

A STUDY ON AWARENESS TOWARDS LEGAL AID AMONG GENERAL PEOPLE IN SELECTED RURAL REGIONS OF PUNJAB

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ABSTRACT

About 67% of Indian population is poor and has the largest illiterate population around the globe. Legal Services Authority has been formed with the mission of empowering the snubbed and disadvantaged section of the society by supporting them for legal representation, creating awareness by imparting legal literacy so that the gap between the available legal provisions and the eligible recipients is diminished. Formation of the organization with the vision of ensuring fair and meaningful justice to the underprivileged and deprived segment of the country will be meaningful when the above stated objectives are achieved. It is important to know the success of the set objectives to manage the performance accordingly by identifying the gap in the goals set and goal met. Keeping a track on the performance gives a clearer picture and assesses the means for any changes in the performance. This paper aims to study the legal aid awareness level among the people in the selected rural regions of Punjab. This research is drawn upon mostly primary data collected from general public of rural districts of Sangrur and Barnala with the help of questionnaires. It can be inferred from the study that people are still struggling to attain equal and fair justice from social and structural discrimination because of poor awareness of their legal rights and benefits available to them.

Keywords: *legal aid, legal awareness, rural region, legal services authorities.*

INTRODUCTION

Legal Aid

According to Black's Law Dictionary Free 2nd Ed. and The Law Dictionary (2018), legal aid is “free or inexpensive advice, assistance, or representation concerning the law. Given to those cannot afford it, based on jurisdictional criteria.”(The Law Dictionary, 2018) Article 39A of the constitution of India ensures to provide free legal aid to the deprived and underprivileged sections of our society for equal justice to all. Legal Services Authorities Act legislated in 1987 and it came into force in 1995 on 9th November with an objective of providing free and proficient legal services to the vulnerable sections of the society who are unable to afford it for assuring equal opportunities(National Portal Content Management Team, 2011). Our social system requires free legal aid provision for the survival of its indigent people. The denial of free legal aid will result into the failure of the rule of law (Sukhija, Mohanty, & Gahlot, 2018, p. 26).Legal aid is not just an assistance or reward for the destitute, but it is a responsibility of the government and right of the residents of the country (Mallikarjun, 2013, p. 240). This concept of legal aid in our country provides the right of legal representation to the accused suspect who is poor, destitute or is in solitary confinement and has no means to engage a lawyer to acquire expert legal aid or legal help (Vani, 2015-16).

The concept of free legal services has become an inevitable requirement in our country for the reason that 80% of our population is scarce of financial resources and is deprived of their rights and hence they are hesitant to approach the Court of Law for exercising their rights. Thus, it becomes necessary to impart social justice to every citizen of the country without any discrimination among poor and rich (Vani, 2015-16).

In that regard, National Legal Services Authorities (NALSA) has been established under the Legal Services Authorities act, 1987. This organization is responsible for monitoring and evaluating the implementation of the legal provisions which are offered under this act (National Portal Content Management Team, 2011).The regulations of the act are pertinent to Court of Law including Supreme Court, High Courts in all the states, district courts, regions and taluks(Choudhary, 2016, p. 110).

States Legal Services Authority is constituted under each state government to implement the strategies and policies framed by NALSA. District Legal Services Authority is established in each district of the state where all the functions are performed as delegated by State Legal

Services Authorities. District Legal Services Authority controls and manages the activities to perform at district as well as Taluk levels. DLSA conducts Lok Adalats and performs activities in coordination with various institutions and establishments to create awareness about the legal aid(Sukhija, Mohanty, & Gahlot, 2018, p. 6).

After furnishing article 39A, Justice P. N. Bhagwati came up with a strategy of promoting the legal literacy and make people aware of the legal assistance. The strategy was devised on the basis of the fact that despite of having copious social welfare legislations in our country, there is scarcity of awareness among the beneficiaries about their rights and benefits available to them. People are unaware of the fact that injustice is capable of redressal (shodhganga).

- Awareness Status

Legal awareness is synonymous with Public Legal Education which empowers the individuals about the legal issues and promotes awareness about the legal philosophies and principles with the participation in the formation of laws. Having literacy rate of 74.4%, people are still unaware of their legal rights bestowed upon them by the law. It is believed that legal literacy is an instrument which can bring about qualitative transformations in the society among the indigents and needy people. The knowledge of legal rights brings the individuals together for better connections and interactions. Legal unawareness leads to exploitation of the poor and deprivation of the rights. Without any doubt, institutions and organizations are putting efforts in education for increasing the literacy levels. But, basic literacy is not sufficient to understand the legal system and opportunities and benefits available within this system. It is evident that people who have good legal knowledge work effectively. It has been observed that many laws fail for their proper execution in the system because of unawareness among the public(Sukhija, Mohanty, & Gahlot, 2018, pp. 28-29). Lack of legal awareness amongst the public is considered as the biggest hindrance in the achievement of the goal of dissemination of legal services. It is considered that our country is at the initial stage of the legal awareness(Sukhija, Mohanty, & Gahlot, 2018, p. 24). The Legal Services Authorities Act has been enacted to provide free legal aid to more than the 60% population of the country which is a big number to offer them free legal aid which makes it important to have legal education to achieve socio-economic and political equality. India has the highest number of law institutes in the world and these institutes have great potential in making the public aware about their legal rights and benefits under the rule of law.(Prasad).

RESEARCH METHODOLOGY

The sample units for this study are Sangrur and Barnala Districts of Punjab. Both the districts are under the Patiala Division of Punjab which has total of 4 districts. Sangrur has 571 villages with a total population of 16,55,169 and Barnala has 77 villages with a total population of 596,294.

This is the first time these districts will be studied to check the awareness level of the general public about the legal aid.

OBJECTIVES

Objective of the paper is to study the legal aid awareness level among the people in the selected rural regions of Punjab namely Sangrur and Barnala under the Patiala Division of the state.

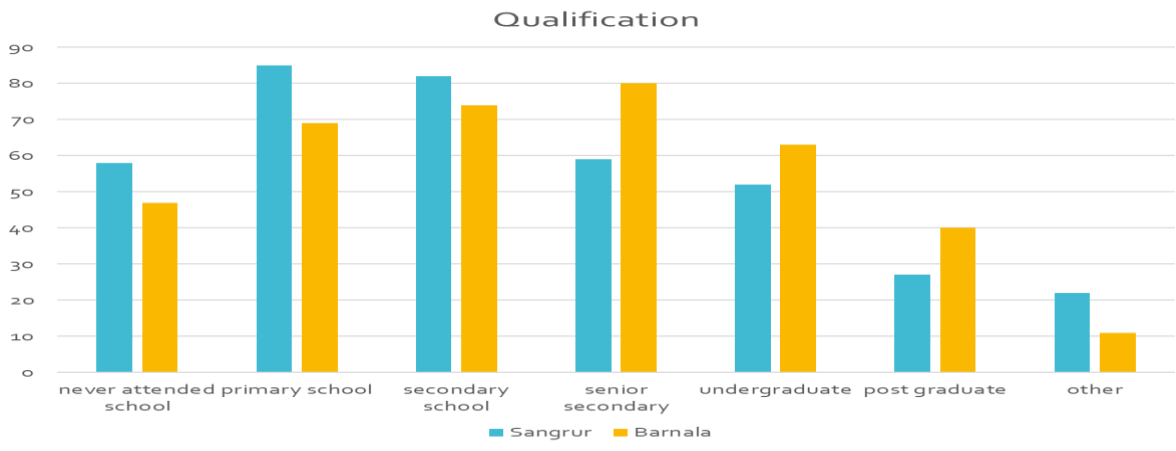
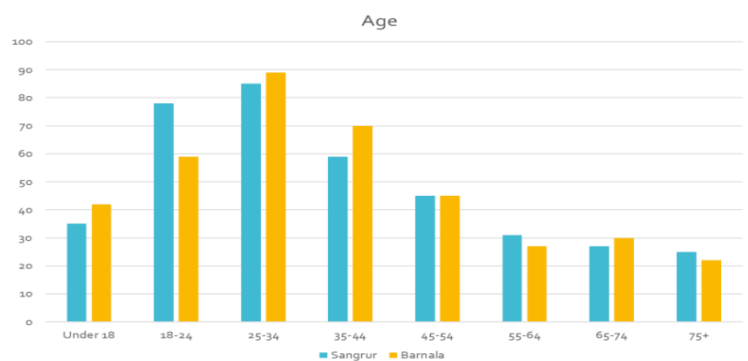
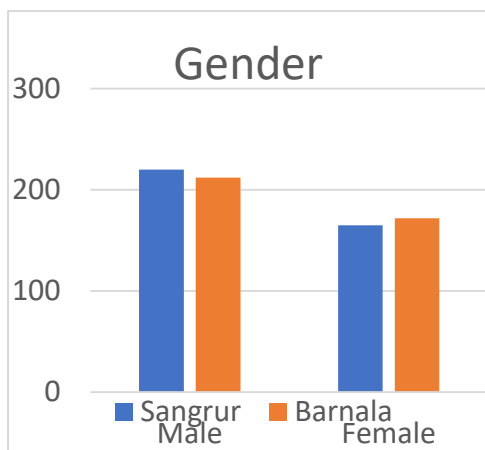
A structured questionnaire has been used as a data collection tool to collect the data from the respondents. Secondary data has been collected from various, journals, books, articles, magazines, newspapers and online websites.

Respondents were approached personally because the majority of the population of these selected rural districts is not tech-savvy and well educated. Respondents were chosen out of the public using convenient sampling method to obtain the basic data from the public as this study is conducted for the first time in the selected sample units.

Out of 571 villages of Sangrur 184 were selected for the study and from Barnala, 61 out of 77 were selected. 385 respondents from Sangrur district and 384 respondents from Barnala district were selected for the study with 95% confidence level and 5% margin of level. Total of 769 respondents were taken from both the districts for the study.

ANALYSIS AND RESULTS

In Sangrur district, 57.14% males and 42.86% females responded to the questionnaire. Majority of the respondents, 22.07% belonged to the age group between 25-34 years followed by 20.25% of respondents between 18-24 years age group, 15.32% between 35-44 years, 11.68% between 45-54 years, 9.09% were under 18, 8.05% between 55-64 years, 7.01% between 65-74 years and 6.49% were above 75 years



Majority of the respondents were males who were farmers by occupation with an average household income between 3,500-5000 per month in both the districts.

It was found that 57% of the females were homemakers and very few females were employed in public or private sector.

Maximum respondents belonged to the scheduled castes in Sangrur district whereas in Barnala district, majority of respondents were from Jaat Sikh community followed by Scheduled castes. 29% respondents were below poverty line in Sangrur district whereas 25% people were below poverty line in Barnala district.

In Sangrur district, 64.93% respondents were married whereas 17.40% respondents were either divorced or separated from their partners. In Barnala district, 61.19% respondents were married whereas 13.8% respondents were either divorced or separated from their partners.

It was found that issues related to employment, violence against women, property matters, debt and money issues were prevalent in both the districts.

It was found that 62.55% respondents were not at all aware about the legal aid. Only, 19.20% respondents were full aware about the legal aid assistance available to them. Rest were slightly or moderately aware of the facility available to them.

In both the districts, majority of the respondents knew about the free legal aid through their court appearances. Students were aware about the legal aid because of the awareness camps that had been organized in their schools, colleges or institutions. Few respondents were aware of free legal aid through awareness camps held in their villages.

It was surprising to find out that 48.83% respondents knew about Lok Adalats. Out of these respondents 59.55% were extremely aware of Lok Adalats. They knew about the Lok Adalats majorly through their lawyers for their dispute settlements.

Only, 20.30% respondents knew about the legal services authorities via awareness camps being held in their villages or schools or colleges in both the districts. Despite of conducting awareness camps almost every month in both the districts by DLSAs, it was surprising to see that 58.43% respondents had attended legal awareness camps, but majority of the respondents were not aware about the objectives of the camps. It was observed that majority of the respondents (84.27%) had attended the camps in the form of seminar/ lecture about the role of legal services institutions. 14.55% respondents had known about the camps via cultural programmes organized by school children, distribution of pamphlets and nukkad nataks. On an average 1-2 awareness camps were organized in the villages of the respondents and they were not much benefitted from these camps.

49.24% respondents needed legal help on various matters mainly related to family matters, debt and money problems, property disputes, and medical negligence. But majority of them were not sure of approaching Legal Services Authorities for the settlement of their legal matters.

Those who already had been seeking legal aid were small in number and they would probably recommend legal services authorities to others to seek legal aid for the resolution of the legal matters.

PROBLEMS FACED

- Time consuming process to visit these many villages and talk to the respondents in their native language and make them understand each and every question in the questionnaire.
- Illiteracy in the villages.

- Poor and inadequate knowledge about the legal services.
- Visiting to remote villages particularly where transportation was not available, was another challenge.

CONCLUSION

Results show that there is a lack of awareness about legal aid among the people in Barnala and Sangrur districts of Punjab. Spreading awareness among the people to be benefitted from the provision of legal aid is one of the major goals of legal services authorities and it has been observed that goals set are not met which may lead to oppression and denial of justice for the marginalized section of the society. Despite of spending huge amount on conducting several awareness programmes by the states and the NALSA, the prime objective of conducting such programmes is not being achieved. The public requires legal help in various matters related to family matters, property issues, debt and money matters, but they do not know the proper procedure to seek free legal advice and representation for their comfort and delivery of justice.

India being a welfare nation, it is suggested for the state and the districts to have an attitude of welfare to provide defense for the needy in the court. Legal literacy is an important limb of the legal system to make people aware of their rights related to social security, health services, education provisions, social care and employment.

Not just merely delivering a lecture or seminar in the schools or institutions would make big difference, the feedback from the participants of these programmes must be taken to know whether they have gained out of the awareness camp or not. Their feedback would help the legal services authorities to work upon the shortcomings of their programmes and services offered. The programmes must be designed and structured according to the interests and concerns of the participants to be covered. The consultation of the recipients is essential to deliver fruitful programmes. Majority of the respondents were either not well educated or uneducated, so it is essential to put in extra efforts to make such people understand what is being offered and delivered to them. All kinds of media such as electronic, print, newspapers must be utilized for this purpose because very few people responded to these mediums for awareness about the legal aid. Legal services must include local bodies to coordinate such programmes and contribute in making the programmes effective and successful.

People will seek legal aid only once they understand the significance of having legal aid as it will help them in asserting their legal rights and justice will not elude to a common person for

lack of financial resources and unawareness. Once this dream is cherished only then we can say that the spirit of the constitution is fulfilled.

“The first step toward change is awareness. The second step is acceptance.”

Nathaniel Branden

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