CHAPTER-IX

IMPLEMENTATION OF LEGAL AID IN NOGAON DISTRICT UPTO 8.11.95

THAT IS NON STATUTORY PERIODS.

Nagaon District at present which is the one of 26 districts of Assam, situated in the middle of Assam having three Sub-Divisions namely Nagaon, Hojai and Kaliabor. It has 9 (nine) Revenue Circles namely Nagaon Sadar, Kampur, Raha, Dhing, Rupahi, Samaguri, Hojai, Lanka and Lumding. The District comprises 38 Mouzas, 240 Gaan Panchayats, 18 Anchalik Panchayats one Zila Parishad, 41 Zila Parishad constituencies and 11 Assembly Constituencies. It also contains 1342 Revenue Villages, 5 (five) Forest Villages, 20 (twenty) Tea Gardens, 8 Towns. The whole district has 9 (nine) reserved forests covering 223.54 square K.M. This is also administered through 21 Police Stations aided by 30 (thirty) Police outposts. According to census report of 2001, the total population of this district is 23,12,598 persons out of which 11,92,843 are male and 11,97,555 are female. The rural population of this district is 88.1% while urban population is 11.99%.

The River Brahmaputra flows through the northern part of this district and Brahmaputra is the northern boundary of this district covering other important tributaries like Kolong, Kapili, Sonai, Jamuna and Nikhari. The whole area of this district is 4435.3 square K.M.

Dividing the then Assam in the year 1833, into six districts namely Goalpara, Kamrup, Nagaon, Sibsagar and Dibrugarh were created. At that time the Nowgong
(later it became Nagaon) district covered 3870 square miles or 7422 square km. At that time present Morigoan District, Karbi Anglong (formerly called Mikir Hill) and North Cacher were included within the territory of Nowgong District. Until the post of Deputy Commissioner was created and posted in the year 1839, Nowgong was administered by a Principal Assistant from 1833 having Head Quarter at Puranigudum, which was later transferred to Khagarijan (the old name of Nowgong Town) in the year 1839 and named the Head Quarter as Nowgong.

HISTORICAL PERSPECTIVE OF LEGAL AID IN NOWGONG (NAGAON) DISTRICT

Assam which adopted the tradition to write history during the reign of Ahom in order to find out the various history of Assam as well as Nowgong district one have to depend only upon the various sources of history.

While in Pre-Historical Age like Assam, Nowgong District was primarily inhabited by Tirbeto-Burma community of like Kachari, Mikir (Karbi), Lalung (Liwa), Hajong and the like. The trace of man in Nagaon district in Pre-Historical age can be substantiated through different man inhabited caves found in Mikir Hills and North Cacher Hill according to Historians. Various instances Megalithic Age are found in present Nagaon District particularly upon rocks which signifies the similarity with Megalithic Age’s instances of Dimapur, Kachamari, Maibong, Dhansiri and Daiyung.

The presence of Monolithic rocks bearing the bud of lotus in 10 feet long chessman type, bearing the drawing and in one storied flat rocks of Dayung and Dhansiri valleys are the proof of influence of Hindu Culture. Later on, this influence extended to Tirbeto-Burma community particularly upon Kacharis, in the sphere of ‘SAK IT’ and ‘SA MBA’.
which in course of time 'SIVA' and 'PARBAIT' became the worshipped God of Kachari in the name of 'BURHA' and 'BURHI'. In Nowgong District there are many other 'Buragoshain Thans' or 'Burha-Burhir Thans' to worship 'SIVA' and 'PARBAIT'.

From the above fact it can be deduced that in the Monolithic Age in Nowgong district were inhabited by the Tirbeto-Burma people like Karchari, Lalung and Mikir (Karbi) who followed the traditional customs and as discussed in the previous chapter, they decided their dispute by themselves in Village Councils on MF1 under the leadership of Headman of the village and there existed the system of legal aid at that time.

The history shows that the concept of parties setting their disputes referring the same to a person of their choice was in existence in ancient India. Such references used to be made long before the king started adjudication on disputes. Such disputes were peacefully decided by the intervention of KULAS (Family or Clan Assemblies), Srenis (guilds of men following the same occupation), Parishads (Assemblies of learned men who knew law) and other autonomous bodies. Before the advent of British System of administration of justice Nyaya Panchayats existed at village level to decide simple matters which are reflected in the later enactment of Panchayati Raj Act.

The Historic Age in Assam started two hundred years Before Christ. From the rock inscription of King Samudra Gupta of 5th Century A.D. where it was mentioned that his neighbourly state was Kamrup and Dabak. Now conclusion can be drawn that the Dabak Kingdom was nothing but the kingdom which grew around the present 'Dabaka' area of Nagaon. As the Dabak Kingdom grew beside the tributary Kapili, so another name of the Kingdom was Kapili. One of the kings of this kingdom in the 1st part of 5th Century A.D. sent an envoy to King of China which is supported by
Dr. Birinchi Kumar Baruah wrote out of the old rock inscriptions found in Assam the rock inscriptions which was found in Kapili valley of Nagaon of Maharajadhi Raj Bhutavarma (554 A.D.) is the oldest king. The language of this rock inscription and other languages of administration was Sanskrit. Hence it can be concluded without doubt at that time in Assam the sanskrit language was prevailing including Arya civilisation.

From the above facts it can be guessed that phasewise the Arya civilisation of India also entered and practised by the people of Dabak or Kapili Kingdom. The remaining devastation of 'Maha-Mandir' and rock idol of Nagaon bear the significance of impact and influence of civilisation of Gupta Dynasty period which is supported by Pandit Rakhal Das Bandhoyapaidhya, K.N. Dixit and Kanaklal Baruah. Probably in the sixth century A.D. Dabak Kingdom came under the control of Kamrup Kingdom which lasted upto 9th century.

From 6th century A.D to 9th century A.D. like Assam, Nagaon district was influenced by the Arya civilisation. Hence among the communities the legal aid principle was prevailing as the principle of four 'VEDAS', 'UPANISHADS' and 'PURANAS'. In the village there was village council 'KULANI' similar to the modern panchayat consisted of a group of five or more impartial persons to dispence justice to villagers.

S. Rajguru further reiterates among the 'MATH MANDIR' and images there are many Non-Vaishnavite Math Mandirs and images of Non-Aryans. According to Dr. Chowdhury the different places in which the devastation are found - in Gosam Juri, Akashi Ganga, Gashtol, Mikiratti, Sitajakhala, Mahadev-Sal, Basundhari, Motherbori, Chungchaki, Kawaimari, Jogijan, Amtol, Mowdanga, Udhanganga, Bar-Ganga, Mahamaya.
Than, Na-Bhanga, Kenduguri are prominent (page 198).

From 1st century to 10th century there arose the close relation between the Tibeto-Burma communities which turned into unity and assimilation through SAIBA and 'SAK II' religion, some scholars mention the name of Bodo Community for which Hajar Varma of Salastamva Dynasty even transferred its capital from Pragjyotishpur to Haru Paswer near Tezpur in first part of 9th century. These kings advocated for Hindu Religion so different Hindu MATH MANDIR grew at that time also (page 199).

It can be deduced from the above facts that the unity and assimilation among different communities of Non-Aryans started and phasewise influence attracted and accepted the Hindu Philosophy and religion which like other parts of Assam in Nagaon district too to start the germ of seed of Assamese Nation and Culture started. Hence the Aryans also accepted to some extent the legal aid principles of Non-Aryans along with the prevailing principles evolved from Vedas, Upanishads and Puranas.

The above concept is also accepted by Historian Raj Mohan Nath. Historian Raj Mohan Nath stated that 'It is presumed that there is a prevailing story among the people of Nagaon district that Champawati Nagar of King Hansha Dhawj of Mahabharata epic was situated near Chapanala where many devastations of antiquity are found'.

Dr. S. Rajguru explains 'the women Kingdom Kandali as explained in the 'GORAKHYA BIJOY' was situated in Kandali of Nagaon District.

While in Kamrupa the Tribal Administration of Justice was prevailing the Ahom who came to Assam (the then Kamrup) from Thailand through Patkai Hill in the year 1228 A.D. at that time in present Nagaon District area (no word Nagaon was used at that time) was ruled by small kings like Bhuyas and Kacharis. Ahoms in course of
time defeated Kachari Kings and during the reign of Suhungmung pushed them from Dhansiri Valley to westwards and to the locality of present Nagaon District in the period 1497 to 1539. Ahom also defeated Chutias and Bhuyans of Nagaon and extended Ahom Kingdom.

E. A. Gait says about Ahom administration of justice thus the Chief Judicial Authorities were the three Gohains the Barbarua and the Barphukan in their respective provinces and trials were conducted before them or their subordinates, each on his own jurisdiction. An appeal lay to them from their subordinates and in case of the Barbarua and the Barphukan a second appeal could be made to the sovereign which was dealt with on his behalf by the NYAYA SODHA PHUKAN (Justice rendering officer). The president of each court was assisted by a number of assessors (KALAKIS, DJ VAINAN or PANDITS) by whose opinion, he was usually guided.

From the above it can be decided without doubt that as far as practicable the civil suits were decided locally and only in the case of appeal the cases were tried outside the local jurisdiction.

Bhuyan Kings of Nagoan though surrendered their political power to Ahom but the cultural leadership of Bhuyan continued. During this mean time Sri Sankardev of Bhuyan Kingdom, who started the BHAGWATI BAISHNAWITHE religion and by revolution brought a well cultural revolution in the 15th to 16th century A.D. by unity and assimilation of different communities brought a renaissance to Nagoan district in particular.

Sri Sankardev who started his education under the of Madhab Kandali the famous poet of Pre-Sankari period of old Assam (East Middle Assam) was the court poet of Barahi King Mahamanikya who translated Ramayana to Assamse language.
It is due to persistent effort and endeavour of Sri Sankardev who started the SATRAS and NAMGHARS first from Bhuyan Kingdom and gave birth to first democracy in Assam and gave birth to Legal Aid to administration of justice through 'NAMGHAR' 'KHELIS' and 'SATRAS' which are discussed elaborately in the previous chapter. It is in his tenure the legal aid principles through different 'KHELIS' 'NAMGHARS' got rooted in every nook and corner of Middle Assam (Kamrupa) which he realised being the successor of a Bhuyan King Mahamanikya.

Historian K.L. Barua wrote: "A Bhuyans were practically Chiefs each one them exercising legal authority over a small tract known as BISAYA. They were as if Feudal Lords under Kamata-Kamrupa Kings when the latter were strong enough and when they grew weak, they become the independent ruler of their own tracts. Each of them had a court called 'KARKHANA' a persian word meaning literally a house of work, where they performed magistrial duties, perhaps assisted by Panchayat and their every action was based on reason, rule, just and moral.

From above we can substantiate that is the Kingdom of Bhuyan where forefathers of Sri Sankardeva were Kings practised administration of justice carried through Panchayat, which practised the principle of legal aid to resolve their disputes through Panchayat amicably in the place 'KARKHANA'.

Dimbeswar Neog considered SATRAS as Upper Adalat and Namghars as Lower Adalat, were a working administrative machinery of society."

It is said in ancient India the decision by Panchayats were accepted as binding long before the regular courts were established. The Panchayats were not in the nature of jury or of a justic tribunal but merely a system of an arbitration.
During the renaissance period of Nowgong there were many small Kachari Kingdoms having capital at Barhampur, Sonapur, Banapur and those Kingdoms became subordinate to strong Ahom Kingdom during the reign of Suhungmung (1497 A.D. to 1539 A.D.) while the small kingdoms like Dimaria, Nelli, Goya, Sahari, Dandua, Barapujia, Tapakuchia, Khaigaria, Sara Mayang, Dhing, Tatalia, Salma and Bhaurbandha became subordinate to Ahom Kingdom during the reign of Rudra Singha (1696 A.D. to 1714 A.D.).

About the court of the Koch Kings or the Chutias or the Kacharis, details are still lacking how the trials were conducted in those small kingdoms continued their administration of justice through 'MEL' or 'KIBANG' where their disputes were settled though it and observed and honoured the speedy and amicable legal aid system.

The word Nagaon (British wrote as Nowgong) was first used during the reign of King Pratap Singha (1603 A.D. to 1641 A.D.) his efficient officer Momai Lamuli Barbaruah to whom the responsibility of census was entrusted. Momai Lamuli recognised nine areas (Villages) from Arikatimukh to Kazalimukh besides the river Brahmaputra and its tributaries Kapali and Kalong. These were three 'Bors' Hatbor, Kaliabor and Nizkaliabor, three 'Chakis' Changchaki Jagichaki and Raha Chaki, and three 'Ghats' Silghat, Dhinnghat and Borghat taking together all the nine areas since then it is called 'Nagoan' means areas of nine villages.

The institution of KHEL, MEL, SATRA, NAMGHA and PAIK also helped to organise against injustice committed by Ahom Kings and Officers. The assassination of Laluk Sola Burgohain by Bhotai Deka of Bhotai Goan of Nagoan is worth mentioning in the year 1680 during the month of 1st part of December inspired from different 'KHEL'S' of Nagaon.
The administration of justice and rendering of legal aid during the reign of Ahom Kings through 'PAIK', 'KHEL', SATRA and NAMGHAR. Ahom Kings are already discussed in the previous chapter.

The Ahom who first administered Nagaon area through Viceroy-Borphukan of Kaliabor started the PAIK system—the one of the ways of administration of justice in Nagaon District. Particularly in the last part of Ahom Rule the administration of justice through 'MELS', 'KHELS', 'SATRAS' and 'NAMGHARS' gathered momentum during the reign of Ahom King Gaurinath Singha of (1780 A.D. to 1795 A.D.) who failed miserably to dominate the Madmoria Insurrections even after the help of East India Company fled the to Nagaon and resided in the camp near present Rupahi. So the people of a part of Nagoan organised through above institutions rebelled against King Gaurinath Singha. Indreswar Goswami observed during the staying of Nagaon by King Gaurinath Singha, the people of Nagaon lost peace and tranquility due to atrocities committed by his soldiers and officers. So the people of Chutia Gaon living at a distance of four miles of Khagarijan (now Nagaon Town) gathered and chased the Ahom King Gaurinath Singha under the leadership of Sindhura Hazarika. Facing such a rebellion King Gaurinath Singha returned again to Guwahati through Kalong river. Such chasing of king by threat of attack of Sindhura Hazarika and his followers of Nagaon are termed and known 'RAJAKHADA NA-GAYA' (King chasing people of Nagaon) in the year 1782.

This reveals how the exploited and repressed 'KARIPAIKS' under the inspiration of those institutions particularly of 'SATRAS' 'KHEL' and 'NAMGHAR' organised and participated in famous Madmoria Insurrections for three times in Assam during 1769.
to 1792. This inspired the peasants of Nagaon as well as Assam to start another revolution later on to chase the King Gaurinath Singha in the year 1792. The people of Nagaon particularly derived its inspiration of Madmoria Insurrection which Dimbeswar Neog compares with French Revolution. According to him the main reason for Madmoria Insurrection of Assam was the 'land of people' not of King and Queen, there were people who had self-prestige and self-realisation for which they could sacrifice their lives with laugh-this noble message of Madmoria Insurrection have been speaking so with loud voices.

The above revolution which started to dishonour the 'Vaishnava' (a religious sect) particularly their 'GURUS' of 'SATRAS' forcing to accept 'SAKTICULT' the planned and systematic administration of justice which was continued in Assam could succeed to dethrone the Ahom King and Bharat Goshain become king in the period 1792 to 1797.

From it can be deduced on analysis that the system of administration of justice and Legal Aid through 'KHELS', 'SATRAS' and 'NAMGHARS' in Assam and particularly due to immense influence of Sri Sankardev of Bordowa Satra in Nagaon district also it has been continuing in a systematic and organised manner.

Dr. Jeuti Boorah has stated in the past before the advent of British, while in the rest of India (barring off course the tribal areas) disputes were resolved generally according to the principles laid down in the 'SMRITIES' and 'DHARMASHATRAS', in the tribal areas, these were settled on the basis of perennial customs. These customs varied from rashless retribution to peaceful amicable settlement.

The above peaceful amicable settlement means the concept of legal aid.
Madmoria Insurrection which very much weakened the throne of Ahoms in Rongpur particularly in the days of Gaurinath Singha proving the ability of 'PAIKS', 'KHILIS', 'SATRAS' and 'NAMGHARS' of Madmoria rendered strong belief to the people of Nagoan about democracy, administration of justice proving the win of the people's system of Nagaon as well as in Assam.

The three times attack of Assam by Myanmaris which led to the Treaty of Yandaboo on 28.2.1826 though led to the killing of \(\frac{1}{4}\) of the then Assamese people and to the vast extent ruined the geographical inhabitant of Assamese people but could not destroy and ruin the prevailing 'MEILS', 'KHILIS', 'SATRAS' and 'NAMGHARS' institutions which in phasewise revived and continued the already deep rooted administration of justice and speedy legal aid on amicable settlement of disputes.

The above matters were not exception in the case of Nagaon District also.

It can be mentioned that the administration of justice of Ahom who later spread to Nagaon District through Rahial Baruah of Raha, Jagiwallia Gohain of Jagi (present Jagiroad) and Kajalimukia Gohain of Kajalimukh (now Mayang area) the PMK system later though carried out in Nagaon District but it could not undermine but strengthened the prevailing administration of justice and legal aid initiated through 'MEILS', 'SATRAS', and 'NAMGHARS'.

The 'RIZE MEIL' organised among the peasants of Assam to improve social and political conditions of them at the middle part of 19th century is called first 'RIZE MEIL' of Assam' of British period Maniram Dewan who organised the sentiments of local sepoys against the use of 'GORKHA' sepoys in Assam by British and in the year 1858 organised the renowned Sepoy Revolution or 1st War of Independence and also in Nagaon.
District helped and participated by the sepoys of Nagaon District. It brought the sense of self respect and spirit of nationalism to the people of Nagaon particularly in the matter of administration of justice and the popularity and importance of RAI/ARMEL, PANCHAYATI JUSTICE, KHELSYSTEM, SATRA and NAMGHAR institutions grew vigorously than the before.

It is said under British Rule Panchayati system was not abrogated and provision was made in the Bengal Regulation of 1772 that in all cases of disputed accounts it shall be recommended to the parties to submit the decision of their cause to arbitration the award which shall become a decree of court.

After attaining full control over Assam by the British, they stained every nerve to destroy the prevailing culture, democratic administration of justice and legal aid by the introduction of western culture and education in Nagaon as well as Assam. They also infused and spread the christianity particularly among the tribal and tea garden people of Assam either by the plea of helping financially or by spreading education. Nagaon district was not exception.

In Nagaon district when in 1873 there are not a single Christian in Nagaon now in 2004 there are more than 6% a christian population in this district. Even then the deep rooted culture-administration of justice and legal aid through MELS, KHELS, SATRAS and NAMGHARS among the people and in society are not declining. Off course the English succeeds to practice the same in the neighbouring Mizoram like the tribals of Africa.

The English also tried to destroy those institutions of culture, democracy, administration of justice and legal aid by exploiting Assamse people, introducing their trade and commerce
and allowing to die the local tradition, small scale industries which Mahatma Gandhi later on opposed and started 'SWADESHI' (of own country) movement against them, in which the British though partially succeeded but could not attain their main object.

Like Assam Nagaon district also came under the control of British in the year 1826, and Nagaon District was constituted in the year 1833. In Nagaon district the first time in Assam through 'KHELS' and 'MELS' inspired to organise - the first Peasant Revolution of Phulaguri - 'PHULAGURI DHEBA' in the 18th October 1861, inspired by the 'RIZARMEIL' of Mangaldoi and Rangia. According to Indreswar Goswami while in the year 1861 all the literates, well-to-dos, good earned service holders, businessmen silently bore the atrocities and repression of British. at that time the peasants of Phulaguri gathered in the five days 'RAIZMEL' neglecting the power of British force discussed about the injustice, imposition of tax by British and started rebellion against British which is known as 1st Peasants' Revolution of Assam or 'PHULAGURI DHEBA'. In which one British officer was killed by the irritated peasants and thrown to the Kolang River. The English arrested so many people. The British also hanged to death eight tribal leaders and sent many to KALJAPANI (exile)."

Even those punishments could not dampen the already growing spirit of democracy and administration of justice. legal aid through 'RAIZAR MEIL'.

It is said that the legal system in India is viewed by many as a part of the colonial legacy. The legal system during the British region served as an instrument of oppression and subjugation.

The British at that time to play the card of 'divide and rule' only provided opportunities of administration of justice to richmen and well-to-dos. For which the rich and influential
person received the opportunity to exploit the downtrodden and poor people. So the rich men did not join hands with poor people for which the poor people unified together under the banner of 'RAIZAR MEL' and revolted in Nagaon district like any other parts of India.

Here one can remember the famous remark of an editor "if even a time shall come in this city only the rich man can enjoy law as a doubtful luxury, when the poor who need it most cannot have it. when only a golden key will unlock the door of the court-room, the seeds of revolution will be sown, the fireland of revolution will be lighted and put into the hands of men, and they will almost be justified in the revolution which will follow.

The above remark comes true for various revolution which will follow. The British which tried their level best to destroy the democratic institutions like 'RAIZAR MEL', 'PANCHAYAT JUSTICE' prevailing in Nagaon District like all over India in order to weaken the growing of nationalism among the people of India. The most remarkable weapon to disorganise and demoralised the people were communal electorate system. Lord Chelmsford in its report Chelmsford Commission mentions "we regard any system of communal electorate, therefore, as a very serious hindrance to the development of the self-governing principle.

The above point means how British tried to destroy the self governing institutions like MELS, KHELAS, PANCHAYAT, SATRAS, and NAMGHAIRS.

The British Administration decided that the various organisations which grew up through 'RAIZAR MELS' and found out many devices to break those organisations. The movement were continued without interruptions against atrocities of British and raising...
the rate of taxes by British.19

The administration of justice of Bengal also infused in Assam while they introduced
Bengali Language during the period of 1836 to 1873 in schools, offices and courts of
Assam which influenced in the Nagaon District also.

According to Hunter 20 Halflong, Dimapur, Kaziranga, Jugi, Mayang was the part
of Nowgong District and hence the administration of justice Kachari and Dimasa also
influenced the people of other parts of Nagaon District. Those tribes practised the legal
aid through 'KABANGS' and 'MELS'. Of course due to illiteracy of people the concept
did not grow in a phased manner. Because in 1847 to 1848, there were only 10 Primary
Schools and no other schools in Nagaon district. The British first started the Govt. High
School in Nagaon on the 17th day of November 1865.21

It is only in the year 1894 British constituted the first decentralised government
through Nowgong Municipal Committee which also inspired to grow the systematic
administration of justice and legal aid principle in Nagaon District.

The administration of justice which was prevailing in Nagaon District was administered
through local customs in civil matters and most of cases were decided amicably though
'MELS', 'KHELS'. Only one Munsiff Court for all over Nagaon District and Bar Library
of lawyers started only in 1873.22

Thus due to endeavour of the people of Nagaon and for their growing renaissance
among the people of the district for which the first Public Library of Nagaon District
now known as 'Swahid Bhawan' came into existence in the year 1894. Through this
library the people of Nagaon succeeded to get the comprehensive knowledge of administration
of justice as well as legal aid prevailing the then in Nagaon District.
It is found that in western countries the first legal aid movement started in France in the year 1851, by introducing the Legislation on that behalf. In the year 1874 the total number of advocates of Nowgong Bar Library was only 10 (ten). From the above figure it can be deduced that there were less number of cases coming to Munsiff Court (now Civil Court) due to the reason that most of the civil cases were amicably decided by the VILLAGE MEL. KHEL. SATRA or NAMGHARS which indirectly recognised the force of amicable settlement.

Of course there was no fair administration of justice depending on equity, justice and fair play or good conscience. The hanging to death of Maniram Dewan (a Minister of Ahom King) can be cited as an example.

It is an admitted fact that injustice at any level brings different ill will to justice delivery system. R.C. Chopra writes "A injustice at any level breeds frustration, bitterness and contempt for all institutions established by law. One who suffers injustice loses faith in civilised behaviour and feels inclined to take the law into his own hands; he starts nourishing ideas based on insight is right philosophy.

The people of Nowgong which had played most remarkable and dominant role in the Independence Movement of Assam. Particularly through RAIZAR MEL. KHEL. SATRA and NAMGHARS, the movement was organised and actively participated by the people. There were brusting of people's anger against the prevailing system of administration of justice and exploitation by British.

The Non Co-operation Movement. 1921, Civil Disobedience Movement. 1932 and Quit India Movement. 1942, the indiscriminate firing of British (i) in Barhampur on 18.9.42 leading to the killing four martyars and 96 injured (ii) The firing of Beabajia
on 25.8.42 killing and adding two martyars and 7 injured (iii) The firing of Jungal Balahu Garh on 26.8.42, killing and adding two martyars and 3 injured (iv) firing of Barapujia of 26.8.42 killing and adding one martyars are worth mentioning.

In Quit India Movement organised in larger scale and in highest degree in Nagaon district.

Dimbeswar Neog reiterates actually NAMGHARS and SATRAS of Assam like people's education is the main centre of decentralisation of administration and one of the rarest institutions of India.

After independance in undivided Nagaon, present Morigaon District was within the Nagaon District, there were more than 100 Satras and more than 2000 Namghars, more than 200 Sivasthans, more than 200 religious temples which we can deduce the underlying organisations of 'KHELS', 'SATRAS', 'NAMGHARS' and 'RAJAR MAI' which the administration of justice and legal aid programmes are carried out. The amicable settlement of disputes by Elders in those institutions become the order of the day.

Dimbeswar Neog further reiterates Sankardev before 500 years sowed the seed of democracy extensively by converting the rare and non understandable sanskrit literature into mother language Assamese by extraction for the general mass people of Assam like distributing neetre adopting first democratic method like translation of Bible by Uchit to English language.

The above seed of democracy in phasewise helped to organise the 'KHELS', 'SATRAS' and 'NAMGHARS' which served as a core organisations institutions to provide legal aid and administration of justice.

Undivided Nagaon district which had all total 24 Tea gardens, the labourers of
which embracing Assam as their motherland. So they are observing most of the cultures of Assamese people. Though there are various tribes/clans of tea labourers coming from different parts of India, yet among their own tribe there are the principle of administration of justice to decide their own disputes amicably by following the principles of legal aid particularly at their religious/cultural institutions.

The Musalmans who migrating from East Pakistan (Now Bangladesh) since 1947 residing in Nagaon form a for midible part of population of Nowgong, mostly decide their disputes locally through KAZIS or MAULAVIS. Sir Nasairwan Engineer, Advocate general of India says to Noni Palkhivala, "in 1947 'I am inclined to the view that it is better to have KAZI Justice, where are wise man decides what he thinks is right and that is the end of it'

How legal aid phrase which is acquired by usage. Alka Srivastava, explains the Encyclopadia Britania defines legal aid as phrase which acquired by usage and court decisions, a specific meaning of giving to person of limited means or for nominal fees, advice an counsel to represent in court in civil or criminal matters.

Dr. Jeuti Baruah explains '" after Independence, the tribal areas of the then state of Assam, except the North East Frontier Tracts came under the perview of the sixth schedule of the constitution according to which certain categories of offences and civil disputes could be tried by the village councils or courts established by the Autonomous District Council like wise the tribals of Nagaon district resolved their disputes through village council amicably. After Independence of India, the Constituent Assembly though directly did not recognise the legal aid but by the indirect way recognised legal aid.

Mamata Rao writes '" the fundamental entitlement, set out in Article-14 of the constitution
of every person to equality before the law and equal protection of the laws and in Article-22 of every person arrested to consult and to be defended by a legal practitioner of his choice argues a case for free legal aid. Article 41 also obligates the state to make effective provision for securing the right to public assistance in the cases of underserved want and Article - 46 directs that the state shall promote with special care the economic interests of the weaker sections of the community and in particular the Schedule Caste and Schedule Tribes and shall protect them from social injustice and all forms of discrimination and exploitation. Democratic decentralisation down to the village level is implied in Article- 40 and the institutions of Nyaya Panchayats of respectable antiquity is justice at the grass roots level, free, by the people and for the people.

Justice Darvid Annouswamy says people should remember that all their disputes even very important ones were solved by Panchayat quickly and efficiently through an entirely oral process without any paper work. That remains still the way the best suited for the illiterate or semi-illiterate people. What the Panchayatdars and the people require is a clear knowledge of the new laws. Their legal education will bear immense fruit.

After Independence in Nagaon District also the started the Rural Panchayat System from the year 1955 as per provision of Assam Rural Panchayat Act. 1948 and the Assam Government helps the people to avail Panchayati Justice and legal aid through Panchayati Adalat established in every Rural Panchayat which continued even after the formation of Three Tier Panchayati Raj started from the year 1966.

After giving the constitutional and statutory status to Panhayat by 73rd Amendment Act. 1992 giving effect from 24.4.1993, where there is 30% reservation of women.
a revolutionary trend of decentralisation of powers entrusting responsibility to 28 state Departments, the Panchayati Justice are growing tremendously.

Discussing the impact of Panchayati Justice evolved after 73rd Constitution Amendment Act, the access to justice provided through legal aid in Panchayat are termed as peaceful revolution by Ramprasad Chaliha if a bloody and gruesome revolution is not our choice every state of India must accept the way of a peaceful revolution and implement the 73rd Constitution Amendment Act, without delay and grant the wretched and the down-trodden the right to self determination. Panchayati Raj is certainly a revolution in Indian style in the tradition of Lord Buddha - the precursor of the 'age of reason' who revolted against oppression, on the downtrodden not 'through barrel of the gun' but with the voice of the humanism.

Nagaon district also avails the facility of 73rd Constitution Amendment through Assam Panchayati Raj Act. 1994.

Though Committee for Implementation of Legal Aid Schemes (CILAS) was first constituted in the year 1980, like India in Nagaon District also, the legal aid scheme in private economy of lawyering did not provide legal aid and advice in an efficient and capable manner upto 1985, though in Assam legal aid schemes was introduced in the year 1978, following Assam Legal Aid Rules. 1978.

Nagaon also experienced the change set of Rules after 1978 in the year 1986 and lastly the Legal Aid Rules, 1987 came into effect on 8.11.95.

In Assam though the said Rules introduced in the year 1978 but no effective steps were taken up till last part of 1985."

In the first part of the year 1986 after Assam Gana Parishad Party came to power
in Assam, they took various vigorous steps like Assam in Nagaon District to implement Legal Aid Schemes.

In Nagaon the following steps were taken to implement Legal Aid Scheme under the direction of Committee for Implementing Legal Aid Schemes (CILAS), New Delhi and implemented through Assam State Legal Aid Board.

The following is the organisational structure of Legal Aid in Assam -

**Committee for Implementaion of Legal Aid Scheme**

- Assam State Legal Aid Board
- Assam State Legal Aid Advisory Committee

**SUB DIVISIONAL LEGAL AID COMMITTEE**

The following works were implemented in Nagaon District:

a) Orientation Programme to Judicial Officers.

b) Orientation Programme to involve members of Bar Associations to Legal Aid Schemes.

c) Involved the Nowgong Law College to organise Legal Aid Camps through students.

d) Lok Adalat to amicably settle disputes outside the courts.

e) Legal advice to arouse legal awareness.

f) Pre-litigation cell.

g) Training of Para-legal

The persons who were eligible to avail legal aid whose annual income of the
applicant for legal aid from all sources does not exceed Rs. 15,000 - in case of general applicant and Rs. 20,000 - in the case of an applicant belonging to scheduled castes and scheduled tribes or other Backward Classes.

**Orientation Programmes to Judicial Officers**

In order to provide up to date knowledge about legal aid and sensitisation of judicial officers as per direction of the Committee and Assam State Legal Aid Board and Council orientation programmes were organised by the District Administration with the help of Nagaon Legal Aid Committee where Deputy Commissioner was chairman. District Judge was executive chairman and Chief Judicial Magistrate was secretary. The orientation programme organised jointly with Morigaon Legal Aid Committee. Justice R.C. Chopra, Member Secretary, National Legal Services Authority writes "sensitisation of judicial officers, their interest in Legal Aid Programmes should be reflected and all the High Courts should take steps to sensitising the judicial officers in regard to Legal Aid Programme and Schemes.

**Orientation Programmes to Members of Bar Association**

The Nagaon Legal Aid Committee also organised Orientation Programme to members of Nowgong Bar Association. Stress was made to inform about the new legal aid scheme and persuade to involve the lawyers to prepare panel of interested lawyers for rendering legal aid to the beneficiaries under these rules."

The orientation course also held to provide mobile teams consisting of advocates from moving out from place to place."

The mobile team also visited places from time to time or prefixed dates so that the beneficiaries under these rules may take advantage to obtain free legal aid and advice
without incurring any expenditure on travel that is at their doorsteps.

The orientation programme also held to get the involvement of Bar in the organisation of Legal Aid Camps. The Programme also helps to convince the experienced and senior lawyers to enroll their names in the panel of lawyers for rendering legal aid to the beneficiaries under those rules.

**Involved Law College to Organise Legal Aid Camps**

Assam Legal Aid Rule, 1987, by following the programme encourage Law College, the Secretary, Legislative Department, being the Member, Secretary of Assam State Legal Aid Board and Assam State Legal Aid Advisory Committee provided fund to Nowgong Law College to set up projects for giving legal services to the weaker sections of the people and help them running such projects with the help of law students.

The Assam Legal Aid Rules also provide to organise legal aid camp, and Legal Aid Clinic in collaboration with High Court Legal Aid Committee.

Nowgong Law College organised several legal aid camps in several parts of the district with the help of the students of the college in order to awaken the people about several legal rights and legal provisions of several Acts including natural justice and natural rights. The teachers and students also provided legal advice to the people in those legal aid camps.

The Nowgong Law College also provided legal advice to those people who approached the Authority of Nowgong Law College.

The secretary Legislative Department who is also Ex-officio Secretary of the Assam Legal Aid Board also provided the Nowgong Law College with fund to organise the Legal Aid Camp to accept the application of legal aid in FORM-A under Rule 15 of
# TABLE 58
## STATEMENT OF LEGAL AID CAMP OF NOWGONG LAW COLLEGE

**Source:** FILES OF NOWGONG LAW COLLEGE

<table>
<thead>
<tr>
<th>Sanctioning Authority of money for Legal Aid</th>
<th>AmountSanctioned to Nowgong Law College</th>
<th>Date &amp; Number of Legal Aid Camp Organised</th>
<th>Places where Legal Aid Camp organised</th>
<th>Number of person benefitted by Legal Aid Camp</th>
<th>Name of Chief guest who attened Legal Aid Camp</th>
<th>Number of students who organised and delivered Lecture</th>
<th>Name of students who organised Legal Aid Camp</th>
<th>Service rendered to the people who attended Legal Aid Camp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kamal Jashan, B.A., I.I.B.</td>
<td>3000.00</td>
<td>2.11.88 Seven</td>
<td>1) Bhimargaon</td>
<td>- 88</td>
<td>Pankaj Barkakaty Principal Nowgong Law College</td>
<td>Seventeen</td>
<td>1) Dilip Kalita</td>
<td>1) Described about various legal provisions</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2) Milar Hat</td>
<td>- 85</td>
<td></td>
<td></td>
<td>2) Ask to distribute Form 'A' who wants Legal Aid</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3) Panigaon</td>
<td>- 102</td>
<td></td>
<td></td>
<td>3) Answered question raised by the public</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4) Bar Panigaon</td>
<td>- 95</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5) Pahukata Panigaon</td>
<td>- 81</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6) Nam Panigaon</td>
<td>- 106</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7) Puranigudam</td>
<td>- 111</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:**
- Assam Legal Aid Rules, 1987, which Nowgong Law College accepted it and forwarded it to the Secretary, Nagaon Sub-Divisional Legal Aid Committee.
The above is the progress report of legal aid camp rendered by Nowgong Law College.

**Lok Adalat to amicably settle the dispute outside courts**

During the days of the Committee the Lok Adalats were held to amicably settle the disputes. In the Assam Legal Aid Rules 1987, there is no where the name Lok Adalat yet what is Lok Adalat, its objects, meaning, duties and powers are already discussed in previous chapter.

Yet if we recollect P.S. Narayan who says "the roots o Lok Adalat can be traced back to the Vedic Times in the periods of Kautilya, Gautama, Brihaspati and Yajnavalkya. These were then known as People's Court. Kula Courts or the Sreni Courts, except for the nomenclature of common people."

So now in this era, where an alternative dispute resolution mechanism is gaining favours, Lok Adalats have gained popularity as the people's court devoid of legal intricacies and soaring expenses.

Lok Adalat is a system of Panchayati Justice, a devise and the only means by which for ordering disputes as assured of a system of judicial administration which would not be too expensive for him and which would not be dilatory for him.

Mamata Rao describes "another ill-recognised branch of the legal aid complex is the involvement of the common people in the administration of justice. In England we have 'justices of peace', the Soviet runs 'People's Court', India had under Gandhiji, advocated the decentralised justice through the popular machinery of the Panchayati Raj. The judicial process must be recognised as to make legal relief easily accessible to the indigent and the backward in our villages - for India lives in her villages and
most of the countryside is smeared with poverty and social squalor. It is therefore, the
duty of state to provide cheaper local machinery for resolution of legal disputes with
an eye on promoting settlements.

In the previous chapter how in Assam as well as Nagaon District the Lok Adalat
were held as per guidelines provided by Member Secretary Assam Legal Aid Board.
is discussed.

So even in Nagaon District the success of Lok Adalat completely depends upon
the interest of the convenor as well as Sub-Divisional Legal Aid Committee. Yet there
were Lok Adalats organised in Nagaon District to benefit the people particularly in
litigative matters to settle the disputes amicably.

The following are the reports of Lok Adalat held during the days of Committee
for Implementation of Legal Aid Scheme in Nagaon District.

**Table 59**

<table>
<thead>
<tr>
<th>Date</th>
<th>Place</th>
<th>Cases</th>
<th>Amount awarded in Rs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Misc.</td>
<td>MACT</td>
</tr>
<tr>
<td>29.10.88</td>
<td>Nagaon</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>10.3.90</td>
<td>Kaliabar</td>
<td>75</td>
<td>25</td>
</tr>
<tr>
<td>16.2.91</td>
<td>Nagaon</td>
<td>79</td>
<td>39</td>
</tr>
<tr>
<td>4.7.93</td>
<td>Nagaon</td>
<td>62</td>
<td>12</td>
</tr>
<tr>
<td>21.1.95</td>
<td>Nagaon</td>
<td>70</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>286</td>
<td>87</td>
</tr>
</tbody>
</table>

From the above Table on analysis it can be easily guessed that the Lok Adalat
may not held even once in a year. Even the number of cases settled were not increasing.
proportionately which proves that the popularity and attraction of Lok Adalat did not increase vigorously and it may on a low ebb during that days, though it strictly adhere to the principle of justice, equity, fairplay and other legal 'principles'. Of course like India for the people of Nagaon District did not experience the test of Lok Adalat for the first time. Having separate nomenclature as people's court the concept had been prevailing in Assam is general and in Nagaon district in particular.

So Dr. Mamata Rao explains it may no be out of place to highlight that the Pre-British India had practised constitutional machinery and the days of the Hindu and Muslim rules had witnessed an unsophisticated methodology of dispersing justice to the poor, inexpensively and immediately. Monarchs gave audience to the public, heard grievances and gave remedies. Legends, which are rich with justice having been method in this fashion even where the wrongdoer has been highly placed, illumine the story of our country. In short, justice has been an Indian creed of long ago.

Another reason for less popularity and attraction of Lok Adalat during the days of the Committee may be its non-statutory status. Hence the number of cases settled in MACT cases grew more in comparison with other civil and criminal cases to where the aim and object were to get reward as money in a reasonable time.

Low literacy rate and less legal consciousness are other sides for the less fruitfulness of Lok Adalat and lack of awareness.

Poverty also stand as a strong hindrance for accepting the benefit of Lok Adalat. many people do not know the amicable settlement method through Lok Adalat.

While the attitude of lawyers upon the execution of Lok Adalat that early settlement disputes may hinder their way to earn more from the clients were one of the reasons
for not informing/inspiring the clients to accept the benefit of Lok Adalat.

Less publicity upon the scheme from the end of the government was the another
cause for less attraction to the institution of Lok Adalat. In Nowgong there are not
a single signboard of Committee for Implementation of Legal Aid Scheme, describing
allow Lok Adalat or legal aid to poors.

A.M. Ahmadi on 15.9.91 says several reformative legislations were enacted
to benefit the poor and umpteen number of poverty amelioration schemes have been
introduced from time time to combat poverty but, alas, the benefits of these legislations
and schemes have not reaches the poor on account of defective implementation. economic
system like ours there is a related need for professional support to ensure effective
implementation of such heavy schemes. This here I see lack of sufficient professional
service support to that vast majority who cannot afford competent professional service.
It is our endeavour to bridge the gap through our legal aid programmes.

**Legal Literacy and Advice to arouse legal awareness**

During the day of Committee for Implementation of Legal Aid Scheme, there was
no such remarkable progress noticed in Nagaon District as well as Assam in the matter
of legal literacy and advice to rouse legal awareness among mass people of Nagaon
District.

The office of District & Session Judge, Nagaon being the present office of Nagaon
District Legal Services Authority could not provide the adequate data of legal advice
since 1978. So it is not possible to provide the actual data of legal advice rendered
since 1978 to 21.6.98.

The office of the Secretary Legislative Department, who were Secretary Legislative
Department, and Member Secretary of Assam State Legal Aid Advisory Council could not provide distriwise report of Legal Advice rendered.

But from the write up on State Legal Aid & Advice Boards Published for Assam State Legal Aid and Advice Board in froms, 8 legal aid camps clinics were held in different Law Colleges of the state.

Vigorous steps have been taken by the Board for giving wide publicity to the scheme amongst the rural poor through Press, Radio and Television, Seminar and by distribution of pamphlets and posters. The Legal Aid Scheme has gained popularity amongst the masses in the state.

Again if we analyse the statistical information of Legal Aid and Advice in Law Courts, based on the information provided by State Legal Aid and Advice Boards Districts Legal Aid Committees it is found in Assam at serial number 3 there is no progress report upto 1980, and from 1981 to 1986. From it can be deduced the above that like Assam even in Nagaon District there were not a single person benefitted since inception to 1986 by the provision of legal aid and advice.

Again if we analyse the statistical information of number of persons who have been provided Legal Aid and Advice by State Legal Aid and Advice Boards District Legal Aid Committee it is found in Assam at Serial Number 3, for the year 1987 and 1988 not a single person benefitted from legal aid and advice. From it can be deduced that like Assam upto 1988 not a single person of Nagaon District benefitted out of legal aid and advice. It means upto 1988 practically there were no implementation of the scheme of Committee for Implementation of Legal Aid Scheme and the rules made in Assam in 1978, 1984 and 1986 were only on papers, which served no purposes.
for the economically weaker people of Nagaon as well as Assam.

In the above table only in the year 1989 it is shown the number of beneficiaries as 1005 (consolidated) and is the column - total (1980 to 30.6.1991) as 1005. From above it can be deduced without doubt that after the framing of The Assam Legal Aid Rules, 1987, there are very little progress made in the matter of providing legal aid and advice. Even the first Lok Adalat organised in Assam was only on 12.12.87 and in Nagaon District on 29.10.88. If we find out the percentage of person received legal aid and advice then the following figure will come out in the matter of number of persons receiving legal aid in Nagaon District in the year 1988-

Table 60
STATEMENTS SHOWING THE NUMBER AND PERCENTAGE OF PERSONS RECEIVED LEGAL AID IN NAGAON DISTRICT

<table>
<thead>
<tr>
<th>Name</th>
<th>Total population in the year 1988 (Census Report 1971)</th>
<th>Total person benefitted by Legal Aid</th>
<th>Total people below poverty line in 1988</th>
<th>Percentage of people benefitted by Legal Aid and Advice 1988</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assam</td>
<td>14,625,152</td>
<td>1005</td>
<td>43.8 Lakh</td>
<td>.025%</td>
<td>No census performed in 1981 in Assam</td>
</tr>
<tr>
<td>Nagaon Dist.</td>
<td>16,75,537</td>
<td>52 (Proportionately)</td>
<td>4.92 Lakh</td>
<td>.00015%</td>
<td>No census performed in 1981 in Assam</td>
</tr>
</tbody>
</table>

In the above mentioned table in the year 1990 and 1991 there were shown no figure to provide legal aid and advice to the people and upto 30.6.91 in Assam there were no increase of number of persons to receive legal aid and advice.

Hence from the above figure it can be ascertained that even in the Nagaon District from 1978 to 30.6.91 only 53 that is proportionately only .00015% of people below povertyline only received legal aid and advice, which utterly reveals the so called execution
of legal aid in Nagaon District which had virtually no value and impact amongst the people below poverty line.

Justice S.B. Majumder of Gujrat High court writes it is easy to combat poverty of litigants by providing a free legal aid system, but it is difficult to redress the grievances of a person who out of sheer ignorance and/or negligence does not know what wrong is exactly committed with respect to him, whether there is any remedy, for it and if so what steps may be taken by whom and how. This requires a considerable spread of legal literacy which is wanting even amongst those who are otherwise considered to be literate in the common parlance.

So imparting legal literacy and legal advice in various levels like Law Colleges, Bar Councils, Social Organisations, Non Government Organisations and public that deficiency can be removed.

Pre-litigation Cells

The definition of the legal aid in the Assam Legal Aid Rules, 1987 include Pre-litigation settlement. The definition reads as follows - legal aid shall include any programme of legal advice at the pre-litigation stage by rendering correct and honest advice as may be laid down from time to time with a view to exploring the possibilities of avoiding court litigation.

Virtually not to speak of Nagaon district, but also in Assam there was no single pre-litigation cell to amicably settle the disputes' before coming to court as suit or case. As per direction and guidelines of Assam Legal Aid Board, those Law Colleges started Legal Aid Clinic tried to settle a few cases in pre-litigative stages, which are meagre in number.
Training of Para-Legals

According to Justice A.M. Ahmed, Executive Chairman, Committee for Implementation of Legal Aid Scheme, para legals who are otherwise known as bare foot lawyers to go to the villages and to disseminate the legal literacy programmes and to educate the common men more particularly the oppressed and depressed and the women about their rights guaranted under the constitution and various enactments.

Particularly in Nagaon district there was no such special programme to train the para legals except to train the law student through legal aid camps, legal aid clinics, seminars about the duties, rights and liabilities of para legal to cope the students to raise legal awareness and legal literacy.

Secretary Legislative Deptt. who was Ex-Officio Member Secretary, sent guidelines to Nowgong Law College and requested to organise Legal Aid Camps and to open Legal Aid Clinic.

Following the above direction the Nowgong Law College started the Legal Aid Clinic. The following is the detail report of Legal Aid Clinic -
TABLE-61
STATEMENT SHOWING THE ACTIVITIES OF LEGAL AID CLINIC OF NOWGONG LAW COLLEGE
Source: Files of Nowgong Law College

<table>
<thead>
<tr>
<th>Sanctioning Authority of fund for Legal Aid Clinic</th>
<th>Sanctioning Letter of money to Nowgong Law College</th>
<th>Amount Sanctioned to Nowgong Law College in Rs.</th>
<th>Date of starting of Legal Aid Clinic</th>
<th>Distinguished person who inaugurated the Legal Aid Clinic</th>
<th>Name of special guest of opening ceremony</th>
<th>Parties who helped to organise Legal Aid Clinic</th>
<th>Documents supplied by legislative department</th>
<th>Functions performed by Legal Aid Clinic</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Md. Saudullah, Joint Secretary, Legislative Department</td>
<td>No. Jc. 67/86/87-88, Dtd. 8/9/87 for the Session 87-88</td>
<td>3000</td>
<td>24.4.88</td>
<td>Dr. S.K. Medhi, the then Minister of Law of Assam</td>
<td>Lakhswar Hazarika, President, All Assam Lawyer's Association</td>
<td>Hemkanta Sharma, Advocate, Nagaon Bar Association</td>
<td>D.C., Nagaon Chairman Sub Divisional Legal Aid Committee, Nagaon</td>
<td>Copy of the Assam Legal Aid Rules 1987 Guidelines of the Legal Aid Clinic Guideline of Legal Aid Camp including holding of Iok Adalat</td>
<td>1. Constituted Legal Aid Committee under Chairmanship of Principal 2. Helped to supply and fill up Form A under Rule-5 and collected it. 3. Placed the fill up forms in the meeting of Legal Aid Committee. 4. Issued Summon to the opposite party to settle the dispute amicably in prelitigative stage 5. Refer the matter to Sub Divisional Legal Aid Committee which failed to resolve at Legal Aid Committee Level.</td>
</tr>
</tbody>
</table>
On analysis it is found that Nowgong Law College pioneered to start Legal Aid Clinic, in which students were made para legals and taught the art of interviewing the client, make the report out of interview, find out the actual legal provision to be applicable, help to fill up the Form A, place the summary of case to Legal Aid Committee, issue summons to opposite party, find out the tactness to amicably settle the dispute. Though it was a good beginning but virtually it lasted only up to 1989. Due to non sanction of further money from Govt. it suffered a setback and lacked initiative.

In concluding this chapter it can be said without doubt that in Nagaon district during the days of Committee for Implementation of Legal Aid Scheme, that is from 1978 to 8.11.95, the legal aid scheme was not implemented properly and it executed in a very low ebb. This was also applicable in Assam while Committee for Implementation of Legal Aid Scheme thought that it was every state's responsibility for providing legal aid to the needy persons.

Even in India upto 9.1.82 only nine states and one Union Territory implemented legal aid and advice scheme as recommended by it. Upto 2.10.83 if we compare the progress of legal aid in Nagaon district on the all India prospective, we can find the following comment of S.S. Sharma44 on the basis of available statistical figures it was felt that no substantial progress has been made in the litigation oriented legal aid programme (except the state of Tamil Nadu). It was further realised that High Court Legal Aid Committee and Committees at District Levels did not inspire much confidence in the people because they were reluctant to seek assistance from these committees. Common men considered legal aid as a gimmick of the Government.

The progress in legal aid activities of Committee for Implementation of Legal Aid
Scheme is constant and gradual.

According to Mr. S.S. Sharma the Committee for Implementation of Legal Aid Scheme has never given legal aid directly to the poor persons but financed and supported various committees at different levels. In order to prepare National Plan on Legal Literacy it has entrusted the law teachers and members of the Bar to compile teaching materials on legal aid. It has successfully organised para legal training camp at different places.

But in the case of Nagaon district no para legal camps were successfully conducted to train them except in the year 1988. Though the schemes implemented on the direction of Committee for Implementation of Legal Aid Scheme make a clear dent all over India for which the Government of India was compelled to enact The Legal Services Authorities Act, (LSAA) 1987, though for various constraints and constitutional difficulty implementation came into effect from 9.11.95.

In Nagaon district though Lok Adalat were held at long intervals from 29.10.88 to 8.11.95 yet the very old Panchayati Raj system inherited with a conciliatory approach of justice is still alive and has a good future as a preventive, participatory and distributive justice.

Nagaon District being the native district of Bhuyan Kings and Saint Sri Sankardeva. also one of the prominent districts to rouse the nationalism after renaissance and its very active participation in Independence Movement of India. inspired by the Vedic principles of resolving disputes amicably, added by the spirit of KEBANG (PEOPLE'S COURT) of Tribals, PAIK system of Ahoms, MEL, SATRA, KHEL and NAMEGHAR system of Sri Sankardev and lastly the strong force of 'RAIZAR MEL' of Independence Movement prove it hard not to crack and moulds and increases the spirit of legal aid
through amicable settlement. Though the implementation of legal aid like Assam even
in Nagaon district during the days of Committee for Implementation of Legal Aid Scheme
(CILAS) was far from satisfactory. The Committee for Implementation of Legal Aid
Scheme could not reach to almost all needy poor people living below poverty line in
far flung area particularly in Nagaon district.

But it can be concluded that the gradual, phasewise and timewise advance of
legal aid spirit slowly concretised the system of legal aid which we find will flourish
to the stage of Banyan tree's stage in the future days to come.

NOTES AND REFERENCES
1. Rajguru. Dr. Sarbeswar: 'Itihasar Patmali: Asamiya Samaj and Sanskriti'. Balgopal
2. Ibid. P-196. Para -I
3. Ibid. P-196. Para -II.
5. Supra Note - I. PP- 197. 198. Para-II to I.
7. Supra Note - I. P - 200. Para - I.
9. Supra Note - I. P - 200. Para -II

10A. Baruah, K.L.- 'Early History of Kamrupa'. 1933. P-278.


12. Supra Note -1. P- 204. Para -I


13. Supra Note - 1. P - 206. Para -II


14A. Supra Note -11. PP - 417. 418. Para- III and I


15A. Supra Note- II A. P-29. Para- V.


17A. Gupta, Dr. Jai Prakash -'Expeditious Justice - Problems and Solutions': Souvenir

17B. Note of 'Onlooker' (a magazine) which he addressed at 25th Anniversary Dinner of the Legal Aid Society Newyork. 1901. P - 107.


23. Ibid. P -3 (Assamese Section). Para- IV


26A. Supra Note -17A. P-108. Para-III

27. Shrivastava. Alka- 'Legal Aid Programme in India- A Constitutional Guarantee'. P-871

27A. Supra Note -14B. P - 76. Para -V.

Para - VII to I.

   Official Newsletter Pandicherry State Legal Services Authority. P-8 (Appendix).

29. Sharma. S.S. - 'Legal Aid to Poor.' Deep and Deep Publications. 1-159. Rajouri


    Issue-I. Jan-March'2k. P-33. Para -III.


32. Vide Rule- 2 (1) (b) of The Assam Legal Aid Rules. 1987.


34. Vide Rule -4 (16) of The Assam Legal Aid Rules. 1987


    P-6. Para- II


38. Ibid. P-378.

39. Report of 'Legal Aid NEWS Letter' the official journal of The Committee for
    Page - 14, Para - II.
39A. Ibid. P-6. Para- II.


F-159, Rajouri Garden, New Delhi - 110027. 1994. P - 277. Table: 5.16 A.

41. Ibid. P - 278. Table - 5.16 B.

41A. Supra Note-39. P-16. Para -II.

42. Vide Rule - 2(c) of The Assam Legal Aid Rules. 1987.

42A. Letter No. L.Gl. - 67/86/61 Dtd. 27.3.88


44. Supra Note -29. P - 80. Para - IV.

45. Supra Note -29. P -81. Para -I.