

APPENDIX-II

NATIONAL LEGAL SERVICES AUTHORITY, NEW DELHI

SCHEME FOR IMPLEMENTING THE PROJECT OF PARA-LEGAL VOLUNTEERS BY THE STATE LEGAL SERVICES AUTHORITIES

I. INTRODUCTION

One of the objectives of the 'POLICY FOR ACCESS TO JUSTICE FOR ALL' formulated by the National Legal Services Authorities is development of "Para - Legal Services" for the purpose of imparting legal awareness to various target groups of Para Legal Volunteers who in turn bring legal awareness to all sections of people.

For effective functioning of the system, modalities are to be worked out in respect of organizing training programmes and also provide reference material for the faculty of the training programmes and Para-Legals. In order to achieve the desired results and to shape the trainees as full-fledged Para Legal Volunteers, the following instructions are to be followed.

II. FORMULATION OF MODALITIES

1. At the First phase every District Legal Services Authority shall identify about 50 volunteers and every Taluk Legal Services Committee shall identify about 25 volunteers who can read and write vernacular language in such a way that the identified persons area of operation will cover the Jurisdiction of respective District Legal Services Authority or Taluk Legal Services Committee, for training at respective District Legal Services Authorities under the supervision of Chairman and Secretary, District Legal Services Authority.

The training programmes of Para Legal Volunteers and other activities enunciated herein shall be conducted, under the overall supervision of the District Judge and Chairmen, District Legal Services Authority, by Secretary of District Legal Services Authority and other Officers and staff.

The programmes under this scheme shall be formulated by the Secretaries of District Legal Services Authorities in consultations and approval of District Judge and Chairman concerned. Each such programme conducted by them as well as report about the work done by the Para Legal Volunteers shall be submitted to the State Legal Services Authority.


WHO SHOULD BE PARA LEGAL VOLUNTEERS:

Para Legal Volunteers are to be identified from the following target groups.

- Advocates, Teachers and lecturers of Government and Private School and Colleges of all levels.
- Anganwadi Workers
- Private or Government doctors and other Government employees.
- Field level officers of different departments and agencies of the State and Union Governments.
- Students of graduation and Post graduation, in law, Education, Social Services and humanities.
- Members of apolitical Service oriented Non-Governmental Organizations and Clubs
- Members of Women Neighbourhood Groups, Maithri Sanghams
- Educated prisoners serving long term sentences in Central Prison and District Prison.
- Social Workers and volunteers, volunteers of Panchayat Raj and Municipal institutions.
- Members of Co-operative Societies.
- Members of Trade Unions.
- Any other persons which the District Legal Services Authority or Taluk Legal Services Committee deems fit to be identified as Para Legal Volunteers

3. After identification of the volunteers, their names, addresses, telephone numbers (if available) shall be entered in a separate Register maintained by the District Legal Services Authority and Taluk Legal Services Committee by giving batch number.

4. Each identified Para-Legal volunteer is to be given an identification card by the Secretary, District Legal Services Authority. Identification card shall be given in the proforma.

	STATE LEGAL SERVICES AUTHORITY	
	Para-Legal volunteer registration number ---- (.....)	
Photo	Name:	
	Father / Husband Name:	
	Village / Town:	
	Signature of Para Legal Volunteer	Signature of Secretary, DLSA

5. The identified volunteers be given training in Six Sessions, two sessions in each month and training is to be completed within a period of three months for each identified Batch.

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6. After completion of Six Sessions of training, the District Legal Services Authority and Taluk Legal Services Committee shall identify another batch of Para Legal Volunteers and impart training by observing the same instructions.

7. The District Legal Services Authority and Taluk Legal Services Committee should enlist the cooperation of the Collector of the District or the Revenue Divisional Officer of that area and through them the Officers of the concerned departments or agencies or organizations, to identify the interested volunteers to be trained as Legal Aid volunteers and to enable participation of such persons in such programmes and for providing the necessary infrastructure and other support for organizing such programmes.

SPECIAL IMPETUS ISSUES

8. Training programmes are to be planned in such way to provide exposure to the Para Legal Volunteers to the necessity of generating Legal Awareness in respect of constitutional and statutory rights and duties, and general Civil, Criminal substantial and procedural laws and the problems and issues of law and Society as well as special issues related to:

- a. *Women*
- b. *Children*
- c. *Students*
- d. *Farmers*
- e. *Industrial and Agriculture labour*
- f. *Prisoners*
- g. *Victims of natural disaster*
- h. *Physically challenged, including persons suffering from Mental disorder and mentally retarded persons.*
- i. *Victims of Trafficking i.e. Women and Children as well as those suffering from HIV/AIDS*
- j. *Members of Scheduled Castes and Scheduled Tribes*
- k. *Bonded Labour.*
- l. *Consumers.*
- m. *Senior Citizens.*
- n. *And other beneficiaries under Legal Services Authorities Act,*

besides providing clear idea of the working of Legal Services Authorities and Services provided under the Legal Services Authorities Act.

9. If the District Legal Services Authority and Taluk Legal Services Committee deems fit and necessary to identify Para Legal Volunteers exclusively in respect of dealing the issues of special groups mentioned in the para No.8, the District Legal Services

Authority and Taluk Legal Services Committee shall identify persons interested to work exclusively in respect of dealing the issues of any of the special groups mentioned, register their names and impart training focusing the issues related to the special group by following similar procedure in respect of entering the names in the Register and training Sessions.

10. The training should be so oriented as to enable the trainees to act as effective coordinators between the Legal Services authorities and the needy and deserving citizens.

11. The Para Legal Volunteers should know clearly that they should work as pure volunteers without expecting any fee, remuneration or salary, for doing services to the oppressed and suppressed sections of people around them in a dedicated way as a commitment.

TRAINING TOPICS

12. Topics to be covered in training programme.

- Rights of Women under the following Acts and Topics.
 - i. *Hindu Marriage Act, Christian Marriage Act, Muslim Women's Protection Act and Special marriage Act.*
 - ii. *Child Marriage Restraint Act 1929.*
 - iii. *Family Court Act 1994.*
 - iv. *Guardian and Wards Act 1890.*
 - v. *Hindu Minority and Guardianship act.*
 - vi. *Maternity Benefit Act.*
 - vii. *Medical Termination of pregnancy Act.*
 - viii. *Dowry Prohibition Act.*
 - ix. *Dowry harassment.*
 - x. *Section 125 CrPC.*
 - xi. *Harassment of working women.*
 - xii. *Protection of Women from Domestic Violence Act, 2005.*
- Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.
- Consumer protection Act.
- Labour Welfare Laws.
- Procedure for claiming compensation under Fatal Accidents Act, Motor vehicles Act, Workmen's compensation Act and compensation from Railway Accident Claims Tribunal.
- Bonded Labour (Abolition) Act 1976.
- F.I.R.
- Arrest -- Bail.

- Rights of Prisoners.
- Fundamental Rights of accused including prisoners.
- Fundamental Duties of accused including prisoners.
- Registration and stamp Duty
- Promissory notes.
- Revenue Laws.
- Nyaya Sankalp programme under taken by National Legal Services Authority in collaboration with UNDP (United Nations Development Programme) entitled TAHA (Trafficking and AIDS / HIV)
- Entitlements conferred on special groups by Governments under various schemes, orders and legislations.
- Public Interest Litigation.
- Lok Adalats, A.D.R. System, Free Legal Services under Legal Services Authorities act.
- Any other topic or Act the District Legal Services Authority and Taluk Legal Services Committee deem it necessary, including those related to local problems.

PROCEDURE RELATING TO TRAINING

13. Para Legal Volunteers training programme is to be conducted under the supervision of the Chairmen and Secretaries District Legal Services Authority.
14. As soon as six sessions of training is completed to a batch of identified Para Legal Volunteers in the District, consolidated list of registered numbers and names of Para Legal Volunteers who have undergone training shall be submitted to the State Legal Services Authority.
15. A Separate review meeting with the trained Para-Legal Volunteers batch wise be conducted once in three months by the Secretary, District Legal Services Authority and a report shall be submitted to State Legal Services Authority with in one month thereof.
16. District Legal Services Authority and Taluk Legal Services Committee should devise their own plan in preparing batches of identified Para Legal Volunteers in such away that the training programme be continued through out the year for batch after batch.
17. The District Legal Services Authorities be permitted to spend maximum amount of Rs.3000/- for each training session including refreshments, actual conveyance charges and stay to trainees.
18. The District Legal Services Authority may utilize the Services of serving or retired Judicial Officers, Law Teachers, Lawyers, Law students, Revenue Officials as well as

Retired Sheristadars of Courts and Law Graduates among Court staff as resource persons for training programme.

PARA LEGAL VOLUNTEERS IN JAILS

For this purpose, about ten educated prisoners serving long term sentences in the very same Central Prison and District Prisons may be identified for being trained as Para Legal Volunteers whose services shall be available to the other prisoners in the jail itself at all times. The Jail Authorities have agreed to implement the scheme.

III. DISQUALIFICATIONS OF PARA LEGAL VOLUNTEERS AND THEIR REMOVAL:

No person is eligible for being identified as Para-Legal Volunteer if he / she:

- a) Fails to evince interest in the Scheme.
- b) Has been adjudged insolvent.
- c) Has been accused of an offence.
- d) Has become physically or Mentally incapable of acting as Para-Legal Volunteer
- e) Has so abused his/her position or misconducted in any manner as to render his/her continuance prejudicial to the public interest.
- f) Affiliated to political parties.

Any such Para-Legal Volunteer can be removed by the Chairman, District Legal Services Authority and intimate the same to the State Legal Services Authority.

IV. DUTIES OF TRAINED PARA LEGAL VOLUNTEERS:

1. The Para Legal Volunteers shall educate every citizen to enable him or her to be aware of the right to live with human dignity, enjoying all the constitutionally and statutorily guaranteed rights and performing the duties and discharging the obligations as per Law.
2. The Para Legal Volunteers shall make every citizen aware of the nature of the disputes / issues / problems concerning which a citizen can approach the Legal Services Authorities and through whom and the manner of resolution of disputes / issues / problems through the Legal Services Authorities.
3. The Para Legal Volunteers shall constantly keep a watch on any transgressions of law or acts of injustice in their area of operation and bring them immediately to the notice of the concerned District Legal Services Authority or Taluk Legal Services Committee through a telephonic message or a written communication or in person expeditiously to enable effective remedial action by such Authority or Committee.

4. The Para Legal Volunteers shall organize Legal awareness camps regularly in their area of operation either in collaboration or under intimation of District Legal Services Authority or Taluk Legal Services Committee to generate Legal Awareness among citizens in respect of the problems any issues related to women, Children, Labour, Members of Scheduled Castes and Scheduled Tribes persons and other beneficiaries under Legal Services Authorities Act.
5. The Para Legal Volunteers shall create awareness among citizens about the working of the Legal Services in the State and services provided by the District Legal Services Authorities / Taluk Legal Services Committees / High Court Legal Services Committee / State Legal Services Authority / Supreme Court Legal Services Committee / National Legal Services Authority and also provide their address to enable them to utilize their services.
6. The Para Legal Volunteers shall generate awareness among citizens about the benefits in settlement of disputes through arbitration, conciliation, Judicial settlement including settlement Lok Adalat and Mediation.
7. The Para Legal Volunteers shall propagate among the citizens that they may approach the District Legal Services Authority / Taluk Legal Services Committee for settlement of disputes at pre-litigation stage itself without paying any Court Fees.
8. The Para Legal Volunteers shall create awareness among citizens that the parties are entitled for refund of court fees in the matters settled in Lok Adalat and that their litigation comes to an end there itself and lies no appeal and waste of time is avoided.
9. The Para Legal Volunteers shall create awareness among citizens about the settlement of disputes relating to **public utility Services** through permanent Lok Adalats.
10. The Para Legal Volunteers shall submit a brief report every month about their activities to District Legal Services Authorities / Taluk Legal Services Committees.
11. The Para Legal Volunteers shall see that the publicity brochures of Legal Services Authority reach educated persons in every village.
12. The Para Legal Volunteers and people trained can utilize the telephone services of Taluk Legal Services Committee, District Legal Services Authority wherever telephones are available and those of State Legal Services Authority to bring to the notice of various Legal Services Authorities about any aberrations or infringement of rights for immediate help and instructions. If any expenditure is incurred by the volunteers as para legal volunteers on account of telephone charges for their services, can be got reimbursed from the Taluk Committees/district Authorities on production of proof of such expenditure.
