

THE HIMACHAL PRADESH LEGAL LITERACY CAMP SCHEME, 2005

NOTIFICATION

Shimla-9, the 12th January, 2005

No. 85-LSA/LLC/97.— In exercise of the powers conferred under clause (g) of Section 2 read with clause (c) of sub section (2) of Section 7 of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987), the Himachal Pradesh State Legal Services Authority hereby frames the following schemes, namely :—

1. Short title and commencement.—(i) This scheme may be called the Himachal Pradesh Legal Literacy Camp Scheme, 2005.

(ii) It shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. Introduction.—

"Legal Aid" means providing lawyers to those who are unable to pay fees for the Legal Services. Legal Aid means not only Legal representation in court cases but also includes legal advice, counselling, arbitration and conciliation, creation of legal awareness about their rights, duties and obligations etc. In other words to ensure protection of legal and constitutional rights of the underprivileged, the poor, the neglected and the indigent. Its objective is to make it impossible for any man, woman or child to be denied the equal protection of laws simply because he or she is poor or indigent person.

Our Constitution promises equal justice to all citizens. The promise of equal justice in our democratic society requires us to dedicate ourselves to the great task of converting that promise into reality because millions of our citizens claim redress against injustice in one form or another. One of the fundamentals of a true democracy is that its citizen should be educated about their legal rights and that they should also be entitled to legal assistance in the assertion or defence of their rights.

Therefore, the emergence of legal literacy should essentially be seen in the ongoing process of socialisation of laws and legal process. Legal literacy implies basic awareness regarding laws and legal process for common man as an aid to equipping the person for meaningful participation in the process of development.

3. Objects.—The objectives of the Himachal Pradesh Legal Literacy Camp Scheme shall be as follows.—

- (i) to formulate guidelines for contents of legal literacy materials;
- (ii) to consider the use of visuals in legal literacy materials with a view to supporting or illustrating the legal concepts or legal processes;
- (iii) to undertake preparation of sample materials on legal literacy;
- (iv) to review the existing materials on legal literacy;

- (v) to organise Legal Literacy Camps known as "**Vidhik Saksharata Shivr**" in rural areas as well as in urban slums.
- (vi) to provide the information about all schemes launched by State Government as well as Central Government and all statutory laws, rules etc. to the weaker sections of the society including scheduled tribes, scheduled castes, backward classes, agriculturists and labourers, which are made for protection of their interests.

4. Identification of area.—The Member Secretary with prior approval of the Executive Chairman of the State Legal Services Authority, Secretary with prior approval of the Chairman of the High Court Legal Services Committee, Secretary with prior approval of the Chairman of the District Legal Services Authority or Chairman of the Sub Divisional (Taluk) Legal Services Committee with prior approval of the Chairman of the District Legal Services Authority, as the case may be, shall identify rural and urban areas for organising Legal Literacy Camps from time to time as deemed fit and appropriate.

5. Place and Date of Organisation of Vidhik Saksharata Shivr.—For organising the Vidhik Saksharata Shivr in any area the place of Shivr shall be selected by the High Court Legal Services Committee, District Legal Services Authority, Sub Divisional (Taluk) Legal Services Committee as the case may be which shall mainly be a public place. Date of organising the Shivr shall be fixed by the High Court Legal Services Committee, District Legal Services Authority, Sub Divisional (Taluk) Legal Services Committee as the case may be.

6. Organisation of the Shivr.—

(1) About one hundred persons, who are residents of that area should be invited for getting the legal knowledge/information of schemes in a Legal Literacy Camp.

(2) The media may be requested to render necessary assistance for publicity to hold the shivir. The State Legal Services Authority will take up this matter with the local centres.

(3) The Chief Justice (Patron-in-Chief), Executive Chairman, State Legal Services Authority, Chairman, High Court Legal Services Committee, sitting or retired High Court Judges or sitting or retired Judicial Officers and all other functionaries of the State Legal Services Authority or High Court Legal Services Committee, District Legal Services Authority, Sub Divisional (Taluk) Legal Services Committee, as the case may be, as also officers of the different departments of the State Government or Central Government who are connected with the welfare schemes or an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children, rural and urban labour or a lawyer of standing or teacher or a person of repute who is specially interested in the implementation of the Legal Services Schemes and Programmes or members of the non-governmental organisations involved in upliftment of weaker sections of society may be invited in a Legal Literacy Camp to deliver lectures and disseminate information on the following subjects, namely :—

- (a) Constitutional Law Preamble, Fundamental Rights and Duties, Directive Principles of State Policy, Constitutional Remedies.
- (b) Family Law Marriage, Separation, Divorce, Maintenance, Inheritance and Succession, Dowry related laws, Adoption and Partition etc.
- (c) Civil Laws Property Rights, Stay Orders, Specific Performance, Damages, Compensation for Accidents, Law of Negligence and Nuisance etc.
- (d) Criminal Law General.
- (e) Welfare Legislation Bonded labour (abolition), Consumer Protection Laws, Prevention of Adulteration Laws (Food and Drugs) Environment Protection Laws, Panchayati Raj Act, 1994 etc.
- (f) Procedural Justice How to get justice, Jurisdiction of Courts, Right to Sue, Arrest and Bail, Search and Seizure, Right to Legal Aid etc.

- (g) Law relating to Persons with disabilities How to get Equal Opportunities, Protection of Rights and Full Participation.

(4) Essential literature, brochures, pamphlets, booklets etc. regarding schemes should be displayed/distributed in the Shivar with the assistance of concerned departments and other Legal Literacy material should also be displayed/distributed by the co-ordinator of the Shivar and information shall also be disseminated in such Shivar to the participants about their rights to get free legal aid and procedure for the same.

(5) In these camps an attempt may be made to provide maximum Legal advice to the needy persons.

7. Remuneration.—(1) The participants in Legal Literacy Camps shall be entitled to sumptuary allowance and actual bus fare to and fro the place of their residence and the place of legal literacy camp in addition to light refreshment at such rates as may be fixed by the State Authority from time to time.

(2) The persons who are called in the Legal Literacy Camps as "Resource Persons" shall be entitled to actual conveyance charges but not exceeding the claims admissible under T.A Rules of Himachal Pradesh Government journey between their residence and the place of Legal Literacy Camp and honorarium as may be fixed by the State Authority from time to time.