

PROVISIONS AND CHALLENGES FOR LEGAL LITERACY IN INDIA

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ABSTRACT

The rule of law is fundamental to any democratic society, guaranteeing individuals access to justice and equitable treatment. The pursuit of rule of law is a formidable challenge for India, arguably the most diverse and populous nation, characterized by significant social inequalities. One of the primary hurdle to this understanding is the restricted access to legal services for underprivileged communities, including the impoverished, rural populations, women, and other vulnerable groups. The Legal Services Authorities Act of 1987 was instituted to tackle these issues by enhancing legal literacy and provide complimentary legal assistance to those in need. The essay examines the significance of legal knowledge in empowering individuals to understand their rights, obtain justice, and hold authorities accountable, highlighting the vital link between legal literacy and the foundation of the rule of law in India. Legal literacy is not merely a vital tool for citizens but a significant strategy for attaining social justice, particularly in a society where the economically disadvantaged encounter financial and legal obstacles in their pursuit of justice. The inquiry primarily examines the importance of legal literacy programs and their potential to enhance the efficiency of the legal assistance system. These efforts seek to inform individuals, particularly those from economically disadvantaged families, on their legal rights and prevent their exclusion from the legal system. The report examines the obstacles encountered in advancing legal literacy in India, including insufficient infrastructure, linguistic difficulties, and socio-cultural influences. It emphasizes the significance of legal literacy in averting legal infractions and promoting enhanced engagement in democratic processes.

INTRODUCTION

Law touches the daily life of every citizen in myriad ways. However, it touches that of the India's socio-economically weaker section in a rather ironic manner. From corruption in public distribution system (ration), to getting the share of work under the NREGA, it is they who need to be most aware of their right and of the entitlement which various government policies offer to them. For them it is question of survival and their unawareness amount to vulnerability; an open invitation to exploitation. For them knowledge is, truly, the much-needed power. And therefore, legal literacy assumes critical significance for them. Around 35% of India's population is illiterate with the bulk of our illiterate population living in rural areas. In these areas social and economic barriers play an important role in keeping the lowest strata of society suppressed. Even, the poor people of upper caste also have been suppressed by rich people of same caste in villages.

Their unawareness about their rights feed into this vicious cycle. In such a situation, even government programs and other social welfare and empowerment initiatives, in various categories

such as employment generation etc. will achieve intended results only when people are aware of their rights and are able to take advantage of them. The fundamental rights enshrined in part-II of our constitution will be nothing but illusory rights if people are not aware of them or do not understand them. Democracy has no meaning for the citizen unless the citizen is able to secure his basic human rights, namely education, employment and the right to live a life of dignity and self-respect. Therefore, for all these reasons this set of population becomes the most crucial in terms of reaching out to them via sustained efforts at promoting legal literacy. Moving on, before we come to devising an effective model and different provisions for legal literacy, we must understand as to what we mean by the term legal literacy. Well, in the simplest terms it can be seen as a tool based on the power of information to bring about a change at the grass-root level. It is the starting point towards beginning to exercise our rights, demanding implementation and challenging faulty enforcement. In essence it is the common man's vehicle to question the system and to get from it what is due to him. Article 39A of our constitution of India gives a directive to the states to ensure that the operation of the legal system does promote justice on a basis of equal opportunity. It directs the state to provide free legal aid of suitable legislation (such as the National Legal Service Authority Act) or schemes and ensure that opportunities for securing justice are not denied to any citizen for reason of economic or other disabilities. This paper is divided into four parts: A Goals and objectives of legal literacy:

Following objectives we want to achieve by legal literacy:

People have to recognize they have legal right or responsibility in order to exercise. People have to recognize when a problem or conflict is a legal conflict and when or assume it: People have to know how to take necessary action to avoid problems and where a legal solution is available. This is not possible then how to help himself appropriately. People have to know how and where to find information on the required law. People have to know how and when obtain suitable legal assistance. In People have to understand the process clearly enough to perceive the justice has to. Raising awareness and building capacity in the public. been done. IS Training the trainer. Community education and empowerment. Exposing the law student for social justice work. Strengthen the community solidarity and supporting grass- root advocacy. To reduce the number of cases in the courts.

Legal literacy in India faces significant challenges despite constitutional and legal provisions for free legal aid and access to justice. While India has laws like the Legal Services Authorities Act 1987, and provisions in the Code of Civil Procedure 1908, illiteracy, lack of awareness, and inadequate resources hinder their effective implementation.

PROVISIONS

- a. **Constitutional Mandate:** Article 39A of the Indian Constitution directs the state to provide free legal aid to ensure equal access to justice, particularly for the poor and marginalized.

- b. Legal Services Authorities Act, 1987: This Act established legal services authorities at the national, state, and district levels to provide free and competent legal services to the needy.
- c. Code of Civil Procedure, 1908: The CPC empowers courts to appoint lawyers for indigent parties and allows for the waiver of court fees for those unable to afford them.
- d. Various Schemes and Initiatives: Several schemes and initiatives have been launched by the government and organizations to promote legal awareness and provide legal aid.

METHODS AND PROVISIONS ADOPTED TO PROMOTE LEGAL LITERACY

Without the knowledge of law. National and state legal service authority (NALSA and SLSA)

In 1987, the legal service authority act (LSAA) was enacted by the parliament which came into force on 9th November, 1995 with an object to establish a nationwide uniform network for providing free and competent legal service to the weaker section of the society on the basis of equal opportunity. District level, state level and national level legal service authority are constituted on the basis of this act.

1. These authorities are providing free legal aid to poor and persons belong to weaker section whose annual income does not exceed Rs. 50,000.
2. Legal awareness is also achieved through legal aid camps, lecture, seminars, workshops etc.
3. Others methods are road show, radio talk, street and theatre play etc. Publications of relevant books, periodicals, posters and charts that deals with particular law.
4. Display of paintings and illustrations in comics are other ways to ensure publicity for various legal mobilizations activities.
5. Strategically located display boards and hoardings in public places, bus stations, market places, in front of major public offices and police stations are also used to help in understanding the spirit of law.

Obstacles and Challenges for Legal Literacy:

1. Problem of character building.
2. Problem to develop a sensitive citizen and integrated society.
3. Lack of access to quality education.
4. Lack of awareness about rights and duties.

5. Drop out from schools and colleges.
6. Problem of language and communication.
7. Halfheartedly efforts by the government.
8. Poverty and Population
9. Other Challenges
 - a. **Legal Illiteracy and Lack of Awareness:** A significant portion of the Indian population, especially in rural areas, lacks awareness about their legal rights and how to access legal aid.
 - b. **Inadequate Resources and Funding:** The legal aid system is underfunded, and there is a shortage of lawyers willing to provide pro bono services.
 - c. **Implementation Gaps:** While laws and schemes exist, their effective implementation faces challenges, including logistical difficulties, lack of coordination, and insufficient infrastructure.
 - d. **Socio-Cultural Barriers:** Stigma, discrimination, and social inequalities prevent many from seeking legal aid.
 - e. **Limited Access to Justice:** The rural-urban divide in access to legal services, coupled with the heavy burden of cases on courts, leads to delays and denial of justice.
 - f. **Quality of Legal Aid:** There are concerns about the quality of legal aid provided, with inadequate training and resources for legal professionals involved in legal aid programs.
 - g. **Corruption and Accountability:** Corruption within the legal system can undermine public trust and hinder access to justice.
 - h. **Complexity of Laws:** The complex nature of Indian laws and legal procedures can be daunting for ordinary citizens, especially those with limited education.

Suggestion for legal literacy:

1. Legal literacy should be included in Syllabus at senior secondary and college level classes.
2. Religious, caste and other social organization and NGO should take part in the 2) legal literacy mission. Political parties and grass root level democratic institutions like urban and rural

3. Local bodies should take responsibilities to impart the legal awareness to the citizens.
4. Government should fixed responsibilities to different club house to impart and environment education in the society.
5. All law colleges and law universities of our country should take over nearby villages for legal awareness.
6. Use local language to disseminate legal education and awareness to the society.
7. Print and electronic media may be helpful to aware the general mass regarding legal education.

CONCLUSION

Addressing these challenges requires a multi-pronged approach, including enhancing legal literacy through education and awareness campaigns, increasing funding for legal aid, improving the quality of legal services, and strengthening the infrastructure for delivering legal aid. legal literacy in India is essential for empowering citizens and ensuring access to justice, but it faces significant challenges related to awareness, implementation, and infrastructure. While legal provisions and initiatives like the Legal Services Authorities Act are in place, they need robust implementation and increased public awareness to be truly effective. Ultimately, enhancing legal literacy is crucial for fostering a more just and equitable society in India.

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