

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4968
ANSWERED ON:26.08.2010
ADVOCATES FROM RURAL AREAS
Deora Shri Milind Murl

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has decided to launch a programme to train first generation advocates from rural areas;
- (b) if so, the salient features thereof; and
- (c) the aims sought to be achieved?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a) to (c) A statement in this regard is enclosed as `Annexure-I`

ANNEXURE-I

Statement referred to in reply to parts (a) to (c) of the Unstarred Question No. 4968 for answer in Lok Sabha on 26.8.2010

Access to Justice is recognized as a fundamental right under the Constitution of India. Article 39A of the Constitution recognizes equal justice and free legal aid to the people of the country. It imposes a duty on the State to secure that the operation of the legal system promotes justice, on a basis of equal opportunity and in particular State shall provide free legal aid to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

An effective justice delivery system requires that (i) justice be made available at the door step of people and (ii) there should be talented/ dedicated and qualified legal professionals who serve at the grass root level. So far as providing justice at the doorstep is concern, there are courts at the district and taluka levels. Now, `Gram Nyayalaya` at village and intermediate level are also coming up. There is no dearth of talented and dedicated law graduates at grass root level but there is no motivation and encouragement for them to come forward and stay in legal profession at district Taluka and village level. Result is, despite their ability most of these young lawyers are not getting proper opportunity and exposure in the profession. At the end, they become brief less lawyer, inferior, there is a need to give proper professional training so that they may become good lawyer and compete with solicitor of high profile law firm. Training would also help them in updating their lawyering skill and knowledge.

In order to ensure motivation and encouragement for young talented lawyers and to give them professional training (the Central Government has formulated a scheme/ plan.

Object

Main object of the plan is to give motivation and encouragement to young lawyers who are practicing in Magistrate and Munsil Courts, by providing proper professional training for a period of Two months so that they may serve the need of law professional at grass root level. This will encourage them to stay in the profession at the grass root level and it will also help in elimination of their frustration. Nation would also get benefit of their services in the field of providing justice to all. In short object of the plan is:

`To motivate and encourage young talented meritorious lawyers to remain in practice at Bar at grass root level, and for that purpose - impart them professional training`

Salient feature of the scheme/plan

- (1) Each year, from each State, not more than Ten, depending upon the population of the State, practicing young advocates, shall be selected for imparting professional training.
- (2) While selecting candidates, preference shall be given to those candidates who belong to Scheduled castes, Scheduled Tribes, other backward classes, women and physically handicapped.
- (3) Inviting Application- Each year, at the beginning, application from desired candidates shall be invited. Wide publicity of the scheme and invitation of application shall be given. Application shall be filled in prescribed format. Applications shall be scrutinized to verify the eligibility conditions.

(4) Eligibility for selection- At the time of selection, candidate should fulfill following conditions-

- (i) He/She should have been enrolled as an Advocate and should have been engaged in actual practicing in a Magistrate and Munsif Court.
- (ii) He/she should not be above the age of 30 years;
- (iii) His/her monthly income should not be more than Rs 6000/-per month;
- (iv) He/She should in the opinion of selection committee be meritorious and talented advocate; and
- (v) He/She should also be ready and willing to make available his/her services for legal aid programme under the District Legal Aid Authority.