

LEGAL EMPOWERMENT AT THE COMMUNITY LEVEL: ROLE OF PLVS IN PROTECTING WOMEN'S AND TRANSGENDER RIGHTS

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Abstract

Community-level legal empowerment is a necessary event to the effective access of justice to the marginalized groups of society. The gap between the formal and the community is met by the Para Legal Volunteers (PLVs) who are selected through the Legal Services Authorities Act, 1987. This paper focuses on how PLVs protect and advance the rights of women and transgender in the grassroots level. The research methodology of the study is a doctrinal research, which is based on the examination of the provisions of the constitution, statutory laws, judicial utterances, and policy frameworks connected to legal services, female rights, and transgender rights. It discusses the role of PLVs in providing legal awareness, access to legal assistance, violence and discrimination prevention, and delivery of justice. Regarding women, it is on matters like domestic violence, maintenance, harassment at the workplace, and accessibility to welfare schemes. Regarding transgender individuals, the paper examines how PLVs can guarantee the identity acknowledgment, the lack of discrimination, and social inclusion under the constitutional principles and Transgender Persons (Protection of Rights) Act, 2019. The paper recommends the need to enhance community legal empowerment systems and the potential to empower PLVs to be effective in protecting women and the rights of transgender people.

Keywords

1. Para Legal Volunteers (PLVs)
2. Legal Empowerment
3. Women's Rights
4. Transgender Rights
5. Access to Justice

Introduction

It is generally accepted that access to justice is a cornerstone of the rule of law and one of the conditions of the effective realization of human rights. Nevertheless, formal equality before law does not guarantee substantive justice to the disadvantaged communities (Cappelletti and Garth, 1978). Women and transgender individuals in India still have to deal with structural, social and institutional obstacles that limit them in enforcing legal rights even though rights are guaranteed by the constitution and there are statutory protection provisions (Agnes, 2011; Galanter, 1974). The Supreme Court of India stressed that Para Legal Volunteers (PLVs) were very crucial in ensuring early legal assistance and protection of vulnerable victims at the grass root level. In *Bachpan Bachao Andolan v. Union of India & Ors.* In Protection of Children from Sexual offences (POCSO) Act (Writ Petition (Civil) No. 427/2022), the Supreme Court instructed all States and Union territories that they needed to adequately implement the use of PLVs at the police stations, with several states either not notifying the scheme of the PLV or not providing enough funds to implement it (as seen in the status report of NALSA).

Some legal issues that women are often faced with are domestic violence and sexual harassment, economic deprivation as well as loss of maintenance and welfare benefits. Even though such progressive laws as the Protection of Women from Domestic Violence Act, 2005 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressed) Act, 2013 have been adopted, researchers report that the absence of legal awareness, fear of stigmatization, and institutional underdevelopment have become a major constraint on the successful application of these laws in the grassroots (Agnes, 2011; Law Commission of India, 2015). This leads to a high percentage of women not reporting the violations or dropping out of legal procedures in the middle.

Likewise, transgender people are among the most marginalized groups in India (legally and socially). Although the rights of transgender persons to constitutional rights were finally recognized in *National Legal Services Authority v. Union of India* (2014) states that there is still discrimination in access to identity documents, education, employment, healthcare, housing, and social welfare schemes (Dutta, 2014; Narrain and Seth, 2015). A statutory step forward was the enactment of the Transgender Persons (Protection of Rights) Act, 2019, but it has failed to note the implementation due to poor enforcement mechanisms and a community level of outreach (Narrain, 2020).

The Legal Services Authorities Act, 1987 was passed to comply with the Article 39A constitutional requirement of the distribution of free legal assistance and equal access to justice. However, access to the formal legal aid system is usually unavailable to the population in remote, rural, or socially conservative area because of the physical distance, complicated procedure, and distrust of law institutions (Galanter, 1974; Golub, 2010). This de-linking of legal institutions and the targeted beneficiaries reveals a very important gap between the law on the books and law in action.

In a bid to close this disparity, the National Legal Services Authority came up with the Para Legal Volunteer (PLV) scheme, which is a community-oriented legal empowerment program. PLVs are volunteer attorneys and legal professionals along with others in the locality that are expected to promote legal awareness, detect rights breach, assist users in obtaining legal services, as well as encourage people to use alternative dispute resolution (NALSA, 2012). The social closeness and knowledge about local realities make them in a unique position to tackle violations of rights of women and transgender persons in the initial stage.

Nevertheless, although of strategic importance, the contribution of PLVs to safeguarding the rights of women and transgender has been virtually unnoticed both in doctrine and the academic community. The current research on legal empowerment pays much attention to institutional legal assistance or judicial interventions, but does not value the role of grassroots organizations that include PLVs (Golub, 2010; Cappelletti and Garth, 1978). This failure to give such a critical analysis clouds the possibilities and the constraints of PLVs as instruments of social justice.

With the above issues of continued violation of rights, ineffective implementation of laws to protect them and low awareness among the community members, it is seen that there is need to critically interrogate whether PLVs actually play a role in enabling the community to be legally empowered. In that light, this paper has aimed to examine the importance of Para Legal Volunteers in guarding and safeguarding the rights of women and transgender individuals with a perspective of evaluating their success in surmounting structural challenges to access to justice.

Theoretical Framework

1. The idea of legal empowerment is based on the theory that law could and could be used as a means of social change when the marginalized individuals are empowered to interpret, utilize, and influence legal processes that impact their lives. Legal empowerment theory stresses on the need to change the institutional legal support to the community participation, legal knowledge, and capacity development (Golub, 2010). It also defies the conventional top-down approaches of justice delivery through bottom-up participation of the communities in which communities become persons who are active in the rights of delivery as opposed to passive receivers of the legal assistance. Legal empowerment theory in the case of women and transgender persons reflects the existence of structural inequalities that restrict access to justice, including patriarchy, social stigma, economic dependence. Para Legal Volunteers (PLVs) as the community actors operationalize this theory translating the abstract rights into the practical solutions and reachable knowledge at the grass-roots level.
2. The theory of access to justice created as a result of works by Cappelletti and Garth (1978), also contributes to the current research by revealing systemic obstacles that do not allow various disadvantaged groups to make efficient use of legal institutions. This theory holds that legal systems should be responsive, accessible and socially inclusive in that formal equality before the law is not complete. Women and transgender individuals frequently encounter institutional bias, procedural complexity and social exclusion, which prevents them to interact with courts and other legal authorities. PLVs counter these barriers through the intermediary role it plays between communities and the justice system, and thus minimizes information and psychological barriers. By raising legal awareness, helping to make complaints, and supporting alternative dispute resolution, PLVs help to achieve meaningful access to justice, especially to the disadvantaged who are not covered by formal systems.
3. The paper also builds upon feminist legal theory and the queer legal theory, which criticizes the historical lack of consideration of gendered and non-binary experiences in the law. The feminist legal theory reveals how institutions of law are usually patriarchal, and this leads to the subordination of women lived experiences, particularly on the issue of violence, care labor and economic dependency (Agnes, 2011). The queer legal theory also follows the same path, challenging the heteronormative assumption of law that obscures transgender identities or stigmatizes them (Narain & Seth, 2015). On the basis of this theoretical approach, the role of PLVs can be discussed as the important role of not only legal intermediaries but also social reformers that oppose discriminative

practices on the community level. PLVs help to change law into a more responsive and fair tool towards ensuring the rights of women and transgender and this can be achieved by creating an inclusive legal awareness and encouraging the marginalized identities.

Review of Literature

Author(s), Year	Title / Source	Indexing / Type	Main Arguments / Findings	Gaps / What is Missing / Future Research
Menon, N. (2012)	<i>Seeing like a feminist</i>	Book cited in UGC- CARE law & social science journals	Gives the reasons that legal rights cannot work without the awareness of the grassroots and social mediation; stresses the importance of community level actors in the translation of law into practice by women	Fails to study formal legal aid institutions or PLVs; does not have institutional legal empowerment structure.
Agnes, F. (2011)	<i>Law and gender inequality</i>	Oxford Univ. Press; heavily cited in UGC- CARE law journals	Shows how legal rights by women are still unattainable because of patriarchal institutions, procedures and social stigma	Does not discuss community paralegals or PLVs as remedial procedures; empirical connection is required.
Bhatia, G. (2018)	<i>Transformative constitutionalism</i> – EPW	Economic & Political Weekly (UGC- CARE)	Posits that constitutional rights need application by social institutions, rather than by judicial	Fails to look at institutions or PLVs as transformative

			organs on their own; emphasises justice decentralisation.	actors in legal services.
Sathe, S. (2002)	<i>Judicial activism in India</i>	Oxford; cited in NLU journals	Emphasizes the work of the judiciary in enhancing rights of those who are marginalized, particularly the women and the minority groups	Excessive focus on courts; mechanisms of legal empowerment at the community level have not been well researched.
Narrain, A. (2014)	<i>Crystallising queer politics –</i> NUJS Law Review	NUJS Law Review (NLU Journal)	Critically examines legal invisibility on transgender persons and judicial recognition after NALSA; puts emphasis on legal identity and dignity.	Mentions nothing about delivery of legal aid, about PLVs; omits community-level enforcement viewpoint.
Dutta, A. (2014)	<i>NALSA judgment and transgender rights –</i> JILS	Journal of Indian Law & Society (UGC-CARE)	Surveys legal basis of transgender rights and State duties.	No discussion of the way rights to grassroots; PLVs are not analyzed as enforcers.
Galanter, M. (1974)	<i>Why the haves come out ahead</i>	Scopus-indexed socio-legal classic	Justifies why marginalized groups lose in judicial systems because of	Or does not imply community-based solutions such as PLVs;

			the advantages of repeat-players.	requires Indian application.
Cappelletti & Garth (1978)	<i>Access to justice movement</i>	Scopus-indexed	Proposes waves of access to justice such as informal justice and legal aid outreach	Lacks no empirical testing of India or gender-diverse paralegal models.
Singh, R. (2019)	<i>Legal aid system in India – NLSIR</i>	National Law School of India Review (NLU Journal)	Makes a critical assessment of the legal aid organisations and points to the lack of functioning at the grassroots level.	PLVs were referred to indirectly; no gender-specific results were evaluated.
Kothari, J. (2020)	<i>Gender, courts and access to justice – EPW</i>	EPW (UGC-CARE)	Realizes the obstacles of procedures and culture that women encounter in courts and police stations.	Fails to discuss pre-litigation legal empowerment through PLVs.

Findings from the Literature Review

1. It is found in the reviewed literature that despite the good constitutional guarantees and protective laws in India to safeguard women and transgender persons, the problem is that these women and trans people cannot access justice at the grassroot level. Substantive equality can never be achieved only by the use of courts and laws because marginalized groups usually encounter social, economic, and procedural challenges. This raises the significance of legal empowerment at the community level to alleviate the difference between the legal rights and their realizations.
2. The other important conclusion is that formal legal aid system has not been very effective in dealing with gender-based and identity-based vulnerabilities. Research shows that women are often afraid to seek any legal institution because of patriarchal

values and ignorance, and transgender beings are still discriminated against regardless of their rights being acknowledged by the law. According to the literature, the current legal institutions do not have sufficient outreach and sensitivity to deal with these issues.

3. Lastly, the literature acknowledges the possibility of community-based legal actors to enhance access to justice, but does not give detailed, special treatment to Para-Legal Volunteers. Although researchers appreciate the usefulness of grassroots legal facilitation, the contribution of PLVs in ensuring the rights of women and transgender is under-studied. This gap suggests that more research should be conducted on the topic of PLVs as the agents of legal empowerment on the community level.

Objectives of the Study

1. To examine how Para Legal Volunteers can be used to empower women and transgender persons at the community level.
2. To determine the role of PLVs in ensuring increased access to justice to women and transgender communities in India.

Doctrinal Research Methodology

This study embraces a doctrinal research methodology as another way of conducting a study to examine the role of Para Legal Volunteers (PLVs) in fostering and advancing the rights of women and transgender individuals in India. The study will be based on primary documents, including statutes, Supreme Court observations, and NALSA guidelines, and secondary documents, including Law Commission reports, India Justice Report 2022, government publications, and academic literature. Statistical information regarding the existence and gender ratio and operation of PLVs has been theologically examined to learn the trends on the representation and outreach. Through the synthesis of these legal and policy materials, the paper reviews the role that PLVs play in legal awareness and access to justice by women and trans communities, as well as instances of limitations of this role including unequal application, declining numbers, and under-representation of transgender individuals.

Table 1: Role of PLVs in Protecting Women's & Transgender Rights (With Authoritative Sources)

Area of Work	Positive Role of PLVs	Limitations / Negative Aspects	Authoritative Sources (Govt / Committees / Research)
Legal Awareness	At community level, PLVs educate about legal literacy on domestic violence, sexual offences, maintenance, child marriage, workplace harassment and the minimum constitutional rights.	Local Legal Services Authorities are an important source of legal awareness activities, as it is not uniform across the states.	NALSA Scheme of para legal Volunteers, 2009; Law Commission of India -Reports of Access to Justice.
Access to Justice	PLVs help women and transgender individuals to access police stations, legal services clinics, Lok Adalats, and courts and, therefore, decrease the barrier to the procedure.	The effectiveness of PLPs is limited because they lack statutory power at all, and can not force police or other officials into action.	NALSA Annual reports; India Justice Report 2022.
Victim Assistance & Support	PLVs assist victims of sexual abuse and domestic violence to file complaints, get shelter homes, compensation plans and free legal assistance.	Inadequate training in specialisation in trauma counselling and victim psychology	Ministry of Women & Child Development Reports; UNDP India – Access to Justice Studies

Community Trust Building	As part of the local people, PLVs establish trust within the women and transgender individuals who are reluctant to access formal justice providers.	PLVs at times lack the capacity to interfere with sensitive societal or caste related cases due to social stigma and the pressure of the community.	India Justice Report 2022; Planning Commission/NITI Aayog Reports on Legal Aid
Gender Inclusivity	The appointment of women PLVs has enhanced direct access to the women survivors of violence and reporting of domestic conflicts.	Females continue to form less than fifty percent of overall PLVs; they are also underrepresented in leadership.	India Justice Report 2022; NALSA Gender Data
Transgender Inclusion	Pilot programs understand the need of involving transgender persons as PLVs to enhance access to justice among the population.	Most states have low or no representation of transgender PLVs, which restricts access.	Ministry of Social Justice & Empowerment Reports; India Justice Report 2022
Implementation of Welfare Schemes	PLVs help the beneficiaries to access the government schemes surrounding maintenance, compensation, pensions and Identity documentation.	. Poor communication between the PLVs and administrative authorities at the district level.	NALSA Annual Reports; Law Commission of India Papers

Alternative Dispute Resolution	PLVs assist in referring women-related disputes to Lok Adalats and mediation centres to be resolved at a very fast rate.	Risk of taking a soft-determination on a serious offence unless this is adequately overseen.	Legal Services Authorities Act, 1987; NALSA Guidelines
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Table 2: Population Data of PLVs Dealing with Women & Transgender Issues (Government Data)

Category	Data / Figures	Government Source
Total PLVs (India)	Around 45,000 – 48,000 PLVs	National Legal Services Authority (NALSA) Annual Reports
Women PLVs	Approximately 35–40% of total PLVs	India Justice Report (based on official data from NALSA & State LSAs)
Transgender PLVs	Very limited / negligible (some states report zero)	India Justice Report 2022
PLVs Working on Women-Centric Issues	Majority of PLVs deal with domestic violence, maintenance, child marriage, sexual offences	NALSA Scheme for Para Legal Volunteers
PLVs Working on Transgender Issues	Sporadic and pilot-based involvement	Ministry of Social Justice & Empowerment + NALSA data
Trend	Decline in active PLVs over years	India Justice Report 2022

RESEARCH PROBLEM Observation

The success of Para Legal Volunteers (PLVs) in providing women and transgender individuals with access to justice is not evenly represented despite the Legal Services Authorities Act 1987 and the NALSA schemes. Although the role of PLVs is to create legal awareness and support, the limitations of statutory authority and inconsistent training, diminishing population, and under-representation of transgender people create issues regarding the inclusion of legal empowerment. This research is based on the hypothesis that the impact of PLVs on women in accessing justice is very high but the extent of their influence on transgender justice is low because of structural and institutional factors.

Key Findings

A. Representation & Numbers

1. Women PLVs constitute about 40 percent of the total PLVs, which is useful in reaching women survivors more efficiently (Supreme Court of India, 2025).
2. The situation with transgender representation is extremely low (less than 1 percent of total PLVs), and there is a disparity in empowering the communities to achieve transgender justice. (Supreme Court of India, 2025).
3. The total PLV figures have decreased, shrinking legal service at the community level (between an estimated 69K of 2019 and 45K of 2022).

B. Positive Outcomes

1. PLVs raise legal awareness in the society, particularly among women and other members in the society who are at risk. India Development Review (Pratap and Sarkar, 2025).
2. They can improve access to justice, consider filing complaints, navigating courts/police and follow-up on cases, with the assistance of PLVs (Pratap & Sarkar, 2025). India Development Review.
3. Making women and transgender persons PLVs enhances survivor trust and involvement. (The Times of India)

C. Challenges

1. According to the Supreme Court of India, under-representation of transgender PLVs shows that not much direct support is provided for the said group. (2025) S3WaaS.
2. PLVs are, in fact, sparse in use: only a handful are actively working on the ground as opposed to those that are listed on the roster. The Wire.
3. Consistency in training, monitoring, and compensation is lacking for sustainable and high-quality support. (Pratap & Sarkar, 2025) India Development R.

Linkage to Research Objectives

- Objectives of the research: Objective 1: To analyze and understand the role of Para Legal Volunteers (PLVs) in furthering community level legal empowerment of women & transgender persons.
- Linkage: Doctrinal study of statutes, SCR observations and literature sum up the duties and responsibilities of PLVs, suggesting that they simulate legal empowerment.
- Objective 2: “Assess the contribution of PLVs in enhancing women and transgender communities’ access to justice in India.”
- Linkage: The methodology considers case law, legislative texts and scholarship to test its efficient as well as contradictory aspects in the PLVs model in so far as access to justice is concerned.

Conclusion

1. Community-based legal empowerment is a critical ingredient to achieve meaningful access to justice for women and transgender people, who generally encounter social, economic and institutional obstacles. The constitutional guarantee of equality, dignity and free legal aid in articles 14, 21, and 39A of the Constitution of India calls for devising mechanisms by which access to justice is provided for beyond courts. Para-Legal Volunteers bridge the divide between communities on the bottom and justice delivery in that they “translat[e] [legal rights] into terms more understandable to slum dwellers, so that it can affect their lives and situations.
2. Legal Aid Statutory provision for legal aid, particularly the Legal Services Authorities Act, 1987 and the NALSA Scheme for Para-Legal Volunteers forms the institutional basis of PLV’s engagement. The PLVs have an important role in helping women and transgender individuals to assert their rights under protective laws, such as the domestic violence law, the workplace harassment law and the transgender protection

law through legal literacy programmes, support to avail remedies and application of welfare schemes. Their outreach in community environments contributes to the demystification, destigmatization and delegitimization of formal legal procedures.

3. In sum, Para-Legal Volunteers are the backbone of inclusive and participatory justice. The PLV framework, in order to contribute towards substantive equality and social justice, must be buttressed by proper training; the presence of women and trans in the judiciary and practice spaces (both formal and informal); institutional support. The legal empowerment of communities through PLVs, therefore, is seen as a viable and strategic approach to narrow the gap between law in books and justice for all.

Suggestions and Recommendations

- **Strengthening Training and Capacity Building**

Oriented, systematic training programs will have to be arranged for PLVs with special emphasis for gender justice, domestic violence, sexual harassment and transgender rights. The training modules need to cover basic counselling skills, legal procedures, documentation and code of conduct so that PLVs can support the survivors adequately at community level.

- **Women and Transgender Persons Representation Strengthening**

More women and transgender people should be involved in PLVs to build trust, respect, sensitivity and success in reaching out in vulnerable communities. The credibility of the process is also increased since representation from within the community can promote access to justice by hesitant victims towards formal institutions.

- **Institutional Support and Monitoring Mechanisms**

Legal Services Authorities shall set up effective monitoring and evaluation structures to monitor the work of PLVs. Way forward Regular monitoring, reporting and supervision will make them accountable, consistent and their service quality better at the village level.

- **Adequate Financial and Logistical Support**

Ensuring adequate honorarium, travel and logistic support is required to keep the motivation of PLVs intact. With financial security, attrition will be low and PLVs can actively engage in LEG activities particularly in rural and backward areas.

- **Links and Coordination with Welfare and Protection programmes**

PLVs should be officially associated with Government welfare schemes; shelter homes and protection officers to facilitate comprehensive service delivery to women and transgender persons. This integration can make PLVs a useful tool of legal remedies as well as social support system.

- Awareness Campaigns and Community Engagement

Public legal literacy programmes at the community level need to be scaled up, with a view to combat social stigma, discrimination and misperceptions pertaining to women's and transgender rights. PLVs should work in close collaboration with local institutions (schools, SHGs and community based organizations) for more outreach.

· Technology could be used in digital platforms as a tool to support the PLVs' reporting and cases follow up and access to legal resources. The technology based support also improves efficiency, recording and coordination with the Legal Services Authorities.

· Policy on access to justice and social welfare needs to incorporate the PLV strategy. Clear roles and associated boundaries with respect to other actors will strengthen the institution-level standing of these instruments vis-à-vis the legal aid system.

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