



Closing Date: 9th August 2010

(Reference NO. UNDP/2010/005)

REQUEST FOR QUOTATION

“TO CONDUCT A STUDY ON THE LAW SCHOOL BASED LEGAL SERVICES CLINICS”

The Government of India and United Nations Development Programme (UNDP) invite proposals from individuals and organizations including Non-Governmental Organizations and academic/training/research/survey institutions for conducting a study on the Law school/college based legal service clinics in India.

The study will cover a representative sample of the law schools based in the 7 Project States (Bihar, Chhattisgarh, Madhya Pradesh, Orissa, Rajasthan, and Uttar Pradesh). Law schools from other parts of the country, which demonstrate good practices in relation to legal services clinics, will also be covered. The study must assess the state of the legal services clinics across law schools and colleges in India¹, including whether they exist, the kind of activities they undertake, the frequency of such activities, the quality of the services rendered, the percentage of the student population that participates in these activities and the frequency of interaction with the community outside the college, specially the marginalized community. Based on the primary research as well as the desk review of the existing reports and national and international experience, the study will suggest cost-effective ways and mechanisms to set up legal services clinics in laws schools and/or strengthen the existing ones. It will recommend activities that these clinics can take up and propose mechanisms to develop linkages between the work of the Legal Services Authorities and that of the legal services clinics. It will also put forth suggestions to motivate the students to get involved in the activities of the legal service clinics and make effective use of their skills.

Selection Criteria

- Proven experience in conducting research studies
- Experience in the area of access to justice/law
- Qualifications of the individual/proposed team
- Proposed Methodology
- Quality of the proposal submitted and alignment of the proposal with the RFP, project objectives and deliverables
- Feasibility

¹ Focusing on the 7 Project States and a few other law schools that demonstrate good practice

Project Duration

4 to 6 months maximum

Proposal Format

The proposal will be submitted in 2 parts: technical and financial

I. Technical proposal

- Introduction of the individual/organization indicating past experience in the subject area
- Proposed location of the study
- Detailed description of the methodology to be adopted while conducting the study
- Methodology to be adopted for disseminating the research and the ways in which the individual/organization will engage with selected law schools and policy makers
- Time schedule with milestones / performance targets
- Qualifications of individual/team (team leader, team members)
- Names and a brief description of at least 3 research studies conducted in the recent past
- Names and contact details (including the name of the person-in-charge and telephone numbers) of 2 funding agencies that have supported the work of the individual/organization in the last 3 years.

II. Financial proposal will be submitted separately in a sealed envelope. Detailed budget must be provided along with breakups.

Please find below detailed Terms of Reference for the study.

How to Apply:-

Quotations should be preferably sent by email to bids.india@undp.org Or addressed to the Procurement Division, United Nations Development Programme, 55, Lodi Estate, New Delhi-110003.

Deadline for submission is 1700 hrs India Time on 9th August 2010.

Note: Bidders are requested to mention the RFQ Title / RFQ Reference No. in their mail.

**A STUDY ON THE LAW SCHOOL BASED
LEGAL SERVICES CLINICS**

Terms of Reference

Government of India – UNDP Project

Access to Justice for the Marginalized People



Section 1

Background

Access to justice is an integral part of improving the standard of living. It enhances human development and it encourages democratic governance. UNDP defines Access to Justice as, “the ability of people to seek and obtain a remedy through the formal or informal institutions of justice, and in conformity with human rights standards”² and recognizes that access to justice includes the ability to access the judicial system but has a broader scope than mere litigation. It is a right to live within an environment of rights where such rights are effectively protected. Within this broad paradigm, the term ‘access to justice’ includes two major concerns - guaranteeing human rights and ensuring capacity development of state institutions and citizens to ensure the protection of those rights.³

The Indian constitution provides several safeguards in the legal system to ensure access to justice. There are a plethora of laws to guarantee rights to various groups of citizens; laws to help remove the affect of historical injustices, laws to grant rights to groups and minorities to help them protect their identity, positive discrimination for marginalized groups, including for women, and right to information. However, the system faces two major roadblocks- the large amount of pending cases and petitions and delays in the system. Together they lead to a limited version of the envisioned access to justice.

The Government of India and UNDP have partnered to implement a project on ‘Access to Justice for Marginalized People’ in the states of Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh as well as at national level with key institutions. The programme aims to focus on the one hand on **improving institutional capacities of key justice service providers** to enable them to effectively serve the poor and disadvantaged and on the other hand, on **directly empowering the poor and disadvantaged men and women to seek and demand justice services.**

Legal awareness and legal aid activities are integral to the Project. It is the Legal Services Authorities that are mandated to provide these services to the marginalized people in India but often they do not have enough resources (both human and financial). The law school based legal services clinics could plug this gap. Students can be trained to conduct legal awareness and legal aid activities under the guidance of the teachers. The legal service clinics could also develop linkages with the Legal Services Authorities with a view to provide services to the

² UNDP, ‘Programming for Justice Access for All. A Practitioner’s Guide to a Human Rights-Based Approach to Access to Justice’, UNDP, Bangkok, 2005. p. 4

³ Ibid

marginalized people. Technically, there should be such an operational clinic in all law colleges and universities.

The purpose of the proposed study is to see the extent to which the law colleges have tried to set up the legal service clinics, collect good practice and suggest ways to strengthen the legal service clinics where they exist and set up effective clinics where they do not exist. It will also suggest ways of involving more and more students in the legal services clinics.

Section 2

Objectives and Expected Outputs

Objectives to be achieved

The objectives of the study on legal services clinics include:

1. Identifying

- the percentage of institutions (based on a representative sample), which have such legal services clinic
- the quantum of student participation in these clinics
- the numbers of professors who work with such clinics
- the kind of laws and legal processes that they pay attention to
- the kinds of programmes held and services provided by such clinics, and the quality thereof
- the benefits that the marginalized people have received from these clinics
- the linkages, if any, that these clinics have with legal services authorities
- the support they require for holding effective legal service programs
- the challenges/obstacles faced by them

2. Collating national and international good practices relating to such clinics

3. Making recommendations on

- cost-effective methods to establish and/or strengthen these clinics in all the law schools across the country
- ways to involve law students in rendering legal services to the people belonging to the marginalized communities
- Mechanisms to develop linkages between these clinics and the Legal Services Authorities.

Expected Outputs

- A needs assessment report that reviews existing work/studies on the issue.
- A study report that fulfils the above objectives
- A national roundtable for validating the findings and suggestions of the report

Section 3

Reporting and Monitoring Arrangements

The organizations will be required to produce:

1. A needs assessment report that reviews existing work/studies on the issue.
2. A mid-term progress report on the project progress, achievements and challenges faced in achieving the project objectives.
3. A Project Completion Report within a month of the completion of the project.