

SCHEME FOR MOBILE LEGAL SERVICES-CUM- LOK ADALAT IN MAHARASHTRA

JUSTICE AT THE DOORSTEPS

❖ OBJECT :

The Legal Aid is an essential part of the administration of justice. The goal is to secure justice for the weaker and downtrodden sections of the Society. The democracy has no meaning for the citizens unless they are able to secure their basic rights namely Education, Employment and right to live life of dignity and self respect. The Maharashtra State Legal Services Authority has committed to effectively protect and safeguard the rights of all the citizens particularly, weaker and under-privileged.

The ignorance of rights and remedies have always been a great hurdle to the successful implementation of any legislation, welfare schemes, etc. Therefore, it is an obligation for Legal Services Authorities to accelerate its efforts to increase awareness among the people. Indeed, under the innovative and valuable guidance of Hon'ble Shri Justice Swatanter Kumar, Chief Justice of Bombay High Court, Patron in Chief of MSLSA and Hon'ble Shri Justice J. N. Patel, Judge, Bombay High Court, Executive Chairman, the MSLSA have undertaken laudable efforts to empower the poor and weaker sections of the Society so as to enable them to derive full benefits of their legal rights.

Everyday new social legislations are being enacted in addition to several welfare schemes such as, a) National Rural Employment Guarantee Act, b) Maintenance and Welfare of Parents and Senior Citizen Act, 2007 c) The Unrecognized Workers' Social Security Act, d) Domestic Violence Act e) Consumer Protection Laws f) The Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex-Selection) Act etc. Generally all these Acts provide major benefits for the vulnerable but all these rights and benefits will have little impact since the people lack legal information and advice, especially in rustic areas.

A large section of our Society has no knowledge about their rights due to illiteracy and it is therefore imperative to make them aware about their rights and remedies by providing legal services to all such needy people at their door-steps. It is an idea of introducing Mobile Van for Legal Literacy and Lok Adalat that in case, poor, needy and marginal sections of the Society realizing difficulties to approach

the Legal Services Authorities for legal help, the Legal Authority would approach them at their door-steps. There are also people suffering from some kind of inhibition in approaching the Legal Services Centres at the District and Taluka Places. Therefore the scheme of 'Mobile Legal Services – Cum- Lok Adalat, is proposed to be launched with trained and experienced Judicial Officers, Social activists who will visit every nook and corner of the villages and more particularly, remote tribal areas, villages and hamlets of tribals and rustic children, slum areas, industrial areas, etc. to impart legal awareness among the women, S.C., S.T., labourers, economically weaker sections of the Society, etc. and also to organize Lok Adalats to resolve disputes amicably and instantly. The Mobile Van shall visit to various Police Stations, Jails, remand homes/shelter homes etc. in the area to ensure that there is no violation of Human Rights and to address the problems of inmates for access to justice.

The Team of the mobile van comprising of Judicial Officers (retired or serving), Lawyers, Social Activists, NGOs, Law Students and Law Teachers, will visit villages, slum areas, remote, tribal and rustic areas, etc. on fixed date or intermittently as per the schedule of the programme to be prepared by the concerned DLSA.

This team would:

- Create awareness on new Laws through written and visual materials in the local language.
- Counsel and advice those coming to the Camp with particular problem.
- Resolve the disputes amicably through compromise and settlement between the parties in the Lok Adalat.
- Provide information about legal services and legal aid, if people want to file a case.

Definitely, it would be an important step towards legal empowerment of illiterate villagers and specially poor, women, children, downtrodden sections of the Society.

❖ FACILITIES AVAILABLE WITH MOBILE VAN

The vehicle would be used as a Mobile Lok Adalat-cum-Legal Awareness Van providing requisite inbuilt infrastructure for holding mobile court, Lok Adalats as well as Legal Awareness Camps, etc. The infrastructure is proposed to be provided as under :-

- Two numbers sliding platform, sliding below the floor on left hand side. The entrance door with two numbers benches and chairs foldable type.
- Court compartment with three numbers, comfortable chair with handrest for Judges on raised floor. One seat besides Judge for Clerk and table for Judge.
- Room for Presiding Officer with sofa and center table.
- Roof carrier with ladder.

- Computer with Printer.
- Sitting facility for stenographer-cum-Computer Operator and sitting arrangement for lawyers.
- File cabinet in the room of Presiding Officer.
- File cabinet in full length in Court room.
- DVD player, Cassette Player with T.V. having swing bracket.
- Room mounted projector with screen.
- Internal and external Public address system.
- Honda make Generator set.
- Hallogen lights for illumination.
- Painting of vehicle from exterior with emblems, name of the Institute, Authority, etc.

❖ ROUTE OF MOBILE VAN

The Maharashtra State Legal Services Authority, Mumbai, in consultation with the concerned DLSAs, shall work out the route for organization of various programmes. The complete Plan of Action for next six months will be prepared in advance so as to avoid any sort of inconvenience in organizing the programme in that particular District. The route of the Mobile Van and the Districts falling en-route shall be informed in advance with tentative dates as to when the Mobile Vehicle would be available in each District. This will afford opportunity to Chairman, DLSA to arrange, in consultation with local administration, the places where the Mobile Lok Adalat would be holding Court and Legal Awareness Camps. It will be the responsibility of the concerned PDJ, to arrange for records of the cases to be sent to the Mobile Lok Adalat, to determine the nature of the cases to be assigned to the Mobile Lok Adalat, which may vary from Mutation and Jamabandi cases to petty compoundable criminal cases, Civil Cases, Bank Loan Cases and may be pre-litigative or instituted cases. The copy of the movement programme of the mobile vehicle would be made available with the Mobile Van, so also with the concerned Principal District Judge.

After preparation of the schedule of programme, the same should be informed to the concerned District Legal Services Authority, Taluka Legal Services Committee and also, to Grampanchayat of the village with request to display the notice about the programmes on notice board. The District Legal Services Authority, Taluka Legal Services Committee shall also inform the dates, places and expected time of arrival of the Mobile Van to the concerned Grampanchayat and nearest police station for requisite action, which would facilitate the people of the Locality to know about the programme and get legal Aid, Legal advice and information about their constitutional Rights, benefits, privileges guaranteed by social welfare legislations and other enactments as well as administrative programmes.

❖ PLACE OF HALT OF MOBILE VAN :

The place of the halt of vehicle should be selected as per convenience of the people and particularly at weekly bazaar day, Fairs, Melas, Urus, etc. at the following places :-

(i) Market place (ii) School (iii) Grampanchayat Office (iv) any other suitable place in the Village/venue.

❖ CUSTODIAN OF THE MOBILE VAN

The mobile Vehicle should be kept in the custody of the Maharashtra State Legal Services Authority, Mumbai. However, during tour programme the temporary custody shall be of Chairperson of the DLSA where the programmes for that particular period are proposed to be organized. This custody, however, will be subject to supervision of Hon'ble Guardian Judge of that particular District.

● Second custodian of Mobile Van

As per scheduled programme Maharashtra State Legal Services Authority, Mumbai shall deliver the custody of mobile Vehicle to the Chairman, District Legal Services Authority of concerned district, and from that time the Chairman, District Legal Services Authority will be the custodian of the Mobile Vehicle.

❖ RECURRING EXPENSES:

The Recurring expenses of mobile van i.e. Diesel, Oil, repairing charges, etc. should be borne by District Legal Services Authority in whose custody, the mobile van is given for a particular period out of the funds provided by the State Authority. The State Authority shall make provision for enhancement of grants in its budget to be submitted to the State Government. The salary of the driver shall be paid by Mumbai DLSA out of salary grants allocated to it by State Authority .

The TA/DA and honorarium of Members of the Mobile Lok Adalat shall be paid by DLSA for organization of the programmes in that particular District as per the schedule of the programme. This amount shall be defrayed from the grants available under PPSS head respectively.

❖ USE OF MOBILE VAN

- To organise Legal Literacy camps in every nook and corner of the Districts and more particularly in rural, tribal and rustic, remote areas through the team of experienced and committed officers.
- To organise Lok Adalat with the co-ordination of DLSA and Taluka Legal Services Committee of the District.
- Exhibition of Legal Literacy posters, display of short films relating to Lok Adalat and other activities of the Authority etc.
- To visit various Police Stations, Jails, remand/shelter homes to ensure that there is no violation of legal and human rights and to address the problems about inaction on the part of the Authorities. Spread legal awareness of rights of inmates and provide legal aid.

❖ PUBLICITY AND ADVERTISEMENT OF THE PROGRAMME

The Maharashtra State Legal Services Authority shall intimate well in advance the Scheduled Programme and route chart of the Mobile Vehicle to the Chairman of the concerned DLSA mentioning the date, time and place of the visit of the said Mobile vehicle in a particular District which would enable the concerned DLSA to make preparation and gear up for the scheduled programme and legal literacy camps or Lok Adalats, etc. The concerned DLSA shall also make public by displaying notice for advertisement of the scheduled programme of the mobile vehicle well in advance in the area of its visit and also make necessary arrangement for providing security to the vehicle and the team unit, through police machinery of the area concerned. The requisite information would also be given to the concerned BDO, Surpanch, Tahsildar, etc. well in advance about the scheduled programme of the mobile vehicle with a request for advertisement of the programme of mobile vehicle in their areas which would facilitate the residents of the area concerned to avail the benefits of the mobile unit. The programme can be arranged at any public place/office, school or at any other convenient place, etc.

❖ **TEAM MEMBERS OF MOBILE VAN :**

- Retired or Serving Judicial officer.
- Advocate / Government Officials.
- Law Students/teachers
- Social Worker of the said area.
- As far as possible a person of repute from the locality having good command over the community people may be selected to preside over the function so that maximum people in the locality should take advantage of Lok Adalat/ Legal Literacy Camps and would actively participate in the programme arranged by the Mobile Team.

❖ **HONORARIUM AND DAILY ALLOWANCES OF TEAM MEMBERS OF MOBILE VAN**

The expenses towards honorarium and daily allowances payable to the team members of the Mobile Vehicle shall be defrayed from the grants allocated to the concerned DLSA under PPSS head.

Honorarium – (per day)	Daily Allowance of Staff
(i) Retired Judicial officer - Rs.1000/-	(i) Stenographer - Rs. 100/-
(ii) Advocate - Rs. 500/-	(ii) Lower Division Clerk - Rs. 70/-
(iii) Social Worker - Rs. 500/-	(iii) Driver of the Van - Rs. 70/-
(iv) College Teacher - Rs. 200/-	(iv) Peon - Rs. 70/-
(v) Law Student - Rs. 100/-	

❖ **EXHIBITION**

At the halt point of mobile van, there may be arrangement of exhibition on the legal awareness of various Laws with the help of following materials :-

- a. Posters on various Acts and schemes.
- b. Booklets, Pamphlets and leaflets on various Acts and Schemes
- c. Chart explaining the vital provisions of various Acts and Schemes.
- d. Pictures depicting and explaining the provisions of various Acts and Schemes.