

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:198

ANSWERED ON:24.08.2007

LEGAL AID TO POOR

Agarwal Shri Dharendra;Deshmukh Shri Subhash Sureshchandra

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

- (a) the norms fixed by the Government for seeking legal assistance under the legal aid scheme;
- (b) the number of poor persons benefited under the scheme during the last three years, State-wise;
- (c) whether the Government proposes to amend the norms; and
- (d) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ)

(a) to (d) A statement is laid on the Table of the House.

STATEMENT IN REPLY TO LOK SABHA STARRED QUESTION NO-198 TO BE ANSWERED ON 24.08.2007.

(a) As per Section 12 of the Legal Services Authorities Act, 1987, every person who has to file or defend a case shall be entitled to legal services if that person is-

- i. a member of Scheduled Caste or Scheduled Tribe,
- ii. a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution,
- iii. a women or a child.
- iv. a mentally ill or otherwise disabled person,
- v. a victim of mass disaster, violence, flood, drought, earthquake, industrial disaster,
- vi. an industrial workman,
- vii. a person in custody, including custody in a protective home; or in a juvenile home; or in a psychiatric hospital or psychiatric nursing home.
- viii. a person whose annual income is less than the amount as prescribed by State Government, if the case is before a court other than the Supreme Court and as prescribed by Central Government, if the case is before the Supreme Court. In cases before the Supreme Court, the limit was originally fixed at Rs. 12,000/- and now the income ceiling has been raised by the Central Government to Rs. 50,000/-. In regard to cases before the High Courts and Courts subordinate thereto, the income limit was originally Rs. 9,000/- which was resolved to be raised to Rs. 50,000/- in the fourth annual meet of State Legal Services Authorities held on 29.02.2004 and 01.03.2004 at Kolkata. In pursuance to this 19 States and 3 Union Territories have raised the income limit to Rs. 50000/- and the remaining States/ UTs have also been requested to increase the income limit to Rs. 50000/-.

(b) A statement showing the number of poor persons who benefited under the Legal Aid Scheme during the last three calendar years viz, 2004,2005 and 2006, State-wise is annexed at Annexure-A.

(c) &(d) There is a proposal to include senior citizens, dependents of family members of Armed forces personnel and personnel of the paramilitary forces, who died in action, and victims of terrorists/ extremist violence and riots in the categories of persons entitled to get legal services under Section 12 of the aforesaid Act.

Annexure-`A`

Statement in reply to part (b) of the Lok Sabha Starred Question No. 198 for 24.08.07 putdown by Shri Subhash Sureshchandra Deshmukh and Dr. Dharendra Agarwal, MPs regarding `Legal Aid to Poor`.

(Statement showing the number of poor persons benefited under the Legal Aid Scheme during the last three years, State-wise).

S.No. Name of the State Number of persons
Legal Services
Authority

1. Andhra Pradesh 7132
2. Arunachal Pradesh 1677
3. Assam 75564
4. Bihar 16359
5. Chhattisgarh 13082
6. Goa 1223
- 7 Gujarat 20448
8. Haryana 7729
9. Himachal Pradesh 787
10. Jammu & Kashmir 2902
11. Jharkhand 2532
12. Kamataka 5294
13. Kerala 6680
14. Madhya Pradesh 109018
15. Maharashtra 188175
16. Meghalaya 140
17. Mizoram 11839
18. Nagaland 684
19. Orissa 6824
20. Punjab 12429
21. Rajasthan 22061
22. Sikkim 996
23. Tamil Nadu 431512
24. Tripura 1940
25. Uttar Pradesh 1448645
26. Uttarakhand 14144
27. West Bengal 11612
28. And. & Nio. Islands 125
29. U.T. of Chandigarh 1671
30. Delhi 39187
31. U.T. Puducherry 3409

TOTAL 2465820