



Booklet – 9



Pongtang Gets Justice

**The Legal Services
Authorities Act, 1987**



A Joint Venture of
National Literacy Mission Authority,
Ministry of HRD, Govt. of India.

&

Department of Justice, Ministry of Law and Justice,
Govt. of India on Legal Literacy
Under Access to Justice (NEJ&K) Project

ACKNOWLEDGEMENT

The Saakshar Bharat Mission was started on September 2009 in India. Under this programme, 410 districts have been included where the female literacy is low. The main focuses of Saakshar Bharat Programme are rural women, Scheduled Castes, Scheduled Tribes and the minorities. In this programme besides basic literacy, equivalency programme, skill development programme and continuing education are also emphasised.

To make literacy more interlinked with daily life and interesting to the learners/ beneficiaries, the Interpersonal Media Campaign has been initiated. In this campaign, along with the main subjects of emphasis, legal literacy has also been given due importance.

With the aim of creating awareness of legal literacy in an easy manner among the people, the Legal Literacy materials have been developed in Hindi by National Literacy Mission Authority (NLMA), Govt. of India. These materials have been translated into English by State Resource Centre, NEHU, Shillong with the help of Department of Justice, Ministry of Law and Justice, Government of India under the Access to Justice Project for North-East and Jammu & Kashmir (A2J NEJ&K).

The State Resource Centre, NEHU, Shillong is grateful to all the supporting organizations and departments. It is hoped that this material on legal literacy will prove to be useful in bringing legal awareness among the common people.

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C E R T I F I C A T E

This is to certify that the Law Department, Government of Meghalaya has vetted the Legal Literacy Materials consisting of 11 booklets and 11 folders in English Language. These material are found to be satisfactory and would be of immense use in disseminating legal awareness to the grassroots level in the State.

Date: 28.02.2017

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(Pongtang Gets Justice)

Pongtang was a labourer in Noksen Village. His family comprised of his wife Sepila, daughter Shongmu and son Mandok. Pongtang's aged father and mother also lived with him. Pongtang and Sepila used to work in farms to earn their family's livelihood.

A farmer named Hemyen lived in Pongtang's neighbourhood. He had five acres of land in the village. He used to call Pongtang and Sepila for tending the crops. However, Pongtang and Sepila never went to work in Hemyen's farm because Hemyen always looked at Sepila in an obscene and lewd manner, which made Sepila uncomfortable. Once, Pongtang and Sepila went to Hemyen's farm to sow some seeds. While working, Hemyen sent Pongtang to fetch the plough from Hemyen's house. At

that moment Hemyen started teasing and taunting Sepila. From that incident onwards, Pongtang and Sepila stopped going to Hemyen's farm for any kind of work. Due to this reason, Hemyen wanted to seek vengeance on them.



One day, a rich man's jewels were stolen in the village. The rich man lodged an FIR in the Police Station regarding the theft, after which the police started investigating the matter in the village.

Hemyen wanted to take advantage of this situation. He planned to falsely accuse Pongtang of this theft so that when Pongtang is put behind bars, Sepila will approach him to seek help since the Sub-Divisional lawyer, Chaushak often visits Hemyen.

During the course of their investigation when the police approached Hemyen, Hemyen said, "It is Pongtang who has stolen the jewels."

The police went to Pongtang's House and found some of the stolen jewels in front of his house. The police confiscated the jewels and prepared a confiscation report. The police became suspicious of Pongtang. They searched the entire house of Pongtang but did not find anything. However, they arrested Pongtang. Following the arrest, Sepila and his aged parents became scared and anxious. Sepila said, "Who will save my husband from being imprisoned? We neither

have money to spend nor to pay the fees of any lawyer."



Hearing the words of Sepila, her son Imlong said, "Mother, you need not worry. I have seen a board near the bus stand regarding free legal assistance and consultancy. There, two lawyers were talking to the Village Council Chairman. They were saying that the government has made provisions to provide justice to the poor

villagers. Let us go to that office and try to free our father."

Hearing this, Sepila's fear receded a bit. She went to the Free Legal Assistance and Consultancy Centre and met the lawyer.

The next day, the police presented Pongtang in the court before the judge.

The judge started interrogating Pongtang. Pongtang pleaded that he is innocent and that the theft was not carried out by him. He further said that he is falsely accused of the theft and the police forcefully arrested him. He and his family earn their livelihood by hard work and not by



wrong means. He said that he has not stolen anything and the stolen items are not in his possession.

The judge asked Pongtang, "Do you have a lawyer to fight for your case and provide you justice?"

Pongtang replied, "We are poor and illiterate. How can we fight a case? We don't have any money to pay for a lawyer. When will you set me free from the prison? I have to go for my daily work to run my family.

The judge carefully listened to his words and then he said, "We will provide you a lawyer at the expense of the government."

The lawyer from the Free Legal Assistance and Consultancy Centre appeared before the judge. His wife Sepila and his son Mandok were also present with the lawyer.

The lawyer immediately presented the papers for Pongtang's bail. He told all the truth about the case to the judge and asked the judge to release him on bail.



The judge approved the bail plea of Pongtang.

Since the police filed a case against Pongtang, the lawyer from the Free Legal Assistance and Consultancy Centre fought for Pongtang. He finally argued that Pongtang is innocent. The stolen items were not recovered from him and the police also failed to present any witness or proof against Pongtang.

Considering all the facts, proofs and witnesses of the case and the arguments of the lawyers, the judge passed the judgement that there is no proof against Pongtang and he should be set free.

Free Legal Assistance and Consultancy

Every citizen has the right to get justice. Poor and illiterate people cannot afford to pay lawyer's fee as well as other legal expenses. Hence, the government has introduced a law to provide free legal assistance and consultancy to the poor people so that they can get proper justice.

Who can be the beneficiaries of the Scheme

- ❖ People belonging to Scheduled Caste and Scheduled Tribe.
- ❖ Victims of illegal human trafficking.
- ❖ People who are forced to beg.
- ❖ Women and Children.
- ❖ Mental patients and persons with disability.



- ❖ Victims of communal violence, flood, drought, earthquake or other calamities.
- ❖ Factory workers.
- ❖ People from Women's Home, Orphanage or Lunatic Asylum.
- ❖ People whose annual income is less than Rupees One Lakh.
- ❖ Dependent of martyred soldiers.
- ❖ Prisoners.

Legal Assistance and Consultancy is freely available to masses at sub-divisional, district, state and central level. The government has appointed legal assistance officials at all those places. By filing a petition to these officials, free legal assistance and consultancy can be availed.

Points to Note

- ❖ This facility is absolutely free.
- ❖ You will always get free assistance from a qualified lawyer.
- ❖ The petitioner will receive correct information.
- ❖ Important documents are prepared free of cost.
- ❖ The petitioner remains free of tension.
- ❖ Issues related to social problems will also receive free legal assistance and consultancy.
- ❖ On receiving free legal assistance and consultancy, one can register his/her complaint to the District Judge or the Chief Justice.
- ❖ With mutual cooperation, the issue can be resolved faster.

- ❖ Free legal assistance and consultancy is available at sub-division of a district, SDO, Collector, Commissioner, Sub-Divisional Court, District Court, High Court and Supreme Court.

How Can Free Legal Assistance and Consultancy be Availed

People who want to avail free legal assistance and consultancy can approach the Free Legal Assistance and Consultancy Centre and meet the concerned authorised persons with the application form. The following information should be furnished in the application form.

- ❖ Name of the Applicant.
- ❖ Father's name.
- ❖ Residential Address.
- ❖ Age.
- ❖ Type of Assistance required.

- ❖ Description of the issue.
- ❖ Economic status of self.

The above mentioned information in the prescribed format can be submitted to the Free Legal Assistance and Consultancy Centre. The concerned official, after a preliminary investigation, will provide appropriate legal assistance to the applicant.
