

LEGAL LITERACY CAMP, SCHEME 1999 JABALPUR, 30 AUGUST 1999 F.No-38 Estt. SLSA 99-In exercise of the powers conferred by clause (g) Section 2 read with clause (c) & (d) of sub-section (2) of Section 7 of the Legal Services authority Act 1987(No 39 of 1987),.the State authority hereby frame following Lok adalat Scheme namely :-				
<u>Definition</u>	<u>Objects</u>	<u>Identification of area</u>	<u>Constitution of "Saksharata Dal</u>	<u>Constitution of Saksharata Dal for District Legal Srvices Committee</u>
Constitution of "Saksharata Dal for Tehsil Legal Services Authority		Place & date of organisation of Vidhik Saksharata Shiver	Constitution of Saksharata Dal for High Court Legal Srvices Committee	Organization of the Shiver
<u>EXTRACT OF RESOLUTION OF THE MEETING OF M.P.STATE LEGAL SERVICE AUTHORITIES</u>				

1. Short title

This Scheme may be called the Legal Literacy Camp, Scheme, 1999.

2.Definition

In this scheme, unless the context otherwise requires-

Legal Aid means, providing lawyers to those who are unable to pay fees for the Legal Services, Legal Aid means not only Legal representation in court cases but also include legal advice, counselling, arbitration and conciliation, creation of legal awareness about their rights duties and obligations etc. in the other word to ensure protection of legal and constitutional rights of the under privileged the poor, the neglected and the indigent, its objects is to make it impossible for any men, women or child to be denied the equal protection of laws simply because he or she is poor or indigent person.

Our constitution promises equal justice to all citizens. The promise of equal justice in our democratic society requires us to dedicate ourselves to the great task of converting that promise in to reality because millions of our citizens claim redress against injustice in one form or another. One of the fundamentals of a true democracy that its citizens should be educated in their legal rights and that they should also be entitled to legal assistance in the assertion or defence of their rights.

Therefore, the emergence of legal literacy should essentially be seen in the ongoing process of socialization of laws and legal process Legal literacy implies basic awareness regarding laws and legal process for common man as an aid to equipping the person for a meaningful participation in the process of development.

3. Objects

The objectives of the State Legal Services Authority regarding legal literacy camp are as follows:-

- (i) To formulate guidelines for contents of legal literacy materials.
- (ii) To consider the use of visuals in legal literacy materials with a view to supporting or illustrating the legal concepts or legal processes;
- (iii) To undertake preparation of sample materials on legal literacy;
- (iv) To review the existing materials on legal literacy;
- (v) To organise the Legal Literacy Camps known as "Vidhik Saksharata Shivar" in rural areas as well as in urban slums;
- (vi) To provide the information about all schemes launched by State Government as well as Central Government and all statutory laws rules etc. to the weaker section of the society including scheduled tribes, scheduled castes, backward class, agriculturists and labourers, which are made for protection of their interests.

4. Identification of area

The High Court Legal Service Committee, District Legal Services Authority Tehsil Legal Services Committee shall choose the rural area as well as urban areas for organising the Legal Literacy Camps in its district.

5. Constitution of "Saksharata Dal"

Subject to the approval of the Executive Chairman High Court Legal Services Authority the High Court Legal Services Committee, District Legal Services Authority, Tehsil Legal Services Committee shall constitute the literacy team known as "Saksharata Dal" for each area.

6. Constitution of Saksharata Dal for High Court Legal Services Committee

The "Saksharata Dal" shall consist of the following Ex-officio Members:-

Chairman H.C.L.S.C.	Chairman
Secretary, H.C.L.S.C	Secretary
President, High Court Bar Association	Member
Director/Joint Director Publicity	Member
District	Co-ordinator

(1) The Chairman of the High Court Legal Services Committee in consultation with the Chief Justice of the M.P. High Court shall nominate other not more than 7 members from those persons who possess the following experience and qualifications which shall include at least one member each from Scheduled Castes, Scheduled Tribes, Other Backward Classes, Women, Law Student, Law Teacher and Disabled Persons:-

- (a) an eminent social worker who is engaged in the upliftment of the weaker section of the people including Scheduled Castes, Scheduled Tribes, Other Backward Classes, Women, Children, minority, Rural and Urban labour; or
- (b) an eminent person in the field of law; or
- (c) a person of repute who is specially interested in the implementation of the legal awareness scheme; or
- (d) a person who is involved or was involved in educational field; or
- (e) Law students who are involved in the scheme envisaged by the Act. Rules and Regulations there under.

(2) Term of office and other conditions of appointment of the Saksharata Dal of High Court Legal Service Committee.-

(i) **Term-** The term of office of the members of the High Court Legal Saksharata Dal shall be for two years and they shall be eligible for re-nomination for one more term.

(ii) **Removal.-** A member of the High Court Legal Saksharata Dal may be removed by the Chairman of the High Court Legal Services Committee with the consultation of the Chief Justice, if :-

- (a) he fails without sufficient cause, to attend three consecutive meetings of the High Court Legal Saksharata Dal Committee;
- (b) has been adjudged as an insolvent; or
- (c) has been convicted of an offence which in the opinion of the Chairman involves moral turpitude; or
- (d) has become physically or mentally incapable of acting as a member; or
- (e) has so abused his position as to render his continuance in the High Court Legal Saksharata Dal is prejudicial to the public interest:

Provided that, no such member shall be removed from the High Court Legal Saksharata Dal without providing reasonable opportunity of being heard.

(iii) **Resignation-** A member may be writing under his own hand addressed to the Chairman resign from the High Court Legal Saksharata Dal and such resignation shall come into effect from the date on which it is accepted by the Chairman of the High Court Legal Services Committee or on the expiry of 30 days from the date of tendering resignation, whichever is earlier.

(iv) **Vacancy-** If any member nominated under the High Court Legal Saksharata Dal for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall be a member for the remaining term of the member in whose place he is so nominated.

(v) **Allowances-** Subject to the provisions all members nominated shall be entitled for travelling allowance and daily allowance in respect of journeys performed in connection with the Meeting/Camp held by the High Court Legal Saksharata Dal

and shall be paid at such rates as may be admissible to a Class one Officer while travelling on official duty or as may be specified by the High Court Legal Services Committee. If a member is a Government employee, he shall be entitled to draw the travelling allowance and daily allowance at the rate to which he is entitled under the Service Rules applicable to him and shall draw from the department in which he is employed.

(vi) **Secretary-** The Secretary of the High Court Legal Services Committee or the person nominated by the Chairman of the High Court Legal Saksharata Dal shall be the Secretary of the High Court Legal Saksharata Dal.

(3) Functions of High Court Legal Saksharata Dal.-

(i) It shall be the duty of the High Court Legal Saksharata Dal to give effect to the policy and directions of the State Authority with regard to Legal awareness.

(ii) Without prejudice to the generality of the functions of the High Court, the High Court Legal Saksharata Dal shall perform all or any of the following functions, namely:-

(a) hold Legal Literacy Camps to promote legal awareness in the society specially to illiterate and the weaker sections of the society.

(b) publish/distribute pamphlets, booklets and other news letters for legal awareness.

(c) establish and control Para Legal Clinic to promote legal awareness.

(d) to arrange seminars and the workshops to that effect.

(e) take appropriate measures for spreading legal literacy and legal awareness amongst the people in particular to educate weaker section of the society about their rights, benefits and privileges guaranteed by the Constitution and by social welfare legislations and other enactments as well as administrative programmes and measures etc.

(f) To take special efforts to collect the support of Voluntary Social Welfare Institutions working at the grass root level. Particularly among the Scheduled Castes and the Scheduled Tribes other Backward Classes. Women and Rural and Urban Labour segment.

(g) To produce video/documentary films, publicity material, literature and publications to inform general public about the various aspects of the Legal Services Programmes.

7. Constitution of Saksharata Dal for District Legal Services Authority

(1) The Saksharata Dal shall consist of the following Ex-officio Members:-

The District Judge of the concerned District.	Chairman
President District Bar Association.	Member
Chief Judicial Magistrate in the district where the hadquarter of District Judge and Chief Judicial Magistrate is not the same the senior most Additional Chief Judicial Magistrate at District Judge Headquarter.	Member
Deputy Director,Panchayat &Social Justice	Member
Public Relation Officer	Member
District Legal Aid Officer	Secretary

The Chairman of District Legal Services Authority may, in consultation with the Executive Chairman. State Legal Services Authority nominate other not more than 7 Members from those persons who possess the same experience and qualifications as prescribed for the members of Saksharata Dal of the High Court which shall include atleast one member each from Scheduled Castes, Scheduled Tribes, Other Backward Class, Women, Law Students, Law Teachers and Disabled person.

(2) Term of the office and other conditions of appointment of the District Saksharata Dal and function of Saksharata Dal shall be the same as prescribed for the Saksharata Dal of the High Court Legal Services Committee.

8. Constitution of Saksharata Dal for Tehsil Legal Service Committee

(1) The Saksharata Dal shall consists of the following Ex-officio Members:-

Senior Most Judicial Officer posted in Tehsil.	Chairman
Sub-Divisional Officer (Revenue)	Secretary
President Tehsil Bar Association	Member
Adhyaksha, Janpad Panchayat	Member
District Legal Aid Officer	Co-ordinator

(2) The Chairman of the District Legal Services Authority may, in consultation with the Executive Chairman, State Legal Services Authority nominate other (not more than 7 members) from those persons who possess the same experience and qualification as prescribed for the Members of the Saksharata Dal of the District Legal Service Authority which shall include atleast one member each from Scheduled Castes, Scheduled Tribes, Other Backward Classes, Women, Law Student, Law Teacher (if available) and disabled person.

(3) Term of the office and other conditions of appointment of Tehsil Saksharata Dal and functions of the Saksharata Dal shall be the same as prescribed for the Saksharata Dal of the District Legal Services Authority.

9. Place and Date of organisation of Vidhik Saksharata Shivar

For organising the Vidhik Saksharata Shivar in any area the place of Shivar shall be selected by the High Court Legal Services Committee, District Legal Services Authority, Tahsil Legal Services Committee as the case may be which shall mainly be a public place, Date of organising the Shivar shall be fixed by the High Court Legal Services Committee, District Legal Services Authority, Tahsil Legal Services Committee as the case may be and priority shall be given to the local market day of the area.

10. Organisation of the Shivar

(1) About one hundred persons, who are residents of that area should be invited for getting the legal knowledge/ information of schemes in a Legal Camp.

(2) The media may be requested to render necessary assistance for publicity the safe Legal Services Authority will take up this matter with the local centres.

(3) The Co-ordinator of the Saksharata Dal (District Legal Aid Officer) shall arrange all the appropriate Ayojan before one week of such Shivar i.e. by Cinema Slide, Pamphlets, Posters, through local newspapers, etc. publicity may also be done by beating of drums in every village in the guidance of Revenue Officer.

(4) Chief Justice/Patron-in-Chief, Executive Chairman, State Legal Services Authority, Chairman, High Court Legal Services Committee, Member-Secretary, State Legal Service Authority, Secretary, High Court Legal Services Committee, Chairman District Legal Services Authority, Chairman, Tehsil Legal Services Committee all local officer/workers of the different department of the State Government/Central Government who are related with the welfare schemes may be invited in Shivar to deliver lectures and discuss the following contents of Legal Literacy:-

(a) Constitution	Preamble, fundamental rights and duties, Directive principles of the State Policy constitutional remedies.
(b) Family Law	Marriage, Divorce and Separation, main- tainance inheritance and succession, Dowry related law etc.
(c) Civil Laws	Property rights, stay, specific performance, Damages, Compensation for the Accident law of negligence or nuisance etc.
(d) Criminal Law	General.
(e) Welfare Legislation	Bonded labour (abolition) consumer protection, Adulteration (Food and Drugs) Environment Protection etc.
(f) Procedural Justice	How to get justice, jurisdiction of Courts right to sue, arrest and bail, search and seizure, right to legal aid etc.
(g) Law relating to the persons with disabilities.	How to get equal opportunities protection of right and full participation.

(5) Essential literature, brochures, pamphlets, booklets etc. regarding schemes should be displayed/distributed in the Shivar with the assistance of concerning departments and other Legal Literacy material should also be displayed/distributed by the co-ordinator of the Shivar.

(6) Chairman/Members of the Saksharata Dal and all other respected invites will have discourse on various subjects as referred to above.

In addition to above, salient feature of the provision of Section 12 of Legal Services Authority Act, 1987 and relevant provisions of the regulations with regard to Legal Aid, Legal Services should be highlighted. It should be emphasised that, legal Services does not only include providing assistance to any deserving poor litigant in pending matter but it also includes Legal Services for any pretrial and post- trial matters. Further, the deserving persons shall also be legally assisted with regard to their problems relating to other Government agencies who are not giving required relief to such persons to which they are entitled, "Moot Courts" may also be held.

It these camps an attempt may be made to provide maximum Legal advice to the needy persons.
