

**Rajiv Gandhi Adhivakta Prashikshan Yojna**  
**(Rajiv Gandhi Advocate's Training Scheme)**

Whereas the preamble to the Constitution of India assures "justice, social, economic and political", and

Whereas the Article 39-A of the Constitution mandates that the State shall provide free legal aid *by suitable legislation or schemes or in any other way* to ensure that opportunities for securing justice are not denied to any citizen *by reason of economic or other disabilities*, and

Whereas in order to enable the State to afford free legal aid and guarantee speedy trial, a vast number of persons trained in law are essential; and

Whereas the explosion in population, the vast changes brought about by scientific, technological and other developments, and the all-round enlarged field of human activity reflected in modern society, and the consequent increase in litigation in courts and other forums demand that the service of competent persons with expertise in law is required in many stages and at different forums or levels and should be made available and

Whereas the Supreme Court in the case of *State of Maharashtra v. Manubhai Pragaji Vashi*, (1995) 5 SCC 730 has observed that the need for a *continuing and well-organised legal education*, is absolutely essential reckoning the new trends in the world order, to meet the ever-growing challenges

Whereas it becomes necessary to encourage and motivate young and talented and meritorious law graduates at grass root level to continue and adhere to legal profession.

Ministry of Law and Justice, Government of India hereby makes a scheme/plan namely, "**Rajiv Gandhi Adhivakta Prashikshan Yojna**".

### Need of Scheme-

Constitution of India, which we the people of India on 26<sup>th</sup> November, 1949 enacted, adopted and gave ourselves, reflects the quest and aspiration of the mankind for justice when its preamble speaks of justice in all its form; Social, Economic and Political. Article 39A which was inserted by way of 42<sup>nd</sup> Amendment to the Constitution recognizes equal justice and free legal aid. It imposes a duty on the State to secure that the operation of the legal system promotes justice, on a basis of equal opportunity and in particular State shall provide free legal aid to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. Access to Justice is recognized as a fundamental right. An effective justice delivery system requires that (i) justice be made available at the door step of people and (ii) we should have talented, dedicated and qualified legal professionals who serve at the grass root level. So far as providing justice at the doorstep is concern, we have court at the district and taluka levels. Now, we also have 'Gram Nyayalaya' at village and intermediate level. There is no dearth of talented and dedicated law graduates at grass root level but there is no motivation and encouragement for them to come forward and stay in legal profession at district, Taluka and village level. Result is, despite their ability most of these young lawyers are not getting proper opportunity and exposure in the profession. At the end, they become brief less lawyer. Further, there is a need to give proper professional training so that they may become good lawyer and compete with solicitor of high profile law firm. Training would also help them in updating their lawyering skill and knowledge.

In order to ensure motivation and encouragement to young talented lawyers and to give them professional training, it is necessary for the Central Government to formulate a programme/scheme/plan.

Object-

Main object of the plan is to give motivation and encouragement to young lawyers who are practicing in Magistrate and Munsif Courts, by providing proper professional training for a period of Two months so that they may serve the need of law professional at grass root level. This will encourage them to stay in the profession at the grass root level and it will also help in elimination of their frustration. Nation would also get benefit of their services in the field of providing justice to all. In short object of the plan are: To motivate and encourage young talented meritorious lawyers to remain in practice at Bar at grass root level, and for that purpose -impart them professional training

Salient feature of the scheme/plan-

- (1) Each year, from each State, not more than Ten, depending upon the population of the State, practicing young advocates, shall be selected for imparting professional training.
- (2) While selecting candidates, preference shall be given to those candidates who belong to Scheduled castes, Scheduled Tribes, other backward classes, women and physically handicapped.
- (3) **Inviting Application-** Each year, at the beginning, application from desired candidates shall be invited. Wide publicity of the scheme and invitation of application shall be given. Application shall be called in prescribed format. Applications shall be scrutinized to verify the eligibility conditions.
- (4) **Eligibility for selection-** At the time of selection, candidate should fulfill following conditions-

