

**SPEECH BY THE PRESIDENT OF INDIA, SHRI PRANAB
MUKHERJEE DURING THE CEREMONY FOR RELEASE
OF BOOK 'MY TRYST WITH JUSTICE' BY JUSTICE
P.N. BHAGWATI**

New Delhi, December 12, 2012

Ladies and Gentlemen,

I am extremely happy to be present on this occasion. We gather today not just to release a book but also to celebrate the life of a distinguished judge, humanist and legal luminary who has made profound contributions towards the building of a better India. Lives of some people are an inspiration for millions. They are lives which touch and lift to a higher sensibility all those who come in contact with them. Justice P.N. Bhagwati's life is one such life. And the book "My Tryst with Justice" is a humble expression of that life.

Justice P.N. Bhagwati is much more than a great jurist, an extraordinary judge and an ambassador of human rights across the world. He is a humanist whose heart aches for marginalized and forgotten millions, a messenger for justice, and a revolutionary who transformed the words of the Constitution of India into weapons of the weak to fight against injustice.

Justice Bhagwati is a judicial statesman and in a true sense, a judge of and for the people of India. Humanist by conviction, he along with Justice V.R.

Krishna Iyer and Justice Y.V. Chandrachud was responsible for transformation of the Indian judiciary into a willing defender of the weak.

Justice Bhagwati is living testimony of someone who believed that the true judicial role is to transcend the boundaries of technocratic adjudication. Justice Bhagwati is a pioneer of Public Interest Litigation (PIL) in India, promoter of the right to legal aid and emissary of Lok Adalats. He converted the courtroom into a site of people's struggle in humanizing law. Justice Bhagwati epitomizes how a judge can be instrumental in espousing the cause of justice to the millions of deprived Indians who are standing in the waiting room of history to become the subjects of justice.

Ladies and Gentlemen,

Justice Bhagwati spent a remarkably long tenure of 26 years in the higher echelons of judiciary- 13 years in the Gujarat High Court as Judge and later on as its Chief Justice, and 13 years in the Supreme Court as Judge and subsequently as Chief Justice of the country. His tenure was marked by continuous efforts to improve the justice delivery system and he spoke through numerous judgments and pronouncements, many of whom are landmark in nature.

Justice Bhagwati's judgements contributed to making justice more accessible by the poor. Under his

leadership, the common law principle of 'locus standi' was expanded by the Supreme Court mandating that if a person or class of persons on whom a legal wrong or injury is caused, but is circumstanced by poverty, disability or socially or economically disadvantaged position to not approach the court, then a *bona fide* social action group or member of the public could maintain an action in the Supreme Court or in the High Court seeking judicial redress. In serving the same objective, the Supreme Court also devised the instrument of 'epistolary jurisdiction' and allowed a mere letter or a post card instead of a petition on behalf of the disadvantaged, aggrieved class of persons, to knock the doors of the court for seeking justice. Some of his judicial pronouncements led to the release of countless numbers of bonded labourers from captivity, restoration of land to the dispossessed, and gave respect and meaning to the life of those who live in the margins of society.

Justice Bhagwati also worked to create a legal aid infrastructure that gave meaning to Article 39A of the Constitution. He remained Chairman of the Legal Aid Organization while he was Chief Justice of India. His efforts in the direction of free legal assistance laid the foundation for the subsequent enactment of the Legal Services Authorities Act in 1987, after his retirement.

The juridical innovations that Justice Bhagwati undertook were a departure from orthodox Anglo-Saxon

jurisprudence. However they reflected the true spirit of our Constitution and turned the Indian Judiciary into a powerful instrument of socio-economic justice for the underprivileged. This judicial creativity also became a pioneering innovation in global jurisprudence with lasting relevance to all developing countries with an independent judiciary.

Ladies and Gentlemen,

Family values play a vital role in the growth and development of an individual. Deep-seated humanitarian values, respect for all religions, conviction that every human being is a manifestation of God and the essential goodness of human beings were instilled in him by his parents early in his life. His wife, Ms. Prabhavati, who is present amongst, us today has been a source of constant encouragement to him. His siblings and children have also been a pillar of support providing emotional sustenance and motivation to him. The role of family and values in moulding his personality is well described in the opening chapter of the book.

Justice Bhagwati on his retirement 26 years ago chose to start a new innings as a champion of human rights in international fora. His vast experience, expertise and stature was put to use in the Human Rights Committee of the United Nations where he served for over

sixteen years and in the International Labour Organization.

Justice Bhagwati's reflections in his book reveal the life of an impressive and sensitive man. Justice Bhagwati is ten days short of 91 years. I wish him the very best of health and happiness in the remaining years.

We must be thankful to Justice Bhagwati for having chosen to record his memories in the form of a book. I am certain this book titled, "My Tryst with Justice", will be a guiding light and an inspiration for not just law students, legal practitioners and judges but also for common readers concerned about social justice in our country.

This book will be a prized possession for every Indian who wants to make a difference to the world and who aspires for a world more just.

Thank you. Jai Hind.