

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

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 with dignity and self respect. The Kerala State Legal Services Authority is 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 Mrs.Justice MANJULA CHELLUR**, Acting Chief Justice, High Court of Kerala and Patron-in-Chief of KELSA and **Hon'ble Mr.Justice C.N.Ramachandran Nair**, Judge, High Court of Kerala and Executive Chairman, KELSA, we have under taken 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. Generally all the new legislations and 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 rural 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 Taluk Places. Therefore the scheme of Mobile Legal Services-Cum-Lok Adalat, is proposed to be launched with trained and experienced Judicial Officers, Social activists, lawyers and they 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 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, Para Legal Volunteers 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 advise 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, women, children and 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:-

- Court compartment with necessary furniture.
- Computer with Printer.
- Sitting facility for Stenographer-cum-Computer Operator and sitting arrangement for lawyers.
- File cabinet in Court room.
- DVD player, Cassette Player with T.V. etc.
- Room mounted projector with screen.
- Internal and external Public address system.
- Painting of vehicle from exterior with emblems, name of the Institute, Authority, etc.

ROUTE OF MOBILE VAN

The Kerala State Legal Services Authority, in consultation with the concerned DLSAs, shall work out the route for organization of various programmes. The complete Plan of Action for the next 12 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 enroute 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 the respective Chairman, DLSA to arrange, in consultation with local administration, the places where the Mobile Lok Adalat would be holding

Adalat Bench and Legal Awareness Camps. It will be the responsibility of the concerned Principal District Judge, 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, domestic violence, family dispute matters 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.

The District Legal Services Authority/Taluk Legal Services Committee shall also inform the dates, places and expected time of arrival of the Mobile Van to the concerned Grampanchayat with request to display the notice about the programme on their notice board 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 market day, Fairs or places where people or crowd gather and 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 and its accessories like printer, Laptop, Projector, Public addressing system etc should be kept in the custody of the Kerala State Legal Services Authority. However, during tour programme the temporary custody shall

be with Chairperson of the DLSA where the programmes for that particular period are proposed to be organized.

SECOND CUSTODIAN OF THE MOBILE VAN

As per scheduled programme Kerala State Legal Services Authority, 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. The DLSA shall send a report to the KELSA immediately on obtaining custody of the vehicle and also when the vehicle leaves from its jurisdiction.

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 NALSA Fund Account, on a temporary basis, to be reimbursed/refunded to the NALSA Fund Account as and when the bills concerned are encashed from treasury out of State Budget provisions. 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 KELSA, out of State Budget provisions.

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 NALSA grants allotted to it by the State Authority.

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 Taluk 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 Kerala 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 by the DLSAs to the concerned BDO, Panchayath Authorities, 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.

- Para Legal Volunteers
- 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 NALSA grants allocated to the concerned DLSA by the State Authority.

Honorarium – (per day)

- (i) Retired Judicial Officer - Rs.500/-
- (ii) Advocate - Rs.400/-
- (iii) Para Legal Volunteers – Rs.250/-

Daily Allowance of Staff if any,

- (i) Stenographer
 - (ii) Lower Division Clerk
 - (iii) Driver of the Van
 - (iv) Peon
- As per rules.

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.