

ACTIVITIES OF NALSA DURING PANDEMIC

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EXTRAORDINARY TIMES DEMAND EXTRAORDINARY MEASURES

Right to free legal aid, or free legal service, is a fundamental right guaranteed by the Constitution. The endeavour of National Legal Services Authority (NALSA), even during this unprecedented Covid-19 pandemic, is that the poor and the illiterate should be able to approach the Courts of law.

The Government of India, after invoking the National Disaster Management Act (NDMA), has imposed a nationwide lockdown. Under the aegis of NALSA, in the hopes of bridging the Justice Gap during the global pandemic, sustained efforts are being made by the State Legal Service Authorities (SLSAs) across the country to provide free and competent legal services to the citizens.

Legal services activities by the Legal Services Institutions at various levels, are being spearheaded by NALSA, under the supervision of Hon'ble Mr. Justice N.V. Ramana, Executive Chairman of NALSA.

With the continuous lockdown in force, considerable hardships are being faced by people across different sections of society. Along with economic problems, various socio-legal issues are also coming to the fore. Legal Services Institutions, with a legal and constitutional mandate to provide legal aid and assistance to the vulnerable sections of the society, have sprung into action.

The brunt of the pandemic has been faced by people from vulnerable sections of the society, including children, women, prisoners, labourers and other marginalized groups. Legal Services Authorities across the country have evolved procedures to ensure implementation of directions for easing pressure on prisons, as well as in organizing meetings of the High Power Committee constituted in light of the order dated 23rd March 2020 by Hon'ble Supreme Court of India in Suo-Moto Petition

(Civil) No.1 of 2020- *In Re: Contagion of Covid-19*.

In compliance of the directives of NALSA, SLSAs have initiated mechanisms to achieve the target of **“social distancing in Prisons”** by taking various measures with the ultimate object of reducing over-crowding in jails. SLSAs, under directions from NALSA, have also issued instructions to all District Legal Services Authorities (DLSAs) within their domain to organise the Under Trial Review Committee (UTRC) contemplated by the Hon’ble Supreme Court in the case of *In-Re Human Condition in 1382 Prisons*, (2016) 3 SCC 700. The aforementioned Committees are to meet periodically and take decision in consultation with the authority as per the said judgment.

SLSAs have actively assisted High Powered Committees identify and complete the necessary formalities for the release of prisoners, both undertrials and convicts, during the pandemic. In pursuance of the recommendations of such Committees, a release of 42,529 undertrial prisoners as well as 16,391 convicts on parole, *etc.* has been secured with the assistance of the Legal Services Institutions. Apart from the above, 243 undertrial prisoners have also been granted statutory bail under Section 436A of CrPC. Moreover, legal representation has also been provided to 9,558 persons at the remand stage in different States and Union Territories across the country.

NALSA, in coordination with the Ministry of Child and Women Development, has issued directions to SLSAs to collaborate with One Stop Centres (OSCs) established in each State for providing legal assistance to the women facing domestic violence issues. The focus has been to provide legal assistance as well counselling services to victims and the needy, including the provision of teleservices of female Panel Lawyers in every district.

Legal assistance has been provided by the Legal Services Authorities in around 359 matters referred by such One Stop Centres and the Women Child Helpline Number – 181. Calls were also received by the National Legal Aid Helpline Number – 15100

and the State Legal Helpline Numbers, wherein in 176 matters, legal assistance has been provided to the victims of domestic violence only. The Legal Services Authorities have also conducted conciliation / mediation/ counselling in cases related to domestic violence and were successful in settling 116 matters. In other matters, petitions have been filed under the Domestic Violence Act.

Grievances relating to denial of wages / salaries by employers are also being addressed by the Legal Services Institutions by providing necessary legal assistance. As many as, 1,018 people have been provided such assistance only in the State of Bihar. Legal aid and assistance is also being provided in civil matters including tenants facing eviction from their landlords during the pandemic.

As a result of committed efforts of stakeholders, the statistics indicates that Legal Services Institutions have so far provided legal aid and assistance in 658 domestic violence cases to women, 42,772 undertrial prisoners, 16,391 convicts, 9,558 persons at the remand stage, 1,882 labourers, 310 tenants, amongst others.

The Legal Services Institutions across the nation, in coordination with the District Administration and different NGOs, are reaching out to millions of people to meet legal needs which have cropped up during the pandemic. The Legal Services Authorities, through their Para Legal Volunteers, are also bridging the gap between the needy and government authorities, participating actively to provide legal aid and assistance, wherever required. More than 90 lakh people have so far been facilitated by the Legal Services Authorities in accessing food, medicine, shelter, etc. The Authorities are also using their colossal network to effectively communicate information between the States for providing assistance to people stranded in different places.

NALSA has initiated webinars for the State and District Legal Services Authorities to find solutions to the challenges being faced in implementation of the legal aid programmes during pandemic.

Legal Services Institutions are also conducting numerous training programmes for Panel Lawyers, Para Legal Volunteers and others through various digital platforms. Necessary publicity materials and FAQs have also been prepared and made available by NALSA on their website to address legal issues arising during the pandemic.

Legal Services Institutions have been working tirelessly to ensure that Access to Justice is within the reach of one and all. In view of the same, the Legal Services Authorities, under the guidance of NALSA have been tailoring their activities to meet the local needs of the people.