



**SPEECH**

**BY**

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**ARUNACHAL PRADESH**

**THE VALEDICTORY SESSION OF**

**'ACCESS TO JUSTICE AND SOCIO-ECONOMIC  
DEVELOPMENTAL PROGRAMMES FOR THE NORTH  
EASTERN STATES**

**AT**

**GUWAHATI (ASSAM)**

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At the very outset, I, consider it a unique privilege and great honour to give the Presidential Address on this momentous occasion. On behalf of people of Arunachal Pradesh in particular and Northeastern Region in general I express sincere gratitude to Her Excellency the President of India for launching this very important programme, which I am sure will lay the foundation of the road map for access to justice and development in this part of the country. I would also like to place on record my sincere appreciation to Hon'ble Chief Justice of India, Hon'ble Chief Justice of Gauhati High Court and esteemed members of the North Eastern Regional Committee for Access to Justice and Socio Economic Development Programmes for holding this conference of great significance for all of us.

Mr. Justice Ranjan Gogoi has very succinctly and logically summarized the proceedings and deliberations of this conference. I thank him for his candid and very useful observations.

The other earlier speakers of this session have made very valuable and lucid remarks; observations and comments which we all have appreciated very much.

The North-East comprises about 8% of the land-area and 3% of the population of the Country. It is a complex region, with many socio-culturally diverse ethnic groups. This part of the country has 98% of its land boundaries with International neighbours. Though the Central and State Governments have given a renewed focus on the socio- economic upliftment of the people, but the region has yet to see the full benefits of development. We need to keep this background in our mind while devising a strategy for promoting access to justice and development.

The system of adjudication of disputes among the various tribes in the North-East is in accordance with the tribal customs and practices of their own traditional institutions. The procedure and methodology of the said institutions is very well understood and accepted by the people and some of them have ripened into what we call customary laws and social practices which are binding on the community, and have acquired the informal status of law.

The UNDP, in its note 'Access to Justice' has rightly identified that informal and traditional mechanisms of justice are often more accessible to poor and disadvantaged people and may have the potential to provide speedy, affordable and meaningful remedies to the poor and disadvantaged. But they are not always effective and do not necessarily

result in justice. There is, thus, a need for uniform and codified law, and the need for traditional systems to evolve toward serving justice in full respect of international human rights standards, such as gender equality, non-discrimination for reasons of age or social status, respect for life and due process guarantees for criminal defendants.

In the present generation, there is a growing tendency for access to justice reform (both multilateral and bilateral) and to focus on programmes supporting formal mechanisms of justice, especially processes of adjudication by the judiciary. This is understandable from a governance perspective. However, from access to justice perspectives, it is essential that common parameters of assessment be applied to both formal and informal justice mechanisms.

Before precipitating a road-map for access to justice, it is important that we recollect the most frequent barriers to justice. These are:

- a) Long delays, prohibitive costs of using the existing system, lack of affordable and efficient legal representation, weak enforcement of laws.
- b) The legal system in our society should be preventive and not punitive.
- c) Gender Bias and Social Bias.
- d) Lack of information or public participation
- e) Large number of laws, codified in a not-so-easy to understand language.

While, we have been able to reach some mutually agreeable conclusions during this conference on some of these issues, there remain, other issues open for debate. Some of the issues that I highlighted earlier require a medium to long term solution and interventions at a systemic level. However, the issues such as increased flow of information, awareness generation and increasing public participation are something that we can start with immediately. And this has to be done keeping the regional peculiarities and traditional practices in mind. Our sessions on Right to Education, the North-Eastern Perspective and Justice and Media helped us gain considerable insights into these issues from luminaries who are the best in their fields.

Time and again, I cannot but help admire and appreciate the thoughtfulness and vision of the Hon'ble Chief Justice of India who has considered every aspect related to access to justice and socio-economic development programs before devising the structure of this conference. 'Access to Justice' Programs have to be linked with access to other development activities in other sectors. To ensure this, we rightly decided

to include 'Access to Socio-Economic Development Programs' as a part of this conference. Our sessions on Gender equality, Human trafficking, Domestic Violence, Child Labour, Prostitution and Rights of Senior Citizens have helped us strengthen our convictions, and at the same time, made us realize how social handicaps end up being legal handicaps as well.

These sessions have made us understand how knowledge of specific laws and regulations can be of more practical value compared to generic knowledge of international norms or constitutional principles. We cannot adopt a uniform yardstick for all the sections of the society and it is imperative that we collectively, as a nation, and the members of the judicial and administrative fraternity in particular pay special attention towards securing the benefits of these socio-economic development programs for the disadvantaged sections of the society. Innovative strategies using ICT (Information, Communication and Technology) need to be adapted to better accommodate individuals who are vision impaired and those with limited literacy, e.g. through the use of graphical and audio interfaces. An effective strategy may include a combination of ICT and more traditional means of accessing information. Public radio remains to be a strong medium of communication for reaching rural communities, including women, as well as illiterate and physically impaired citizens.

Two more related issues that came up during the conference were those of the Drugs Menace and Terrorism. Providing individuals with access to justice also protects national security by helping to ensure that the law enforcement and security agencies focus their efforts on genuine terror suspects rather than wasting their resources on investigating and prosecuting others. At the same time, providing security to the life of its citizens is a responsibility that a nation one billion strong and rooted in a golden past cannot abdicate. This is all the more relevant considering the present internal security scenario of the nation. Several effective strategies were discussed yesterday on how to channelize the energies of the youth into nation-building and wean them away from agitations, unrest and problems related to use of drugs. I am personally of the opinion that it is economic security which brings in stability and thus, the most effective way of keeping the youth away from disruptive activities and engage them in productive tasks is by providing them employment, be it State-sponsored or self-employment.

We must draw inspiration from great leaders and administrators who were truly committed to improve the lot of the society in the North East, particularly the remote tribal areas. Some of them were Verrier Elwin, Bimla Prasad Chaliha, K A A Raja. We need more dedicated visionaries like them today.

Before I conclude, I must remind this august gathering that access to justice is much more than improving an individual's access to courts, or guaranteeing legal representation. It must be defined in terms of ensuring that legal and judicial outcomes are just and equitable. A sensitive administration and an efficient and impartial judiciary are the cornerstones of access to justice and socio-economic development. During these two days of deliberations, we have been able to identify and highlight issues, and set forth for ourselves, the road-map we have to take on the noble path that we have decided to pursue.

I once again extend my thanks and sincere appreciation to Her Excellency the President of India, Hon'ble Chief Justice of India and Chief Justice of Gauhati High Court and gratitude to everyone associated with this conference in one form or the other. I would once again reiterate that the proceedings of the conference be documented and be shared with all the stakeholders engaged in nation building of our great country, so that the ultimate output draws on the experience of all who can contribute towards this righteous venture.

Jai Hind.