



**“VISION STATEMENT
OF
ASSAM STATE LEGAL SERVICES AUTHORITY
FOR THE YEAR 2019”**

ASSAM STATE LEGAL SERVICES AUTHORITY

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INTRODUCTION

"*Access to justice*" being the core theme of the legal services authorities; it find its genesis from Article 39 A of the Constitution of India. **Article 39 A of the Constitution of India** provides for free legal aid to the poor and weaker sections of the society, to promote justice on the basis of equal opportunity. More precisely, Articles 14 and 21 of the Constitution also make it obligatory for the State to ensure equality before law. Hence in such backdrop, the Legal Services Authorities Act, 1987 was enacted by the Parliament, to create a uniform system for providing free and competent legal services to the weaker and marginalized sections of the society. With the enactment of said act, the idea of providing legal aid has become reality right from the Supreme Court of India to the Taluk level.

The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society. The Chief Justice of India is the Patron-in-Chief and the senior most Hon'ble Judge, Supreme Court of India helms as the Executive Chairman of the Authority. Since the purpose of NALSA was to create a nation wide uniform system to fulfil the objectives of the Legal Services Act, 1987, hence in every State, State Legal Services Authority has been constituted to give effect to the policies and directions of the NALSA (National Legal Services Authority) and to give free legal services to the people and conduct Lok Adalats in the State. Section 6 of the Legal Services Act, 1987 notified how State Legal Service Authority shall be constituted and Section 7 of the Legal Services Act, 1987 clearly further defines the functions of the State Legal Services so that proper action plan could be arrived upon to achieve the objective of the Legal Services Act, 1987.

In the above mentioned background, The **Assam State Legal Services Authority (ASLSA)** was constituted in the year 1998 under the **Legal Services Authorities Act,**

1987 to provide free Legal Services to the weaker sections of the society and to organize Lok Adalats for amicable settlement of disputes ;being fully functional from April, 1999.

The Chief Justice of the High Court is the Patron-in-Chief and the senior most judge is designated as the Executive Chairman of the State Legal Services Authority.

The State Legal Services Authority felt that in order to reach to the underprivileged and deprived masses, a need to include representatives from various government departments and commissions was highly required so that better results could be achieved upon keeping into note all the sections of the society. The Assam State Legal Services Authority Regulations, 1998 was hereby enacted with subsequent amendments in 2010 and 2011 thereby clearly defining in details the mode of funds, qualifications, and functions and working manner of the State Legal Services Authority in order to reflect accountability as well as transparency in the system.

In every District, District Legal Services Authority has been constituted to implement Legal Services Programmes in the District. The District Legal Services Authority is situated in the District Courts Complex in every District and chaired by the District & Sessions Judge as the Chairman and a full time Secretary (Judicial Officer) for its proper functioning in the respective district.

The NALSA earlier used to publish National Plan of Action so that the State Legal Services Authorities could plan out their activities in conformity of the NALSA activities. However, no National Action Plan had been issued by the NALSA, thus giving an open avenue for the ASLSA to plan out their State Action Plan keeping in mind the beneficial legislations and schemes of the Central and the State Government in addition to the schemes and guidelines of NALSA. The State Annual Plan of Action are then circulated to the DLSA's of

the State as well as the Taluk Legal Services Committees for implementation, who then had to submit monthly report to the ASLSA for appraising the higher authorities about their activities carried on regular basis. The State Plan of Action is initiated in the beginning of a financial year so that proper funds are available for carrying out the activities as per the State Plan of Action.

ACTIVITES OF THE ASSAM STATE LEGAL SERVICES AUTHORITY

The ASLSA has made the best of efforts to carry out effectively the objectives of Legal Services Authorities Act, 1987 and therefore had voraciously carried out activities laid down by the NALSA and other beneficial of the Central and State government. Keeping in mind the State Action Plan, the ASLSA had not only restricted it activities to give court based legal aid to the categories of persons eligible for free legal services under Section 12 of the Act, but have also ventured into avenues to promote Alternate Dispute Mechanism(ADR) like mediation, conciliation , organisation of Lok Adalats and permanent Lok Adalats so that dispute could be resolved at the earliest in an inexpensive and quick manner and also with a motive to lessen the burden of the Courts. Further to make the

masses aware about their rights and entitlements legal awareness camps are organised in frequent basis throughout every nook and corner of the state.

However the approach towards legal services have altogether taken a new approach wherein ASLSA initiated the programme to reach out to the people who are in dire need and thereby required immediate assistance. The programme named "Reach Out and Respond" or "Xohari" was welcomed at the national level and accordingly the ambit of legal services was opened to vast activities. Also Legal Services camps are organised involving all government departments for dispensation of welfare schemes to the needful masses. Legal literacy classes are set up in schools for the benefit of school students. Awareness programmes specially targeting the female masses are organised frequently so that the woman who are not left behind in any manner.

Training programmes and workshops are organised timely so that the officers and other persons involved in the legal service activities and giving any legal assistance can improve on their skills and be updated and accordingly mane their services to the public.

VISION PLAN OF ASLSA FOR THE YEAR 2019

The strategy of ASLSA is to achieve the broader Constitutional objectives under Article 39A by focusing on empowering and enabling the legal services institutions, at all the levels, emancipate people and institutions to resolve their own disputes and to remove barriers to "access to justice" and to bring justice to the door steps of the people who

are in need. Hence ASALSA plans to work upon a robust plan for the year 2019 so that not only the area of legal services is covered but also other hurdles which comes in the way of dispensation of justice could be overcome to the best possible extent. The ASLSA outlines to work on the following areas for the year 2019 in order to strengthen the legal services machinery in the state of Assam,-

⇒ **LEGAL SERVICES CAMPS-**

A new Model of holding Legal Services Camp was started by the by the ASLSA under the guidelines of NALSA wherein the approach was taken to be that of "Delivery based model". The camps were held not only to make people aware about their entitlements and procedural aspects relating to the same but also connect them to the welfare schemes meant for them. The ASLSA along with the DLSA acted as a bridge between the people and various government department and NGO's working for the welfare of the people. The first camp of this manner was held in 2017 at Dibrugarh which was a welcome move and a success. Subsequently, such legal service camps were held at Dhemaji, Cachar, Kokrajhar, Morigaon, etc targeting cluster of villagers of the said Districts. ASLSA further aims to organise 12 such legal service camps in the year 2019, planning, one camp in every month in the districts of Assam with the help of the DLSA's.

⇒ **LEGAL AID CLINICS-**

Legal services clinic is the first stop centre to provide basic legal services to the people with the assistance of para-legal-volunteers and lawyers. At present 23 jail clinic are functioning all over prisons of Assam which was opened by ASLSA in collaboration with the DLSA. ASLSA further aims to open legal clinic in all the prisons of Assam by 2019.

Further ASLSA intends to open jail clinic in all the police stations of Assam so that such clinic could provide immediate legal assistance to persons in need. The legal aid clinic shall also try to enlighten people about the various ADR mechanisms like mediation, conciliation etc. so that people disputes could be resolved at the earliest. Para legal Volunteers and lawyers would be involved in the legal aid clinic so that the purpose for which these clinics are made would sufficed.

⇒ **LEGAL LITERACY CLUBS/CLASSES:**

ASLSA proposes to open legal literacy clubs in major number of high schools and higher secondary schools with the help of the DLSA's in various districts of Assam by the end of 2019 so that students are being made legally aware of their rights and duties towards the society and hence can give proper guidance and help to the people in need. Also legal literacy classes shall be organised in large scale in association with the DLSA's so that students and public can be well appraised about various laws.

⇒ **LEGAL AWARENESS PROGRAMMES:**

ASLSA shall welcome the involvement of its other stake holders in the way of legal services so that maximum number of people could be benefitted. In the year 2017-18, 1572 legal awareness programmes were organised which was attended by 1, 59,624 persons; 1329 nos. of woman, 216 nos..of persons belonging to Schedule Castes category and 342 nos. of persons belonging to Schedule Tribes category were benefitted. ASLSA shall organize

legal awareness programmes in coordination with various government departments, Bar Associations, Village Panchayats, Para Legal Volunteers etc. to create awareness amongst

the marginalized people and also make sure that they received the benefits of the schemes made for their development. The schemes of PMAY, Assam Victim Compensation Schemes and other welfare schemes will be highlighted in the legal awareness programmes so that maximum benefits could be received by the people entitled for the same.

⇒ **LOK ADALATS:**

ASLSA plans to increase the number of state Lok Adalats in addition to the National Lok Adalats aiming to essentially cut down pendency of litigation. In the year 2017-2018, 3, 05,250 and 2, 21,621 nos. of cases were taken in National and State Lok Adalats and 54,748 and 1, 09,151 nos. of cases were disposed off respectively. Hence for the year 2019 the target to dispose of cases shall be more and to achieve greater number, ASLSA plans to set new guidelines for the DLSA's so that success ratio could be more than the previous years.

Further ASLSA plans to create more awareness in reference to the Permanent Lok Adalats for Public Utility Services as they are the biggest litigants of the country. Since the Permanent Lok Adalats is permanent; hence it is easy for the people to approach it in case of their dispute.

⇒ **XOHARI:**

"XOHARI" or "the Reach Out and Respond Programme" a brain child of ASLSA was launched on 6th April, 2016. The programme was initiated with the objective to reach out to the most deprived section of the society. The programme was intended to bring a change in the life of the poor people who are totally unaware of the beneficial scheme

made for them. Hence, in the year 2019, ASLSA intends to extensively implement the said programme with the help of the DLSAs, Para Legal Volunteers, Media persons and responsible citizens. ASLSA with the help of the DLSAs would assist the deprived persons to get the benefit of the schemes they are entitled to. The programme of providing prosthetic limbs and assistive devices to the persons with disability which was the milestone under this programme will be taken up to cover the persons with disability who were earlier left out.

ASLSA will also promote the concept of "Justice on wheel" through the Mobile Lok Adalats. Since the avenue of the legal services authority had opened up, the idea of giving justice to the doorstep had become the new mode of delivering justice to the people. ASLSA will send its designated bus specially designed for legal services activities to the various interiors of Assam with the help of DLSA so that mobile Lok Adalats could be held in order to dispose of petty cases and also create awareness. In the year 2017-2018, 60 cases were taken up in the Mobile Lok Adalats and 40 nos. of case were disposed off.

⇒ **DIGITIZATION IN JAILS:**

ALSA had been working on the project for digitization in jails of Assam. At present there are 23 jails in Assam where video conferencing facility work had been initiated and therefore by the end of 2019 the aim is to make all the prisons of Assam fully digitized so that communication between the authority and the jail officials and the prisoners would not be a cumbersome process. The inmates shall be able to know the status of their cases from inside the jail premises.

⇒ **APPOINTMENT OF PARA LEGAL VOLUNTEERS:**

Para legal volunteers are considered as important soldiers of the legal services authorities as they are main field workers. The ASLSA plans to encourage induction of more para legal volunteers in the legal services institution so that awareness can be spread amongst the masses with the involvement of the PLV's engaged in those areas. People from different background like students, social workers, retired teachers, Angadwadi workers etc. who are interested to render their services for the welfare of the people shall be encouraged to join in the DLSA's so that maximum number of remote areas could be covered with the help of the PLV's. ASLSA will further encourage induction of more female para legal volunteers in the legal services institution to uphold the concept of woman empowerment.

⇒ **MENTALLY ILL PERSONS/HOMELESS PERSONS:**

The ALSA feels that the mentally ill persons and other homeless persons roaming in the roads should be brought into the ambit of legal services authority. The mentally ill persons should be rehabilitated and should be protected as provided under the Mental Healthcare Act, 2017 (earlier Mental Health Act, 1987). ALSA through its "REACH OUT AND RESPOND" programme or "Xohari" had earlier helped out persons roaming on roads and had tried the best to rehabilitate them. Hence owing such precedence, ASLSA further proposes to reach out to such homeless and mentally ill patients so that they could be given the basic right to live a healthy and dignified life. ASLSA had therefore timely issued directions to the DLSA's to reach to such mentally ill patients and the homeless people who are in dire need of the legal services.

⇒ **WOMAN/CHILDREN:**

Women and children being one of the most vulnerable section of the society, ASLSA plans to increase the awareness programmes in respect of major issues like Human Trafficking, Child labour, Child marriage, Domestic violence, POSCO Act, Right to education etc., in addition to its other awareness programmes.

ASLSA aims to work for the development of the woman and children by monitoring that all government welfare schemes related to woman and children reaches to them hassle free. Further ASLSA plans to link the nearest Anganwadi centres near the vicinity of the jails so that female inmates and their children residing in the jail get the benefits of the schemes which they are entitle. Further the said Anganwadi centre shall take measure for providing nutritious food to any pregnant and lactating mother inside the jail and the children as well.

⇒ **TEA GARDEN COMMUNITY:**

ASLSA proposes to work for the development of the tea garden communities of Assam in the year 2019 as they had been facing serious hardships for few decades. ASLSA intends to arrange more awareness programmes in the tea garden areas so that they can be made aware of their rights. There is an urgent requirement to evolve mechanisms for the tea garden labourers before they are taken out for redress to formal institutions. ASLSA intends to initiate programmes with the Tea Garden Companies so that sufferings and difficulties of the people belonging tea garden community could be worked out.

⇒ **PERSONS WITH DISABILITY:**

ASLSA will also work for the upliftment of the persons with disabilities. ASLSA shall try to coordinate with all such offices and institutions to follow the guidelines made for the convenience of the persons with disability for their access to the offices like construction of Ramp, toilets etc. ASLSA also shall try to liaison with various department so that schemes made for the persons with disabilities reaches to them.

⇒ **INFRASTRUCTURE DEVELOPMENT:**

ASLSA is closely monitoring the construction of the ADR centres in the various district of Assam under the 13th Finance Commission grant. At present, 5 nos. of ADR centres had been completed and work is going on in the other districts. ASLSA will ensure that by the year 2019 construction of ADR centres in major districts be completed so that process of mediation can take place in a suitable environment. ASLSA also plans to work on the difficulties faced by the DLSA's while dispensation of their work so that legal services work could be carried out smoothly.

⇒ **TRAINING PROGRAMMES/WORKSHOPS:**

ASLSA is planning to conduct and organize training programmes and workshops for the Secretaries, Legal Aid Counsels, Para Legal Volunteers, Mediators etc. by bringing in resource persons who can give them better understanding of the system. The main

purpose to organise such training programmes and workshops is to timely update our Secretaries, Legal Aid Counsels, Para Legal Volunteers, and Mediators etc. so that legal services could carry on their activities smoothly.

⇒ **BETTERMENT OF JAILS:**

Since jails are now considered to be correction centres rather than punishment centres, hence ASLSA intends to encourage any activity which shall be done for the betterment of the inmates. ASLSA proposes to introduce skill training and vocational courses inside the jail premises with the help of NGOs and other Govt. departments which can be useful to reform the inmates. As ASLSA had inspected the prisons of Assam, hence it will try to monitor the infrastructural and other developments made in the prisons of Assam so that basic rights of the prisoners are not violated.

⇒ **OTHER ACTIVITIES:**

Lastly, ASLSA intends to work voraciously on any other activities specified by NALSA or which ASLSA feels necessary for the upliftment of the marginalized people. Swachh Bharat programmes and plantation drive programmes are also in the working agenda of the ASLSA since clean and safe environment are the basic right of a person. The rehabilitations of the victims of natural disasters or other mishappening shall also be of importance for the ASLSA. Hence ASLSA intends to reach put to the maximum

marginalized people under its various programmes so that the purpose for which the Legal Services Authority Act was enacted would be successful.

CONCLUSION

India being a welfare state it is very important to uplift the marginalised and deprived section of the society. Therefore, the main motive of the ASLSA is to bring on board the deprived section of the society so that they can march along with mainstream society irrespective of their class, creed, background, disability, gender, sexual orientation and other aspects. Hence ASLSA aims to work effectively so that change could be brought to a person's life and he/she can walk along with the civilized society.
