



## BRIDGING THE JUSTICE GAP: PARALEGALS AS CATALYSTS FOR EQUAL ACCESS TO JUSTICE IN INDIA

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### ABSTRACT

Access to Justice is an essential Constitutional and legal duty in India; still, it is largely inaccessible for many marginalized and disadvantaged groups due to constraints such as poverty, illiteracy, limited legal understanding, and systemic hurdles. Para-Legal Volunteers (PLVs) have surfaced as key facilitators, proficiently uniting the quest for justice with its providers. This paper discusses a detailed review of the responsibilities, training, and extent of paralegals in India, highlighting their development through legal provisions, court judgments, and proactive measures by institutions, like NALSA's Para-Legal Volunteers Scheme. It reviews judicial patterns that reinforce the value of paralegals in the domain of legal aid support, looks into their efforts in community involvement, legal knowledge dissemination, and conflict resolution, and points out their connection with vulnerable demographics. Furthermore, the paper integrates statistical data regarding legal awareness camps, beneficiaries, and the training and placement of paralegals from 2021 to 2025, providing a critical interpretation of the discrepancies between training and actual deployment. This insight reflects the insufficient involvement of trained paralegals, the opportunities that legal technology can present, and the immediate necessity for systematic education, just pay, and regulatory recognition to heighten their productivity. In summary, the paper provides valuable insights for strategic adjustments focused on improving the integration of paralegals within the justice delivery framework, thereby advancing the constitutional mandate to offer fair access to justice.

**Keywords :** Access to Justice, Paralegal, Community, Vulnerable, Discrepancy.

### I. Introduction

Access to justice is a fundamental right enshrined in the Indian Constitution.<sup>1</sup> Access to justice is also a statutory right in India.<sup>2</sup> The Indian legal system is often complex and inaccessible, making it difficult for many people, especially those from marginalized and disadvantaged communities, who face barriers in accessing justice due to various reasons

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<sup>1</sup> Article 39A of the Constitution of India mandates that the State must ensure that the legal system operates in a manner that promotes justice based on equal opportunity. It specifically directs the State to provide free legal aid through appropriate legislation, schemes, or other means to guarantee that no citizen is deprived of access to justice due to economic or other disabilities.

<sup>2</sup> Section 12 of the Legal Services Authorities Act, 1987, establishes the entitlement of individuals to legal services under the Act.

such as poverty, illiteracy, lack of legal awareness, and inadequate Legal Aid services.<sup>3</sup> Ignorance of the law is a major cause of perpetuation of injustice. Additionally, the poor and disadvantaged are largely excluded from the legal system as they have no means to secure the help of lawyers and access legal institutions.<sup>4</sup>

Paralegals can play a significant role in promoting access to justice by providing legal assistance to individuals who due to lack of legal aid and high costs associated with legal proceedings, fail to access justice.<sup>5</sup> In this way, paralegals help bridge this gap by providing affordable and accessible legal services to marginalized communities. They are important and cost-effective components of any justice system.<sup>6</sup> In India, Paralegals are called Para-Legal Volunteers (PLVs) and both the terms are interchangeably used in the paper.

Committee for Implementing Legal Aid Schemes (CILAS) suggested practical programmes for strengthening the legal aid movement in India. It includes training of Para-legal persons for creation of a cadre of barefoot lawyers who support the legal aid network and provide feedback to the respective State Legal Boards.<sup>7</sup> Justice P.N. Bhagwati, Chairman of CILAS, once stated, “Having regard to the socio-economic conditions prevailing in the country, a court-oriented or litigation-oriented programme is wholly inadequate.”<sup>8</sup>

In 2009, the National Legal Services Authority (NALSA) brought out a scheme called the Para-Legal Volunteers Scheme which aimed at imparting legal training to volunteers selected from different walks of life.<sup>9</sup> The PLVs are expected to act as intermediaries bridging the gap between the common people and the Legal Services Institutions to remove impediments in access to justice. Ultimately, the process aims at Legal Services Institutions reaching out to

<sup>3</sup> Komal Audichya and Nikita Audichya, “Expanding Access to Justice to Reach the Poor and the Marginalized Communities” 5(2) *Bharati Law Review* 206 (2016).

<sup>4</sup> Srikrishna Deva Rao, “Paralegal Education in India: Problems and Prospects” 1 *Journal of National Law University Delhi* 94 (2013).

<sup>5</sup> Ainun Nafik, Helvin Crismayudhi and Aji Indra Laksana, “The Position of Paralegals in Providing Legal Assistance to the Defendant Is Guidance in the Trial Based on the Understanding of the Legal Aid Law No. 16 of 2011” 3(9) *Educity Kajian Ilmu Sosial dan Pendidikan* 830 (2024), available at: <https://doi.org/10.57096/edunity.v3i9.283> (last visited on December 14, 2024).

<sup>6</sup> *Ibid.*

<sup>7</sup> Baidyanath Choudhary, “Legal Aid Programme as an Instrument for Social Justice: An Inroad in Industrial Adjudication” 38 *JILI* 243 (1996).

<sup>8</sup> Jagat Narain, “Notes and Comments: Legal Aid - Litigational or Educational: An Indian Experiment” 28 *JILI* 72 (1986).

<sup>9</sup> National Legal Services Authority, *Scheme for Para-Legal Volunteers (Revised) & Module for the Orientation - Induction - Refresher Courses for PLV Training* (2024), available at: <https://cdnbbsr.s3waas.gov.in/s3ec0109d37c08f7b129e9627738875753/uploads/2024/11/2024110278.pdf> (last visited on March 3, 2024).

the people at their doorsteps rather than people approaching such Legal Services Institutions.<sup>10</sup>

Equipped with a fundamental understanding of the law, welfare programmes, and legislation, PLVs offer assistance within their immediate communities, empowering individuals who may be unaware of their rights to access relevant programmes and legal remedies. PLVs are trained to provide informal advice and mediation for minor disputes, minimizing the need for affected parties to travel long distances for formal legal channels. When necessary, PLVs facilitate referrals to Alternative Dispute Resolution (ADR) centres, where they can assist in navigating Lok Adalat, Mediation Centres, or court adjudication, tailoring interventions to suit the specific nature of each issue.<sup>11</sup>

The status of paralegals in India is not well-defined, and there is no uniform regulatory framework governing their work. The lack of a clear legal recognition of paralegals can limit their effectiveness in providing legal services and promoting access to justice. Paralegals may face challenges in accessing resources and support, and they may not have a clear scope of work. This lack of recognition can also limit the opportunities for career growth and professional development for paralegals.<sup>12</sup>

Although the status of paralegals in India is not well-defined, and they often face challenges in performing their functions effectively, the Legal Services Authorities Act, 1987, recognizes the role of paralegals in providing Legal Aid services and empowers the Legal Services Authorities to promote and organise legal aid programmes with the assistance of paralegals. NALSA has also issued guidelines for the accreditation and regulation of paralegals in India. The guidelines prescribe the qualifications and training required for paralegals and provide for their remuneration and regulation.<sup>13</sup>

In the case of *Sheela Barse v. State of Maharashtra*,<sup>14</sup> the Supreme Court of India recognized the role of paralegals in providing Legal Aid services and directed the state governments to

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<sup>10</sup> District Courts of India, “Para-Legal Volunteers”, *e-Courts Mission Mode Project*, available at: <https://districts.ecourts.gov.in/para-legal-volunteers> (last visited on May 25, 2023).

<sup>11</sup> *Supra* note 9.

<sup>12</sup> *Supra* note 5 at 832.

<sup>13</sup> Committee for Legal Aid to Poor, *Handbook for Paralegal Volunteers Training* (2014), available at: <https://www.clapindia.org/pdf/Handbook%20for%20PLV%20Training.pdf> (last visited on March 3, 2024).

<sup>14</sup> *Sheela Barse v. State of Maharashtra*, AIR 1983 SC 378.

appoint paralegals to assist in the delivery of Legal Aid services. Similarly, in the case of *State of Madhya Pradesh v. Rakesh Kohli*,<sup>15</sup> the Supreme Court of India held that paralegals can assist in the delivery of Legal Aid services and can perform a variety of functions such as assisting in court proceedings, providing legal advice, and conducting legal awareness camps.

## II. Eligibility and Selection of Para-Legal Volunteers

The selection from the received application is at the discretion of the selection committee but preference is given to applicants belonging to SC/ST, minorities, other backward classes and women. Any person who is literate can be a Para legal volunteer though a person with a matriculation degree is preferred. The selection committee looks for a person who wishes to serve the marginalised and weaker section of society with compassion and empathy. People with the motive of earning money only are discouraged from being selected as PLVs.<sup>16</sup>

Paralegals can be selected from the group of people consisting of Teachers (including retired teachers), retired government servants and senior citizens, *Anganwadi* Workers, doctors/physicians, law Students (till they enrol as lawyers), members of non-political service-oriented NGOs and Clubs, members of women neighbourhood groups, self-help groups including of marginalized/vulnerable groups, educated prisoners with good behaviour, serving long term sentences in prisons, any other person whom the district legal services authority or *Taluk* and legal services committee deems fit to be identified as PLVs.<sup>17</sup>

The selection process of PLVs at the district level shall be conducted by a Committee consisting of three members. The committee is chaired by the Chairman of the District Legal Services Authority (DLSA). The other two members consist of the Secretary and a third member, to be appointed at the discretion of the Chairman of the DLSA.<sup>18</sup>

<sup>15</sup> *State of Madhya Pradesh v. Rakesh Kohli* (2012) 6 SCC 312.

<sup>16</sup> Mizoram State Legal Services Authority, *Scheme for Para-Legal Volunteers (Revised)* (2017), available at: <https://mizoslsa.mizoram.gov.in/page/scheme-for-para-legal-volunteers-revised-> (last visited on February 18, 2024).

<sup>17</sup> National Legal Services Authority, *Scheme for Para-Legal Volunteers* (2017), available at: <https://nalsa.gov.in/acts-rules/preventive-strategic-legal-services-schemes/scheme-for-para-legal-volunteers> (last visited on December 14, 2024).

<sup>18</sup> Jharkhand State Legal Services Authority, "Jharkhand State Legal Services Authority", *JHALSA*, available at: <https://jhalsa.org> (last visited on February 14, 2025).

At the *Taluka* level, for the selection of PLVs, the selection committee is presided over by the Chairman of the DLSA. It consists of the Chairman of DLSA, the Member Secretary of DLSA, the Chairman of Taluka Legal Services Committee (TLSC) and a fourth person appointed at the discretion of the Chairman of DLSA. The place of interview for Taluk Level PLVs shall be at the discretion of the Chairman of DLSA. The Member Secretary of DLSA shall coordinate with the selection process.<sup>19</sup>

For the selection process, applications from interested persons are invited by the DLSA, TLSC or Sub Divisional Legal Services Committee through advertisement or notice calling for applications. For wider publicity, the advertisements or notices can be pasted on the notice board of court premises, legal services authority premises and district panchayat offices. It can also be shared with the offices of the Bar Association for spreading information about the call. In the application, interested people can select their area of work preference. The application for PLVs clearly states that selection to the post of PLV does not create any entitlement for salary, wages or remuneration but certainly, an honorarium fixed by DLSA is paid for the services rendered by PLV.<sup>20</sup>

### III. Training of Paralegals

The PLVs have to be trained in the basics of different laws which would be applicable at the grassroots level with reference to their day-to-day life. The subtle nuances employed in the working of a judicial system and the functioning of various other stakeholders also forms part of the training. The training apprised paralegal about the working of Police, officials from Social Welfare Department, Woman and Child Welfare Department, other departments dealing with different beneficial schemes of Central and State Governments, protection officers involved with Domestic Violence and Juvenile Justice Acts.<sup>21</sup>

Initially, the training programme for PLVs was only for two to three days. Since the obligations of PLVs were vast in nature, it was felt, training needs to be for a longer

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<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> District Courts of India, "Para-Legal Volunteers", *e-Courts Mission Mode Project*, available at: <https://districts.ecourts.gov.in/para-legal-volunteers> (last visited on May 25, 2023).

duration.<sup>22</sup> At the same time, the training curriculum for PLVs adopted by NALSA cannot be to make them a full-fledged lawyer.<sup>23</sup> PLVs are not expected to conduct themselves as legal professionals.<sup>24</sup> The aim of the training should concentrate on basic human qualities like compassion, empathy and a genuine concern and willingness to extend voluntary service without expectation of monetary gain from it. Then the line separating PLVs from professional lawyers should be zealously guarded.<sup>25</sup>

Under the supervision of the Chairman of DLSA, PLVs undergoes a training programme, totally under the control of the Member Secretary. The training shall be held at a convenient place subject to the discretion of the Chairman of DLSA. The number of PLVs to be trained at any given point of time in a training programme shall not exceed 50. Wherever the State Judicial Academy has facilities for training, the same may be availed of. The expenses for the training shall be incurred by the Judicial Academy for providing such facility to be reimbursed by the State Government/DLSA concerned.<sup>26</sup>

In consultation with the State Legal Services Authority (SLSA), the Chairman of DLSA shall identify the trainers for training the PLVs and other resource persons. Suitable persons from the members of the Bar with training skills shall be included in the list of resource persons.<sup>27</sup> Others could include NGOs associated with the activities of the Legal Services Authority *i.e.*, persons, who are exposed to the nature of work of the Legal Services Authority, master trainers of mediation, law teachers from law colleges, post-graduate students of law, retired professors of law, retired judicial officers, revenue officers, officers from social welfare department, public prosecutors, police officers, psychiatrists/psychologists/mental health experts.<sup>28</sup>

Paralegals are an essential part of the legal system in India. They can play a significant role in promoting access to justice and providing affordable legal services. However, to perform their functions effectively, they require appropriate training. The training of paralegals in

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<sup>22</sup> *Supra* note 18.

<sup>23</sup> *Supra* note 9.

<sup>24</sup> *Supra* note 18.

<sup>25</sup> *Supra* note 17; *Supra* note 18.

<sup>26</sup> *Supra* note 9; *Supra* note 18.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

India varies depending on the organisation that provides the training.<sup>29</sup> In India, the training of paralegals is provided by various institutions, including legal aid organisations, law schools, and non-governmental organisations.<sup>30</sup>

The training of paralegals in India covers various aspects of the law, including legal procedures, basic legal principles, legal research, drafting of legal documents, communication skills, ethics and client representation.<sup>31</sup> With a basic knowledge of the laws and other available welfare measures and legislation, they would be able to assist their immediate neighbourhood.<sup>32</sup>

The training for paralegals consists of an orientation programme, basic training and a refresher course. Refresher courses are offered to update the knowledge of the paralegal. Periodical meetings are conducted to assess the learning of the paralegals, share their experiences and solve the concerns of the paralegals for the functions they perform.<sup>33</sup> DLSA and TLSA also provide mentors to trained PLVs to clarify their doubts about discharging their duties.<sup>34</sup>

In the case of *Budhadev Karmasker v. State of West Bengal*,<sup>35</sup> it was highlighted that State and District Legal Services Authorities have been working with sex workers and transgender persons for access to legal and social protection measures since 2011. Over the years, they have also trained sex workers as ‘Para Legal Volunteers’ so that they can support their peers and other vulnerable women in the community.<sup>36</sup>

The quality of legal education is bound to affect the quality of the judicial process and of the administration of justice and governance at all levels.<sup>37</sup> Legal education must aim to prepare legal professionals who will play decisive roles of leadership while maintaining the highest

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<sup>29</sup> V. K. Ahuja, "Impact of National Education Policy 2020 on Legal Education" 10 *RGNUL Law Review* 27 (2020).

<sup>30</sup> *Supra* note 9.

<sup>31</sup> Committee for Legal Aid to Poor, *Paralegal Training Manual for North East States* (2014), available at: <https://www.clapindia.org/pdf/Paralegal%20Training%20Manual.pdf> (last visited on April 12, 2024).

<sup>32</sup> *Supra* note 18.

<sup>33</sup> *Supra* note 33.

<sup>34</sup> *Supra* note 9.

<sup>35</sup> *Budhadev Karmasker v. State of West Bengal*, 2020 SCC OnLine SC 1382.

<sup>36</sup> *Ibid.*

<sup>37</sup> Iqbal Ali Khan, "Legal Education in India: An Overview" 22 *ALJ* 1 (2014-15).

standards of professional ethics and spirit of public service.<sup>38</sup> The Bar Council of India (BCI) has the power to provide a “direct and institutional set up” which is required to deliver quality legal education.<sup>39</sup> In 1997, The BCI introduced four compulsory practical training courses at the B.A.LL.B. level, a course on “Public Interest Lawyering, Legal Aid and paralegal services” is one of them.<sup>40</sup>

Hon'ble Justice Shri Ranjan Gogoi also suggested that Communication and interaction with disadvantaged groups could be a wise starting point for young lawyers so that during their tenure at law school, students could undertake assignments as PLVs for the State/District Legal Services Authority.<sup>41</sup>

A person undertaking paralegal training receives the identity card of a paralegal subject to his qualifying test conducted after the programme. This identity card does not make Paralegal entitled to any benefit and can be used only for his identification as a paralegal. The ID card is valid for one year and can be renewed if a paralegal is found to be eligible by the Chairman, DLSA, for continuing as PLV.<sup>42</sup>

#### IV. Functions and Duties of Paralegals

One of the problems faced by legal services institutions is their inability to reach out to the common people. In this context, the NALSA has come up with the idea of PLVs to bridge the gap between the common person and legal services institutions.<sup>43</sup> Paralegals in India are not authorized to practice law independently, but they can perform several legal functions under the supervision of a lawyer.<sup>44</sup> In general, paralegals in India are involved in providing legal assistance, conducting legal research, drafting legal documents, providing information to clients and assisting lawyers in court proceedings.<sup>45</sup>

<sup>38</sup> *Supra* note 8.

<sup>39</sup> The Preamble of the Bar Council of India Legal Education Rules, 2020, outlines the objectives and guiding principles for legal education in India.

<sup>40</sup> *Supra* note 39 at 5.

<sup>41</sup> Ranjan Gogoi, “Address of Hon'ble Justice Shri Ranjan Gogoi on the Occasion of Second Orientation Programme, HPNLU Shimla” 1 *Shimla Law Review* 1 (2018).

<sup>42</sup> *Supra* note 33.

<sup>43</sup> Anju Sinha, “Legal Aid: Rights of Accused” 1 *IJCLC* 135 at 141 (2013).

<sup>44</sup> Shubham Raj Singh, “Role of Paralegals in Indian Legal Aid System” (2022), *available at*: [https://www.researchgate.net/publication/360504906\\_Role\\_of\\_Paralegals\\_in\\_Indian\\_Legal\\_aid\\_system](https://www.researchgate.net/publication/360504906_Role_of_Paralegals_in_Indian_Legal_aid_system) (last visited on March 27, 2024).

<sup>45</sup> *Ibid.*

Paralegals can play a crucial role in legal empowerment by conducting legal awareness campaigns and providing legal education to the communities. Legal awareness campaigns are an important function of paralegals in India. They can conduct legal awareness campaigns to educate the public about legal rights, duties, and obligations. This function is especially critical for marginalized and disadvantaged communities who may not have access to legal education.<sup>46</sup>

The engagement with PLVs enables the legal aid institutions to reach out to a larger population. It will work for the better accessibility of the justice system thereby increasing the reliability of legal aid institutions.<sup>47</sup> Paralegals can also provide legal services in remote areas where lawyers are not readily available. Additionally, they are often more accessible and can provide legal assistance to individuals who are unable to afford the services of a lawyer.<sup>48</sup>

Justice Patrudu, while working as a Member Secretary of Andhra Pradesh SLSA, propagated the legal aid movement and appointed para-legal volunteers in every village and made one village in each taluk a litigation-free village.<sup>49</sup> Paralegals can help reduce the burden on the already overburdened legal system by assisting lawyers in various legal tasks and making legal services more efficient and cost-effective. They can perform a range of legal tasks, such as drafting legal documents, conducting legal research, and assisting with court proceedings.<sup>50</sup>

Paralegals can provide affordable and accessible legal services to marginalized communities, who are often unable to access justice due to the high costs associated with legal proceedings. One of the primary advantages of utilising paralegals is their cost-effectiveness. Hiring a paralegal is significantly less expensive than hiring a lawyer.<sup>51</sup>

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<sup>46</sup> *Ibid.*

<sup>47</sup> Justice Adda, *Legal Aid in India: Between Practice and Promise for the Future* 32 (Eastern Book Company, Lucknow, 2023), available at: <https://www.justiceadda.com/legalaidinindia> (last visited on July 7, 2024).

<sup>48</sup> *Ibid.*

<sup>49</sup> M. E. N. Patrudu, "Legal Aid Movement and Litigation Free Villages" 2 *LW (JS)* 1 at 2 (2007).

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*

PLVs who have been authorized by the DLSA/TLSC visit jails, lock-ups, psychiatric hospitals, and children's homes/observation homes to ensure that inmates are getting the required legal services and inform the authorities if any inadequacy is noticed.<sup>52</sup> PLVs have also been mandated to report child rights violations to the nearest legal services authority and to the child welfare committee.<sup>53</sup> PLVs can assist the community by providing legal advice, and assistance and promoting community dispute resolution.<sup>54</sup> Paralegals act as a bridge between the legal system and the community and help in making the legal system more accessible and understandable to the people.<sup>55</sup>

PLVs are not only expected to impart awareness about laws and the legal system but also to counsel individuals on legal matters. They must be trained to amicably settle simple disputes between parties at the source itself, preventing unnecessary litigation which could save the trouble of the affected travelling all the way to the Legal Services Authority/ADR Centres.<sup>56</sup> If the dispute is of such a nature, which cannot be resolved at the source with the assistance of PLVs, they could bring such parties to the ADR Centres, where, with the assistance of the Secretary in charge either it could be referred to Lok Adalat or Mediation Centre or Legal assistance could be provided for adjudication in a court of law; depending upon the nature of problem.<sup>57</sup>

## V. Judicial Trends

Indian courts have also emphasized through its various judicial pronouncements, the imperative role played by paralegals in promoting equal access to justice. The Hon'ble Supreme Court in the case of *Bachpan Bachao Andolan v. Union of India*<sup>58</sup> directed that the Para-legal volunteers who have been appointed by the Legal services authorities should be deputed in every police station to keep a watch over the manner in which the complaint regarding missing children and other offences against children are dealt with.<sup>59</sup>

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<sup>52</sup> *Supra* note 17.

<sup>53</sup> *Ibid.*

<sup>54</sup> *Supra* note 4.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Supra* note 17.

<sup>57</sup> *Supra* note 18.

<sup>58</sup> *Bachpan Bachao Andolan v. Union of India*, 2013 SCC Online SC 464.

<sup>59</sup> *Ibid.*

In *Re Policy Strategy for Grant of Bail case*<sup>60</sup>, the Apex Court directed that if after the grant of bail, an accused is not released within 7 days then it would be the duty of the superintendent of jail to inform the secretary DLSA who may depute Para legal volunteer to interact with the prisoner and provide assistance for availing the possible ways for release. The secretary DLSA can also direct Para Legal Volunteer to prepare a report on the socio-economic conditions of the inmate for requesting the relaxation of the condition of bail or surety from the court.<sup>61</sup>

In the case of *Shakeel Ahmed v. Union of India*,<sup>62</sup> the Court clarified that the Committee constituted to provide compensation can always take the help of the PLVs to reach the persons who have been deprived of compensation and to render assistance to them to comply with the formalities.<sup>63</sup>

In the case of *Environment and Consumer Protection v. Union of India*,<sup>64</sup> the Hon'ble Supreme Court constituted a special committee for social protection and the dignified existence of destitute widows in Vrindavan and the committee has given discretion to take assistance from PLVs of DLSA for collecting relevant information about them.

In the case of *Samarpan Varishtha Jan Parisar v. Rajendra Prasad Agarwal*,<sup>65</sup> the Supreme Court directed the Uttar Pradesh SLSA to depute a para-legal volunteer to visit the old age home at such intervals as possible and the Member Secretary of the DLSA to visit the old age home at least once a month initially to find out the difficulties being faced by the inmates and to take redressal steps, including legal aid if required by the inmates of the old age home.<sup>66</sup>

In *Voluntary Health Assn. of Punjab v. Union of India*,<sup>67</sup> the Apex Court gave direction to SLSAs of the States to emphasise a campaign for spreading awareness about the Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 while spreading legal aid and involve para-legal volunteers in it.<sup>68</sup>

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<sup>60</sup> *Re Policy Strategy for Grant of Bail case*, 2023 SCC OnLine SC 483.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Shakeel Ahmed v. Union of India*, 2022 SCC OnLine SC 1519.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Environment and Consumer Protection v. Union of India*, 2017 SCC Online SC 916.

<sup>65</sup> *Samarpan Varishtha Jan Parisar v. Rajendra Prasad Agarwal*, 2022 SCC OnLine SC 564.

<sup>66</sup> *Ibid.*

<sup>67</sup> *Voluntary Health Assn. of Punjab v. Union of India* (2016) 10 SCC 265.

<sup>68</sup> *Ibid.*

## VI. Scope for PLVs in Promoting Equal Access to Justice

To facilitate free and competent legal services to the persons entitled to free legal aid,<sup>69</sup> the Central Authority made National Legal Services Authority (Free and Competent Legal Services) Regulation, 2010. It provides that all legal services institutions shall have a front office to be manned by a Retainer Lawyer on a rotational basis and one or more para-legal volunteers available during office hours<sup>70</sup> to advise people entitled to free legal aid for free legal services.<sup>71</sup> Legal Aid Clinics further reinforce the commitment to free legal services with the assistance of para-legal volunteers by serving as the first point of contact for individuals seeking legal assistance.<sup>72</sup>

To enhance accessibility and streamline Legal Aid services, the government launched several initiatives, among which is the Tele-Law initiative in 2017. Through the use of video conferencing equipment at Common Service Centres (CSC), run by PLVs, the project would link attorneys and clients. It was believed that by utilising CSCs to mainstream Legal Aid services for the underprivileged at the panchayat levels, legal assistance would be able to reach people who were previously affected by lack of infrastructure and geographic difficulties.<sup>73</sup>

Services of PLVs are also utilised for assisting in Alternate Dispute Resolution Mechanism. Dispute resolution mechanisms like Lok Adalats play an essential role in ensuring timely justice. The Secretary of the DLSA and Chairman of the TLSC organising the Lok Adalats shall constitute a bench of the Lok Adalat which comprises a person engaged in paralegal activities of the area, preferably a woman.<sup>74</sup>

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<sup>69</sup> The Legal Services Authorities Act, 1987, s. 12.

<sup>70</sup> National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010, reg. 3(6).

<sup>71</sup> *Ibid.*

<sup>72</sup> National Legal Services Authority (Legal Services Clinics) Regulations, 2011, reg. 2(c).

<sup>73</sup> Justice Adda, *Legal Aid in India: Between Practice and Promise for the Future* 9 (Eastern Book Company, Lucknow, 2023), available at: <https://www.justiceadda.com/legalaidinindia> (last visited on January 8, 2025).

<sup>74</sup> National Legal Services Authority (Lok Adalat) Regulations, 2009, reg. 6(b)-(c).

PLVs also have a significant role to play for assisting various vulnerable groups in realising their rights and ensuring equal access to justice for them. Some of the prominent vulnerable groups getting assistance from PLVs for redressal of their legal rights are discussed below:

### Child Rights

Recognizing the specific needs of juveniles, the Legal Aid services extend their reach to support children in conflict with the law. Every police station must prominently display a list of all designated Child Welfare Police Officers including PLVs.<sup>75</sup> The Legal Services Authority may provide a support person or PLV for pre-trial counselling and to accompany the child for recording of the statement who shall also familiarize the child with the Court and Court environment in advance. Where the child is found to have been disturbed by the experience of coming to the Court, orders for video-conferencing may be passed by the Court, on an application moved by the support person or PLV or by the Legal Services Authority, on behalf of the child.<sup>76</sup>

The Board may also deploy the services of the student legal services volunteers and non-governmental organisation volunteers in paralegal tasks such as contacting the parents of juveniles in conflict with the law and gathering relevant social and rehabilitative information about the juveniles.<sup>77</sup> For providing child-friendly legal services<sup>78</sup>, legal services authorities undertake and organise training, orientation and sensitization programmes for PLVs for their skill enhancement and for creating a sense of responsibility amongst them.<sup>79,80</sup>

SLSAs shall set up Legal Services Clinics at every Juvenile Justice Board and Child Welfare Committee in each district in the State. PLVs shall be deputed in such clinics.<sup>81</sup> PLVs may be asked to create an effective outreach campaign through the distribution of posters using child-appropriate messaging. DLSAs can take the services of PLVs deputed at each police station, in compliance with the direction in *Bachpan Bachao Andolan v. Union Of India*,<sup>82</sup> for

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<sup>75</sup> *Id.*, reg. 8.

<sup>76</sup> *Id.*, reg. 54.

<sup>77</sup> The Juvenile Justice (Care and Protection of Children) Rules 2007, rule 14.

<sup>78</sup> *Supra* note 18.

<sup>79</sup> NALSA (Child-Friendly Legal Services to Children and Their Protection) Scheme, 2015, cl. 8.2.

<sup>80</sup> *Supra* note 18.

<sup>81</sup> *Supra* note 81 at cl. 10.3.

<sup>82</sup> *Supra* note 60.

conducting initial interviews and investigations, to provide counselling and to work as a link between the children and his or her family.

Each SLSA shall take up necessary steps to solve the problem of Child Labour by working in villages with the help of PLVs to sensitize families about the long-term benefits of education and to make them aware that child labour is not acceptable.<sup>83</sup> Legal services authority also engages PLVS for greater social community engagement to prevent young girls from being coerced into early marriages.<sup>84</sup>

### **Tribal People, Senior Citizens, Victims of Acid Attack and Poverty Alleviation**

Empowering and protecting vulnerable groups is one of the fundamental objectives of Legal Aid services, among these groups, tribal communities often face significant challenges in securing their legal rights. As per section 12 of the Legal Service Authorities Act, 1987 a member of the scheduled tribes is entitled to legal assistance. Each DLSA, should identify the areas of the districts where there are tribal populations and reach out to them through the PLVs.<sup>85</sup> In order to gain the trust of the tribal communities, to know the problems of each such community and also to communicate with them effectively during awareness programmes it is necessary that PLVs must be selected from amongst such tribal people.<sup>86</sup>

Panel lawyers should, with the help of PLVs, facilitate the tribal people in getting compensation for their acquired land and assist them with rehabilitation.<sup>87</sup> Legal Services Authority could play a vital role in providing medical help as well as benefits of medical schemes<sup>88</sup> with the assistance of PLVs for the tribal community.<sup>89</sup>

Similar outreach and awareness efforts are required for senior citizens and Acid Attack victims, who often face difficulties in accessing their legal rights and government welfare schemes. Legal Services Authorities working with the assistance of PLVs focuses on educating senior citizens and acid attack victims about their entitlements under various laws

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<sup>83</sup> *Supra* note 81 at cl. 10.6.

<sup>84</sup> *Supra* note 18.

<sup>85</sup> *NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015*, Part II(B)(1).

<sup>86</sup> *Id.*, Part II(B)(2).

<sup>87</sup> *Id.*, Part II(A)(7).

<sup>88</sup> *Ibid.*

<sup>89</sup> *Supra* note 18.

and government programmes.<sup>90</sup> Trained PLVs are available in the Legal Services Clinics to assist the senior citizens and acid attack victims in making applications and carrying out other procedural requirements.<sup>91 92</sup>

The Poverty Alleviation Schemes through PLVs and students in Legal Aid Clinics enhances awareness and build capacity for poverty alleviation.<sup>93</sup> It also provides to undertake and organise training and orientation programmes, for panel lawyers, PLVs, officers under Poverty Alleviation Schemes, and student volunteers in Legal Aid Clinics for their skill enhancement and for developing a sense of deeper engagement amongst them for implementing this Scheme.<sup>94</sup>

### **Person Suffering from Mental Health Issues, Unorganised Sector Workers and Drug Abuse**

Efforts to combat human trafficking demand widespread community outreach, particularly in high-risk areas. DLSAs can spread awareness in the community through the panel lawyers and PLVs about the issues of trafficking particularly in vulnerable areas and among vulnerable groups. The DLSAs can accredit Para legal volunteers drawn from the community and train them as per the NALSA module. These PLVs can then act as the front-line workers of the Authority as far as the community is concerned. The effort must be to ensure “saturation coverage” by having representation from all the blocks of the district and ultimately the entire State.<sup>95</sup>

The need for specialized legal aid extends to individuals suffering from mental illness or disabilities with an objective to ensure that the mentally ill or mentally disabled are not stigmatized and they are dealt with as individuals who are to be helped to enforce all rights they are entitled to and as assured to them by law.<sup>96</sup> SLSAs/DLSAs set up Legal Services Clinics at psychiatric hospitals, homes and facilities to provide legal assistance wherever

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<sup>90</sup> NALSA (Legal Services to Senior Citizens) Scheme, 2016, cl. 6(5) and 6(3).

<sup>91</sup> *Supra* note 18;

<sup>92</sup> NALSA Scheme 2016, 6(3).

<sup>93</sup> NALSA (Legal Services to the Victims of Poverty Alleviation Schemes) Scheme, 2015, cl. 4.

<sup>94</sup> *Id.*, cl 7.

<sup>95</sup> *Supra* note 18.

<sup>96</sup> *Ibid.*

required to the mentally ill /mentally disabled persons and their families to address legal issues concerning the mentally ill and mentally disabled persons.

Such a legal clinic should be manned by PLVs and Panel Lawyers who are sensitive to such issues and persons. It would be quite appropriate to train the doctors, nurses and other para-medical staff/administrative staff at the mental health facilities as PLVs so that the best legal services can be provided keeping in mind the welfare of the mentally ill/mentally disabled persons.<sup>97</sup>

Equally vulnerable are workers in the unorganised sector. To provide effective legal services to the workers of the unorganised sector, each SLSAs constitutes a special cell focusing exclusively on these services. The cell is manned by a one-panel lawyer specialising in Labour Laws, one counsellor/consultant having requisite qualification/experience in the relevant field, wherever feasible, a representative of an NGO doing demonstrably good work in the area and such number of PLVs as the SLSA may prescribe.<sup>98</sup>

Another area of concern is drug abuse prevention, where PLVs play a fundamental role. Following their training on several schemes, the PLVs visits different communities and educate the public about the dangers of narcotics and psychotropic substances.<sup>99</sup>

## VII. Critical analysis of paralegal functioning

Paralegal plays an important role in spreading legal awareness as they work at the grass root level and can easily assess the needs at the community level. The critical analysis of statistical data of legal awareness camps, number of beneficiaries, number of paralegal trained and place can exhibit the level of utilisation of paralegal in spreading legal awareness and other legal aid services under various schemes discussed above. The data of the last four years from 2021 to 2025 has been critically analysed to get a clear picture of ground reality of paralegals promoting legal aid in India and potential way forward for better utilisation of paralegal for promoting equal access to justice.

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<sup>97</sup> NALSA (*Legal Services to the Mentally Ill and Mentally Disabled Persons*) Scheme, 2015, Part II.

<sup>98</sup> *Supra* note 18.

<sup>99</sup> NALSA (*Legal Services to the Victims of Poverty Alleviation Schemes*) Scheme, 2015, cl. 17.

**Legal Awareness**

Year	Awareness Camp	No. Of Participants	Average % Per Camp
2024-25	462988	37232850	80
2023-24	430306	44922092	104
2022-23	490055	67517665	138
2021-22	1134086	584126827	514

*Source: NALSA statistical report on legal awareness camp Program<sup>100</sup>*

The above stated table suggests that 2021-22 saw an extraordinarily high number of camps (1134086) and beneficiaries (584126827). Post this, there is a steep decline in both metrics. The reduction is almost 75 percent in camps and more than 90 percent in beneficiaries by 2024-25. It shows that 2021-22 was an exemplary year in terms of spreading legal awareness to large number of beneficiaries. The important factor to consider while analysing the data in the table is that the year 2021-22 was the year when country was struggling with pandemic and online mode for legal awareness was adopted. The output of legal awareness through online mode clearly suggests that use of technology has a huge potential for the mass legal awareness particularly by overcoming geographical barriers and user friendly content delivery. Legal aid mobile app can provide access to legal information on demand any time-any place, placing a continuous learning mechanism process into operation. Promotional SMS system can also be put into motion for notifying people about the upcoming legal awareness camps and the subject of the awareness.

**Para-Legal Volunteers:**

Year	Paralegal Trained	Paralegal Placed	Placement Percentage
2024-25	50478	9848	19.5%
2023-24	53379	8438	15.8%
2022-23	56842	8129	14%

<sup>100</sup> National Legal Services Authority, "Statistical Report on Legal Awareness Camp Program", available at: <https://nalsa.gov.in/awareness-camps-programmes-report/> (last visited on May 20, 2026).

2021-22	55258	14504	26%
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*Source: NALSA Statistical Report on Para Legal<sup>101</sup>*

From 2021 to 2025 over 215957 paralegal volunteers have been trained but only 40,919 deployed. Less than 20 percent utilisation of paralegal raises a question on the adequacy of training imparted to paralegals. The scope of paralegals under different schemes and judicial pronouncements clearly highlights relevance of trained paralegals in bridging the gap between justice seekers and justice providers. Still if paralegals are not getting placed then it raises a doubt on the efficiency of paralegal for discharging the expected duty. The analysis of the placement percentage indicates that maximum no of paralegals were placed in the year 2021-22. Due to pandemic restrictions during this period, legal aid was provided through online mode with the help of technology assisted tools like mobile app for legal aid. This relevance of training paralegals for using technology and equipping them with the technology assisted tools like legal aid mobile apps can add to their efficiency and enhance their placements. So, in nutshell it can be said that use of technology can certainly contribute not only in increasing the frequency of legal awareness camps and legal aid beneficiaries but also improve the efficiency of paralegals in discharging their duties effectively.

### **Way Forward**

The community should be enlightening at large about the benefits of using paralegal services. Marginalized communities should also be the target groups in this campaign. Advocacy campaigns, community workshops and information materials can target the duties and importance of the paralegals towards strengthening the system of the law to serve the poor, the weak, and the vulnerable and other underprivileged people in society.

The fuller utilisation of trained paralegals can be achieved not only by their placements but also by their retention in the assigned jobs for a longer duration. For retention of paralegals, remuneration is an important factor. Currently, the remuneration given to the paralegals is very nominal which makes the job of paralegal only a backup option till a better paying job is offered. So there is a need for revising the remuneration rate for ensuring retention of paralegals.

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<sup>101</sup> National Legal Services Authority, “Statistical Report on Para Legals”, available at: <https://nalsa.gov.in/?s=Para+legal> (last visited on May 20, 2026).

Training of paralegal includes essential soft skills like communication, client interaction, ethical conduct, and time management then it can facilitate successful integration of paralegals into professional legal environments. Training of paralegals should not be a one-time affair but should be a continuous learning process through short-term internships or apprenticeships with legal organizations. This provides practical experience for para-legals and allows potential employers to assess their capabilities before formal placement. Mode of training can also be through online modules, webinars, and virtual workshops. This ensures that volunteers are always equipped with the latest legal knowledge and effective communication techniques, improving their overall effectiveness in conducting awareness activities.

To enhance the frequency of legal awareness camps, it is imperative to conduct a community needs assessment facilitated by paralegals for the purpose of developing customized legal awareness initiatives. Adopting this strategy will not merely expand the roster of legal aid recipients, but it will also enrich the total outcome of the legal awareness workshops. Finally, it's imperative to implement a feedback mechanism for participants, which would support the incorporation of recommendations aimed at refining the effectiveness of the legal awareness camps in responding to the requirements of those benefiting from legal aid.

### **VIII. Conclusion**

There are significant advantages of taking assistance of PLVs for promoting equal access to justice but there are also some limitations too. One of the main limitations is that paralegals are not authorized to provide legal advice, represent clients in court, or perform other tasks that are exclusively reserved for lawyers. This limitation can restrict the services that paralegals can offer to clients. Their work is limited to assisting lawyers in providing legal services. Additionally, paralegals may lack the expertise and knowledge required to handle complex legal matters, and they may not be subject to the same ethical and professional standards as lawyers. It can affect the quality of legal services provided by paralegals. But despite the limitations of paralegal functioning, the relevance of the role played by paralegals in promoting equal access to justice can be underestimated. Paralegals play a vital role in promoting access to justice in India, especially for marginalized and disadvantaged

communities. They assist in enhancing the reach and effectiveness of Legal Aid services and make the legal system more accessible and understandable to the people.

However, there is a need for a clear legal framework governing the role and functions of paralegals in India. This involves designing a learning system for paralegals that includes structured training, ensuring that they receive equal pay for corresponding services, and developing regulations governing paralegal standards of professionalism. Paralegal skill induction programmes can be initiated which are well structured depending on the requirement of paralegals, thus the quality and outcome of legal aid can be notably raised.

It can be yielded in a way that will ensure that the justice system is reachable by the poor and marginalized people. Thus, the wide strategy that combines continuous learning through periodical training, and awareness creation, technology integration is essential to develop the potential of paralegals to act as a bridge between justices seeks and justice providers.