



WBSLSA INTERNSHIP POLICY

**STATE LEGAL SERVICES AUTHORITY
WEST BENGAL**



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STATE LEGAL SERVICES AUTHORITY, WEST BENGAL



WEST BENGAL STATE LEGAL SERVICES AUTHORITY INTERNSHIP POLICY

Introduction :

India's deep-seated structural inequalities whether social, economic or political has resulted in the denial of access to justice to a vast number of Indian citizens. The inability of these citizens to access the mechanisms of justice whether for economic or social reasons, was a strong motivator for the introduction of The Legal Services Authorities Act, 1987.

The Act was introduced to provide free legal aid for all those individuals who were deemed eligible by the said Act. The engrained belief among the poor and deprived sections of society that justice was only available for a certain section of the Indian population that had the necessary resources was to be changed with the implementation of this Act. The marginal sections of society had to be instilled with the confidence that the law of the land and the courts of Law were not discriminatory, and that justice was indeed possible for all. The Legal Services Authority Act 1987 was drafted with the central objective as mentioned by **Hon'ble Justice S.P. Bharucha** for "ensuring that equal justice is not denied to those who are unequal on account of poverty, illiteracy, ignorance or some such cause."

The Legal Services Authorities Act, 1987

The Parliament passed the Legal Services Authorities Act, 1987 to overcome the deficiencies of the "Committee for Implementing Legal Aid Schemes" (CILAS) and to further the Government's commitments under Article 39A of the Constitution of India. The Legal Services Authorities Act, 1987 treats 'legal services' as not only court annexed legal services, but also to give advice on any legal matter. Preventive and strategic legal aid is also envisaged in the Act. The Philosophy of the Act envisions a system of legal aid that reaches out to people rather than confining the legal aid mechanism to the institutional four walls of the offices of the Legal Services Authorities. The Act intends to make the Legal Services Authorities institutions more self-developing, innovative and pro-active designed to reach out to the weaker sections of the society. The Act takes into account the constraints and limitations of the executives and judicial functionaries and envisages enlisting the support of voluntary social welfare institutions. State Legal Services Authority, West Bengal



Statement of Objects and Reasons of Act 39 of 1987 :

Article- 39-A of the Constitution provides that *the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislations or schemes or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reasons of economic or other disabilities.*

Ordinary citizens are often confused and intimidated by the implications of the judicial processes of the country and thus hesitate to bring their problems to the fore. Legal aid and counselling to these individuals are a central aim of the workings of the National Legal Services Authority of India at the National Level, State/U.T. Legal Services Authority at the State/U. T. Level, the District Legal Services Authority at the District level and Taluk Legal Services Committee at the Taluk level. Apart from the above-mentioned institutions, the Supreme Court Legal Services Committee is functioning at the Supreme Court of India and the High Court Legal Services Committee is functioning at the High Court level as per the Legal Services Authorities Act.

Legal Aid in the light of Article 14, 21, 39A and Judicial Pronouncements :

The preamble to the Indian Constitution promises to secure to all citizens justice in all forms - social, economic and political. Article 39A of the Constitution provides for free legal aid to the poor and weaker sections of society. In addition to that, Article 14 and 21 of the Constitution makes it obligatory for the State to secure equality before the law, equal protection of law and right to life as well as personal liberty. Hence, the Constitution of India enshrines justice as the very basis of Democracy in India. It is not out of place to mention here that the guarantee of Equal Justice is meaningless if the poor, illiterate or the weaker sections of the society cannot enforce their rights because of their poverty, illiteracy or weakness. The first and foremost duty of all the stake holders associated with legal services institution is to empower the weaker section of the society by removing all barriers to "**Access to Justice for All**".

By the way of Judicial pronouncement, the Hon'ble Apex Court held that- India is a country with poor and illiterate masses. Majority of the Indians are not aware of their legal and constitutional rights. Even if they come to know of their rights, they are in a helpless position State Legal Services Authority, West Bengal because they cannot afford to engage the services of a legal counsel, which has become a costly affair. With a view to provide free legal aid to the deserving sections of the society, the Parliament of India has incorporated a specific Directive Principle as enshrined in Article 39-A by the 42nd amendment of the Constitution in 1976.



The State Government undoubtedly has an obligation under Article 39A of the Constitution to set up a comprehensive and effective legal aid programme in order to ensure that the operation of the Legal system promotes justice on the basis of equality. If free legal services are not provided to such an accused the trial itself may run the risk of being vitiated contravening Article 21, and every state government should try to avoid such a possible eventuality.

Modes/Types of Legal Aid:

Legal aid may be given in all or any one or more of the following, these may be summarized as follows:

- a. Payment of court fees, process fees, expenses of witness and all other charges payable or necessary to be incurred in connection with any legal proceeding,
- b. Representation by a legal practitioner in a legal proceeding or by Counsellors before the Family Courts,
- c. Obtaining supply of certificate copies of judgements, orders, recorded evidence and other documents on legal proceedings,
- d. Preparation of paper books in appeals including printing, and translation of documents in legal proceedings,
- e. Drafting of legal documents and pleadings, and memorandum of appeals,
- f. Any other expenses which the Executive Chairman of the State Authority or the Chairman of the appropriate Committee may deem fit and proper to grant it in the special circumstances of the case,
- g. Legal advice and counseling.

The Functions of the State Legal Services are as follows :

- 1) It shall be the duty of State Authority to give effect to the policy and directions of the Central Authority.
- 2) Without prejudice to the generality of the functions referred to in sub-section (1), the State State Legal Services Authority, West Bengal



Authority shall perform all or any of the following functions, namely :

- a) to give legal services to persons who satisfy the criteria laid down under this Act;
- b) conduct [Lok Adalats, including Lok Adalats for High Court cases];
- c) undertake preventive and strategic legal aid programmes; and
- d) perform such other functions as the State Authority may, in consultation with the [Central Authority], fix by regulations.

Entitlement To Legal Services :

The Legal Services Authorities Act, 1987 further delineates that the following individuals are entitled to receive free services:

- a) A woman or a child;
- b) A member of a Scheduled Caste or Scheduled Tribe;
- c) An Industrial Labour;
- d) A victim of trafficking in human beings, or beggars as referred to under Art. 23(1) of the Constitution of India;
- e) Mentally challenged person, or, physically disabled person.
- f) Victim of mass disaster, ethnic violence, caste atrocity, flood, drought, earth quake, or, industrial disaster;
- g) A person, who is in custody, including custody in a protective home or in a juvenile home, or, in psychiatric hospital, or, psychiatric nursing home;
- h) A male having annual income less than rupees 1 lac, if the case is before any Court other than the Supreme Court, and, having annual income of less than Rs.5 lacs, if the case is before the Supreme Court.

It is the duty of the State Legal Services Authorities to instil in all judicial actors and officers an innate regard for free legal aid and counselling for all. The work of the SLSAs is to create the adequate conditions where those who are unaware of their basic legal rights are given the confidence that constitutional redressal is available to them.

Objective :

- I. The central objective of the Internship programme is to inculcate within interns a sense of duty towards those vulnerable sections of society who do not have the necessary resources to bring their grievances to the forefront.



- II. The internship aims at fostering a sense of social responsibility and social necessity among the young impressionable minds of the interns that it is vital to ensure that legal aid is available and accessible for all those who are entitled to it.
- III. The internship aims at allowing interns great insight into the functioning of pro-bono legal work so that they are aware of the larger social responsibility they have to Indian society.
- IV. The internship offers as a platform of sensitization among the Law students of the extremely vital legal schemes and programmes that are available for the vulnerable sections of the society and they can ensure that these schemes reach their designated audiences.
- V. The internship allows interns valuable insight into Alternative Dispute Resolution (ADR) Mechanisms, pre-litigation matters closure, outside court settlements, mediation and conciliation where people have faster access to justice and so as to decrease the burdens of the court and state government alike.
- VI. The interns will be exposed to the workings of Lok Adalats which work as a fast-track mechanism of ensuring swift justice to people and to provide litigation free settlements of disputes.
- VII. Finally, the objective of the internship programme is to create the sense of mindfulness and the realisation of the necessity for free legal aid among these young minds in a country like India which is deeply unequal.

Eligibility:

Who can apply for this Internship programme:

- I. Students of second and third year of the Bachelor's degree in Law (3-year courses after graduation);
- II. Students of fourth and final year of the integrated five-year courses in Law;
- III. Students pursuing LL. M course;
- IV. Ph. D scholars will also be given due consideration for the internship programme;
State Legal Services Authority, West Bengal
- V. Students who have previously interned with WBSLSA will not be eligible for a second internship.



Duration :

- I. WBSLSA will conduct the internship across two cycles, the Summer Internship & the Winter Internship during a year.
- II. The period of Winter Internship is from the month of December to January.
- III. The period of Summer Internship is from the month of May to June.
- IV. Apart from the above-mentioned cycles, the State Legal Services Authority reserves the right to admit interns as and when provisions arise.
- V. The duration of the internship programme would be 3 weeks or 21 days (excluding Saturday, Sunday and other holidays).
- VI. The interns would be required to spend those 21 days at DLSA as per recommendation of WBSLSA.
- VII. The interns would be required to make their own boarding and lodging arrangements as well as for local travel both within the district to which they are attached for their internship and within Kolkata. No stipend/allowance shall be provided from the SLSA, W.B. The internship is unpaid.

How To Apply:

- I. A notification for the Internship programme will be put up on the official website of WBSLSA.
- II. Students have to duly fill-up and submit application in the prescribed Forms as Annexure-A and Annexure -B within one week from the date of the notice of this Authority.
- III. Students will have to ensure that a Letter of Recommendation (LOR) is also submitted by the Head of the Institutions of their respective colleges along with their applications.
- IV. Please ensure all the documents when digitally sent prescribe to the following format: a. Name of the Candidate, Nature of the Document. For example- Priyanka Roy, Marksheet of 3rd year etc.



- b. Please mention "Application for Summer/Winter Internship -Academic Year....." as the subject of the e-mail.

All documents must reach WBSLSA digitally on its e-mail Id: wbstatelegal@gmail.com (during Office hours i.e., 10-00 A.M. to 5-00 P.M.). Applications reaching after the due date will not be entertained. State Legal Services Authority, West Bengal

Number of Internships Available in Each Batch (Winter/Summer) :

Maximum number of 100 students will be permitted for each cycle. This is contingent on the number of applications received and considering other factors. The final intake of interns will be decided by the Member Secretary, WBSLSA.

Place Of Internship :

The internships are to be conducted in various District Legal Services Authorities (DLSAs) of the State of West Bengal under the aegis of the West Bengal State Legal Services Authority.

Mode :

The internship programme will be conducted in person and all interns are required to be in their respective DLSAs for the internship programme. No virtual internships will be allowed.

Orientation :

- I. The coordinator for the Summer and Winter Internship programme shall be the Registrar-cum Deputy Secretary, WBSLSA.
- II. State Legal Services Authority, West Bengal reserves all rights to amend this policy.
- III. This policy will prevail until further notice.

Internship With the DLSA :

- I. Interns will be directed to report at DLSA concerned for the internship programme.
- II. The intern will sign the attendance register kept in the office of the Secretary, DLSA in usual office time.
- III. The interns would work under the supervision of the Secretary DLSA.



IV. The interns would be required to interact and:

- a. Visit a Central Correctional Home or Sub Correctional Home in the district;
- b. Visit an Observation Home/ Juvenile Justice Board;
State Legal Services Authority, West Bengal
- c. Visit Child Welfare Committee and Children's Home;
- d. Visit a home for senior Citizens;
- e. Visit various courts;
- f. Attend a legal literacy/ legal awareness programme in the district;
- g. Observe the Mediation proceedings at mediation/ ADR Centre and Lok Adalat/
Permanent Lok Adalat for one day (if such Lok Adalats are held during the period
of the Internship);
- h. While visiting the JJBs, CWCs, Courts, the interns would be required to observe
the working of the said institutions and also look at the role of the legal services
lawyers in these institutions.
- i. During the period, the interns would be required to observe and understand the
working of the 'front office', provisions of legal aid to the legal aid beneficiaries,
drafting applications, petitions, replies, counselling, working of victim
compensation scheme, administrative work, maintaining daily reporting about
case proceedings, proper maintenance of digital recordings and compilation of
welfare schemes.
- j. In their internship period, the interns are to furnish a detailed report on the
experience and suggestion for development of the Legal Services Authorities. The
reports have to be comprehensive and should include details about the activities
undertaken by the intern during their internship. The report should lay out means
of developing the functioning of legal services authorities.

V. The Secretaries of the DLSAs would prepare a programme for the interns who are
attached with the DLSAs on the above lines making modifications as may be
necessary. Depending on the facilities existing in the district.
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VI. Access and permission will be granted by the Secretary, DLSA to facilitate the
learnings of the students during the internship programme. The Secretary of the
concerned DLSA may depute Panel Lawyers to guide and assist the interns during
their visits to the institutions ensuring a productive visit and necessary report.



Duties and Responsibilities during the Visits :

- I. During the visit to the Correctional Homes, Observation Homes, JJBs, CWCs, Ld. Courts, the interns would be required to observe the working of the said institutions and also observe the role of the legal services lawyers in those institutions.
- II. While visiting the Children's Home and Home for the Senior Citizens, the interns are required to observe the working and activities of the said institutions.
- III. The interns are to maintain strict decorum and should not indulge in activity that would lead to the disruption of the normal activities of the organisations and institutions. Any complaints made by any such institution will be taken seriously and will be duly reported to the parent institution of the interns.
- IV. During the period of the internship with the DLSA the interns would be required to observe and understand the working & functions of the "Front Office" & provisions of legal aid to the legal aid beneficiaries.

Code of Conduct :

- I. The interns shall observe and obey the directions given by the Secretary, DLSA concerned. They are required to maintain formal dress during the entire period, pay due respect to the Secretary of DLSA, all the Judicial Officers whose Court they would be visiting, the officials of any department, the Panel Lawyers and Staff of the DLSA and the Courts of Law.
- II. Any act of misbehaviour and indiscipline will be met with strict action. The Secretary, DLSA will report any such conduct to the office of WBSLSA.
- III. Non-compliance with the code of conduct set with the interns will result in the cessation of the internship as deemed fit and proper by the Member Secretary, WBSLSA.
- IV. The Secretaries of each DLSA will submit a performance report to the office of WBSLSA containing details of the students who have interned there, places of visit attendance etc. All reports furnished by the interns will be compiled and sent to the office of WBSLSA.
- V. In case of any violation of the code of conduct or breach of confidentiality, or for any other reason the internship will be terminated, a copy of the said letter of termination will be forwarded to the Head of the Institution where the intern is pursuing his/her course of study as maybe applicable.



- VI. WBSLSA will issue Identity Card in favour of intern, which shall be carried by him/her during the period of the internship. The safekeeping of the said ID card is the sole responsibility of the intern. On completion of the internship the ID card shall be surrendered by the intern to the WBSLSA.

Attendance and Leave :

- I. The interns are required to be present during all 21 days of their internship.
- II. The certificate of internship will be issued only when satisfactory attendance is maintained by the intern. Interns who have opted out of the internship programme in the mid-way, are not entitled to get any certificate.
- III. Power of cessation/termination of the internship for any reason lies solely with the Member Secretary of the WBSLSA. The cessation/termination is discretionary and no reasons have to be provided for the pre-mature cessation/termination.

Valedictory Session :

- I. On receiving the performance-cum-successful completion report of the intern from the Secretary, DLSA, the WBSLSA will issue the certificate to the intern.
- II. All certificates shall be sent to the interns via e-mail.

Confidentiality :

The interns shall be required to maintain confidentiality of all the documents/reports and/or any information received by him/her during his/her internship period. The interns shall not reveal to any person or organisation any information relating to the concerned Authorities, their doctrine of internal management, office work and internal policies. The interns will be required to sign a confidentiality Note (Annexure - C) prior to the commencement of the internship.

Clauses :

- I. This policy will prevail until further notice.
- II. It is the responsibility of the students to check the West Bengal State Legal Services Authority website for any information with respect to the internship programme from time to time.

ANNEXURE - A

WEST BENGAL STATE LEGAL SERVICES AUTHORITY

Application Form for Internship Programme

(For office use only)

Internship No. year

Winter / Summer

Proposed Period from I. Card No.....

Photograph
to be affixed

(TO BE FILLED UP BY THE APPLICANT)

1. Name of the Applicant :
(In Capital Letters)
2. Date of Birth :
3. Guardian's Name :
(with Contact Phone No.)
4. Present Address :
(with P.S. and PIN code)
5. Permanent Address :
(with P.S. and PIN code)
6. Contact Phone No. :
7. E-mail ID :

8. Name of the Educational Institution
with full address and e-mail ID

9. Year in which the Intern is pursuing his or her study :

10. Duration of the Internship :

11. Please mention about the Academic Achievements and Extra-curricular
Activities, if any:

12. Please state whether you have interned at the
State Legal Services Authority, West Bengal : Yes No

13. Please tick the relevant copy of documents submitted:

- i. Class X standard Admit Card
- ii. Class XII Marksheet
- iii. Graduation Marksheets
- iv. Aadhar Card
- v. Voter ID
- vi. College ID Card
- vii. Blood Group Report
- viii. Letter of Recommendation

14. Emergency contact details

Place :

Date :

(Signature of the Applicant)

**ANNEXURE - B
DECLARATION**

I, , S/o or D/o or
W/o student of ,
Roll No. , Name of College/Institution/University.....
.....faithfully declare that information furnished herein under
ANNEXURE - A is true and correct.

Place :

Date :

(Signature of the Applicant)

ANNEXURE - C

DECLARATION TO MAINTAIN CONFIDENTIALITY

I, son/daughter of.....
R/O.....,am undergoing an internship at the
State Legal Services Authority, West Bengal for the period of to
..... I understand that "Confidential Information" means any information of a
secret or confidential nature relating to the internship workplace, which may include
methods, documents, data, drawings, manual, notebooks, reports, processes, software,
information systems, contracts, proposals and training materials.

I hereby declare that I have read and understood the above definition of "Confidential
Information" and that I will not at any time, both during and after completion of said
internship, communicate or disclose any confidential information to any person,
corporation or entity.

Place:.....

(Signature of the Applicant)

Date:.....



STATE LEGAL SERVICES AUTHORITY, WEST BENGAL

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