CHAPTER VIII

CONCLUSION AND SUGGESTIONS
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In the concluding chapter, hypothesis have been thoroughly analysed and certain valid conclusions are extracted on the basis of objectively quantified results and some are presented as follows. As the major objective of the study is to find out Effective Implementation of the provisions of Legal Services Authorities Act, the present study helped to understand the actual role-played by Authorities, Law Schools, Advocates, Para- Legal’s in the process of Legal Services in this context. The researcher, cautiously, keeping the limitations of the study in mind, attempted to bring out some useful findings, which would help Authorities and policy makers to adopt some measures in the implementation of the various schemes of NALSA, in the future. By objective study, the following interpretations and conclusions are made for the purpose of the present study.

Legal Aid is a socio-legal movement bringing justice to the poor and spearheading peaceful change under law towards the constitutional goal of just, egalitarian order. In AP the implementation of the object of the Act is satisfactory. In the modern world, the touch stone of a representative democracy is the commitment to legal aid. Success rate of the legal aid cases also should be a component of the evaluation measures. Various activities undertaken by the A.p. State legal Services Authorities prove this point. It exceeds on all fronts. Till 31.03.2011 about 58,416 people have benefited through legal aid and advice throughout the country in which about 6,147 persons belonging to Scheduled Caste, 5,388 Scheduled Tribe, 9,113 persons belonging to backward communities were beneficiaries. More than 7,405 people were women, 300 children and about 4,289 people in custody, 25,774 General were also benefited. About 1.34 lakh Lok Adalats have been held by APLSA in which more than 12.78 lakh cases have been settled. In
about 1.1 lakh Motor Accident Claim cases, more than Rs. 810.8 crore has been awarded as compensation.

**Legal aid** is the provision of assistance to people otherwise unable to afford legal representation and access to the court system. Legal aid is regarded as central in providing access to justice by ensuring equality before the law, the right to counsel and the right to a fair trial. A number of delivery models for legal aid have emerged, including duty lawyers, community legal clinics and the payment of lawyers to deal with cases for individuals who are entitled to legal aid. Legal aid has a close relationship with the welfare state and the provision of legal aid by a state is influenced by attitudes towards welfare.

Legal aid, as a significant welfare right, is not the exclusive product of political right to seek defense in a court of law. But it is an outcome of the twentieth century struggle against poverty to ensure just human living to the people at large. Legal aid is a basic indispensable postulate of the legal system and certainly not a matter of charity. In the traditional sense, legal aid included appointment of a lawyer at the expense of state, exemption of court fee, process fee other payable fee. Later on, the scope of the legal aid was expanded and the pre-litigation aid has been covered under it. In its wider sense, legal aid also includes public interest litigation, Lok Adalats, Legal Literacy; which are important limbs of legal aid. Legal Aid in a criminal case is recognized as a matter of right. In civil case, legal aid is assistance for redressal of grievances and matters incidental thereto. Such cases cannot be claimed as a matter of right as it is not available to all persons; the annual income is also taken into consideration for determining the eligibility of the recipients of legal aid. Historically legal aid has played a strong role in ensuring respect for economic, social and cultural rights which are engaged in relation to social security, social care, health and education service provision, which may be provided publicly or privately,
as well as employment law and anti-discrimination legislation. Jurists such as Mauro Cappelletti\(^526\) argue that legal aid is essential in providing individuals with access to justice, by allowing the individual legal enforcement of economic, social and cultural rights. An effective legal service programme covers three distinct services (1) Legal Aid; (2) Legal Advice; and (3) Preventive Service. While the first item of legal service, namely, Legal Aid is purely litigation oriented, the second item, Legal Advice, refers to advice on legal problems which may arise in the life of an individual and it may include drafting of documents and negotiations with a view to settling a dispute so that it does not require to be taken before a Court or Tribunal. The third item of Legal Service is preventive Service, which a legal service organization can render to the poor as a class. Its sole purpose is to prevent, on a mass scale, through education, instructional changes, organization of the poor etc., the innumerable injustices which the poor as a class suffer and from which it is apprehended there is no escape for them except by revolution.

In the pre-independence era voluntary organizations provided legal aid to the poor and indigent through public spirited lawyers. In the 1950s and 1960s the welfare state expanded along with legal aid provisions as concerns emerged over the power of welfare providers and professionals. The Government of Bombay instituted a Committee on Legal Aid and Advice in 1950 headed by Bhagwati J. The Committee suggested two tests for determining eligibility for legal aid: I) Prima - facie case test (II) Means Test. In the same year Sir Arthur Trevor Harris, a retired Chief Justice of the Calcutta High Court, put forth another scheme of legal aid. The Committee suggested that Court fee, process fee etc., need not be paid by the party assisted and that Legal Aid Fund should bear such expenses of assisted person. This led to increasing calls in the 1960s and 1970s for the right of individuals to legally enforce economic, social and cultural rights and the welfare provisions they as

individuals were entitled to. Mechanisms emerged through which citizens could legally enforce their economic, social and cultural rights and welfare lawyers used legal aid to advice those on low income when dealing with state officials. Legal aid was extended from family law to a wide range of economic, social and cultural rights. For the first time the Law Commission of India in 1958 in its 14th Report emphasized equal justice and free legal aid. In the post-independence era, Kerala was the first state to formulate a policy on legal aid. In 1958 the Government of Kerala adopted the Kerala Legal Aid (to the poor) Rules that extended assistance of the lawyer to the poor through the courts. The Governments of Maharashtra and Tamil Nadu came up with such similar schemes during late 50s and early 60s that provided legal assistance to the scheduled castes, scheduled tribes and other backward classes of people and poor in civil and criminal cases.

Significant advancements with regard to legal aid programme formulation were made during 1970s. Those mainly responsible for the implementation of the Legal System in India were Justice V.R. Krishn Iyer and Justice P.N.Bhagawati. P.N.Bhagawati originator of India’s legal aid programme recommended Eligible criteria for legal aid are 1. The meanstest; 2. The Prima-facie case test and 3. The reasonableness test. The Report stated that if nation really want to eradicate poverty and establish a truly free, just and egalitarian society; the legal service programme recommended by the Committee should be implemented wholly and in its entirety.

Though some governments began tabling with the idea of legal aid in 1970s Krishna Iyer as a younger Lawyer had been involved and rendering the free legal services as an individual as far as back as 1940 it. He appeared free on behalf of the Agricultural Labourers, Trade Unionists, Freedom Fighters and Others. Those lawyers who closely watched him also came forward to join him and provide free legal aid. When he assumed the ministerial portfolio of law, he chartered ways and means for the poor and weak to obtain legal assistance.
The first major report on legal aid came in 1973 from the Expert Committee on Legal Aid of the Ministry of Law and Justice, chaired by Justice V. R. Krishna Iyer. In stressing the need for a statutory basis for legal aid, the Committee said that “legal aid is an integral part of the legal system – not a matter of charity or confined to the four walls of the court building.” Justice Krishna Iyer Report titled “Processuals Justice to Poor” has gone a step further in enabling the recognition of the poor for the purpose of giving legal aid., dealt with the nexus between law and poverty, and spoke of PIL in this context. In 1976, a Committee was appointed under the Chairmanship of Justice P.N.Bhagwati and Krishna Iyer to recommend ways and means of implementing the report on legal aid. In 1977, Committee submitted a report to the then Law Minister Sen., titled “National Juridicare Equal Justice and Social justice”. The Juridicare Committee was intended to revise, update, revaluate, and supplement the report of Expert Committee, and its report concentrated more on the viability and working conditions of legal aid programs. The Juridicare Committee recognized the value of lawyers’ services in seeking remedies or asserting rights, and placed comprehensive legal aid projects as a high priority in the State’s responsibility. The main thrust of the report was the recognition that a legal services program that reflected western attitudes and ideals cannot work successfully in India because only a few of the problems of the poor are true legal problems. The Committee believed that a legal aid program should aim at radical transformation of the socio-economic structure, and concluded that the legal profession must recognize law as a potential instrument to eradicate poverty by securing equal distribution of material resources of the country.

In 1981, the Government of India appointed the Committee for implementing Legal Aid Schemes. The Committee was headed by Justice P.N. Bhagwati, then Chief Justice of the Supreme Court of India. Like the earlier Juridicare Committee,
the Committee for Implementing Legal Aid Schemes insisted that court- or litigation-oriented legal aid programs cannot provide social justice in India. The Committee concentrated more on the promotion of legal literacy, the organization of legal aid camps to carry legal services to the doorsteps of people, training of paralegals to support legal aid programs, establishing legal aid clinics in law schools and universities, and bringing class actions by way of public interest litigation.

“Social Justice” as a key concept in legislative policy and its administration of justice is of relatively recent origin. The emergence of the welfare state and recognition of equality and basic human dignity as the acid tests for civilized government and role of the state in ordering them. Equality not merely in form but in substance is today the main spring of social moments and foundation of political organisations everywhere. Equality is the basis of all modern systems of jurisprudence and administration of justice. In so far as a person is unable to obtain access to a court of law for having his wrongs redressed or for defending himself against a criminal charge, justice becomes unequal and laws which are meant for his protection have no meaning and to that extent fail in their purpose. Unless some provision is made for assisting the poor man for the payment of court fees and lawyer’s fees and other incidental costs of litigation, he is denied equality in the opportunity to seek justice”.

The challenge of social justice is an essence of the challenge for equal opportunity and for equal protection of the laws. Today the challenge before legislators and judicial statements is to develop appropriate policies and forge relevant tools to promote equality with freedom and protect fundamental rights with social justice. The promise of social justice find expression in the Preamble to the Indian Constitution. The Constitution of India aims to secure to all citizens, justice, social, economic and political and equality of status and of opportunity. The
provisions of the Constitution should be interpreted and implemented in a such way that the legal justice to be available to all the people of India including poor, indigent, weaker and helpless and illiterate sections of the society.\(^{527}\) The present constitutional position of legal aid is what between the threshold of good intention of the constitution as a futuristic policy and the stand of an activist Supreme Court. The judiciary is an arm of social revolution it is a duty of the judiciary itself to keep the charter of the government current with the times and not to allow it become out of tune with the needs of the day the courts are required to act in a pro bone publico spirit constitutional foundation of social change in India synoptic view.\(^{528}\) The radical task of the remedial jurisprudence is to make the legal process Minister meaningfully to the actualisation of social revolution the judicial success of the revolution comes alive when the implementation of the constitution reaches the consumers in their vast yet invisible misery.

The heart of the Constitution is the Fundamental Rights given to every citizens and the Directive principles of the executive and legislature for governance of the country our constitution enshrines a very noble ideal, namely, “equality” under Art.14. Article 14, 21&22 , incorporates the idea of Legal Aid and equal justice. Art .14 deals with Equality before Law and Equal Protection of Laws. But as a matter of fact there is a great economic disparity among the people of the country. The disparity is even greater in the distribution of wealth and the main clunk of wealth is cornered by a small section of people. Law has become so complicated and the procedure in court is so technical that very rarely a litigant be able to put forth his case before the court without the aid of an advocate. He has naturally to pay the fees. A litigant also incurs expenses for travel. The cost of litigation deters most people from seeking justice. The reasons for introducing Art. 39-A in the constitution was

\(^{527}\) Dr.J.S.Singh right to legal aid. A human right perspective Naya Deep Vol. VIII issue-3. 2007, 74 to 84
Social Justice and the Indian Legal System. N.R.Madhava Menon , P-14

\(^{528}\) Dr.A.C.Pal and Mrs Rupa Mehta , Civil and Military Law Journal 2005 Vol-41, Nov 1 +2
to secure equal justice for all which is a cardinal objective of the Constitution. There is no doubt that everyone is equal before law. Law treats rich and poor alike, irrespective of their financial needs, social and economic status. But, beneath the surface of the inequality in the operation of our legal system.

The justice should be administered in a common sense liberal way and should be based on human values. Rendering justice is a difficult job but is actually a divine act. The dispensation of justice is an inevitable feature in any civilized society. The benefits of the development must trickle down to the humblest poor, unnoticed and downtrodden masses. India being a welfare state, it is her first pre-requisite, with a view to give equal treatment to all, because to do justice is a complex process, shifting balance between many factors including equality as Friederick observed “Justice is never given, it is always a task to be achieved”.

A careful examination of the case law records shows that by and large the trend is towards one of the activist concept of social justice. judiciary observed in Menaka Gandhi V Union of India AIR 1978 SC 579 at 658 in India because of poverty and illiteracy the people are unable to protect the defend their rights observance of fundamental rights is not regarded as good politics and their transgression was bad politics. The Supreme Court after the Menaka’s Case has made an attempt to dispel common belief that the courts in India are only Courts of Law and not Courts of Justice.

The object of Art 21 is to protect the life or personal liberty of every person. It guarantees against deprivation of personal liberty. The State cannot deprive a person of his life or liberty except in accordance with procedure established by law.

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529 M.G.Chitkara Lok Adalat and Poor P. 69-70.
530 Art. 21 of the constitution of India "No Person shall be deprived of his life or liberty except according to the procedure established by law."
The matter of implementing a legal aid programme is so essential in a country where poverty was vehemently crying out from every nook and corner. Thousands of people were languishing in jails because they could not afford a lawyer. This apathy had prompted the apex judiciary to take this step forward, holding that Legal Aid was a part and parcel of reasonable, fair and just procedure, the doctrine propounded in the Maneka Gandhi case. Hon’ble Justice PN Bhagwati and earlier to him Justice V.R.Krishna Iyer influenced the shaping of a new philosophy of legal aid through two important reports and innovative judgments. Thus the judiciary with its creativity and social consciousness pronouncements maintained that right to legal aid is an integral part of Art 21 of the Constitution.

Initially, in Janardhan Reddy v State of Hyderabad\(^{531}\) and Tara Singhv. State of Punjab\(^{532}\) cases the court has held that there was no right to counsel, but the opportunity to engage a lawyer of one’s choice contemplated in Art 22(1) of the constitution was held to be available. The Concept of free Legal Aid for the speedy trial flouted from Maneka Gandhi’s decision and matured in M.H. Hoskot where justice Krishna Iyer declared that free Legal Aid is the state’s duty and not the government’s charity and came to reality, in Hussainara Khatoon’s case. In Hussainara’s\(^{533}\) case, knowing the shocking state of affairs in regard to administration of justice in the state of Bihar where about 30,000 prisons were languishing in jails for more than 3, 5 and ten years even for petty offences and some women prisoners kept in prison merely for the purpose of witness. In the above state of affairs, Justice Bhagwati expressed his anguish thus: “We are talking passionately and eloquently about the maintenance and preservation of basic freedoms. But are we not denying human rights to these nameless persons who are languishing in jails for

\(^{531}\) Janardhana Reddy v. State of Hyderabad, AIR 1951, SC 217
\(^{532}\) Tara Singh V. State of Punjab, AIR 1951 SC 411
\(^{533}\) Hussainara Khatoon V. State of Bihar; AIR 1979 SC 1360
years for offences which perhaps they might ultimately be found not to have committed. This exposes the Callousness of our legal and judicial system which can remain unmoved by such enormous misery and suffering resulting from totally unjustified deprivation of personal liberty”.

Further, referring to Article 39-A which is the fundamental in the directives Justice emphasised that, the right to free legal services is, therefore, clearly an essential ingredient of reasonable, fair and just procedure for a person accused of an offence and it must be held implicit in the guarantee of Art. 21.

In Veena Sethi v. State of Bihar534 Justice Bhagwati had an occasion to stress upon the need of adequate institutions for looking after the mentally sick and stated that, ‘the practice of sending lunatics or unsound mind persons to the jails for safe custody is not at all a healthy or desirable practice’.

Further, in Khatri v. State of Bihar535, Justice Bhagwati held that, the police are supposed to enforce the law and not to break it, but here it seems that they have behaved in a most lawlessness manner and defied not only the constitutional safeguards but also perpetrated and it is a crime against the very essence of humanity. Justice expressed his regret for non compliance of the decision of the highest court in providing free legal services to the poor and indigent by many states despite the constitution declares in Art. 141 that the law declared by the Supreme Court shall be binding throughout the territory of India.

The state is under a constitutional obligation to provide free legal services to an indigent accused not only at the stage of trial but also at the stage when he is first

534 AIR 1983 SC 399138
535 1981 – SCC – 1 – 623, also known as Bhagalpur Central Jail Case
produced before the magistrate as also when he is remanded from time to time. With regard to the failure of the Magistrates and Sessions Judges in discharging the obligations in the case of blinded prisoners where the accused were not asked for the legal representation hence the lower court was not provided the same, Justice Bhagwati directed the Magistrates and sessions judges in the country to inform every accused who appears before them and who is not represented by a lawyer on account of his poverty or indigence that “he is entitled to free legal services at the cost of the state.”

Again justice Bhagwati reminded the duty of the Magistrate and Sessions judge to inform the indigent accused about their right to free legal services. There may be cases involving offences such as economic offences or offences against law prohibiting prostitution or child abuse and the like, where social justice may require but free legal services need not be provided by the state’. In *Sukdas v. Union Territory of Arunachal Pradesh*537. The question raised is whether an accused who on account of his poverty is unable to afford legal representation for himself in a trial involving possibility of imprisonment imperiling his personal liberty, is entitled to free legal aid at State cost and whether it is obligatory on him to make an application for free legal assistance, or the Magistrate or the Sessions Judge trying him is bound to inform him that he is entitled to free legal aid and inquire from him whether he wishes to have a lawyer provided to him at State cost and if he is not so informed and in consequence he does not apply for free legal assistance and as a result he is not represented by any lawyer in the trial and is convicted, hence the conviction vitiated and liable to be set aside.

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536 Khatri v. State of Bihar, 1981 SCC (1) 623

537 AIR 1986 SC 991
Access to equal justice is a part of the general right to equality and so in this field also, there is now the slow recognition of the right to real access to justice for everyone. Legal aid is now to be treated as part of a programme to secure to the poor and disadvantaged their just share of the benefits of society. The change in attitude is disclosed by the entry into the constitution, word “socialist” in the preamble. It is heartening to note that a provisions for Equal Justice and Free Legal Aid has been introduced by the Constitution (42nd amendment) Act 1976 through Art 39A.

This provision is an attempt to wed the law to justice in India, the Courts of Law and the purpose of law is justice. It has been universally accepted as a human value that a person accused any offense should not be punished unless he has been given a fair trial and his guilt has been proved in such trial. Our courts have recognised that the primary object of criminal procedure is to ensure a fair trial of accused persons If someone is not properly defended by himself or by others and punished then that is not justice. Here we get glimpse of the need for legal aid by which legal assistance is provided in court. The system therefore depart from its strict theoretical passive stance and confers on the accused not only a right to be defend by a lawyers of his choice, but also confers on the indigent accused person as right to get legal aid for his defence at state cost. The echo of the provisions contained in section 304, Cr.P.C. now finds place in Art 39-A of the constitution which forms a part of Directive Principles of State policy. Supreme Court ruled when an accused is produced or appears before a court, the court should inform the accused that he has a right to be represented by a lawyer. If the accused cannot afford a counsel for him then the court will have to provide him a lawyer for his defence. when an accused is unable to engage a counsel owing to poverty, he has to make an application under Sec 304(1) of Cr.P.C. for the grant of legal aid and it is for the Sessions or Assistant Session Judge to make necessary directions if he is satisfied that the requirements of Sec 304(1) satisfied, when it appears to the court of sessions
that the accused has no sufficient means to engage a pleader and is unrepresented by a pleader, the court should assign a pleader for his defence at the expense of the State. No person is be allowed to lose life in an established court of law under any civilized system without affording an opportunity of defence. Provision is invariably made under the rules applicable for his defence at State expense. In such a case it is the duty of the session Judge to see that a lawyer is so appointed. Failure to appoint lawyer would result in vitiating the trial. The Court held advocates to be represented by accused must be experienced and skilled.

The Supreme Court expanded the provision of appointment of counsel in appeal cases as it is essential component of reasonable, fair and Indigent accused person, be he the respondent or the appellant, if he is unable to engage one due to his poverty or indigent. that the right of appeal is implicit in Article 21 of the Constitution and in the Code. Therefore, the accused is entitled to free legal aid and advice for filling and arguing appeals including special leave to appeal. Legal aid must be made available to prisoners in jail whether they are under-trial or convicted prisoner.

Generally, a plaintiff suing in a court of law is bound to pay court fees prescribed under the Court Fee Act. Provisions have been enacted in civil procedure code exempting such persons who by reason of their poverty are unable to pay the fee from paying in the first instance the court prescribed and allowing them to prosecute their suits in forma Pauperis provided he satisfied certain conditions laid down in the orders. The object of Order XXXIII is to enable persons who are too poor to pay court fee to institute a suit without payment of it. Neither party evades the payment of court fee nor should no genuine cause of litigant fail for want of funds. This order has been enacted to save triple purposes: To protect the bona-fide claims of indigent persons, to safeguard the interest of revenue, and to protect the
defendant’s right not to be harassed. The defendant has also right to contest application to sue as indigent.

Rule 1 Order XXXIII was amended and eligibility limit for indigence has been raised to Rs.1000 the Civil Procedure (Amendment Act) 1976, The provisions of do not apply to the proceedings under Art, 226 of the constitution. The means must exist at the time of suit. The word "person" includes juristic persons. The application has to be presented to the court by the applicant in person, unless he is exempted from appearing in court, in which case the application may be presented by authorized agent. On Granting the permission to sue as an indigent person the court has to assign a pleader to unrepresented indigent person and he is exempted not only from payment court fee but also from payment of process-fee. Where an indigent person succeeds in litigation, the court as to pass an order for the payment of court fee, this amount shall be recoverable by the State Government and shall be a first charge on the subject matter of the suit. Where the plaintiff files in the suit or the permission granted to him to sue as an indigent person is withdrawn the court make an order for the payment of court fee. An order against rejection to sue an indigence person, is appealable. The central and state government may make supplementary provisions for free Legal services to indigent person. Almost all the states have framed Legal Aid rules for rendering Legal Services to the poor.

**LEGAL AID IN FOREIGN COUNTRIES.** Legal Aid is a part of Human Right and is defined in many conventions that foresee the state responsibility to provide Legal Aid. Provisions of Equal Protection of laws, fair trail and remedy are the corner stone of Rule of Law in various countries. Legal Assistants irrespective of financial resources is provided in criminal cases and subject to the mean’s test in civil cases. The provisions of the Universal Declaration of Human Rights directly or indirectly providing social justice to poor. It laid emphasis upon the concept of equality. It provides guarantee against discrimination on the basis of "property." The
rich and the poor are given equal rights and equal protection. If poverty comes in the way of enforcement of these human rights, it amounts to denial of equality on the basis of property and there will be violation of this article. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal; Hearing means hearing through a counsel. Though right to legal aid is not expressly enumerated in the Declaration of human rights yet one may find that it exists implicitly as the Declaration is not legally a binding instrument, but a moral commitment, a yardstick of international standards and path finding instrument. It has made deep impact upon the massive global legal aid movement.

The European Convention on Human Rights, accepts the principle of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms The word “All persons” in Article 3 includes the principle of Rule of Law conferring enjoyment of every human being his rights and fundamental freedoms, implies no distinction between rich and poor, everyone has right to protection of human rights. Here comes the concept of legal aid. The Convention provides Legal aid, to a person charged with a criminal offence, to defend himself.

Under Articles 7, 8, &24 of The American Convention on Human Rights, the right to free legal services are provided accused persons. The detenue right to consult legal counsel is provided to protect the liberty of person... Access to justice is guaranteed on the basis of equal protection of Laws irrespective of financial capacity.

African Charter on Human and People’s Rights recognized the Right to a Fair Trial and Legal Assistance . The essential elements of a fair hearing include: equality of all persons before any judicial body. States shall ensure that an accused
person or a party to a civil case is permitted representation by a lawyer of his or her choice, including a foreign lawyer duly accredited to the national bar.

The Teheran conference recommended on Legal Aid: The governments should encourage the development of comprehensive legal aid system steps to be taken to simplify laws and procedures, to ensure Right of access to individuals to competent tribunals irrespective of financial inability to recourse it.

In England and Wales Legal Aid is governed under The Legal Aid and Advice Act 1949, which aims to make legal aid and advice more readily available for persons of small or moderate means [and] to enable the cost of legal aid or advice for such persons to be defrayed wholly or partly out of the moneys provided by Parliament. Legal aid is administered by the Legal Services Commission, and is available for most criminal cases, and many types of civil cases with exceptions including libel. Criminal legal aid is generally provided through private firms of solicitors and barristers in private practice. There are a limited number of public defendants. Civil legal aid is provided through solicitors and barristers in private practice but also non-lawyers working in law centers and non-for-profit advice agencies. Public defender organizations have been set up in England comprising small groups of salaried staff appointed by the legal service commission. Engaged to defend the indigent persons on case by case bases. Thus mixed model has been found to be successfully working in England for the last few years.

The spread of the Legal Aid movement in the United States has been due to the intense efforts to private voluntary organization. The University of Donward constituted a “Clinical Legal Aid programme “in 1904, affiliated with law schools and which as search became the coordinating and unifying factor for the Donward legal aid society. The Criminal Justice Act of 1964 provides for the appointment of a
counsel for the "Financially unable" at every stage of proceedings. The appointed lawyers are compensated for their services and are appointed from lists prepared by the Bar Association or from a Legal Aid agency. The United States Constitution VI Amendment, provide assistance of counsel for accused in Criminal cases. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of state and district. The Supreme Court in Powell Vs Alabama in 1932 expounded and expanded the doctrine of right to, counsel to accused in Criminal cases.

Under the Economic Opportunity Act 1964 for the first time, Legal Aid services for civil matters was provided. In 1999, the Access to Justice Act the Legal Services Commission funds provide a range of legal services. The different levels of service in civil matters are:(a) Legal Help: Legal Help provides initial advice and assistance with any legal problem.(b) Help at Court: Help at Court allows for somebody (a solicitor or adviser) to speak on behalf of a client at certain court hearings, without formally acting in the whole proceedings.(c) Family Mediation; This level of service covers mediation for a family dispute, which means trying to reach an agreed settlement with the help of an independent mediator.(d) Legal Representation The level of service provides legal representation in court if a client is taking or defending court proceedings. Legal aid for civil cases is currently provided by a variety of public interest law firms and community legal clinics, which often have "legal aid" or "legal services" in their names. A number of delivery models for legal aid have emerged. In a "staff attorney" model, lawyers are employed on salary solely to provide legal assistance to qualifying low-income clients.

Legal aid in Denmark is provided by a law centre. At these centres, legal advice is provided by practicing lawyers who will give answers to specific questions without disclosing the person name and also the lawyer’s name. The law centres will
provide free advice to anyone, regardless of income, but person have to actually go to a centre to get advice. If person are eligible to receive full legal representation and costs ("full representation") free of charge, then he will be assigned a lawyer whose fee will be paid by the government. If he loses the case, then the government will also pay the case costs of the other party. The great majority of people in Denmark are covered by a household insurance policy that includes home contents insurance, etc. These policies typically also include legal expenses insurance, which means that, within certain financial limits, the insurance company will pay legal costs. There is a provision in the Danish Administration of Justice Act about guidance provided to parties that go before a district court.

**Legal aid schemes in France** covers Legal aid proper financial aid for court proceedings and out-of-court settlement proceedings; Aid towards advocates’ fees in criminal proceedings to exemption from court costs Legal aid can also be given for the purposes of seeking enforcement of a judgment or other enforceable document. Applications should be made to the Free Legal Aid office in the appropriate jurisdiction.

**In Australia,** Legal aid commissions use a mixed model to deliver legal representation services. A grant of assistance legal representation may be assigned to either a salaried in house lawyer or referred to a private legal practitioner.

**In Canada,** the term 'Legal Aid' embraces 'Legal Advice.' There is no unified Legal Aid in Canada. Each Bar Association has its own system. Legal Aid in Ontario is provided a legal aid certificate program. The program provides low income people with certificates for a set number of hours of service to be provided by a private lawyer (i.e. a juridicare model) when the lawyer has completed their work, they bill Legal Aid Ontario for the services they provided Ontario also has a
community legal clinic system. Dollar Contributions to Legal Plans Lawyers are required to put money they are holding on behalf of all their clients in trust accounts. In several jurisdictions, some of the interest earned on the money held in these trust accounts is contributed to the legal aid plan. This amount to a cash contribution of millions of dollars. Volunteer Work to Support the Legal Aid System Across the country, lawyers sit on committees and assist in the administration of legal aid plans on a volunteer basis.

In Spain, legal aid ("asistencia jurídica gratuita") is a right for members of the public who cannot afford the costs of a trial.

The International Conventions specifying Legal Aid needs to be implemented.

India being a Welfare state Legal Services is very essential, the rule of law without legal Services is a judicial myth. Indian Judiciary is suffering from “ABC” ailments: A - Accessibility of Justice B – Backlog of cases C – The cost of litigation To cure these diagnosed “ABC” disease in the judiciary The Legal Service Authorities Act 1987, has prescribed “Three Drug” combination of which can be named as “Three LAS i.e. Legal Aid, Legal Awareness and Lok Adalat.The prevailing system of administration of justice in our country is insulated from political pulls and pressures so as to maintain its independent identity. That is the reason why, the association of Judges, with the legal service programme would be highly beneficial, because a Judicial Officer would bring to bear on the administration of the legal service scheme maturity and wisdom because of long experience as Judicial Officer. He would have sense of social commitment by reason of a deep and abiding passion for justice. He would be able to bring about cohesion between different social interests resulting in harmonious working of legal service organisation and he would be able secure maximum co-operation from the members
of the bar in the matter of providing legal service. He would be further able to impart prestige and create public confidence in the functioning of legal services organisation, which is very essential if the legal service programme is really to serve the interests of the weaker sections of the community.

The Act empowered the State to establish a Four Tier System of providing speedy and informal justice at the National, State, District and Taluk Levels. The Legal Aid movement is a combination of the services of the bench, the bar and other persons in the allied fields like legal education and, Social Action Groups including individuals and NGOs having presence starting from the grass root, state level to the Supreme Court. The Central Authority lay’s down policies and principles for making legal services available. It Frame the most effective and economical schemes for the purpose of making legal services available under the provisions of this Act; Encourage the settlement of disputes by way of negotiations, arbitration and conciliation. Take appropriate measures for spreading legal literacy and legal awareness amongst the people and, in particular, to educate weaker sections of the society about the rights benefits and privileges guaranteed social welfare legislations and other enactments as well as administrative programmes and measures; Make special efforts to enlist the support of voluntary social welfare institutions working at the grass-root level, particularly among the Scheduled Castes and the Scheduled Tribes, women and rural and urban labour; NALSA formulated Schemes, Regulations, Plan of Action to render free and competent legal services. Nature of services provided include Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings; Providing Advocate in legal proceedings; Obtaining and supply of certified copies of orders and other documents in legal proceedings; Preparation of appeal, paper book including printing and translation of documents in legal proceedings. The legal aid program adopted by NALSA include promoting of legal literacy, setting up of legal aid clinics in
universities and law colleges, training of paralegals, and holding of legal aid camps and Lok Adalats. Under National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010. In order to make the legal services institutions more people friendly, it has been envisaged that all legal services institutions shall have a front office manned by professional lawyers. The front offices are to be manned by panel lawyers and by one or more para-legal volunteers.

The Rule of administration of justice none in the country suffers injustice on account of poverty, ignorance or some other disability. NALSA introduced numerous schemes and programmers to make legal services effective and meaningful. It seeks for proper implementation of the schemes and programmers and has kept legal literacy and legal awareness at the top of the agenda. In a country where majority of the people still live below poverty line, where millions and millions have never gone to a school and the society still discriminates on the basis of sex, religion and caste, legal literacy and legal awareness is the only road which lead the suffering majority to the door of equality social economical and political legal service functionaries therefore, have a very vital role to play so as to nourish and safeguard the constitutional goal of “equal justice for all.” NALSA has formulated Permanent and Continuous Lok Adalat Scheme to establish Lok Adalats in all the districts of the country for disposal of pending matters as well as disputes at pre-litigative stages. NALSA appointed Legal Aid Counsel to provide meaningful legal assistance to under-trial prisoners, Counseling and Conciliation Scheme to encourage the settlement of disputes by way of negotiations and conciliation. 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 sole aim and object of starting and running the Legal Aid Centers is to educate, enlighten and create awareness among the people belonging to weaker sections, particularly scheduled caste, scheduled tribes, economically
backward classes, women and minorities who are illiterate and had been suffering social disabilities and economic inequalities for centuries together and make them known the existence of the legal rights and privileges for whose benefits the Legal Aid Schemes and programmes were established by the State.

The voluntary services offered by the retired judicial officers. Senior Advocates, Social Workers and Social institutes can be utilised in extending the benefits of the Legal Aid to the poor including public interest litigation. Further the voluntary agencies should also train, para-legal workers or barefoot lawyers, conducting of Legal Aid seminars, workshop for workers, publication of legal literacy pamphlets and leaflets in various languages to defend public interest litigation. The objective of setting Legal Literacy Clubs at various Educational Institution is to use the students as a medium to create awareness among the people about the existing laws and the procedures of obtaining free legal aid. Legal Advisory Clinics have launched in every mandals.

The Legal Aid Clinics, setup under this scheme are of two types Clinic Constituted by Legal Service Institutions and permanent legal aid clinic in law colleges in University. Legal Services rendered at the legal aid clinic shall be of wide ranging in nature. Besides legal advice, other services like preparing applications for job card under the MGNREGA Scheme, liaison with the government offices and public authorities and helping the common people who come to the clinic for solving their problems with the officials, authorities and other institutions also shall form part of the legal services in the legal aid clinic. A Scheme for Legal Services to Disaster victims through Legal Services Authorities. Legal Services to the people suffering from undeserved wants – Victims of natural or manmade disasters, ethnic violence, communal riots etc are people who become helpless for no fault of theirs. Legal services can play an effective role in resolving disputes and also
for tackling the issues like adoption of orphaned children and rehabilitation of persons who become disabled due to the calamity.

NALSA Constituted National Legal Literacy Mission its main object is to empower the poor and disadvantaged persons, particularly woman and children through legal literacy by making them aware of their rights; to lead them to live their life with dignity and to enjoy equality before law, to ensure justice and further facilitating them in this respect through free legal service programmer available under the Legal Service Authorities Act, 1987.

States are under an obligation to provide free and competent legal services to the people and to implement the provisions of the Act, Schemes framed formulated by the NALSA. State Authorities are authorized to frame regulations for establishing the High Court Legal Services Committees for respective High Courts and also for adopting new strategies of legal aid like creating permanent Lok Adalats, launching legal awareness programmes etc. The A.P. State Legal Service Authority with an intention to aim to make the Legal Services in the State to facilitate access to justice for all, formulated a positive plan of Action for efficient and effective dissension of Legal Services of every needy person through the Legal Services Authority. The objects of the “Policy for Access to Justice for All” are, Development of para-legal services giving training various target groups; Spread of legal awareness and literacy to every citizen that they have a right to live with human dignity, that they can enforce their rights in law; Legal aid to all needy citizens, particularly to prisoners and other eligible categories through competent and committed legal aid counsel and duty counsel. Expansion of Lok Adalat net to every civil dispute and compoundable offence.
The Modes of delivery of legal services of APSLSA are **By Phone**: On 8th November, 2005. A Toll Free Telephone Number 1800-425-2999 was installed in the office of the A.P. State Legal Services Authorities and Services are available to the public for receiving Legal Services and Legal advice free of cost. **By Post**: The Authorities attend to the representation received by Post from the public, renders legal aid and advice. **Legal Counseling**: The Authority organized counseling centers at every district, and also organizing special counseling centers such as jail counseling, juvenile counseling, family counseling etc. to make the people understand about relevant enactments and the bring them to amicable settlement in all the compoundable and petty cases. **Para Legal Volunteers**: The A.P.S.L.S. publishing in Telugu “chattalu - mana - hakulu” briefly stating the Central and State Acts enacted for the protecting of the weaker sections of the society and in general in local language in Telugu. **Media** A live telecast through E-TV , Panel Discussion an phone in programme giving legal advisors to the public on every Saturday at 9-30AM under the Title of Naya Seva. Keeping in view the energy and talent of the students in university , colleges and the schools, the Legal Literacy Clubs/ Legal Aid Clubs are being set up for disseminating information about the legal aid programmes and to create legal awareness amongst the masses. The District Authority is the highest body in the district for rendering legal services to the needy persons. In order to promote legal service activities, Secretary convey meetings, organize seminars and workshops and also interactive sessions for legal awareness with different cross sections of the society The Secretaries of DLSA with the approval of the Chairman appoints legal aid counsel on the basis of merit and seniority to provide legal aid to all needy citizens, particularly to prisoners. **Duty Counsel**: Authorities will assign the brief of the legal Aid beneficiaries to the duty counsel. A.P. State Authority have created Taluka Committee to provide legal Services to rural masses of our country at grass-root level. Most of the offices of the State Legal Services Authorities are now equipped with FAX machines, computers and E-mail facilities. These modern
gadgets shall surely help legal services functionaries to act swiftly to provide legal aid and assistance to the eligible persons in a meaningful manner.

Sec12 and 13 provisions provide free legal services to those enlisted under sec 12. Persons avail legal services subject to the Mean’s test and Prima facie case test, income limit is prescribed as means test. Recently the income limit has been raised to Rs. 1,00,000 for the cases filing in HC of AP. in other than Supreme Court. The another criteria to obtain free legal services is prima facie case test. An affidavit made by a person as to his income may be regarded as sufficient for making him eligible to the entitlement of legal services under this Act unless the concerned Authority has reason to disbelieve such affidavit.

As a part of the Preventive Strategic Legal Aid Programme the Legal Services Authorities are adopting various techniques of ADR to prevent litigation at an initial stage such as Mediation, Conciliation, Negotiation and Counseling. Resolution of disputes by adopting ADR techniques is an essential characteristics for societal peace, amity, comity, harmony and easy access to justice. As an Alternative Dispute Mechanism, the unique Indian institution called Lok Adalat has received statutory status under the Legal Services Authorities Act. under the initiative of former Chief Justice of India, Shri. P. N. Bhagwati, Lok Adalats have been exclusively organized for settlement of motor third party claims. In the case of Lok Adalat, however, the criteria for eligibility for legal aid are not applicable for the good reason that it should be available in all cases irrespective of income of the parties its object being speedier justice at less expense to all parties to litigation, actual and potential. The mission of LokAdalat is mainly two fold, Firstly, it is to provide to people acquires, easy accessible, non-technical, sympathetic and homely forum for resolution of their disputes and secondly, to tackle the menace and monstrosity of what is known as
"docket explosion" - an unmanageable upsurge in the number of pending cases before regular courts.

The Act 1987, should be seen as a Harbinger of a new era of dispute resolution system. On the advent of this Legislation, there is a paradigm shift in the entire dispute resolution mechanism from archaic, rig morale and antiquated to modern, dynamic and activist system. It triggers the speedy pace of disposal of cases, a sine quo non of any system of jurisprudence. The Act stands out the most significant in terms of its reach, complexity and potential for shaping the future litigation in the country by adopting the technique of mediation. Conciliation is a voluntary non-binding technique utilizing an impartial third party to assist in settling disputes between parties which may, by agreement, become binding on the parties. In India, conciliation received statutory recognition in the Code of Civil Procedure, 1908, the Industrial Disputes Act, 1947 (Section 12), the Hindu Marriage Act, 1955 (Section 23) The Family Courts Act, 1984. The preventive Legal Aid strategy emphasizes, to constitute "Counseling Centre" to avoid litigation at the initial stage itself. NALSA Constituted, Counseling Centre to advise parties, similarly counseling centers were also set up at police station and at women and child welfare departments, national commission for women etc.

Legal Services Authorities Act 1987 provides for legal aid to physically disabled. Our legal institutions along with other Govt offices provide provisions for legal aid and other beneficial policy, but to avail those benefits the disabled people have no friendly access to those public institutions due to architectural barriers. There are no provision of lift, ramp or disable friendly architectural access in the Govt. Offices. Priority should be given to such practical problems so that in real sense the PWDs can come forward to avail legal aid.
The evolution of Lok adalat movement was a part of the strategy to relieve heavy burden on the Courts with pending cases. Seekers of justice are in millions and it is becoming rather difficult for the Courts to cope with the ever-increasing cases with the present infrastructure and manpower. Courts are clogged with cases. There is serious problem of overcrowding of dockets. Because of the ever-increasing number of cases the Court system is under great pressure. Therefore, if there was at the threshold a permanent mechanism or machinery to settle the matters at a pre-trial stage, many matters would not find their way to the Courts. Similarly, if there are permanent forums to which Courts may refer cases, the load of cases could be taken off the Courts. In order to reduce the heavy demand on Court time, cases must be resolved by resorting to 'Alternative Dispute Resolution' Methods before they enter the portals of Court. Here comes the significance of Lok Adalat which has showed its significance by settling huge number of Third Party claims referred by Motor Accident Claim Tribunal (MACT). The Lok Adalat, better known for out-of-court settlements, should have had a salutary effect on litigants seeking free legal aid. But with the advocates' decision to continue to boycott Lok Adalats across the country, even as the Legal Services Authority (Amendment) Act 2002 was upheld by the Supreme Court recently, the prospects for litigants have turned bleak.

In the scheme of legal aid, the institution of Nyaya Panchayat is considered as one of the most important oldest institution in our country. The restructuring of the judicial system at the grass roots level should also form part of an effective legal services programme. The institution of Nyaya Panchyat is the outcome of the social and economic conditions of our rural structure. The Gram Nyayalayanas Act, 2008 was enacted to provide for the establishment of Gram Nyayalayas, a new tier of courts, at the grass-root level for the purpose of providing access to justice to the citizens at

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538 Bangalore Lawyerstoboycottcourtsagain November 29, 2002 TNN
http://articles.timesofindia.indiatimes.com/keyword/legal-services-authority/featured/5 advocates across the country boycotted courts on December 13, which is being observed as National Protest Day.
their doorsteps and to ensure that opportunities for securing justice are not denied to any citizen. The Act came into force on 2 October 2009 and enables the State Governments to establish Gram Nyayalayas at Intermediate Panchayat levels. The Central Government provides assistance to the State Governments for establishment of Gram Nyayalayas. Under the Act, it is the responsibility of the respective State Governments to establish in consultation with its High Court, Gram Nyayalayas at the panchayat level and these nyayalayas would be presided by an officer called Nyayadhikari. would also be appointed by the State Government in consultation with the High Court. The Gram Nyayalaya shall be a "Mobile Court" and shall exercise the powers of both Criminal and Civil Courts. The Gram Nyayalaya shall try criminal cases, civil suits, claims or disputes which are specified in the First Schedule and the Second Schedule to the Act may take cognizance of and offence on a complaint or police report and shall try all offences listed in the First Schedule to the Act. Gram Nyayalayas shall not have jurisdiction in cases involving the government or any of its officials acting in their official capacity. They shall not try any claim cognizable by revenue courts. The Gram Nyayalaya shall follow summary procedure in criminal trial. The Gram Nyayalaya shall not be bound by the rules of evidence provided in the Indian Evidence Act, 1872 but shall be guided by the principles of natural justice. The proceedings shall be in one of official languages of the state other than English as far as practicable. The State Legal Services Authority shall prepare a panel of advocates, and at least two shall be assigned to each Gram Nyayalayas and be available for the parties. . It is to give force to constitutional values and ensure that such values infuse the content of the true aim of adjudication of justice.

Specific provisions of the Advocates Act, 1961 convey in a clear and comprehensive manner the spirit to inculcate, promote and regulate voluntary legal activity by Indian legal practitioners. In fact State Bar Councils and bound to
organize legal aid for the poor, conduct seminars and organize talks by eminent jurists for promoting legal awareness, set up funds for providing financial assistance to organize welfare scheme for the indigent. The Consumer Protection Act, 1986 protects consumers from exploitation and gives them less expensive, speedier legal redressel against adulterated and substandard goods and deficient services. The Children Act, 1960 is a peace of noble legislation which aims at providing care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial delinquent children in summary way. For a voluntary organization engaged in the welfare activities relating to the Scheduled Caste and Schedule Tribes, **The Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** is a detailed lengthy piece of legislation which gives effect to their mission statement of welfare of Schedule Caste and Schedule Tribe.

The judiciary has itself claimed to be an active participant in social reformatory changes. It has encouraged and at times initiated social action litigation or public interest litigation. In such cases the courts have discarded traditional and necessary constraints on themselves such as requirements of standing, ripeness of the case and adversarial forms of litigation and have assumed function of investigator, counselor and monitor of administration.

The presence of Human Rights Commission at national and state levels and women’s commissions and juvenile justice process have strengthened the people’s rights although full powers have not been conferred the struggle for a new social order made headway because many NGO’s sprang to move the judiciary and thee NHRC to obtain responsive writs from the higher tribunals and recommendations from the commissions.
The government is also sensitizing about Legal literacy as well as Legal aid to concerned Departments by conducting Refresher Trainings Periodically through Dr.Marri Channa Reddy Human Recourses Development Institutions (District Training center VZM) by allocating certain budgets. It is yielding positive results through implementing agencies that are invested through states to implement Legal Aid. Activating the government wings to spread literacy so that in turn they may implement the objective of the act besides creating awareness among the public on the objectives. Why one should know the law? Legal Knowledge is essential because.

- Ignorantia Juris non excusat; Ignorance of law is no excuse.
- People are able to interact effectively
- Dispensation of justice becomes easier with informed citizenry
- The citizens will have preventive defensive legal knowledge, as a witness, accused or as a litigant.
- Able to identify the specific legal problems and will be able to solve his personal or his vocational problems.
- Basic information regarding legal doctrines, institutions and procedure
- May be able to approach various mode of dispute resolution Promotes self help approach
- Provides high level of confidence and capacity building They become effective agents of change
- Promotes values and understanding of values.

Since Independence the question of reorganising legal studies in the context of changing societies in India has engaged the attention of the lawyers and educational administrators different universities have set up legal education committee’s sand, on the basis of their reports have introduced academic and even structural reforms in their respective law schools.
The Legal Profession is an important limb of the machinery for administration of justice. A well-organized system of judicial administration postulates a properly equipped and efficient Bar. Considering that Administration of Justice is a central function of Advocates, it is incumbent upon them to play a purposeful role in implementation of various legal aid schemes provided under the Act, 1987. The Advocates, as a class and senior Advocates in particular have a solemn duty to ensure justice to all citizens and particularly to poor and marginalized sections of the society and they should rise up to meet the challenge effectively and successfully. Legal profession could translate the ideals enshrined in the Indian Constitution into a reality and thereby achieve justice- Social, Economic and political. scheme of legal aid can function effectively with the active assistance co-operation and dedication of the lawyers as a class. Within the framework of the legal aid scheme, service of qualified lawyers are absolutely essential in whatever manner the legal service are made available to the poor sections of our society. In Legal Profession an Advocate has to perform multifarious functions. The lawyer is the watch dog of the Civil and Constitutional Rights of the people. The Main object of this profession is not to earn money but to help the individuals in restoring their rights through court of law and thereby they help than to maintain law and order in the society. It is the duty of the lawyer to provide free legal aid to the needy persons to provide access to the courts for seeking justice. In present days, lawyers are providing free legal aid to indigent persons by way of Public Interest Lawyering. The lawyers are more concerned to maintain the rule of law than to protect the interest of their clients.

Today the lawyers as a class have social responsibilities to make available legal service to those who cannot afford to pay. In the war on poverty a lawyer is competent to represent the poor individuals in the crisis regardless of his social jurisprudence. The legal profession should strive for the purposes of extending benefits of legal aid to poor and needy and Advocates in India must rendered active
and voluntary services in this direction. The State Bar Council in India All India Bar Council endowed with the powers and functions for the improvement of legal education and legal aid must take all necessary steps for speedy and effective implementation. Lawyers in India would not be worthy of the great traditions of the profession if they fail to render the social service which can be usefully and appropriately rendered by them.

Under the Advocates Act, the Bar Council of India is the supreme regulatory body to regulate the legal profession in India and also to ensure the compliance of the laws and maintenance of professional standards by the legal profession in the country. Accordingly, the Bar council with the consultation of the Universities and State Bar Councils prescribed the subjects of study of an LL.B course. The Act also envisages the setting up of a Legal Education Committee comprising jurists, lawyers, teachers and so on to advise the Council on policies relating to legal education. To regulate legal education Bar Council of India, the University Grants Commission and Law Teacher Association planned appropriate schemes. The primary focus of law schools should be to identify the various skills that define a lawyer and then train and equip its students with requirements of the fast growing field of law. It is pivotal duty to make everyone to know the law. Ignorance of law is not innocence but a sin which cannot be excused. Thus, legal education is imperative not only to produce good lawyers but also to create cultured law abiding citizens, who are inculcated with concepts of human values, legal ethics and human rights.

From 1998 - 1999 the BCI has introduced new syllabus for LLB of 5 year course and 3 years course with 28 subjects. The inclusion of practical papers (PT-IV) Public Interest Lawyering, Legal Aid, Para- Legal Services is based on social justice mission. The new syllabi gave more emphasis to practical training and directed the Universities to adopt semester system. Under the new syllabi legal
education aims to translate the ideals enshrined in the Indian Constitution in reality and there by achieve Social, Economic and Political. From the year 2009-10 BCI has once again increased this from 28-30 i.e. two additional Subjects. The Law Commission of India took up legal education reform in its 184th Report. Noting that legal education is fundamental to the judicial system, the Commission suggested that clinical legal education should be made compulsory and opined that clinical legal education will be an excellent supplement to the legal aid system. Thus, the BCI and UGC have been reasonably active and desirous of maintaining and improving the quality of education. 'Justice' must become central to the law curriculum and community-based learning must give the desired value orientation in the making of a lawyer. This concept of justice education in the field of legal education means that the law school curriculum should entail certain programs like Lok Adalats, Legal Aid & Legal Literacy interviewing and counseling sessions and para-legal training.

The National Knowledge Commission (NKC), appointed by the Government of India identified a few key reform proposals. It is noteworthy that the Government of India has introduced certain reformatory measures in response to the said recommendations. They include the framing of the new legal Education Rules by the BCI in 2008, proposal to divest the regulatory controls hitherto to exercised by BCI and to vest the same in the proposal NCHER and the constitution of the Legal Education Commission of the BCI\(^{16}\). BCI spokeed that they would request the govt that the HRD Ministry proposal to have control over the legal profession be dropped.

The Object of Universities Sri Mahila Visva Vidyalaya Tirupati, Andhra University visakhapatnam, Sri Venkateswara University Tirupati,, Nagarjuna & Other Universities and, National Law School of India University in Bangalore The Indian law institute at New Delhi The National Law University, Jodhpur, National Academy of Legal Studies and Research University conducting L.L.B, L.L.M, Ph.d,
L.L.d courses is to promote legal awareness for achieving Social and Economic Justice for all, and to organize lectures, seminars, symposia and conferences, to promote legal knowledge and to make law and legal process efficient instrument of social development.

It is a social obligation on the legal luminaries to provide legal services which includes legal advice and to create legal awareness to the public. Universities may organize refresher courses to take stock of the enactments intended for the bent of the weaker section of the society and hold summer camps for wider participation of the concerned people and dissemination of legal information among them.

Modern clinical legal education in law schools introduced the new clinical teaching methodology through the establishment of legal aid clinics, in which law students provide various forms of legal aid services. Such direct student participation in handling the legal problems of indigent clients is potentiality one of mutual benefit to the student, to the legal aid scheme and to the whole system. The Universities in India must run Legal Aid Clinics by involving the law students in interviewing the applicants for legal aid and processing applications for preparing brief report, drafting or representations to assist in solving the grievances of the poor. Clinic to have been functioned under the supervision of Faculty.

Experiences from countries all over the world show the potential of the paralegal approach: It increases people’s legal know-how and awareness and improves their access to judicial and administrative services. Paralegals often open up new social spaces for marginalized groups by supporting the foundation of community based organisations, strengthening their voices and leadership capabilities. In particular, this holds true for women who are often excluded from public life and whose self-confidence can profit from recognizing that they have
rights of their own. Apart from that, the paralegals themselves become more outspoken within their own families and in public. Many of them are reputed for their technical expertise and some of them (often women) made their entrance into public committees and traditional councils. Their work contributes to a closer cooperation among different state and community services and enhances transparency and accountability of the state system.

In legal reform processes, the cooperation with paralegals can help to rapidly assess laws and legal practices, which require attention from the perspectives of marginalized groups. In some cases the paralegal work has conquered the attention of the judiciary, police and parliamentarians, and has influenced and accelerated reforms in law and legal practices, by feeding back the legal needs of the population. Paralegals are important cornerstones in the building-up of civil society, good governance and democracy.

The laws made by the legislature and the executive which are published through Gazette notifications, Bare Acts, Text Books, Law Journals. Etc, have only limited circulation among a few, concerned in the judiciary and the Government. Even advocates do not get all legal publications promptly. Thus if even the advocates have poor accessibility to legal publications, how can we expect the poor and illiterate people to be aware of law. The startling fact further strengthens the need for imparting non-formal legal education to the common people at an early age. There are several advantages in promoting non-formal legal education like better citizenship, prevention of litigation, ensuring easy judicial accessibility, safeguarding innocent persons through legal protection and punishing those involved in socio-economic crimes, etc.
Legal knowledge is an indispensable asset to professionals like Civil Servants, Personnel in Factories and Business establishments, Doctors, Engineers, Policemen, etc. These professionals can implement Laws in their lawful and rightful sense if they are aware of the various legislations. The cost of legal ignorance in the selection of candidates, in adopting wrong proceedings for advertisement and selection, violation of employees insurance, regulations of factories and other establishments etc. The ignorance of legal proceedings has also led to unnecessary harassment of employees and workers by the managers and administrators. Thus legal illiteracy is detrimental to the interests of the managers and the workers alike. Prolonged litigations caused due to ignorance of law sometimes leads to mounting loss in business.

The goal is to ensure that effective legal aid services are delivered in our country. Legal aid has a defining role in upholding access to justice. By funding legal aid services, governments give effect to the principles of equality before the law and natural justice. This upholds public confidence in the legitimacy and effectiveness of the justice system. In the current economic environment, legal aid systems are likely to face increasing challenges in achieving their objectives. Governments need to make sure that people can access legal information, education, advice and representation when they require it. As we are all aware, the cost of legal services can prevent people from seeking or being able to access legal assistance when they are in need. Ministry of Justice to ensure that we have an effective and sustainable system into the future.

**SUGGESTIONS:**
- It is necessary to include the Chairman of the Bar Council of India and president of AP State Bar Council to the AP State Legal Services Authorities Rules, 1995 under section 3 which deals with Establishment and Constitution of State Authority.
• A suggestion to be made in the present study to spread Awareness as to the Legal Services Authorities among public.

• Because of illiteracy and lack of Awareness among public about the constitutional provisions under 39-A, and Section 12(h) of LSA, the legal Aid and legal services meant for the millions of the weaker sections are unable to utilize the benefits. Hence it is the responsibility of Legal services Institutions, Law Colleges, Advocates and para legals to create awareness among the people in general.

• In this context a suggestion has been made that if the AP State come forward by way of providing financial means( the State is lagging in 10 &11 place in providing Legal Aid) then more and more people belonging to different categories will be benefited.

• Advocates have to implement in letter and spirit the provisions of Legal Practitioners (Regulation and Maintenance of Standards in Profession, Protecting the Interest of Clients and Promoting the Rule of Law) Bill 2010.

• Every legal professional shall provide full information regarding the legal position to the consumer/client relating to his case. The services of the legal professional shall be in such a manner as to give an opportunity to the consumer/client to make informed choices about the quality, access and value of the legal services he requires.

• There is imminent necessity in implementation of recommendation made by the National Juridicare committee regarding, the amendment of the Advocates Act to allow senior students under supervision to represent clients in courts in certain

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539 Sec 27. Free Legal Services to the Financially Weaker Consumers / Clients.
540 Sec 28. The Duty of Legal Professionals to provide honest and true legal advice to the consumers/clients.
matters needs to be recognized. Further, The Committee recommended Section 37-A has to be added after Section 37 of the Advocates Act\textsuperscript{541}.

- The right of an indigent person to legal aid at all stages in the criminal justice system still awaits declaration as an enforceable fundamental right.
- Performance appraisal by all legal aid authorities: where each district legal aid service authority should be evaluated and compared with other district legal services Authority inter as well as intra states to encourage legal aid.
- Law schools are the blossoming gardens of fresh, young talent to implement Legal aid Programmes. For its effective functioning not only the inclusion of law students but also insertion of the legal academicians, who with their deepened knowledge and experience can be an active part in the implementation of legal aid programme.
- Direct representation of clients in courts and tribunals through a college-based legal aid clinic is the highest form of clinical experience that professional education can offer. Many other activities such as law reform projects, legislative drafting clinics and law enforcement assistance programmes in association with police, prosecuting and correctional agencies are also possible areas for clinical experience.
- Association of retired judicial personnel as visiting faculty may be more useful in certain clinical programmes.
- The Scheme of NALSA, permanent Legal Aid Scheme by the Govt of India is not effectively implemented by Legal Educational Institutions. Some of the Universities have not yet established Legal Aid Clinics in their Campuses. student participation in rendering legal services to the poor is in black shades. Steps to be

\textsuperscript{541} Section 37-A: Legal Aid by Law Teachers and Students: Not Withstanding anything contained in the preceding section, the following categories of persons may appear in any court or tribunal on behalf of an indigent person, if the person on whose behalf an appearance is to be made has requested in writing to that effect: ** For an example of one such curriculum in India, see N.R. Madhava Menon & V. Nagaraj, Development of Clinical Teaching at the National Law School of India: An Experiment in Imparting Value Oriented Skills Training, in Handbook on Clinical Legal Education, Supra note 3, at 238. Processual Justice Expert Committee Report
taken in this direction by Legal Service Authorities by monitoring to create clinics to give legal advice as a preventive strategy.

- To achieve the Constitutional goal of Access to justice and Justice for all, it is necessary to confer legal sanctity to Free Legal Aid Clinics of Law Schools and allow its members to represent those needy persons before various authorities and courts.

- The legal aid movement has to go to the grass root level and help to discover, identify and solve the problems and difficulties of the poor. It is necessary to promote more informal paralegal services in places where basic access to justice opportunities and infrastructures are absent.

- The state schemes should more emphatic and make pointed provisions for preventive aspects of Legal Aid viz., Legal advice, Legal literacy and Paralegal etc. The Authorities should be conscious of not of quantity alone, but quality of legal services as well.

- A reverse osmosis approach needs to be followed where rather than to wait for the poor to come and approach for legal aid a system with the help of NGOs to identify people in need of such services shall be developed, more so because people are ignorant both of their rights and also the availability of legal aid.

- The culture of donations by the privileged sections of the society for the promotion of Legal Services should be encouraged with strict vigilance on expenditure.

- There is no uniformity in Legal Education. Traditional Universities are following their own rules. The Bar Council of India introduced new syllabi (2010) inclusion of practical training papers PT-IV Public Interest Lawyering, Legal Aid and Para Legal Services. Some of the Universities have not opted PT-IV an elective subject. The BCI should made mandatory of this practical paper IV.

- By dissemination of legal knowledge a law teacher can perform a Yeoman's service. By bringing legal awareness from courts to court yards for promotion of
Social justice especially among the under privileged classes, a law teacher can diversify his professional acumen. The Law teacher and Students should be involved for Legal Literacy and Legal assistance so as to decentralize the Legal Aid schemes and Regular legal aid camps to be organized.

- Advocates and Law Teachers may be encouraged in rendering legal services with special income tax exemptions.
- AP State Govt should take measures as recommended by the High Court of AP proposal to setup Gramanayalayas in AP also like in Maharashtra, Madhya Pradesh, Orissa and Rajasthan.
- Judges must be sensitized to the problems of the poor, for their better assistance the Naya Panchayath system to render speedy justice at doorsteps of poor villagers.
- The measure of success in the profession of an advocate shall not be on the monetary basis but the criteria shall be accountability and service to the poor litigants.
- For effective Legal aid services there should be massive national programme of Legal Literacy. Legal Literacy programmes to be freed from the shackles of the Legal profession which presently over-whelmingly rooted in private enterprise.
- Legal aid camps to be organized on a much larger scale in which not only students, teachers, lawyers, NGO’s and social workers but also administrators, police authorities and even judges shall be actively involved in dispensing quicker and more effective justice.
- Lok Adalats should be promoted in the right direction to provide quick justice. The machinery of the Government engaged in the execution of this movement in the State of AP must be geared from bottom to top.
- Public spirited citizens must come forward to help the people through Public Interest Litigations.
• It is high time the Governmental Authorities both at the Center and the State includes some important Legal topics in secondary school curriculum. Professional Education be transformed to public Education by creating awareness about various Acts. The subject on various legislations will have to be introduced at secondary and higher education level such as SSC, Intermediate, Degree Courses and at all levels of education. The syllabus should consist of Indian Constitution, Family Law, Criminal Law, Law relating to Women, Right to Information Act, Consumer Protection Act.

• The agenda in front of the planners and policy makers of globalize economy has a Social Orientation, which enables the National Law Schools to contribute to the empowerment of marginalized and discriminated sections of society by formulating legal aid services and administration of justice.

• The aspect of Social Justice and inclusive growth of legal education should be adequately taken care while formulating Plans and programmes for internalization of Legal Education

• The inclusion of mediation in the curriculum of the law teaching institutions enriches clinical legal education. It should be a co-curricular activity of the law students. Mediation helps the law student to develop their skills before entering the profession. Curricular diversity may help in shoring up the lawyers faith in law. Law Schools may be recognized as Mediation centers and Law Teachers as Mediators and statutory recognition may be given to them, thereby alter the profile of interwoven a new textile of legal education and justice delivery system.

• Women’s organizations should play a crucial role by interacting with local people to create legal awareness amongst masses.

• Media should be utilized to act as a catalyst in Legal Services by connecting judiciary, implementation machinery and Academicians building links between government departments, planning agencies, professional bodies and educational institutions. The media should give publicity to the laws that are enacted to
protect women. The effort should be directed at the grass root level and entrusted to people who inspire confidence in them.

- Several countries permit senior Law students, under proper supervision, to conduct cases of the simpler type and the American Bar Association has made a model rules on legal practice by law students. More than 20 states and the District of Columbia have passed legislation permitting law students some form of supervised practice. There is no reason why in India the government do not permit the student legal aid work on experimental basis including representation in court.

- The government of India should accord permission to interested employees in Govt Depts, like Women & Child Welfare, Disabled, Tribal Social Welfare dept, to do L.L.B. courses as a must as they disseminate legal information to rural masses and thus give training to the anganvadi’s at regular intervals regarding Legal Enactments.

- Bar Council to give permission to the law collages(evening shift), to introduce Diploma courses in ADR.

- Nyaya Seva program have to be telecasted by all channels. Nyaya Seva Programs in ETV2 to be retelecasted on Sunday also.

- Information regarding the list of Names of Duty Counsels have to displayed in notice board at Police Stations.

- The Prevailing and successful Legal practice in Ontario(LegalAid in Canada) is **Dollar Contributions to Legal Plans. Under this plan** Lawyers are required to put money they are holding on behalf of all their clients in trust accounts. In several jurisdictions, some of the interest earned on the money held in these trust accounts is contributed to the legal aid plan. Legal Aid in Ontario provides **Legal Aid Certificate Programme.** The programme provides low income people with certificate for a set number of **hours of service to be provided by a private lawyer (i.e., a juridicare model)** when the lawyer has completed the work the
bill will be paid by the Legal Aid Ontario. It would be appropriate to the Bar Council of India to introduce the same in India also.

- The great majority of people in Denmark, are covered by household insurance policy which includes legal expense insurance, which means that within certain limits the insurance company will pay legal cost. State Insurance Corporation in India has to consider possibilities of introducing the same.

- The Statistical Information reveals the Implementation of schemes by the Uttar Pradesh, Tamil Nadu, Maharashtra and Madhya Pradesh State legal services authorities are vigorously implementing the object of schemes same is necessary in AP.

- Lack of awareness about ADR, people are unable to realize the benefit of the NALSA, Lok Adalat Scheme which resulted in its effective Administration of Justice to the poor.

- Steps shall be taken to implement the New Bill, Legal Practitioners (Regulation and Maintenance of Standards in Profession, Protecting the Interest of clients and Promoting the Rule of Law), 2011, which was introduced in parliament in 2011.

- Due to lack of sufficient staff in implementing NALSA schemes it is becoming ineffective in Administration of Justice to the poor for which the Act is meant. Hence it is necessary to make a mandatory by the Bar Council of India for every new entrant to the profession to serve for a specified period in legal Service Authority on a modest stipend.

- Lack of legal knowledge, resulted in unnecessary litigation hence it is necessary a comprehensive measure to create awareness of legislations among people of
India. Illiteracy resulted in ignorance of law. Due to this the legislations conferring the benefits to the poor are not reaching properly.

Thus, the legal aid programme, if implemented will go a long way towards wiping the tears from the eyes of the teeming millions of Indian people by advancing social justice and providing them equal access to the law and justice. The question that whether it is a myth or reality, can be interpreted that the vision of the pioneers of the legal world is certainly turning into reality, the myth is only of its implementation which will also take a real shape once certain minor reforms executed.