. 21. The LSAs are accountable not only for assigning advocates to the poor but also for ensuring regular digital monitoring of their performance.

As per recent reports by the BSLSA, LSAs have been following the recommendations of court, particularly with regard to digitization and better coordination with District Administration, police, revenue departments, and other welfare agencies. However, such reports also show that the implementation of these recommendations continues to be inconsistent across districts due to infrastructural and human resource limitations.[19]

[17] 2026 INSC 369.
[18] (2023) 7 SCC 252.
[19] P. D. Dovhopol, *The Principle of Accessibility of Free Legal Aid and Its Implementation Under Martial Law: Theoretical and Legal Aspect*, 1 Analytical & Comparative Jurisprudence No. 3, 30–36 (2026), https://doi.org/10.24144/2788-6018.2026.03.1.3.

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Looking at the issue from the Kaimur district perspective, institutional accountability also includes the Panchayati Raj Institutions, Block Development Officers, Police, Social Welfare Departments, Child Protection Units, and Revenue Authorities. Their role in determining the eligibility of compensation or legal aid to vulnerable groups is often decisive. Lack of inter-agency coordination often causes delays in victims' compensation, mutation disputes, and welfare payments and fuels litigation.

Another crucial issue pertains to legal awareness. Legal empowerment is a critical aspect of legal aid since many low-income families are completely unaware of their rights to free legal aid and other forms of government assistance. A comprehensive understanding of legal aid entitlements is particularly vital for women, SC/ST, children, prisoners, and other disadvantaged groups. Thus, it is incumbent upon the authorities to educate the poor about their right to legal assistance under the Legal Services Authorities Act, 1987, and other relevant statutes.[20]

Finally, the poor quality of legal aid continues to be a matter of serious concern. Advocates appointed under the LADCS suffer from a lack of professional competence, financial capacity, and even motivation to deliver quality service. Therefore, it is imperative to hold legal aid advocates accountable for their performance. Though the shift to LADCS is a welcome step, it is essential to ensure that these counsels have the required qualifications for rendering legal aid.[21]

Table 3 - Reform Framework

Challenge	Reform Measure	Expected Outcome
Poor legal awareness	Village legal literacy campaigns	Increased utilisation of legal aid
Weak institutional coordination	Integrated digital monitoring	Faster service delivery
Shortage of trained lawyers	Continuous professional training	Improved quality of representation

[20] Tejesh Kawle, *Adhikar: AI-Powered Legal Aid Chatbot for India*, 14 Int'l J. for Rsch. in Applied Sci. & Eng'g Tech. No. 4, 2322–36 (2026), https://doi.org/10.22214/ijraset.2026.79741.
[21] N. R. Madhava Menon, *Legal Aid to Poor and Voluntary Organisations in India*, 33 Indian J. Pub. Admin. No. 3, 634–42 (1987), https://doi.org/10.1177/0019556119870320.

Rural inaccessibility	Mobile legal aid clinics	Enhanced outreach
Weak monitoring	Performance-based evaluation	Greater institutional accountability

BRIDGING THE JUSTICE GAP THROUGH INSTITUTIONAL COORDINATION

The role of legal aid in empowering the vulnerable is largely dependent on the coordination mechanism between various government agencies. In Kaimur district, most of the legal issues are multi-layered and involve more than one government department. Revenue Department, Social Welfare Department, Police, Women and Child development and Panchayati Raj Institutions are involved in issues like property disputes, mutation delays, denial of pension, irregularities in Public Distribution System, wage payments under MGNREGA and cases of domestic violence. The involvement of more than one department makes it mandatory for the beneficiaries to approach multiple government offices, leading to delays, inconvenience and additional expenditure. Since the poor, aged, women and SCs lack economic resources and legal literacy, they are unable to approach the Legal Aid Institutions despite having legal rights on the issues affecting them.[22]

Enhanced inter institutional coordination will add value to legal aid delivery in Kaimur. District Legal Services Authorities should continuously engage with their counterparts in the Block Development Offices, Gram Panchayats, Police stations and common service centers to ensure that cases brought before them are handled efficiently. Information technology can be used to track down the status of applications at different government agencies. This coordination will also help in sharing case management experiences and boosting the capacity of the various government departments in handling legal issues in their jurisdictions.[23]

It is also pertinent that the impact of legal aid in terms of percentage of grievances addressed and not just number of cases pending and disposed off is emphasized since the ultimate goal of the legal aid institutions mandate is to enhance socio-economic status of the vulnerable in the district. The focus should be on addressing the grievances of the poor and ensure speedy redress to the problems of the marginalized in areas like property ownership, domestic violence, pension, civil and criminal cases, irregularities in wage payments and PDS

[22] P. D. Dovhopol, *The Principle of Accessibility of Free Legal Aid and Its Implementation Under Martial Law: Theoretical and Legal Aspect*, 1 Analytical & Comparative Jurisprudence No. 3, 30–36 (2026), https://doi.org/10.24144/2788-6018.2026.03.1.3.

[23] Ameer Hamza, G. Ragesh, K. Sajitha, B. Shrinivasa & Priya Treesa Thomas, *Service Users' Perspectives on Free Legal Aid Services in India*, 34 Indian J. Soc. Psychiatry No. 2, 178–83 (2018), https://doi.org/10.4103/ijsp.ijsp_18_17.

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distribution. An outcome oriented legal aid strategy in Kaimur will definitely promote sustainable development in the disadvantaged districts of Bihar.

CONCLUSION

Legal aid is one of the most crucial components of India's progressive constitution. The experience of Kaimur district shows that the vulnerability of socially and economically backward classes, combined with insufficient awareness and geographical isolation, remains a major impediment in accessing justice. Art. 14, 21, and 39A of the Constitution of India and Legal Services Authorities Act, 1987 provide an elaborate legal framework for ensuring free legal aid to the poor.

Improving the state of legal aid in Kaimur district will require far more than just financial investment. First and foremost, it is necessary to impart legal literacy to poor and vulnerable groups through Panchayats, schools, Anganwadi centers, SHGs, and Common Service Centers. Second, it is essential to increase the number of para legal volunteers in remote areas and provide them with extensive training in women's rights, land and property laws, victim compensation, and digital legal services.

Third, the government must strive to improve institutional coordination. Better coordination will help the DLSA, district administration, police, revenue authorities, and welfare departments work in tandem to provide fast and reliable legal aid to the poor. Fourth, legal aid performance must be evaluated periodically based on case outcomes, beneficiary feedback, and professional standards. Lastly, the government should promote tele-law services and organize mobile legal aid clinics to overcome the problem of geographical isolation.