



Legal Assistance Centre

Towards an inclusive legal system

National Legal Services Authority

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1. Introduction

The father of the Nation Mahatma Gandhi once declared that "The soul of India lives in its villages." This statement is truly applicable for State of Rajasthan, wherein out of 7.56 Cr (Approx) population nearly 75.13% is residing in its 9892 villages of 295 Panchayat Samities in 33 revenue districts. It is also a bitter truth that maximum numbers of poor, downtrodden and weaker sections of the society are residing in villages. At present RLSA is running Legal Services Clinics in several Panchayat Villages or in group of villages through PLVs but in most of these Legal Services Clinics, are without any kind of basic infrastructure facility. It is not available for reasons either non-availability of room/building or non-availability of funds. It is necessary to strengthen its Legal Services system in rural areas in particular villages by creating/operating Legal Assistance Centres for Legal Service at such a level i.e. Block level, wherein more effective, more-responsive, sensitive and quick services may be provided to poor and downtrodden citizen to ensure "access to justice for all" and the centre may remain under direct control of DLSA and may work as a umbrella for that block/ Panchayat-Samiti at all **295** Panchayat-Samiti HQs

The United Nations Sustainable Development Goals 2030 lay out targets to guide global and national development policies, including target 16.3's promise

to “ensure equal access to justice for all.” There are many challenges and barriers to Access to Justice. The global scenario is indicated by the World Justice Report. It indicates that 4.5 billion people are excluded from the opportunities the law provides. It also mentions that 253 million people across the globe live in extreme conditions of injustice. India with its geographical and population diversity is no exception. The Constitutional Vision of Access to Justice is being translated into reality by Legal Services Authorities constituted under Legal Services Authorities Act. The Legal Services Institutions devise and implement Legal Services programs from time to time as per local circumstances and conditions to appropriately respond to the legal needs of people and to promote an inclusive legal system.

Due to the pandemic, strategies at work are undergoing change, and leveraging of technology marks the essential component of such change. Since, technology gap exists so it is essential to ensure that people living in far-flung areas and also in areas which are not so developed on the scale of economics and other social-legal factors have access to it. Bridging the Justice gap requires reaching out to people and meeting their legal problems. Outreach strategies are necessarily required in India which has around seven lakh villages and a population of 1.3 billion. The challenges are many. These challenges are primarily because of geographical, demographic, and social and cultural

characteristics. Moreover, lack of infrastructure advancements in terms of technology etc. in such areas also act as a constraint in promotion of inclusiveness. People have to bear expenses for travelling to the legal services institutions. Certain categories of people such as senior citizens, persons suffering from disabilities, laborers and women find it difficult to travel and consult lawyers and to approach the legal services institutions for their legal problems. In such a scenario, it becomes important to create a unit in the form of a Centre equipped with technological equipments which can be leveraged to bridge the justice gap, and provide comprehensive legal services in the simplest manner at the local level. Legal problems solved at the earliest, benefits not only the disputants but also the society and the Nation as a whole. Unresolved legal problems often trigger other legal and non -legal problems leading to complex scenarios.

In the above context, a Legal Assistance Centre for providing a range of legal services may be opened in States having maximum tribal, rural and remote areas with an overarching objective to translate the legal protections into reality for the marginalized sections of the society.

2. Objectives:

Legal Assistance Centre shall be providing a range of legal services through various tools and strategies with the following objectives:

The aim of the Scheme is to strengthen Legal Services system in rural areas in particular villages by creating/operating Legal Services Clinics for Legal Services at Block level, wherein more effective, more-responsive, sensitive and quick services may be provided to poor and downtrodden citizen to ensure "access to justice for all".

- to enhance legal services to communities living in a rural and remote areas.
- to provide legal services to the poor, marginalized and weaker sections of the society as categorized in Section 12 the Legal Services Authorities Act 1987 (Central Act), especially to the people living in faraway places.
- to take technology based Access to Justice initiatives to people living in tribal, rural and remote areas
- to promote an inclusive legal aid system by legally empowering people
- to facilitate participation of people living in rural areas in online ADR mechanisms particularly Lok Adalat.

3. Positioning the Centre

A Legal Assistance Centre shall be located at Block, at Panchayat-Samiti HQs in the office of Panchayat Samiti or Taluka level at a place where it

can cater to a cluster of 30 to 50 villages, primarily consisting of tribal, rural and remote areas.

4. Coordination with District administration

Sections 5, 8 and 11 of the Legal Services Authorities Act 1987 provide for coordination with the Govt. Departments and other entities. Accordingly, the District administration shall be requested to provide a room at the Block level for such Legal Assistance Centre. In case a room is not provided by the District administration, Legal Assistance Centre may be opened in Taluka judicial premises.

5. Administrative Control of Legal Assistance Centre

Legal Assistance Centre shall be under the direct administrative control of the District Legal Services Authority having territorial jurisdiction. The RLSA shall have supervisory and advisory powers on all Legal Assistance Centre functioning within the district.

6. Sign-board exhibiting the name of the Legal Assistance Centre

There shall be a sign-board both in Hindi and the local language, depicting the name of the **Legal Assistance Centre**. The board shall display the working hours and the days on which the clinic will be open.

7. Human Resources

Legal Assistance Centre shall primarily be manned by a well-trained para legal volunteer having technical acumen or by a person having technical expertise and having capability to do and manage multitasking. Human Resources for a Legal Assistance Centre shall consist of the following:-

- 1 Panel Advocate (having knowledge about digital platforms) / 1 Para Legal Volunteer (having a graduation degree and having knowledge about digital platforms) available during the working hours of the Legal Assistance Centres. Rotational duties of Panel Lawyers & PLVs may be assigned or
- In case PLV/ Panel Advocate having technical acumen is not available then a person having graduation degree and technical expertise in handling digital platforms may be hired.

8. Infrastructural requirement

A legal Assistance Centre shall be opened in a well painted room having approximate size of 10'x10' or more. If open shared space is provided by the District Administration then appropriate steps may be taken to make fabricated cabin of the above mentioned minimum size. It shall have at least one table, one chair for PLV/ person engaged for centre. It shall have at least two visitor chairs. In case of unavailability of furniture concern District

Legal Services Authority may purchase furniture with prior approval of RLSA.

Apart from the same, it shall have

- Video conferencing equipment with Computer (Desktop with webcam/ all-in-one)
- Printer with scanner
- Landline broadband

Suggestions box and complaint box shall be kept in the Legal Assistance Centre, as same would also function as Legal Aid Clinic as per NALSA (Legal Services Clinics) Regulations, 2011.

For establishing Legal Assistance Centre, the existing available resources such as Desktop, Furniture etc. as far as possible, may be utilized. Webcam and speakers may be purchased, if not available.

9. Functions

The functions of a Legal Assistance Centre (Legal Services Centre) shall include the following:

- a) Facilitating interaction between legal aid lawyers and legal aid seekers.
- b) Connecting legal aid seekers to High Court Legal Services Committees & Supreme court legal Services Committee.
- c) Facilitating legal advice through video and tele conferencing.
- d) General Awareness about legal aid programmes.

- e) Facilitating litigants to participate in online Lok Adalat and Mediation and other court processes through video conferencing.
- f) Updating villagers about the status of their legal aided cases.
- g) Providing legal aid as per Regulations.

10. All villages Covered by Legal Assistance Centre

Legal Assistance Centre shall cover all the villages comes under the geographical jurisdiction of respective LAC.

11. Publicity

The District Legal Services Authority and Taluka Legal Services Committees shall persuade to give adequate publicity about the functioning of the Legal Assistance Centre. The Para Legal Volunteers, NGOs, Local representatives shall be persuaded to spread the message of the utility of the Legal Assistance Centre to the people.

12. Maintenance of Records and Registers

Panel Advocate/para-legal volunteers/a person having graduation degree and technical expertise rendering service in the Legal Assistance Centre shall record their attendance in the register maintained in the Legal Assistance Centre. There shall be a register in every Legal Assistance Centre for recording the name and address of the seekers of legal services, name of the lawyer who render services in the Legal Assistance Centre, nature of the service rendered, remarks of the lawyer and signatures of seekers of Legal Services and the lawyers. The legal services institution having territorial jurisdiction may maintain other registers also in consultation with the District Legal Services Authority as the situation requires.

13. Legal Services in the Legal Assistance Centre

Legal Services rendered at the Legal Assistance Centre shall be of wide ranging in nature. Besides legal advice, other services like preparing applications helping the common people who come to the clinic for solving their problems with the officials, authorities and other institutions also shall form part of the legal services.

The Clinic shall serve lots of other purposes including centre pre-litigation conciliation centre, one-stop centre for victims, awareness-cum-help centre for children/women etc.

These Legal Assistance Centre will also be "Child Friendly Legal Services Clinics" where all the necessary information regarding basics relating to children will be available. These clinics will ensure protection of children's rights in all the villages of the concern Panchayat Samiti.

Study Material

Brochures/ Information-booklets of NALSA Schemes, RLSA Schemes and welfare schemes of Central & State Government will be provided by RLSA/DLSA/ District Administration in Centre in the form of folders, pamphlets, booklets & other published legal awareness materials to disseminate legal awareness among all the villagers.

14.Frequency of visit by lawyers in the Legal Assistance Centre

Subject to the local requirements, the District Legal Services Authority may decide the frequency of the lawyer's visit in the legal services clinics. If the situation demands for providing continual legal services, the District Legal Services Authority may consider arranging frequent visits of the lawyer in the Legal Assistance Centre.

15. Inspection and Periodical Review

The Secretary, DLSA may also make sudden & surprise visit to inspect and ensure proper functioning of these Legal Assistance Centre.

RSLSA shall conduct periodical review of the functioning of Legal Assistance Centre. The District Legal Services Authorities, shall submit monthly report to RSLSA about the working of such Legal Assistance Centre.

RSLSA may issue directions from time to time for improving the services in the Legal Assistance Centre to ensure that members of the weaker sections of the society are provided legal services in an efficient manner.

16.Implementation Strategy

- Legal Assistance Centre will be opened in the States having maximum tribal and rural population. The factor of tribal, remote and rural areas shall be kept in view while selecting the districts by the State Legal Services Authorities.
- District Legal Services Authorities can modify the suggestive list keeping in view of aforesaid factors.
- Awareness amongst the masses shall be spread through electronic, print and social media about the services rendered in Legal Assistance Centre.
- Before deputing a Para-legal Volunteer or any other person having technical expertise, training shall be imparted to him/her primarily relating to organizational practices and methodologies.

17.Working Days & hours

A Legal Assistance Centre shall remain open on six days in a week except on National Holidays on account of Independence Day, Republic Day and Gandhi Jayanti. It shall operate for 7 hours in a day. The opening and closing timing shall be decided by DLSA in accordance with the local conditions and circumstances.

18. Monitoring and documentation

- Documentation of the Legal Services work shall be done on a digital platform
- Monitoring of the Legal Services shall be done on a digital platform which shall also be generating reports on weekly basis.

19. Computer & Internet usage at work

It shall be ensured that a person deputed at the Legal Assistance Centre (Legal Services Centre) uses the Computer and Internet in a way that is appropriate and in keeping with the objectives and work at the Centre. In this regard, a list spelling out acceptable and unacceptable use of computer and internet be given and clearly explained to the deputed person. The suggestive list is as follows:

(a) Acceptable use of computer and internet

- A person deputed at the Centre is expected to use the Internet responsibly and productively.
- Internet access is limited to assigned job-related activities only and personal use is not permitted
- Job-related activities include visiting websites of Legal Services Authorities or any other government department for discharging duties effectively
- E-mails sent via Centre's computer must relate to the official work only, and should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.

(b) Unacceptable use of computer and internet

Unacceptable use of the internet by a deputed person includes, but is not limited to:

- Access to sites that contain obscene, hateful, unlawful, violent or otherwise illegal material
- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy
- Stealing, using, or disclosing someone else's password without authorization
- Downloading, copying or pirating software and electronic files that are copyrighted or without
- Sharing confidential material outside of the organization

- Hacking into unauthorized websites
- Sending or posting information that is defamatory to the Legal Services Authorities and its services
- Passing off personal views as representing those of the legal Services Authorities.
- Allowing unauthorized person to use computer and internet at the Centre.

If a deputed person is unsure about what constitutes acceptable Internet usage, then he/she should seek further guidance and clarification from DLSA. Unacceptable use of internet could result in legal action. Moreover, the deputed person may also be held personally liable for damages caused by any unacceptable use of computer and internet.

State Legal Services Authority may install anti-virus, firewall, monitoring apps or software on computers provided at Legal Services Centre. Person deputed at the Centre shall not deactivate or configure settings and firewalls without approval from the office of District Legal Services Authority (DLSA).

20. Financial Outlay (Maximum Cost per Unit)

1. Infrastructure Cost (One time cost)

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| a. Computer with webcam | : Rs. 50,000/- |
| b. Printer and Scanner | : Rs. 15,000/- |
| c. Landline broadband/others | : Rs. 5,000/- |
| d. Fabrication of cabin, if required | : Rs. 35,000/- |

e. Table & Chairs, if required : Rs. 15,000/-

2. Recurring Expenditure:

- a. Honorarium to PLV/Panel Advocate/technical person: Up to Rs. 10,000/- per month
- b. Miscellaneous expenses : Rs. 1,500/- per month

21.Future Reviews

To remain relevant and useful, the Legal Assistance Centre guidelines will be reviewed and regularly updated, taking particularly into account the recommendations coming from the Legal Services Authorities and insights provided by periodical reports.
