



## ROLE OF PARA-LEGAL SERVICES IN ADMINISTRATION OF JUSTICE: AN EMPIRICAL STUDY OF GWALIOR DISTRICT

Raj Kumar Verma<sup>1</sup>  
Ramesh Kumar<sup>2</sup>

### **Abstract:**

In today's context, rule of law is in existence, subjecting to principle of natural justice, equity, justice, good conscious & morality in Democratic and republic India. Para-Legal Services have got the most specific in primary role in administration of justice as a back bone in delivery of justice. Law is the means & it is having the highest goal of justice. This Research paper has been focused and emphasized on The Role of Para-Legal Services in Administration of Justice: An Empirical Study of Gwalior District. Gwalior is situated in heart of India namely The State of Madhya Pradesh. Gwalior is a division including Gwalior itself. This Research has been conducted with respect to Institutions/colleges/universities where LL.B./ B.A.LL.B./ B.Com.LL.B./ B.B.A.LL.B.(5Ydc) & LL.B (3Ydc) namely Legal/Law education are being conducted in accordance with UGC rules & regulations & approval of Bar Council of India's rules & regulations. With this respect this research reveals the genuine conditions or other related facts of Para-Legal Services, Its conduction, legal aid clinics Para-Legal Aid clinics, Para-Legal Training, Education, Literacy, Awareness, Accessibility, Paralegals, Volunteers & other connected things with it. This research paper is beneficial, useful and helpful for professors, Lecturers, teachers, researchers, students, NGO's, Trusts, Governments, Organizations, Commissions, Institutions, Colleges, Universities, Establishments and others connected there with.

### **Introduction:**

In present scenario Para-legal services are playing a key and significant role in administration of justice as one of the major foundations, ensuring its own specific place to ensure the ends & delivery of justice in India. The concept of Para-Legal services is as old as administration of justice. Para-Legal & Legal –Aid services are correlated, inter connected, complement & depend on each

<sup>1</sup> Research Scholar (Law), Jiwaji University, Gwalior, Madhya Pradesh, India

<sup>2</sup> Research Scholar (Law), Jiwaji University, Gwalior, Madhya Pradesh, India



other. The Para-Legal services have been developed by looking at Para-military forces which were created for help of military in emergency and also in medical fields as Para-medics in India. The Implementation of Legal aid services, schemes, programs, legal services or other connected things in administration of justice is not possible without paralegals and Para-legal services. Paralegals are the major and integral organ of Para-legal services and legal system. It is relevant to mention over here that Legal Services means “literally legal service means help or assistance or free services in the field of law. Previously the word legal aid was used in place of legal service but the Apex Court of India from time to time asserted that legal aid is not a charity but a paramount duty of a welfare State. Now legal assistance from State can be claimed as matter of right, therefore, the word legal service is being used in place of legal aid. Some of the jurists considered legal services as legal assistance to needy persons.”<sup>3</sup>

### AN EMPIRICAL STUDY OF GWALIOR DISTRICT:

There are the five districts in Gwalior division and the data analysis of Gwalior district is as under:

#### **Gwalior District:**

Gwalior is located at 26.22 N 78.18 E. It has an average elevation of 197 metres (646 feet). Gwalior is a historical Indian city - is located on the periphery of Madhya Pradesh State, 321 Kms (199.5 Miles) from Delhi and 121 Kms (76 Miles) from Agra. Gwalior is a city in Madhya Pradesh in India. It lies 76 miles (122 km) south of Agra. Gwalior occupies a special mention in India's medieval history and freedom struggle. The city also enjoys a unique position with regard to education and boasts of several colleges and schools well known across the country. Gwalior occupies a strategic location in the Gird region of North India, and the city and its fortress have served as the center of several of North India's historic kingdoms. At present also its strategic location is marked by the presence of major air base at Maharajpura. Gwalior is the administrative headquarters of Gwalior district and Gwalior division.<sup>4</sup> At the heart of Gwalior is its fortress (Gwalior Fort), built by Raja Man

<sup>3</sup>Dr. S.S. Sharma: Legal Services, Public Interest Litigations & Para-Legal Services: Central Law Agency: IInd Edition 2006. Page1.

<sup>4</sup>Nagar Nigam District Gwalior: [http://gwaliorcorporation.org/gwalior\\_geography.aspx](http://gwaliorcorporation.org/gwalior_geography.aspx)



Singh Tomar, of the Tomar dynasty. This formidable structure had the reputation of being one of the most invincible forts of India. It occupies an isolated rock outcrop. The hill is steepened to make it virtually unscalable and is surrounded by high walls which enclose buildings from several periods. The old town of Gwalior lies at the eastern base of the fortress. Lashkar, formerly a separate town that originated as a military camp, lies to the south, and Morar, also a formerly separate town, lies to the east. Gwalior, Lashkar and Morar are presently part of Gwalior Municipality.<sup>5</sup>

### **1. Organization the Legal-Aid & Para-Legal Services at District Legal Services Authority & Tahseel Legal Service Committee, District Gwalior Madhya Pradesh:**

On the perusal of the conferred pieces information by the District Legal Services Authority Gwalior in the year of 2012-13 to 2016-17 reveal that Legal-Aid & Para-Legal Service are implemented by District Legal Services Authority Gwalior, Tahseel Legal Services committees are organizing the Legal Literacy and Legal-Aid camp at urban, rural and remote areas of District Gwalior like that Ghatigaon, Badagaon, Aron, Barai, Sitholi, Hastanapur, and Colleges, Communities centers etc.<sup>6</sup> The data relating to all aforesaid is as under the table no.02 from the year 2012 to 2017 till February Month details are given below.....

Table No. 02

S.no.	Year	Received Application by Male	Received Application by Female	Total Received Application by Third Gender	Total Received Application by the people
01.	2011-2012	473	37	NA	510
02.	2012-2013	466	41	NA	507
03.	2013-2014	716	47	NA	763
04.	2014-2015	781	64	NA	845
05.	2015-2016	941	98	NA	1039
06.	2016-2017 till 17 <sup>th</sup> February	861	87	NA	948
	<b>Grand Total</b>	<b>4238</b>	<b>374</b>	<b>NA</b>	<b>4612</b>

Source: By DLSA, Gwalior: under RTI letter no. 363/17 dated 09<sup>th</sup> March 2017

<sup>5</sup>Ibid.

<sup>6</sup>DLSA district Gwalior: Right to Information 2005, letter no. 363/17, Date 09.03.2017.



Applications are received by District Legal service Authority Gwalior in the year of 2011-2012 the number of applications received by male 473, female 37 out of 510 people. In the of year 2012-2013 the number of applications received by male 466 and female 41 out of 507 people. In the of year 2013-2014 the number of applications received by male 716 and female 47 out of 763 people. In the of year 2014-2015 the number of applications received by male 781 male and female 64 out of 845 people. In the of year 2015-2016 the number of applications received by male 941 and female 98 out of 1039 people. In the of year 2016-2017 till February 2017 the number of applications received by male 861 and female 87 out of 948 people. The Details have been mentioned in above table no. 02.

## **2. Organization the Legal-Aid & Para-Legal Services at College/ Universities Level District Gwalior Madhya Pradesh**

There are 09 (Nine) Colleges/ Institutions/ Universities in Gwalior District. The same has been established to provide Legal/ Law education for imparting the knowledge in which 06 (Six) College/Institutions which have affiliated to Jiwaji University Gwalior Madhya Pradesh, and Three (03) Universities out of it ITM University Gwalior and Amity University Gwalior are state private universities. Institute of Law (SOS), Jiwaji University Gwalior the Courses that is B.A.LL.B. & B.Com.LL.B. (5Ydc) are conducted under self-financed scheme and The University is State public University. The Name of Colleges/Institutions/ Universities is as under:

### **Colleges/Institutions:**

1. M.L.B. Govt. College of Excellence, Gwalior, Madhya Pradesh
2. Govt. Kamla Raja Girls Post Graduate (Autonomous) College, Gwalior, M.P.
3. MadhavVidhiMahavidhyalaya, Gwalior, Madhya Pradesh
4. Mahatma Gandhi Law College, Gwalior, Madhya Pradesh
5. Gwalior Law College, Gwalior, Madhya Pradesh
6. SarveDharam Law College, Gwalior, Madhya Pradesh.

### **Universities:**

7. Jiwaji University, Gwalior, Madhya Pradesh
8. Amity University, Gwalior, Madhya Pradesh
9. I.T.M. University, Gwalior, Madhya Pradesh



## 1. M.L.B. Govt. College of Excellence, Gwalior, Madhya Pradesh:

It is one of the oldest colleges of Gwalior which situated in heart of Gwalior near Achlewar Temple Gwalior is offered the courses as follows B.A.LL.B. (5Ydc), LL.B.(3Ydc), LL.M. and it also are our research center for doctorate Ph.D. in Law. Legal-Aid Clinic and Para-Legal Services have been established in this college. Some activities in respect of Legal-Aid and Para-Legal services and other connected things are conducted in it but it has been observed that the above same has not been found as requisite or required and the conditions of Legal-Aid clinic, Para-Legal Services, Programs, services, schemes, Legal Literacy, Paralegals, Volunteers and related things with it are not satisfactory and the same is very less or little or equal to nothing in accordance with requirements, rules, regulations, laws other facts or things connected, time & circumstances. This regard, besides above the affirmative efforts of Dr. Vinod Kumar Shirotriya for Legal & Para-Legal Services are worth appreciating.

## 2. Govt. Kamla Raja Girls Post Graduate (Autonomous) College, Gwalior, M.P.:

In this college only B.A.LL.B. (5Ydc) under its self-finance scheme is conducted. Legal-Aid clinic has been established in this college in June 2016 but the same could not start to function. In this regard, Legal- Aid cell has also been constituted on dated: 23.06.2016. The place/venue for the above same is fixed in a room of gallery of Central Library of this college. No activity has been conducted with respect to Legal-Aid clinic, Para-Legal Aid Clinic, Services and also other connected things in college according to rules, regulations & laws respective.

## 3. Amity University Maharajpura, Gwalior:

It is a private State university and situated in Maharajpura, Gwalior. In this connection, same activities in respect of Legal-Aid and Para-Legal Services are conducted in Legal study centre room no. 208-A, Block-B, in the premises of the university but the required data/ details or other relevant records have not been furnished by the university.

## 4. MadhavVidhiMahavidhyalaya, Mahatma Gandhi Law College, Gwalior Law College, SarveDharam Law College, Institute of Law (SOS), Jiwaji University & I.T.M. University, Gwalior, Madhya Pradesh:

It has been observed, found & presumed that the activities in respect of Legal-Aid, Legal-Aid clinic, Services, Para-Legal Services, Para-Legal Aid clinic, Training, Literacy and other things related are not conducted as per requirements rule, regulations & connected other things with the



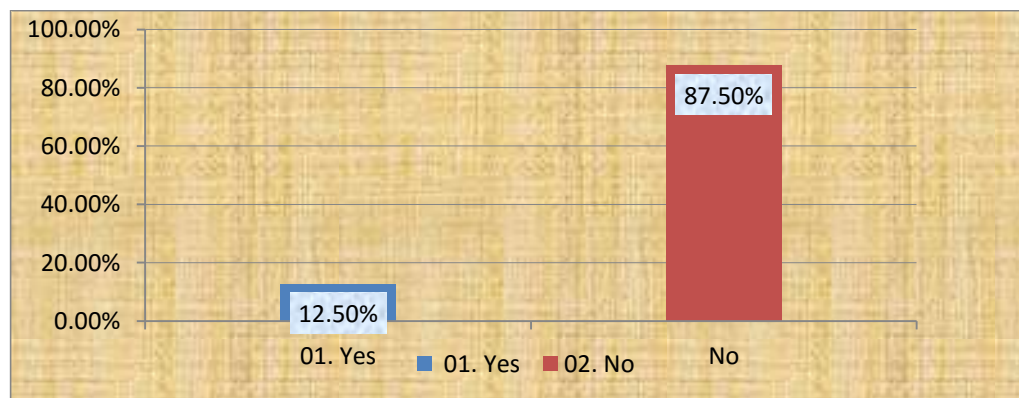
same. The establishment of Legal aid Clinics also is in suspicious condition. It may be presumed that little or very less or nothing is as required according to laws & Norms. The implementation of all aforesaid is in question in the heretofore contained institutions/colleges/universities. With this respect, the required data/details facts/material have not been conferred by the institutions/colleges/universities.

### Sample Survey Relating to Awareness of Para-Legal Services to the Masses in Gwalior District:

It has been observed and found that the activities in respect of Legal-Aid, Legal-Aid clinic, Services, Para-Legal Services, Para-Legal Aid clinic, Training, Literacy and other things related are not conducted as per requirements rule, regulations, laws & connected other things with the same. And the data has been collected by using various tools or techniques or methods as: 1. Questionnaire, 2. Interviews, schedule, and other required etc. other rural and urban areas and villages were visited and conducted the interviews & sampling method also has been used and filled-up the questionnaire forms of the people or masses and sample of 40 respondents/persons who belong to rural and urban areas of Gwalior District, Gwalior Division, Madhya Pradesh. The Details are given below.....

Table - 01

S. No.	Do you know about the Free Legal-Aid services?	Number of respondents	Percentage %
01	Yes	05	12.5%
02	No	35	87.5%
Grand Total		40	100%



(Figure- 01)

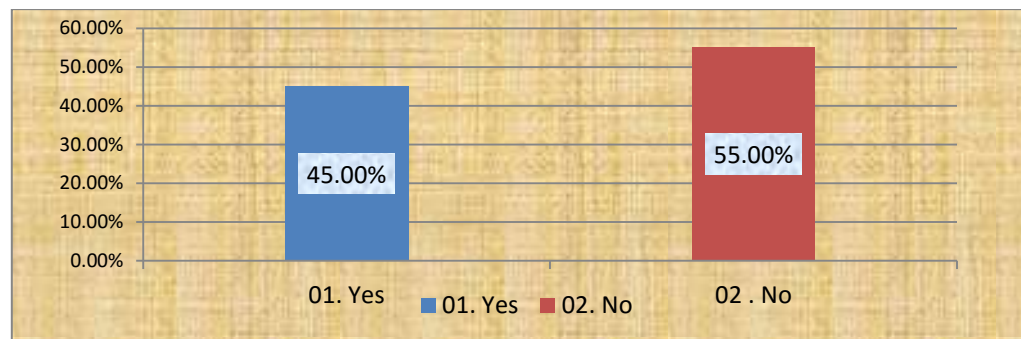




**Result:** 05 out of 40 respondents 12.5% gave the opinion that they know about the free Legal-Aid services and gave the answer 'Yes' and 35 out of 40 respondents 87.5% gave their opinion that they don't know about the free Legal-Aid services and gave the answer 'No' this has been shown on the table- 01 & Figure- 01.

Table- 02

S. No.	Do you know about the LokAdalat?	Number of respondents	Percentage %
01	Yes	18	45%
02	No	22	55%
Grand Total		40	100%

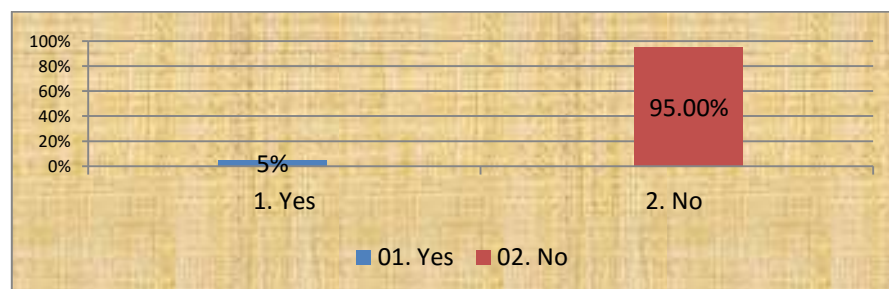


(Figure- 02)

**Result:** 18 out of 40 respondents 45% gave the opinion that they know about the Lok Adalat and gave the answer 'Yes' and 22 out of 40 respondents 55% gave their opinion that they don't know about the Lok Adalat and gave the answer 'No' this has been shown on the table- 02 & Figure- 02.

Table - 03

S. No.	Do you know about the National Legal Service Authority (NALSA)?	Number of respondents	Percentage %
01	Yes	02	05%
02	No	38	95%
Grand Total		40	100%

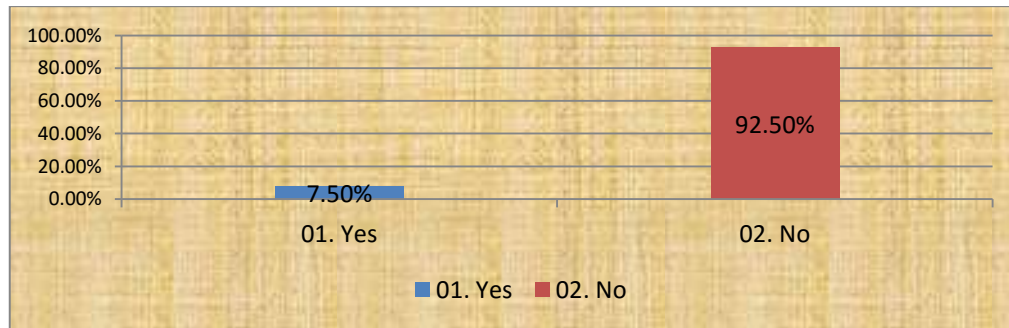


(Figure- 03)

**Result:** 02 out of 40 respondents **05%** gave the opinion that they know about the **National Legal Service Authority (NALSA)** and gave the answer 'Yes' and 38 out of 40 respondents **55%** gave their opinion that they don't know about the **National Legal Service Authority (NALSA)** and gave the answer 'No' this has been shown on the table- 03 & Figure- 03.

**Table - 4**

S. No.	Do you know about the Madhya Pradesh State Legal Service Authority (SALSA)?	Number of respondents	Percentage %
01	Yes	03	7.5%
02	No	37	92.5%
<b>Grand Total</b>		40	100%

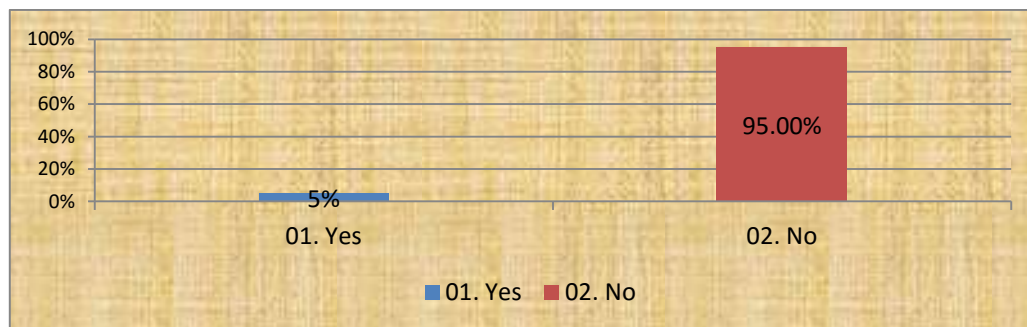


(Figure- 04)

**Result:** 03 out of 40 respondents **7.50%** gave the opinion that they know about the **Madhya Pradesh State Legal Service Authority (SALSA)** and gave the answer 'Yes' and 37 out of 40 respondents **92.50%** gave their opinion that they don't know about the **Madhya Pradesh State Legal Service Authority (SALSA)** and gave the answer 'No' this has been shown on the table- 04& Figure- 04.

**Table - 5**

S. No.	Do you know about the District Legal Service Authority?	Number of respondents	Percentage %
01	Yes	02	05%
02	No	38	95%
<b>Grand Total</b>		40	100%



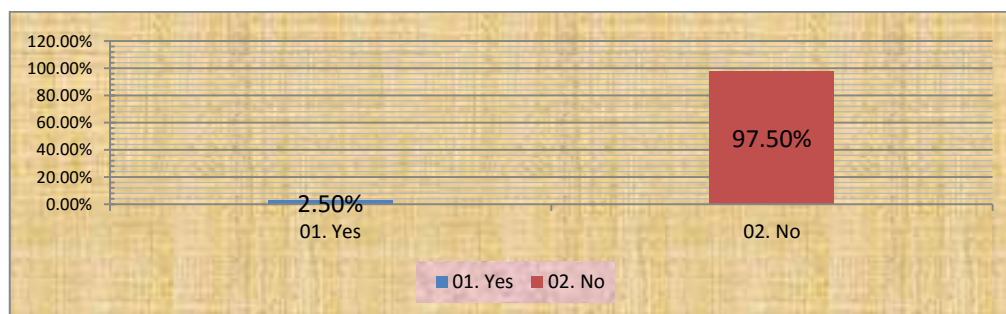
(Figure- 05)

**Result:** 02 out of 40 respondents **05%** gave the opinion that they know about the **District Legal Service Authority** and gave the answer 'Yes' and 38 out of 40 respondents **95%** gave their opinion that they don't know about the **District Legal Service Authority** and gave the answer 'No' this has been shown on the table- 05& Figure- 05.



Table - 6

S. No.	Did you ever attend any Legal Literacy or Para-Legal Camps or Programs?	Number of respondents	Percentage %
01	Yes	01	2.5%
02	No	39	97.5%
Grand Total		40	100%

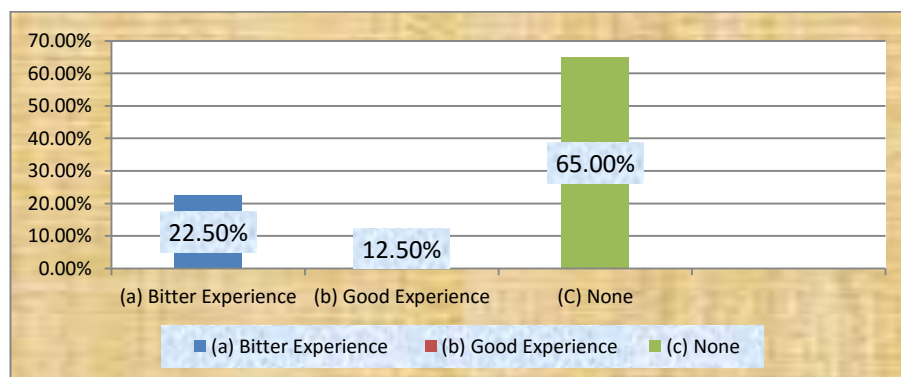


(Figure- 06)

**Result:** 01 out of 40 respondents **2.5%** gave the opinion that they have attended Legal Literacy or Para-Legal Camps or Programs? And gave the answer 'Yes' and 39 out of 40 respondents **97.5%** gave their opinion that they did not ever attend any Legal Literacy or Para-Legal Camps or Programs and gave the answer 'No' this has been shown on the table-06 & Figure- 06.

Table - 7

S. No.	Are you having any experience about any Legal Procedure?	Number of respondents	Percentage %
01	Bitter Experience	09	22.5%
02	Good Experience	05	12.5%
03	None	26	65%
Grand Total		40	100%

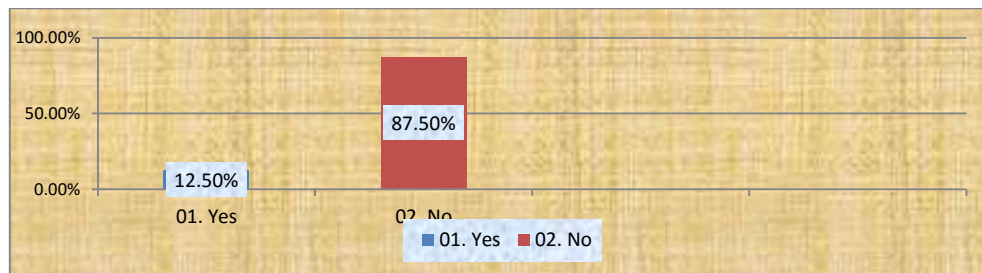


(Figure- 7)

**Result:** 09 out of 40 respondents **22.5%** gave the opinion that they have got **bitter experience** and gave the answer (a) 'Bitter experience' and 05 out of 40 respondents **12.5%** gave their opinion that they have got good experience and gave the answer (b) 'Good Experience' and 26 out of 40 respondents **65%** gave their opinion that they don't have got any type of experience about any Legal Procedure and gave the answer (c) 'None' this has been shown on the table- 07 & Figure- 07.

Table - 8

S. No.	Do you know about any Legal-Aid Clinic at College and University level?	Number of respondents	Percentage %
01	Yes	05	12.5%
02	No	35	87.5%
<b>Grand Total</b>		40	100%

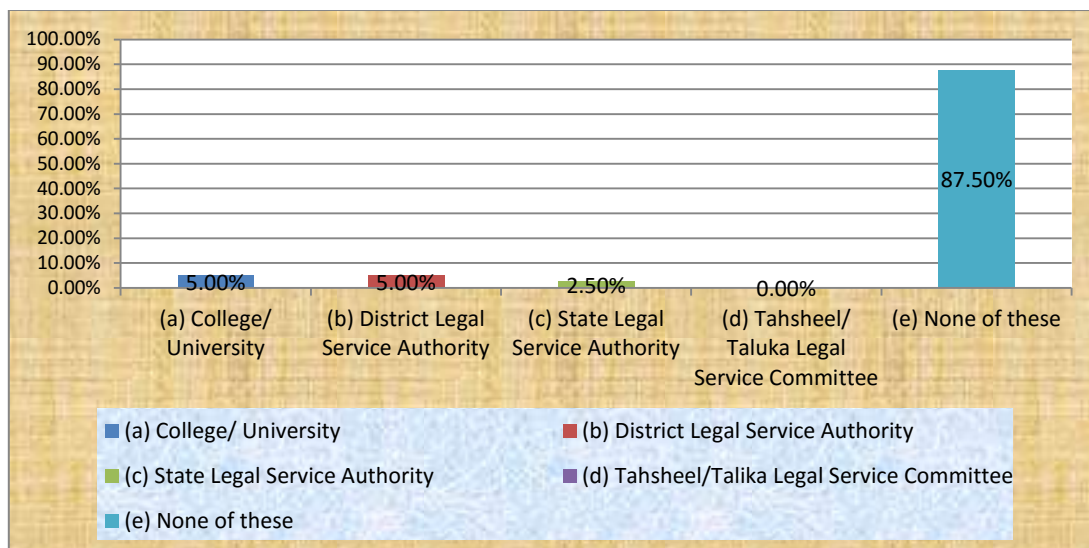


(Figure- 8)

**Result:** 05 out of 40 respondents **12.5%** gave the opinion that they know about the **Legal-Aid Clinic at College and University level**, and gave the answer 'Yes' and 35 out of 40 respondents **87.5%** gave their opinion that they don't know about the **Legal-Aid Clinic at College and University level**, and gave the answer 'No' this has been shown on the table-08& Figure- 08.

Table - 9

S. No.	Do you know about any Legal-Aid Clinic which is providing you legal aid?	Number of respondents	Percentage %
01	College/ University	02	05%
02	District Legal Service Authority	02	05%
03	State Legal Service Authority	01	2.5%
04	Tahsheel/Taluka Legal Service Committee	00	00%
05	None of these	35	87.5%
<b>Grand Total</b>		40	100%



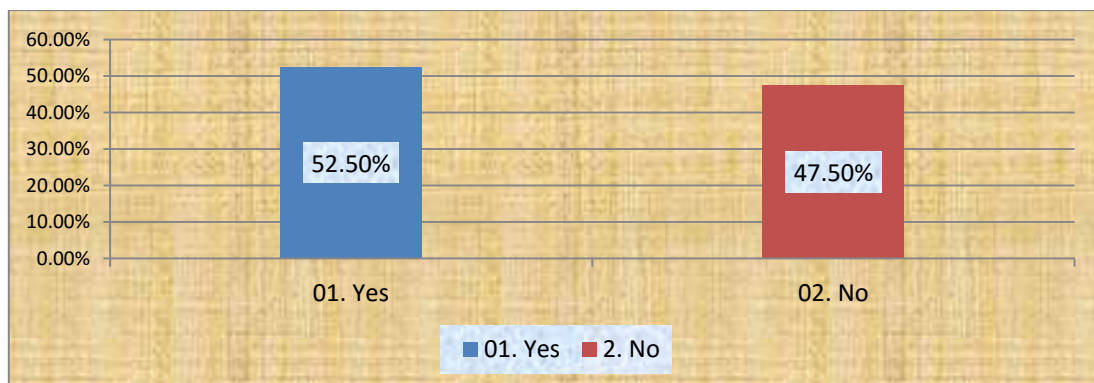
(Figure- 9)



**Result:** 02 out of 40 respondents **05%** gave the opinion that they know about the **Legal-Aid Clinic which is providing you legal aid**, and gave the answer '(a) College/ University', and 02 out of 40 respondents **05%** gave their opinion that they know about the **Legal-Aid Clinic which is providing you legal aid**, and gave the answer '(b) District Legal Service Authority', and 01 out of 40 respondents **2.5%** gave their opinion that they know about the **Legal-Aid Clinic which is providing you legal aid**, and gave the answer '(c) State Legal Service Authority', and 00 out of 40 respondents **00%** gave their opinion that they know about the **Legal-Aid Clinic which is providing you legal aid**, and gave the answer '(d) Tahsheel/Taluka Legal Service Committee', and 35 out of 40 respondents **87.5%** gave their opinion that they don't know about the **Legal-Aid Clinic which is providing you legal aid**, and gave the answer '(e) None of these', this has been shown on the table- 09 & Figure- 09.

Table - 10

S. No.	Do you know about Administration of Justice in Gwalior and Chambal Division?	Number of respondents	Percentage %
01	Yes	21	52.5%
02	No	19	47.5%
Grand Total		40	100%



(Figure- 10)

**Result:** 21 out of 40 respondents **52.5%** gave the opinion that they know about the **Administration of Justice in Gwalior and Chambal Division**, and gave the answer 'Yes' and 19 out of 40 respondents **47.5%** gave their opinion that they don't know about the **Administration of Justice in Gwalior and Chambal Division**, and gave the answer 'No' this has been shown on the table- 10 & Figure- 10.

## Remedies & Suggestions:

“The Remedies and Suggestions with regard to protection, preservation, development, promotion, education, research, literacy, respect, honour, Enforcement, implementation, and other required things as per requirements, time and circumstances of Legal-Aid & Para-Legal Services for the interest of world human and living creatures which are as follows:-

1. The Legal & Para-Legal Services should be thought in syllabus of LL.B./B.A.LL.B./B.B.A.LL.B./B.Com.LL.B./Law/LL.M. Legal studies etc. compulsorily.



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UGC APPROVED JOURNAL

ISSN: 2456-3870

Vol. 1, Issue-IV  
June 2017

Impact Factor : 2.010

e-ISJN: A4372-3116

2. The Law/ Legal education system should be varied, changed, amended and reformed as required according to time & circumstances.
3. Law Students as paralegals should be made curious, skilled, trained, efficient, proficient and educated more to more for the welfare of all sections of people.
4. The Certificates/Diplomas and other connected things of Legal-Aid & Para-Legal services should be initiated and developed to promote and encourage of people.
5. Legal-Aid Clinics & Para-Legal Clinics should be constituted and functioned separately.
6. Legal-Aid & Para-Legal literacy, knowledge and education should be promoted, developed & researched more to more at the earliest for the same pamphlets, News papers, Magazines, T.V., Radio, Booklets, Hand books, Dairies, Posters and other related things also should be distributed to people or masses for its awareness and accessibility.
7. The Awareness, literacy, knowledge, Accessibility towards masses or people should also be given by electronic means as e-media, social media, social sites etc.
8. The experienced, eligible, proficient, skilled and efficient trainers should be available to train of Para-Legal Volunteers (PLVs).
9. The directive administrative control of District Legal Services Authority on Legal-Aid Clinics are total negative and as equivalent to nothing due to this the conditions of the clinics are the worst and the most miserable furthermore it can be said that the above said clinic are functioning only in documents in some colleges/ institutions/ universities and etc. so the power of administrative control should be exercised properly and strictly.
10. The literacy Legal & Para-Legal Services should be spreaded, increase and promoted in all sections of people especially economic weaker, other disable and vulnerable group of persons.
11. The system of Legal-Aid & Para-Legal Services clinics and etc. should be reformed, established, reconstituted and amended at the earliest on the grass root level firstly.
12. NALSA/SALSA/DALSA/Legal-Aid Committee, Governments, Departments, Organizations, persons, society, establishment and all concerned must take all required necessary steps measures for the same with the co-ordination, help and co-operation of all aforesaid collectively.



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UGC APPROVED JOURNAL

ISSN: 2456-3870

Vol. 1, Issue-IV  
June 2017

e-ISJN: A4372-3116

Impact Factor : 2.010

## Conclusion:

It can be concluded that NALSA/SALSA/DALSA/Legal-Aid Committee, Governments, Departments, Organizations, establishment and persons are functioning but the same is not sufficient in proportion to population of Gwalior district. The conditions of colleges/institutions/universities are worst and most miserable and anxious. Our conducted survey reveals that few persons/masses are having very little information about only Lok Adalat hence it appears that Legal-Aid, Para-Legal services, Clinics, Literacy, Awareness, accessibility, implementation and other related things are in documents only because the required things /facts/activities/ are not being conducted as per requirements, time, necessity, laws and circumstances. The aforesaid must be reformed, amended, varied, altered, reconstituted and done the needful in this matter at the earliest from the very grassroots level for the interest of people/masses and delivery of the required and satisfactory justice to bridge the gap among people/masses, advocates/legal practitioner, judiciary, court an administration of justice in welfare state.

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