

**“How to access free legal aid at DLSA - Guidelines and procedures”
by the Commonwealth Human Rights Initiative (CHRI)’s City Core Group
in collaboration with
the District Legal Services Authority, [DLSA] Mumbai**

Report of the Virtual Session

Date: November 24, 2020

Time: 3 pm - 5 pm

Platform: Zoom

Topic: How to access free legal aid at District Legal Services Authority - Guidelines and procedures

Speakers: 1. Raja Bagga- Senior Programme Officer, Police Reforms, CHRI

2. Hon’ble Judge Yatin Game, Secretary, DLSA- Mumbai City

3. Hon’ble Judge Vikramsingh Bhandari, Secretary, DLSA - Suburban

Moderator: Dolphy Dsouza- Project Lead, Mumbai, CHRI

No. of participants: 42

A brief overview of the session:

1. Introduction/ Welcome note by Dolphy Dsouza
2. Introduction of the Speakers by Megha Gupta, Project Associate, Mumbai, CHRI
3. Presentation 1- Legal Services in India: An Overview by Raja Bagga
4. Presentation 2- Hon’ble Judge Yatin Game
5. Presentation 3 - Hon’ble Judge Vikramsingh Bhandari
6. Open floor for queries and discussion
7. Conclusion of the session by Dolphy Dsouza

Report:

It was informed at the virtual session that the medium of language for the sessions would be a combination of English, Hindi, Marathi. Dolphy Dsouza greeted the participants and introduced Megha Gupta as CHRI’s new Project Associate, Mumbai. The opening of the event was by playing the official theme song of the National Legal Services Authority (NALSA) and then Ms Gupta introduced the three keynote Speakers.

The first Speaker of the session was Mr Raja Bagga, who has been a legal researcher with CHRI for more than 7 years. He has worked in collaboration with NALSA and State Legislative Authorities and has conducted national and state-wise studies on legal aid in India. Mr Bagga’s presentation provided an overview of the structure of the legal framework in India.

Through media reports documenting activities undertaken by DLSAs across the country during the covid-19 pandemic, Mr Bagga established that the legal services authorities provide an array of services under the ambit of providing legal services. The presentation covered the difference between legal services and legal aid and provided details on the kinds of services offered by the legal services authorities in the country. He explained the institutional framework and infrastructure of legal aid in India along with the persons eligible for free legal services. The legal framework including the statutes, rules and regulations, guidelines and schemes were also elaborated upon. The presentation also provided procedural information on how legal services are provided by the service providers and can be accessed by the people. In the end, Mr Bagga emphasized how lawyers, para-legal volunteers, social workers and other civil society organisations and individuals working with those who require legal aid need to understand and be aware of the systems in place. This will enable greater access to free legal services to those people who need them.

Hon'ble Judge Yatin Game reiterated that [Section 12](#) of the Legal Services Authority Act, 1987 states the persons who would be eligible for free legal services. He specified that the objective of the legal services authorities has always been to make legal assistance accessible to the common people. With time, the understanding of legal assistance was expanded to include access to economic schemes as well. It was discussed that the lack of awareness has always been one of the most important challenges and awareness sessions like these help in bridging that gap.

Judge Game highlighted the need for a steady network of organizations to make free legal aid accessible to people. He lauded the efforts of Mr Dsouza and team in bringing together one such network in the form of the CHRI's City Core Group. The Legal Services Authority's motto is "Access to justice for All" (*Hindi - Nyaay sab ke liye*) and its constant effort is to ensure that people with economic or social disabilities are helped to access legal aid systems. He also discussed the importance of protecting the rights of every person, and one of the primary ways to do that is to make people aware of their rights. He quoted the judgment in the case of [NALSA v Union of India](#), where the Supreme Court affirmed the right of self-identification of one's gender. It led to informative sessions being conducted to inform transgender persons of their rights. Such initiatives strengthen the accessibility of justice and are the need of the hour.

Judge Game concluded the presentation by thanking CHRI's City Core Group and its network of lawyers, social workers and paralegal volunteers who constantly help people on the ground. He also spoke on the restrictions on mobility due to the covid-19 pandemic. According to him, in absence of in-person meetings and awareness sessions, such virtual sessions are the way forward. He emphasized on the need to continue such sessions on different topics to ensure that physical distancing restrictions do not come in the way of helping people.

Hon'ble Judge Vikramsingh Bhandari began the session by greeting the participants. He provided a brief history of the DLSA and reiterated the various institutions under it. He

also shared examples of the kinds of cases that he has worked on while being a part of the DLSA. His presentation also provided information on the various [compensation schemes](#) (along with case laws) that can be awarded by the DLSA, the people eligible for it, and the procedure to access the same. He emphasized that assistance is freely available to people for a wide range of issues and more and more people should be introduced to the same.

He also lauded the effort of paralegal volunteers during the pandemic, including sharing examples of the members of CHRI's City Core Group who continued to provide their services during the national lockdown. According to Judge Bhandari, the ambit of legal assistance in Mumbai has long moved from assistance in mere court procedures to also include social work. There have been instances where the volunteers not only helped in the distribution of food and ration kits but went to the extent of donating blood.

Judge Bhandari also informed the participants about the DLSA, Mumbai's recent initiative to assist victims of commercial sexual exploitation by way of monetary assistance and ration kits.

Actionable Steps: Judge Bhandari invited the participants to share with him, a list of people who may need these services and he will ensure that the assistance reaches them.

He provided a brief introduction to the concept of Lok-Adalats and shared some important case laws on the same. He also invited the participants to attend the National Lok Adalat which will be held on 12th December 2020, which will be a great learning experience.

Actionable Steps: The participants interested in attending the National Lok Adalat on 12th December 2020 are requested to get in touch with Mr Dsouza for passes as the entry will be by invitation only.

Judge Bhandari invited the participants to share their suggestions and grievances with the DLSA for appropriate redressal. He also extended his gratitude to CHRI's City Core Group for organizing the session.

Dolphy thanked all the three keynote speakers for sharing their important insights. He reiterated the need for organizing more such sessions in future, with special focus on issues of violence against women and explaining the various schemes introduced by NALSA. He then invited the participants to ask their questions.

The participants shared their questions which were answered by both the Hon'ble Judges.

Mr Dsouza raised the question about the extension of the validity of the City Core Group-Para Legal Volunteers [PLVs] Identity Cards which are valid only for one year initially. He stated that the PLVs attached to the City Core Group have worked very hard on an ongoing basis even during the covid19 lockdown by reaching out to the vulnerable sections and

migrants by way of rations, food packets, blood donation drive, guidance to domestic violence cases.

Actionable Steps: Both the Hon'ble Judges requested that we file a report of the work done by the PLVs so that extension of the validity of I-Cards of those individuals who are active can be considered.

Mr Dsouza also raised a question regarding refresher training course for the existing PLVs (who were trained towards the end of 2019-early 2020) with special emphasis on the various NALSA schemes, as the same has been requested by the City Core Group members. In addition, there are requests from the City Core Group network partners for the training of community volunteers as PLVs.

Actionable Steps: Hon'ble Judge Game appreciated the hard work of the existing PLVs and agreed to provide a refresher training course on all the schemes introduced by NALSA. Since the PLVs are already acquainted with information about the law and basic workings of the DLSA, it is time to also provide them with complete details of the NALSA schemes. Judge Game further expressed that the in-person training programs have been stopped due to the covid-19 pandemic, so he will look into conducting these programs online. For freshers looking to undergo the training course to become PLVs, he informed that they have approached the NALSA/MALSA for guidelines on whether the online platforms can be used for conducting these training courses. Once approved, the same can be conducted for individuals of the City Core Group network.

Actionable Steps: The Hon'ble Judges also stated the need for continued collaboration to conduct more such informative and interactive sessions with the City Core Group network partners. The same shall be looked into and followed-up on.

Report prepared by Megha Gupta, Project Associate, CHRI – Mumbai and Shreya Joshi, Intern.