

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 1228

TO BE ANSWERED ON WEDNSDAY, THE 23rd NOVEMBER, 2016

Free Legal Aid

**1228. SHRI FEROZE VARUN GANDHI:
SHRI KUNDARIYA MOHAN BHAI
KALYANJI BHAI:**

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

- (a) whether the Union Government has taken cognizance of a report titled "The State of the Indian Judiciary" released this year that has found that only three percent of litigants opt for free legal aid;
- (b) if so, the details and the reasons therefor;
- (c) the steps taken by the Government to remedy the situation;
- (d) the details of litigants availing legal aid services, State and court-wise; and
- (e) if not, the reasons therefor of not taking cognizance of the report?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE
(SHRI P.P.CHAUDHARY)**

(a) & (b) Yes Ma'am. According to the report, only 2.36 percent of all litigants were seen to be using court appointed lawyers. This conclusion has been reached after interviewing only 9329 litigants. However, all litigants eligible for free legal aid services under the Legal Services Authorities Act, 1987 have a choice to apply for free legal aid or to appoint their own lawyer. As per information available with National Legal Services Authority (NALSA) more than 3 lakh persons were provided free legal services during the year 2015-16. Total number of persons who benefitted from legal services and advice since the coming into force of the Act is about 1.82 crore.

(c) to (e) Legal Services Authorities Act, 1987 has set up legal services institutions at all levels i.e. National, State, District and Taluk for providing legal services. Section 12 of the Act mandates free legal services which includes providing advocate and preparation of paper book, etc to eligible persons.

National Legal Services Authority has framed the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 to ensure quality legal services and to monitor the progress of the free legal aided cases filed in the courts. Each legal services institution except at the National and State level has enlisted 'panel lawyers' and 'retainer lawyers' for providing legal services to the eligible applicants.

The following other steps have been taken by the National Legal Services Authority to ensure that the said free legal aid is made available to the eligible people in the country;

- i. Front offices have been opened and are manned by the panel advocates in the legal services institutions all over the country for assistance of the needy persons.
- ii. Legal Services Clinics have been established in schools/colleges/universities, villages, community centres, jails, courts etc., usually manned by panel lawyers, para-legal volunteers.
- iii. Most of SLSAs have appointed remand advocates in court to represent all the persons produced in custody who do not have their own lawyer at the time of remand.

A statement containing information on the number of persons provided free legal services state-wise during financial year 2015-16 is attached (Annexure A). Another statement containing information on the different categories of persons, state-wise, who have benefitted through legal services and advice since inception of the Legal Services Authorities Act, 1987 is attached (Annexure B).

Annexure-A

Statement as referred to in Parts (a) & (b) of the Lok Sabha Unstarred Qn. No. 1228 for 23.11.2016 raised by Shri Feroze Varun Gandhi and Shri Kundariya Mohan Bhai Kalyanji Bhai regarding free legal aid.

Statement showing the number of persons provided free legal services under the Legal Services Authorities Act, 1987 during the financial year 2015-16. (Based on the information made available by State Legal Services Authorities)

S.No	Name of the State Authority	2015-16
1	Andhra Pradesh	3,526
2	Arunachal Pradesh	228
3	Assam	1,083
4	Bihar	4,257
5	Chhattisgarh	39,829
6	Goa	1,055
7	Gujarat	12,817
8	Haryana	9,641
9	Himachal Pradesh	1,611
10	Jammu & Kashmir	1,605
11	Jharkhand	4,335
12	Karnataka	3,246
13	Kerala	14,242
14	Madhya Pradesh	48,711
15	Maharashtra	7,225
16	Manipur	107
17	Meghalaya	2,342
18	Mizoram	4,237
19	Nagaland	3,981
20	Odisha	3,270
21	Punjab	12,090
22	Rajasthan	6,112
23	Sikkim	1,091
24	Tamil Nadu	59,633
25	Telangana	1,772
26	Tripura	2,180
27	Uttar Pradesh	8,774
28	Uttarakhand	1,112
29	West Bengal	16,727
30	Andaman and Nicobar Islands	57
31	U.T. Chandigarh	1,226
32	Dadra and Nagar Haveli	1,004
33	Daman and Diu	16
34	Delhi	31,535
35	Lakshadweep	Not available
36	Puducheery	993
	Grand Total	3,11,670

