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ROLE OF NGOS AND CIVIL SOCIETY IN EXPANDING LEGAL AIDS

AUTHORED BY - PRANSHUL JAISWAL

The India Justice Report(2019), published by the Tata Trust and the commonwealth Human Right Initiative, states that only 1.5% of the population accesses legal aid, even though a much largest segment qualifies for assistances. This stark gap highlights a major challenge in the accessibility of legal service for ordinary citizens. Legal aid is the act of receiving assistance with your legal problem in case you happen to be a poor person who cannot afford an attorney. One large challenge with legal aid is simply a lack of awareness. Some time people do not know their right, they may not be aware of the existence of legal aids that can help them. Corruption in the judiciary and red-tapism in the broader bureaucracy are other challenges toward the effective implementation of legal aid. NGOs are focusing on unlimited range of cause but the cardinal principle is that it has to function in consonance with the bye-law or trust deed as the case may be. It is working in natural disaster or health and sanitation facility but also in order to provide legal aid. Traditionally, legal aid means providing lawyer for the person who are unable to pay fees for the legal services. NGOs have the capacity to work at the grassroots level like Dr. Leena Moudgil-Fulfilling the promise of legal Aid- Role of NGO.Providing free legal aid to that weaker section 12 of the legal services authority act 1987. It also entails creating legal awareness by spreading legal literacy through legal awareness camp, print media, digital media and organizing Lok Adalats for the amicable settlement of dispute which are either pending or which are yet to be filed. Access to legal aid in India is critical for ensuring justice, but several barriers hinder its effectiveness. These barriers include financial barriers, geographical barriers, lack of legal literacy, institutional Barriers, Judicial Delays, language barriers.

CHALLENGES FACED BY NGOs AND CIVIL SOCIETY:-

There are also many challenges faced by NGOs and Civil society like limited funding(NGOs often rely on donation, grant, and funding activities, which can be unpredictable and insufficient),Competition for funds(with many NGOs vying for the same limited resources, securing funding can be highly competitive), Restriction on Activities(In some regions,

government impose restriction on NGO activities, limiting their ability to operate freely), Resource constraints (Limited financial and human resources can hinder the ability of NGOs to execute project effectively), Infrastructure and technology (Lack of access to modern technology and infrastructure can affect communication, data management and overall efficiency), Internal Governance issues (Weak governance structures can lead to mismanagement corruption, and lack of accountability), Security Risk (Working in conflict zones or areas with high crime rates poses significant risk to staff and operation).

OUTCOME OF CHALLENGES:-

Here are some strategies that NGOs and civil society can use to overcome these challenges: online presence (NGOs can create professional website and social media presence to communicate their mission and impact), Capacity building(NGOs can train staff and invest in capacity building to develop new skills and address challenges), Collaboration(NGOs can collaborate with experts, share experience and learn from each other, Training hubs(NGOs can establish regional training hubs to offer in-person workshops, conference and networking opportunities. Strengthen governance (NGOs can strengthen their governance structures to enhance their effectiveness and sustainability). NGOs provide free legal assistance can range legal advice and counseling, to representation in court through litigation. It provides legal counseling and legal assistance through the lawyer and community justice workers. NGOs bear the expenses like relating to: court and other processing fees, charges for preparing, drafting and filing of any legal proceeding, charge of a legal practitioner or legal advisor, cost of obtaining decrees, judgment, order or any other document in a legal proceeding, cost of paper work, including printing, translation etc. NGOs provide rehabilitation center, shelter homes, and observation homes for women, juveniles, alcohol and drug addicted. NGOs from time to time have raised several issues of public importance in our society. Public interest litigation is declared as a strategic arm of the legal aid movement. This Public Interest of litigation is brought for the legal right of the people who are poor, ignorant or in a socially or economically disadvantaged position should not go unnoticed and un-redressed.

CASE LAWS:-

The NGOs and civil society also raise issues related to juveniles. There is landmark judgment on juveniles raised by NGOs is in the case of Sheela Barse vs The secretary, children aid society and others the court directed the state government to take steps for completing the investigation

within three months in cases lodged against children and to establish an adequate number of courts to expedite the trial of such case.

In the case of Budhadev karmaskar vs State of west Bengal, the NGOs also with state government fought for the rehabilitation homes to the sex worker in our country. Here public union for Democratic and right and NGOs as a writ petition and directed the authority concerned to pay the wages according to the minimum wages act 1948 to the laborers engaged in the construction for the buildings and projects in Asiad Game 1982.

CONCLUSION:-

Today NGOs are working hand in hand with state machineries for the betterment of the society. Their contribution helps in bringing the issues and problem to notice.

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