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PARALEGALS AND ADVOCACY FOR VULNERABLE POPULATIONS

~ *Mohit Ahlawat*

ABSTRACT

Paralegals play a crucial role in ensuring access to justice for vulnerable populations in India. These populations, including women, children, the elderly, disabled individuals, and economically disadvantaged groups, often face systemic barriers in navigating the legal system. Paralegals bridge this gap by providing legal aid, guidance, and advocacy, thereby strengthening the justice delivery mechanism. Despite their significant contribution, paralegals face various challenges such as limited training, lack of recognition, and resource constraints. This research examines the role of paralegals in advocating for vulnerable populations in India, analyzing their impact, challenges, and potential for strengthening legal access. The study is guided by four key objectives: to analyze the legal framework governing paralegals and the protection of vulnerable populations in India, to assess the effectiveness of paralegals in providing legal aid and advocacy, to identify the challenges faced by paralegals in their professional practice, and to propose recommendations for enhancing the role of paralegals in improving access to justice. The research employs a doctrinal methodology, relying on secondary sources such as statutes, judicial precedents, reports, and scholarly articles to critically evaluate the legal and practical aspects of

paralegal advocacy in India. By highlighting the indispensable role of paralegals, this study aims to contribute to policy discussions on legal empowerment and access to justice for marginalized communities. The study finds that paralegals significantly contribute to legal empowerment by providing necessary legal assistance, spreading awareness, and facilitating access to justice for underprivileged groups. However, they face several challenges, including lack of training, inadequate recognition, and limited resources. Strengthening paralegal training programs and expanding legal aid schemes are crucial steps toward enhancing their impact. This research highlights the need for policy reforms to integrate paralegals more effectively into India's legal aid framework, ensuring justice reaches the most vulnerable sections of society.

Keywords: Paralegals, Vulnerable Populations, Legal Aid, Access to Justice, Advocacy

1. INTRODUCTION

Paralegals provide a vital bridge between marginalized groups and the legal system in India, making sure that the marginalized get access to justice. The Indian legal system realizes the significance of legal assistance and aid through legislation and policies, ensuring a well-organized mechanism for paralegals to be involved in legal

awareness, advocacy, and representation.¹ Vulnerable groups such as women, children, physically disabled individuals, senior citizens, and economically weaker segments usually face difficulties in availing legal remedies because of illiteracy, lack of finances, and systemic inefficiencies. The paralegals' role in helping these groups becomes critical in narrowing the gap of justice by making legal awareness available, helping in documentation, and enabling access to government schemes.² The Legal Services Authorities Act, 1987, is the major law regulating legal aid in India, creating the National Legal Services Authority (NALSA) and State Legal Services Authorities (SLSAs) to execute legal aid schemes, such as the training and mobilization of paralegal volunteers.³

Paralegals play one of the most important roles in helping women who are subjected to domestic violence, harassment at the workplace, and discrimination. The Protection of Women from Domestic Violence Act, 2005, grants protection to women in law from domestic violence and the possibility of legal aid, counseling, and provision of shelter. Yet, due to a lack of knowledge of their rights in this respect among many women, paralegal intervention becomes unavoidable. Paralegals aid in registering complaints, getting protection orders, and ensuring the availability of assistance to victims.⁴ In the same vein, the Sexual Harassment of Women at Workplace (Prevention, Prohibition

and Redressal) Act, 2013, requires the creation of Internal Complaints Committees (ICCs) to deal with complaints of workplace harassment. Paralegals have the crucial role of leading victims through the complaint process and making sure employers adhere to legal requirements under the Act. In addition, women from economically underprivileged sections derive advantage from provisions under the Maternity Benefit Act, 1961, and the Equal Remuneration Act, 1976, both of which ensure the safeguard of their rights as a pregnant woman and equal wages for equal work.⁵ Paralegals enable women to reach these legal protection avenues and draw on government schemes aimed at assisting their well-being.

Children are a sensitive group and in need of specialized legal protection, and paralegals must be involved to uphold their rights under different laws related to the welfare of children. The Juvenile Justice (Care and Protection of Children) Act, 2015, sets up facilities for the care, rehabilitation, and adoption of children in distress.⁶ Most of the children who enter into conflict with the law or who need protection are unaware of their rights, and paralegals assist in linking them with Child Welfare Committees (CWCs) and Juvenile Justice Boards (JJBs). The other important piece of legislation is the Right of Children to Free and Compulsory Education Act, 2009, which provides free education to children in the age group of six to fourteen years. Paralegals support cases where children are refused admission, discriminated against, or forced into child labor.⁷ The Child Labour (Prohibition and Regulation) Act, 1986, prohibits the employment of

¹ ShashiKant, *A Study of Legal Aid in Current Scenario*, 45 *J. Advanced Zoology S-2*, 413 (Auricle Technologies Pvt., Ltd. 2024), https://www.researchgate.net/publication/385121489_A_Study_Of_Legal_Aid_In_Current_Scenario.

² Daksha Sharma & Smriti Kumari, *Role of Legal Education in Advancement of Access to Justice: A Panoramic Insight*, 11 *Asian J. Legal Educ.* 141, 141–49 (2024), <https://doi.org/10.1177/23220058241231322>

³ National Legal Services Authority (NALSA), *Drishti Judiciary*, <https://www.drishtijudiciary.com/important-institutions/national-legal-services-authority-nalsa> (last visited June 2, 2025).

⁴ Rachit Garg, *The Protection of Women from Domestic Violence Act, 2005*, iPleaders Blog (2022), <https://blog.iplayers.in/the-protection-of-women-from-domestic-violence-act-2005/> (last visited June 2, 2025).

⁵ Id.

⁶ The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021, Bill No. 43 of 2021, Lok Sabha, <https://prsindia.org/billtrack/the-juvenile-justice-care-and-protection-of-children-amendment-bill-2021> (last visited June 2, 2025).

⁷ Children in Conflict with Law, Social Welfare, Vikaspedia (last visited June 2, 2025), <https://socialwelfare.vikaspedia.in/viewcontent/social-welfare/women-and-child-development/child-development-1/children-in-conflict-with-law?lgn=en>.

children in hazardous work but child labor is a common problem in India. Paralegals identify child labor cases and enable legal action through labor inspectors and social welfare agencies. The Protection of Children from Sexual Offences (POCSO) Act, 2012, has imposed harsh punishments on sexual offenses committed against children, and paralegals facilitate reporting of crimes, counseling the family through the judicial process, and access to rehabilitation services.⁸

Objectives of the Study

1. To analyze the role of paralegals in supporting vulnerable groups.
2. To examine the legal framework that enables paralegal advocacy in India
3. To identify challenges faced by paralegals in providing legal aid
4. To propose recommendations for strengthening the role of paralegals in ensuring justice for marginalized communities.

Research Questions

1. How do paralegals contribute to supporting and empowering vulnerable groups in India, and what specific functions do they perform in legal advocacy?
2. What are the key legal provisions and institutional mechanisms in India that facilitate paralegal advocacy, and how do they align with international standards?
3. What are the primary challenges faced by paralegals in delivering effective legal aid, and how do factors such as training, resources, and professional recognition impact their work?
4. What policy measures and structural reforms can be implemented to strengthen the role of

paralegals in ensuring access to justice for marginalized communities in India?

Research Methodology

This research employs a doctrinal research approach, entailing critical examination of legal rules, legislations, and policies that regulate paralegal services and advocacy for marginalized groups in India. It relies mainly on qualitative analysis of original legal sources, such as the Legal Services Authorities Act, 1987, and other welfare legislations applicable to marginalized communities. Also, secondary sources like government reports, academic articles, and publications of the National Legal Services Authority (NALSA) are analyzed to evaluate the success and issues of paralegal initiatives.

Related works

Agrawal, V. K. (2023).⁹ This article gives a detailed insight into the Lok Adalat system in India, its legal basis, and its conformity with the Legal Services Authorities Act, 1987. The author discusses the functioning of the Lok Adalats in efficiently settling disputes and curbing the number of pending cases in the Indian judiciary. The paper identifies the benefits of adopting alternative dispute resolution techniques such as Lok Adalat in offering cheap and accessible justice, particularly for marginalized groups.

Kundu, A. (2023).¹⁰ Kundu's paper is a critical review of the legal aid system in India, based on its positives and negatives. The article examines a number of the challenges faced by the legal aid system, including under-financing, absence of

⁹ V. K. Agrawal, Concept of Lok Adalat in India: Discourse with Reference to the Legal Services Authorities Act 1987, 3 Indian J. Integrated Rsch. L. 1 (2023).

¹⁰ A. Kundu, A Critical Analysis of The Legal Aid System In India (Working Paper, 2023), SSRN 4856118, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4856118.

⁸ Id.

awareness, and inefficacy in operationalizing legal aid schemes. The paper also presents proposals for reinforcing the system through institutional changes and enhancing the reach of legal aid coverage to better achieve access to justice for marginalized people.

Chaudhur, M. S., & Singh, A. (2022).¹¹ This essay discusses the valuable contributions of the Indian Law Commissions towards making the legal aid system. The authors discuss several reports and suggestions given by the commissions, which provided a framework to structure India's legal services. The article discusses the contributions of legal commissions towards guaranteeing the constitutional promise of access to justice for every citizen, particularly marginalized sections.

Ragesh, G., Sajitha, K., Shrinivasa, B., Thomas, P. T., & Hamza, A. (2018).¹² This article discusses the experiences of the service users who have received free legal aid services in India. It assesses the performance of legal aid initiatives from the benefit recipients' perspective. The research identifies major setbacks, such as delays, ineffective legal representation, and unawareness of the offered services.

2. LEGAL FRAMEWORK FOR VULNERABLE POPULATIONS IN INDIA

The legal regime governing the protection of vulnerable groups in India is formulated by constitutional guarantees, legislative legislation, and global obligations.¹³

Constitution of India: Fundamental Rights and Protection

The Indian Constitution enacts a strong legal mechanism for the empowerment and protection of vulnerable groups. The Fundamental Rights contained in Part III of the Constitution ensure fundamental freedoms and protect citizens from discrimination, exploitation, and deprivation. The Directive Principles of State Policy (DPSP) contained in Part IV instruct the state to formulate laws for social welfare and justice, providing equal access to resources for marginalized groups.¹⁴

Artikel 14 insures all citizens the right of equality before law, to assure that the poor and the helpless are not indiscriminately subjected to injustice. Artikel 15(3) and 15(4) in particular endow the government with the legal power to confer special treatment for women, minors, and social underdogs so that they have to be safeguarded through measures of affirmative action for their best interests. Also, Article 16 provides assurance of equal public employment opportunities with reservations for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) through Articles 16(4) and 16(4A).¹⁵

Article 21 right of life and individual liberty is the bedrock on which the security of human dignity rests, to encompass issues relating to access to medical care, shelter, and a decent standard of living. Article 23 prohibits trafficking and forced labor specifically targeting women and children, while Article 24 forbids work by children under the age of 14 years in hazardous labor.¹⁶

¹¹ M. S. Chaudhur & A. Singh, Contribution of Law Commissions in Framing the Mechanism of Legal Aid in India, 2 Bayan College Int'l J. Multidisciplinary Res. 26, 26–32 (2022).

¹² G. Ragesh, K. Sajitha, B. Shrinivasa, P. T. Thomas & A. Hamza, Service Users' Perspectives on Free Legal Aid Services in India, 34 Indian J. Soc. Psychiatry 178, 178–82 (2018).

¹³ Sarbani Sen, Law and Social Policy in India (2022), https://www.researchgate.net/publication/365625380_Law_and_Social_Policy_in_India (last visited June 2, 2025).

¹⁴ Rachna Kumari, Conflict Between Fundamental Rights and DPSP, iPleaders Blog (2023), <https://blog.iplayers.in/conflict-between-fundamental-rights-and-dpsp/> (last visited June 2, 2025).

¹⁵ Articles – Manupatra, Manupatra, <https://articles.manupatra.com/article-details/Article-14-Equality-Before-Law-and-Equality-protection-of-the-law> (last visited June 2, 2025).

¹⁶ Laxmikant Bhumkar, Article 21 of the Constitution of India: Understanding Right to Life and Personal Liberty from Case

The Directive Principles of State Policy (DPSP) enforces the state's obligation to safeguard weaker sections. Article 39 instructs the state to secure equal remuneration for equal work and prohibit the employment of children in factories. Article 41 requires rendering help to persons during unemployment, old age, sickness, and disability. Article 45 ensures the care and education of early childhood, and Article 46 prioritizes the promotion of educational and economic interests of SCs, STs, and weaker segments of society.

Moreover, Part IX and Part IX-A of the Constitution authorize local government institutions to undertake social welfare programs at the grassroots level to provide decentralized support to vulnerable populations.¹⁷

Relevant Legislations and Policies for Vulnerable Groups

The Indian justice system offers strong protection to vulnerable people by means of numerous statutes and policies that guarantee their basic rights and well-being. Women, children, the old, and disabled are some of the most vulnerable groups that need legal action in order to be protected and empowered.¹⁸

In order to protect women, there are a number of important legislations which come to their rescue and secure their rights, as well as provide them with gender equality. The Protection of Women from Domestic Violence Act, 2005, gives a legal framework to battered women and gives them the right to live in safety, reside in a suitable place, and access financial security. The Dowry Prohibition

Act, 1961, prohibits the practice of dowry and punishes anyone demanding or offering dowry. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, sets up the machinery for prevention and redressal of workplace harassment to provide a secure working environment for women. The Maternity Benefit Act, 1961, also secures paid maternity leave for women and safeguards their employment before and after childbirth.

Children are accorded broad legal protection under Indian law, with laws framed for their safety, well-being, and development. The Juvenile Justice (Care and Protection of Children) Act, 2015, sets out procedures for the care, protection, and rehabilitation of children in conflict with the law or children in need of care. The Protection of Children from Sexual Offences (POCSO) Act, 2012, is a landmark legislation on sexual offences against children, providing harsh penalties for perpetrators. The Right of Children to Free and Compulsory Education Act, 2009, provides free education to children between the age of 6 and 14, securing their right to education and literacy and educational growth. The Child Labour (Prohibition and Regulation) Act, 1986, bans the use of children aged under 14 in hazardous activities and regulates conditions of work for those who can be employed in non-hazardous industries.¹⁹

For the elderly, legal provisions are aimed at their financial security, dignity, and well-being. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, makes children and relatives liable for maintenance of senior citizens and allows them to claim financial assistance. The Act also makes provision for the setting up of old-age homes and against abandonment and neglect. Employees' Pension Scheme, 1995, guarantees pension to retired workers, which brings financial security at

Laws, Academike, Lawctopus (2024), <https://www.lawctopus.com/academike/article-21-of-the-constitution-of-india-right-to-life-and-personal-liberty/> (last visited June 2, 2025).

¹⁷ Parvez Shahid Ali, [Article Title], 13 Research J. Humanities & Soc. Sci. 225 (2022).

¹⁸ Harmeet Kaur Brar, Rights of Special Groups: Children, Women, Aged, HIV, Handicapped, SlideShare (July 10, 2015), <https://www.slideshare.net/BRARHARMEET/rights-of-special-groups-children-women> (last visited June 2, 2025).

¹⁹ Priya, Evolution of Juvenile Justice Laws in India, White BlackLegal, <https://www.whiteblacklegal.co.in/details/evoluti-on-of-juvenile-justice-laws-in-india-by---priya> (last visited June 2, 2025).

old age. National Policy for Older Persons, 1999, has elaborated upon various welfare aspects in the form of healthcare, social security, and housing benefits to senior citizens.²⁰

International Conventions and India's Commitments

The fact that India is a signatory to quite a number of international treaties and conventions obligating the protection of vulnerable groups automatically means that such treaties and conventions will be made to inspire the domestic transformation of the country-specific laws so that all such national policy making and substantive process are in consonance with worldwide human rights standards.²¹

It is the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), ratified by India in 2007, that has promoted the rights of persons with disabilities, and as a sequel to this, the Rights of Persons with Disabilities Act, 2016 was enacted by India, which expands the definition of disability and makes provisions for inclusivity in education, employment, and accessibility.²²

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratified by India in 1993, prescribes elimination of gender-based discrimination. Hence, laws such as the Protection of Women from Domestic Violence Act, 2005, and the Sexual Harassment at Workplace Act,

²⁰ Legislative Brief: The Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019, PRS Legislative Research, <https://prsindia.org/billtrack/prs-products/prs-legislative-brief-3406> (last visited June 2, 2025).

²¹ Mario Mendez, *The Legal Effects of Treaties in Domestic Legal Orders and the Role of Domestic Courts, in The Legal Effects of EU Agreements* (Oxford Univ. Press 2013), <https://academic.oup.com/book/27017/chapter/196253263> (last visited June 2, 2025).

²² Convention on the Rights of Persons with Disabilities, adopted Dec. 13, 2006, entered into force May 3, 2008, Office of the United Nations High Commissioner for Human Rights (OHCHR), <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> (last visited June 2, 2025).

2013 were enacted for the protection of women's rights.

The United Nations Convention on the Rights of the Child (UNCRC), signed by India back in 1992, has had an impact on policies like the Juvenile Justice Act, 2015, and the Right to Education Act, 2009, for child protection and education rights.

India is also a party to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which together recognize that all has a dignity, equality and social justice.

Case Laws

The landmark case of *Hussainara Khatoon v. State of Bihar*²³ played a central role in recognising the right of free legal aid as a necessary ingredient of a fair trial. The Supreme Court, led by Justice P.N. Bhagwati, ruled that legal aid to poor accused persons is not a statutory right but a constitutional imperative. The Court associated Article 39A, which provides for equal justice and free legal assistance, with Article 21, which ensures the right to life and liberty. The judgment underscored that a speedy trial and the right to legal representation are inherent components of justice, and their withholding would constitute a breach of constitutional rights.

Similarly, in *Suk Das v. Union Territory of Arunachal Pradesh*²⁴, the Supreme Court reaffirmed that inability to pay for a lawyer must not take away from the accused legal representation. The Court noted that legal aid is not an issue of state benevolence but constitutional mandate. It emphasized that the courts must affirmatively see to it that accused persons who lack representation are

²³ *Hussainara Khatoon v. State of Bihar*, (1979) AIR 1369, 1979 SCR (3) 532, 1980 SCC (1) 98.

²⁴ *Suk Das v. Union Territory of Arunachal Pradesh*, (1986) AIR 991, 1986 SCC (2) 401.

offered legal advice, especially where the accused is uninformed about his rights.

The Legal Services Authorities Act, 1987, which institutionalized the provision of free legal aid in India, has been subject to various judicial interpretations. A significant case that laid the groundwork for the Act was *M.H. Hoskot v. State of Maharashtra*²⁵. Despite having been decided prior to the promulgation of the Act, this case acknowledged legal aid to the poor as a right inherent in Article 21. The Supreme Court pronounced that the state has an obligation to ensure that free legal service is made available to those incapable of paying legal fees.

In *Khatri II v. State of Bihar*²⁶, The Supreme Court again restated the priority of free legal assistance, stipulating that it is an unquestionable aspect of a fair hearing. The state was censured by the Court for neglecting to administer timely legal protection to suspects in general and accused persons under judicial custody. Legal assistance must be made available as early as possible, according to the Court, to avert miscarriage of justice.

3. ROLE OF PARALEGALS IN LEGAL ADVOCACY

Definition and Scope of Paralegals

Paralegals are professional legal aid personnel who have been trained to close the gap between formal institutions of law and the people that they serve. Even though not qualified to practice law on their own, paralegals perform a crucial role in the delivery of legal information and services, especially among vulnerable groups of people. Their role is to assist in the preparation of legal papers, offer procedural advice, and facilitate the process of mediation by way of alternative dispute resolution channels as provided for under the Legal

²⁵ M.H. Hoskot v. State of Maharashtra, (1978) AIR 1548, 1978 SCC (3) 544.

²⁶ Khatri and Others v. State of Bihar and Others, (1981) AIR 1068, 1981 SCC (1) 627.

Services Authorities Act, 1987. The Act provides for the framework of free legal assistance in India and empowers the appointment of paralegal volunteers who operate alongside government legal aid organizations like the National Legal Services Authority (NALSA).²⁷ The role of paralegals goes beyond administrative support; they are also engaged in community legal education, legal literacy campaigns, and the processing of dispute resolution mechanisms under provisions like Section 19, thereby highlighting their function of facilitating speedy justice through Lok Adalats.²⁸

Skills and Qualifications of Paralegals

The success of paralegals as legal advocates depends to a great extent on their qualifications and expertise. A sound knowledge of law principles, gained through specialized courses conducted by bodies like NALSA, is required. They need to prove competence in legal research, preparation of affidavits, and interpretation of statutory provisions such as those in the Legal Services Authorities Act, 1987 and regulations thereunder. Good communication and interpersonal skills are also important since paralegals tend to be intermediaries among legal practitioners, members of society, and governmental agencies.²⁹

Areas of Practice for Paralegals in India

Paralegals in India work in a wide range of areas of legal practice, dealing with matters that concern both individual rights and the welfare of society. Their fields of practice cover helping in family law cases, including mediation of domestic conflicts and counseling under the Protection of Women from Domestic Violence Act, 2005. They also assist in

²⁷ Albert Wirya et al., Expanding the Role of Paralegals: Supporting Realization of the Right to Health for Vulnerable Communities, 20 BMC Int'l Health & Hum. Rts. 1 (2020).

²⁸ Hibah Alessa, The Role of Artificial Intelligence in Online Dispute Resolution: A Brief and Critical Overview, 31 Info. & Commc'ns Tech. L. 319 (2022).

²⁹ Global Access to Justice Project, Global Overview – India, <https://globalaccesstojustice.com/global-overview-india/> (last visited June 2, 2025).

child welfare by helping programs under the Juvenile Justice (Care and Protection of Children) Act, 2015, to ensure the protection of children from exploitation and abuse. In addition, paralegals work on issues of labor rights, property disputes, and access to social welfare benefits, usually with legal aid clinics and community centers set up under the aegis of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010.³⁰

4. PARALEGALS AND THEIR IMPACT ON VULNERABLE POPULATIONS

Paralegal Involvement in Human Rights Advocacy

Paralegals have become integral participants in human rights activism through the provision of much-needed support to individuals whose rights are usually ignored by conventional legal bodies. Their contribution is significant in ensuring that the constitutional assurances—like the right to equality under Article 14 and the right to life and personal liberty under Article 21—are put into practice at the grassroots level.³¹

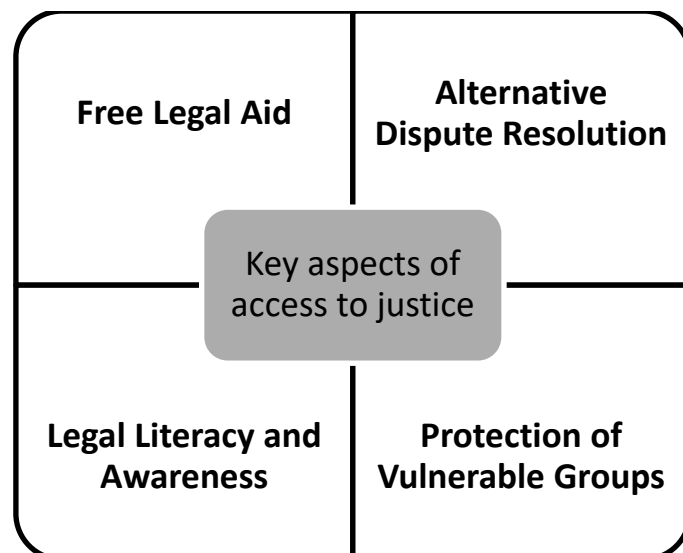
Access to Justice for Marginalized Communities

Paralegals contribute hugely to access to justice for vulnerable communities by bridging the gap between the legal system and persons who would otherwise be locked out based on economic, social, or educational restrictions. Paralegal work is critical to effective delivery of legal aid programs as contemplated under the Legal Services Authorities Act, 1987, requiring free legal services to qualifying persons.³²

³⁰ Shubham Sharma, Mediation in Matrimonial Disputes, *Academike, Lawctopus* (2024), <https://www.lawctopus.com/academike/mediation-in-matrimonial-disputes/> (last visited June 2, 2025).

³¹ Christopher McCrudden, Human Dignity and Judicial Interpretation of Human Rights, 19 *Eur. J. Int'l L.* 655 (2008), <https://academic.oup.com/ejil/article/19/4/655/403330>.

³² Martin Schönteich, A Powerful Tool of Justice: Paralegals and the Provision of Affordable and Accessible Legal Services, *Academy of Science of South Africa*



(Figure 2: Key aspects of access to justice)

Through these mechanisms, paralegals contribute to a more inclusive legal system by ensuring that even those with limited resources or knowledge can secure timely legal redress and protection.

Legal Aid and Support for the Underprivileged

Legal aid is the pillar of a fair society, and paralegals play an important role in providing this facility to disadvantaged communities. Working under the umbrella of the Legal Services Authorities Act, 1987 and the supporting regulations, paralegals ensure the rendering of free and able legal assistance to those who would otherwise be marginalized by the niceties and expenses of formal legal representation.³³ They aid in the drafting of legal documents, assist clients in realizing their legal rights, and aid in filing applications and complaints with different legal forums. Along with their procedural assistance, paralegals are actively

(2016), https://www.researchgate.net/publication/301275780_A_powerful_tool_of_justice_Paralegals_and_the_provision_of_affordable_and_accessible_legal_services (last visited June 2, 2025).

³³ Legal Aid In India, *Legal Service India*, <https://www.legalserviceindia.com/legal/article-5580-legal-aid-in-india.html> (last visited June 2, 2025).

engaged in seeing to it that government welfare schemes reach deserving beneficiaries.³⁴

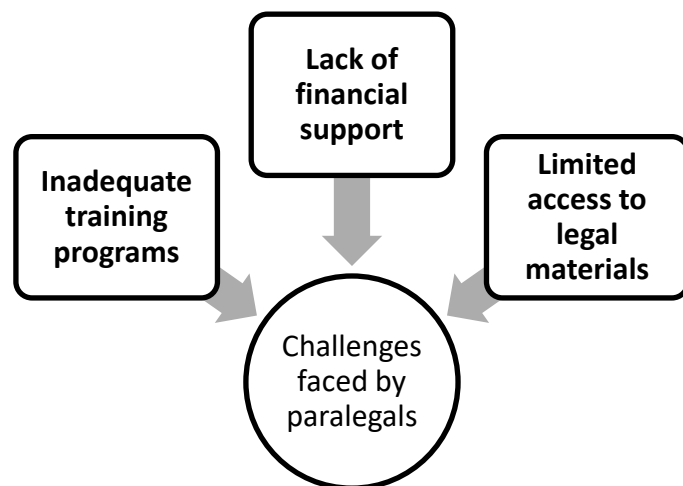
5. CHALLENGES FACED BY PARALEGALS IN ADVOCATING FOR VULNERABLE POPULATIONS

Lack of Training and Awareness

One of the basic problems for paralegals in India is that they do not have systematic training and awareness of their roles and functions. Though the Legal Services Authorities Act, 1987 offers the legal aid services framework, there are no national standards in place to oversee the training of paralegals. Several paralegals, especially operating in remote and rural locations, have minimal formal training, which prevents them from offering quality legal services.

Resource Constraints

The other major challenge that paralegals encounter is the lack of financial and logistical resources. Most paralegals serve on a voluntary basis or are paid very small stipends under state legal aid schemes, which influences their motivation and capacity to deliver sustained legal assistance.³⁵



(Figure 3: Challenges faced by paralegals)

6. PARALEGALS AND LEGAL AID IN INDIA

Legal Aid Schemes and Programs

India's legal aid system is guided by a series of schemes and policies designed to extend free legal services to underprivileged groups. In terms of the Legal Services Authorities Act, 1987, National Legal Services Authority (NALSA) and State Legal Services Authorities (SLSAs) run legal aid schemes with the assistance of paralegals as facilitators. Projects like the NALSA Legal Aid Clinic Scheme and the Legal Literacy and Awareness Program make the paralegal capable of imparting legal advice in rural and disadvantaged locations. Moreover, Article 39A of the Indian Constitution puts it as an obligation on the state to extend even-handed access to justice, promoting the functioning of paralegals to plug the justice deficit.³⁶

³⁴ Articles – Manupatra, Manupatra, <https://articles.manupatra.com/article-details/Legal-Aid-in-India-current-scenario-and-future-challenges> (last visited June 2, 2025).

³⁵ Robert Nanima & Ebenezer Durojaye, A Research Report on the Legal Recognition of Paralegals in Africa: Lessons, Challenges and Good Practices (Dullah Omar Institute and the African Centre of Excellence for Access to Justice in Africa, 2022), https://www.researchgate.net/publication/359195763_A_research_report_on_the_legal_recognition_of_paralegals_in_Africa_lessons_challenges_and_good_practices (last visited June 2, 2025).

³⁶ National Legal Services Authority, Drishti IAS Daily Updates (July 23, 2022), <https://www.drishtias.com/daily-updates/daily-news-analysis/national-legal-services-authority> (last visited June 2, 2025).

Legal Aid Scheme		
NALSA Legal Aid Clinic Scheme	Legal Literacy and Awareness Program	Free and Competent Legal Services Regulations, 2010

(Figure 4: Legal Aid Schemes)

By strengthening these programs and ensuring that paralegals receive adequate support, legal aid services can be made more effective and widespread.

Role of Paralegals in Public Interest Litigation (PIL) and Pro Bono Work

Paralegals are essential to enabling Public Interest Litigation (PIL) by detecting systemic problems facing marginalized communities and helping lawyers draft legal petitions. Paralegals cannot file PILs, but they help in a major way by collecting evidence, conducting field investigations, and organizing affected people. Their activities go with the contours of Article 32 and Article 226 of the Indian Constitution that empower citizens to seek constitutional remedies.³⁷

Paralegal Associations and Their Contributions

Several paralegal associations across India contribute towards enhancing the function of paralegals by offering training, policy support, and legal services. Organizations like the Paralegal Volunteers Program under NALSA and Indian Paralegal Network are vital in capacity development programs. Professionalization of the profession is carried out by standardizing training programs and

³⁷ Public Interest Litigation with Special Reference to Paralegal Services in India, 15 Res Militaris 1 (2023/2024), <https://resmilitaris.net/issue-content/public-interest-litigation-with-special-reference-to-paralegal-services-in-india-3933> (last visited June 2, 2025).

fighting for the formal regulation of paralegals within India's jurisprudence.³⁸

7. COMPARATIVE ANALYSIS OF WORKING OF PARALEGALS IN USA, U.K, AND EUROPE

The function and status of paralegals differ quite considerably in different jurisdictions, with the United States, the United Kingdom, and Europe having varying legal systems to determine and regulate paralegal practice. Though all three regimes recognize the critical role of paralegals in enhancing access to justice, the level of professional status, regulatory framework, and acceptable range of work differs considerably.³⁹

Paralegals in the United States

Paralegals work within a formal and well-defined legal system in the United States. The American Bar Association (ABA) makes recommendations for qualifications and responsibilities of paralegals, though each state maintains specific regulatory rules. Paralegals mainly support attorneys with legal research, preparing legal papers, and managing cases but cannot practice law or represent clients before the court as per the Model Rules of Professional Conduct (Rule 5.3 and Rule 5.5).

Numerous states have seen that specialized paralegal positions were necessary and put forth certification procedures like the National Association of Legal Assistants (NALA)

³⁸ Carley Robb-Jackson, Part of the Justice Puzzle: Community-based Paralegal Programs and Sierra Leone's Legal Aid Act, 2 Can. J. Poverty L. 1 (2013).

³⁹ Robert Nanima & Ebenezer Durojaye, A Research Report on the Legal Recognition of Paralegals in Africa: Lessons, Challenges and Good Practices (Dullah Omar Institute & African Centre of Excellence for Access to Justice in Africa, 2022), https://www.researchgate.net/publication/359195763_A_research_report_on_the_legal_recognition_of_paralegals_in_Africa_lessons_challenges_and_good_practices (last visited June 2, 2025).

Certification and National Federation of Paralegal Associations (NFPA) Paralegal Certification.⁴⁰

Paralegals in the United Kingdom

The United Kingdom has a more structured but flexible system of paralegal work, with various established routes for professional progression. In contrast to the U.S., where paralegals are largely employed under the supervision of attorneys, the U.K. provides for independent practice by paralegals subject to certain conditions. The Professional Paralegal Register (PPR) and the National Association of Licensed Paralegals (NALP) regulate paralegal certification and training.⁴¹

Under the Legal Services Act, 2007, the U.K. has in place a system for differentiating between "reserved legal activities" (which are reserved for solicitors and barristers alone) and other legal work which can be done by trained paralegals. Paralegals in the U.K. are allowed to perform certain legal services such as legal consultancy and document drafting without direct supervision, as long as they do not perform reserved activities such as representation of clients in court or conveyancing.

Paralegals in Europe

The status and recognition of paralegals in Europe are quite diverse because of the different legal systems in European nations. In contrast to the U.S. and U.K., most European countries lack a single paralegal profession with formal licensing. Nevertheless, some jurisdictions, especially in Germany, France, and the Netherlands, have

developed systems for legal assistants who carry out similar tasks to paralegals.⁴²

In Germany, the Rechtsanwaltsfachangestellte (Legal Assistants Act) regulates legal assistants who are under the direction of attorneys. Such professionals receive formal vocational training from the German Chamber of Lawyers (Bundesrechtsanwaltskammer) and can do legal administrative tasks but cannot offer independent legal counsel.

In France, the law profession has Juristes (law professionals) who usually perform functions similar to those of paralegals. Legal professionals in France are governed by the French National Bar Council (Conseil National des Barreaux – CNB), which enforces professional standards among legal assistants employed by lawyers.⁴³

In the Netherlands, Legal Advisers (Juridisch Adviseurs) carry out much of the paralegal work, such as legal research, contract drafting, and client counseling. They are not, however, subject to the same stringent legal regime as lawyers, which makes the job more flexible but less uniform.⁴⁴

8. CONCLUSION

Paralegals have an important function in India of connecting the underprivileged with the formal justice system. They function as facilitators between the society and law by providing crucial linkage for bringing accessibility to justice among vulnerable people, who tend to lack either capacity,

⁴⁰ NALA – The Leading Paralegal Association, <https://nala.org/> (last visited June 2, 2025).

⁴¹ Laura Duckett, Paralegals in the UK vs the US, The Lawyer Portal (Oct. 29, 2019), <https://www.thelawyerportal.com/blog/paralegals-in-the-uk-and-the-us-whats-the-difference/> (last visited June 2, 2025).

⁴² Global Overview – Belgium – Global Access to Justice Project, Global Access to Justice Project, <https://globalaccesstojustice.com/global-overview-belgium/> (last visited June 2, 2025).

⁴³ Louis Buchman, The Legal Profession in France in 2021: An Overview (July 11, 2021), SSRN, https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID3891834_code4777640.pdf?abstractid=3891834&mirid=1 (last visited June 2, 2025)

⁴⁴ Will Erstad, Paralegal vs. Lawyer: The Guide to Help You Decide, Rasmussen Univ. (Aug. 23, 2021), <https://www.rasmussen.edu/degrees/justice-studies/blog/paralegal-vs-lawyer/> (last visited June 2, 2025).

information, or financial wherewithal to fend for themselves through formal legal systems.

Summary of Key Findings

One of the main conclusions of this research points out that though the Legal Services Authorities Act, 1987 and following National Legal Services Authority (NALSA) guidelines offer a basic framework to paralegals, they need a formal recognition in the legal profession urgently. As opposed to other countries like the United States and the United Kingdom that have organized certification courses and well-defined areas of work, India doesn't have a uniform accreditation process for paralegals.

In addition, the study highlights the role of legal frameworks in enabling paralegal advocacy. The Indian Constitution, by way of provisions like Article 39A, provides for equal access to justice, while certain legislations like the Protection of Women from Domestic Violence Act, 2005, Juvenile Justice (Care and Protection of Children) Act, 2015, and Rights of Persons with Disabilities Act, 2016 provide opportunities for paralegals to advocate for vulnerable groups.

One of the serious issues confronting paralegals in India is the absence of systematic training and awareness. A large number of paralegals, especially those practicing at rural and poor levels, lack proper legal education, thus becoming less efficient in their advocacy. Conversely, nations such as the United Kingdom have developed several levels of professional qualification for paralegals to ensure a systematic career advancement. The Indian judicial system would gain by incorporating paralegal training modules under the regulatory authorities like the Bar Council of India or State Legal Services Authorities so that people joining this profession have the necessary legal skills and knowledge.

Recommendations

The following recommendations aim to strengthen the effectiveness, recognition, and sustainability of paralegal services in the Indian legal system:

1. **Formalizing Paralegal Training and Certification** There is a pressing need for a national accreditation system to provide uniform training and qualification standards for paralegals. The Bar Council of India (BCI) or National Legal Services Authority (NALSA) must create formal training programs in consultation with law schools and legal research centers.
2. **Strengthening Institutional Status and Legal Acceptance** The Legal Services Authorities Act, 1987, needs to be enacted to officially legitimate paralegals as legal service professionals.
3. **Promoting Government and NGO Support to Legal Aid Schemes** In order to overcome resource limitations, government and non-governmental agencies need to augment legal aid program funding. Public-private partnerships can be utilized to enhance the coverage of NALSA's Paralegal Volunteer Scheme, especially in rural and remote areas.
4. **Incorporating Technology into Legal Aid Services** There should be the development of digital platforms, mobile apps, and online legal tools to enable remote paralegal legal assistance.

By implementing these recommendations, India can strengthen the role of paralegals and ensure better access to justice for vulnerable populations.

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