

# **NATIONAL LEGAL SERVICES AUTHORITY**

## **A SCHEME FOR THE PROJECT OF PARA-LEGAL VOLUNTEERS**

(Under the Plan of Action for the year 2009-2010)

The Project of Para-Legal Volunteers is aimed at imparting legal awareness to volunteers selected from certain target groups who in turn act as harbingers of legal awareness and legal aid to all sections of people. The Volunteers are expected to act as intermediaries between the common people and Legal Services institutions and thereby removing barriers of access to justice. Initially, the volunteers are identified from the NSS units in Colleges, creditworthy NGOs and credible social organizations and Women Self Help Groups. In order to achieve the desired results and to mould the volunteers into full-fledged Para-Legal Volunteers, the following guidelines are formulated:

### **MODALITIES**

At the First Stage, every Taluka Legal Services Committee (TLSC) shall identify 5 volunteers from each Arts and Science College where legal literacy classes are conducted. This should be done with the help of the NSS programme officers of the college and in consultation with the Principal. Volunteers shall be of good character, with inclination for social service, law obedient and with a strong sense of legal rights and justice. At least one of the volunteers should be a female student. Names, addresses, and contact telephone nos of the volunteers selected from each college will be kept in the Register of Para-Legal Volunteers maintained by the TLSC.

In the Second stage, selection of volunteers is from the members of the social organizations and Women Self Help Groups. One member with the aforesaid qualities from each panchayat, shall be selected in consultation with the Chairperson of the local self government institutions. This can be done during the legal literacy classes by making advance announcement to the participants. Names, addresses and contact telephone numbers of the selected Para-Legal Volunteers should be noted in the Register.

TLSC may identify other suitable groups also from among whom Para-Legal Volunteers can be selected.

The Third stage is Training. Training programme shall be organized by the TLSC at the Taluka centers. The modalities of training may be decided by the TLSC in consultation with the District Legal Services Authority (DLSA). Training programme is to be planned in such a manner as to provide adequate exposure to the volunteers for generating legal awareness about the Constitutional and statutory rights and duties, general civil, criminal, substantial and procedural laws. Legal issues relating to the following topics also can be included in the Training Programme:

1. Women
2. Children's rights and abolition of child labour.
3. Students.
4. Farmers
5. Industrial and Agricultural Labour.
6. Prisoners
7. Victims of natural calamities and Communal violence.
8. Physically and mentally challenged persons.
9. Victims of trafficking.
10. Members of Scheduled castes and Scheduled Tribes.
11. Consumers.
12. Senior Citizens.
13. Bonded labour.
14. Domestic Violence.
15. Farmers' debt relief.
16. Other beneficiaries of the Legal Services Authorities Act.

The Legal Services Authorities Act 1987, Rules and Regulations framed there under should be an integral part of the training programme. The training should be so oriented as to enable the trainees to act as effective coordinators with the TLSC at the first instance and then with District Legal Services Authorities, High Court Legal Services Committee, State Authority and Supreme Court Legal Services Committee.

### **TRAINING TOPICS:**

Rights of women under the following Acts and topics:

1. Hindu Marriage Act, Christian Marriage Act, Special Marriages Act, Muslim Women's Protection Act.
2. Child Marriage Restraint Act.
3. Family Courts Act.
4. Guardian and Wards Act.
5. Hindu Minority and Guardianship Act.

6. Maternity Benefit Act.
7. Medical Termination and Pregnancy Act.
8. Dowry Prohibition Act.
9. Dowry Harassment.
10. Domestic Violence.
11. S.125 Cr.P.C.
12. Harassment of Women.
13. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act.)
14. Consumer Protection Laws.
15. Labour Welfare Laws.
16. Procedure for claiming compensation for accident victims under Fatal Accidents Act, MV Act, W.C.Act and from railway Accident Claims Tribunal.
17. Bonded Labour (Abolition ) Act.
18. F.I.R.
19. Arrest, Bail.
20. Rights of Prisoners.
21. Rights of accused in criminal cases.
22. Registration, Stamp duty.
23. Promissory Notes and Cheques.
24. Revenue Laws.
25. Rights of HIV/AIDS affected persons.
26. Govt. Orders promoting social welfare.
27. PILs.
28. LOK ADALATS, ADR system and free services under the Legal Services Authorities Act.
29. Any other topic the DLSA or TLSC consider to be of relevance to a particular local area.

#### **PROCEDURE RELATING TO TRAINING.**

1. Para-Legal Volunteer's training programme is to be conducted under the supervision of the Chairman and Secretary of the TLSC, in consultation with the DLSA.
2. As soon as the training is completed, the TLSC shall send a list of volunteers their names, address and contact details to the DLSA. A consolidated list of Para-Legal Volunteers in the district shall be prepared by the DLSA and submitted to the State Authority.
3. A review meeting of the Volunteers shall be conducted by the TLSC once in three months and a report shall be submitted to the DLSA within a week. A copy of the report shall be sent to the State Authority also.
4. The TLSC may devise its own plan of action for utilization of the services of the Para-Legal Volunteers.
5. The DLSA may allot a maximum of Rs.2000/- to the TLSC for each training session for providing refreshments to the trainees.

6. The TLSC may utilize the services of serving/retired judicial officers, law teachers, lawyers, law students, revenue officials, officers of the social welfare department and the law graduates among the court staff as resource persons for the training programme.

### **Disqualifications of Para-Legal Volunteers and their removal**

No person shall be eligible to work as Para-Legal Volunteer if he/she;

- a) fails to evince a sustained interest in the scheme or;
- b) has been adjudged insolvent or;
- c) is accused for an offence in a criminal case or convicted by a criminal court or;
- d) has become physically or mentally incapable of acting as a Para-Legal Volunteer or;
- e) has abused his/her position or committed misconduct in any manner as to render his/her continuance prejudicial to public interest or;
- f) has willfully refused to obey the instructions of the DLSA/TLSC or;

A Para-Legal Volunteer with any of the above disqualifications may be removed by the Chairman, TLSC. Such removal should be promptly reported to the DLSA and also to the State Authority.

### **Duties of Trained Para-Legal Volunteers.**

1. Para-Legal Volunteer shall educate people, especially those belonging to weaker sections of the society to enable them to be aware of the right to live with human dignity, to enjoy all the Constitutionally and statutorily guaranteed rights, performing the duties and discharging obligations as per law.
2. Para-Legal Volunteers shall make people aware of the nature of their disputes/issues/problems and inform them that they can approach the TLSC/DLSA/HCLSC/SLSA/SCLSC and that they can resolve the dispute/issue/problems through these institutions.
3. Para-Legal Volunteers shall constantly keep a watch on transgressions of law or acts of injustice in their area of operation and bring them immediately to the notice of the TLSC through telephonic message or a written communication or in person to enable effective remedial action by the Committee.
4. Para-Legal Volunteers shall assist the DLSA/TLSC for organizing legal awareness camps in their area of operation.
5. Para-Legal Volunteers shall give information to the people of their locality about the legal services activities of SLSA/DLSA/TLSC/HCLSC/SCLSC and

shall provide their addresses to the people so as to enable them to utilize the free services rendered by the above organizations to the eligible persons.

6. Para-Legal Volunteers shall generate awareness among people about the benefits of settlement of disputes through Lok Adalats, Conciliation, Mediation and Arbitration.
7. Para-Legal Volunteers shall propagate the facility of Pre-Litigation petitions in the TLSC/DLSA for inexpensive settlement of disputes.
8. Para-Legal Volunteers shall create awareness among citizens that if pending cases are settled through Lok Adalats the parties are entitled to refund of Court fee and that there is no appeal.
9. Para-Legal Volunteers shall make people aware of the benefits of inexpensive settlement of disputes relating to Public Utility Services like P&T, Telephones, Electricity, Water Supply, insurance and hospital services through Permanent Lok Adalats (PLA).
10. Para-Legal Volunteers shall submit monthly reports of their activities to the TLSC.
11. Para-Legal Volunteers shall see that publicity materials of legal services activities are exhibited at prominent places in there are of activity.

**Expenses incurred by Para-Legal Volunteers.**

Reasonable expenses incurred by Para-Legal Volunteers e.g. Bus/Train fare, Postage, Telephone charges etc., may be reimbursed by the TLSC/DLSA/SLSA, on production of proof and receipts may be obtained. Travel expenses limited to the lowest class by road/rail/steamer of the legal aid beneficiaries brought by the Para-Legal Volunteers also may be reimbursed at the discretion of the Chairman.

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