



NYAYA DEEP

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Editorial

'Nyaya Deep', as I have mentioned in the earlier issues, makes a constant endeavour to focus and spread ideas on variety of topics, which illuminates legal mind and spread awareness among the legal fraternity.

Corruption is a burning topic and has assumed concentrated attention. Grant of sanction to prosecute a public servant is an inherent process. The basic principle behind the provision for sanction is to afford a reasonable protection to a public servant, who in the course of honest, strict and impartial discharge of his duties is protected from unnecessary harassment or undue hardship. It should not be understood to shelter to the corrupt, but to protect the honest from unnecessary harassment. It requires objective approach by the sanctioning authority.

Traffic accidents depict a sorrowful state of affairs in our country. The statistics paint a very sad picture. The culprits often run away with mild punishment. Moreover, road rage, which is a norm now-a-days in the metros, is not covered as an offence under the Motor Vehicles Act or the Indian Penal Code. The article in this issue makes a comparative analysis of both the legislations and suggests certain measures.

In criminal justice system, forensic science, in the present day, has its own space. Not for nothing, it has been said that crime has its own degrees. With the advancement of science, the said degree has been increased and to match with the inventive minds of the criminals, the modern DNA technology has become a legal tool in the hands of the prosecution. In India, as the author would put it, many cases have been solved with the aid of DNA evidence. Simultaneously he has cautioned about sensitivity and privacy. There is also focus on ethical aspects. In the ultimate eventuate, entering into the world of science is spectacularly interesting. It awakens the instincts of the intellect.

Reading about any aspect of life of Gandhiji throws immense light on the growth of human mind and the capacity of a determined person to cultivate uprightness and fearlessness. The experiences of Barrister Gandhi are definitely a lesson for young

lawyers. The author has graphically narrated certain cases which will show the thought, perception, ability and ethicality of Gandhi as a lawyer.

It is really painful that today, when we are more than a decade and half in the twenty first century and proudly project equality and equal opportunities, many people are dependent upon manual scavenging for their livelihood. The solution to this problem lies in the proper implementation of the existing laws and social awareness campaigns at all levels with rehabilitation measures with active participation of State instrumentalities and the dedicated volunteers.

Though there are various legislations enacted for children, yet those were restricted to specific areas and the need to take proper care, protection, development treatment and social re-integration of children in difficult circumstances keeping in view the best interest of the child has been answered by the Parliament by enacting comprehensive legislation, namely, Juvenile Justice (Care and Protection of Children) Act, 2015. This legislation is directed to ensure the aforesaid objectives in its proper perspective. The author has put various aspects of this new legislation in an apposite manner.

Corporate governance is gaining immense significance across the world, which pertain to promoting of corporate fairness, transparency and accountability. Good corporate governance is a reflection of quality management as it describes the structures of rights and responsibilities of those having stake in the firm. The author has pointed out the importance of corporate governance and elaborated the role of various regulatory bodies and legislations governing the field.

The articles in the present have their socio-economic relevance and they are reflective of various facets. There are suggestions too. I hope it will enlighten all the readers.



[Dipak Misra]

Judge, Supreme Court of India

INDEX

VOLUME-XVII - ISSUE - I - JANUARY - 2016

ARTICLES :	<i>Page No.</i>
Road Rage Offences- A Legal Remedy	... 03
— <i>Hon'ble Mr. Justice B. D. Agarwal</i>	
Barrister Gandhi's Experiences : Lessons for Young and Budding Lawyers	... 09
— <i>Prof. C. M. Jariwala</i>	
Supreme Court on "Sanction" For Corruption Cases (Emerging Legal Position from recent cases)	... 35
— <i>Shri Sudhiir Deshpande</i>	
— <i>Dr. Mrs. A. A. Vaidya</i>	
DNA Technology under Indian Criminal Justice System: Its Application, Need and Criticism	... 54
— <i>Shri Jitender Kumar</i>	
Manual Scavenging in India: Still a reality in the 21st Century	... 67
— <i>Mrs. Balwinder Kaur</i>	
Care and Protection of Children-Legislative Perspective	... 79
— <i>Dr. Sailaja Petikam</i>	
Corporate Governance: Financial Regulatory Bodies in India	... 92
— <i>Dr. Shivanand H. Lengati</i>	
News from States	... 103
(October - December, 2015)	
Statistical Information	... 219

Road Rage Offences - A Legal Remedy

In average 16 people lose their lives every hour and 382 every day in road accidents besides large number of people sustaining various kinds of injuries, including loss of limbs etc. According to a report by WHO more than 2 lakhs people die every year in road accidents in India. As per the statistics provided by National Crime Records Bureau of India there were 2,72,100 road accidents in the year 1996. Within a decade, i.e. in the year 2006 the number of road accidents shoot-up to 3,94,432 and 4,50,898 road accidents in the year 2014. Corresponding to the number of accidents the casualty figure was 69,800 in the year 1996 which went up to 1,05,725 in the year 2006 and 1,69,107 in the year 2014. Besides, loss of human lives 4,52,900 persons sustained bodily injuries in the year 2006, which increased to 4,81,739 in the year 2014. The incidence of accidental deaths has shown an increasing trend during the period 2004 -2014 with an increase of 62.9% in the year 2014 as compared to 2004. The population growth during the period 2004-2014 was 14.6% whereas the increase in the rate of accidental deaths during the same period was 42.4%. Despite various penal provisions in the Indian Penal Code, 1860 and adequate stipulations in the Motor Vehicles Act, 1988 road accidents are still unabated.

The first question that hits my mind is as to whether the traffic offenders need to be punished under the Penal Code or to be dealt with under MV Act. Apparently use of Penal Code to punish the traffic law offenders has proved futile. In a catena of judgments the Hon'ble Supreme Court of India has held that provisions of special law will prevail over the general law. Admittedly, Motor Vehicles Act is a new legislation qua Indian Penal Code. This special law has taken care of all the eventualities and situations, whereas the Penal Code lacks effective mechanism to control road accidents. The police agency mostly invokes Sections 279, 304 A, 337, 338 and 427 of the Indian Penal Code to book an

* Former Judge, Gauhati High Court.

offender of road accident. Except Sec. 279 the remaining penal provisions under IPC are essentially not related to vehicular offences. On the other hand MV Act is a super special and comprehensive law. It provides stringent punishments like disqualifying an offender to drive any kind of motor vehicle to suspension and cancellation of driving licence and also making endorsements on the licence under Sections 19 to 24. Besides this, Ss. 183 and 184 provides prison sentence for driving a vehicle at excessive speed and dangerously on public place. In my opinion the punishments provided under MV Act are more effective than prison sentence provided under IPC. Punishments like disqualification and suspension of driving licenses have long term effect than jail sentences. In this factual reality how far is the justification to book the offenders of road traffic offences under IPC provisions overlooking the penal provisions of MV Act?

The Hon'ble Supreme Court of India has time and again warned against colourable exercise of powers or going against the legislative intent. In the case of **Chief Justice of A.P. -Vs- L.V.A. Dixitulu**, reported in (1979) 2 SCC 34 the Apex Court observed like this:

“The primary principle of interpretation (of law) is that a constitutional or statutory provision should be construed according to the intent of they that made it. Normally, such intent is gathered from the language of the provision. If the language or the phraseology employed by the legislation is precise and plain and thus by itself, proclaims the legislative intent in unequivocal terms, the same must be given effect to, regardless of the consequences that may follow.”

Again in the case of **Prithi Pal Singh -V- Union of India** (AIR 1982 SC 1413) the Hon'ble Supreme Court made these thought provoking observations:

“The dominant purpose in construing a statute is to ascertain the intention of Parliament. One of the well recognized canons of construction is that the legislature intention speaks its mind by use of correct expression and unless there is

ambiguity in the language of the provision the court should adopt literal construction if it does not lead to absurdity.”

Once Lord Denning also, while dealing with a question as to when the judiciary should supplement the law, said that-

“.....a Judge should ask himself the question how, if the makers of the Act had themselves come across this ruck in this texture of it, they would have straightened it out? He must then do so as they would have done. A Judge must not alter the material of which the Act is woven, but he can and should iron out the creases.”

The sanctity of the legislations has been recognized globally through a long list of judicial pronouncements, both in its contents and applications. Hence, in normal vehicular it can be said that permitting the use of penal provisions of any other law in the matter of motor vehicle accidents by the judiciary not only amounts to overriding the self contained M.V. Act, but it also sounds to indict the legislature for not comprehending all the situations and lacking foresightedness to declare death of persons accidents as ‘culpable homicides’ or death due to ‘negligent act’. In my opinion, invoking provisions of Indian Penal Code for the offence of vehicular accidents is nothing but distortion of the basic character and structure of the Motor Vehicles Act and by adopting this method we will not be able to curb the rising rate of vehicular accidents.

As is evident, Motor Vehicles Act is a new legislation and later in point of time in comparison to the Indian Penal Code. Hence, it can be safely inferred that the legislatures were well posted and cognizant about various provisions of the Indian Penal Code and having realized that IPC provisions did not adequately take care of the road traffic offences, the special law was enacted. It is true that at the time of enactment of MV Act it would have been proper to delete Sec.279 in the same manner as Ss. 161 to 165 A of the Indian Penal Code have been deleted after enactment of Prevention of Corruption Act, 1988. Even then, I am of the view that if the road traffic offences, which can be regulated and adequately dealt with under the provisions of MV Act, resort to the provisions of the general law i.e. IPC should be avoided.

If we look at the M. V. Act from a different angle we find that the law already suggests effective remedial measures to control the menace of vehicular accidents and resultant loss of property and human lives. Ss. 20 to 24 prescribes power of disqualification, suspension and cancellation of driving licenses and endorsement of such disqualification in the driving license. S.20 authorizes the court to disqualify a person from driving motor vehicles for a reasonable period upon his conviction in a traffic offence. If the person is convicted for driving a vehicle in drunken condition (Sec.185), such disqualification should be for a minimum period of six months. S.21 authorises freezing of the driving license if a person repeats an offence of dangerous driving and this action can be taken immediately on the registration of the second case. S.22 empowers the court to finally cancel the driving license if a person is convicted for dangerous driving causing death of, or grievous hurt, to one or more persons for that class or description of motor vehicle. The cancellation is mandatory if the license holder is convicted for the second offence of driving a motor vehicle in drunken condition.

From a conjoint reading of Ss. 20 to 24 of MV Act, which supplement other penal provisions in the same law, it is crystal clear that the legislatures were well aware that there may be loss of human lives in vehicular accidents and despite that the offence was not treated as culpable homicide. I am also of the opinion that if the supporting penal provisions enumerated under Ss.20 to 24, i.e. powers of suspending and canceling the licenses and making the endorsements of such disqualifications in the licenses are effectively and comprehensively used it will certainly bring down the rate of vehicular accidents. On the contrary, penal provisions of M. V. Act and equivalent provisions of Indian Penal Code confer discretionary power upon the courts to let-off the offenders by handing down maximum prison sentence of six months or after imposing fine only. This mode of punishment has little impact to discipline the errant drivers. Hence, effective and extensive use of Ss.20 to 24 of the Act will change the entire scenario with regard to vehicular accidents.

On the contrary, the penal provisions of the Indian Penal Code do not have subsidiary line of punishments by way of suspension or cancellation of driving licences or disqualifying a traffic offender. Besides this, unlike penal provisions in MV Act there is no provision for inflicting higher sentence for subsequent and repeated traffic offences under IPC. From this angle also, it can be said that the penal provisions of IPC are inadequate to encounter the menace of road traffic accidents.

In the light of foregoing discussions made herein above, I am of the view that the prosecution of road traffic offenders under various penal provisions of Motor Vehicles Act is the Rule and the prosecution of such guilty persons under various provisions of Indian Penal Code is violative of the settled principles of law as well as contrary to the legislative intent.

The next issue that is directly related with the topic under reference is 'road rage' offences. Apparently, neither this category of offence is covered under IPC nor under M V Act. Road rage offence broadly includes physical assault upon the drivers and occupants of another vehicle that is involved in minor or major accidents. Incidents of killing and murdering drivers of one vehicle by the occupants of other vehicle in the recent past have shocked the conscience of law abiding people of the country. In such incidents normally the physically weak persons are manhandled and assaulted on the spot by the aggressive party. Even the vehicle of weak and docile driver is also damaged. The offence of road rage is further extended to demand of ransom by the powerful group on the spot, instead of realizing compensation from their insurance companies directly or through tribunals and courts. Besides physically assaulting the driver on certain occasions the vehicles are also burned down by the public on the road and sometime in presence of police personnel. Except resorting to few penal provisions of IPC against such offenders police and executive authorities appear to have no long term solution to this growing menace.

It is understood that the Government of India is in the process of re-writing the Motor Vehicles Act. Would it not be proper

for the parliament to acknowledge 'road rage' as a traffic offence and prescribe stringent punishments for this offence. I recommend punishments like suspension and cancellation of driving licenses, as provided in Ss. 19 to 24 of the existing law, along with prison sentence to those offenders who are already possessing driving licenses and disqualify the remaining offenders from obtaining driving licenses for certain years along with prison sentence involved in 'road rage' offences.

Barrister Gandhi's Experiences : Lessons for Young and Budding Lawyers

ABSTRACT

Sri Mohandas Karamchand Gandhi, made important contributions in all walks of life and become the Father of the Nation. He studied law and became barrister. The present paper confines its scope to his life experiences as a school student to law learner and finally the law professional. In this long journey, he had roadblocks, humiliations and at time was even a pray of physical assaults. In these difficulties how could he succeed is examined in this work. Initially he was a briefless barrister but in due course of time he made his name and fame as a popular lawyer fighting for truth and righteous justice. Gandhi's experiences have many lessons to be learnt by the budding lawyers, legal education and the legal professionals. The paper also tries brings out dos and don'ts for the budding lawyers so that the lost glory of the noble profession may be reinvented. Finally it tries to find out : what was the main *guru mantra* of Gandhi to succeed in the professional life?

I. Introduction

Today there is enormous literature on Mohandas Karamchand Gandhi¹, his life, philosophy, principles and what not. Even he himself once said, '(M)y reminiscences of bar are so large that if I were to describe them they would occupy volumes by themselves'. This has become true because now 'his works are spread over hundreds of volumes comprising of thirty million words'. (Collected works). Further a large number of scholars have interpreted in their own way Gandhi's life, experiences and experiments, philosophy and principles seriously undertake and have brought out endless lessons to learn there from. Is not, it a

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¹.Hereinafter referred to *Gandhi*.

pity that the law academics have yet to research on law related matters, including his legal professional life? Is not it a time when the researchers must exploit this almost virgin field? In this endless ocean, the present paper makes an humble attempt to focus only on some of the salient aspects of professional life, experiences, values and principles. The main aim of the present work is to highlight the core professional ethical values which he cherished so that they may act as lamppost for the present and future generations of budding and young lawyers. Can the Gandhigiri bring a fresh air and new blood, in the old highly class friendly commercialised legal profession is a million dollar question but it needs to be answered.

A study on legal professional life can not be complete unless a background study is made. In this comes his family background, how was he brought up, had he seen the two sides of human life what teachings were given to him. What moral and human values were inculcated in him, are some of the questions which need detailed inquiry become they are important factors in shaping the life of young ones. The seeds of basic human values are shown at home. Did all these had any influence in moulding Gandhi's life need further study. The school education provides nutrition in this development. Thus to know Gandhi's experiences, experiments and lessons at home and school become important to find out their traces in his life and how far they helped him in future. Will not it be a great lesson for the parents?

Coming to his legal education, the first road block was that he was out casted from his caste, there was no body in his family a barrister, England was a totally a new country for him and he had no knowledge of its environment, people and their life style, etiquettes, food habits and the last but most important the expensive English life. All these raises the questions : first, was the legal profession imposed on him; two, what difficulties he faced during his education; and lastly, how for the English legal education helped him in future. The answers to the above question shall help the budding lawyers to said even in the rough sea.

Initially Gandhi was at the cross roads : his family's financial needs and the client's interests. A balancing or priority of either

needs to be investigated. Gandhi. In his legal professional life, he saw both the sides of a coin : 'a brief less barrister' to a lawyer with contentment and excitement and excitements in case of successes. This makes it important to study as to where Gandhi succeeded and also failed and the reasons thereof. The Gandhian values and principles are well-known but we have to find out how were they evolved and can become a part of one's life.

In the court he had varied experiences : Sad to happy ones but he did not run away from the legal profession. Each case that he handled had important lessons to learn. What are the lessons and will they bring fresh air and new blood in the present highly commercialized profession which has left many to remain untouchables to enter into the expensive temple of justice need detailed introspection. In the entire discussions, an attempt is 'true' made to find out the Gandhian role of a lawyer. We can not neglect in this scenario Gandhi's self applicable rules, and the professional ethics and principles evolved and advocated by him. The exposition of all these, will help the budding and young lawyers in their life to reach to excellence. Should not the regulatory authority revive the Gandhian philosophy so that the legal profession attains its noble and honourable position so that it makes contributions to the social and national development. And finally, the work closes with the question : how far are the teachings of Gandhi relevant in the present time?

II Prologue

1. The Family Background

The family background is important to understand the influences inherited by a child. If the family has a good background, preaching high morals and human values, in most of the cases, it will reflect in the life of their off springs. An attempt is made in the following pages, to find out whether Mohandas Karamchand Gandhi inherited any such good qualities and character is his life from his family background.

The surname 'Gandhi' in Gujarati means grocers. Though ancestors were grocers long back, in due course of time in the preceding three generations, they had been Diwans, Prime Ministers. His father, Karamchand, served as Diwan for twenty-

eight years in several Kathiawar States, a reign of long authoritarianism. He was an upright and fearless minister. He was dedicated and committed in his services to the native State. The history is evidence that Karamchand never acquired any wealth or property under the cover of any wrongful means or corruption. And therefore, Nanda² concludes that, '(T)hat is why he left hardly any property for his children'. Karmchandbhai was also a master of Rajasthanik Court, an influential body for settling disputes between the chiefs and their fellow class men. His judgments were impartial and there was no resentment against any of his judgments, indicative of a quality of impartiality and honesty. These values have hereditary traces in Gandhi's life. When Karamchandbhai died, it is pity that there was not much cash in the house except four rupees which Gandhi had earned as his scholarship. This meant that though initially enjoyed a young prince's life in the village, after the death of his father, he became a member of the poor middle class family. It is here that he experienced both sides of life and also knew the sufferings of the poor. It is these experiences which taught him from very beginning to face any challenge and adjust himself to live in any condition.

The family lived in a joint family which taught him the lessons of adjustment, compromise, compassion and tolerance. His ancestral house was surrounded by temples. The epics, the Ramanayana, Mahabharata and Bhagwat Geeta were recited in his house. He was told in his childhood by his mother Putalibai, stories of Shravan, Prahlad and Harishchandra. Thus cherished these spiritual and moral values throughout his life.

Gandhi's mother Putlibai, was very religious minded and orthodox. She believed in untouchability. Uka, a sweeper boy in the house used to clean the latrines in the house. Putalibai did not allow anyone to touch Uka. It was he who objected to this and asked his mother how a contact with Uka could contaminate others. Her explanation did not carry any conviction and he was unhappy over such treatment to the depressed class.³ his mission to transform the right to equality into reality owes much from such incidents in his life.

². *Id.* at 20.

³. B.R. Nanda, *Mahatma Gandhi : A Biography*, 20, 1958.

Gandhi's close dedication towards non-violence gets traces from his family background. When the brothers and sister quarrelled in the house, and in this quarrel if some one beat Gandhi, he being the youngest and the 'darling of the family', Putalibai advised him to beat the other in turn but he would reply '(I) won't hit back'.⁴ Thus it shows that Gandhi from his childhood believed in humanity, humility truth, dedication and commitment to the cause, which according to him, were the basic qualities for a good lawyer.

2. Gandhi's Education :

There are two views about Gandhi's quality as a student. He himself openly confesses that he was not a brilliant student.⁵ Some say that he was a mediocre⁶ while others have correctly assessed him otherwise.⁷ The records are evidence that at school, he got scholarships as one of the best students coming from Sourashtra Division, Kathiawad. He even enjoyed affection of his teachers.⁸

Gandhi's approach towards honesty and truth reflect from his school days. Once there was an inspection in the school and one English man, Mr. Giles came as the Inspector to see the development of education of children in the school. He asked the students to spell and write the word 'kettle'. Gandhi had some difficulty but his school teacher, in order to help him, directed to see the slate of other students and copy the word. But he did not listen to the teacher's advice and wrote a spelling which was wrong. He says, '(I) could not learn the art of copying'.⁹

A student has to be careful to select friends. Gandhi in his school days developed friendship with a classmate named Sheikh

⁴. *Gandhi Essential Writings*, Comp & Edi by Gopalkrishna Gandhi, 10, 2008.

⁵. Talking to the students of the Gujarat Mahavidyalaya, Ahmedabad at the Sabarmati Ashrama on Jan. 13, 1921 and also in his speech at the Law College, Travancore, March, 1925, he has made such remarks Mahadev Desai's Diary Vol. 6, pp. 103-6, 1953 source *Gandhi Essential Writings*, Comp. & Edi by Gopalkrishna Gandhi XXVII, (Third Imp) 2008.

⁶. B.R. Nanda, *Mahatma Gandhi : A Biography*, 32, 2008.

⁷. Kathryn Tidrick, *Gandhi A. Political and Spiritual Life*, 1, 2006.

⁸. *An Autobiography*, 22, 1925.

⁹. B.R. Nanda, *Mahatma Gandhi A Biography*, 16, 1958.

Mahtab who was a very bad boy. In his company, he developed bad habits for which he had to do *prayaschit*, penance, to get rid of these sins. For such acts he was so depressed that once he went to the extent even to commit suicide but God had something else for him. His character of truthfulness and honesty is further supported by an incident when his classmates wanted to play a drama which required a bronze image of God. His other friends in the school made a plan to commit a theft of the image from a temple. They succeeded in it but when they were caught, all of them denied their involvement, except Gandhi who confessed his involvement in the crime.

Coming to his future prospects, it is interesting to note that when Gandhi's father was sick he was impressed by the services rendered by an English surgeon of Bombay. He felt that this was a good profession to serve the people and if he became a doctor, it would be his privilege to serve them. Thus it is said that he had hope in some mysterious way to earn a medical Degree'.¹⁰ His father and also his mother, who was orthodox, did not like to send him in the medical line because of the fear of dissection of bodies of animals and cadavers. In this dilemma, his father advised him to consult the most trusted family friend, Mauji Dave, who advised him to become a lawyer to inherit the diwanship.¹¹ Thus he had to abandon the idea of becoming a doctor and his keenness to serve the sick people. In January 1888 he joined the then well known college, the Samaldas College, Bhavanagar for his BA Degree but the marks he got in the examinations made him a laughing stock. At the end, he left the college and returned to Rajkot as a 'baffled and defeated man',¹² leaving him with only matriculation Degree.

III Legal Education

Mauji Dave was not happy with the course that Gandhi was pursuing because according to Maujibhai neither the B.A. degree nor the medical degree would fetch him the hereditary *gaddi* of diwanship. And, therefore, he advised his family that he be

¹⁰. Robert Paynee, *Life and Death of Mahatma Gandhi (Seventh Imprison)* 45, 2007.

¹¹. D.K. Varshney, *Select Speeches of Mahatma Gandhi, His Life and Philosophy*, 40, 2013.

¹². Robert Payee, *Life and Death of Mahatma Gandhi, (Seventh Impression)*, 45, 2007. See also Kathryn Tidric, *Gandhi A Political and Spiritual Life*, 2, 2008.

sent to London to do the Bar-at-law. This he advised on the basis of the experience of his son Kevalram, a student of Bar-at-law who was of the opinion that, it was very easy to become a barrister and that too in three years' time with least expenses. He was excited with this proposal and thought, '(N)othing could have been more welcome to me'.¹³ Gandhi formed this opinion because he was fighting at that time with his college studies which was almost going beyond his head and he wanted to visit England so he immediately jumped at the proposal and said, 'the sooner I was sent the better'.

Like any other young boy, he also started building castles in the air but there were storms ahead. The first was his out casting from *modh vishnava parivar* because, as per their tradition, it was a sin to cross the seven seas. The second was the finances. His brother suggested that as his father was Diwan in the Porbandar State, Mr. Lely, the Administrator of the State, would recommend favourably his case for some financial help from the State. When he approached him, leaving all his emotions and values outside the hall and 'bowed low and saluted him surprisingly with both the hands'. Mr. Lely, flatly refused to help him rather he asked him to first do his BA degree and then only could he approach for such help. And the third and most important roadblock was his mother's orthodoxy. She was unwilling to send Gandhi to England as she was told that young boys got lost in England as they took to meat, liquor and women. In this befalling situation, Putalibai took advice from a family friend and advisor, who later on became a Jain monk, Becharji Swami. He asked to take three vows and then only he could be allowed to go to England. He vowed that he would not 'touch wine, women and meat'. After this, his mother gave him the permission.

In all these developments, unfortunately no role was given to his wife, Kasturba, his life partner. On the contrary all her ornaments and jewelleries were sold to finance his visit, a sad part in the exciting moment of Gandhi's life which he did not realise at that time as he was possessed to see England. On the top of all these, the nature was not favourable to him because the sea in June-July was rough but finally he could make it and in September

¹³. *An Autobiography*, 42, 1940.

1888, he left for England for his 'self confessed motives, ambition' and a desire to see England which he admitted had 'completely possessed me'.¹⁴

It may be pointed out that he had heard in his school days that lawyer's profession was bad. He also knew that this profession taught 'immorality as it is exposed to materialistic life temptation'. 'He still chose to go for such a profession because of 'his eagerness to see England'; and secondly, may be to become diwan after his return from England. If it was so, then one can see contradictions in his initial life: one, to enjoy luxurious English life; and two, to gain power. But these wishes were short lived and had no place at all in his future life.

On his arrival in London, difficulties did not leave him : the English language, vegetarianism and the expensive London life. These problems made him more shy and unsocial. In order to come out of such a situation, initially he joined for a short while, dancing and violin classes but they did not help him. For vegetarian food, he managed to prepare his own food¹⁵ He took a cheap apartment to live and walked daily ten to twelve mile even in severe cold and dense fog to avoid exorbitant expenses. In order to become an 'English Gentlemen', he purchased clothes from Army and Navy shops where donated clothes were generally available at a very cheap price for the poor people. Every thing was strange for Gandhi, the people, their ways and their dwellings. He was completely a novice in these matters. However, he was advised by Sir Phirozashah Mehta of the do's and don'ts while staying in England. So now he started learning English etiquette. However, during the initial period, his mother's love hunted him and the home sickness made him cry in the night. In such a situation he found himself between 'Saylla and Charybdis'.¹⁶ and felt that, 'England I could not bear, but to return to India was not to be thought of ¹⁷ because he wanted to fulfil his brother's dream to bring 'wealth and fame' to the family.

¹⁴. Kathryn Tidria, *Gandhi A Political and Spiritual Life*, 2, 2008.

¹⁵. *A Autobiography*, 1940

¹⁶. *Id* at 47.

¹⁷. *Ibid*

In the above storms in his life, finally, on November 6, 1888, he was admitted into the Inner Temple for his Bar-at Law Degree. He used to read in the Inner Temple's Library. He had to take two examinations : one in Roman Law; and the other in Common Law. He could cram Roman Law but the main difficulty was with the Common Law. However, he took his studies seriously and spent a good deal of money in buying text books. He always kept before him what his brother wanted a 'swinging practice'.¹⁸ While preparing for the bar examination, he had to keep twelve terms of three years duration. These twelve terms meant keeping at least six out of about twenty four dinners in a term. In these dinners he, being a vegetarian, ate only bread, boiled potatoes and cabbage but later on he requested to be provided with fruits and other vegetables. Gandhi, in view of the three vows given to his mother, would pass on the non-vegetarian food that he got in the dinner to other and he became in great demand to make their night a 'grand night'.

It is interesting to note that a boy who was scared of continuing further education, now thought to do some degree course from a prestigious University of England. But his luck did not support him to pursue education for a higher degree because this would put him in further financial crisis. And therefore, he decided to join matriculation from the University of London and successfully completed the same. So finally on June 12, 1891 Gandhi with a Bar-at-Law and a matriculation degree boarded a ship to get back home. Before he left, Joseph Doke asked him 'what idea did you form of English Life?' 'Did it impress you favourably?' His empathetic reply was, 'it was next to India'. I would rather live in London than in any other place in the World'.¹⁹

IV Professional Experience

1. Barrister Gandhi : Roadblocks

Barrister Gandhi had now to start his profession but it was not a dawn but full of thorns everywhere. The apprehensions of how to meet the high expectation of his elder brother to earn

¹⁸. Robert Paynee, *Life and Death of Mahatma Gandhi (Seventh Imp)* 73, 2007. (See also *Essential Writings*, 28, 2008.

¹⁹. Joseph J. Doke, *M.K. Gandhi : An Indian Patriot in South Africa* 32, 1908.

great wealth, name and fame; the lawyer's profession was a liar's profession; the families' economic crisis demanding support from him; initial dislike of the barrister's job having 'much show and less knowledge'; a crushing sense of responsibility'; 'study of Indian law which was a tedious job', no 'knowledge of a qualified *vakil*' and a 'brief less barrister, all these made his determination weak. Initially he was in two minds, either to start practice at Rajkot because it was his home town and also his elder brother was a law clerk to the prince of Porbandor State who could help him in securing briefs or go to Bombay. In both places there were many lawyers to compete but in Bombay, according to him, the situation was worse. On balancing the pros and cons, he decided to open his law office in Rajkot. The conditions at Rajkot were not satisfactory, so at one point, Barrister Gandhi even considered to take up an English teacher's job in a school to maintain his family. But unfortunately, in this attempt he could not succeed because he did not fulfill the essential qualification for the position and so walked out of the interview hall with 'a bad heart'. Had he lost all hopes, he would have been only a mediocre man. But God had decided something else for him.

In order to come out of the above situation, one of his friends advised him to go to Bombay to gain some experience of the working of the Bombay High Court. But he was in a dual mind to take a decision in the matter. Sir Pherozeshah Mehta did not encourage him to go to Bombay. On the other hand, Gokhale was in favour and he even assured him of all help in Bombay. Finally, he decided to shift to Bombay. Even though he was Bar-at Law, he did not learn how to practice law. Even though he knew the *maximums*, he hardly knew their application in a case. He did not know the Indian Laws. His friend Virchand Gandhi told him the stories of the great stalwarts like, Sir Phirozeshah Mehta; Badruddin Tyabji, etc, but he felt 'these would unnerve me'. So million dollar questions came to his mind, Can I become Sir Pherozeshah Mehta? Can I earn my living by the law profession?²⁰ In spite of such a discouraging environment, started visiting Bombay High Court daily but he could not learn anything there.

²⁰. D.K. Varshney, *Select Speeches of Mahatma Gandhi : His Life and Philosophy*, 73 and 81 respectively, 2013.

On the contrary, he used to watch through the court's window the sea and enjoyed cold sea breeze. He even used to doze off without any shame'. This reflects his disinterestedness in the lawyer's profession.

His friend from Natal had sent him Rs. 3000/- which he utilized for opening an office in Bombay and getting a rental accommodation. While going to his office, Barrister Gandhi initially retained 'an English Gentleman's style : travelling from Santacruz to the high court in first class. Here he handled the cases sent from Rajkot by his well wishers. This to a certain extent solved his economic crisis. As he was through to establish his profession in Bombay on a fair footing, he received an offer from Abdulla and Co. from Durban for a contract of one year to help the company in its legal and official work against which, he would get \$ 105 and to and fro first class air return fare. In view of the respected setbacks in India, he, wanted 'somehow to leave India' and accumulate money to help the family & tempting opportunity to visit a foreign country made him to accept the offer without any haggling and he immediately decided to leave for South Africa.

Gandhi was welcomed at the port of Natal by the main partner of the Co, Abdulla Sheth, a great honour for the barrister. Abdulla Sheth first took him to see the Durban Court and introduced him to several people and he was given an important seat in the Court next to Abdullah Sheth's attorney. Gandhi must have felt a hero in South Africa. But crisis and challenges had become a part of his Life. A humiliating incident happened in the court. As he was wearing his turban, an imitation of the Bengali *pugree*, the magistrate asked him to take off the turban. He refused to do this and in anger left the court. The removal of *pugree* is a sign of insult and humiliation and this badly hurt his self-respect. He did not sit silent on the matter and reported to the press. Abdullah Sheth explained to him, the existing discriminatory treatment specially with the Indians who were called *coolies*.

When Gandhi had to register his name to practice in the Supreme Court in South Africa, there was a lot of resentment from the English lawyers and Barristers because he was a *coolie* barrister. They even approached the Chief Justice not to allow him to practice

in South Africa. But thanks to God, the impartial Chief Justice approved his application because according to him, 'He makes no distinction between white and black people'.²¹ And thus he could finally succeed in taking the oath.

Barrister Gandhi was now a 'coolie barrister'. He had to survive in South Africa and, therefore, he pocketed the insults and now decided to legally help the Indians in such a crisis. One can see the great agony of Gandhi who had to compromise with the situation. However, he did not keep quiet on such injustice to him and wrote about the incident in the press which gave rise to support and criticisms. This made him on the one hand, 'an unwelcome visitor'; and on the other, gave him an unexpected publicity in South Africa.

The second humiliation came in view of the colour bar was when he was travelling in the first class from Durban to Pretoria and in order to accommodate an English man, he was directed to vacate the seat and go to the van compartment. He argued for a long time but ultimately he with his luggage was thrown out on the Martizburg platform, a place which later on became a historical place.

The miseries did not end here, the coach journey from Charles town to Johannesburg had another story to tell. Gandhi had a valid ticket to travel in the coach but the coach man saw his colour and informed him that his ticket was cancelled. He pleaded about his valid ticket but it was of no avail and he was asked to seat on the footboard, which he resisted and for which he was severely beaten up and threatened of serious consequences once the coach reached Standerton. He wrote a letter to the higher authorities against such treatment. The reply came assured him of no such treatment in his next journey. But again in the onward journey, he had to face the same problem. However, with the interference of an Englishman, he was allowed to travel in the first class. Further, the hardship did not end here. When he reached Johannesburg he decided to stay in a hotel but the hotel manager saw him, a coolie, and he refused any accommodation for him.

²¹. *Essential Writings*, 104, 2008.

In Pretoria when barrister Gandhi went to a barber's shop to get his hair cut, he being a black, the barber refused to cut his hair and finally the barrister became a barber for himself and having no experience, cut the hair in such a way that the other barristers commented 'whether rats had been nibbling at it'.²² The other dehumanising event was when he was walking on the footpath, the guards in President Kruger's house, without any justified reason, pushed and badly kicked him. One Englishman, Mr. Coates witnessed the incident and suggested him to lodge a complaint with the police against the guard and he assured that he would stand as witness in this case to teach a lesson to such a person. He politely refused to go to the court. It is here one finds that the principle evolved by Gandhi was never to approach the court for personal grievances. Can people think to follow this principle in the present day? Would not it reduce the long pending cases in the courts' dockets?

These incidents badly hurt Gandhi and a question came to his mind 'should I fight for my rights or go back to India'.²³ But he realized that '(I)t would be cowardice to run back to India without fulfilling my obligation'. These humiliating incidents, gave him the spirit of tolerance, *ahinsha* and revolt against inequality and injustice and courage to face challenges.

The job for which Abdulla Sheth had got him in South Africa was over, but he agreed to stay back to raise a movement against the government for their unequal treatment and injustice to the Indian settlers. This he agreed to do as an honorary public spirited person and not as the barrister who charge a fee. Within one year of his arrival, Gandhi become so popular public service provider that in 1894 he founded the Natal Indian Congress in South Africa. On this Patricia writes, '(T)he true Gandhi was poised to emerge'²⁴ With this, the barrister's life as a lawyer almost was transformed into a public service provider. Thus it may not be incorrect to say that it was in South Africa that he learnt many lessons which helped him in India to become finally 'the father of nation' or what Sri Radhakrishnan says, 'greatest man of the century'²⁵

²². Payne, 119.

²³. *An Autobiography*, 99.

²⁴. Patricia Cronin Marcello, *Mohandas K. Gandhi A Biography*, 42, 2007.

²⁵. S.Radhakrishnan, *Mahatma Gandhi : Essays and Reflection on His Life and Work*, 39, 1939.

2. The Barrister Gandhi's Experiments : A Resume'

Gandhi with his Bar-at-Law Degree was competent to practice in any English dominated countries. He handled large number of court cases inside and outside India and had to his credit, a huge experience. It is interesting to note what George Orwell said, '(H)ad Gandhi chosen the legal profession, he would have brilliant success as lawyer'²⁶ On the other hand, Ashe calls him 'a seditious middle Temple lawyer'.²⁷ He even had said once that, '(M)y reminiscence of the bar are so large that if I were to describe them all, they would occupy volumes by themselves'.²⁸ However, it is unfortunate that, there is no specific comprehensive literature on the court cases which were handled by him.²⁹ The Institutions and Universities involved in keeping records on his Life or those imparting courses and doing research in Gandhian Studies may try to bring out a comprehensive report on litigations undertaken by Gandhi. This will be of great help to the students and research scholars in their studies and to expose the budding lawyers with the professional ethics and moral values which he cherished. The author has made an humble attempt to cover only some of the select cases which are discussed in the following pages.

There are conflicting views as to which was the first court case which was taken up by Gandhi : first, the property case of *Prince Lord Harisinh Ji Roopsinh Rao*; or the second, the *Mamaibai* case. It may be pointed out that there is nothing to show that he faced difficulties in handling the first mentioned case, rather he successfully won the case. On the other hand, he faced great difficulties in appearing before the judges in the second case which he gave up without any arguments. This shows that at that time, he was not initially ready to handle independently any case. And, therefore, it can be safely concluded that Gandhi made *Shri Ganesh* of his legal professional life with the *Mamaibai* case.

²⁶. Gorge Orwell, Reflections on Gandhi, *Parpisan Review* 88-89, Jan. 16, 1949.

²⁷. G. Ashe, *Gandhi : A Study in Revolution*, XI, 1968.

²⁸. *An Autobiography*, 266-69, 1956. See also *Law and Lawyers by M.K. Gandhi*, compiled and Ed. by S.B. Kher, 47, 1962.

²⁹. There is, it seems, no comprehensive writing on the present topic. However attempts are made for example Ajit Atri, *Gandhi's View of Legal Justice*, 2007 and also S.L. Malhotra, *Lawyer to Mahatma : Life, Work and Transformation*, 2006. But these works do not handle important case law and their critical analysis. However, one can find scattered but important literature in *Collected Works*, 1884-96, Vols. II, III, VI, VII, VIII. See also Vols. IX, X, XXIII, XXIV.

After his return from England with the Bar-at-law Degree, he was struggling to get cases. As he could not succeed in the Bombay High Court to get cases, he preferred to come back to his native place and on May 14, 1892 and he got himself registered with the Kathiawar Agency Court. He was in touch with Bhavanagar royals in view of his father and brother who were diwans in the State. He even confesses that it was because of the influence of his brother, and not because of 'my own ability' that he got the cases to draft applications and memorials.³⁰ But even in these cases, he points out, the important cases he sent to 'big barristers' and to his lot fell the poor clients' cases. Thus in Rajkot, he was struggling with poverty in his legal profession.

Gandhi fought a civil case of *Lord Harisinji Roopsinh Raol*.³¹ It was a case of the ownership of four Bhavanagar villages among the family members. The diwan of Bhavnagar State had caused much confusion while allotting properties. This was a matter between the State and British Government and, therefore, he suggested that the Maharaja had to be made a party to the civil suit. This was done with a lot of hesitation. The final result in the case was that Gandhi won the case and the allotment process was resolved. Unfortunately, it is reported that, 'the case papers were sealed and never to be made public', a case of closed judgment which unfortunately did not see the light of the day.

Starting with the *Mamaibai* case, it is a case of great importance and relevance, particularly to the budding lawyers and those who are in the pipeline. The case came in the era when the tout system was prevalent. Generally the lawyers paid commission to the touts who brought cases to them. But Gandhi flatly denied to take their help because he considered it as beneath the dignity of the profession. So without any commission to the touts, he started straight away the small Cause Court *Mamaibai's* case. He charged just Rs. 30/- as his fee from the poor woman. One finds here his concern about those poor and disadvantageous groups who are priced out of the profession. They cannot be denied entry in litigation and judicial system, the public utility services.³²

³⁰. *An Autobiography* 81, 1927.

³¹. Available at : <http://timesofindia.indiatimes.com/city/ahmedabad> (Accessed on July 15, 2014)

³². *Judicare : Equal Justice, Social Justice Report*, 32, 1977.

In this case, Gandhi appeared for the defendant and had to cross-examine the witnesses. As he stood up in the court to defend the case, it seems under fear and strain to handle the case for the first time, his memory failed and he could not frame questions for cross-examination. The ultimate result was that he 'collapsed' in the courtroom. He could imagine the humiliating situation in the court before the judge and other '*vakils*'. The final result in the case was that he refused to defend the poor lady's case and returned the fee he had taken from her. However, he advised Mamaibai to engage Mr. Patel, another lawyer, who was also kind enough to charge only Rs. 51 in her case.

One can understand the painful starting experience for a Bar-at-Law from London; whereas his family had great expectations. In this despair, he felt so much humiliated that he decided to say good bye to the legal profession and even applied for a part-time English teacher's job. One can visualize the great trauma which he must have undergone in this case. In such a mental state, 'the brief less barrister', Gandhi, decided not to take up any more cases until he had courage to conduct them. And, therefore, he not only shifted his venue of profession from Bombay to Rajkot but also the mode of conducting the cases by writing memorials. The above experience shows that he at that stage had little courage to face the challenge, a cowardly man. It seems that at that time he forgot the stories of great men told by his mother.

The next case was of Dada Abdulla Sheth. This was a case relating to a promissory note involving \$ 40000 with the other party, Tajeb Khan, a cousin of Sheth. Sheth was required to be present in the Court but he had some important business commitment, and therefore, he requested Gandhi to appear on his behalf. He initially refused to do so as he had no detailed knowledge of the case. But in few days he got control over the details and now he was ready to face the Court. Sheth had asked him to see his attorney, Mr. A.W. Baker in Pretoria.

It is an historic case for Gandhi because the journey of his excellence starts with this case in South Africa. Cunningham rightly points out that he would have remained an obscure legal service provider in Rajkot, in the history of India - and indeed of

the world, if he had not gone to South Africa.³³ Moreover, the handling of the case and the experiments made by him is a treasure-house of valuable experiences for the lawyers. As such the case is dealt in detail.

When he approached the attorney one can see the reaction of the English attorney to the black coloured barrister, who discouraged Gandhi and told him, '(W)e have no work for you here as barrister, for we have engaged the best lawyers'.³⁴ The case was a prolonged and complicated one, so the attorney told him that 'I shall take your assistance only to the extent of getting necessary information'³⁵ which means that barrister Gandhi had only to perform the function of a *khabari*. Sheth had engaged him because all the lawyers were English and it was he who could give Sheth an impartial picture of the case. The case was a protracted which clearly indicates that the English lawyers were enriching themselves out of this case. It is here one is reminded of Gandhian idea of 'professional labourers', when he raised a voice '(W)hy do we want more fee than a common labourer. In what way are they more profitable to the country than the labourers?'³⁶ He further says that; (T)he lawyer's work has the same values as the barber's.³⁷

Gandhi reminisces that he took 'keen interest in the case' and 'Indeed I threw myself into it'. I read all the papers pertaining to the transactions. As a result, 'I acquired such a grasp of the facts of the case as perhaps was not possessed even by the parties themselves'.³⁸ His involvement in preparation of the case, according to him, gave 'me a fair measure of power of comprehension and my capacity for marshalling evidence'.³⁹ Further narrating his experiences he writes it is 'here I learned the things that a junior barrister learns in a senior barrister's chamber and here I also gained

³³. Clark D. Cunningham, *Lessons from Gandhi on becoming a Lawyer*, a paper presented at the Workshop on Clinical Teaching Methods for Justice Education, Bhopal Oct 2, 2007 page 2.

³⁴. *Emphasis supplied*

³⁵. An Autobiography, abridged Edi, Introduction by APJ Abdul Kalam

³⁶. M.K. Gandhi, *Hind Swaraj or Indian Home Rule*, 54, 1958.

³⁷. *An Autobiography*, 221.

³⁸. An Autobiography, 110, 1927.

³⁹. *Ibid*

confidence that I should not after all fail as lawyer. It was likewise here that I learned the secret of success as a lawyer'.⁴⁰

In this case Gandhi realized that the lawyers from both the sides were interested in prolonging the case and earn money. The lawyer's fees, according to him, were so rapidly mounting up that they were enough to devour all the resources of the clients and also leaving no time for any other work. Secondly, in the meantime mutual ill-will was steadily increasing. And third, the winning party would not recover the entire cost'.⁴¹ In such an environment, he thought for an amicable solution in the matter. But his client was not initially ready because he thought it would 'backfire' and asked him 'to think twice, before you do anything'.

Gandhi after great pursuance could make both the parties to agree to refer the case to arbitration. This simplicity meant that the resources available through this case to the English attorneys would dry up, and, therefore, they all in protest resigned from the case. The end result was that he succeeded in tilting the balance of justice to his client's side. The opposite party was ordered to pay Sheth \$37000 along with the cost. The case did not end here. The humane heart of Gandhi realized that if Tajeb Khan was required initially to pay all the aforesaid amount at one go, he would go bankrupt, and therefore, he requested the court, though resisted by his client initially, to order the payment to be made in long instalments and the court ordered so. One can find here that his successful efforts brought justice to both the parties.

The final result of the case, as he writes, 'have lot of relevance and moral lessons to learn by the lawyers in the twenty-first century', and at the end 'both were happy over the result' and '(M)y joy was boundless' I had also learnt the true practice of law. I had also learnt to find out the better side of human nature and to enter men's hearts. I realized that the true function of a lawyer was to unite river parties. The lesson was so indelibly burnt in me, that a large part of my time during the twenty years of my practices as a lawyer was occupied in bringing about private compromises in hundred of cases. 'I lost nothing not even money, certainly not

⁴⁰. *Id.* at 109.

⁴¹. *Id.* at 111.

my soul'.⁴² Thus the brief less Indian barrister not only won the case but also got personal satisfaction in seeing the delivery of true justice.

Rustomji was close to Gandhi as his co-worker. He used to seek his advice on even small matters, including his domestic issues. He was a businessman and like others he also used to indulge in a little sharp practices. For such illegal practices, he had the blessings of the custom officers. But one day he, having failed in his game, was caught in the attempt to smuggle some goods to evade custom duties. He was apprehending that for such illegal activities, he would be jailed which would spoil his reputation in the business circle. Rustomji, under great fear and humiliation, approached him and confessed about his secretive illegal activities which he had so far hidden from him. Rustomji requested Gandhi to help him out from the situation. Gandhi, a lover of truth, replied back '(T)o save or not to save you is in His hands' but 'I can try to save you by means of confession'. He was determined that a person who had committed sin, however close he may be, must get the appropriate punishment. He said, '(I) am of opinion that the shame lies not so much in going to jail as in committing the offence'. 'The deed of shame has already been done. Imprisonment you should regard as a penance'.

Gandhi's professional ethics, it is said that 'even, the judges looked upon, the cases handled by him had nothing but truth and law'.⁴³ Gandhi while arguing his case could have tried to give him a clean chit but he did not plead for his innocence. He discussed the case with the custom officer and the Attorney General, his frankness convinced both. The case against Rustomji was ultimately compromised. The result was that he was imposed with pecuniary punishment and was required to pay penalty to the tune of double the benefit he had derived from the illegal activity. It is interesting to note that Mr. Rustomji was so much humiliated for hiding his guilt from him that he framed the order of the court and hung it on his office wall as a lesson to his heirs and fellow merchants to never ever involve in such nefarious activities.

⁴². *An Autobiography*, 95-97, 1959.

⁴³. Ajit S. Bhagwan, *Free Legal Aid, Legal Profession and Legal Education*, *Interdisciplinary Journal*, Vol. III, March-April, 2013, www.oijrj.org, 149.

The case of professional honesty is reflected in an arbitration case handled by him. It was a case of highly complicated accounts matter. It had been heard in parts before several courts, a prolonged case in turn increasing the lawyers fee. The court entrusted the book-keeping portion of it to the arbitration of some qualified accountants. In this case, along with Gandhi, senior lawyers were also engaged. The award could have been delivered in favour of Gandhi's client but the arbitrator had inadvertently committed an error in calculation which was a serious mistake. An entry which ought to have been on the debit side was made on the credit side. When the senior lawyer came to know about such an error, he wanted to keep mum on this point otherwise the client 'would' lose the case. He insisted in bringing such a serious mistake to the notice of the court and 'we ought to admit the error' he said. But the senior counsel argued that the court in that case would cancel the whole award and no sane counsel would imperil his client's case to that extent and he would be the last man to take any such risk. Still he insisted to bring the truth to the notice of the court so in great agony, the senior lawyer resigned from the case. The client agreed with his position and told him, '(W)ell then, you will argue the case and admit the error. Let us lose, if that is to be our lot. God defend the right'. He felt apprehensive of his 'fitness for doing full justice to the case'. His first encounter with the judge of the Supreme Court was when he asked Gandhi, 'is not this sharp practice, Mr. Gandhi?' Gandhi, as his nature, never dreamt following such practice. It was intolerable to be accused of sharp practice. He was badly hurt from the remark of the judge. He became apprehensive whether he would get the case in his favour by such a bench. In his revolting mood, he replied to the judge, 'I am surprised that your Lordship should suspect sharp practice without hearing me out'. The result had a good ending as the judge had to say 'sorry' to him for interrupting and he finally came round to his side. As the error was merely 'a slip', the court did not compel the parties to go in for a fresh litigation. He was delighted of the outcome in the case and he confirmed his conviction that, 'it was not impossible to practise law without compromising truth'.⁴⁴

⁴⁴. *An Autobiography* 266-69, 1959.

We have seen that in *Rustomji's* case, Gandhi professional ethics did not come in the way of his friendship. Similarly, his honesty and ethical conduct did not allow him to dilute his principles even for his son. The litigation with no favouritism to one's own family member can be seen in *Harilal's* case. He was arrested in Transvaal for hawking fruits without a proper license. Gandhi represented his case. But in this regard, a question comes : did he break his principle, 'not to go to court in respect of any personal grievance'?⁴⁵ Moreover, in this case he from the very beginning knew Harilal to be guilty and still he pleaded his case. Was it not against his professional ethical principles, or was it to teach him a lesson? The judge asked whether his client pleaded guilty or otherwise. Gandhi spontaneously did not defend his case, rather he asked the court that as he had committed a wrong, he must be subject to 'severe penalty' so that he may not commit the same again. The impartial magistrate, weighing the scales of justice, imposed only \$ 2 fine or seven day's imprisonment with hard labour.⁴⁶ Harilal elected to go to prison. The daughter-in-law of Gandhi was unhappy with the way he had handled the case. However, he immediately wrote a letter to her explaining the position. It was unfortunate that Harilal did not pay any heed to Gandhi's commitment in the Courts. He committed the same offence a second time and as per Gandhi's request in the previous case, Harilal was ordered to be deported from Transvaal. Such an approach of his, strained the relation between father and son and he almost disowned Harilal.⁴⁷

When Gandhi was in South Africa, he fought a large number of cases of Indians settled there. All these cases related to the atrocities of government, grave inequality and illegal actions.⁴⁸ For example, the licensing cases, wherein licences to trade or enter the city were refused either without reasons or on reason of colour of the applicants.⁴⁹ He pleaded these cases and urged the legal

⁴⁵. *An Autobiography*, 166, 1959

⁴⁶. *The Life and Death of Mahatma Gandhi*, 186.

⁴⁷. *Ibid*

⁴⁸. *Collected Works*, Vol. VII, 357-8; 423-24; and 429-31, 1976.

⁴⁹. For example, see the *Somnath Maharajcase* - *Collected Work* , Vol. 111, page 2; the *Ram Sunder Pundit* case, *Collected Works*, Vol. VII, 352-356; the *Ismail Akooee* case, Vol. VII, 382-383.

position, the principle of natural justice and the right to equality to defend his clients. But the biased minds of the deciding authorities hardly cared for the above pleas and without applying detailed mind, the cases were generally dismissed. If one goes in the details of these cases, one will find that the high handedness of the authorities towards coloured people, is reflected and unfortunately the courts toed their line and put its seal of validity. It was the trial of 20 Indians for their alleged illegal re-entry in the colony which saw ultimately a positive result because he vehemently harped on legal position and the Supreme Court decisions. Finally the court had to uphold his contention and the accused were discharged. It may be pointed out that he did not extend a helping hand to those who had committed wrong and in such cases he even recommended 'severe punishment'.⁵⁰

3. Professional Ethics and Principles :

Gandhi from his very childhood was known for honesty, truthfulness and dedication to his *karma* which he internalised in his conduct and action and he cherished them throughout his life as his *dharma*. These practices and 'principles he followed even at the cost of humiliation, self-sufferings and sacrifices. The childhood and student age life teaches the young and budding lawyers that there may be many thorns in the path of progress but one must move forward towards her mission and that will give him, according to him, not only true success but also satisfaction. It is known to every one that in the journey to fight the *Abdulla Sheth* case, though Gandhi suffered great humiliations, atrocities and bad treatment of authorities, yet his duty towards his client dominated in the whole affairs. Does it not teach a great lesson to the lawyers? A young lawyer may at time be a brief less lawyer or loose a case but he suggests from his *experiments with truth* that one must not loose his heart or 'detract himself from his mission to render true services to the people'. In the *Mamaibai* case, there was great disappointment and setback but he did not put a full stop to his professional life, rather he continued to fight the legal battles inside and outside the country.

⁵⁰. *Id* at 436, 439.

Gandhi, with his twenty-five years of legal professional life, evolved certain principles and ethics to be followed. The legal profession, according to him, was not a commercialised business. It was a social service to those who are victims, sufferers, and oppressed. He was against exploitation of clients, lingering on cases, tutoring of witnesses and engagement of touts. The lawyer must be honest to his duty. In case he fails to assist his client, he must not continue to defraud him, rather he must give back the fee charged and suggest the client to approach another lawyer. In *Mamabai's* case, as he failed to help the client, he returned the nominal fee he charged and advised her to engage another lawyer. How far such principles are practised in the present time, is a million dollar question.

The other quality of a lawyer, according to Gandhi, is that he must be well prepared to fight the case. He must have command over the subject, the related laws and case law and then only he must take up the case. The *Abdulla Sheth* case is an evidence to this. He advised the lawyers to be well equipped with the basic laws and in particular, the procedural laws which he considered as the backbone of the profession. He further advised not to unnecessarily prolong the litigation; if there is some scope for conciliation, he must go for it and save his clients from 'further agony and expenses'. Can this principle hold good in the present world full of adjournment after adjournments?

Gandhi believed in compromise and conciliation and advised the lawyers 'not to advance quarrel rather solve them amicably'. The true function of a lawyer, according to him, is to unite rival parties. He always made a distinction between a meritorious and a false and fictitious case. It was known that he would not allow any client to come to him with a false case. In case, he detected later on that his client had kept some secret from him on this count, he would expose the falseness and request the court to do justice accordingly. The *Rustomji* case is an evidence to this practise.

The lawyer must be transparent in his dealing with the clients. This will restore faith and trust of the clients. It is true that a lawyer, like other human being, needs money for his survival

but undue exploitation of clients is a disservice to and dishonesty with the clients. Gandhi fought the cases of poor, with a nominal fee or there were cases where he even spent money from his own pocket for the clients. In the greatly commercialised professional world of today, it seems, his philosophy would hardly stand. It is interesting to note that though the Supreme Court, while reading 'due process' in article 21 of the Constitution of India, evolved a fundamental right to get legal aid, it has yet to reach the poor colonies and thus Gandhi's dream of access of justice to all remains unfulfilled to this date. For the lawyers, it is not 'memory and ability' which is essential but according to him, it is 'honesty and industry' which are essential to become a successful lawyer. The most important principle in the life of Gandhi was to bring truth and truthful justice and that should be, according to him, the *dharma* of each lawyer. Gandhi lived a disciplined life and, therefore, his professional life was disciplined and he expected others to maintain discipline. Secondly the lawyers, and in particular, the budding and young lawyers, must be careful about the people who are around them or else, bad company will bring disrepute to them, affecting the purity in their profession. And finally to reduce the litigations, he advised not to approach the court for 'personal grievances' which, according to him, could be solved amicably by conciliation.

V Epilogue

The family background of Gandhi was very rich induced with truthfulness, honesty, dedication, discipline, and social, moral and religious values which he internalized in his conduct and behaviour. He experienced the princely life as well as middle class poverty which taught him to adjust in any circumstance and condition and face any challenge which came in his life. During his school days, though he was not a brilliant student, he was disciplined and never bowed down to any unfair practice. It is here that his life teaches every body to internalise the above values from a young age itself which will take them to the path of success in future.

Once Gandhi dreamt to become a doctor but he joined legal education which was rather imposed on him so as to succeed the

diwanship *gaddi* and also his own temptation to see London, the British empire. Should not the parents play a positive role in this regard? When he was pursuing the Bar-at-Law degree, he faced difficulties, road blocks, humiliations and made great sacrifices which included, for example, financial bankruptcy, vegetarianism, strict compliance of vows given by him to his mother and ignorance of English life and etiquettes and what not. He patiently adjusted himself to all the difficult situations with commitment and dedication which made his path easy.

The entire journey of the barrister's life, if compressed, then it may be said, is from a brief less barrister to a public interest barrister in great demand. Like other lawyers, initially he faced disappointments, despair and frustration because he had the apprehension to be involved in a 'liar's job' with cut throat competitions and unethical practices. His success story starts from a foreign land, South Africa. Here too initially he was treated as an intruder, subjected to humiliation, discrimination, injustice, insults and physical violence but he could withstand all these and finally became a hero a 'coolie barrister' in South Africa.

Coming to the court cases handled by Gandhi, in all the cases, he exhibited honesty, commitment and transparency. He never adopted any unfair means to win a case, and therefore, the clients with fictitious, futile and fugitive cases dared not approach him. Truth was the basic principle of his legal profession which made those working with him uncomfortable and they, in resentment, even resigned from handling the cases. His human heart never believed in commercializing his services rather at time he even paid from his own pocket, a rare thing in the present commercialized world. In his personal relations and litigation approach had no place in his profession. A peaceful settlement outside the court was considered as a best course to settle dispute and he succeeded in this approach. How many lawyers can practice the above, is a million dollar question?

Now finally the question is : what lessons the young and budding lawyers must learn from the barrister's experiences? Firstly, there may be humiliation, self-sufferings, cut-throat competitions, unfair and clandestine practices and at times even

no briefs but the lawyers must be *karma yogi* and not *dhana lobhis*. Secondly, the young lawyers instead of being carried away in the currents and cross-currents, must try to place the legal profession in its due honourable position. Thirdly, the lawyers must continue their mission with honesty, commitment and dedication and then alone, what the Bhagwat Geeta says, all the success of *karma* shall follow. Fourthly, the legal profession, in the era of fundamental right to free legal aid demands a social service to the oppressed, depressed and suppressed clients rather than exploiting them. Fifthly, in order to bring back the lost Gandhian values and *surajya* in the legal profession, we have to start with the above values from the very foundation, and finally reaching to the legal professional world. It is this transformation which in turn will bring back peoples' faith in the profession. And finally, in all these efforts, the law schools, regulatory authorities, bar associations and the public at large can not remain silent spectators because today India needs performers.

So finally what is the *guru mantra* of Gandhi? If truthful justice has to be done, then it must not only be worked out but also be experienced to be felt - *Satyamev Jayate*, Truth Alone Triumphs.

Supreme Court on “Sanction” For Corruption Cases (Emerging Legal Position from recent cases)

Abstract:

The aim of this paper is to study the recent cases on section 19 of the Prevention of Corruption Act, 1988 (“the Act”) and the emerging legal position therefrom. Section 19 of the Act speaks of a procedure called “sanction” for prosecution of public servants. The sanction is required to be given by the competent authority. If the competent authority gives the sanction, then only the prosecution of the public servant starts in the Court of Law. The competent authority is particularly the authority who has the power to remove the public servant from his services. A corrupt public servant may be acquitted if there should be any defect in or lack of sanction. This is rather a technical aspect but need thorough attention if the maximum rate of convictions in corruption trials is to be achieved. The allied aim of this paper is to analyse the latest position *vis-a-vis* the element of sanction that may emerge from the study of recent cases from the Supreme Court. The period for this study is taken as 2011 to 2016.

Keywords:

Sanction for prosecution, Supreme Court, prevention of corruption, Section 19, Section 6 A, Prevention of Corruption Act, 1988, Delhi Special Police Establishment Act, 1946.

Introduction:

The prevention of corruption Act, 1988 (PCA) is the prime Act that deals with corruption in India. The investigation is carried out in corruption cases under the Code of Criminal Procedure, 1973. If the case is handled by the Central Bureau of Investigation (“the CBI”) then the Delhi Police Establishment Act, 1946 comes

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into play. The State Government employees' corruption cases are investigated into by the State Anti Corruption Bureau ("the ACB") and those of Central Government State Government employees' by the CBI. Special Courts are established under the Act. A judge of the rank of Sessions Judge including Additional Session Judge, is designated as the Presiding Officer of the Special Court. The trial is proceeded as provided under the Code of Criminal Procedure, 1973 for the trial of warrant cases instituted on a Police Report. The prosecution is supposed to obtain and file the necessary sanction form the competent authority of the public servant under trial. If the prosecution fails to do this the benefit goes to the accused and he may get acquitted on this mere technical ground. Therefore, the issue of sanction needs timely attention by the investigating agency as well as the trying judge too.

Hypothesis:

The need for sanction is a *sine quo non* for successful prosecution of a corrupt public servant.

Objectives:

1. To study the purpose behind the provision under section 19 of the Act;
2. To study the need for a valid sanction;
3. To study the recent legal position in the view of the Hon'ble Supreme Court *vis-a-vis* Section 19.

Scope:

The scope of this paper is limited to the provision u/s 19 of the Act. The time period for analysis of the Supreme Court cases is taken as last five years i.e. 2011 to 2016. Preference is given to more strength of the bench.

Methodology:

The provision u/s 19 of the Act is taken as the pivotal point for the paper. Some commentaries on this section have been referred to. Cases of the Supreme Court have been studied for the period 2011-2016. Many law reporters have been used for obtaining the cases.

Statement of the problem:

Researcher in this paper wants to study the present legal position of sanction u/s 19 of the Act and suggests ways to make the provision more effective.

Provision u/s 19 of the Act: Section 19. Previous sanction necessary for prosecution

(1) No court shall take cognizance of an offence punishable under Sections 7, 10, 11, 13 and 15 alleged to have been committed by a public servant, except with the previous sanction, save as otherwise provided in the Lokpal and Lokayuktas Act, 2013—

(a) in the case of a person who is employed in connection with the affairs of the Union and is not removable from his office save by or with the sanction of the Central Government, of that Government;

(b) in the case of a person who is employed in connection with the affairs of a State and is not removable from his office save by or with the sanction of the State Government, of that Government;

(c) in the case of any other person, of the authority competent to remove him from his office.

(2) Where for any reason whatsoever any doubt arises as to whether the previous sanction as required under sub-section (1) should be given by the Central Government or the State Government or any other authority, such sanction shall be given by that Government or authority which would have been competent to remove the public servant from his office at the time when the offence was alleged to have been committed.

(3) Not with standing anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),—

(a) no finding, sentence or order passed by a Special Judge shall be reversed or altered by a Court in appeal, confirmation or revision on the ground of the absence of, or any error, omission or irregularity in, the sanction required under sub-section (1), unless in the opinion of that court, a failure of justice has in fact been occasioned thereby;

(b) no court shall stay the proceedings under this Act on the ground of any error, omission or irregularity in the sanction granted by the authority, unless it is satisfied that such error, omission or irregularity has resulted in a failure of justice;

(c) no court shall stay the proceedings under this Act on any other ground and no court shall exercise the powers of revision in relation to any interlocutory order passed in any inquiry, trial, appeal or other proceedings.

(4) In determining under sub-section (3) whether the absence of, or any error, omission or irregularity in, such sanction has occasioned or resulted in a failure of justice the court shall have regard to the fact whether the objection could and should have been raised at any earlier stage in the proceedings.

Explanation.—For the purposes of this section,—

(a) error includes competency of the authority to grant sanction;

(b) a sanction required for prosecution includes reference to any requirement that the prosecution shall be at the instance of a specified authority or with the sanction of a specified person or any requirement of a similar nature.

Purport of the Section:

The word “shall” in the opening lines of the Section makes it mandatory to obtain sanction for taking cognizance of an offence punishable under Sections 7, 10, 11, 13 and 15 of the Act. In case of Central Government that government is the sanctioning authority. In the case of state government employee that government is the sanctioning authority.

In any other case, the sanction is required to be obtained from the authority competent to remove him from his office. In case of any doubt whether the sanction should be from the Central or the State Government, it shall be required to be obtained from the authority competent to remove him from his office ‘when the offence was committed’. Thus, if any state government official goes in central government job or vice versa, the date of the commission of the offence becomes material and accordingly the sanction shall have to be obtained from the authority competent to remove him

from his office. A finding, sentence or order passed by a Special Judge shall be reversed or altered by a Court in appeal, confirmation or revision on the ground of the absence of, or any error, omission or irregularity in, the sanction required under sub section (1) of Section 19 only if, in the opinion of that court, a failure of justice has in fact been occasioned thereby. In determining whether the absence of, or any error, omission or irregularity in, such sanction has occasioned or resulted in a failure of justice the court shall have regard to the fact whether the objection could and should have been raised at any earlier stage in the proceedings. Error includes the competency of the authority to grant sanction.

Need for Sanction:

The basic principle behind the provision for sanction is to afford a reasonable protection to a public servant, who in the course of honest, strict and impartial discharge of his duties may disturb the vested interests of some persons and create enemies. In such a situation the Government must protect otherwise nobody would dare to do any good for the people. Therefore, to keep safe such public servant from unnecessary harassment or undue hardship, the sanction from the government becomes necessary. The sanctioning authority has full power to grant or withhold the sanction. However, the misuse of this authority cannot be ruled out. The Hon'able Supreme Court has expressed in para 28 of the landmark judgement in *K. Veeraswami v. Union of India*¹ given by the constitutional bench that "Section 6² is primarily concerned to see that prosecution for the specified offences shall not commence without the sanction of a competent authority. That does not mean that the Act was intended to condone the offence of bribery and corruption by public servant. Nor it was meant to afford protection to public servant from criminal prosecution for such offences. It is only to protect the honest public servants from frivolous and vexatious prosecution. The competent authority has to examine independently and impartially the material on record to form his own opinion whether the offence alleged is frivolous or vexatious. The competent authority may refuse sanction for prosecution if the offence alleged has no material to support or it is frivolous or

¹ (1991) 3 SCC 655

intended to harass the honest officer. But he cannot refuse to grant sanction if the material collected has made out the commission of the offence alleged against the public servant. Indeed, he is duty bound to grant sanction if the material collected lend credence to the offence complained of. There seems to be another reason for taking away the discretion of the investigating agency to prosecute or not to prosecute a public servant. When a public servant is prosecuted for an offence which challenges his honesty and integrity, the issue in such a case is not only between the prosecutor and the offender, but the State is also vitally concerned with it as it affects the morale of public servants and also the administrative interest of the State. The discretion to prosecute public servant is taken away from the prosecuting agency and is vested in the authority which is competent to remove the public servant. The authority competent to remove the public servant would be in a better position than the prosecuting agency to assess the material collected in a dispassionate and reasonable manner and determine whether sanction for prosecution of a public servant deserves to be granted or not."On 8th January 2015, the Department of Legal Affairs, Ministry of Law & Justice, Government of India vide Note No.A-45012/1/2015Adm. III (LA) forwarded the letter to the Law Commission requesting its views and recommendations on the proposed amendments of the PC Act, 1988, relating to the definition of offences, provisions regarding sanction for prosecution, and other provisions in the 1988 Act. The Commission was requested to examine the matter at the earliest and end its report as soon as possible, preferably before the end of February 2014. The Law Commission in its Report³ *inter alia* has recommended that "no sanction shall be necessary for cases involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person".

Important Supreme Court authorities on Section 19 of the Act.

As stated earlier in this paper the case laws ranging from the year 2011 to 2016 latest have been studied.

² The Section 6 referred in this judgement is of The Delhi Special Police Establishment Act, 1946 which is similar to the Section 19 of the Prevention of Corruption Act, 1988

³ Page 47, Law Commission of India, 254th Report, February 2015

The Hon'ble Supreme Court has recently in Criminal Appeal No.1838 of 2013 in the matter of **CBI vs. Ashok Kumar Aggarwal**⁴ in para 7 of the judgement observed that "The prosecution has to satisfy the court that at the time of sending the matter for grant of sanction by the competent authority, adequate material for such grant was made available to the said authority. This may also be evident from the sanction order, in case it is extremely comprehensive, as all the facts and circumstances of the case may be spelt out in the sanction order.

However, in every individual case, the court has to find out whether there has been an application of mind on the part of the sanctioning authority concerned on the material placed before it. It is so necessary for the reason that there is an obligation on the sanctioning authority to discharge its duty to give or withhold sanction only after having full knowledge of the material facts of the case. Grant of sanction is not a mere formality. Therefore, the provisions in regard to the sanction must be observed with complete strictness keeping in mind the public interest and the protection available to the accused against whom the sanction is sought."

4. In para 8 of the above judgement, the Court has summarised the guidelines to be followed with complete strictness by the competent authorities while considering grant of sanction as below:

(a) The prosecution must send the entire relevant record to the sanctioning authority including the FIR, disclosure statements, statements of witnesses, recovery memos, draft charge sheet and all other relevant material. The record so sent should also contain the material/document, if any, which may tilt the balance in favour of the accused and on the basis of which, the competent authority may refuse sanction.

(b) The authority itself has to do complete and conscious scrutiny of the whole record so produced by the prosecution independently applying its mind and taking into consideration all the relevant facts before grant of sanction while discharging its duty to give or withhold the sanction.

⁴2014 Cri. L.J. 930

(c) The power to grant sanction is to be exercised strictly keeping in mind the public interest and the protection available to the accused against whom the sanction is sought.

(d) The order of sanction **should make it evident** that the authority had been aware of all relevant facts/materials and had applied its mind to all the relevant material.

(e) In every individual case, the prosecution has to establish and satisfy the court by leading evidence that the entire relevant facts had been placed before the sanctioning authority and the authority had applied its mind on the same and that the sanction had been granted in accordance with law.

In **Abhay Singh Chautala Vs. CBI**⁵ the Hon'able Supreme Court has held that "The use of the term "a person" in Subsections (a), (b) and (c) only denotes an "accused". An "accused" means who is employed either with the State Government or with the Central Government or in case of any other person, who is a public servant but not employed with either the State Government or the Central Government. It is only "a person" who is employed or it is only "a person" who is prosecuted. His capacity as a "public servant" may be different but he is essentially "a person" an accused person, because the Section operates essentially qua an accused person. It is not a "public servant" who is employed; it is essentially "a person" and after being employed, he becomes a "public servant" because of his position. It is, therefore, that the term "a person" is used in Clauses (a), (b) and (c). The key words in these three clauses are "not removable from his office save by or with the sanction of". It will be again seen that the offences under Sections 7, 10, 11 and 13 are essentially committed by those persons who are "public servants". Again, when it comes to the removal, it is not a removal of his role as a "public servant", it is removal of "a person" himself who is acting as a "public servant". Once the Section is read in this manner, then there is no question of assigning the same meaning to two different terms in the Section. We reject this argument. In **Dinesh Kumar Vs. Airport Authority of India & Anr.**⁶ the Hon'ble Supreme Court has referenced the

⁵ MANU/SC/0715/2011

⁶ MANU/SC/1407/2011

rationale in earlier case of Parkash Singh Badal and Anr.⁷ In paras 47 and 48 of the judgment, which is as follows: 47: The sanctioning authority is not required to separately specify each of the offences against the accused public servant. This is required to be done at the stage of framing of charge. Law requires that before the sanctioning authority materials must be placed so that the sanctioning authority can apply his mind and take a decision. Whether there is an application of mind or not would depend on the facts and circumstances of each case and there cannot be any generalised guidelines in that regard. 48: The sanction in the instant case related to the offences relatable to the Act. There is a distinction between the absence of sanction and the alleged invalidity on account of nonapplication of mind.

The former question can be agitated at the threshold but the latter is a question which has to be raised during trial. In **M. P. State Vs. Pradeep Kumar Gupta**⁸ the Hon'ble Supreme Court held that "it is clear from the provisions of Section 19 of the Prevention of Corruption Act, 1988 that the Authority who is competent to remove the person concerned is competent to grant sanction. Unfortunately, the High Court, without considering these aspects of the Act and Rules, relied only on the judgment of Ashok Bajaj⁹ (supra) in coming to an erroneous finding. Provision of Section 19(1) of Prevention of Corruption Act, 1988 is set out hereunder:

19. Previous sanction necessary for prosecution –

(1) No court shall take cognizance of an offence punishable under Sections 7, 10, 11, 13 and 15 alleged to have been committed by a public servant, except with the previous sanction

a) in the case of a person who is employed in connection with the affairs of the Union and is not removable from his office save by or with the sanction of the Central Government, of that Government;

(b) in the case of a person who is employed with the affairs of a State and is not removable from his office save by or with the sanction of the State Government, of that Government;

⁷ (2007) 1 SCC 1

⁸ MANU/SC/0647/2011

⁹ MANU/MP/0337/1998

(c) in the case of any other person, of the authority competent to remove him from his office. In that case the Supreme Court has reversed the judgement of the High Court by pointing out the validity of the sanction.

Dr. Subramanian Swamy Vs. Dr. Manmohan Singh¹⁰ is a landmark judgment of the Hon'ble Supreme Court in which the Apex Court has dealt with the aspect of sanction in very minute details. In many cases the files for sanction are kept pending years together. This happens so especially when the accused happens to be an influential person associated with the party in power. On such undue delay the Supreme Court has opined that "the Parliament should consider the Constitutional imperative of Article 14 enshrining the rule of law wherein 'due process of law' has been read into by introducing a time limit in Section 19 of the P.C. Act 1988 for its working in a reasonable manner. The Parliament may, in my opinion, consider the following guidelines:

- a) All proposals for sanction placed before any Sanctioning Authority, empowered to grant sanction for the prosecution of a public servant under Section 19 of the P.C. Act must be decided within a period of three months of the receipt of the proposal by the concerned authority.
- b) Where consultation is required with the Attorney General or the Solicitor General or the Advocate General of the State, as the case may be, and the same is not possible within the three months mentioned in Clause (a) above, an extension of one month period may be allowed, but the request for consultation is to be sent in writing within the three months mentioned in (a) above. A copy of the said request will be sent to the prosecuting agency or the private complainant to intimate them about the extension of the time limit.
- c) At the end of the extended period of time limit, if no decision is taken, sanction will be deemed to have been granted to the proposal for prosecution, and the prosecuting agency or the private complainant will proceed to file the\ chargesheet/complaint in the court to commence prosecution within 15 days of the expiry of the aforementioned time limit.

¹⁰ MANU/SC/0067/2012

It is highly noticeable that in the state of Maharashtra in all 198 proposals for sanction of prosecution of accused in corruption cases were pending in 31 Departments as on 31 May 2016¹¹. Out of those as many as 80 proposals were pending for more than 90 days.

In **Ajoy Acharya Vs. State Bureau of Investigation**¹² the Supreme Court has referred to the view expressed in earlier case of **R. S. Nayak Vs. A. R. Antuly**¹³ that “upon a true construction of Section, it is implicit therein that sanction of that competent authority alone would be necessary which is competent to remove the public servant from the office which he is alleged to have misused or abused for corrupt motive and for which a prosecution is intended to be launched against him.

In **Anil Kumar and Ors. Vs. M. K. Aiyappa and Anr.**¹⁴ The Hon'ble Supreme Court has ruled that in case of private complaint of corruption in which a public servant is accused, sanction from the competent authority is a mandatory. After referring to many previous judgements on the point of sanction the Hon'able Supreme Court has in para 13 of the authority in **State of Maharashtra Vs. Mahesh G. Jain**¹⁵ settled some principles *visavis* the features of a valid sanction. “13. From the aforesaid authorities the following principles can be culled out:

(a) It is incumbent on the prosecution to prove that the valid sanction has been granted by the sanctioning authority after being satisfied that a case for sanction has been made out.

(b) The sanction order may expressly show that the sanctioning authority has perused the material placed before him and, after consideration of the circumstances, has granted sanction for prosecution.

(c) The prosecution may prove by adducing the evidence that the material was placed before the sanctioning authority and his

¹¹ <http://acbmaharashtra.gov.in/statistics2008.asp>

¹² (2013) 16 SCC 728

¹³ MANU/SC/0102/1984

¹⁴ MANU/SC/1002/2013

¹⁵ (2013) 8 SCC 119

satisfaction was arrived at upon perusal of the material placed before him.

(d) Grant of sanction is only an administrative function and the sanctioning authority is required to prima facie reach the satisfaction that relevant facts would constitute the offence.

(e) The adequacy of material placed before the sanctioning authority cannot be gone into by the court as it does not sit in appeal over the sanction order.

(f) If the sanctioning authority has perused all the materials placed before him and some of them have not been proved that would not vitiate the order of sanction.

(g) The order of sanction is a prerequisite as it is intended to provide a safeguard to public servant against frivolous and vexatious litigants, but simultaneously an order of sanction should not be construed in a pedantic manner and there should not be a hypertechnical approach to test its validity." The next very important case is that of **Dr. Subramanian Swamy Vs. Director, CBI and Anr.**¹⁶ This judgement was delivered by the constitution bench of the Hon'ble Supreme Court, comprising of R.M. Lodha¹⁷, A.K. Patnaik, S.J. Mukhopadhaya, Dipak Misra and F.M. Ibrahim Kalifulla, JJ., which held Section 6A(1) of the Delhi Special Police Establishment Act, 1946 as unconstitutional. "98. In view of our foregoing discussion, we hold that Section 6A(1), which requires approval of the Central Government to conduct any inquiry or investigation into any offence alleged to have been committed under the PC Act, 1988 where such allegation relates to (a) the employees of the Central Government of the level of Joint Secretary and above and (b) such officers as are appointed by the Central Government in corporations established by or under any Central Act, government companies, societies and local authorities owned or controlled by the Government, is invalid and violative of Article 14 of the Constitution. As a necessary corollary, the provision contained in Section 26(c) of the Act 45 of 2003 to that extent is also declared invalid." Thus *vide* this judgement the Hon'ble

¹⁶ (2014) 8 SCC 682

¹⁷ The then Hon'able the Chief Justice of India

¹⁸ (2013) 3 SCC 1

Supreme Court declared the Section 6A(1) of the DSPEA, 1946 unconstitutional. In **State of Gujarat v. R.A. Mehta**¹⁸ after considering similar authorities in the past the Hon'ble Supreme Court confirmed the view that "in a matter related to the grant of sanction required to prosecute a public functionary, the Governor is usually required to act in accordance with the aid and advice rendered to him by the Council of Ministers and not upon his own discretion. However, an exception may arise while considering the grant of sanction required to prosecute the Chief Minister, or a Minister, where as a matter of propriety, the Governor may have to act upon his own discretion. Similar would be the situation in a case where the Council of Ministers disables or disentitles itself from providing such aid and advice." So that being so in cases of grant of sanction for prosecution of the Chief Minister of any of the Ministers the Governor is not bound by the advice rendered by the Council of Ministers which is otherwise the usual practice.

In **Manzoor Ali Khan Vs. Union of India**¹⁹ the bench comprising of T.S. Thakur²⁰ and A.K. Goel, JJ. of Hon'ble Supreme Court refused to hold Section 19 as unconstitutional by saying that "Requirement of sanction has salutary object of protecting an innocent public servant against unwarranted and *mala fide* prosecution. Undoubtedly, there can be no tolerance to corruption which undermines core constitutional values of justice, equality, liberty and fraternity. At the same time, need to prosecute and punish the corrupt is no ground to deny protection to the honest. Mere possibility of abuse cannot be a ground to declare a provision, otherwise valid, to be unconstitutional. The exercise of power has to be regulated to effectuate the purpose of law." Thus, the Hon'able Supreme Court did not hold Section 19 unconstitutional.

In **State of Bihar v. Rajmangal Ram**²¹ the Supreme Court has held which has come in para 6 that "

6. In a situation where under both the enactments any error, omission or irregularity in the sanction, which would also include the competence of the authority to grant sanction, does not vitiate

¹⁹ MANU/SC/0668/2014

²⁰ Now the Hon'able the Chief Justice of India

²¹ 2014 SCC OnLine SC 277

the 4 eventual conclusion in the trial including the conviction and sentence, unless of course a failure of justice has occurred, it is difficult to see how at the intermediary stage a criminal prosecution can be nullified or interdicted on account of any such error, omission or irregularity in the sanction order without arriving at the satisfaction that a failure of justice has also been occasioned. This is what was decided by this Court in **State v. T. Venkatesh Murthy**²² wherein it has been inter alia observed that: "14. ... Merely because there is any omission, error or irregularity in the matter of according sanction, that does not affect the validity of the proceeding unless the court records the satisfaction that such error, omission or irregularity has resulted in failure of justice." "

Thus it is important to note that mere technical defect in sanction does not vitiate the trial unless it is shown or proved that the defect in the sanction has occasioned 'failure of justice'. It is pertinent to note that the former case of Dr. Subramanian Swamy Vs. Director, CBI and Anr. was decided on 06.05.2014 and the latter case of Manzoor Ali Khan Vs. Union of India was decided on 06.08.2014. The former is not considered in the latter.

In **P. L. Tatwal Vs. State of M. P.**²³ the Hon'ble Supreme Court came to the conclusion that the sanction was not properly granted and remanded the matter to the trial Court by expressing "we are of the view that the trial court should conduct a proper inquiry as to whether all the relevant materials were placed before the competent authority and whether the competent authority has referred to the same so as to form an opinion as to whether the same constituted an offence requiring sanction for prosecution. In that view of the matter, we set aside the impugned order passed by the High Court and also order dated 27.12.2004 passed in Special Case No. 12 of 2004 by the trial court and remit the matter to the Special Judge (P.C. Act, 1988), Ujjain, Madhya Pradesh."

In **State of Bihar Vs. Rajmangal Ram**²⁴ the Hon'ble Supreme Court has held "

²² (2004) 7 SCC 763

²³ MANU/SC/0129/2014

²⁴ MANU/SC/0252/2014

10. In the instant cases the High Court had interdicted the criminal proceedings on the ground that the Law Department was not the competent authority to accord sanction for the prosecution of the Respondents. Even assuming that the Law Department was not competent, it was still necessary for the High Court to reach the conclusion that a failure of justice has been occasioned. Such a finding is conspicuously absent rendering it difficult to sustain the impugned orders of the High Court.

11. The High Court in both the cases had also come to the conclusion that the sanction orders in question were passed mechanically and without consideration of the relevant facts and records. This was treated as an additional ground for interference with the criminal proceedings registered against the Respondents. Having perused the relevant part of the orders under challenge we do not think that the High Court was justified in coming to the said findings at the stage when the same were recorded. A more appropriate stage for reaching the said conclusion would have been only after evidence in the cases had been led on the issue in question.

12. We, therefore, hold that the orders dated 23.03.2012 and 03.03.2011 passed by the High Court cannot be sustained in law. We, therefore, allow both the appeals; set aside the said orders and direct that the criminal proceeding against each of the Respondents in the appeals under consideration shall now commence and shall be concluded as expeditiously as possible."In **State of Punjab Vs. Labh Singh**²⁵ the Apex Court has held that "

7. In the present case the public servants in question had retired on 13.12.1999 and 30.04.2000. The sanction to prosecute them was rejected subsequent to their retirement i.e. first on 13.09.2000 and later on 24.09.2003. The public servants having retired from service there was no occasion to consider grant of sanction Under Section 19 of the POC Act. The law on the point is quite clear that sanction to prosecute the public servant for the offences under the POC Act is not required if the public servant had already retired on the date of cognizance by the court. In *S. A. Venkataraman*

²⁵ MANU/SC/1175/2014

v. *State* while construing Section of the Prevention of Corruption Act, 1947 which provision is in *pari materia* with Section 19(1) of the POC Act, this Court held that no sanction was necessary in the case of a person who had ceased to be the public servant at the time the court was asked to take cognizance. The view taken in *S.A. Venkataraman* (supra) was adopted by this Court in *C.R. Bansi v. State of Maharashtra*²⁶ and in *Kalicharan Mahapatra v. State of Orissa*²⁷ and by the Constitution Bench of this Court in *K. Veeraswamy v. Union of India*²⁸. The High Court was not therefore justified in setting aside the order passed by the Special Judge insofar as charge under the POC Act was concerned." Thus sanction is not necessary if the public servant is retired.

In *State of M.P. v. Ram Manohar Pandey*²⁹ the Hon'ble Supreme Court has referred to the ratio laid down in an earlier case of *Chittaranjan Das v. State of Orissa*³⁰ in para 14 of which it was held that "14. We are of the opinion that in a case in which sanction sought for is refused by the competent authority, while the public servant is in service, he cannot be prosecuted later after retirement, notwithstanding the fact that no sanction for prosecution under the Prevention of Corruption Act is necessary after the retirement of the public servant. Any other view will render the protection illusory. Situation may be different when sanction is refused by the competent authority after the retirement of the public servant as in that case sanction is not at all necessary and any exercise in this regard would be action in futility." Thus, if sanction is not given during service then such public servant cannot be prosecuted post his retirement. This view is further confirmed by the case of *D. L. Rangotha Vs. State of M. P.*³¹ In a very important judgement *Nanjappa Vs. State of Karnataka*³² on the issue of sanction the Hon'ble Supreme Court has held that " 15. The legal position regarding the importance of sanction Under

²⁶ (1970) 3 SCC 537

²⁷ (1998) 6 SCC 411

²⁸ (1977) 3 SCC 440

²⁹ (2015) 12 SCC 726

³⁰ (2011) 7 SCC 167

³¹ (2015) 12 SCC 733

³² MANU/SC/0788/2015

Section 19 of the Prevention of Corruption is thus much too clear to admit equivocation. The statute forbids taking of cognizance by the Court against a public servant except with the previous sanction of an authority competent to grant such sanction in terms of Clauses (a), (b) and (c) to Section 19(1). The question regarding validity of such sanction can be raised at any stage of the proceedings. The competence of the court trying the accused so much depends upon the existence of a valid sanction. In case the sanction is found to be invalid the court can discharge the accused relegating the parties to a stage where the competent authority may grant a fresh sanction for prosecution in accordance with law. If the trial Court proceeds, despite the invalidity attached to the sanction order, the same shall be deemed to be *non est* in the eyes of law and shall not forbid a second trial for the same offences, upon grant of a valid sanction for such prosecution." Importance of sanction can be gathered from the purport of this ratio.

In a very recent case **V. Sejappa Vs. State**³³ the Hon'ble Supreme Court held that "High Court held that there was a valid sanction and PW8, Under Secretary was only carrying out the decision of the Government by issuing Ex.P31sanction order. As per the evidence of PW8 S. Sampath, Under Secretary to Government, PWD, the file regarding the sanction for prosecuting the Appellant was submitted to the Secretary, Public Works Department and the same was forwarded to PWD Minister and upon being satisfied, PWD Minister granted the sanction. After sanction so was granted, PW8 issued Ex.P31 Sanction Order and thus PW8Under Secretary was only carrying out the decision of the Government by issuing Ex.P31sanction order. Considering the evidence of PW8, in our view, the High Court was right in holding that there was a valid sanction to prosecute the Appellant. We concur with the view taken by the High Court."

³³ MANU/SC/0494/2016 occasioned or resulted in a failure of justice the court shall have regard to the fact whether the objection could and should have been raised at any earlier stage in the proceedings. Error includes the competency of the authority to grant sanction.

Recent Legal Position:

The recent legal position can be summarised as follows

1. Section 19 is for the protection of public officers from frivolous, vexatious and revengeful litigation from persons whose vested interests have been disturbed by such public servant;
2. (Therefore) Sanction u/s 19 of the Prevention of Corruption Act, 1988 is the sine quo non for prosecution of a public servant in corruption cases;
3. For a valid sanction the authority must be competent authority or the sanction should be from the authority having power to remove the public servant from his services;
4. The sanction must be given by the competent authority by applying his mind. Sanction must not be given as a mere technicality and therefore the sanctioning authority must peruse all the material before it and then only should come to the conclusion to give sanction;
5. In the sanction order the authority must mention that the sanction has been given after perusing all the material before it;
6. In case of a public servant who is retired from service, the sanction is not necessary. But if sanction was not given by the competent authority during his service then such public servant can not be prosecuted after his retirement;
7. Governor of a State is not bound by the advice of the Council Of Ministers if the matter pertains to sanction for prosecution of the Chief Minister or any of the Ministers;
8. The competent authority should decide the question of granting or refusing to grant sanction preferably within three months;

Conclusion:

Proper and valid sanction must be obtained by the prosecuting agency for successful prosecution of corrupt public

servants. The rate of convictions should be increased in corruption cases and for that the reason of technical ground of defective sanction must be eliminated at the outset only. It should also be seen that the defect in sanction does not and must not result in failure of justice.

Suggestions:

1. Section 19 of the Act must be amended *mutatis mutandis* to give legislative effect to various legal authorities of the Hon'ble Supreme Court;
2. There should be provision for deemed sanction if sanction is not decided by the competent authority within three months.

DNA Technology Under Indian Criminal Justice System : Its Application, Need and Criticism

1. Introduction

Forensic science, as a scientific discipline, functions within the parameters of the legal system in providing guidance those conducting criminal investigation and also to supply to courts accurate information about all the attending features of identification of the criminal upon which the judges can rely in resolving criminal cases¹. Main aim of criminal investigation is to reveal truth by gathering evidences. By using modern technologies, the truth can be revealed by observing into the brain of criminals. One such method is DNA technology.

DNA is Deoxyribo Nucliec Acid. It is a unique combination present in every cell of an organism, thus forming the unique identification. DNA evidence is admissible in criminal trials, subject to the evidentiary requirements that it is relevant to the facts in issue, presented in an appropriate manner by qualified witnesses and that it does not cause unfair prejudice to the accused. Scientific opinion in the interpretation of DNA evidence may be admissible, provided that it is given by persons with specialized knowledge based on training, study and experience. The technique of DNA identification compares the DNA of two bodily samples to ascertain whether they came from the same human being. Identity of DNA in the cells across both samples implies that the samples are derived from the same person; non- identity implies different human sources². DNA evidence may also form the basis of an appeal against conviction where people may have been wrongly convicted on the basis of mistaken eye witness identification, exculpatory DNA evidence³. Crime investigators utilize DNA profiles from two

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Pin 177209.

¹ Freckelton, *Legal Aspects of Forensic Science*, Owen Dixon Chambers, Melbourne, 2000

² Jeremy Gans and Gregor Urbas, *DNA Identification in the Criminal Justice System in Trends And Issues in Crime and Criminal Justice* Australian Institute of Criminology May 2002

³ K Carrington, M Dever, R Hogg, J Bargen and A Lohrey, *Travesty: Miscarriage of Justice*, 1991, Pluto, Sydney

sources: Human bodies or crime scene and small samples of human bodily material. DNA profiles can be obtained from human bodies by analyzing samples removed from those bodies. Samples include blood sampling by injection, pulling out hair at the root and taking swabs from inside the mouth. Crime investigators will be interested in such samples if they suspect that they became separated from person's body at the time of the commission of a crime, thus providing a potential insight into details of that crime.

2. Application of DNA technology

Applications of DNA fingerprinting can be broadly classified into following two categories: Civil cases and criminal cases. Criminal cases includes identification of mutilated remains, identifications of convicts in sexual assault cases, resolving murder cases, application in forensic medicine, identification of exhumed bodies, identification of sex of human remains.

The most important use of DNA identification by crime investigators is to compare a profile believed to be from a crime perpetrator with a known person's profile. Other uses of DNA identification include:

- i. Comparing a profile from foreign samples on a suspect's body or possession with a victim's profile; (to test the identity)
- ii. Or comparing a profile from an unidentified person or corpse with a known person's profile; (to test identity-paternity dispute)
- iii. Or comparing profiles in two crime scene samples; (to infer the details of a crime or the common involvement of one person in separate crimes)

3. Provisions of DNA under various legislations

The Code of Criminal Procedure, 1973 or the Indian Evidence Act 1872 do not provide for appropriate legal framework for the application of forensic science and its latest tools, like DNA technology in the criminal justice process. When the Cr.P.C. and Indian Evidence Act came into being, forensic evidence had not

been evolved and evaluated substantially. Despite its widely acknowledged merits, there is no provision in our legal system to ensure that forensic science, especially DNA technology, is adequately used in the investigation of crime as well as in the administration of justice⁴.

3.1 Medical examination of the victim of rape

Where, during the stage when an offence of committing rape or attempt to commit rape is under investigation, it is proposed to get the person of the woman with whom rape is alleged or attempted to have been committed or attempted, examined by a medical expert, such examination shall be conducted by a registered medical practitioner employed in a hospital run by the Government or a local authority and in the absence of a such a practitioner, by any other registered medical practitioner, with the consent of such woman or of a person competent to give such consent on her behalf and such woman shall be sent to such registered medical practitioner within twenty- four hours from the time of receiving the information relating to the commission of such offence. The registered medical practitioner, to whom such woman is sent shall, without delay, examine her and prepare a report of his examination which includes the description of material taken from the person of the woman for DNA profiling.⁵

Indian Evidence Act, 1872

- **Section 45**

The evidence of an expert is considered rather weak type of evidence and courts do not generally consider it as offering “conclusive” proof and therefore, safe to rely upon the same without seeking independent and reliable corroboration⁶. Also in case of *Mehmood v. State of UP*⁷ it was held by the Supreme Court that it is unsafe to convict accused solely on the basis of expert opinion.

- **Section 112**

One of the important issues is whether, apart non- access, other exceptions based on blood/ DNA tests be permitted or proof

⁴ National seminar on ‘Forensic Science- Use and Application in Investigating and Prosecution’ held at Hyderabad from 27- 28 July 2002

⁵ Section 164 A, The Code of Criminal Procedure, 1973

⁶ S. Gopal Reddy v. State of A.P. (1996)4 SCC 596

⁷ AIR 1976 SC 69

a sterility or impotency of the husband should be permitted. In *Kamti Devi v Poshi Ram*⁸ the Supreme Court took a self-contradictory view by observing that the result of a genuine DNA test is said to be scientifically accurate. But even that is not enough to escape from the conclusiveness of section 112 of IEA.

4. Role of Indian courts in evaluating DNA evidence

It is found that numerous innovative, highly motivated skilled judges and advocates are working hard in some Indian courts to improve judicial decision-making with regard to scientific issues. In many cases, the trial courts of our country, either suo moto, or on the basis of the prayer of the litigants are taking help of forensic science for DNA testing. The Department of Forensic Medicine and Toxicology, AIIMS, solved the cases of paternity investigated by a district magistrate in December 1995 regarding an alleged illegitimate pregnancy followed by delivery, by using DNA technology. This technology has been applied in many popular cases like the *Premananda Swami Case*, *Rajiv Gandhi Case*, *Tandoor Case*, etc.

First case where the DNA analysis was done for paternity dispute was *Kunhiraman v. Manoj*⁹ under section 45 of Evidence Act.

The Indian case which brought the DNA controversy to the fore was the rape and murder of Priyadarshini Mattoo. In this case, DNA test was done but was challenged on the ground of tampering of evidence.

In the *Rajiv Gandhi Assassination Case*, where the former Prime Minister of India was killed by a suicide bomber, the prime culprit was herself killed and consequently, most material evidences were destroyed in this massive explosion. Moreover, dead bodies of victim as well as of the assassin were dismembered beyond recognition and four disparate theories were held out by a large number of eyewitnesses about the source and mode of explosion.

Under such circumstances, forensic science helped the investigating agencies.

⁸ (2001)5 SCC 311

⁹ (1991)3 Crimes 860 (Ker.)

- i. Scientific examination of torn pieces of denim vest jacket with Velcro lining found at the scene indicated the use of belt bomb.
- ii. Traces and remnants of RDX and steel pellets found on the persons of victims and assassin matched with those recovered from torn pieces of belt bomb.
- iii. Full body of assassin was reconstructed and her identity established through comparison with life- sized enlargement of photographs of her face and head.
- iv. DNA tests helped in matching dismembered parts of the bodies of the victims and assassin.

Now the results of the above forensic examination in this case are:

- i. Irrefutable evidence linked the crime with criminal.
- ii. Twenty-six of the accused were awarded capital punishment by trial court.
- iii. Even the Supreme Court upheld convictions of all and confirmed capital sentence for four of the accused, modifying the punishment for life and other terms for the rest.
- iv. Though there was painstaking investigation was done by police but it cannot be denied that conviction of such large number of accused with capital punishment could not have been possible without the help of forensic science.

Again, in *Tandoor Case*, forensic science played a pivotal role in unraveling crime. In this case, initially nobody knew who the culprit was and no clue was available even relating to motive behind the crime. The initial post mortem report only attributed death to excessive bleeding. Under such circumstances, forensic science came into operation when small trickles of blood were found at the crime scene and mystery of this ghastly crime was solved by forensic examination of DNA testing.

In another case, the Central Forensic Science Laboratory's report on the DNA fudge scam at Chhatisinghpura that nailed

the Jammu and Kashmir Government and proved that the state machinery had tampered with DNA samples earned Kolkata's scientists praise from fellow forensic science experts in Australia.

Another important case was Noida serial murders in 2005 and 2006. Now after trial accused is convicted and sentenced to death which is only possible with the help of DNA tests. There are various important judgments which are solved with the use of forensic science- DNA testing. But there are reasons in variation in examination of exhibits of DNA profiling i.e. due to nature and status of decomposition of the tissues, degree of contamination in DNA sample. Second reason is administrative system in delay in non- availability of consumable essential chemical and sometimes it is due to function and status of high technological machines. However, overall DNA technology and its application in our state is day- by - day increasing for the purpose of accurate, speedy and effective criminal investigation.

5. Right to privacy v. DNA admissibility

In India, right to privacy has been culled out of the provisions of Article 21 of the Constitution and other provisions relating to the fundamental rights read with directive principles of state policy. India is signatory to the International Covenant of Civil and Political Rights 1966.

Article 20 (3) of the Constitution of India enshrined the protection of accused persons in criminal cases. The right to privacy has been developed by the Supreme Court over a period of time. A Bench of eight of judges in *MP Sharma v Satish Chandra*¹⁰ in the context of search and seizure observed that:

“When the Constitution- makers have thought fit not to subject such regulation to constitutional limitations by recognition of a fundamental right to privacy; Fourth Amendment, we have no justification to import it, into a totally different fundamental right, by some process of strained construction”.

Similarly in *Kharak Singh v State of Uttar Pradesh*¹¹ the majority judgment was: The right to privacy is not a guaranteed

¹⁰ AIR 1954 SC 300

¹¹ AIR 1963 SC 1295

right under our Constitution and therefore the attempt to ascertain the movements of an individual which is merely a manner in which privacy is invaded is not an infringement of a fundamental right guaranteed by part III. In India DNA testing got validity in 1989¹².

The Hon'ble Supreme Court in *Gautam Kundu v State of West Bengal*¹³ laid down some guidelines regarding permissibility of blood tests to prove paternity.

In *Sharda v Dharmpal*¹⁴ the Supreme Court took a very positive view regarding importance as well as admissibility of DNA evidence in matrimonial cases. The Supreme Court categorically observed that:

A matrimonial court has the power to order a person to undergo medical test; Passing of such an order by the court would not be in violation of the right to personal liberty under Article 21 of the Constitution of India. However, the court should exercise such a power if the applicant has a strong prima facie case and there is sufficient material before the court. If despite the order of the court, the respondent refuses to submit himself to medical examination, the court will be entitled to draw an adverse inference against him¹⁵. From the above discussion, it can be concluded that privacy and respect for human dignity need not be abandoned when balancing civil liberties with the larger interests of the community. Formulation of sound privacy principles can enhance the integrity and legitimacy of DNA profiling.

6. Merits of DNA profiling

6.1. *Cannot be altered:*

Fingerprints can be altered and are only on the fingers. Burning or cutting a finger can change the make up of the print. A DNA fingerprint is identical for every part of your body, whether it is your brain, kidney or foot. It cannot be changed, so it will be identical no matter what is done to a body.

¹² Anil Kumar v. Turaka Kondalo Rao, 1998 Cri.L.J. 4279 (AP)

¹³ AIR 1993 SC 2259

¹⁴ (2003)4 SCC 493

¹⁵ Jyotirmoy Adhikary, *DNA Technology in Administration of Justice*, LexisNexis Butterworths, New Delhi, 2007, p. 273

6.2. *Not isolated:*

Using fingerprints requires that you get a print from a finger—no other part will work. With DNA, all you need is a few cells from any part of the body. A strand of hair, saliva from the mouth, or skin cells from the hand all has the same DNA.

6.3. *Specificity*

Even relatively minute quantities of DNA at a crime scene can yield sufficient material for analysis. Forensic scientists typically compare at least 13 markers from the DNA in two samples. DNA profiling is an extremely accurate way to compare a suspect's DNA with crime scene specimens.

6.4. *Disease screening*

Another major advantage of DNA analysis is the ability to screen for certain genetic diseases or risk factors. Prospective parents can be tested to determine if they carry genes that are responsible for certain conditions that may be present in other members of their families. Women involved in certain fertility treatments can get information about an embryo before it is implanted¹⁶.

6.5. *Sensitivity*

DNA analysis is powerful technique and be used carefully. Sensitivity of DNA test is very high therefore care in collection, custody, manipulation by biological sample is of great importance for validity of analysis¹⁷. There should be advancement of justice through DNA technology test.

7. **Critical aspects of application of DNA technology in India**

Despite the several advantages of application of DNA in legal system critics raises various objections against the use of DNA evidence. But the focus of admissibility of DNA has changed with the passage of time. The critics now concentrate their attention on two principal points of attack:

¹⁶ Indian Law Review, *DNA Profiling: Use of Forensic in Administration of Justice*, Vol. IV, 2012, p. 87

¹⁷ Chandan Jaswal v State of Gujarat

-The quality and methodology of the laboratory work, including the lab's error rate; and -The statistical interpretation of data. Here are the points of criticism of DNA application in Indian criminal justice system:

7.1. *Lack of interaction between science and law*

When the case relating to question of forensic science is concerned, it creates major problem in adjudication of trial because judges, advocates, etc. in India are not so much aware about the application of DNA technology which result in lack of interaction between legal and scientific ways.

7.2. *Quality, reliability and inadequacy of forensic laboratory*

The quality and reliability of forensic laboratory work is one of the many concerns about DNA technology. This criticism is the result of the lasting effect of the famous case of USA, *the People v OJ Simpson*¹⁸ where due to the blunders and poor handling of DNA evidence by the prosecution, the defence lawyer were able to shoot holes in what would have been a solid case which led to victory of Simpson, thereby result in his acquittal.

As far as inadequacy of forensic set up is concerned, there are only four forensic laboratories in cities i.e. in Chandigarh, Hyderabad, Kolkata and New Delhi. Ideally, a country like India needs nearly 1000 forensic laboratories for aiding in criminal investigations.

7.3. *Laboratory errors*

There are many errors, most of which will lead to an inconclusive or not result. A false positive or negative error is impossible to measure because these are such rare events. These are the types of errors caused by human error or fraud and likely to occur before the laboratory receives the evidence. Fortunately, an error resulting in a miscarriage of justice has yet to be demonstrated in forensic DNA casework, although it may occur in some day.

¹⁸ US Supreme Court Pronouncement on 2 October 1995

7.4. Lack of forensic awareness among the police, prosecutors, judges and advocates in the Indian Legal system

This is another major problem in implementation of DNA technology in Indian legal system. Whenever crime is committed, the suspect leaves some clues on the crime scene which gets destroyed or damaged or unseen by the investigating agencies because of lack of awareness of forensic science among them. Presiding judge don't sufficient knowledge regarding DNA technology. Hence creates problems in administration of criminal justice.

7.5. Criticism from the economic point of view

DNA evidence in criminal investigation requires expansion in number of forensic experts and laboratories. The cost of equipment, training programme, proficiency programmes, supplies and personnel will be very large. Those costs will affect budgets for police, prosecutors and the court. Thus new technology makes ever larger fiscal demands on society. In a developing country like India the financial crisis of the government can make such developments difficult. As a result DNA technology has not been implemented in the criminal justice system in India. Therefore the quality of investigation has been lowered. There is limited number of forensic labs and there is enormous dearth of manpower for tackling this problem.

7.6. No specific DNA legislation in India

Due to problems like balancing between some basic human rights of accused in criminal cases like the right to privacy, right against self-incrimination etc. and the interest of the investigation; minimizing the chance of its misuse and abuse against the interest of the society; etc there is urgent need of specific DNA legislation in our country.

7.7. Ethical aspects

General rules of evidence hold that how well work is performed should not be the subject of an admissibility hearing because the quality of DNA testing in a particular case goes to the

weight of evidence and not its admissibility. Hence the technology is still considered to be in rudimentary state.

7.8. *Population genetics' criticism*

The most important problem is the matter of how to calculate statistical probability, the odds that a match between the DNA found at the crime scene and the DNA taken from the suspect could be the result of coincidence. To find a match, crime labs look at several sites where the DNA is known to vary. If these sites match then there is high probability that the samples came from the same person. But the problem is some population geneticists maintain that the frequencies of genetic markers in population sub-groups could differ widely from the frequencies found in larger population groups. Reliable and accuracy of such samples collected is the main problem.

8. Conclusion and suggestions

The DNA technology is very helpful to eradicate and eliminate suspicions at the very outset of the criminal or civil proceeding so as to save a person from being falsely implicated and to avoid unnecessary harassment and also to save the precious time of the courts and law enforcement agencies. At last it is concluded that law has to grow in order to satisfy the need of fast changing society and come connected with scientific developments. But the courts are to be very cautious while administering cases of DNA profiling. Otherwise flawed DNA profiling has ability to create serious miscarriage of justice. Following suggestions are made for the proper application of DNA technology in India:

- It is highly unsafe to convict or acquittal a person solely on the basis of DNA evidence. A balance between scientific evidence and human evidence is to be made.
- The centers for DNA finger printing and diagnostic are not specified in section 293 (4) of Cr.P.C. In view of the fact that DNA typing or printing is a pure science, there is a necessity to amend the provisions of the Cr.P.C., to include the scientists of this Institute in section 293 (4) of the Cr.P.C. and to treat their reports as evidence.

- The old age concept of burden of proof needs to modify followed by our judiciary i.e. in criminal cases; burden of proof is upon the prosecution to prove the case beyond all reasonable doubts. Thus in the age of science and technology this highly onerous burden on the part of prosecution is not required.
- Need of a suitable law to introduce DNA examination of suspects and the convicts and certain other persons and matter related to it with the view to strength judicial system and investigating process and to introduce the DNA databases in India.
- Article 20 (3) of the Constitution of India has to be reinterpreted to the effect that the accused should not get protection of this Article when the investigating officer or the court directs him to give DNA samples for the purpose of investigation and if he does not give consent, then an adverse inference should not be drawn against him.

8.1. DNA Databank: A proposed legislation in India

A specific legislation is required to provide an objective guideline to the investigating agency for handling DNA samples and also helps the judges for the accessing the admissibility of DNA evidence at the time of trial. A special DNA legislation aims to create a susceptible balance between the constitutional rights of suspects or the accused and the larger public interest. The proposed attributes of the new DNA databank legislation which can be compatible with socio- economic structure of our country is stated:

- This Act will establish a national DNA databank under the supervision and control of the DNA Databank Management Board to enable law enforcement agencies in identifying or eliminating suspects at the outset of investigating process even in absence of any other evidence.
- The said DNA contains two indices:
 - i. Crime scene index which are found at any place where a designated offence was committed; or within the body of

the victim of an offence; or anything worn or carried by the victim at the time when an offence was committed; or within the body of any person or thing or at any place associated with the commission of a designated offence;

- ii. Offenders' index which consists of the DNA information from the known samples of bodily substances taken from the suspects, under-trial prisoners and also the convicted offenders;

Manual Scavenging in India : Still A Reality in the 21st Century

“[Manual scavenging] is the worst surviving symbol of untouchability”

- National Advisory Council Resolution, October 23, 2010¹

As observed by the National Advisory Council in its resolution on October 23, 2010 that in spite of several efforts *Manual scavenging* is still in existence as a symbol of untouchability. So as it's ostensible from the title that this paper is basically intended to deal with the issue of Manual Scavenging and to do litmus testing of its existence in Indian scenario specifically in the light of newly enacted law i.e. *'The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013'*.

Primarily the paper gives brief introduction of manual scavengers and it analyses the position of scavengers in Indian society (though manual scavenging is legally banned, but caste based discrimination still exist in the form of this inhuman practice). Then it covers initiatives taken by the government to stop manual scavenging which includes committee/commission reports introduced to eliminate the manual scavenging. After this it highlightsthe Act of 1993 along with it other Acts/International Instruments which are violatedbecause of this inhuman practice have been traced and last part of the paper critically analyses *'The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013'* along with conclusion and suggestions.

Introduction:

According to The International Dalit Solidarity Network (IDSN)², *“Manual scavenging, the removing of human excreta from*

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¹ National Advisory Council Resolution, October 23, 2010 on Manual Scavenging, available at <http://socialjustice.nic.in/pdf/Ann3.pdf> (Last visited on May 1, 2016)

² The International Dalit Solidarity Network (IDSN) was founded in March 2000 to advocate for Dalit human rights and to raise awareness of Dalit issues nationally and internationally. The network has had a significant impact on the internationalisation of

dry latrines, railroad tracks and sewers by hand, is a caste-based and hereditary occupation form of slavery reserved exclusively for Dalits."³ According To SafaiKarmachariAndolan (SKA),⁴ "Manual scavenging (is) an occupation which involves cleaning the dry latrines and carrying human excreta, (which) is considered as one of the lowest, polluted and most degrading occupation."⁵ So in the backdrop of abovementioned definitions those who are engaged in this occupation⁶ (*Manual scavenging*) may be known as *Manual scavengers*. Now regarding definition one point which is pertinent to mention here is that before the enactment of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 this term has not been defined in India from legal-centric point of view i.e. why parliament took efforts to define this term under section 2(g) of the Act in following terms:

"manual scavenger means a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a railway track or in such other spaces or premises, as the Central Government

caste discrimination as a critical human rights issue. In India the National Campaign on Dalit Human Rights (NCDHR), The National Confederation of Dalit Organisations (India), The National Federation of Dalit Women, Navsarjan Trust, People 's Watch and Jansahas are the members of IDSN. Available at <http://idsn.org/about-us/> (Last visited on May 1, 2016)

³ Manual Scavenging, available at <http://idsn.org/key-issues/manual-scavenging/> (Last visited on May 2, 2016)

⁴ SafaiKarmachariAndolan (SKA) is a national movement committed to the total eradication of manual scavenging and the rehabilitation of all scavengers for dignified occupations with a notion that, "The caste system dictates that those born into a particular Dalit sub-caste should engage in manual scavenging and should remain doing so throughout their lives, prohibiting them to lead a dignified life in the community." Available at <http://www.safaikarmachariandolan.org/index.html> (Last visited on May 5, 2016)

⁵ What is Manual Scavenging? Available at <http://www.safaikarmachariandolan.org/whatismanual.html> (Last visited on May 5, 2016)

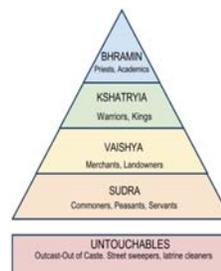
⁶ According to IDSN around 1.3 million Dalits in India, mostly women, make their living through manual scavenging and they earn as little as one rupee a day. Dalit scavengers are rarely able to take up another occupation due to discrimination related to their caste and occupational status. Available at <http://idsn.org/key-issues/manual-scavenging/> (Last visited on May 7, 2016)

or a State Government may notify, before the excreta fully decomposes in such manner as may be prescribed, and the expression “manual scavenging” shall be construed accordingly.”⁷

In this context one point is noteworthy i.e. the then UN High Commissioner for Human Rights Ms. Navi Pillay applauded⁸ Indian movement (enactment of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013) to eradicate ‘manual scavenging’ as she has rightly observed that, “Manual scavenging is not a career chosen voluntarily by workers, but is instead a deeply unhealthy, unsavory and undignified job forced upon these people because of the stigma attached to their caste. The nature of the work itself then reinforces that stigma.”⁹

Caste based discrimination:

As discussed earlier that this occupation is based on caste discrimination. Societies are basically divided into various castes depends on their origin and historical background. In Indian scenario it's clear from herein cited figure¹⁰ that here caste system is split into four different levels or *varnas* and according to Dumont, “untouchables are in the lowest level of social hierarchy and receive the most discrimination



⁷ Explanation—For the purpose of this clause:

(a) “engaged or employed” means being engaged or employed on a regular or contract basis;

(b) a person engaged or employed to clean excreta with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be a ‘manual scavenger’; available at <http://indiacode.nic.in/acts-in-pdf/252013.pdf> (Last visited on May 7, 2016)

⁸ The High Commissioner said that, “I congratulate the strenuous efforts and commitment of the organizers, and of all the participants — especially the thousands of liberated manual scavenger women — who marched across the country in support of the many others who are still being forced to carry out this dreadful practice.” Available at <https://groups.google.com/forum/#!topic/inddelhi/Wy9oEfaqPHA> (Last visited on May 10, 2016)

⁹ id

¹⁰ Source: <https://howthecastesystemisstillaroundkvo.wordpress.com/countryculture-1/> (Last visited on May 11, 2016); for more details refer Basham, Arthur Llewellyn. Reprinted ed. N.p.: Oxford University Press, 1989. Print.

from society because they were considered outside the caste system due to their impurity.”¹¹

In India more than one-sixth of its population, some 160 million people, live a precarious existence, shunned by much of society because of their rank as “untouchables” or Dalits-literally meaning “broken” people.¹² Dr. B.R.Ambedkar¹³ traces the practice of scavenging and its implications of social abuse to 600 AD.¹⁴ The *Narada Samhita*,¹⁵ a post-Vedic text defines cleaning tasks as unclean and also allocates the disposal of human faeces as one of the 15 duties for slaves. In the *Vajasaneyi Samhitas*, *Chandalas* or *Sudras*,¹⁶ were referred to as slaves responsible for disposal of night soil, or human faeces.¹⁷

It is noteworthy to mention here that in the Government of India’s report¹⁸ it has been observed that the practice of manual scavenging was introduced by the Mughals. On the other hand Gadgil and several others assert that the practice of manual scavenging was aggravated in India as a result of the large-scale urbanization, primarily during the period of Mughals and British colonization. Risley, the Commissioner for 1901 Census,¹⁹ on the basis of data classified castes into seven main categories according to their social status and ranked the *Jatis* in the local hierarchy

¹¹ India and its Caste system, available at <https://how-the-caste-system-is-still-around-kvo.wordpress.com/countryculture-1/> (Last visited on May 12, 2016)

¹² “Dalit” is a term first coined by Dr. B. R. Ambedkar one of the architects of the Indian constitution of 1950 and revered leader of the Dalit movement. It was taken up in the 1970s by the Dalit Panther Movement which organized to claim rights for “untouchables” and is now commonly used by rights activists. For more details refer Broken People: Caste Violence Against India’s “Untouchables”; available at <https://www.hrw.org/report/1999/03/01/broken-people/caste-violence-against-indias-untouchables> (Last visited on May 14, 2016)

¹³ Bhimrao Ramji Ambedkar; 14 April 1891 – 6 December 1956), popularly known as Babasaheb, was an Indian jurist, economist, politician and social reformer who inspired the Modern Buddhist Movement and campaigned against social discrimination against Untouchables (Dalits), women and labour

¹⁴ Shyamlal, 1984

¹⁵ <http://www.indiavine.org/content/topic/1486235-narada-samhitanarada-purana/accessed> (Last visited on May 15, 2016).

¹⁶ Castes in India: Their Mechanism, Genesis and Development and 11 Other Essays

¹⁷ <http://aygrt.isrj.org/colorArticles/3900.pdf> (Last visited on May 18, 2016)

¹⁸ Report on National urban water supply and sanitation of India, 1992.

¹⁹ Sir H. Risley’s Tribes and Castes of Bengal, art. Tnti.

and Varna affiliation of each.²⁰ *Bhangi, Balmiki, Chuhra, Mehtar, Mazhabi, Lal Begi, Halalkhor* etc. are the scavenging castes which were known by different names in different States in Northern India; *Har, Hadi, Hela, Dom and Sanei* etc. in Eastern India; *Mukhiyar, Thoti, Chachati, Pakay, Relli* etc. in Southern India; and *Mehtar, Bhangias, Halalkhor, Ghasi, Olgana, Zadmalli, Barvashia, Metariya, Jamphoda and Mela* etc. in Western and Central India, also made an effort to get united and have a common name.²¹

As we have discussed earlier that *manual scavenging is not a career (occupation) chosen voluntarily*²² but basically it is because of their caste they are bound to do this work. In India “Human Rights Watch”²³ conducted over 135 interviews between November 2013 and July 2014 in the States having highest number of people engaged in manual scavenging²⁴ and it was revealed that they are engaged in this practice because of following reasons:

- Social and Economic Pressure: ²⁵ Manual scavengers basically women face unbearable pressure from the community and family to continue this inhumane practice because their households have no other options for livelihoods. For this they get some food and used cloths and little money. Sometimes they are also threatened by upper caste to do this work.

²⁰ Dr. Wilson 's Indian Caste (Times Press and Messrs. Blackwood), 1875, p. 88, quoting from Rig-Veda.

²¹ Manual Scavenging in India: A Disgrace to the country by B.N. Srivastava, Concept Publishing Company, New Delhi, 1997, p. 35

²² Supra no.8

²³ Human Rights Watch is an international organization dedicated to protecting the human rights of people around the world. For details refer <http://www.hrw.org> (Last visited on May 18, 2016)

²⁴ Human Rights Watch, “Cleaning Human Waste: “Manual Scavenging,” Caste, and Discrimination in India,” pg. no. 08, available at https://www.hrw.org/sites/default/files/reports/india0814_ForUpload.pdf (Last visited on May 19, 2016)

Government of India, Working Group on the “Empowerment of Scheduled Castes (SCs)” for the Eleventh Five-Year Plan (2007-2012), Report of Sub Group on SafaiKarmacharis Submitted to the Chairman of the Working Group on the “Empowerment of Scheduled Castes (SCs) for the Eleventh Five-Year Plan (2007-2012),” <http://safaikarmachariandolan.org/reports.php> (Last visited on May 20, 2016), p. 3.

²⁵ Human Rights Watch, “Cleaning Human Waste: “Manual Scavenging,” Caste, and Discrimination in India,” pg. no. 17, available at https://www.hrw.org/sites/default/files/reports/india0814_ForUpload.pdf 2013 (Last visited on May 20, 2016) ; It is mentioned herein that, “survey of 480 women from manual scavenging communities, undertaken by Jan Sahas Social Development Society with the support of UN Women, in nine districts in the Indian states of Bihar, Uttar Pradesh, and Madhya Pradesh found overall that

- Hired by local authorities²⁶ to clean public dry toilets, drains, and open defecation areas.

Initiatives to stop Manual Scavenging:

In Indian scenario Mahatma Gandhi²⁷ was first to take up the cause of *Bhangis*, made a move towards liberating scavengers from cleaning night soil and raise their status in the society.²⁸ After independence to achieve the object of social justice and to establish equality at all the forums (especially to elevate the conditions of downtrodden and marginalised) the Government of India and various State Governments have formed various committees/commissions/boards to look into the plight of scavenging community and to suggest measures for their improvement.²⁹ These are as follows:

- V. N. Barve Committee (The Scavenger's Living Conditions Enquiry Committee, 1949)

50% of manual scavenging families had no other source of income. In Uttar Pradesh, 83% of families relied on manual scavenging to meet their basic needs, while in Madhya Pradesh and Bihar 32% and 37% of families respectively relied exclusively on manual scavenging. "

Jan Sahas Social Development Society, "Socio Economic Status of Women Manual Scavengers: Baseline Study Report, 2014," 2014, <http://www.unwomensouthasia.org/assets/Baseline - Jan-Sahas.pdf> (Last visited on May 20, 2016), p. 4.

²⁶Gram Panchayats and Municipal Corporations.

It is noteworthy that the Constitution of India and other laws that will be discussed later on in this paper guarantee equal status for all citizens and outlaws untouchability practices. But in spite of all these statutory and legal documents there is an apparent lack on the part of executive authorities with respect to proper implementation and sometimes on being eligible to perform other work they are forced to do the work of 'safakaramchari' especially at local government level.

²⁷ Mohandas Karamchand Gandhi was the preeminent leader of the Indian independence movement in British-ruled India. Under Gandhi's inspiration an organization, *HarijanSevakSangh* was founded to combat untouchability and a new weekly paper, the *Harijan*, was started. *Harijan* means "children of God"; it was Gandhi's name for the "untouchables". For details see <http://www.mkgandhi.org/biography/campaign.htm> (Last visited on May 20, 2016) He advised volunteers against employing scavengers for the purpose and himself set the example by cleaning his own night soil with a broom.

²⁸ T.M. Dak, Impact of Scheme of Training and Rehabilitation on Socioeconomic Improvement of Scavengers in Rajasthan, pg. no. 05, available at http://planningcommission.nic.in/reports/sereport/ser/ser_istr.pdf (Last visited on May 20, 2016)

²⁹ According to T.M. Dak, "before independence Rockefeller Foundation made the earliest organised attempt towards prevention of manual handling of night soil in 1930 through introducing bore-hole latrines with pre-cast squatting slabs at its centers located in different states. However, not much success could be achieved." See, T.M. Dak, Impact of Scheme of Training and Rehabilitation on Socioeconomic Improvement of Scavengers in Rajasthan, pg. no. 05, available at http://planningcommission.nic.in/reports/sereport/ser/ser_istr.pdf (Last visited on May 20, 2016)

- Kaka Kalelkar Commission (The first Backward Classes Commission, 1953)
- The Central Advisory Board of Harijan Welfare, 1956 (First Chairman, Shri Govind Ballabh Pant, the then Minister of Home Affairs)
- Prof. N.R. Malkani Committee (Scavenging Conditions Inquiry Committee, 1957)
- Prof. N.R. Malkani Committee (Committee on Abolition of Customary Rights, 1965)
- B.V. Lad Committee (committee on improving the working conditions of the scavengers, 1973)
- The Mehtar Committee, 1983; etc.

Apart from above-mentioned initiatives the National Commission on Labour constituted by the Union Ministry of Labour appointed a sub-committee (1968-69) under the chairmanship of Shri. Bhanu Prasad Pandya to look into the working and service conditions of sweepers and scavengers.³⁰ The planning commission also appointed a Task Force on 29th July, 1989 to deal with magnitude of the problem. and also a legal measure required and to identify agencies to deal with this problem in a well-coordinated manner.³¹ Report of the task force for tackling the problems of scavengers and suggesting measures to abolish scavenging with particular emphasis on their rehabilitation, available at <http://planningcommission.nic.in/reports/>

³⁰ A Pilot Project Rehabilitation of persons engaged in unhygienic occupations; available at <http://www.umed.in/DocumentFiles/Pilot DPR % 20 Manual % 20 Scavenging % 20 Ver .2.0. pdf> (Last visited on May 20, 2016); for details see B. N. Srivastava, “Manual Scavenging in India: A Disgrace to the Country,” Concept Publishing Company.

³¹ It recommended: A time-bound program me to convert all dry-latrines in the country. That the practice of carrying of night-soil as head load and its manual handling be banned by law;

That legislation on the subject to contain a provision to prevent construction of new dry-latrines in the existing or future buildings.

That alternative jobs for scavengers be found within the local bodies failing which adequate training be imparted in new skills and assistance be given to launch self-employment ventures; and

Incentives are to be provided to children and dependents of scavengers for education and training.

[publications/task_tacklingtheprob.pdf](#) (Last visited on May 21, 2016)

Apart from the above mentioned initiatives at central as well as state level. Various NGOs and unions played crucial role to highlight the problem of manual scavenging in India. Due to all these efforts finally on 5th June, 1993 the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 came into existence.³² The Act recognised the dignity of the individual as enshrined in the Preamble to the Constitution of India with a clear object of the prohibition of employment of manual scavengers.³³ However the content of the Act shows that emphasis has been placed more on sanitation rather than on the human dignity of the manual scavengers. In fact, the Act ignores the issue of human dignity mentioned in its own Preamble.³⁴ Report of Sub Group on SafaiKarmacharies, pg.no. 04; available at

It is pertinent to mention here that in spite of all these efforts in terms of movements, committees, commissions, boards and enactments etc. the practice of manual scavenging in its different forms was in picture. Just to raise this issue before the hon'ble Supreme Court of India a Public Interest Litigation (PIL) in the form of a Writ Petition filed was in the year 2003 by the SafaiKarmachariAndolan (SKA) and 14 other organizations and individuals. It was submitted before the Supreme Court that the existence of dry latrines in various parts of the country was entirely illegal and unconstitutional, an affront to human dignity and was in violation of the fundamental rights enshrined in the

³² Section 1 (2) of the Act states that: "It applies in the first instance to the whole of the States of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal and to all the Union territories and it shall also apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution." Available at <http://labour.gov.in/sites/default/files/TheEmploymentAct1993.pdf> (Last visited on May 21, 2016)

³³ It states, "An Act to provide for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water-seal latrines and for matters connected therewith or incidental thereto."

³⁴ Available at <http://labour.gov.in/sites/default/files/TheEmploymentAct1993.pdf> (Last visited on May 21, 2016) http://safaikarmachariandolan.org/docs/Report_%20to_%20the_%20Working_%20Group%20on%20Safai%20Karmacharies.pdf (Last visited on May 21, 2016)

Constitution, in particular, Article 14³⁵, 17³⁶, 21³⁷ and 23^{38, 39}. Actually the real problem which was highlighted in this case was of proper implementation and reluctance on the part of executive.

Various other domestic legislations like Scheduled Castes and Scheduled Tribes (prevention of atrocities) Act, 1989, Protection of Civil Rights Act, 1955 and Bonded Labour System (abolition) Act, 1976 etc. and International documents like Universal Declaration of Human Rights (UDHR), Convention on Elimination of Racial Discrimination (CERD) and the Convention for Elimination of all Forms of Discrimination Against Women (CEDAW) violate due to this practice.

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:

According to the Ministry on Social Justice and Empowerment, "*Manual scavenging exists primarily because of absence of water borne latrines.*"⁴⁰ The House listing and Housing Census, 2011 reported that there are about 26 lakh insanitary latrines in the country.⁴¹ Accordingly, the Parliament passed the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 which came into effect from 6th December, 2013.

³⁵ Article 14: Right to Equality: The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

³⁶ Article 17: Abolition of Untouchability: "Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

³⁷ Article 21: Protection of life and personal liberty: No person shall be deprived of his life or personal liberty except according to procedure established by law.

³⁸ Article 23: Right against Exploitation: Prohibition of traffic in human beings and forced labour:

1) Traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

2) Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.

³⁹ Id at pg. no 04 and 05

⁴⁰ Freedom from Manual Scavenging, available at <http://pib.nic.in/newsite/mbErel.aspx?relid=126057> (Last visited on May 21, 2016)

⁴¹ Houselisting and Housing Census Data – 2011, available at http://censusindia.gov.in/2011census/hlo/HLO_Table.html (Last visited on May 21, 2016)

Ministry on Social Justice and Empowerment highlighted its objectives⁴² as to:

1. Eliminate the insanitary latrines.
2. Prohibit:
 - a) Employment as Manual Scavengers.
 - b) Hazardous manual cleaning of sewer and septic tanks.
3. Survey of Manual Scavengers and their rehabilitation, within a time bound manner.

The main features of the Act are as follows⁴³:

1. Definitions of manual scavengers and insanitary latrines widened to cover not only dry latrines but other insanitary latrines as well.⁴⁴
2. Offences under the Act are cognizable and non-bailable and attract stringent penalties.⁴⁵
3. Vigilance/Monitoring Committee at sub-Division, District, State and Central Govt. levels.⁴⁶
4. National Commission for SafaiKaramcharis (NCSK) would, inter alia, monitor implementation of the Act and enquire into complaints regarding contravention of the provisions of the Act.⁴⁷
5. Provision of construction of adequate number of sanitary community latrines in urban areas, within three years from the date of commencement of this Act to eliminate the practice of open defecation.⁴⁸

⁴² Freedom from Manual Scavenging, available at <http://pib.nic.in/newsite/mbErel.aspx?relid=126057> (Last visited on May 24, 2016)

⁴³ id

⁴⁴ See, Supra no. 07

⁴⁵ See, Section 8 and 9 of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

⁴⁶ See, Chapter VII

of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

⁴⁷ See, Section 31 of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

⁴⁸ See, Chapter II of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

The Ministry of Social Justice and Empowerment is responsible for rehabilitation of manual scavengers and it implements the '*Self Employment Scheme for Rehabilitation of Manual Scavengers*' (SRMS). Ministry of Social Justice and Empowerment has associated reputed NGOs like SafaiKaramchariAndolan (SKA), Rashtriya Garima Abhiyan⁴⁹, Sulabh International⁵⁰ etc. for identification of manual scavengers and their rehabilitation.⁵¹

Conclusion and Suggestions:

The problem with manual scavenging is that many of us don't clean our own toilets for that purpose we look someone (manual scavenger) who can clean it for us. It's a matter of shame for the nation and for us that in spite of various efforts at state as well as national level the problem remain in existence as a slam on the face of humanity. The latest Socio-Economic Caste Census data released on July 3, 2015 reveals that 1, 80, 657 households are engaged in this degrading work for a livelihood.⁵² Socio-economic pressure is the main reason behind this inhuman practice. Solution lays in the proper implementation of the existing laws and social awareness campaigns at all the possible levels along with proper rehabilitation measures. At last I would like to conclude with the

⁴⁹'Jan Sahas' (a social and community based organization) works mainly on seven thematic areas with different programmatic interventions and strives to achieve its organizational objectives through them. Manual Scavenging and other form of bondage is one of those seven areas. To achieve this objective '*RashtriyaGarimaAbhiyan*' has been launched and *Ashif Shaikh* an Indian social activist is known for his role in the campaign (RashtriyaGarimaAbhiyan) for eradication of the practice of manual scavenging, and empowerment of the Dalit especially Dalit-Muslim and women through various campaigns of Jan Sahas.

For more details see https://en.wikipedia.org/wiki/Ashif_Shaikh (Last visited on May 24, 2016); available at <http://www.jansahasindia.org/programs.php> (Last visited on May 25, 2016)

⁵⁰ Sulabh International is an Indi-based social service organization that works to promote human rights, environmental sanitation, non-conventional sources of energy, waste management and social reforms through education. Available at https://en.wikipedia.org/wiki/Sulabh_International (Last visited on May 26, 2016)

⁵¹ Freedom from Manual Scavenging, available at <http://pib.nic.in/newsite/mbErel.aspx?relid=126057> (Last visited on May 26, 2016)

⁵² Manual scavenging still a reality, available at <http://www.thehindu.com/news/national/manual-scavenging-still-a-reality-socioeconomic-caste-census/article7400578.ece> (Last visited on May 27, 2016)

observation of Dr. B. R. Ambedkar that, "*It is disgraceful to live at the cost of one's self-respect.*" So the actual solution with respect to all the social-problems including manual scavenging is to treat everyone equally not only on paper but in reality.

Care and Protection of Children – Legislative Perspective

Abstract

The Government of India has acceded on the 11th December, 1992 to the Convention on the Rights of the Child, adopted by the General Assembly of United Nations, which has prescribed a set of standards to be adhered to by all State Parties in securing the best interest of the Child. Though previously various legislation are enacted in favour of the children but those Acts are restricted to specific areas, but the Juvenile Justice (Care and Protection of Children) Act, 2015 *inter alia* to provide for general principles of care and protection and children in conflict with law, rehabilitation and social re-integration measures for such children, adoption of orphan, abandoned and surrendered children, and offences committed against children. The J.J.Act, 2015 provides wider provisions for proper protection of children. This paper concentrates only the procedure and authorities to take care and protection of children under J.J.Act, 2015 but not dealt the procedure for the Juvenile in conflict with law. The Juvenile Justice (Care and Protection of Children) Act, 2015 came into force from Jan 15th, 2016.

Key Words : Children, Juvenile, Care, Protection, Legislation.

Full Paper

Introduction:

Children mean, in general, persons who are not completed eighteen years of age. Obviously, children being vulnerable in society, there is a need of care and protection to the children. Though, the Constitution of India declares all are equal and prohibits the discrimination, but allows protective discrimination to children's. Thereby, the Constitution provides the directions to States to ensure that, all the needs of children are met and that

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their basic human rights are wholly protected under Articles 47, 45, 39 (e), (f) and 15 (3). Further, India being a member of the United Nations Convention on the Rights of Children (CRC), requires child alleged as, or accused of, violating any Penal Law, including (a) treatment of the child in a manner consistent with the promotion of the child's sense of dignity and worth (b) reinforcing the child's respect for the human rights and fundamental freedoms of others (c) taking into account the child's reintegration and the child's assuming a constructive role in society.

Thus, so many legislations are enacted purely to protect the interest and rights of children, *viz.* Protection of Child Rights Act, 2005 (Act No. 4 of 2006), Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012). However, as per those Acts, only establish Special Courts for enforcement of the provisions of those Act and declare some acts against child are prohibited but there is no special care is taken as protect child in the society. But Juvenile Justice (Care and Protection of Children) Act, 2015 paid more concentration on care and protection of children. The main object of Juvenile Justice (Care and Protection of Children) Act, 2015 (Here after named J.J.Act, 2015) is the law to care and protection of children to children. The Act, 2015 *inter alia* to provide for general principles of care and protection and children in conflict with law, rehabilitation and social re-integration measures for such children, adoption of orphan, abandoned and surrendered children, and offences committed against children. This legislation thus ensure proper care, protection, development, treatment and social re-integration of children in difficult circumstances by adopting a child-friendly approach keeping in view the best interest of the child in mind. This Act, came into force from Jan 15th, 2016. The J.J.Act, 2015 is a comprehensive legislation to care and protection of children. Therefore, notwithstanding anything contained in any other law for the time being in force, children in need of care and protection and children in conflict with law including-

- A. Apprehension, detention, prosecution, penalty or imprisonment, rehabilitation and social re-integration of children in conflict with law;

B. Procedures and decisions or order relating to rehabilitation, adoption, re-integration and restoration of children in need of care and protection.¹

The provisions of this Act, 2015 shall apply to all matters concerning children in need of care and protection. Thus, the Act, clearly and widely defines the term “Child in need of care and protection”.² It means a child—

(i) Who is found without any home or settled place of abode and without any ostensible means of subsistence; or

(ii) Who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street; or

(iii) Who resides with a person (whether a guardian of the child or not) and such person—

(a) Has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child; or

(b) Has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or

(c) Has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or

(iv) Who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee; or

(v) Who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and well-being of the child; or

(vi) Who does not have parents and no one is willing to take care of, or whose parents have abandoned or surrendered him; or

¹ Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015

² Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015

(vii) Who is missing or run away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed; or

(viii) Who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or

(ix) Who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or

(x) Who is being or is likely to be abused for unconscionable gains; or

(xi) Who is victim of or affected by any armed conflict, civil unrest or natural calamity; or

(xii) Who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnization of such marriage;

General Principles of Care and Protection of Children:

While implementing the provisions of this Act, 2015 the Central Government or State Government, the Juvenile Justice Board and other agencies, as the case may be, should follow the following fundamental principles,³ namely—

(i) *Principle of presumption of innocence:* Any child shall be presumed to be an innocent of any *mala fide* or criminal intent up to the age of eighteen years.

(ii) *Principle of dignity and worth:* All human beings shall be treated with equal dignity and rights.

(iii) *Principle of participation:* Every child shall have a right to be heard and to participate in all processes and decisions affecting his interest and the child's views shall be taken into consideration with due regard to the age and maturity of the child.

(iv) *Principle of best interest:* All decisions regarding the child shall be based on the primary consideration that they are in the best interest of the child and to help the child to develop full potential.

³ Section 3 of the Juvenile Justice (Care and Protection of Children) Act, 2015

(v) *Principle of family responsibility*: The primary responsibility of care, nurture and protection of the child shall be that of the biological family or adoptive or foster parents, as the case may be.

(vi) *Principle of safety*: All measures shall be taken to ensure that the child is safe and is not subjected to any harm, abuse or maltreatment while in contact with the care and protection system, and thereafter.

(vii) *Positive measures*: All resources are to be mobilised including those of family and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling environment, to reduce vulnerabilities of children and the need for intervention under this Act.

(viii) *Principle of non-stigmatising semantics*: Adversarial or accusatory words are not to be used in the processes pertaining to a child.

(ix) *Principle of non-waiver of rights*: No waiver of any of the right of the child is permissible or valid, whether sought by the child or person acting on behalf of the child, or a Board or a Committee and any non-exercise of a fundamental right shall not amount to waiver.

(x) *Principle of equality and non-discrimination*: There shall be no discrimination against a child on any grounds including sex, caste, ethnicity, place of birth, disability and equality of access, opportunity and treatment shall be provided to every child.

(xi) *Principle of right to privacy and confidentiality*: Every child shall have a right to protection of his privacy and confidentiality, by all means and throughout the judicial process.

(xii) *Principle of institutionalisation as a measure of last resort*: A child shall be placed in institutional care as a step of last resort after making a reasonable inquiry.

(xiii) *Principle of repatriation and restoration*: Every child in the juvenile justice system shall have the right to be re-united with his family at the earliest and to be restored to the same socio-economic and cultural status that he was in, before coming under the

purview of this Act, unless such restoration and repatriation is not in his best interest.

(xiv) Principle of fresh start: All past records of any child under the Juvenile Justice system should be erased except in special circumstances.

(xv) Principle of diversion: Measures for dealing with children in conflict with law without resorting to judicial proceedings shall be promoted unless it is in the best interest of the child or the society as a whole.

(xvi) Principles of natural justice: Basic procedural standards of fairness shall be adhered to, including the right to a fair hearing, rule against bias and the right to review, by all persons or bodies, acting in a judicial capacity under this Act.

Procedure in relation to children in need of care and protection:

Chapter IV of the Act, 2015 clearly states the procedure in relation to children in need of care and protection.⁴ The State Government shall by notification in the Official Gazette constitute for every District, one or more Child Welfare Committees (CWC) for exercising the powers and to discharge the duties conferred on such Committees in relation to children in need of care and protection under this Act, 2015 and ensure that induction training and sensitization of all members of the Committee is provided within two months from the date of notification.⁵

The Committee (CWC) shall consist of a Chairperson, and four other members as the State Government may think fit to appoint, of whom at least one shall be a women and another, an expert on the matters concerning children.⁶

Any child in need of care and protection may be produced before the CWC by any of the following persons, namely—

(i) any police officer or special juvenile police unit or a designated Child Welfare Police Officer or any officer of District Child Protection Unit or inspector appointed under any labour law for the time being in force;

⁴ Section 31 to 38 of the Juvenile Justice (Care and Protection of Children) Act, 2015

⁵ Section 27 (1)of the Juvenile Justice (Care and Protection of Children) Act, 2015

⁶ Section 27(2)of the Juvenile Justice (Care and Protection of Children) Act, 2015

- (ii) any public servant;
- (iii) Childline Services or any voluntary or non-governmental organisation or any agency as may be recognised by the State Government;
- (iv) Child Welfare Officer or probation officer;
- (v) any social worker or a public spirited citizen;
- (vi) by the child himself; or
- (vii) any nurse, doctor or management of a nursing home, hospital or maternity home:

Provided that the child shall be produced before the Committee without any loss of time but within a period of twenty-four hours excluding the time necessary for the journey.⁷

The State Government may make rules consistent with this Act, to provide for the manner of submitting the report to the Committee and the manner of sending and entrusting the child to children's home or fit facility or fit person, as the case may be, during the period of the inquiry.⁸

The Committee on being satisfied through the inquiry that the child before the Committee is a child in need of care and protection, may, on consideration of Social Investigation Report submitted by Child Welfare Officer and taking into account the child's wishes in case the child is sufficiently mature to take a view, pass one or more of the following orders,⁹ namely:—

- (a) declaration that a child is in need of care and protection;
- (b) restoration of the child to parents or guardian or family with or without supervision of Child Welfare Officer or designated social worker;
- (c) placement of the child in Children's Home or fit facility or Specialised Adoption Agency for the purpose of adoption for long term or temporary care, keeping in mind the capacity of the

⁷ Section 31(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015

⁸ Section 32(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015

⁹ Section 37(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015

institution for housing such children, either after reaching the conclusion that the family of the child cannot be traced or even if traced, restoration of the child to the family is not in the best interest of the child;

(d) placement of the child with fit person for long term or temporary care;

(e) foster care orders under section 44;

(f) sponsorship orders under section 45;

(g) directions to persons or institutions or facilities in whose care the child is placed, regarding care, protection and rehabilitation of the child, including directions relating to immediate shelter and services such as medical attention, psychiatric and psychological support including need-based counselling, occupational therapy or behaviour modification therapy, skill training, legal aid, educational services, and other developmental activities, as required, as well as follow-up and coordination with the District Child Protection Unit or State Government and other agencies;

(h) declaration that the child is legally free for adoption under section 38.

The Committee may also pass orders for — (i) declaration of fit persons for foster care; (ii) getting after care support under section 46 of the Act; or (iii) any other order related to any other function as may be prescribed.¹⁰

In case of orphan and abandoned child, the Committee shall make all efforts for tracing the parents or guardians of the child and on completion of such inquiry, if it is established that the child is either an orphan having no one to take care, or abandoned, the Committee shall declare the child legally free for adoption.¹¹

Process of Rehabilitation and social reintegration:

Chapter VII of the J.J.Act, 2015 deals the procedure of rehabilitation and social re-integration to children.¹²

¹⁰ Section 37(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015

¹¹ Section 38(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015

¹² Section 39 to 55 of the Juvenile Justice (Care and Protection of Children) Act, 2015

- 1) The process of rehabilitation and social integration of children under this Act shall be undertaken, based on the individual care plan of the child, preferably through family based care such as by restoration to family or guardian with or without supervision or sponsorship, or adoption or foster care: Provided that all efforts shall be made to keep siblings placed in institutional or non-institutional care, together, unless it is in their best interest not to be kept together.
- 2) For children in conflict with law the process of rehabilitation and social integration shall be undertaken in the observation homes, if the child is not released on bail or in special homes or place of safety or fit facility or with a fit person, if placed there by the order of the Board.
- 3) The children in need of care and protection who are not placed in families for any reason may be placed in an institution registered for such children under this Act or with a fit person or a fit facility, on a temporary or long-term basis, and the process of rehabilitation and social integration shall be undertaken wherever the child is so placed.
- 4) The Children in need of care and protection who are leaving institutional care or children in conflict with law leaving special homes or place of safety on attaining eighteen years of age, may be provided financial support as specified in section 46, to help them to re-integrate into the mainstream of the society.¹³

Restoration of Child in need of Care and Protection:

The restoration and protection of a child (i.e. restoration to parents, adoptive parents, foster parents, guardian or fit person) shall be the prime objective of any Children's Home, Specialised Adoption Agency or open shelter. They shall take such steps as are considered necessary for the restoration and protection of a child deprived of his family environment temporarily or permanently where such child is under their care and protection.

¹³ Section 39 of the Juvenile Justice (Care and Protection of Children) Act, 2015

The Child Welfare Committee shall have the powers to restore any child in need of care and protection to his parents, guardian or fit person, as the case may be, after determining the suitability of the parents or guardian or fit person to take care of the child, and give them suitable directions.¹⁴

Open Shelter:

The State Government may establish and maintain, by itself or through voluntary or non-governmental organisations, as many open shelters. The open shelters provides a community based facility for children in need of residential support, on short term basis, with the objective of protecting them from abuse or weaning them, or keeping them, away from a life on the streets.

Under section 46 of this Act, 2015, any child leaving a child care institution on completion of eighteen years of age may be provided with financial support in order to facilitate child's re-integration into the mainstream of the society in the manner as may be prescribed.¹⁵

Childrens Home:

The State Government may establish and maintain, in every district or group of districts, either by itself or through voluntary or non-governmental organisations, Children's Homes, which shall be registered as such, for the placement of children in need of care and protection for their care, treatment, education, training, development and rehabilitation. The State Government shall designate any Children's Home as a home fit for children with special needs delivering specialised services, depending on requirement.¹⁶

Rehabilitation and reintegration services:

Rehabilitation and reintegration services that shall be provided, by the institutions registered under this Act in the process of rehabilitation and re-integration of children, shall be in such manner as may be prescribed,¹⁷ which may include—

¹⁴ Section 40 of the Juvenile Justice (Care and Protection of Children) Act, 2015

¹⁵ Section 43 of the Juvenile Justice (Care and Protection of Children) Act, 2015

¹⁶ Section 50 of the Juvenile Justice (Care and Protection of Children) Act, 2015

¹⁷ Section 53 of the Juvenile Justice (Care and Protection of Children) Act, 2015

- (i) basic requirements such as food, shelter, clothing and medical attention as per the prescribed standards;
- (ii) equipment such as wheel-chairs, prosthetic devices, hearing aids, Braille kits, or any other suitable aids and appliances as required, for children with special needs;
- (iii) appropriate education, including supplementary education, special education, and appropriate education for children with special needs: Provided that for children between the age of six to fourteen years, the provisions of the Right of Children to Free and Compulsory Education Act, 2009 shall apply;
- (iv) skill development;
- (v) occupational therapy and life skill education;
- (vi) mental health interventions, including counselling specific to the need of the child;
- (vii) recreational activities including sports and cultural activities;
- (viii) legal aid where required;
- (ix) referral services for education, vocational training, de-addiction, treatment of diseases where required;
- (x) case management including preparation and follow up of individual care plan;
- (xi) birth registration;
- (xii) assistance for obtaining the proof of identity, where required; and
- (xiii) any other service that may reasonably be provided in order to ensure the well-being of the child, either directly by the State Government, registered or fit individuals or institutions or through referral services.

Adoption: Chapter VIII of the J.J.Act, 2015 deals the procedure for adoption of childrens. ¹⁸ Adoption shall be resorted to for ensuring right to family for the orphan, abandoned and

¹⁸ Sections 56 to 73 of the Juvenile Justice (Care and Protection of Children) Act, 2015 deals the adoption procedures.

surrendered children, as per the provisions of this Act, the rules made thereunder and the adoption regulations framed by the Authority. Nothing in this Act shall apply to the adoption of children made under the provisions of the Hindu Adoption and Maintenance Act, 1956.

Prevention of Other Offences against Children:

Subject to provisions of this Act, 2015 preventive steps are taken to avoid other offences against children, namely, Prohibition on disclosure of identity of children, punishments laid down for cruelty to child, employment of child for begging, penalty imposing for giving intoxicating liquor or narcotic drug or psychotropic substance to a child, punishments imposed for using a child for vending, peddling, carrying, supplying or smuggling any intoxicating liquor, narcotic drug psychotropic substance, Exploitation of a child employee, use of child by militant groups or other adult/adult group for illegal activities, etc.,¹⁹. This J.J.Act, 2015, not only prohibits offences against children and also provides punishments.

Classification of offences and designated Court:

Where an offence under this Act is punishable with imprisonment for a term more than seven years, then, such offence shall be cognizable, non-bailable and triable by a Children's Court. Where an offence under this Act is punishable with imprisonment for a term of three years and above, but not more than seven years, then, such offence shall be cognizable, non-bailable and triable by a Magistrate of First Class. Where an offence, under this Act, is punishable with imprisonment for less than three years or with fine only, then, such offence shall be non-cognizable, bailable and triable by any Magistrate.²⁰

Whoever abets any offence under this Act, if the act abetted is committed in consequence of the abetment, shall be punished with the punishment provided for that offence.²¹

¹⁹ Sections 74 to 85 of the Juvenile Justice (Care and Protection of Children) Act, 2015 deals various kinds of offences against children.

²⁰ Section 86 of the Juvenile Justice (Care and Protection of Children) Act, 2015

²¹ Section 87 of the Juvenile Justice (Care and Protection of Children) Act, 2015

Conclusion:

Ultimately, this legislation aptly ensure proper care, protection, development, treatment and social re-integration of children in difficult circumstance by adopting child-friendly approach keeping in view of the best interest of the child in mind.

—Dr. Shivanand H. Lengati*

Corporate Governance: Financial Regulatory Bodies in India

Abstract:

Corporate Governance may be construed as a system and processes through which the behaviour of a company is monitored and controlled. Since past few decades Corporate Governance is gaining a lot of importance across the world. It is about promoting corporate fairness, transparency and accountability. In other words, 'good corporate governance' is simply 'good businesses'. The establishment of SEBI a regulatory body has played a significant role in establishing nonns for corporate governance in India. There are four more major financial regulatory bodies in India. Among these three are Statutory Bodies created through parliamentary enactments and two are part of the Ministries of the Government of India.

Over the years, SEBI constituted two committees to make recommendations relating to corporate governance in India, under the chairmanship of Kumar Mangalam Birla and Narayana Murthy. Further, the MCA had appointed the J.J. Irani Committee in 2004 to review the international best practices in corporate governance, in light of the growing needs of the Indian economy and corporate. The recommendations of these committees form the bedrock of the legal regime for corporate governance in India. This paper discusses about the rapidly increasing economic growth that corporate India witnessed since 1990s brought to the forefront, the need for Indian companies to adopt corporate governance practices and standards, which are consistent with international principles. This paper attempted to provide a broad overview of the regulatory framework governing corporate governance and the various financial regulatory bodies in India.

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Introduction

Good corporate governance is a reflection of quality management with the highest calibre understanding the role that high corporate governance standards plays in maintaining checks and balances within the organisation, increasing transparency and preventing corporate abuse and mismanagement. More over CG describes the structure of rights and responsibilities among the parties that have a stake in the firm. The 2013 Act also intends to improve corporate governance by requiring disclosure of nature of concern or interest of every director, manager, any other key managerial personnel and relatives of such a director, manager or any other key managerial personnel and reduction in threshold of disclosure from 20% to 2%. The term 'key managerial personnel' has now been defined in the 2013 Act and means the chief executive officer, managing director, manager, company secretary, whole-time director, chief financial officer and any such other officer as may be prescribed¹. The MCA had released the corporate governance voluntary guidelines in 2009, which permitted three tenures for an independent director while as per the clause 49 of the equity listing agreement, an independent director cannot serve for more than nine consecutive years.

The establishment of SEBI² a regulatory body has played a significant role in establishing norms for corporate governance in India. There are four more major financial regulatory bodies in India. Among these three are Statutory Bodies created through parliamentary enactments and two are part of the Ministries of the Government of India.

The recommendations of these committees form the bedrock of the legal as well as regulatory regime for corporate governance in India. The rapidly increasing economic growth that corporate India witnessed since the 1990s brought to the forefront the need for Indian companies to adopt corporate governance practices and standards, which are consistent with international principles. This paper discusses to provide a broad overview of the regulatory framework governing corporate governance and the various financial regulatory bodies in India.

¹ Section 2 (51) of CA, 2013 Act)

² The SEBI Act, 1992 empowers SEBI to frame regulations

Corporate governance ensures adequate disclosures and effective decision making to achieve corporate objectives transparency in business transactions, statutory and legal compliances, Protection of shareholder interests, commitment to values and ethical conduct of business. Takeover of companies is a well accepted and established strategy for corporate growth. International experience of takeovers and mergers and amalgamations has been varied. An efficient financial system has been regarded as a necessary pre condition for higher growth. Propelled by this ruling paradigm, several developing countries undertook programmes for reforming their financial system.

In India the corporate governance code proposed by the Confederation of Indian Industry in 1997 is modelled on the lines of the Cadbury Committee (Cadbury, 1992) in the United Kingdom. Nonetheless, one of its important lessons is that, its appeal as an instrument of corporate growth has usually been the result of an admixture of corporate ethos of a country, shareholding pattern of companies, existence of cross holdings in companies, cultural conditions and the regulatory environment. Keeping in view India's growing integration with global financial markets, external-sector vulnerabilities have an increasingly large impact on India through the trade and capital account channels. It is therefore important that the development of an efficient and healthy financial market should also be accompanied by an effective regulatory mechanism that keeps track of external vulnerabilities³.

Evolution, Meaning and Concept of Corporate governance Meaning and Concept

The term 'governance' means control i.e. controlling a company, an organization etc., The term can refer to internal factors defined by the officers, stockholders or constitution of a corporation, as well as to external forces such as consumer groups, clients, and government regulations.⁴ The concept of 'corporate governance' is not an end; it's just a beginning towards growth of company for

³ India. Ministry of Finance, Economic Survey 2012-2013, p.105.

⁴ Nayyer Shamsi, A, January 19, 2012, Corporate Governance in India: Aims and Objectives

long term prosperity. Since corporate governance also provides the framework for attaining a company's objectives, it encompasses practically every sphere of management, from action plans and internal controls to performance measurement and corporate disclosure. 'Good corporate governance include adequate disclosures and effective decision making to achieve corporate objectives, Transparency in business transactions, Statutory and legal compliances, Protection of shareholder interests.

Evolution: Though, Corporate governance has existed since past but it was in different form. In India during Vedic times kings used to have their ministers but today it is in the form of corporate governance having same rules, laws, ethics, values, and morals etc. which helps in running corporate bodies in the more effective ways in the age of globalization. The modern concept of Corporate governance emerged in India after the second half of 1996 due to economic liberalization and deregulation of industry and business. The report of Cadbury Committee on the financial aspects of corporate Governance in the U.K. has given rise to the debate of Corporate Governance in India.⁵

Importance of Corporate Governance and the Companies Act

The fundamental principles of corporate governance have been enshrined in the Companies Act, according which directors are obliged to act in the best interests of shareholder rights but there have been many instances where we have contradiction to such obligation. In many cases excessive debt financing laced with fraud, disproportionate rise in payments for executives which are less than transparent. In CA, Clause 49 of the listing agreement is the most significant recent development in Indian legal regime relating to corporate governance for disclosure and transparency and Board responsibility. SEBI, being the securities market regulator in India has primary oversight on investor protection and its establishment played a significant role in establishing norms for the corporate governance in India. Ministry of Company Affairs

⁵ Dr. Kapoor G.K., Taxmann 's Corporate Laws – 2006.p.16, (1) Cadbury Committee (UK) 1992

is the executive arm which regulates the functioning of the corporate sector. MCA introduced the Voluntary Guidelines on Corporate Governance in 2009 a set of best practices to develop ethical and responsible standards in the Indian industry. The Guidelines are completely voluntary in nature but are strongly recommended by the government to all public companies and large private companies as well. National Foundation for Corporate Governance, a national apex platform on corporate governance issues was established in 2003 by the MCA to sensitize corporate leaders on the importance of “good corporate governance, self-regulation and directorial responsibilities”.

Financial Regulatory Bodies in India: The financial system in India is regulated by independent regulators in the field of banking, insurance, capital market, commodities market, and pension funds. However, Government of India plays a significant role in controlling the financial system in India and influences the roles of such regulators.

Financial Regulatory Bodies in UK and US: The Financial Services Act gives the Bank of England responsibility for financial stability, bringing together macro and micro prudential regulation, creates a new regulatory structure i.e., The Financial Conduct Authority which is responsible for regulating and policing the banking system in UK. The Prudential Regulation Authority carries out the prudential regulation of financial firms, including banks, investment banks, building societies and insurance companies. And the United States has a Financial Stability Oversight Council that looks at monitoring risks to the US financial system and being a consultative council to facilitate communication among financial regulators⁶

There are five major financial regulatory bodies in India among these three are;

(A) Statutory Bodies created by parliamentary enactments, they are:

⁶ India. Ministry of Finance, Financial Sector Legislative Reform Commission, Chaired by Justice B.N Srikrishna Vol. 1, p.xxiv,p.4.

(i) Reserve Bank of India: Reserve Bank of India is the apex monetary Institution of India. It acts as banker to the Government of India as well as the State Governments and acts as banker to all scheduled banks of India.⁷

The Reserve Bank of India was set up on the basis of the recommendations of the Hilton Young Commission. The Reserve Bank of India Act, 1934 (II of 1934) provides the statutory basis of the functioning of the Bank, which commenced operations on April 1, 1935. The Reserve Bank of India was established on April 1, 1935 in accordance with the provisions of the Reserve Bank of India Act, 1934. The Central Office of the Reserve Bank was initially established in Calcutta but was permanently moved to Mumbai in 1937. Though RBI originally owned by private persons, since nationalization in 1949 the Reserve Bank is fully owned by the Government of India. It acts as the apex monetary authority of the country and.

The Reserve Bank was constituted to regulate the issue of banknotes maintain reserves with a view to securing monetary stability and to operate the credit and currency system of the country to its advantage⁸ and the government has to deposit all the money with it.

The Bank was also instrumental in institutional development and helped set up institutions like the Deposit Insurance and Credit Guarantee Corporation of India, the Unit Trust of India, the Industrial Development Bank of India, the National Bank of Agriculture and Rural Development, the Discount and Finance House of India etc. to build the financial infrastructure of the country.

ii. Securities and Exchange Board of India: SEBI Act, 1992: Securities and Exchange Board of India (SEBI) was first established in the year 1988 as a non- statutory body for regulating the securities market. It became an autonomous body in 1992 and more powers were given through an ordinance. Since then it regulates the market through its independent powers. Securities and Exchange Board

⁷ India Ministry of Finance, Financial Sector Legislative Reform Commission, Chaired by Justice B.N Srikrishna. Vol. I, P. xxiv, p.4.

⁸ www.rbi.org.in...RBI website

of India (SEBI) was first established in the year 1988 as a non-statutory body for regulating the securities market. It became an autonomous body in 1992 and more powers were given through and ordinance.⁹

Establishment of SEBI's Objective is to Promotes Investors Interest to Makes rules and regulations for the securities market and its major Functions¹⁰ are to Regulate Capital Market ,it Checks Trading of securities, the malpractices in securities market and it regulates the stockbrokers and sub-brokers It enhances investor's knowledge on market by providing education. SEBI from time to time have adopted many rules and regulations for enhancing the Indian capital market it has Sole - Control on Brokers under this rule every brokers and sub brokers have to get registration with SEBI and any stock exchange in India.

iii. Insurance Regulatory and Development Authority (IRDA): The Insurance Regulatory and Development Authority is a national agency of the Government of India and is based in Hyderabad (Andhra Pradesh). It was formed by an Act of Indian Parliament known as IRDA Act 1999, which was amended in 2002 to incorporate some emerging requirements. Mission of IRDA as stated in the act is 'to protect the interests of the policyholders, to regulate, promote and ensure orderly growth of the insurance industry and for matters connected therewith or incidental thereto.¹¹ To provide for the establishment of an Authority to protect the interests of holders of insurance policies, to regulate, promote and ensure orderly growth of the insurance industry and for matters connected therewith or incidental thereto and further to amend the Insurance Act, 1938, the Life Insurance Corporation Act, 1956 and the General Insurance Business (Nationalisation) Act, 1972.

IRDA empowered¹² to control and regulation of the rates, advantages, terms and conditions that may be offered by insurers in respect of general insurance business not so controlled and

⁹ www.rbi.org.in...RBI wesite

¹⁰ June 29, 2010* Indian Financial Services Industry. By Economywatch

¹¹ Section 14, 114A of IRDA Act, 1999

¹² Section 14(2) (i) of the IRDA Act

.regulated by the Tariff Advisory Committee under section 64U of the Insurance Act, 1938 (4 of 1938);

(B) Part of the Ministries of the Government of India:

iv. Forward Market Commission India (FMC): Forward Markets Commission (FMC) headquartered at Mumbai, is a regulatory authority which is overseen by the Ministry of Consumer Affairs, Food and Public Distribution, Govt. of India. It is a statutory body established in 1953 under the Forward Contracts (Regulation) Act, 1952. This Commission allows commodity trading in 22 exchanges in India, out of which three are national level. The Forward Market Commissions prescribe following regulatory measures⁹ Limit on net open position as on the close of an individual operator and at member level to prevent excessive speculation.⁹ Imposition of margins to prevent defaults by members/ clients Physical delivery of contracts and penalty for default/delivery obligations. Many of the regulator functions/powers of the Central Government have been delegate to the Commission in the year 1960, for e.g. Sections 6 (2) (a),6 (3), 8(1), 8(2) (a) and (b),10(1), 12(1) and 14(c)¹³.

Finance Minister Arun Jaitley announced its merger with SEBI in his Budget speech of 2015. The move will be in keeping with the recommendation of the Financial Sector Legislative Refonns Commission (FSLRC) headed by former Justice BN Srikrishna, which called for a Unified Financial Agency in place of the multiple regulators in the financial sector¹⁴.

The Forward Markets Commission (FMC), chief regulator of forwards and futures commodity markets in India, will, henceforth, be overseen by the Ministry of Finance instead of the Department of Consumer Affairs under the Ministry of Food. This decision was taken at the highest level, and notified in the wake of alleged scam in National Spot Exchange Limited (NSEL)¹⁵.

The major functions of FMC are to advise the central government in. respect of the recognition or the withdrawal of

¹³ http://www.fmc.gov.in/show_file.aspx?linkid=FCRA_ACT-88692219-547043779.pdf

¹⁴ Feb. 15, The Hindu

¹⁵ The Hindu, September 9, 2013.

recognition from any association .To keep forward markets under observation and to take such actions in relation to them, in exercise of the powers assigned to it by or under the act. It make recommendations generally with a view to improve the organization and working of forward market¹⁶. To undertake the inspections of the accounts and other documents of registered association or any member of such association whenever it considers is necessary.

v. PFRDA under the Finance Ministry: Pension Fund Regulatory and Development Authority: The Pension Fund Regulatory & Development Authority Act was passed on 19th September, 2013 and the same was notified on 1st February, 2014. PFRDA is regulating NPS, subscribed by employees of Govt. of India, State Governments and by employees of private institutions/ organizations & unorganized sectors. The Government of India had, in the year 1999, commissioned a national project titled “OASIS” (an acronym for old age social & income security) to examine policy related to old age income security in India. Based on the recommendations of the OASIS report, Government of India introduced a new Defined Contribution Pension System for the new entrants to Central/State Government service, except to Armed Forces, replacing the existing system of Defined Benefit Pension System. On 23rd August, 2003, Interim Pension Fund Regulatory & Development Authority (PFRDA) was established through a resolution by the Government of India to promote, develop and regulate pension sector in India. The contributory pension system was notified by the Government of India on 22nd December, 2003, now named the National Pension System (NPS) with effect from the 1st January, 2004. The NI’S was subsequently extended to all citizens of the country from 1st May, 2009 including self employed professionals and others in the unorganized sector on a voluntary basis¹⁷.

The Authority have the duty, to regulate, promote and ensure orderly growth of the National Pension System without prejudice to the generality of the provisions contained in sub-section (1), the powers and functions of the Authority shall include—

¹⁶ Section 4 of the Forward Contracts (Regulation) Act, 1952

¹⁷ <http://india.gov.in/spotlight/national-pension-system-retirement-plan-all>

regulating the National Pension System , the terms and conditions for the corpus of the pension funds including investment guidelines under such schemes, registering and regulating intermediaries; issuing/ cancelling to an intermediary a certificate of registration ,ensuring that the intermediation and other operational costs under the National Pension System are economical and reasonable, establishing mechanism for redressal of grievances of subscribers to be determined by regulations and adjudication of disputes between intermediaries and between intermediaries and subscribers.¹⁸

The most important recommendations by FSLRC are: (1) The decision to merge the roles of the Securities and Exchange Board of India, the Forward Markets Commission, Insurance Regulatory and Development Authority, and Pension Fund Regulatory and Development Authority into a single regulator called the Unified Financial Agency (UFA) on the grounds that all financial activity other than banking and the payments system, which would continue to be regulated by the Reserve Bank of India (RBI), should be brought under a single authority; (2) The continuation of the Financial Stability Development Council (FSDC) with the mandate to monitor and Benchmarking Indian Regulatory Practices to the 020 Financial Reforms Agenda address systemic risk, which is to be led by the finance ministry. (3) The creation of a Resolution Corporation that would identify institutions that are threatened by insolvency and resolve the problem at an early stage. (4). The creation of a Public Debt Management Agency that would take the responsibility of public debt Management away from the RBI. The Commission believes that this proposed financial regulatory architecture is a modest step away from present practice, embeds important improvements, and will serve India well in coming years¹⁹.

Conclusion

Compliance of corporate governance norms by a company is often a matter of subjective analysis and companies routinely

¹⁸ Section 14. (1) of The Pension Fund Regulatory and Development Authority Act.

¹⁹ Redistributing Regulatory Power; Financial Sector Legislative Reform Commission by C.P. Chandrasekhar, Economic and Political Weekly, dated 18.5.2013, Financial Sector Legislative Reform Commission. Vol. p.Xxiv.

have to face various practical constraints in implementing the applicable corporate governance framework globally and even in India, the listing agreement in CA coupled with SEBI's regulatory oversight, continue to serve as the underpinnings of corporate governance in financial regulatory bodies in India. The financial regulation in India is oriented towards product regulation, i.e. each product is separately regulated. For example, fixed deposits and other banking products are regulated by the Reserve Bank of India, Small savings products by the Government of India, Mutual funds and equity markets by the Securities and Exchange Board of India, Insurance by the Insurance Regulatory Development Authority of India and the New Pension Scheme by the Pension Fund Regulatory and Development Authority. All these regulators have a key mandate to protect the interests of customers, these may be investors, policy holders or pension fund subscribers, depending on the product.

News from States

ANDHRA PRADESH

Awareness on Mediation: Special Awareness programmes have been conducted on 9th October, 2015 in all the Districts in the State of Andhra Pradesh and spread awareness about the Mediation mechanism. The Judicial officers and Advocates explained the participants about the mediation mechanism and its advantages.

Inauguration of Mediation and Arbitration Centre: Hon'ble Sri Justice Madan B. Lokur, Judge, Supreme Court of India inaugurated the Mediation and Arbitration Centre in the High Court premises at Hyderabad on 21st November, 2015 in the august presence of Hon'ble Sri Justice Dilip B. Bhosale, Acting Chief Justice and Patron-in-Chief, Hon'ble Sri Justice R. Subhash Reddy, Executive Chairman, Telangana State Legal Services Authority and President, Mediation Centre, Hon'ble Sri Justice G. Chandraiah, Chairman, High Court Legal Services Committee, Hon'ble Sri Justice Ramesh Ranganathan, Judge, High Court of Judicature at Hyderabad and President, Arbitration Centre and Board of Governors of Mediation & Arbitration Centres.

Training on Mediation : 40 hours training programme on Mediation was conducted at Ongole on 4th to 8th November, 2015 for the mediators of Nellore and Prakasam Districts. The MCPC has deputed the trainers. In the said training programme, a total number of 21 mediators have participated.

Another training programme was conducted from 14th to 18th November, 2015 at Vijayawada for the mediators of Vijayawada, Guntur and West Godavari. A total number of 21 mediators have participated in the training programme.

Another training programme was conducted from 18th to 22nd December, 2015 at Visakhapatnam for the mediators of Visakhapatnam Vizianagaram and Srikakulam districts. In the said training programme, a total number of 25 mediators have participated. The MCPC has deputed the trainers for imparting training.

Lok Adalat : National Lok Adalat was organised on 10-10-2015 for settlement of traffick, petty matters, municipal matters etc. In all the districts of Andhra Pradesh 32,834 cases of various categories were settled. On 12-12-2015 National Lok Adalat was organised for settlement of various categories of cases. In this National Lok Adalat, a total number of 66,210 cases settled and the settlement amount was Rs.128.17crores

In the quarter a total number of 93541 cases were settled through Lok Adalat which includes the National Lok Adalats, Regular Lok Adalsts and other Lok Adalats.

Permanent Lok Adalat for Public Utility Services : During this quarter, a total number of 341 cases pertaining to various Public Utility Services have been settled by the Permanent Lok Adalats.

Utilisation of Mobile Van : The Mobile Lok Adalat Vans are being used by various districts on rotation basis as per the Calendar of allotment of vehicles. During the quarter, using the Mobile Vans, DLSAs have conducted 165 Legal Literacy Camps and also settled 12 cases in the Mobile Lok Adalats.

Panel Lawyers Training Programmes : During the quarter, 4 training programmes have been conducted and a total number of 214 advocates have been imparted training by the master trainers.

Legal Aid Clinics : During the quarter, special Legal Aid Clinics in various districts exclusively for the students and people of north eastern states have been established. Another 16 Clinics have been established in various villages in different districts.

Special Legal Awareness Campaign : During the quarter, Specail Awareness Campaign was conducted. The particulars of Special Awareness Campaign are given below:

Date	Special Day	Number of Camps conducted	Number of participants
1st October, 2015	Senior Citizens Day	39	2814
10th October, 2015	Mental Health Day	52	5051

9th November, 2015	Legal Services Day	169	21524
14th November, 2015	Childrens Day	68	13937
26th November, 2015	Anti Dowry Day	51	6219
26th November, 2015	Law Day	66	6940
1st December, 2015	HIV/AIDS	49	6607
3rd December, 2015	Disability Day	36	3950
10th December, 2015	Human Rights Day	55	8591

ARUNACHAL PRADESH

The Arunachal Pradesh SLSA in collaboration with Apatani Women Association, Ziro (AWAZ) organised a one day Legal Awareness cum legal aid Camp at Hapoli for Women which was attended by 218 members of the Association. During the day long programme, talks on general rights of the women under the Indian laws which included references to legal, criminal and constitutional provisions was delivered by Shri Habung Tangu, Judicial Magistrate First Class, Shri Budi Habung, Member Secretary in his presentation spoke on the legal aid and the role of the legal services authority touching upon the background of the legal aid concept and the activities conducted by it from time to time. Further during the programme, Talks on Protection of Women from Sexual harassment at Work Place and Domestic Violence and the modalities to avail such provisions were delivered by Ms Rosy Taba, Shri Tanyang Tado, Advocate spoke on plea bargaining under the criminal law and vividly dwelt on the finer details and how to avail the same during the course of the trial, Shri Dani Belo spoke on Arunachal Pradesh Victim Compensation Scheme, 2011 and procedures to avail the same. During the interaction programme, clarifications on easy bail to various offenders committing offences against women, on establishment of juvenile homes, property rights of women, polygamy issues.

The Arunachal Pradesh SLSA in coordination with Apatani Youth Association, Ziro (AYA), District Administration on 26th October, 2015 organised a one day Legal Awareness cum legal aid Camp at Hapoli for Head Gaon Burah and Goan Burahs which was attended by nearly 118 members.

The SLSA in collaboration of Arunachal Pradesh Women Welfare Society and Arunachal State Commission for Women during the month also held a one day legal awareness at the Oju Mission,an NGO working for poor and downtrodden sections of the society. The programme was attended among others by the chairperson state commission for women, MS Mitali Tinghkatra, Smt.. Jarjum Ete, Former Chairperson State Commission,Shri Budi Habung, Member Secretary, State Legal Services Authority. The legal awareness programme touched on various subjects pertaining to Child and women rights. During the programme, Shri Budi Habung delivered a talk on Juvenile Justice (Care and Protection) Act, 2002 and stressed the need to prevent juvenile offenders from becoming hardened criminal etc.

The SLSA released its maiden legal services film -Apne Ajanabi at New Delhi on 8.11.2015.During the programme, Hon'ble Mr Justice T.S Thakur, Executive Chairman, NALSA, Justice A.R.Dave, Judge supreme court of India and Justice H.Roy, Executive Chairman, Arunachal Pradesh SLSA were present.

One day legal awareness programme was organised by the district legal services authority Yingkiong on November 26,2015. The awareness camp saw the participation of all villagers wherein talks on maintenance under section 125 of Code of Criminal Procedure, Victim Compensation scheme section 494 and 498 (A) of IPC ,Domestic Violence Act, Contempt of Court, Lok Adalat, Narcotic Act were the subjects during the programme. Shri Habung Tangu Judicial Magistrate First Class, Yingkiong, Advocates Kabang Taron, Tapang Tabing, Omin Tateh, Oyem Panyang and Akoying Tekseng attended the programme.

CHHATTISGARH

Training of Legal Services Lawyers : According to the Training Module for Legal Services Lawyers Part-I, training programme for the Panel Lawyers of DLSA, Bilaspur have been organized at Chhattisgarh State Judicial Academy on 31st October - 01st November, 2015. The training programme was inaugurated by Hon'ble Mr. Justice A. M. Sapre, Judge, Supreme Court of India with the Supreme presence of Hon'ble Mr. Justice Navin Sinha, the Chief Justice, High Court of Chhattisgarh & Patron-in-Chief,

CGSLSA, Hon'ble Mr. Justice Pritinker Diwaker, Judge, High Court of Chhattisgarh & Executive Chairman, CGSLSA, Hon'ble Mr. Justice Prashant Kumar Mishra, Hon'ble Mr. Justice Manindra Mohan Shrivastava, Hon'ble Mr. Justice Goutam Bhaduri, Hon'ble Mr. Justice Sanjay K. Agrawal, Hon'ble Mr. Justice I.S. Uboweja, Hon'ble Mr. Justice C.B. Bajpai, Judge, High Court of Chhattisgarh. In the above training programme Shri R.P. Sharma, District Judge/Chairman, DLSA Bilaspur, Shri Goutam Chourdia, Director, CSJA, Shri Arvind Verma, Addl. Director, CSJA, Shri Rajnish Shrivastava, Member Secretary, CGSLSA, Officers of Bilaspur registry, Judges of district court Bilaspur, officers and workers of CGSLSA & DLSA were also present. The Training programme closing ceremony held in the auspicious presence of Hon'ble Mr. Justice Pritinker Diwaker, Judge High Court of Chhattisgarh & Executive Chairman, CGSLSA and Hon'ble Mr. Justice M.M. Shrivastava, Judge, High Court of Chhattisgarh.

CHILDREN'S DAY CELEBRATION : On 14th November 2015, DLSAs and Chhattisgarh SLSA celebrated children's day and gave tribute to Nehru ji and his ideology .On this occasion DLSA organised various Sports events, Cultural activities, Essay and Quiz Competition in schools, colleges and other institutions.

SPECIAL AWARENESS PROGRAMME ON AIDS DAY : To spread awareness about AIDS pandemic which is caused by HIV infection, on 1st December which is observed as World Aids Day, DLSA in the aegis of CGSLSA organised campaigns ,rallies across the state and aware general public about HIV/AIDS .They also informed about medical facility and 0 precautions to stop the spread of virus.

OBSERVANCE OF SENIOR CITIZEN DAY : On 01/10/2015 to observe Senior Citizens Day, DLSAs and Chhattisgarh SLSA conducted legal awareness programmes across the state to overcome the problems of old age people .In the said programme they were elucidated about laws, provisions which are enacted for the betterment of senior citizens such as maintenance and welfare of parents and Senior Citizen Act 2007 in which heirs and children have legal obligation to provide monthly allowance to senior citizens and parents. They were also informed about other government facilities which they can enjoy such as housing

facilities (retirement homes and recreational centre), reserved seats and fare concession in buses ,Indian railway and Indian airlines , higher rate of interest in savings schemes of banks ,fees concession in hospitals , income tax benefits and old age pension.

SPECIAL PROGRAMME HELD FOR PERSONS WITH DISABILITIES : On 3rd December 2015, DLSA in the light of CGSLSA in order to observe Person with Disabilities Day conducted awareness programmes for disabled persons. In the mentioned programmes they made them aware about provisions, bills enacted and passed for them such as Rights of Persons with Disabilities Bill, 2014 which entitled them with certain rights and provides varies of facilities i.e. facilities in education institute, hospitals etc. DLSA also promoted nondiscrimination.

OBSERVANCE OF MENTAL HEALTH DAY : Under the NALSA (Legal Services to the Mentally Ill and Persons with Mental disabilities) Scheme, 2010, Chhattisgarh SLSA organised mental health related programmes with the help of DLSAs. In the above programmes DLSA provided accommodation with medical treatment to the mentally ill persons.

On the direction of Hon'ble Executive Chairman Shri Pritinker Diwaker, Under " PERSON WITH MENTAL DISABILITIES SCHEME ,2010", SLSA started a movement across the state in which they helped mentally ill person by admitting them in state mental hospital, who were found to be unsafe in public place.

On 30/12/15 a state level meeting was organised at State Legal Services Authority, Bilaspur, which was headed by Hon'ble Justice Shri Pritinker Diwaker in the presence of Hon'ble Justice Shri. Sanjay K. Agrawal and attended by all renowned dignitaries of the state i.e. Principle Secretary health ,Principle Secretary PWD, Director of health department, Commissioner, Collector, local administrative officers ,Medical officers .In the mentioned meeting they discussed on major issues related to proper medication facilities for mentally ill persons and maintenance of hospital building.

OBSERVENCE OF HUMAN RIGHTS DAY: On 10/12/15 DLSAs celebrated Human Rights Day across the state in the light of

CGSLSA and organised legal awareness camp at Jail, schools and other institute. In the above camp, they made people aware about The Protection of Human Rights Act,1993 and other provisions .

LEGAL AWARENESS PROGRAMME ON CONSTITUTION DAY
: On 26TH November 2015, DLSAs organised special literacy camp and other programmes at various schools, colleges, villages, courts and other institutions to explain students and general public about the Constitution and its importance in our nation.

NATIONAL LOK ADALATS HELD ON 10TH OCTOBER, 2015 & 12TH DECEMBER, 2015 : On 10th October, 2015, National Lok Adalat on the Traffic, Petty matters and Municipal matters was held. In the said Lok Adalat 11,387 cases were settled. On 12th December, 2015, National Lok Adalat was held with regard to all subject matters. In this National Lok Adalat 88730 cases were settled.

GOA

During the quarter the DLSA, North Goa conducted in all 18 Legal Awareness Camps/Programmes on various topics in which 975 people were benefited and the DLSA, South Goa conducted 32 Legal Awareness Camps/Programmes on various topics in which 2727 peoples were benefited.

Other than Legal Literacy Camps, the District Legal Services Authorities at District level and Taluka legal Services Committees at Taluka levels also had organized permanent and continuous Lok Adalats. At District and Taluka Levels there were total 5285 cases, placed before the Lok Adalats, out of which 1120 cases have been settled under the Lok Adalat Scheme and the compensation awarded is Rs.1,20,35,875/- including compensation awarded in MACT cases. The Goa State Legal Services Authority had also organized National Lok Adalat at High Court level during the said quarter. Total 106 matters were placed before Lok Adalat and out of which 3 matters were settled and the compensation awarded is Rs.14,72,500/-.

In the said period, Legal Aid beneficiaries were as follows:-

LEGAL AID BENEFICIARIES DURING THE QUARTER.

1)	In custody	: 72
2)	Women	: 92
3)	Child	: 01
4)	SC/ST	: 09
5)	Disabled	: 13
6)	Other eligible persons	: <u>60</u>
	Total	: <u>247</u>

HARYANA

SPECIAL LEGAL LITERACY CAMP FOR DISABLED/HANDICAPPED PERSONS : DLSA, Ambala organized a legal literacy camp for the handicapped persons on 01.10.2015. Disability certificates were issued on the spot and forms regarding pension schemes were filled with the assistance of Social Welfare Department.

SENIOR CITIZENS DAY: On 01.10.2015, to mark the Senior Citizens Day, legal literacy camps were organised by the District Legal Services Authorities, under the aegis of Haryana State Legal Services Authority, across the State of Haryana. Legal awareness camps were also organised in Old Age Homes and Senior Citizen Clubs to spread awareness about the various laws which have been enacted for the protection and welfare of Senior Citizens. Various provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 were explained in comprehensible language. The Haryana State Legal Services Authority has published a booklet on the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The copies of the said booklet were also distributed amongst the senior citizens.

LEGAL AWARENESS CAMPS THROUGH SWARAJ MAZDA VAN : Under the aegis of Haryana SLSA, Legal Awareness Camps were held by DLSA, Gurgaon from 01.10.2015 to 31.10.2015 in

the various villages of the District Gurgaon. The villagers were made aware of the various important laws. They were told about the Fundamental Duties as enshrined in the Constitution of India. The concept of legal services was explained to them. They were also made aware of the various functions of District Legal Services Authority. They were also made aware of the free legal aid helpline number. The idea behind holding of the Legal Awareness Camps through Swaraj Mazda Van was to reach out even to the remotest villages so that legal awareness is spread in every nook and corner.

SPECIAL LEGAL LITERACY CAMPS ON MAHATMA GANDHI JAYANTI : On 2-10-2015, the occasion of Mahatma Gandhi Jayanti, legal awareness camps were held in all the districts of Haryana by DLSA to spread awareness about social welfare legislations.

TRAINING PROGRAMME ON JUVENILE JUSTICE CARE FOR PANEL ADVOCATES : On 06.10.2015, DLSA, Gurgaon in association with Lawyers Collective organized a programme for panel Advocates on the JJ Act. In the said programme, important provisions with regard to juvenile in conflict with law and children in need for care and protection were discussed and explained to the participants. Important judgements were also discussed.

LEGAL LITERACY CAMPS ON WORLD MENTAL HEALTH DAY : On 10.10.2015, on World Mental Health Day, legal literacy camps were organised across the State of Haryana by the DLSAs. Lectures were given to create awareness about the various laws providing benefit to the mentally ill persons.

LEGAL LITERACY CAMP AT MANSI DEVI NAVRATRA MELA/FAIR : DLSA, Panchkula organized legal awareness camp from 13.10.2015 to 21.10.2015 at Mansi Devi Navratra Mela/Fair. Pamphlets and booklets published by Haryana SLSA were also distributed amongst the masses to spread legal awareness. Panel lawyers and PLVs were deputed in the said legal awareness camp to impart legal services to the visitors. Hon'ble Mr. Justice Shiavax Jal Vazifdar, Acting Chief Justice, High Court of Punjab & Haryana and Patron-in-Chief, Haryana SLSA and Hon'ble Mr. Justice Satish Kumar Mittal, Judge, High Court of Punjab & Haryana and Executive Chairman, Haryana SLSA also visited the legal awareness stall at the said Mela

INAUGURATION OF ALTERNATIVE DISPUTE RESOLUTION CENTRES AT KARNAL AND KAITHAL : On 17.10.2015, Alternative Dispute Resolution Centres at Karnal and Kaithal were inaugurated. ADR Center at Karnal was inaugurated by Sh. Manhor Lal, Hon'ble Chief Minister, Haryana. The said occasion was also graced by Hon'ble Mr. Justice Satish Kumar Mittal, Executive Chairman, HALSA and Hon'ble Mr. Justice Rajesh Bindal, Administrative Judge Karnal. ADR center at Kaithal was inaugurated by Hon'ble Mr. Justice Satish Kumar Mittal, Executive Chairman, HALSA. Hon'ble Mrs. Justice Rekha Mittal, Administrative Judge, Kaithal was also present at the inauguration. The construction of both the centres was completed within a record time under the monitoring and guidance of Hon'ble Mr Justice Satish Kumar Mittal. Hon'ble Mr. Justice Satish Kumar addressed the gathering consisting of Judicial Officers, Panel Advocates and Para-Legal Volunteers. His Lordship elaborated the concept of "Access to Justice for all". His Lordship also emphasized the need to strengthen alternative dispute resolution mechanism.

INTER SCHOOL PAINTING COMPETITION UNDER JIGYASA-2015 : DLSA, Ambala held 'Jigyasa-2015- a legal literacy fest'. Various events were held under this programme. On 24.10.2015, an 'Inter School Painting Competition' under Jigyasa-2015 was held in the Police Line Ground, Ambala City. 208 students from 26 schools participated in the said competition. Painting Competition was held on the following socio-legal topics:

1 .Female Foeticide. 2. Ragging, 3.Duties towards Senior Citizens. 4.Environment, 5.Rights of Women

NATIONAL LEGAL SERVICES DAY OBSERVED : 9th November, 2015 was celebrated as National legal services day. Various legal literacy camps and programmes in schools and colleges were organized by the DLSAs. Through these seminars, not only students were made aware of their legal rights and duties but also the common and rustic people, residing in villages, were enlightened about their rights and duties and the various schemes formulated for their benefit by the Government. Various activities like slogan writing, on the spot painting, poem recitation, declamation, essay writings etc. were organized in many Districts

in schools and colleges on various socio legal topics, in which the students participated with full enthusiasm.

LEGAL LITERACY CAMPS ON THE OCCASION OF CHILDREN'S DAY : On 14.11.2015, the occasion of Children's Day, legal literacy camps were organised across the State of Haryana. In the said camps, awareness was spread about the various laws meant for the protection and welfare of children such as the Prohibition of Child Marriage Act, The Right of Children to Free and Compulsory Education Act etc.

LEGAL AWARENESS CAMPS THROUGH BOLERO VAN AT SONEPAT : Legal Literacy Camps were organised during the period of 16.11.2015 to 30.11.2015 in different villages of Sonapat. Lectures were delivered on topics like Fundamental Duties, Free Legal Service, Panchayati Raj Act, Mahatma Gandhi National Rural Employment Guarantee Act, Permanent Lok Adalat etc.

MEDIATION AWARENESS PROGRAMME : On 18.11.2015, Mediation Awareness Programme was organized for all the judicial officers posted at District Gurgaon. In the said programme, the role of referral judges was emphasized. Importance of resolving appropriate cases through mediation was also discussed. Important points of the judgment given by the Hon'ble Supreme Court in the case of Afcons Infrastructure Limited and another Vs. Cherian Varkey Construction Company Private Limited and other were discussed.

LEGAL LITERACY CAMP AT KAPAL MOCHAN MELA : DLSA, Yamunanagar organized legal literacy camp at Kapal Mochan Mela from 21.11.2015 to 25.11.2015. Panel lawyers were deputed to render free legal services at the said camp

SPECIAL LEGAL LITERACY CAMP ON CONSTITUTION DAY : To apprise children about the importance of the Constitution of India, DLSA, Jhajjar organised special legal literacy camp on 26.11.2015 at Govt. Polytechnic College Jhajjar. The importance of Fundamental Duties, as enshrined in the Constitution of India, was also explained to the students.

ADVOCATES TRAINING PROGRAMME : Training programme was organized for the Panel Lawyers of DLSA, Panchkula on 28th

& 29th November, 2015 to enhance the skills of the Panel Lawyers so that quality Legal Services are rendered by them to the weaker and marginalized sections of the society. Various methods of teaching were used in the said training programme such as lecture method, group discussion, quiz method etc.

AWARENESS THROUGH COMMUNITY RADIO : Haryana SLISA is spreading legal awareness through community radio. In the months of October and November, 2015 various legal awareness programmes were conducted through community radio stations. In the said programmes, various legal topics were covered such as Protection of women from Domestic Violence Act, law on bail, free legal aid, victim compensation scheme etc.

SPECIAL LEGAL LITERACY CAMPS ON THE OCCASION OF "WORLD DISABLED DAY" : On 03.12.2015, various programmes and legal awareness camps were held across Haryana to raise awareness about entitlement of disabled to free legal aid. The process of obtaining free legal aid was also explained in the said camps. It was emphasized in the camps that in 1996, the Persons with disabilities (equal opportunities, protection of rights and full participation) Act, 1995 was enacted. This Act spells out the responsibility of the State towards the prevention of disabilities, protection of rights, provision of medical care, education, training, employment and rehabilitation of persons with disabilities. People were made aware of National Trusts Act, the Rehabilitation Council of India Act and the Mental Health Act 1987.

LEGAL AWARENESS CAMP AT SCHOOL : On 4.12.2016, a legal literacy camp was organized in Govt. Sr. Sec... School Fatehabad. The students were made aware of the concept of free legal aid. They were also sensitized about the need to perform Fundamental Duties as mentioned in the constitution of India.

WORKSHOP ON POCSO ACT : DLSA, Panipat, in collaboration with Child Welfare Department, District Panipat, organized a workshop for the police functionaries on 08.12.2015 with an objective of apprising the police officials about the various provisions of POCSO Act. They were told about the various requirements which are to be observed while recording the statements of children and conducting investigation with regard

to the offences under the Protection of Children from Sexual Offences Act, 2012. It provided useful guidance to the police officials.

AWARENESS CAMPS ON HUMAN RIGHTS DAY : On 10.12.2015, awareness camps were organized by the District Legal Services Authorities to apprise citizens of the various human rights. In the said legal awareness camps, the Right to Life and Personal Liberty as granted by Article-21 of the Constitution of India was explained. It was also explained as to how the host of decisions of the Supreme Court on Article-21 of the Constitution have unfolded the true nature and scope of Article-21.

NATIONAL LOK ADALAT : Under the aegis of National Legal Services Authority, National Lok Adalat was organized in Haryana at all levels, including High Court, District Courts and Sub-Divisional Courts to expeditiously dispose off cases. A total of 3,65,481 cases were settled in the state of Haryana in the National Lok Adalat drive, which concluded on 12.12.2015. Pre-litigation matters were also entertained in the National Lok Adalat. A sum of Rs.1,04,48,46,602/- was awarded as compensation to the victims of motor accidents.

Special sittings of Magistrates were also organized to dispose off petty matters relating to Municipal laws, Shops and Establishment Act, Local Police Acts, Excise Act, prosecutions for violation of labour laws, traffic challan etc.

Efforts were also made to settle the cases in which Government Departments were a party.

SEMINAR ON 'EMPOWERING WOMEN TO LEAD CHANGES' : A seminar was organized on "Empowering Women to Lead Changes" on 15.12.2015 at Gurukul Kanya Mahavidyalaya Kharkoda, Sonapat. Ms. Kavita Kamboj, Chairman, Sub-Divisional Legal Services Committee, Kharkoda apprised the gathering about the various enactments related to women. She also explained the concept of Free Legal Services.

LEGAL LITERACY PROGRAMME : On 15.12.2015, legal literacy programme was conducted by District Legal Services Authority,

Jhajjar at St. Francisco School, Village Birdhana. In the said programme, CJM-cum-Secretary, DLSA, Jhajjar apprised the students about the various laws relating to children. They were sensitized about the law relating to child labour and child marriage.

LEGAL AWARENESS CAMPS DURING GITA JYANTI FESTIVAL AT KURUKSHETRA, KARNAL AND KAITHAL : Gita Jyanti festival was celebrated throughout the State of Haryana from 19.12.2015 to 21.12.2015. This festival is dedicated to the birth of Srimad Bhagvad Gita, the holy book of Hindus. The District Legal Services Authority, Kurukshetra set up the legal awareness stall in order to spread legal awareness amongst the masses. The legal awareness stall set up by District Legal Services Authority, Kurukshetra received tremendous response from the public.

DLSA, Karnal also set up the legal awareness stall during Gita Jayanti celebration with an objective to reach out to the maximum people to make them aware about the various functions and schemes run by DLSA. The legal awareness stall was manned by three Legal Aid Advocates, a Para Legal Volunteer and an official of DLSA, Karnal. Various books, pamphlets etc., were distributed amongst people. They were informed about the legal aid schemes etc. A large number of people including Sh. Manhor Lal, Hon'ble Chief Minister of Haryana visited the said stall.

District Legal Services Authority, Kaithal also set up the legal awareness stall from 19.12.2015 to 21.12.2015. It was manned by Panel Lawyers and PLVs.

"JIGYASA" 2015- 'A LEGAL LITERACY FEST' : District Legal Services Authority, Ambala held a legal literacy programme 'Jigyasa 2015' to sensitize the students about the various socio-legal issues and to instill in them the consciousness to perform the Fundamental Duties, as mentioned in the Constitution of India. The following eight competitions were held under the programme:-

1. Quiz - " Battle of Brains "
2. Cartoon Making Competition
3. Family Quiz "Knowledge of Legal aspects"

4. Skit Competition
5. Power Point Presentation Competition
6. Interschool Painting Competition
7. 'Legal Treasure Hunt" A knowledgeable fun game Competition.
8. Street Play/Nukkad Natak.

The competitions were organized on socio-legal topics. The programme concluded in the month of December, 2015. In the said legal literacy fest, about 700 students from 44 schools participated. More than 200 teachers including principals were involved in the programme.

On the concluding day of 'Jigyasa 2015', 102 students were awarded prizes and appreciation certificates in eight events. Through Jigyasa-2015, District Legal Services Authority, Ambala reached out to more than one lakh persons including about 25000 school students. The programme has achieved its object of creating awareness amongst the students about various laws and socio-legal issues.

(i) Lok Adalats : During the period from **1st October to 31st December, 2015**, District Legal Services Authorities and Sub-Divisional Legal Services Committees organized **171** Lok Adalats/ Special Lok Adalats/National Lok Adalats throughout the State wherein **5,76,953** cases were taken up out of which **3,72,245** cases were disposed of by amicable settlement between the parties and an amount of **23,49,06,700/-** was awarded as compensation to the claimants in **869** MACT cases.

(ii) Rural/Mobile Lok Adalats : During the period from **1st October to 31st December, 2015**, District Legal Services Authorities and Sub-Divisional Legal Services Committees under the guidance of Haryana State Legal Services Authority organized **33** Rural/Mobile Lok Adalats at village level for providing justice to the common man at his door step. In these Rural/Mobile Lok Adalats **825** cases pending in the courts as well as at pre-litigative

stage of the concerned village and adjoining villages were taken up, out of which **642** cases were settled.

(iii) Permanent Lok Adalats pertaining to Public Utility Services : During the period from **1st October to 31st December, 2015**, these Permanent Lok Adalats, Public Utility Services settled **15,086** cases out of **57,723** cases taken up therein.

(iv) Daily Lok Adalat : During the period from **1st October to 31st December, 2015**, District Legal Services Authorities and Sub-Divisional Legal Services Committees under the guidance of Haryana State Legal Services Authority organized **15,110** Daily Lok Adalats throughout the State wherein **63,441** cases were taken up out of which **48,041** cases were disposed of by amicable settlement between the parties and an amount of Rs. **14,74,98,274/-** was awarded as compensation to the claimants in **512** MACT cases.

(v) Mediation : During the period from **1st October to 31st December, 2015**, **3268** Cases were referred by Referral Judges to the Mediators for mediation and conciliation in the District Mediation and Conciliation Centres in the State of Haryana, out of which **539** cases were settled by the Mediators.

(vi) Legal Literacy/Legal Awareness Camps/Seminars: During the period from **1st October to 31st December, 2015**, **2374** Legal Literacy/Legal Awareness Camps were organized by various District Legal Services Authorities/Sub-Divisional Legal Services Committees in the State of Haryana with the help of Advocates, retired judicial/executive officers, social workers, law teachers and law students as resource persons and **24,96,708** persons were benefited by these Legal Literacy/Legal Awareness Camps.

(vii) Free Legal Aid : During the period from **1st October to 31st December, 2015**, **2,208** persons were provided with free legal services at Sub-Division level by Sub-Divisional Legal Services Committees, District Legal Services Authorities, Haryana State Legal Services Authority and High Court Legal Services Committee.

JHARKHAND

A Meeting of Stakeholders to develop a **Training Module for the Empanelled Lawyers & Legal Probation Officers** attached to Juvenile Justice System was organised by JHALSA on 12th October, 2015. The meeting was Chaired by **Hon'ble Mr. Justice D.N.Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA. The meeting was attended by Panel Lawyers, Legal Probation Officers, members of NGOs and other stakeholders of Juvenile Justice system. Sri A.V.Singh, Principal Judicial Commissioner & Chairman, DLSA, Ranchi, Sri Navneet Kumar, Member Secretary, JHALSA, Deputy Secretary, JHALSA and Secretary, DLSA, Ranchi were also present in the meeting. During the meeting various aspect of training module were discussed and different suggestions and views in this regard were presented by the participants. The meeting was a grand success. Pursuant to the meeting drafts "**Training Module for the Empanelled Lawyers & Legal Probation Officers**" was prepared and send to NALSA.

National Lok Adalat on Traffic, Petty matters and Municipal matters organised on 10th October, 2015: As per the direction of National Legal Services Authority a National Lok Adalat on Traffic, Petty matters and Municipal matters was organised throughout the State of Jharkhand on 10.10.2015. In the said National Lok Adalat large number of pre-litigation cases as well as pending cases have been disposed of as under:

NATIONAL LOK ADALAT HELD ON 10.10.2015 (for the cases relating to traffic, petty and municipal matters)					
Total Taken up cases		Total disposal cases		Total settlement amount	
69650		67232		54097267	
Pre-Litigation Cases			Pending Cases		
Cases Taken up	Cases Disposal	Settlement Amt.	Cases Taken up	Cases Disposal	Settlement Amt.
68682	66551	52974422	968	681	1122845

Best DLSA Award (Eastern Zone) to DLSA, Ranchi on Legal Services Day on 9th November, 2015 at New Delhi: On the occasion of Commendation Ceremony of Legal Services Authorities on 9th November, 2015 at New Delhi, District Legal Services Authority, Ranchi (Jharkhand) received a Best **DLSA Award (Eastern Zone)** out of the 6 states including Bihar, West Bengal, Orissa, Jharkhand, Chhatisgarh and Uttar Pradesh. The award was given by Hon'ble Prime Minister of India **Sri Narendra Modi** in the benign presence of **Hon'ble Mr. Justice T.S.Thakur**, Chief Justice of India and the then Executive Chairman, NALSA and **Hon'ble Mr. Justice Anil R. Dave**, Judge, Supreme Court of India & the then Chairman, Supreme Court Legal Services Committee.

1st 20 Hours Capsule Course on Mediation for Mediators on 29th November to 1st December, 2015 at Bokaro: Mediation and Conciliation Project Committee (MCPC), Supreme Court of India in association with **JHALSA** and DLSA, Bokaro organised "20 Hours Capsule Course on Mediation" on 29th November to 1st December, 2015 at Bokaro. Hon'ble **Mr. Justice D.N.Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA inaugurated the programme as Chief Guest. In the said training programme as many as 29 Advocate Mediators from across 11 districts of Jharkhand were apprised with tools and techniques of Mediation during the 20 Hours Capsule Course spread over three days.

2nd 20 Hours Capsule Course on Mediation for Mediators on 19th - 21st December, 2015 at Nyaya Sadan, Ranchi: The MCPC, Supreme Court of India in association with JHALSA organised "20 Hours Capsule Course on Mediation" on 19th to 21st December, 2015 at Nyaya Sadan, Ranchi. Hon'ble **Mr. Justice D.N.Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA inaugurated the programme as Chief Guest. In the said training programme altogether 29 accredited Advocate Mediators who have completed more than 50 successful mediations from Ranchi, Jamshedpur, Hazaribag, Garhwa, Deoghar, Sahibganj and Jamtara participated in mediation training from the expert Trainers of MCPC from 19th to 21st of December, 2015. In the inaugural session **Hon'ble Mr. Justice D.N.Patel** had emphasised that mediation is the most useful tool of ADR mechanism through

which the people will resolve their disputes without any delay and on no cost. Hon'ble Mr. Justice D. N. Patel further stated that in Jharkhand, the success rate of mediation was 45% during the year 2015 whereas His Lordship has expressed his desire to enhance the success rate of mediation from 45% to 60%.

Annual National Lok Adalat organised on 12th December, 2015:
Annual National Lok Adalat was organized throughout the State of Jharkhand on 12-12-15. The National Lok Adalat was inaugurated by **Hon'ble Mr. Justice Virender Singh**, Chief Justice, High Court of Jharkhand in the benign presence of **Mr. Justice (Retd) Prakash Tatia**, Former CJ, Jharkhand High Court, **Hon'ble Mr. Justice DN Patel**, Executive Chairman, JHALSA, **Hon'ble Mr. Justice R.R Prasad**, Chairman, HCLSC and other Hon'ble Judges of Jharkhand High Court. In the said National Lok Adalat large number of pre-litigation cases as well as pending cases has been disposed of as under. Apart from that altogether 176 persons were given employment in CCL, ECL and BCCL as per their cases pending either before the Hon'ble Court or before the Department Concerned for appointment on

DISPOSAL IN NATIONAL LOK ADALAT

Pre Litigation	Post Litigation	Total	Amount Settled	Other Legal Services
140434	12506	152940	2461902675	1652393

Release of Standard Operating Procedure (SOP) & Training Module for NALSA 7 Schemes on 12th December, 2015:
 JHALSA has prepared a Standard Operating Procedure (SOP) & Training Module for NALSA 7 Schemes for its effective implementation across the state. The said SOP & Training Module for NALSA 7 Schemes was released by **Hon'ble Mr. Justice Virender Singh**, Chief Justice, High Court of Jharkhand, **Hon'ble Mr. Justice DN Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA, **Hon'ble Mr. Justice R.R Prasad**, Chairman, HCLSC in the benign presence of other Hon'ble Judges of Jharkhand High Court. The programme was also attended by Sri A.V.Singh, Principal Judicial Commissioner-cum-Chairman,

DLSA, Ranchi, Sri Navneet Kumar, Member Secretary, JHALSA, Judicial Officers of Civil Courts, Ranchi, Advocate, Panel Lawyers and PLVs.

Two Days Training Programme and Release of Pamphlets on NALSA 7 Schemes on 18th-19th December, 2015: Jharkhand State Legal Services Authority in association with DLSA, Ranchi organised two days training for the team constituted by DLSA, Ranchi for spreading awareness and effective implementation of NALSA's Scheme at ground level. Hon'ble **Mr. Justice D.N.Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA inaugurated the programme as Chief Guest. In the said programme other distinguished guests Sri A.V.Singh, Principal Judicial Commissioner-cum-Chairman, DLSA, Ranchi, Ms. Sampat Meena, I.G. (CID), Sri Ashok Bhagat, Secretary, Vikash Bharti, Ms. Mahua Manji, Chairman, State Women Commission, Jharkhand, along with Sri Navneet Kumar, Member Secretary, JHALSA were also present. On the occasion, pamphlets on 7 Schemes of NALSA were also released.

**Statistical Details of Legal Aid Programmes Organized
in the State of Jharkhand
During the Month of October, 2015 to December, 2015**

Cases Settled through Mediation:

Month	Cases Received	Cases Settled	Cases Unsettled	Success %
October to December, 2015	1675	380	485	44 % (Approx)

National Lok Adalat:

Month	No. of National Lok Adalat held	No. of Cases Disposed of	Amount Settled (in Rs.)
October to December, 2015	02	220199	2516009942

Jail Adalat:

Month	No. of Jail Adalat held	No. of Cases Disposed of	No. of Undertrial Prisoners released/Benefitted
October to December, 2015	61	92	91

Mobile Lok Adalat & Awareness Camp:

Month	No. of Mobile Lok Adalat held	Cases Taken up	No. of Cases Disposed of	No. of Mobile Awareness Camp organised	No. of persons Benefitted
October to December, 2015	46	2130	2130	46	5187

Legal Awareness Camps:

Month	No. of Legal Awareness Camps organised	No. of persons Benefitted
October to December, 2015	634	105225 (approx)

KARNATAKA

Karnataka State Legal Services Authority had adopted the theme "Water for life- Save every drop of it" as the project of the year 2015-16. Karnataka SLSA in association with Urban Development and Municipal Administration organized a One Day Workshop on project of the year "Water for life- Save every drop of it" on 21st November 2015. The programme was inaugurated by Hon'ble Sri Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, Karnataka SLSA. The said programme was presided over by Sri K.J.George, Hon'ble Minister for the Development of Bengaluru and Town Planning, Sri Vinay kumar Sorake, Hon'ble Minister for Urban Development, Sri G.C.Chandrashekar, Chairman, Karnataka Urban Water Supply and Sewage Board were the Chief Guests and Sri T.M.Vijayabhaskar , I.A.S,

Chairman, Bengaluru Water Supply and Sewage Board, Sri D.Sathyamurthy, I.A.S, Additional Chief Secretary Urban Development were the Guests of Honour , Sri G. Kumar Nayaka, I.A.S, Commissioner, B.B.M.P, Sri T.K.Anil Kumar, I.A.S, Secretary, Urban Development were the Guests of Honour. Hon'ble Sri Justice N.K. Patil spoke about the modalities for effective implementation of the project of the year. The KSLSA has also issued guidelines / directions to the Chairmen and Member Secretaries of all the District Legal Services Authorities and Taluka Legal Service Committees to implement the project by forming a committee vide the activities of the month which is given in the calender. The project of the year is implemented by all DLSA and TLSC in the State to create awareness in all villages for the conservation of water resources like Lakes, Ponds, and Reservoirs, and to maintain the hygienic conditions. Several Literacy Programmes were held in co-ordination with State pollution Control Board and other Stake Holders in schools to create awareness about the importance of water and the effects of water pollution, water borne diseases etc.

NATIONAL LOK ADALAT: The Karnataka SLSA organized National Lok Adalat sittings from 01-11-2015 to 12-12-2015 in all the Courts of the State. In order to ensure that the Lok Adalats should be held strictly as per the guidelines of NALSA and for its success, all the legal services institutions in the State were suitably guided and were directed to give wide publicity through local TV channels, Radio, Newspapers, Legal Literacy Chariots and by displaying banners in all the prominent places. The KSLSA prepared banners and supplied to all the DLSAs and TLSCs in the State. The National Lok Adalat was organized on 12-12-2015 in the State. Hon'ble Sri Justice V. Gopala Gowda, Judge, Supreme Court of India inaugurated the National Lok Adalat in the State. Hon'ble Sri Justice Subhro Kamal Mukherjee, Patron-in-Chief, KSLSA presided over the inaugural function. Hon'ble Sri Justice N.K.Patil, Executive Chairman, KSLSA gave introductory address and briefed about the activities of the KSLSA. His lordship also highlighted that ever since from 01-11-2015, the National Lok Adalat is in progress in the State and appreciated the efforts put by all the Judicial Officers for settlement of pending and pre-litigation cases. His lordship also highlighted that apart from the lok adalat sittings in all the Courts in the State, 12 lok adakat

124 / NYAYA DEEP

benches have been constituted for settlement of cases in the Principal Bench, High Court of Karnataka and 03 lok adalat benches at Dharwad Bench. Hon'ble Mr. Justice V. Gopala Gowda, Judge, Supreme Court of India in his lordships inaugural address congratulated Hon'ble Mr. Justice N.K. Patil, Judge, High Court Karnataka and Executive Chairman, KSLSA for undertaking various activities to reach out to the common people. His lordship narrated the incidents relating to the problems faced by villagers and the remedial measures adopted by KSLSA in addressing those problems. His lordship also highlighted the contribution of KSLSA in implementing the project on "Eradication of malnutrition and bringing back the children to the school" and opined that the large number of malnourished children have been benefited and umpteen number of children's were rolled back to the schools due to the herculean efforts put by the Hon'ble Executive Chairman, KSLSA and the team of officers. His lordship also appreciated the settlement of large number of pending cases in the Monthly National Lok Adalat as well as the National Lok Adalat impacted the total pendency in the State. Hon'ble Sri Justice Subhro Kamal Mukherjee, Acting Chief Justice and Patron-in-Chief, KSLSA in lordship's presidential address highlighted that all the legal services institutions in the State are discharging their duties in accordance with the guidelines framed by the National Legal Services Authority. His lordship also appreciated that the Lok Adalat sittings are being organized regularly at all levels in the State which has impacted the pendency of cases in the State. Chairman, Karnataka State Bar Council and Sri H.C. Shivaramu, President, Advocate Association, Bengaluru were the guests of honour in the inaugural function.

Karnataka SLSA in association with DLSA, Bengaluru Urban district and Department of Transport, Government of Karnataka organized "Transport Adalat" on 09-12-2015 at BDA Commercial Complex, Indiranagar, Bengaluru. Sri Ashok G.Nijagannavar, Member Secretary, KSLSA inaugurated the Transport Adalat.

TREE PLANTATION PROGRAMMES : Karnataka SLSA, DLSA, Bengaluru Urban and Department of Horticulture, Government of Karnataka jointly organized planting programme on 2.10.2015 on the eve of Gandhi Jayanthi at the Historical Lal Bagh, Bengaluru. Hon'ble Mr. Justice N.K. Patil, Judge, High Court of

Karnataka and Executive Chairman, KSLSA, inaugurated the programme by planting a sapling. Hon'ble Mr. Justice H. Billappa, Hon'ble Mr. Justice S.N. Sathyanaranaya, Hon'ble Mr. Justice Aravind Kumar and Hon'ble Mr. Justice R.B. Budihal, Judges High Court of Karnataka, Judicial Officers working in Bengaluru City, Sri Y.N. Yallappa Reddy, Environmentalist, the Officers of Department of Horticulture and general public participated in the programme.

Karnataka SLSA, DLSA, Bengaluru Rural District and Alliance University jointly organized planting programme on 11.10.2015. Hon'ble Mr. Justice N.K. Patil, Judge, High Court of Karnataka and Executive Chairman, KSLSA, inaugurated the programme by planting a sapling. Sri K.M. Nataraj, Additional Solicitor General, Sri Ashok G. Nijagannavar, Member Secretary, KSLSA, Sri S.R. Somashekar, Chairman, DLSA, Bengaluru Rural District, Sri Mustafa Hussain S.A. Special Officer, KSLSA, Sri H.C. Shivaramu, President, Advocates Association, Bengaluru were the guests of honour. Sri Madhukar Angur, Chancellor, Alliance University presided over the programme.

DLSA, Bengaluru Rural district in association with Department of Health and Family Welfare, Karnataka State Mental Health Authority, District Administration, Zilla Panchayath and Jawahar Navodaya Education Institution, Bengaluru Rural district organized district level workshop on "Mental Health" on 17-10-2015. Hon'ble Sri Justice N.Kumar, Judge, High Court of Karnataka inaugurated the workshop. Sri S.R.Somashekar, Chairman, Bengaluru Rural District presided over the workshop. Sri Atul kumar Tiwari, Chairman, Karnataka State Mental Health Authority was the guest of honour. More than 1500 number of persons participated in the workshop.

DLSA, Davangere in association with District administration, Zilla Panchayat, District Health Centre, Department of Public Instructions, Karnataka State Women Development Corporation, Bengaluru, Advocate's Association and District Devadasi Rehabilitation Centre, Davanagere organized legal literacy workshop for Devadasis on 04-10-2015. Hon'ble Sri Justice L.Narayana Swamy, Judge, High Court of Karnataka and Chairman, High Court Legal Services Committee, Bengaluru

inaugurated the workshop. Hon'ble Sri Justice N.K. Patil, Judge, High Court of Karnataka and Executive Chairman, Karnataka State Legal Services Authority, Bengaluru presided over the workshop and stressed for the need of rehabilitating the devadasis and bringing them to the main stream. Smt. M. Sreedevi, Chairperson, DLSA, Davanagere, the officers from different departments and president of Advocate's Association were the guest of honour. More than 1000 devasis and others participated in the program.

SENIOR CITIZENS DAY : DLSA Mysuru District, Services Authority, District Administration, Zilla Panchayath, Department of Women and Child Development, Department of Disability and Senior Citizens, JSS Senior Citizen Helpline Centre and District Senior Citizens Services Centre, Mysuru jointly organized "World Senior Citizens Day" program on 01-10-2015 in the premises of JSS hospital, Mysuru. Sri V. Srinivasprasad, Hon'ble Minister for Revenue, Government of Karnataka inaugurated the program. Sri R.Lingappa, Hon'ble Mayor, Mysuru City Corporation presided over the program.

DLSA Kodagu (Madikeri) District, Zilla Panchayath, Departments of Women and Child, Disability and Senior Citizens, Madikeri jointly organized "World Senior Citizens Day" program on 01-10-2015 in Child Welfare Institute, Madikeri.

DLSA Haveri District, Advocate's Association, District Administration, Zilla Panchayath, Department of Women and Child Development, Department of Disability and Senior Citizens, Self Help Groups and Retired Government Employees Association, Haveri jointly organized "World Senior Citizens Day" program on 01-10-2015.

DLSA Chickballapura District, Advocate's Association, Department of Disability and Senior Citizens Welfare, Chickballapura jointly organized legal awareness program on 01-10-2015 on the eve of "Senior Citizens Day".

MEDIATION PROGRAMMES : DLSA Mysuru District, Advocate's Association and Central Prison, Mysuru jointly organized "Mediation and Conciliation" workshop on the eve of Gandhi Jayanthi on 02-10-2015.

DLSA Mangaluru District, Advocate's Association and Beasent Women College, Mangaluru jointly organized program on "Mediation and Conciliation" on 02-10-2015 on the eve of Gandhi Jayanthi in the Beasent Women College premises. About 200 students participated in the program.

DLSA Karwar District and Advocate's Association, Karwar jointly organized program on "Mediation and Conciliation" for para legal volunteers on 02-10-2015 on the eve of Gandhi Jayanthi. The advocates and litigants participated in the program.

DLSA Dharwad District, District Mediation Centre, Advocate's Association and Department of Information and Publicity jointly organized program on "Mediation and Conciliation" on 02-10-2015 on the eve of Gandhi Jayanthi.

WORLD MENTAL HEALTH DAY :DLSA Dakshina Kannada (Mangaluru) District in association with Health and Family Welfare department and Government District Venlok Hospital organized mental health awareness program on the eve of "World Mental Health Day" on 10-10-2015 in the premises of RAPCC, Venlok hospital. Smt. N.V.Bhavani, IV Addl. District Judge inaugurated the program. Dr. H.R.Rajeshwari Devi, Medical Officer, Venlok hospital, Mangaluru presided over the program.

DLSA Dharwad District in coordination with DIMHANS, Advocates Association, Indian Psychiatrists Association, Department of Health and Family Welfare and Information and Broadcasting organized awareness program on mental health on 10-10-2015 on the eve of "World Mental Health Day". Sri V.Sreeshananda, Chairman, DLSA, Dharwad inaugurated the program which was presided over by Dr. B.N.Raveesh, Director, DIMHANS.

LEGAL LITERACY PROGRAMMES: DLSA Mysuru District and Canara Bank, Mysuru jointly organized legal literacy program about 'Corruption control week' on 30-10-2015 at Circle Office, Canara Bank. Sri D.Vijayakumar, Assistant General Manager, Canara Bank presided over the program. Sri C.Srikrishnabhat was the guest of honour. Sri Dinesh Hegde, Member Secretary, DLSA, Mysuru spoke on the subject.

DLSA Dharwad District and Karnataka Arts College, BSW Section, Dharwad jointly organized legal literacy program on 9-10-2015 at Lokur Grama panchayath premises. Sri V.Sreeshananda, Chairman, DLSA, Dharwad inaugurated the program which was presided by Dr. S.S.Kattimani, Principal, Karnataka Arts College, Dharwad.

DLSA Gadag District, Distict Administration, Departments of Women and Child Development, Disability and Senior Citizens, Advocates Association and Senior Citizens Association jointly organized legal literacy program on various dates.

DLSA Haveri District, Advocates Association, NSS, Gadag and SJM Pre University College and Sri Hosmutt, Haveri jointly organized legal literacy program on 31-10-2015 at Karimathihalli village.

NATIONAL LEGAL SERVICES DAY :DLSA Bengaluru Rural District and BMS Law College, Bengaluru jointly organized “National Legal Services Day” on 9-11-2015 in the premises of BMS law college. Sri S.R.Somashekar, Chairman, DLSA, Bengaluru Rural district inaugurated the program which was presided by Dr. V.B.Kutino, Vice Chancellor, Kalaburagi University. BMS law college students participated in the said program.

DLSA Udupi District, Advocates Association and Government PU College jointly organized “National Legal Services Day” on 9-11-2015 in the premises of Government PU College, Udupi. Smt. Nagajyothi, Member Secretary, DLSA, Udupi district inaugurated the program which was presided by Sri Ramesh, Principal, Government PU College, Udupi. Sri Dayanand .K, President, Advocates Association, Udupi was the guest of honour. Sri Shirtadi Villiam Pinto, Senior Advocate was the resource person spoke on law and society. Smt. Anuradha, Lecturer, Government PU college delivered welcome address and Smt. Gracy, Lecturer, Government PU college proposed vote of thanks, the teaching and non-teaching faculty and more than 150 students participated in the program.

DLSA Chickballapura District and Advocates Association jointly observed "National Legal Services Day" on 9-11-2015 in the Advocates Association, Chickballapur. Sri A.S.Bellunke, Chairman, DLSA, Chickballapur inaugurated the program by lighting the lamp which was presided by Sri Prakash, President, Advocates Association, Chickballapura. Judicial Officers and advocates participated in the program.

DLSA Tumakuru District, District Consumer Centre and Advocates Association jointly observed "National Legal Services Day" on 9-11-2015 in the meeting hall, Zilla Panchayath building, Tumakuru. Sri S.P.Muddahanumegowda, Member of Parliament, Tumakuru inaugurated the program by lighting the lamp. Dr. Rafiq Ahmed, MLA, Tumakuru, Sri Siddalinga Prabhu, Member Secretary, DLSA, Tumakuru, Mayor, Corporators, Sri Niranjana, Senior Advocate and Smt. Mamatha, Chief Executive Officer, Zilla Panchayath, Tumakuru participated in the program which was presided by Sri Y.H.Huchhaiah, President, Zilla Panchayath, Tumakuru. More than 150 members participated in the program.

DLSA Mangaluru District, Sri Dharmastala Law College, Legal Aid Cell and Moot Court Society, Mangaluru jointly observed "National Legal Services Day" on 9-11-2015 in the SDM law college premises, Mangaluru. Sri Ganesh .B, Member Secretary, DLSA, Mangaluru inaugurated the program and spoke on the importance of legal services day. Prof. Udaya kumar M. Vice Principal, SDM law college, Mangaluru presided over the program and spoke about the alternate dispute resolution mechanism. Smt. Susheela Sarathi, Senior Advocate, Sri Chidanand Kedilaya and Sri Vivekananda Paniyal were the resource persons. Dr. Taranath, Principal, SDM law college, Dr. Balika and Sri Maheshchandra Nayak were present in the program.

DLSA Uttara Kannada (Karwar) District, Advocates Association and Divekar PU College jointly observed "National Legal Services Day" on 9-11-2015 in Divekar Commerce College, Karwar. Sri Mohammed Ashraf Aris, Member Secretary, DLSA, Karwar inaugurated the program by lighting the lamp and spoke about the aims and objectives of Legal Services Act 1987. Sri R.V.Bhat, advocate spoke about the POCSO Act and Criminal justice system. Sri Devendra Pandit, Civil Judge, Karwar was the guest of honour.

Sri L.M.Prabhu, President, Sri V.M. Kuwalekar, Secretary, Advocates Association were the guests. Dr M.H.Nayak, Principal, Divekar Commerce College presided over the program. Smt. Roopa Bandekar, Principal, PU College delivered welcome address. Smt. Anusha Waingankar proposed vote of thanks. More than 500 students participated in the program.

DLSA Vijayapura District and Advocates Association, Vijayapura jointly observed "National Legal Services Day" on 9-11-2015 in the Advocates Association building. Sri Somaraju, Chairman, DLSA, Vijayapura presided over the program. Sri Sadashiv Sultanpuri, Presiding Officer, Family Court was the guest of honour and spoke about the aims and objects of Legal Services Act of 1987. Sri Muttapathi and Sri Lahori advocates also spoke on the occasion as resource persons. Sri G.V.Kulur, President, Advocates Association was present. Sri Abhay D.Chougala, Member Secretary, DLSA, Vijayapura proposed vote of thanks. More than 200 persons participated in the program.

LAW/CONSTITUTION DAY PROGRAMMES : DLSA Bengaluru Urban District, Karnataka State Legal Services Authority, Bengaluru, District Legal Services Authority, Bengaluru Urban and Sri Jagadguru Renukacharya Education Society, Bengaluru jointly organized legal awareness workshop on the eve of "Law Day" on 26-11-2015. Hon'ble Sri Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, Karnataka State Legal Services Authority inaugurated the workshop. Sri K.Somashekar, Chairman, DLSA, Bengaluru Urban district, Sri Ashok G. Nijagannavar, Member Secretary, KSLSA, Sri S.R.Somashekhar, Chairman, DLSA, Bengaluru Rural district, Sri Mustafa Hussain S.A, Special Officer, KSLSA were the guests of honour. Sri S.Udayashankar, President, Sri Jagadguru Renukacharya Education Society, Bengaluru presided over the workshop. Prof. B.S.Reddy, Registrar, Evaluation, KSLU, Hubli was the resource person. Sri K.L.Ashok, Deputy Secretary, KSLSA and Sri M.Ramesh, Member Secretary, DLSA, Bengaluru Rural district were present. More than 600 students participated in the workshop.

DLSA Dakshina Kannada (Mangaluru) in coordination with Advocates Association jointly organized "Law Day" on 26-11-

2015 in the Court premises. Hon'ble Dr. Justice Nadoja S.R.Nayak, Chairman, Karnataka State Law Commission, Bengaluru inaugurated the program. Smt. Uma M.G, Chairperson, DLSA, Mangaluru presided over the program. Sri S.P.Changappa, President, Advocates Association spoke on the occasion.

DLSA Tumakuru District in coordination with Sufiya Law College jointly organized "Law Day" on 26-11-2015 in the college premises.

DLSA Uttara Karnataka (Karwar) District, Advocates Association and Kendriya Vidyalaya jointly observed "Law Day" on 26-11-2015 in the Seabird Newalbase Kendriya Vidyalaya, Karwar.

DLSA Vijayapura District and Siddeshwara Law College jointly observed "Law Day" on 26-11-2015 in Siddeshwara Law College, Vijayapura. Sri Somaraju, Chairman, DLSA, Vijayapura inaugurated the program. More than 200 law students participated in the program.

DLSA Turuvekere District and Advocates Association, Turuvekere jointly organized "Law Day" on 26-11-2015 in the Court premises. More than 90 persons participated in the program.

LEGAL AWARENESS AND LEGAL AID PROGRAMMES

:Karnataka SLSA, DLSAs of Bengaluru Urban and Rural districts and Sahaya, Single Window, Vijaya Mahila Sangha, Swathi Mahila Sangha, Jyothi Mahila Sangha, Samara. Payana, Centre for Advocacy and Research Centre, Swasthi, Bengaluru jointly organized legal awareness workshop for para legal volunteers on the eve of "World Aids Day" on 01-12-2015. Hon'ble Sri Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, Karnataka State Legal Services Authority, Bengaluru inaugurated the workshop. More than 300 women and para legal volunteers were participated in the workshop.

Karnataka SLSA, DLSAs of Bengaluru Urban and Rural districts and Bishop Cotton Women Christian Law College, Bengaluru jointly organized legal awareness workshop on the eve of "Human Rights Day" on 10-12-2015. Hon'ble Sri Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, Karnataka

SLSA inaugurated the workshop. About 300 students participated in the workshop.

DLSA, Bengaluru Urban District, Women and Child Development Department, Government Ramnarayan Chellaram Commerce and Management College, Bengaluru jointly organized “Legal Awareness Program” on Domestic Violence Act 2005 for students on 25-11-2015. About 600 students participated in the workshop.

Karnataka SLSA and DLSA, Mysuru district opened ‘Dasara Exhibition DLSA Stall’ in Doddakere field, Mysuru on 20-10-2015 which was inaugurated by Smt. K.S.Mudagal, Chairperson, DLSA, Mysuru.

DLSA, Bengaluru Urban district and BBMP jointly organized “Legal Awareness Program” on 07-11-2015 in the BBMP Composite PU College, Padarayanapura, Bengaluru. About 400 students participated in the program.

DLSA, Kalaburagi observed legal aid and awareness program on the eve of “Children’s Day” on 17-11-2015 in the Aradhana English High School. More than 200 persons participated in the program.

On 8-10-2015 a legal awareness program was arranged in District Child Welfare Institute to the District Level Officers from Child Rights, Juvenile Justice Act 2010, POCSO Act 2012 and the Child Law, which was inaugurated by Sri RKGMM Mahaswamiji, Chairman, DLSA, Kodagu and Sri Mir Anees Ahmed, Deputy Commissioner, Kodagu district presided over the program.

DLSA, Bengaluru Urban district, District Administration, Zilla Panchayath and Department of Health and Family Welfare, Bengaluru Urban district jointly organized “PC & PNDT Act” and “Beti Bachao Beti Padao” Chamarajapet, Bengaluru on 30-12-2015. About 300 persons participated in the program.

Karnataka State Legal Services Authority with its four Legal Literacy Chariots has conducted **837** Legal Literacy Programmes (from October 2015 to December 2015) in 10 Districts and 71 Talukas across its Town and Gram Panchayaths by benefitting around **61,694** persons.

**CHART SHOWING THE NUMBER OF LEGAL LITERACY
PROGRAMMES CONDUCTED IN DIFFERENT DISTRICTS
THROUGH LEGAL LITERACY CHARIOTS DURING OCTOBER -
DECEMBER 2015**

Sl.No	Bus Number	Date	Name of the District/Talukas	No. of programs conducted in Towns/Villages and Schools	No. of Beneficiaris
1	KA-06-G-918 (Mini Bus)	15-10-2015 to 30-11-2015	Mysore DLSA and 7 TLSCs	96	7200
2	KA-06-G-918 (Mini Bus)	01-12-2015 to 13-01-2015	Bengaluru Rural DLSA and 5 TLSCs	93	6510
3	KA-25-G-945	05-10-2015 to 19-10-2015	Koppal DLSA and 4 TLSCs	36	2808
4	KA-25-G-945	19-10-2015 to 12-11-2015	Bellary DLSA and 7 TLSCs	63	4662
5	KA-25-G-945	20-11-2015 to 07-12-2015	Davanagere DLSA and 6 TLSCs	54	4266
6	KA-25-G-945	14-12-2015 to 06-01-2016	Chitraduraga DLSA and 6 TLSCs	72	5112
7	KA-01-G-5544	19-10-2015 to 14-11-2015	Vijayapur DLSA and 3 TLSCs	60	4500
8	KA-01-G-5544	16-11-2015 to 02-01-2016	Belgaum DLSA and 12 TLSCs	144	10,512
9	KA-25-G-954 (Mini Bus)	22-09-2015 to 31-10-2015	Karwar DLSA and 11 TLSCs	99	7524
10	KA-25-G-954 (Mini Bus)	07-11-2015 to 19-12-2015	Tumkur DLSA and 10 TLSCs	120	8640
Total	Four vehicles	295 Days	10 DLSA and 71 TLSCs	837	61,694

In addition to the Legal Literacy Chariot Programmes about 1468 Legal Literacy camps /workshops were conducted during October 2015 to December 2015 in which 2,58,539 beneficiaries were empowered on various aspects of Law. List of some Legal Literacy Programmes conducted all over the State are attached.

KERALA

The significant activity undertaken by Taluk Legal Services Committee, Changanacherry under DLSA Kottayam is the implementation of the project “**Total Eradication of Legal Illiteracy Mission in Changanacherry Taluk**”. It is a project to empower all people including the poor and the marginalized with basic practical legal knowledge, so as to ensure that opportunities for securing justice are not denied to any individual in the District, by reason of ignorance of law or of their rights and to empower them to become a responsive citizen of our country.

The project, which was conceived by the Taluk Legal Services Committee, Changanacherry, named ‘TELIMC’ has been launched on 04-08-2015 in the Changanacherry Municipality as a pilot project. The project which was implemented in 4 stages has the following salient features:-

Stage No.1 - Legal Literacy

- Reached out to every family in the 37 wards of Changanacherry municipality.
- Supplied legal literature pamphlets - with the aid of National Services Scheme volunteers/Residents Associations/ MSW Students.
- Constituted 15 member committee for each ward.
- The lawyers of Changanacherry Bar Association conducted legal literacy classes without any remuneration, what so ever - 20 lawyers participated.
- Around 18,000 (Eighteen Thousand) persons attended the classes, which is documented by attendance registers.
- Exams were conducted based on literacy classes.
- More than 18,000 (Eighteen Thousand) persons attended exams.
- Those who secured less than 60% marks were subjected to further training.

- Exams were conducted again for them.
- Accordingly around 20,000 (Twenty Thousand) persons have actually participated in the legal literacy programme.
- The whole municipality is declared to be legally literate.

Stage No.2 - Counselling

- Since familial issues were destabilizing the social fabric, conscious efforts were made to identify the family problems.
- Pamphlets were supplied to each and every family calling for data including the question as to whether there is any issue in the family.
- The family was only required to indicate 'yes' or 'no', together with a request to supply their phone number.
- In those families where there existed a problem, legally trained counsellors (73) contacted them, discussed and identified their problem.
- Necessary counseling was given totally free of cost.

Stage No.3 - Adalats

- In respect of those issues which were identified and also after ensuring that these issues are not subject matter of any pending case in the courts, Lok Adalats were conducted.
- Out of 49 cases, 35 cases were settled.

Stage No.4

- In this stage, people were sensitized on the need for bio-farming, as also, waste management at source. Classes were conducted on these subjects in all the 37 wards.
- The Scheme contemplates to issue 20 waste management units in each ward to identify 20 families.

- The waste managed through this mechanism is to be utilized for promoting bio-farming.

Other Major Highlights

- The Mission is presumably the first of its kind in India. One entire Municipality has become legally literate.
 - The Mission emphasises on empowering and strengthening family ties and bondage.
 - The present achievement is the result of 2½ months of continuous efforts of the TLSC and the Bar Association on a day-to-day basis.
 - Without any serious financial costing to the Taluk Legal Services Committee except to the tune of Rs.1.5 lakhs.
 - The said mission to achieve 100% legal literacy in Changanacherry Municipality was successfully completed. **The Hon'ble Governor of Kerala Justice P.Sathasivam declared Changanacherry as 'Pradhama Niyama Saksharatha Nagari", the first one India on 17.10.2015. Hon'ble Mr. Justice Thottathil B. Radhakrishnan, Judge, High Court of Kerala and Executive Chairman of Kerala State legal Services Authority presided over the function.**
1. DLSA, Kottayam Conducted Senior Citizens day programme in Sreenipuram SC/ST Colony at Erumely on 01.10.2015.
 2. DLSA, Kottayam Conducted sensitization programme in association with the social welfare Board at the Police Camp auditorium 07.10.2015.
 3. TLSC, Payappady conducted a class at GISAT, Payyappady on 09.10.2015.
 4. DLSA, Thiruvananthapuram observed 2nd October, 2015 as a Senior Citizens Day. A seminar was conducted at the Bar Association Hall in association with Sai Neethi and Bar Association, Thiruvananthapuram. A special Lok Adalat for settlement of cases involving senior citizens was organized as directed by KeLSA.

5. On 5.10.2015, Secretary, staff and PLV of DLSA Thiruvananthapuram visited the Rehabilitation Centre for Beggars being run by the city corporation pursuant to an information regarding the inhuman conditions in which the inmates are treated. PLVs were deputed to pay periodical visit to the centre to ensure that no inhuman condition prevails over there. Authorities concerned were also alerted about the condition there.
6. DLSA, Thiruvananthapuram observed Mental Health Day on 10.10.2015. As part of the observance, the following activities were carried out. A programme was arranged at Mental Health Centre, Thiruvananthapuram at 12 noon on that day. It was an interactive session with the doctors, staff, inmates, bystanders and other well wishers of the hospital. Various issues relating to the functioning of the hospital and welfare measures of the inmates were discussed in the session.
7. A commendation programme to felicitate the best PLVs at the district and taluk levels was conducted by DLSA Thiruvananthapuram on 20.10.2015.
8. DLSA, Kottayam Conducted a workshop on Child Rights in association with Kerala child Rights Observatory Kottayam Core committee at BCM College Kottayam on 12.10.2015
9. DLSA, Kottayam Conducted World Mental Health day at Mandiram Hospital Mananam on 12.10.2015 and conducted Medico- Legal Camp at Sreenipuram Colony, Erumely, on 30.10.2015.
10. DLSA, Kottayam conducted a seminar on Human Rights and Senior citizens Act at the Lions Club Hall Kottayam on 31.10.2015.
11. DLSA, Thodupuzha conducted a Special Lok Adalat for Senior Citizens on 2.10.2015. 205 number of cases were considered, 7 cases were settled and awarded an amount of Rs.1,20,000/-.

12. The DLSA Kottayam, in association with the Social Welfare Board conducted sensitization programme on PWDV Act, for the police officers in the district on 7.10.2015 at the Police Camp Auditorium.
13. DLSA, Thalassery in association with Kannur District Library Council. Started Legal Awareness Programmes series. The programme was inaugurated on 6.10.2015 and conducted the class on the topic "Kerala Police Act".
14. DLSA, Idukki, Thodupuzha conducted district level quiz competition on 28.11.2015.
15. DLSA Kottayam, conducted written competition on fundamental duties for students of Government and aided school at District Court complex Kottayam on 14.11.2015.
16. DLSA Kottayam, conducted a drawing competition associated with Juvenile Home Thiruvanchoor on account of childrens day on the topic Suchitwa Keralam on 14th November 2015.
17. DLSA Kottayam, in association with the social Justice Department Kottayam. Conducted Legal awareness programme for the newly elected local self Government members on 26.11.2015. Legal awareness Class was conducted for students Police cadets on 21.11.2015 at St. Anns HSS Kurinad.
18. DLSA Kottayam, conducted the district level Quiz competition for higher secondary students on 28th November 2015 at 2.00 pm in the Bar association Library hall Kottayam.
19. DLSA Thrissur conducted legal awareness class on the topic Legal Services Authority Act at Collectorate Conference Hall on 26.11.2015.
20. DLSA Thalassery visited two Tribal Colonies on the Law Day, at Peravoor, namely, Ambalakkuzhi and Michabhoomi colonies, to impart Legal Aid. The inmates

of both colonies were facing severe problems like lack of Ration Cards, unemployment, leakage and very pathetic condition of houses, lack of sanitation and dropping out of students from schools. The visit was made by a team comprised of the Secretary, District Legal Services Authority, Deputy Director of prosecution, Kannur, Section Officer of DLSA and an Advocate from Thalassery Bar Association. Report after the visit was submitted to KeLSA. The inmates of the colony were requested to forward their petitions through the Tribal Promoters.

21. DLSA, Thiruvananthapuram observed Human Rights Protection Day on 10th December, 2015. DLSA organized a programme at Centre for Destitute run by the City Corporation Thiruvananthapuram. It is a rehabilitation centre for persons wandering in the street engaging in begging etc. There are about 35 inmates, both male and female, most of whom are aged and sick either physically or mentally. They have been living in a very sub human condition due to lack of proper infrastructure facilities and neglect on the part of the Corporation Authorities. DLSA intervened in the matter and alerted the authorities to do the needful to provide basic human amenities to the poor hapless citizens of the country who happened to be in the institution. DLSA arranged a medical camp to ascertain the general medical condition of the inmates and to take necessary follow up in deserving cases. A team of doctors and para medical staff from the Govt. Fort Hospital, Thiruvananthapuram conducted the medical camp as directed by the District Medical Officer.
22. DLSA Pathanamthitta conducted a legal awareness programme in association with District Medical Office on World Aids Day (1.12.2015) at St. George Higher Secondary School at Konni. Many Department Heads attended the programme.
23. DLSA Thrissur conducted legal awareness class on the topic 'Human Rights' at Sree Sankara Sanskrit College and Joseph Mundassery Memorial Co-operative College on 10.12.2015 and legal awareness class on the topic Cyber

Laws was conducted on 11.12.2015 at St.Thomas College, Thrissur.

24. DLSA Thrissur, in connection with the observance of legal services day arranged a programme in association with Govt. Law College, Thrissur, Forest department peechi and Govt. Medical College, Thrissur at Olakara tribal colony on 9.11.2015, on that day a medical camp was arranged there and 40 rice packets (5 kgs in each packets) and 40 sugar packets were distributed to the tribals in that colony. The memorandum submitted by the tribals stating various grievances was forwarded to KeLSA for necessary action. The students of Govt. Law College performed different cultural activities.
25. A new ward for inmates of jails in Thrissur district was inaugurated on 16.12.2015 at Govt. Medical college, Thrissur.

DLSA Thrissur in association with Govt. Law College, Thrissur had taken initiative for setting up Anti Human Trafficking units and inauguration of the same was held on 18.12.2015 at Govt. Law College, Thrissur.

MADHYA PRADESH

Settled Cases through Various Camps (October-December 2015)

Type of Camps	Total No. of Camps Held on	Total No. of persons Benefitted	No. of Persons Benefitted		Total Expenditure
			SC	ST	
Legal Literacy Camp	1014	114110	10077	7133	68813
Micro Legal Literacy Camp	135	15579	1997	1231	6650
MNREGA Camp	82	4169	663	850	0

141 / NYAYA DEEP

Settled Cases through Mediation (October-December 2015)

Months	Opening Balance Of Month	No. of cases referred during the month	Total no. of cases	Success Full Settled Cases	Unsuccessful Settled Cases	Total Considered Cases	Total no. of Pending Cases	Percent of Successful Settled Cases
Oct 2015	8779	6618	15397	2271	2806	5077	10320	44.73
Nov 2015	10320	5563	15883	1937	2771	4708	11175	41.14
Dec 2015	11175	6155	17330	2847	3598	6445	10885	44.17
Total-	8779	18336	27115	7055	9175	16230	10885	43.47

40 Hours Mediation Training Programme Organized By State Legal Services Authority

Months	Organized Mediation Training Programmes	Judicial Officers	Retired Officers	Advocates	Social Workers	Law Students	Total
December 2015	1	27	-	-	-	-	27

Settled Cases Through Lok Adalat (October-December 2015)

Type of Lok Adalat	No. of Lok Adalat	Referred Cases	No. of Settled cases	Benefitted persons	Award amount	Remark
Annual National Lok Adalat	1	3868150	2943278	10214293	20889376053	-
Permanent &	233	14109	6797	10512	116554817	-

MAHARASHTRA

Awareness programmes for Senior Citizens :In order to spread awareness amongst the Senior Citizens, the Maharashtra SLSA had organized Legal Awareness Camps on 1st October 2015 on the occasion of 'Senior Citizen Day' throughout the District and Taluka places. Huge response was received from Senior Citizens. The various topics of rights of Senior Citizens are discussed.

Observation of 'World Mental Health Day' :The SLSA had organized various camps on the occasion of "World Mental Health Day" on 10th October 2015 throughout the State. In the said programmes, various subjects pertaining to the mental health were discussed.

Observation of Children Day :The SLSA celebrated the “Children Day” throughout the Maharashtra and organized legal awareness camps in all District and Taluka places.

Observation of Law Day :On 20th November 2015, the Maharashtra SLSA had organized various programmes on the occasion of ‘Law Day’ through the State.

Observance of “Disability Day”: The SLSA had celebrated the “Disability Day” throughout the Maharashtra and organized Legal Awareness Camps in all District and Taluka places.

Observation of “Human Rights Day” :On 10th December 2015, the Maharashtra SLSA had organized Legal Literacy in respect of ‘Human Rights’ in the Districts.

National Lok Adalat : Pursuant to the directions issued by the National Legal Services Authority, the Maharashtra SLSA organized ‘National Lok Adalat’ in all the Courts and Tribunals across the State on 12th December 2015. An animated advertisement giving information about National Lok Adalat was prepared and it was released on all local cable channels of the respective Districts/Talukas. Apart from this, the State Authority prepared a jingle to advertise on all State Transport Depots. Total 2,49,045 matters (inclusive of special drive cases) were amicably settled in the above National Lok Adalat on a single day.

Total 582 cases were settled through Mobile Lok Adalats during the aforesaid period.

Total 436 Lok Adalats were held in the State of Maharashtra in which 19807 matters were settled and amount of Rs.381725156/- was awarded as compensation for the MACT cases.

Total 1574 Legal Literacy Camps were held in the State of Maharashtra during the said period.

MEGHALAYA

October, 2015

1. Awareness Programme on the occasion of Senior Citizen's Day at Christian Girl's Higher Secondary School, West Garo Hills District, Turawas organised on the 01-10-2015.
2. Visit to Shanti Bhavan an Old Age Home on the 01-10-2015 was made by the Meghalaya State Legal Services Authority.
3. Legal Awareness Programme was held at Jowai, West Jaintia Hills District on October, 2015.
4. Legal Awareness Programme in School was held at Ri-Bhoi Presbyterian Higher School, Nongpoh, Ri-Bhoi District on the 08-10-2015.
5. Legal Awareness Programme in School was held at St. Paul Higher Secondary School, Mawroh, Ri-Bhoi District, Nongpoh on the 09-10-2015.
6. 1st phase Training on Mediation was held at Yojana Bhawan, Main Secretariat, East Khasi Hills District, Shillong with effect from 9th -11th October, 2015.
7. 4 (four) days visit to District Jail Tura, West Garo Hills.
8. Visit to District Jail Jowai, West Jaintia Hills District was made.
9. Visit to Psychiatrist Ward of Jowai Civil Hospital, Jowai, West Jaintia Hills District.
10. National Lok Adalat was organised on the 10-10-2015 for cases such as Traffic matters and Petty matters 304 Nos. of cases taken up and 46 Nos. disposed off.
11. Awareness Programme was held at Umktieh Dorbar Hall (Umroi) Ri-Bhoi District on the 30-10-2015.

12. 2nd phase Training on Mediation held at Yojana Bhawan, Main Secretariat, East Khasi Hills District, Shillong with effect from 30th October, to 1st November, 2015.

November, 2015

1. Observation of Legal Services Day held at Science Hall, Nongpoh Ri-Bhoi District on the 09-11-2015
2. Observation of Legal Services Day held at Mawkyrwat, South West Khasi Hills District on the 09-11-2015.
3. Observation of Legal Services Day held at Jowai, West Jaintia Hills District on the 09-11-2015
4. Observation of Legal Services Day held at Mawryngkneng Village, East Khasi Hills District on the 09-11-2015
5. Observation of Legal Services Day held at DRDA Hall, Tura, West Garo Hills District on the 09-11-2015.
6. Meeting of the District Legal Services Authority, Shillong in the office chamber of the District & Sessions Judge, Shillong East Khasi Hills District on the 09-11-2015.
7. Observation of Children's Day held at Christian Home (Boy's) Department of Social Welfare Khliehtyrshi, West Jaintia Hills District on the 14-11-2015.
8. Observation of Children's Day held at SOS Village Umiam, Ri-Bhoi District on the 14-11-2015
9. Observation of Children's Day held at Home (Boys) Araimile Tura, West Garo Hills District on the 14-11-2015
10. Laying the Foundation Stone of the ADR Centre of the Meghalaya State Legal Services Authority laid by Hon'ble Mr. Justice Uma Nath Singh, Chief Justice & Patron-in-Chief, Meghalaya State Legal Services Authority. Flagging of the Multi Utility Van at Mawdiangdiang in the presence of the Hon'ble Mr. Justice T.N.K.Singh, Executive Chairman, Meghalaya State Legal Services Authority and Hon'ble Mr.

Justice S.R.Sen, Judge, High Court of Meghalaya on the 25-11-2015.

11. Legal Awareness Programme through the use of the Multi Utility Van in Ri-Bhoi District on the 27-11-2015.
12. Visit to District Jail Jowai, West Jaintia Hills District on November, 2015.
13. 3 (three) days visit to District Jail Tura on November, 2015.

December, 2015

1. Observation of "World AIDS Day" held at MCSWA Hall Salaroh, Jowai, West Jaintia Hills District on the 01-12-2015.
2. Observation of World AIDS Day held at Smit Village, East Khasi Hills District on the 01-12-2015.
3. Distributing of publicity Pamphlet/leaflets and display of the Docu-drama film on Free Legal Aid at Mawlai Mawkynroh Village, East Khasi Hills District, Shillong on the 03-12-2015 by using the Mobile Legal Services and Lok Adalat Van.
4. Visit to District Jail, Shillong, East Khasi Hills District on the 07-12-2015.
5. National Lok Adalat on the 19-12-2015. **7967 Nos.** of cases was taken up and **1003 Nos.** of cases was disposed off.

MIZORAM

LEGAL AWARENESS CAMPAIGNS: The MSLSA and DLSAs organized legal awareness campaigns in both urban and rural areas by way of addresses to the public, circulation of pamphlets, etc. Leaflets/booklets were distributed to the participants in the course of the campaigns. Awareness functions were held at schools, jails and other places. During the quarter 48 such programmes were held at different locations across the state.

The Special days i.e. Senior Citizens - 01.11.2015, National Legal Services day - 09.11.2015, Children's Day - 14.11.2015, Law day

- 26.11.2015 and Human Rights Day - 10.12.2015 were also observed successfully by all District Legal Services Authorities.

The MSLSA organized a programme "Seminar on Children's Welfare and Rights" on 28.11.2015 at Pachhunga University College. The reason for the Seminar on Children's Welfare and Rights could be gathered from the keynote address by Hon'ble Mr. Justice Ujjal Bhuyan, Executive Chairman, Mizoram State Legal Services Authority. Despite Mizoram being a highly literate State awareness of legal issues is low, and the emerging jurisprudence of Child Rights is an area deserving special attention because as a society we have failed to provide the safeguards children need to develop. They fall prey to substance abuse at a tender age and drop out from school. The data on sexual offences and other crimes against children is alarming. Discrimination against the girl child continues to thrive and so do its offshoots, trafficking and a skewed sex ratio. We have a plethora of laws but their implementation requires a change in mindset at the grassroots level and the only way this can happen is by creating awareness.

The inaugural session included a prize distribution ceremony for the best District Legal Services Authority and Para Legal Volunteer in the State, and the winners of an essay writing competition on the topic, "Being a Good Citizen."

Mizoram State Legal Services Authority conducted legal awareness campaigns at Bethlehem YMA Hall, on 1.10.2015; Lalthanhawla Auditorium on 2.10.2015; Luangmual West on 27.10.2015; J.L. Higher Secondary School on 23.11.2015; Pachhunga University college on 28.11.2015; Chamring Middle School on 3.12.2015; Thingsul Tlangnuam Middle School on 11.12.2015.

Aizawl DLSA conducted legal awareness campaigns with the Mizoram Upa Pawl at Chaltlang on 1.10.2015; District Jail, Aizawl on 3.10.2015; Mizoram Law College on 20.10.2015; Govt. Aizawl College on 22.10.2015; Aizawl West College on 9.11.2015; dilkhan on 13-15.11.2015; Observation Home/Special Home, Durtlang on 14.11.2015; Aibawk on 26.11.2015 and Kawnpui on 29.11.2015.

Champhai DLSA conducted legal awareness campaigns at Pu Chalbawia In, Champhai Vengthlang on 1.10.2015; Presbyterian

Kohhran Hall, Vengthlang North on 17.11.2015; Champhai Higher Secondary School on 26.11.2015; Presbyterian English School, Champhai on 10.12.2015; Zotlang comprehensive Middle School on 15.12.2015

Kolasib DLSA conducted legal awareness campaigns at Project Veng, Kolasib on 9.10.2015; Parish Hall on 29.10.2015; Khuangpuilam on 5.11.2015 and Presbyterian English School, Kolasib on 10.11.2015. Leaflet distribution also conducted at Kawnpui on 30.10.2015.

Lawngtlai DLSA conducted legal awareness campaigns at Chandmary YLA Hall, Lawngtlai on 1.10.2015; Vengpui UPC Kohhran Hall, Lawngtlai on 11.10.2015 and CYLA Hall, Lawngtlai on 14.11.2015.

Lunglei DLSA conducted legal awareness campaigns at IPR Conference Hall, Lunglei on 1.10.2015 and District Jail, Lunglei on 10.10.2015.

Mamit DLSA conducted legal awareness campaigns at Bazar Veng and Hmar Veng, Mamit on 1.10.2015; Govt. Higher Secondary School, Mamit on 10.10.2015; Chhim Veng Hall, Mamit on 2.11.2015 and 14.11.2015, with Christian Youth Fellowship, Mamit on 6.11.2015; with Christian Youth Fellowship, Dinthar on 15.11.2015; Bazar Veng, Mamit on 16.11.2015; Zawlnuam on 17.11.2015; Indoor Stadium, Mamit on 21.11.2015; Govt. High School, Mamit on 22.11.2015, with Dinthar Kohhran Hmeichhia on 24.11.2015; High School Veng, Mamit on 16.12.2015

Mamit DLSA conducted legal awareness campaigns DC Conference Hall, Saiha on 1.10.2015; Live Telecast in HS Vision on 3.12.2015; Group YMA Hall, New Colony on 10.12.2015; Live Talk Show & Live Phone in NSV Studio on 21.12.2015; Bethel Hall, Saiha on 22.12.2015; District Jail, Saiha on 27.12.2015, Presbyterian Kohhran Hall, Meisatla on 28.12.2015

Serchhip DLSA conducted legal awareness campaigns Khawlailung on 13.10.2015; N. Vanlaiphai on 14.10.2015; Serchhip Bazar on 14.11.2015; I & PR Conference Hall on 19.11.2015 and PCR High School, New Serchhip on 26.11.2015.

TRAINING OF LAWYERS : The State Authority conducted 2nd phase training of Legal Aid Counsels on 2.11.2015 at District Court Conference Hall, Aizawl.

OPENING OF VLC&SC : The State Authority opened the Village Legal Care & Support Centre at Hindi Training College on 7.12.2015.

Champhai DLSA had opened Village Legal Care & Support Centre at Govt. Champhai College on 24.11.2015.

JAIL VISITS: The District Legal Services Authorities regularly visited Central Jail, Aizawl and the District Jails in Mizoram during the quarter to interact with the inmates including the under trial prisoners.

MISCELLANEOUS : Lok Adalats were regularly organized by the state and District Authorities. During the quarter, 240 cases were settled. 928 persons were given free legal services.

NAGALAND

Zunheboto DLSA organised a Legal Awareness Programme on 1.10.2015 on Senior Citizens' Day on the Topic of " Legal Awareness on Welfare for Senior Citizens & Widows".

Tuensang DLSA conducted Street Play on 9.10.2015 Topics of Domestic Violence, Consumer Protection, Free Legal Aid and Right to Information Act.

The Kohima District Legal Services Authority (KDLSA) organised an interactive session on 19.10.2016 on "Issues of child rights and protection" with Mr. Mahendra Singh, National Director, Child Rights' Initiatives, Human Rights Law Network as resource person. Mr. Singh in his speech stated that the first important thing in tackling an issue is through dialogue. He also stated that the legal system should be strengthened and taken forward instead of moving backward.

Mezivolu T Therieh, NJS, Chief Judicial Magistrate, Kohima & Secretary (Kohima DLSA) opined that Naga society today is in a

Catch-22 like situation which raises a big concern that should not be overlooked. She said it was an opportune time, having programme of this kind, as this is where all the stakeholders can discuss, interact and address the problems and at the same time work out a plan in bringing a change in the society. She encouraged the stakeholders to take up the responsibilities and walk an extra mile to reach the unreached.

Nino Iralu, Member Secretary Nagaland SLSA & Special Judge, TDP, State Vigilance Commission, stated that Nagaland State Legal Services Authority is working out a comprehensive strategy from various sources for the stakeholders from different departments and NGOs to impart training so that they will be well equipped in implementing the manifold legislations made for the protection of children.

The Kohima District Legal Services Authority (KDLSA) in collaboration with Lawyers Collective Women Rights Initiatives organized a training program on Protection of Children From Sexual Offences (POCSO) Act for Panel lawyers/Lawyers at State Legal Service Authority Conference Hall on 26.10.2015. The programme was chaired by Smti. Mezivolu T. Therieh, NJS, Chief Judicial Magistrate, Kohima & Secretary Kohima DLSA, who welcomed the gathering which included Smti. Nino Iralu, Member Secretary Nagaland SLSA & Special Judge, TDP, State Vigilance Commission, Smti. Kiran Sharma, Director Operation, Lawyers Collective Women Rights Initiatives (LCWRI), Smti. Ishani Cordeiro, Legal Officer (LCWRI), the panel lawyers and Advocates from the district.

Dimapur DLSA conducted a Training Programme for panel lawyers on 28.10.2015 on the topic "Protection of Children from Sexual Offences Act, 2012 (POSCO Act)" in collaboration with lawyers collective women rights initiative in Dimapur today. All the panel lawyers of DDLSA, including the District Child Protection Officer, attended the programme.

Kohima District Legal Services Authority visited five Schools within the District as part of the Legal Awareness & Literacy Programme on the theme "Rights of Mentally Challenged & Disabled" from 29th to 31st October, 2015.

Dimapur DLSA conducted Awareness program on 31.10.2015 on mentally challenged/disabled at St. Mary's Montessori Higher Secondary School .where Panel Lawyers highlighted on rights of mentally challenged/disabled. Drawing competition for the students was also organised and prizes were distributed to the best three drawings.

Kohima DLSA observed Childrens day on 14.11.2016 at Govt. High School, Sechu, Zubza, Kohima..

Peren DLSA observed Childrens day at Orphanage Home, Peren District. Shri. Ajong Imchen, Civil Judge and also the Secretary, Peren DLSA along with resource person,

Wokha District Legal Services Authority (WDLSA) celebrated Children's Day on November 14 at Don Bosco Youth Centre by organizing painting competition on the theme, "save environment" with 30 participants. WDLSA also visited Shelter Home and distributed snacks and refreshments to the orphans at the home. WDLSA had also organised a Legal Awareness Seminar at Wokha village wherein representatives from the village council, VDBs, church workers, Anganwadi workers attended.

Phek District Legal Services Authority celebrated children's day at Special Home Chozuba town, Phek district. Literacy and Awareness programme was conducted on the topic Child rights and Juvenile Justice Act.

Dimapur DLSA observed Children's Day with Ebenezer Orphanage Home, Dimapur. Topics like Child Rights, Fundamental Rights and Fundamental Duties were discussed with the children by the Panel Lawyers. The Children were entertained and inspired by the activities such as Drawing, bible verse recitation and song competition. Prize was distributed to all the winners of the Competition, to which the children responded with delight and jubilant faces.

Children' Day was observed by Zunheboto DLSA at the Olympic Higher Secondary School Zunheboto. Topic on "*Childrens' Rights and Privileges under Law*" was briefed and addressed to childrens & participants.

Tuensang DLSA observes Childrens day at SochÜm (Rural Hostel), Ngangpong village, Tuensang. Shri N. Kano, Secretary, DLSA accompanied by panel lawyers Adv. Yimtsusangla and Adv. Antimangyang had an interaction with the students and Shri N. Kano, Secretary; DLSA enlightened them on quality education and the duties/ responsibilities of students. Prof. Chubasangla of Sao Chang College also joined the celebration and spoke on personal hygiene and discipline.

Zunheboto DLSA organized one day Orientation Programme-cum- workshop on 6.11.2016 for Para Legal Volunteers (PLVs) at District Court Complex.

Nagaland State Legal Services Authority (NSLSA) receives the Best PLV at the Legal Services Commendation Ceremony, on 9th of November, 2015, New Delhi: The National Legal Services Authority (NALSA) commemorated “National Legal Services day & commendation ceremony” on the 9th of November 2015 at Dr. Kothari Auditorium, D.R.D.O. Bhawan, Dalhousie Road, New Delhi. The function was graced by the Hon’ble Prime Minister of India Shri. Narendra Modi as Chief Guest in the august presence of Shri. D.V. Sadananda Gowda, Hon’ble Union Minister of Law & Justice, Hon’ble Mr. Justice T.S. Thakur, Judge Supreme Court of India & Executive Chairman, NALSA, Hon’ble Mr. Justice Anil R. Dave, Judge Supreme Court of India & Chairman, Supreme Court Legal Service Committee & Hon’ble Ms. Justice G. Rohini, Chief Justice of Delhi High Court.

The Nagaland State Legal Services Authority (NSLSA) was represented by the Hon’ble Mr. Justice N. Choudhury, Judge Gauhati High Court & Executive Chairman, Nagaland SLSA, and Mrs. Nino Iralu, Member Secretary, NSLSA & Judge TDP- Vigilance and Mrs. K.T. Koza, Additional Secretary to the Govt. of Nagaland, Deptt. Of Law & Justice, as representative of the chief Secretary to the Govt. of Nagaland.

Zunheboto DLSA organised a Sensitization Programme on 21.11.2015 on the Topic “Legal Rights and Privileges for Village Folk” at Asukhuto Village, Zunheboto.

Essay Competition Held commemorating National Legal Service Day: Essay Competition held across Nagaland State, commemorating National Legal Service Day on 9th September, 2015. Nagaland State Legal Services Authority directed & coordinated State Level Essay competition at School Level on the topic 'Fundamental rights and duties of the citizens' in 10 District of Nagaland. Best three were chosen from each District and Cash prize along with Certificates were presented. Among the Best Three from each Districts, Best three was judged and chosen as winner, 1st runner-up and 2nd runner-up on 22nd of January, 2016. The winners from each Districts are also to be presented with Prize & Gift during the Republic Day Function by the respective DLSA in association with the District Administration.

10 DAYS LEGAL AWARENESS FESTA AT HORNBILL FESTIVAL, 2015, KISAMA, KOHIMA : The Nagaland SLSA inaugurated a legal awareness "stall" for a 10-day 'Legal Awareness Festa' on the occasion of the Hornbill Festival at the Kisama village in Kohima. Justice AK Goswami, judge of Gauhati High Court delivered a short speech before the opening of the stall. He emphasized to take stock of the situation that is prevalent in the area. He also told that lots of good works are being done by the Legal Services Authority as is evident through the typical emphasis like in the case of NK Keny. He also urged the panel lawyers that being a part of the Legal Services Authority they should put effort in achieving great stride for which the Legal Services Authority Act was enacted and as such Hornbill Festival at Kisama village is one of the right platform to reach the masses which is the ultimate object of our endeavor.

During the day, a lot of eager beneficiaries visited the Legal Awareness Stall, whereby various services like issuing of legal literacy and awareness booklets and pamphlets, legal counseling, Movies, videos on legal awareness etc were rendered free to them. Among the beneficiaries included bureaucrats, ministers, IPS officers, laymen, students, homemakers, farmers.

The Nagaland SLSA rendered free services in the form of issuing free booklets, pamphlets, legal counseling, street plays with the purpose of educating the general masses throughout the Hornbill Festival, 2015.

The second day of the 10 day Legal Awareness Stall was commenced officially with the presence of Mrs. Mezivolu T. Therieh, NJS, Chief Judicial Magistrate & Secretary, Kohima DLSA, Miss. Moajungla, Advocate and Mrs. Lydia Yeptho, Advocate from Lawyers Collective.

A short street play on the topic, "Domestic Violence", titled "Behind the Closed doors", by the students of Kohima Law College. The message of the play was, "In our society, violence is erupting and it is present almost everywhere and nowhere is this eruption more intense than right now."

On the third day, Mr. Y. M. Imchen, District and Sessions Judge & Chairman, KDLSA along with Mr. C. T. Jamir, Senior Advocate, Gauhati High Court, Kohima Bench were present at the Stall as patrons. Whereas

Hon'ble Mr. Justice Kotiswar, Judge Manipur High Court and Executive Chairman, Manipur State Legal Services Authority visited the stall. He commented that, the stall is well organized, reflects the wonderful works and activities carried out extending his wishes for a successful time ahead.

On the fourth day Nagaland State Legal Services Authority (NSLSA) continues to create awareness among the general masses with Shri. Vikyato Sumi, Asst. Public Prosecutor, Kohima and Mr. Kekhriengulie Retainer & Panel Lawyer Kohima DLSA on the chair.

Nagaland State Legal Services Authority completing day 5 of its Legal Awareness Festa witnessing a hosts of visitor/ participants. Mrs. Tucuno Vamuzo, Principal Judge, JJB and Civil Judge (Jr.Div) Kohima, Ms. Seyielenuo Mezhti, Civil Judge (Jr. Div), Dimapur, Ms. Zhekheli Zhimomi, Retainer Lawyer, Gauhati High Court,

Kohima Bench and Shri. Temjenmoa, Panel Lawyer, Kohima DLSA were on the chair rendering free legal counseling, providing their services judiciously.

Hon'ble Mr. Justice Ratnaker Bhengra, Judge, Jharkhand High Court and his lady wife were also among the visitors who visited the Legal Awareness Stall organized by NSLSA and lauded the Nagaland State Legal Services Authorities' initiatives.

The officers of the Tourism Deptt. and other officials commented on the tireless efforts and contributions by the Judges and Lawyers in rendering free Legal assistance which will surely bring outcome and results for our better tomorrow.

Hon'ble Mr. Justice B.K.Sharma and family, Executive chairman of Assam SLSA, Hon'ble Mr. Justice Ujjail Bhuyan and family, Mr. Justice Ratnaker Bhengra , Jarkhan High Court visited the stall, congratulating the Legal Fraternity for taking up Legal Awareness activities with dedication and in unison.

Local dialect booklets on Right to information Act, was well received and appreciated, besides that, Bar President and Asst. Public Prosecutor delivered Legal advices in Local Dialect to those who does not understand English or Nagamese (common dialect of Nagaland).

Visitors from all corners of India came to the stall to get counseling, pertaining to domestic issues, land and loan settlement. Altogether 50 visitors got themselves registered in the visitors' diary. Among the visitors included Parliamentary Secretary, Law and Justice, Er.Picto and his wife, bureaucrats, students, armies, police personnels etc.

The closing day also witnessed the kind presence of Mrs. Nino Iralu, Member Secretary, Nagaland State Legal Services Authority and Miss. Zhekheli Zhimomi, Advocate and Retainer Lawyer, Gauhati high Court, Kohima Bench. The Nagaland State Legal Services Authority managed to achieve a target of nearly 700 visitors and to be precise 674 visitors till the final day. It was worth the effort, that such a stall could be so beneficial to the general masses, whereby they were benefited by the materials and booklets that were distributed to them. The visitors also sought counseling and free legal advices.

**News on National Lok Adalat/ Lok Adalat exclusively by
SLSA & DLSA.**

NATIONAL LOK ADALAT HELD ON 10 th October, 2015. (for the cases relating to Traffic, Petty Matters and Municipal Matters)				
:- By Nagaland State Legal Services Authority				
Sl. No.	Name of the District	Total Taken up Cases	Total Disposal Cases	Total Settlement Amount (₹)
1	Dimapur	108	108	2,28,68,900.00
2	Kiphire	Nil	Nil	Nil
3	Kohima	412	412	39,2,400.00
4	Longleng	36	36	8,500.00
5	Mokokchung	Nil	Nil	Nil
6	Mon	116	115	35,860.00
7	Peren	Nil	Nil	Nil
8	Phek	80	80	5,500.00
9	Tuensang	06	03	Nil
10	Wokha	160	153	78,960.00
11	Zunheboto	30	28	4,950.00
TOTAL :-		948	935	2,33,95,070.00
Type and Nature of Cases Taken up/ disposed:				
a) Traffic : All Traffic offences are under Section 181,196,201 of Motor Vehicle Act.				
b) Municipal Matters : Nil.				
c) Petty Matters:				
? M.A.C.T. cases of Recovery & Claims U/s. 166 Motor vehicle Act, 163 Motor vehicle Act.				
? Other cases are Under Section 379 & 323 I.P.C.				

NATIONAL LOK ADALAT HELD ON 12 th December, 2015. (for all types of Cases)				
:- By Nagaland State Legal Services Authority				
Sl. No.	District	Total Taken up cases	Total Disposal	Total Settlement Amt. (₹)
1	Dimapur	29	25	63,26,400.00
2	Kiphire	05	03	3,65,000.00
3	Kohima	391	30	10,39,877.00
4	Longleng	24	24	2,86,602.45
5	Mokokchung	07	07	10,64,029.00
6	Mon	94	06	Nil

7	Peren	43	43	28,000.00
8	Phek	04	03	Nil
9	Tuensang	05	01	81,207.00
10	Wokha	13	06	1,01,970.00
11	Zunheboto	83	09	17,35,472.00
Total:		698	157	1,10,28,557.45
Rupees one Crore ten Lakhs twenty eight thousand five hundred fifty seven and forty five paise only				

ODISHA

1. MEDIATION ACTIVITIES

REGIONAL CONFERENCE ON MEDIATION :The Mediation Monitoring Committee of Orissa High Court in association with Odisha SLSA organized a two days Regional Conference involving 6 SLSAs namely Bihar, Jharkhand, West Bengal, Andhra Pradesh, Telengana & Odisha on “Mediation” (Zone-IV) at Odisha Judicial Academy, Cuttack on 31.10.2015 & 1.11.2015. The said conference was graced by Hon’ble Mr.Justice Dipak Misra, Judge, Supreme Court of India as Chief Guest and Hon’ble Mr.Justice M.B.Lokur, Judge, Supreme Court of India & Member, MCPC, Supreme Court of India as Guest of Honour in presence of Hon’ble Mr.Justice D.H.Waghela, Chief Justice, Orissa High Court & Patron-in-Chief, OSLSA and Hon’ble Mr.Justice P.K.Mohanty, Judge, Orissa High Court & Executive Chairman, OSLSA & Chairman, Mediation Monitoring Committee, Orissa High Court. Further, the participants in the said Conference were Hon’ble Judges of Orissa High Court, Hon’ble Judges of Mediation Monitoring Committee of Hon’ble High Courts of Bihar, Jharkhand, West Bengal, Andhra Pradesh, Telengana & Odisha, Co-ordinator of MCPC of Hon’ble Supreme Court of India, Member-Secretaries and Advocates-Mediators of the above States.

During the quarter, 1225 no. of new cases were referred by different Courts to the Mediation Centres, and 1466 no. of cases

(including previously pending cases) were disposed of, out of which, 188 cases were disposed of on successful mediation.

2. ACTIVITIES OF STUDENT LEGAL LITERACY CLUB :

(a) **No. of Clubs functioning** - 450 (15 Schools in each district)

(b) **Books** : A booklet (Law Lesson) titled “Moulika Aain Sikshya” has been published by Odisha State Legal Services Authority which contains basic and fundamental teaching on law such as, Constitutions, Legal System of the country, Fundamental Rights & Duties, basic knowledge on Criminal & Civil Law, etc. The Law Lessons are being taught by Resource Persons to the members of the Clubs. The idea is to create basic legal awareness among the students at the earliest level.

3. LOK ADALATS

(i) **Monthly National Lok Adalats on 10.10.2015** : As per the instruction of NALSA, **monthly National Lok Adalat for the cases relating to Traffic, Petty & Traffic matters** was organized throughout the State on 10.10.2015. Apart from the High Court Legal Services Committee, 30 District Legal Services Authorities, and 83 Taluk Legal Services Committees participated in the said National Lok Adalat. Total **46,142** no of pending cases were taken up, out of which, **9427** no of cases were settled in total which include Traffic-4497, Municipal matters-332 and Other Petty matters-4598. Further, 46 number of cases were disposed of by the High Court Legal Services Committee, Cuttack which includes Motor Accident Claims Appeals-40 and Municipal matters-06. A sum of Rs.95,37,000/- was awarded as Compensation amount in the above M.A.C. Appeals.

(ii) **3rd National Lok Adalat on 12.12.2015** : **3rd National Lok Adalat** was organized throughout the State i.e. on

12th December, 2015. Apart from the High Court Legal Services Committee, 30 District Legal Services Authorities, 83 Taluk Legal Services Committees and some other Forums both at State and District Levels participated in the said Lok Adalat. **In the said Lok Adalat, 6,67,273 no of cases were taken up, out of which 4,34,961 no.of cases (Pre-litigation- 11,967 & Pending Cases- 4,22,994) were disposed of in total.** Compensation to the tune of Rs.2,30,02,774/- was awarded in the Motor Accident Claim Appeals

(iii) **District & Taluk Level Lok Adalats** : Similarly, the field units i.e. 30 District Legal Services Authorities and 74 Taluk Legal Services Committees have organized **68 no. of** District and Taluk Level Lok Adalats in the State of Odisha. In the above District and Taluk Level Lok Adalats, total **27,442** no.of cases were disposed of. A sum of Rs.7,57,170/- towards criminal fine and Rs.50,12,690/- as revenue were collected in the said Lok Adalats. Further, a sum of Rs.94,40,000/- was awarded as compensation in the above Motor Accident Claim Cases.

4. PERMANENT LOK ADALAT (Public Utility Service) : During the quarter, **425** number of new cases relating to Public Utility Services were registered in the Thirteen Permanent Lok Adalats, out of which, 325 no. of cases were settled.

5. GENERATING AWARENESS :

(i) **At State Level** :The Odisha SLSA in association with DLSA, Cuttack observed "**World Mental Health Day** "at **the Mental Health Institute of S.C.B.Medical College and Hospital, Cuttack on 10.10.2015** by organizing a meeting involving the local Judicial Officers, Head of the Psychiatric Department and other doctors and staff of the Hospital. Sri S.Mishra, Member-Secretary, Odisha State Legal Services Authority and Sri S.N.Mishra, District Judge-cum-Chairman, District Legal Services Authority, Cuttack interacted with the patients and the doctors of the Psychiatric

Ward and distributed fruits and sweets to the patients of the indoor as well as the outdoor wards. This Authority had opened a temporary stall at the famous Baliyatra Ground from 25.11.2015 to 02.12.2015 and displayed different activities of this Authority with a view to create awareness amongst the general public. Hundreds of visitors interacted with the Para Legal Volunteers, Retainers who were engaged in the stall.

ii) **At District & Taluk Level** :During the quarter, **223 no.** of Legal Literacy/Awareness Programmes were organized by the field units on Protection of Women from Domestic Violence (PWDV) Act, labour laws, Pre-natal Sex Selection and Pre-Natal Diagnostic Technique (PNDT) Act, awareness camps in relation to women and children in need of care Protection of rights of mentally challenged persons, awareness camps for Women and Senior Citizens, awareness programme on the occasion of observance of World Mental Health Day on 10.10.2015, National Legal Literacy Day on 9th November, 2015, Children’s Day on 14th November, 2015 and Law Day on 26th November, 2015 and Senior Citizens Day on 1.12.2015 etc. **Total 34,261** no. of persons were benefited by attending those Legal Literacy/Awareness Camps.

6. LEGAL AID BENEFICIARIES :Free Legal Aid and assistance was provided to **783** number of beneficiaries, which comprised SC-102, ST-75, OBC-67, Women-313, Children-05, In-custody-56, General-90 and other weaker sections of the Society-75.

PUNJAB

Statistical Information with regard to the achievements made by the Punjab Legal Services Authority, Chandigarh for the Quarter October, 2015 to December, 2015

a. Legal Aid Cases

Number of application received during the quarter October, 2015 to December, 2015.	1926

b. Break-up of Beneficiaries:

SC	233
ST	0
Backward Classes	15
Women	776
Children	6
Custody	1312
General/others	595
Total	2937

c. Legal Literacy Camps/Seminars:

Number of Seminars/Legal Literacy Camps held during the Quarter October, 2015 to December, 2015.	7358
Number of People who attended the Seminar	262479

d. Lok Adalats

Number of Monthly Lok Adalats held during the Quarter October, 2015 to December, 2015.	179
Number of Cases entertained	1374292
Number of Cases disposed off	1204264

e. Permanent Lok Adalats for Public Utility Services.

Number of Permanent Lok Adalats (Public Utility Services) set up in the State of Punjab.	22
Total Number of Cases disposed off in these Lok Adalats during the Period October, 2015 to December, 2015..	5109

f. Counselling and Conciliation Centres:

Number of Pre-litigation cases taken up in Counselling and Conciliation Centres during the period October, 2015 to December, 2015..	38
Number of Pre-litigation cases disposed of in Counselling and Conciliation Centres during the period October, 2015 to December, 2015.	36
Number of Post-litigation cases taken up in Counselling and Conciliation Centres during the period October, 2015 to December, 2015.	835
Number of Post-litigation cases disposed up in Counselling and Conciliation Centres during the period October, 2015 to December, 2015.	192

g. Village Legal Care and Support Centre

As per regulation “National Legal Services Authority (Legal Aid Clinics), Regulations, 2011 Legal Aid Clinics have been established to provide free and Competent Legal Services to weaker sections of society and to ensure that opportunities for securing Justice are not denied to any citizen by reason of economic or other disabilities. Till, December, 2015, 404 Village Legal Care and Support Centres are functioning. As per the minutes passed in 13th All India meet under Agenda item no. 5, Punjab Legal Services Authority has closed non-functional village legal care and support centre in the state of Punjab.

h. Legal aid Clubs

As per the directions of NALSA, Legal Literacy Clubs have been established in Schools and Colleges to impart legal knowledge to students and to make them aware of their rights and duties. The enlightened students would go a long way in spreading Legal Literacy. Till December, 2015 PULSA has established 1195 Legal Literacy Clubs in the State of Punjab.

i. Para Legal Volunteer Schemes

As per Para Legal Volunteer Scheme of National Legal Services Authority, till December, 2015, Punjab Legal Services Authority has imparted training to 2088 PLVs in the State of Punjab. These PLVs includes Advocates, Teachers and Lecturers of Govt. and Private Schools and Colleges of all levels, Anganwadi Workers, Private or Government doctors and other government employees, field level officers of different departments and agencies of the State and Union Governments, Students of graduation and Post graduation in Law, Education, Social Services and Humanities, members of NGOs and Clubs, Members of Neighborhood Groups, Educated prisoners serving long term sentences in Central Prison and District Prison, Social Workers and Volunteers, Volunteers of Panchayat Raj and Municipal institutions, Members of Co-operative Societies, Members of Trade Unions, etc.

National Lok Adalat: National Lok Adalats were held on 10-10-2015 and 12-12-2015 through out Punjab.

Function on World Mental Health Day: In the month of October, 2015 a State Level function was organized in collaboration with All India Pingalwara Charitable Society (Regd.) Sangrur on World Mental Health Day.

TELANGANA

MONTHLY NATIONAL LOK ADALAT IN THE STATE OF TELANGANA :

National Lok Adalat in wide range was conducted on 12-12-2015 and in Telangana State. In the said National Lok Adalat conducted on 12-12-2015, 77,912 number of cases are disposed off in Telangana State (Both pending and Pre-Litigations Stage).

TRAINING PROGRAMME TO THE PANEL LAWYERS ON "ADVANCING OF LAWYERING SKILLS" :

The Telangana Authority has organized Two Days Training programmes for Legal Services Panel Lawyers using the training module part-I and teaching methodology and training is imparted through the Master Trainers viz., Mrs. S.Nanda, Mr.G.Narayana and Mr. Raj Kumar Subeder **on advancing of Lawyers skills** on respective dates as indicated below:

Dates of Training Programme	Place where the training is conducted
1. 3 rd and 4 th October, 2015	District Legal Services Authority, Nizamabad
2. 31 st Oct and 1 st November, 2015	District Legal Services Authority, Warangal
3. 21 st and 22 nd November, 2015	Nyaya Seva Sadan Building, Hyderabad.

Selection of best PLV from Telangana State Legal Services Authority at National level in the commendation ceremony for PLV at New Delhi on 09-11-2015:-

Smt.Faridha, PLV from Medak at Sanga Reddy District is selected the best PLV from Southern Region at National level from

Telangana State Legal Services Authority and received **Prestigious National Award** through the hands of Hon'ble Prime Minister at New Delhi on 09-11-2015. Hon'ble Member Secretary, Telangana State Legal Services Authority, Hyderabad is also honoured by the Hon'ble Prime Minister in that commendation ceremony

LEGAL LITERACY CAMPS :

Upon the initiation and instructions of Telangana State Legal Services Authority, Legal Literacy Camps were conducted in a wide range in the state of Telangana by the respective DLSAs and MLSCs creating legal awareness on various issues and Laws among the public at large i.e., 495 Legal Literacy Camps were conducted.

FOCUSED AREA CHOSEN BY TELANGANA STATE LEGAL SERVICES AUTHORITY:

“RAGGING MENACE” : Telangana State Legal Services Authority issued a **circular** to all the District Legal Services Authorities to focus on Ragging Menace by conducting Legal Awareness Camps on Ragging Menace till the month of November, 2015 in educational institutions and submit the compliance reports and accordingly all the District Legal Services Authorities in Telangana State conducted Legal Awareness Camps on Ragging Menace in large extent and created awareness in educational Institutions about the evil effects of the Ragging. The particulars of camps conducted on Ragging is as follows:

Total Number of Camps Conducted in Telangana State on Ragging	Total no of persons benefited
94	17,989 persons benefited

LEGAL LITERACY CAMPS CONDUCTED ON SPECIAL DAYS:

Date	Day	No. of Legal Literacy Camps conducted	No. of persons attended
1 st October	Sr. Citizen's Day	11	1140
10 th October	Mental Health Day	10	933

9 th November	Legal Services Day	42	7530
14 th November	Children's Day	25	5412
26 th November	Anti Dowry Day	10	963
26 th November	Law Day	15	2052
1 st December	HIV/AIDS Day	06	2975
3 rd December	Disability Day	06	870
10 th December	Human Rights Day	13	1738

On 9th November, 2015 Telangana State Legal Services Authority alongwith A.P.State Legal Services Authority conducted Legal Awareness Programme in **All India Radio** on the eve of National Legal Services Day for the benefit of public at large.

INAUGURATION OF MEDIATION & ARBITRATION CENTRE : On 21st November, 2015 Mediation & Arbitration Centre was inaugurated by Hon'ble Sri Justice Madan B. Lokur, Judge, Supreme Court of India in the august presence of Hon'ble Sri Justice Dilip B. Bhosale, the Acting Chief Justice & Patron-in-Chief, Telangana State Legal Services Authority.

TRAINING PROGRAMMES ON MEDIATION : 40 hours training programme on mediation was conducted on 18th December, 2015 to 22nd December, 2015 by Mediation & Conciliation Project Committee, New Delhi for the districts of Hyderabad, Mahabubnagar and Nalgonda and City Civil Court, Hyderabad at Judicial Academy. 20 hours Capsule Course was conducted for 18 Advocate Trained Mediators from A.P., Telangana and Odisha States from 19th December to 21st December, 2015 by Mediation & Conciliation Project Committee, New Delhi at Judicial Academy, Hyderabad.

JAIL VISITS : The DLSAs and Mandal Legal Services Committees in various districts have visited District Jails, Sub Jails, Central Prisons, Special Prisons for Women, Observation Homes monthly in their respective jurisdiction and explained the inmates about the availability of legal services. They have also interacted with the prisoners about the facilities and enquired whether they are in

need of legal services or any legal advice etc. and accordingly provided assistance who ever required.

VISIT TO CHILDREN HOMES AND STATE HOMES: The Secretary DLSA, Mahaboobnagar visited the State Homes and also Children Home and verified the facilities including food and water provided therein.

ESTABLISHMENT OF INTEGRATED CHILD COUNSELLING CENTRE AT MEDAK: District Legal Services Authority, Medak Established integrated Child Centre at Nyaya Seva Sadan Building Medak on 9.11.2015 after obtaining necessary permission from Telangana State Legal Services Authority for the benefit of the Children.

STATISTICS :

LEGAL AID:

Period	No of Legal Aid Beneficiaries
October to December, 2015	411 persons including 118 Women, 160 persons in custody and 17 Others.

LOK ADLAT including NATIONAL LO K ADALAT:

No. of Lok Adalats	No. of Cases Settled in Lok Adalat (Both Pending and Pre-Litigation Stage)	Total Amount of Compensation Awarded
1465	1,11,549	Rs.147,21,63,292/-

PERMANENT LOK ADALAT FOR PUBLIC UTILITY SERVICES:

Period	Total Number of Cases Settled
OCTOBER to DECEMBER, 2015	56

MEDIATION:

Period	No. of Cases Settled
OCTOBER to DECEMBER, 2015	217

LEGAL LITERACY CAMPS:

Period	Total No. of Camps conducted
OCTOBER to DECEMBER, 2015	495

UTTARAKHAND

Lok Adalat:

1. During the quarter, **38 Monthly/Mega/National Lok Adalats** have been organized and in these Lok Adalats total **9,070 Cases** were disposed off, a sum of **8,72,60,382/-** were awarded as compensation to the litigants, a sum of **1,16,13,369/-** was realized as fine and total **9,286 Persons** were benefitted.
2. **02 Mobile Lok Adalats** were also conducted by the Uttarakhand SLSA in coordination with DLSA, Rudraprayag and Udham Singh Nagar. **In these Mobile Lok Adalats 359 Cases were referred and 56 Cases were settled amicably**, a sum of **12,700/-** was realized as fine and **77 persons were benefitted**.
3. Total **04 Jail Lok Adalats** were organized during these months **in District/Sub Jails** of the State and **19 Cases** were settled through these Jail Lok Adalats and 19 Under Trial Prisoner/ Jail Inmates were benefitted.
4. During the month from October to December, 2015 total no. of 214 cases were referred to Mediation Centres out of which **50 Cases** were settled in the **Mediation & ADR Centres** established right from High Court to Outlying Courts of the State.
5. Besides this, **48 Cases** were resolved/ settled through **Women/ Child Helpline** as per needs & requirements of said cases/ complaints.

Legal Aid & Advice:

In the months of October, November and December 2015, a total number of **247 persons** were benefitted by **providing Panel Lawyers** free of cost to defend their cases right from High Court to Tehsil Courts of the State. Out of which 76 Under Trial Prisoners were benefitted through legal aid. **61 persons** were benefitted by giving legal advice and total **42 persons** were provided legal advice through **Toll Free No: 1800 180 4000** installed in the office of Uttarakhand SLSA, Nainital.

167 / NYAYA DEEP

Legal Literacy/Sensitization Campaign & Seminars:

Campaign Under Focused Areas:

1. Highlighting the issue of '**Missing Women and Children**' total **16** Legal Awareness Camps were organized in the month of October, November & December 2015. Approx **2722** people including Women, Students, Children and Senior Citizens were informed that the aim of such campaigns is to rescue missing children and reunite them with their near and dear ones. Attendants were also informed about the effective coordination among various departments like police, women and child development.
2. During these months **21** Legal Literacy Camps were organizing, highlighting the issues of '**Drug Menace**' and total **2472** people were sensitized about the ill effects of drug abuse. The said camps were organized in Schools/Colleges, Village/Gram Panchayats & at 'Nasha Mukti kendra'. By these camps gatherings were sensitized that massive numbers of addicts are left by the families as financial costs and HIV is a significant issue for drug addicts. They were also informed about the ill effects of Tobacco.
3. A total number of **1435** people including disabled persons were sensitized on legal rights to mentally ill and retarded persons in these months by organizing **11** Legal Literacy Camps on the issue of **Mentally Ill & Retarded Persons**. These awareness programmes were conducted at Villages & School/Colleges of rural and urban areas, Nagar Palika Campus. Gatherings were informed that children with moderate retardation show significant delays in development during their pre-school years by which may be identified.
4. In order to protect Child Rights in the State and to sensitize common masses emphasizing '**Protection of Child Rights**' a total **18** Legal Awareness Camps were organized. The campaigns were focused to amplify the voice of children and their rights and on specific issue, influencing child-friendly policies, rehabilitation efforts in disaster/natural calamities, create awareness on the situation of children etc. Total **3265** people have attended these camps.

5. For sensitizing the **Under Trial Prisoners** about their legal rights **16** Legal Literacy Camps were organized during these months in District/Sub-Jails. The Under Trial Prisoners were also informed about the provisions of constitution of Under Trial Review Committee constituted U/S 236A Cr.P.C.. Total **2098** under trial prisoners were sensitized in the Camps.

Observation of Occasions:

1. By observing '**World Mental Health Day**' on 10th October 2015, **07** Legal Literacy Camps were organized. These camps were organized with an objective to raise awareness of mental health issues; mobilizing efforts in support of mental health and to bring attention to Mental Illness & its major effects on peoples' life. By these campaigns total **1390** people were sensitized about the aforesaid.
2. DLSA-Pithoragarh & Udham Singh Nagar have organized **Seminar** in order to observe '**World Mental Health Day**' on 10.10.2015 within their district. The seminars were began with a discussion that the Day provides an opportunity for all stakeholders working on mental health issues to talk about their work and what more needs to be done to make mental health care a reality for people.
3. In order to observe '**National Legal Services Day**', total **13** Legal Literacy Camps were organized on 9th November, 2015 at School/Colleges, Villages /Grampanchayats, Tehsils and Block offices of their district. By these camps attendants were sensitized about the Legal Services Authorities Act, 1987 which empowers Legal Services Authorities to draw strategies by laying down policies and programmes for making legal services available to all those who are backward, downtrodden or underprivileged. Approx **1756** were present in these legal literacy camps.
4. DLSA Udham Singh Nagar & Pithoragarh have organized '**Seminar**' on '**National Legal Service Day**' on 9th November, 2015. The said seminars were attended by the Secretary & office bearers of aforesaid DLSAs, Law Students of the College, Advocates and DLSAs/district court employees. In the said seminar Importance of Legal Service Day was discussed.

5. On 26.11.2015, total **11** Legal Literacy Camps were organized in Schools/colleges, Block Offices and within the Court campuses of Headquarters/Tehsils. The aim of such camps was to observe '**Law Day**'. Gathering was informed that Lay Day is celebrated as the anniversary of the adoption of our Constitution, the day on which our founding fathers subscribed to this document by signing the same and thereby unfolding the philosophy- social, economic and political for the governance of free India. These camps were attended by 1376 people who were sensitized on the aforesaid.
6. In order to observe '**Law Day**' **03 Seminars** were organized. The discussion of the Seminar was centered on the links between Courts and People/litigants. Law Capacity Building of Judicial and Police Officials on Proper Implementation of Women Related Laws, serious concerns of country's judicial and criminal system and participants were asked to protect security personnel. Total participants were 45 in the said seminar.
7. On the occasion of '**Children's Day**' on 14th November, 2015, **14** Legal Literacy Camps were organized at Villages, Town Areas, Market Places and Schools/Colleges etc. Total 1807 people including Boy/Girls Students, women, children & senior citizens etc.
8. On 14th November, 2015 on the occasion of '**Children's Day**', DLSA U.S. Nagar has conducted a **Seminar** at Govt. Primary School, Jaspur, U.S. Nagar. During the seminar it was discussed that the event has to be celebrated as childhood and promote awareness about children's welfare. It was also discussed that the occasion should be organized with a range of innovative and fun filled activities at schools that seems much as festival.
9. Total **14** Legal Sensitization Camps were organized on 01st December, 2015 by observing '**HIV/AIDS Day**' at rural & urban areas School/Colleges, Villages/Grampanchayats, Teshils and Block offices of their district. Approx 1925 persons including women, children, senior citizens and common mass were sensitized about the ill effects of HIV infection. Gatherings were also sensitized by displaying a documentary 'Mujhe Jeene Do' story of a women suffering from HIV/AIDS by the DLSA Dehradun.

10. On the occasion of '**HIV/AIDS Day**', DLSA Udham Singh Nagar & Pithoragarh have conducted **03 Seminars** at Govt. School/Colleges of their districts. It was discussed in the seminars that AIDS has a number of unique features and the risk of infection is strongly linked to inequitable gender relations. Also that anatomy of the female reproductive tract also makes women more prone to infection as well as impact on children.
11. In order to observe '**World Disability Day**' on 3rd December, 2015, DLSAs of the State have conducted **14** Legal Literacy Camps in Colleges/Schools, Villages, Nagar Palika Campus, Court Campus and Town Areas of their respective districts. Through these literacy camps approx 2794 were sensitized in length that the Government has implemented several establishment and projects which have provided accessibility to the differently abled people.
12. DLSA-Uttarkashi & Pithoragarh have conducted **Seminars** on the occasion of '**World Disability Day**' within their districts on 3rd December, 2015. During the seminars, it was discussed that the aim of Disability Day is to encourage a better understanding of people affected by a disability, together with helping to make people more aware of the rights, dignity and welfare of disabled people. Gatherings were also informed about Legal Helpline No. 18001804000 of UKSLSA, Nainital.
13. Total **11** Legal Awareness Camps were organized on 10th December, 2015 in rural/urban areas, aiming to observe '**Human Rights Day**'. These camps were attended by approx 3290 people of the State who were made conversant that the celebration of Human Rights belongs to everyone, everywhere, regardless of nationality, sexuality, gender, race or age.
14. DLSA- Pithoragarh, Pauri Garhwal & Uttarkashi have organized **Seminar** on the occasion of **Human Rights Day** on 10.12.2015 at Meeting Hall of Court Campus and at other places of their district. It was discussed in the seminar that Human Rights have been included in the Constitution of India and we should be aware about our rights and common masses should be made aware about the Human Rights. UKSLSA, Nainital toll free No.18001804000 were also informed amongst the gathering. Total 365 people have attended the said seminars.

Miscellaneous Campaigns:

1. During this period **05 Mega/Multi Purpose Legal Literacy-cum-Medical Camps** were organized on different dates and places of the State. The said camps were organized highlighting issues, acts, rules and provisions benefiting the common masses in day to day life. Gathering and unemployed youth were also sensitized about the Central & State Govt., Village Development Schemes. Certificates relating to Widow Pension, Farmer Pension, Old Age Pension, Family Register & Handicapped Pension Certificates and BPL Cards were provided to 767 persons. Medical check-up were also conducted to the needy and medicines were provided to the attendants as per their requirements. The said camps were attended by 2220 persons from different strata of society. Different Department of State Govt., District Administration, elected representatives were also present on the occasion.
2. During the month of October, November and December, 2015, a total number of **66 Legal Sensitization Camps** were organized and total **11,424 people** including women, children, students, senior citizens, Protection/Observation Homes Inmates were sensitized on the issues, rules, acts and provisions of POCSO Act, Lok Adalat, Free Legal Services provided by Legal Services Institutions, RTI, RTE, Mental Health, Child Labour, Anti-Ragging, PWDV Act, Compulsory Education, Child Harassment, FIR, Techniques of self defense of women/girls from sexual harassment, fundamental duties, Traffic Rules, PC & PNDT Act etc. These camps were organized at School/Colleges, Villages areas, Court campuses, Town areas etc.

Camps on Special issues:

1. Highlighting the issues, rules and provisions of *Arbitrator Act, Digitalization of Ration Card 2015, Legal Services Authorities Act 1987, Prohibition of Smoking, Human Rights and POCSO Act*, **total 07 Legal Awareness Camps** were organized. Such camps were organized on different dates and places i.e. villages, colleges and Tehsil areas and approx 515 people were informed in depth about the aforementioned acts and provisions of aforesaid issues.

2. A **Special Awareness Camp** was organized by the DLSA-Pauri Garhwal on 13.12.2015 highlighting importance of **Mediation Mechanism**. The occasion was attended by the litigants, mediators/advocates and office bearers of legal services institutions. Gatherings were informed that mediation was introduced to the legal system in 2005 as a form of dispute resolution out of the Court. They were also informed that it is the need of the hour to expand the scope of mediation to the private space so that disputing parties are able to resolve their disputes without going to the court.
3. On 02.12.2015 & 05.12.2015 DLSA Bageshwar has organized **02 Special Awareness Camps** on the issue of **Self Employment Training (SET) Programmes**. The said occasion was attended by the 60 youths (including men/women) who were sensitized on dedicated institutions designed as to ensure necessary skill training and skill up-gradation to mitigate the unemployment problem. They were also informed that these training programmes are to be organized on various trades depending upon their attitudes and local demand and promoted/managed by the banks with active cooperation from State/Central Governments. Also that the area provided to the trainee will be decided after assessment the candidate's aptitude.
4. Highlighting the issue **Gender Equality**, DLSA Bageshwar has organized a **Special Legal Awareness Camp** on 27.12.2015 with **NSS Cadets** of Pachna Inter College, Tehsil Garud. During the camp total 100 students and others were informed that equality of the genders is of the view that both man and woman should not be discriminated against gender. The Gender Equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society.
5. On 21.12.2015 DLSA-Pauri Garhwal has organized a **Special Legal Awareness Camp** for **Labourers**. In the said Camp 25 Labourers were present who were sensitized about their legal rights.
6. **04 Medical Camps** were organized by the DLSA Nainital during these months. Approx 85 people of the locality were benefitted by this medical camp including Medical Check-up and medicines provided to the needy during the camp.

Campaign through Mobile Van:

During this period Mobile Van visited the districts Rudraprayag & Udham Singh Nagar. The aim of the visit to sensitize the residents/common mass of remote areas/villages of the State on Free Legal Services/ Programmes/Schemes runs by the Legal Services Institutions of the State. A total number of **35 villages** were covered by the Mobile Van and approx 1,885 persons/villagers were apprised about the aforesaid by displaying documentary films.

02 Mobile Lok Adalat was also conducted during the period in which 359 cases were referred out of which **56 Cases** were settled amicably and 77 persons were benefited.

Visits/Inspection/Meetings:

1. During this period **13 Visits** were conducted to **District/Sub-Jails & Judicial Lock-ups** of the State by the Secretaries/Panel Advocates of the Concerned DLSAs. The aim of the visits to secure legal rights of under trial prisoners and detenues confined in the Jails of the State.
2. In these Months of October to December 2015, **11 visits** were conducted to Village Legal Care & Support Centres established in State. During the visit arrangement of such Centres, register of legal aid work/ activities were inspected and PLVs were asked to present in such centres as per directions.
3. Total **21 Meetings** were organized with **Para Legal Volunteers** during these months, which the work done by the PLVs was evaluated and were sensitize/mentor on different Rules & Provisions with reference to discharging of their duties.
4. As per directions of Hon'ble Executive Chairman, Uttarakhand SLSA and to discuss the future legal work plan/activities of district and also to boost coordination of DLSA & TLSC to perform legal aid activities effectively in the district, **07 meetings** with Chairpersons & Secretaries of **Tehsil Legal Services Committees** of their districts.

UTTAR PRADESH

During the quarter ending December, 2015 in the 187 Lok Adalats that were organized, 25,03,906 cases including 5,22,373 Petty Criminal Cases; 4,34,207 Revenue Cases; 20,132 Civil Cases; 1,423 land acquisition; 8,018 Matrimonial Disputes; 22,217 Bank Loan Disputes; 2,454 Labour Cases and 3,240 Motor Accident Claim Petitions were decided. Compensation of Rs. 76,10,84,844/- was awarded /paid to the victims/ claimants in the Motor Accident Claim Petitions. Besides total amount of Rs. 13,92,08,309/- was imposed and realized as fine in Petty Criminal Cases. Besides that 644348 cases at the pre-litigation matters and 5,05,602 cases related to other services were also disposed at the National Lok Adalat organised in December, 2015.

Special mention may be made of the 3rd National Lok Adalat that was held on 12.12.2015. The mega event which covered the civil, criminal, revenue, as well as disputes/claims before other authorities/tribunals/quasi judicial bodies was a resounding success in that a total of 24,09,189 cases of various nature pending as well as pre-litigation matters were settled. Of the various nature of cases/matters that were settled the share of different matters is as follows- MACP- 3240; Civil Cases- 20132; Matrimonial/Family Matter-6967; Labour cases- 2174; Compoundable/Petty Criminal cases- 522373; Section 138 NI Act- 3534; Pre-litigation Bank Cases- 22191; Pre-litigation other cases- 1127759 and other matters 266612. Significantly the Pre-litigation settlement amount realized was Rs. 2,12,43,66,035-00. The data collected shows that the civil matters pending before the Civil Courts have seen a reduction of 1.71 %; criminal matters pending before the District Courts have been reduced by 14.59%; MACP matters have seen a down fall of 5.26% and revenue matter of all nature have been reduced by 58.03%. From the angle of the reduction of pendency before the Civil Courts in totality the figures made available by the District Courts show a reduction of 11.44%.

Legal Awareness / Publicity on Programmes / Schemes Related to Legal Aid, ADR and Law Pertaining to Women, Children & Marginalized Sections through AIR, DD and Community Radio.

Under the directions of the Hon'ble Executive Chairman, NALSA and the decisions taken in the 13th All India Meet of State Legal Services Authorities at Ranchi, Jharkhand, the UPSLSA in all earnestness has started the awareness programmes on issues of social, legal and those that are important from the perspective of ensuring access to justice; rights and entitlements of the common people and for protecting the rights and interests of women and children. In this context, such programmes are being broadcast on regular basis through AIR and Community Radio. The programme on Doordarshan under the title ' Kanoon ki Batein' though are not being telecast on regular basis, but so far during the last three months, programmes covering subjects on 'Domestic Violence'; 'Acid Attack & Rights of Victims subjected to such Inhuman Act'; 'Mediation'; 'Laws protecting Women'; 'Lok Adalat' etc. have been covered, where the officers of the UPSLSA participated.

The Legal Awareness Programme through the Lucknow Centre of AIR, which is broadcast from all the centres in the State of Uttar Pradesh, goes on air at 8:00 pm every Sunday. The programme starting in the month of February, 2015 has been broadcast without break every Sunday. The speakers / resource persons in the programme have been mostly the judicial officers, posted on deputation at the Authority. On few occasions, resource persons / experts have been out sourced to provide a better perspective on the issues under discussion. In the programmes that have been recorded and broadcast till date, almost all the areas / topics that were suggested by NALSA have been covered. Specifically during the July to September, 2015 quarter issues related to mediation, Public Interest Litigation, Acid Attack, Protection of children from Sexual Offences Act, 2012, ADR, Ill effects of tobacco and liquor consumption, Lok Adalats etc. have been covered. A special live phone in programme on issues pertaining to women was also organized.

In coordination with the City Montessori School, Lucknow the legal awareness programme on community radio run by the school has been started .

The Hon'ble Executive Chairman leads by an example

With the objective of imparting pace to the legal activities being carried out by the legal services institutions at the district level, the Hon'ble Executive Chairman, UPSLSA has been visiting the DLSAs throughout the length and breadth of the State. The purpose of the visit is to take stock of the ground realities, analyse & identify the shortcomings and accordingly determine the steps to be taken for improving the conditions. During the months of October, November and December the Hon'ble Executive Chairman has visited many districts.

Bal Samwad Adalats

The UPSLSA has been regularly organizing '**Bal Samwad Adalats**' for settling the matters regarding juveniles in conflict with law, who have been implicated in criminal matters, which entails punishment up to 7 years for adult offenders. During the quarter in question i.e. October to December, 2015 total of 244 matters pertaining to juveniles in conflict with law were settled through the bal samwad adalats.

During the quarter ending on October to December, 2015 a total of 952 persons have been provided legal assistance through this facility.

Regional Conference on Mediation

The Mediation and Conciliation Project Committee, Hon'ble Supreme Court of India was pleased to choose Lucknow as the host of the Regional Conference on Mediation of Zone -2, comprising the States of Uttar Pradesh, Delhi, Gujarat, Madhya Pradesh and Rajasthan. The 02 days low budget conference was organized at the Judicial Training and Research Institute (JTRI), Lucknow on 26 -27 September, 2015. The conference was attended by Hon'ble Mr. Justice Madan B. Lokur, Judge, Supreme Court of India and Member, Mediation & Conciliation Project Committee, Supreme Court of India; Hon'ble Mr. Justice R.K. Agrawal, Judge,

177 / NYAYA DEEP

Supreme Court of India; Hon'ble Dr. Justice D.Y. Chandrachud, Chief Justice, High Court of Judicature at Allahabad & Patron-in-Chief, UPSLSA; Hon'ble Mr. Justice Rakesh Tiwari, Senior Judge, High Court of Judicature at Allahabad and Executive Chairman, UPSLSA; Hon'ble Judges of the Mediation Committees of the participating High Courts; Member Secretaries of the participating State Legal Services Authorities; Mediators; Coordinators and other participants.

The conference was organized with the objective of identifying the challenges in the implementation and management of mediation activities; the solution to overcome the challenges and to spread awareness and popularize mediation as an effective tool of dispute settlement.

The 02 days conference started with inaugural session presided over by Hon'ble Mr. Justice Madan B. Lokur. There were two working sessions, the first of which, focused on the reports by the participating High Courts on the achievements of the mediation efforts in the respective States, Challenges in the implementation and management of mediation activities, Solutions to overcome the challenges faced in the implementation of the mediation programmes and Implementation of plan for the year 2015-2016. The second working session covered presentation by the break out groups.

The conference ended with the valedictory session, wherein Hon'ble Mr. Justice Madan B. Lokur summed up the discussion and the various issues and concerns that were raised in the earlier sessions. Hon'ble Dr. Justice D. Y. Chandrachud concluded the conference by proposing the vote of thanks.

Inspection of Mental Hospitals

The Member Secretary, UPSLSA in compliance of the directions of the Hon'ble Supreme Court of India, visited the mental hospitals in the districts of Agra, Bareilly and Varanasi for making an assessment of the conditions of the inmates in the mental asylum, the medical facilities being provided, the existing physical infrastructure, quality of food being provided, hygienic conditions etc. The report prepared on this basis has been duly communicated

to all concerned so that the adverse conditions may be rectified at the earliest.

Visit to District Jail, Rajkiya Grih Balak, Observation Home at Varanasi

The Member Secretary, UPSLSA on 27th October, 2015 visited the above institutions to have firsthand experience of the existing conditions and to take note of the problems being faced by the inmates. Special mention may be made about the under trial jail inmate Bal Kishan @ Monu aged more than 80 years detained under various sections of the IPC including section 419, 420, 467, 468 etc. the incarcerated jail inmate informed that despite the fact that he has been granted bail about 7 years back, by the Hon'ble High Court, he has not been able to enjoy his liberty on account of the inability to meet the conditions of the bail. The condition for the grant of bail, which stipulates deposit of cash amount of Rs. 2.00 lack along with execution of two sureties and personal bond, being beyond the limit of the unfortunate prisoner, the Member Secretary, UPSLSA directed the Secretary, DLSA, Varanasi to collect all relevant documents from Mr. Bal Kishan and depute the counsel of the High Court Legal Services Committee to move the Hon'ble High Court for relaxation of the bail condition. The Secretary, DLSA has been further directed to forward the documents to the UPSLSA, so that the State Authority may also initiate necessary action for the early release of Mr. Bal Kishan.

Inspection of Rajkiya Mahila Sarnayalaya and Rajkiya Bal Grih Shishu, Lucknow by the Member Secretary on 6th October, 2015.

The Member Secretary, UPSLSA in company of the Full-Time Secretary, DLSA, Lucknow carried out inspection of the above homes to gauge the living conditions and to ensure that proper care of the children living in the homes is being taken. The overall condition in the homes was found to be satisfactory, but the minor shortcomings that were observed was brought to the notice of the Superintendents of the homes and they were accordingly directed to rectify those defects. The Superintendent of the Bal Grih Shishu was directed to provide more living and playing space for the children, along with, better facilities for the education of the children.

Special Legal Awareness Camps by the Officers of UPSLSA

Under the directions of the Hon'ble Executive Chairman, the UPSLSA has taken a new initiative under which, every judicial officer posted on deputation at UPSLSA are along with supporting staff are utilizing the mobile lok adalat van to tour the entire length and breadth of the State of Uttar Pradesh with the objective of spreading legal awareness, to have firsthand experience of the condition of jails , observation homes, special homes etc. Under the scheme that has been chalked out starting from August , 2015 and on a regular basis from December, 2015 each of the 05 judicial officers at the UPSLSA are required to go on a 06 days trip, covering 3 districts at a time . During the tour on the mobile lok adalat van, in close coordination with the local DLSA and the district administration, awareness camps; mobile lok adalats; inspection of jails, observation homes, special homes, mental hospitals is carried out; review of the work being done by PLVs, empanelled lawyers is also undertaken. In accomplishment until 31st December, 2015 , the districts of Kanpur Dehat, Unnao, Allahabad, Kaushambhi, Bijnore, Muzaffar Nagar, Saharanpur, Azamgarh, Gorakhpur, Mau, Agra, Firozabad, Hathras , Kanpur Dehat, Jhansi and Jalaun at Orai have been covered.

WEST BENGAL

9th November 2015 Observance of Legal Services Day At SSKM hospital, Kolkata- a step in action for the mentally disabled persons

On the 9th of November 2015, the DLSA, South 24 Parganas, had endeavoured to set up a Legal aid Clinic in the Institute of Psychiatry, SSKM Hospital, Government of West Bengal. The Clinic is the first of its kind in the Psychiatry hospital and with sincere efforts and assistance from the concerned Government departments, the clinic had been set up with the primary objective of rendering legal services free of cost to the patients suffering from mental trauma and disabilities who have been victims of injustice, as also to all those in need of the same.

Observance of Children's Rights Week - 14th-21st November, 2015

DLSAs observed Children's Rights Week beginning from 14th - 21st November, 2015 by organising Legal Literacy Programmes in

180 / NYAYA DEEP

Schools with emphasis on Fundamental Duty, Child Marriage Prohibition Act and POCSO Act, compulsory Education, Right of Children.

Observance of Law Day - 26th November, 2015

Law Day on 26th November, 2015 was observed by the District Legal Services Authorities by organising the Legal Literacy Programme in village to empower the general public of basic laws viz, Panchayat & Municipality Laws, Marriage Laws, Marriage Registration Act, Birth and Death Registration Laws and highlight the benefits extended by Central and State Government for weaker section of society.

28th Nov & 5th Dec 2015 (Phase I) Lawyers' training programme under NALSA module At SLSA Conference room, Kolkata

The first Lawyers' training under NALSA module had been undertaken by the SLSA at its own Conference room at Kolkata on two separate days - 28th November and 5th December 2016. 25 lawyer participants had taken the training. The opening address of the session was delivered by the Member Secretary, Sri Abhijit Som and the training was imparted by the Master Trainers Sri Kaushik Gupta and Sri Dulal Chandra De with the active assistance and support of the Member Secretary and the Deputy Secretary, Dr. Moumita Bhattacharya. The Hon'ble Executive Chairperson-in-charge, Hon'ble Justice Indira Banerjee had presided over to grace the occasion and be a part of the programme. Her Ladyship inspired the lawyers to be proactive and attentive and to evolve within themselves a sense of pride that they are rendering social service. The sessions progressed with Ice -breaking, Role Play, Lectures, Activity sessions in tune with the NALSA module and the participants were all ears to the message generated. They had been active and prompt and the response was overwhelming. The Feedback generated from the participants was equally satisfying and contented. The State Legal Services Authority with the help of NALSA had been successful in driving home the message of social responsibility and ideological thinking in the mind of the participants.

12TH December 2015 Inauguration of National Lok Adalat at Darjeeling

The National Lok Adalat was held on 12.12.15 throughout the country. The State Legal Services Authority had endeavoured to spread widespread awareness about the Lok Adalat. It had distributed pamphlets to the people around to spread the information and generate awareness about the same. The Hon'ble Chief Justice, Calcutta High Court and Patron-in-Chief, State Legal Services Authority, West Bengal, Dr. Manjula Chellur had inaugurated the Lok Adalat at Darjeeling. Hon'ble Justice Joymalya Bagchi, Judge, Calcutta High Court and the Zonal Judge of Darjeeling was also present to grace the occasion. The Hon'ble Chief Justice in her address, was very clear in her message about reducing the pendency of cases in the Court and stressed the eminent need to place inspired the Advocates as well as the dignitaries of the District Administration as also the members of the Police force present at the ceremony to put the mechanism more and more into practice. She further expressed about the need to sensitize the Advocates and the Judiciary in this regard and promised about the requisite training to be imparted soon to them. The Ld. District Judge, Darjeeling, Mr. Manojit Mondal was present, the judicial officers, students, para-legal volunteers, litigants all had been present at the gathering. The Registrar cum Deputy Secretary, State Legal Services Authority, Dr. Moumita Bhattacharya had also been present at the ceremony. The Hon'ble Chief Justice, inaugurated the two Benches of Lok Adalats by cutting the ribbon and the Benches presided over.

13TH December 2015 Inauguration of a Project for adopting a village named Champasari at Siliguri , Darjeeling for rendering free legal aid taken up by

Indian institute of Legal Studies, Siliguri in collaboration with State Legal Services Authority, W.B.

The Indian Institute of Legal Studies in collaboration with the SLSA, West Bengal had developed a Project for adopting a village for rendering legal aid through Alternative Dispute Resolution Mechanism system under the Champasari Gram Panchayat within the sub-division of Siliguri, District - Darjeeling. The increasing crime rate in that area and also the enormous difficulties and problems of the tea workers and other legal

problems at the tea gardens had left an impression that Champasari GP would be the appropriate area to be rendered free legal aid and be declared as free litigation village. Hence this proposal.

The inaugural ceremony for the said project was held on 13/12/2015 at the Dagapur Tea Estate Playground at 10:00 am. The inauguration was done by the Hon'ble, Chief Justice, Calcutta High Court, Dr. Manjula Chellur along with the Hon'ble Justice Indira Banerjee, Judge, Calcutta High Court, the Hon'ble Justice Joymalya Bagchi, Judge, Calcutta High Court along with the other eminent dignitaries namely Mr. Manojit Mandal, Ld. District & sessions Judge, Darjeeling, the Heads of the Civil Administration, the Police fraternity, local Authority and Shri Joyjit Choudhury, Chairman, IILS. About 1,000 participants from all walks of life had taken active part in the said ceremony. The Hon'ble Chief Justice was very enthusiastic about the project and expressed her whole-hearted support and guidance in its execution.

Her Ladyship laid great expectation upon the effective execution of the Project hoping that all the stake holders (i.e., judiciary, executive, legislature, local authorities, civil administration, police fraternity and others) will take active part and provide full support to the proper and meaningful execution of the same. Her Ladyship was further exuberant to promise her return after three months to keep track of the progress of the noble initiative.

Report of National Lok Adalat held on 12th December, 2015

FOR DISPOSAL IN NATIONAL LOK ADALAT HELD ON 12.12.2015						
Name of the State Authority		West Bengal State Legal Services Authority				
	Total Taken up		Total disposal		Total settlement amount	
	224845		199808		469767929/-	
Type of Cases (Categories)	Pre-Litigation Cases			Pending Cases		
	Taken up	Disposal	Settlement Amt.	Taken up	Disposal	Settlement Amt.
Criminal compoundable cases				2502	1712	290150/-
NI Act u/s 138	996	478	12273286/-	17	0	0
MACT Cases				1033	746	143315804/-
Matrimonial/ Family dispute	7	3		27	16	

183 / NYAYA DEEP

Land Acquisition				2	2	
Civil Cases (Rent, Bank Recovery, Easmentary Rights, Debt Recovery Tribunal Cases, Injunction Suits, Specific performance Suits etc.	24283	4928	282882951/-	87	6	342000/-
Traffic Challans	191946	191010	5355740/-	1061	284	25160/-
Revenue Cases- Mutation cases						
Electricity				30	16	
Forest Act Cases				3	1	1500/-
Misc. Appeals (Crml. Appeals, civil appeals, 2nd appeals, original suits, writs, MACT appeals before HC)				112	51	10300000/-
Others - please specify under clear and specific description	2739	555	14981338/-			
Total	219971	196974	315493315/-	4874	2834	154274614/-

19th December 2015 Launching of the PLV module and dissemination of the NALSA Child-Friendly Scheme 2015

Taken up by CINI in collaboration with SLSA at Kolkata

The Child in Need Institute, under the guidance and support of the State Legal Services Authority and the District Legal Services Authority, Kolkata, South 24 Parganas and North 24 Parganas had brought out a Para-legal volunteers' training module, the concept having adopted from the NALSA Guidelines and the said manual was launched on 19.12.15 at a seminar hall at Kolkata under the graceful hands of Hon'ble Mr. Justice Ashis Kumar Chakraborty, Judge, High Court, Calcutta. The Secretaries of the District Legal Services Authorities had been present on the said occasion which also housed other dignitaries such as members from the Juvenile Justice Board, Child Welfare Committees, Police

personnel from different departments, NGOs, UNICEF, Government Department of Social Welfare, and others. The discussions enumerated upon the tracking of missing child to the rendering of legal aid to the child in need of care and protection. Conversations emerged about the usage of the software for tracking the missing children and talks upon the role of the PLVs in every concerned area followed. A study was made on The NALSA (Child Friendly Legal Services to Children and Their Protection) Scheme, 2015 and the same was disseminated to the audience through a power-point presentation. The State Legal services Authority communicated the message to all the concerned departments to work hand in hand with the scheme in order to realise its objectives.

Mobile Lok Adalat cum Legal Awareness Campaign

Mobile Awareness campaign held on the following places by using the Mobile van of this Authority to spread awareness amongst the people about the ensuing National Lok Adalat and Legal Services Activities for the benefit of the Society under the aegis of National Legal Services Authority. Leaflets containing the benefit of National Lok Adalat & information of the Legal Services Institutions of West Bengal were distributed on the venues of campaign for propagation and wide publicity.

Date	Venue
1 st October, 2015	Midnapore in the district of Paschim Medinipur
26 th -27 th November, 2015	City Civil Court campus
3 rd December, 2015	Alipore in the district of South 24 Parganas
4 th December, 2015	Howrah Court Campus
5 th December, 2015	Sealdah Court and Sealdah Railway Station area
7 th December, 2015	Barasat in the district of North 24 Parganas
8 th -9 th December, 2015	In the Court Campus of Hon'ble High Court, Calcutta
10 th December, 2015	City Sessions Court, Calcutta Court campus
11 th December, 2015	City Civil Court campus

23rd - 27th December, 2015

Inauguration of Legal Awareness Stall in the Poush Mela, at Bolpur, Shantiniketan Birbhum

Poush Mela , an annual fair and festival that takes place in Santiniketan, in Birbhum District in the Indian state of West Bengal, is a grand affair. Inaugurated on the 7th of Poush (around 23rd of December), it is characterized by the live performances of Bengali folk music, especially the *baul* music. On such occasion, the State Legal Services Authority, West Bengal and the District Legal Services West Bengal had installed a Legal Literacy cum Legal Awareness Camp and free legal aid clinic at the Mela premises at Santiniketan - Bolpur, for wide publicity of legal awareness and propagation of legal services activities to the common people from 23rd December, 2015 to 27th December, 2015. The Legal Literacy Stall was inaugurated by the Chairman, District Legal Services Authority, Birbhum & District & Sessions Judge, Birbhum, the Chairman, Sub-Divisional Legal Services Committee, Bolpur, Registrar cum Deputy Secretary of State Legal Services Authority, West Bengal, Secretary, District Legal Services Authority, Birbhum. The Registrar cum Deputy Secretary, SLSA was present on the 2nd day of the fair along with the District Secretary and the Chairman, SDLSC. Other judicial officers were also present. An aggrieved person had come to the stall with lots of grievances and had asked for legal assistance. The Chairman SDLSC, Deputy Secretary SLSA as well as the Secretary DLSA Birbhum interacted with him and together they had been able to offer appropriate legal assistance to him which made him contented and satisfied. The Judicial Officers and Ld. Advocates also interacted with the visitors of the legal literacy stall. Booklets, pamphlets, leaflets were widely distributed. Hundreds of people thronged to the stall for collecting those. A widespread awareness was generated and the stall emerged as a successful campaign towards spreading of legal awareness.

Legal Services Clinic Visva-Bharati University at Santiniketan - 30th December, 2015

On 30th December, 2015, a Legal Aid Clinic for the people of North Eastern states was set up by the District Legal Services Authority,

186 / NYAYA DEEP

Birbhum with the assistance of students and Faculty Members of North-East India at the Visva-Bharati University, Santiniketan, Bolpur under the Guideline of NALSA.

CHANDIGARH

Performance of Lok Adalats and Mediation Center:-

1. **Two National Lok Adalats 10.10.2015 and 12.12.2015** were organized in the premises of District Courts Complex, Sector 43, Chandigarh. On **10.10.2015** total number of **89cases** were settled and amount of **Rs.5,24,950/-** was settled and **12.12.2015** total number of **2142 cases** were settled and amount of **Rs. 24,16,03,694/-** was settled. During these Lok Adalats **8030 summary cases** were settled, amount of **Rs. 1200300/-** was recovered.
2. During the quarter ending December 2015, Permanent & Continuous Lok Adalat Settled **02 cases at** pre-litigative stage and **02 referred cases** were settled in the District Courts.
3. Permanent Lok Adalat for Public Utility Services disposed of **574 cases** and an amount of **Rs. 2,12,656.46/-** was awarded as compensation.
4. Mediation and Conciliation Center functional in the District Courts Complex, Sector 43, Chandigarh, during the quarter settled **70 cases**.
5. Three Daily Lok Adalats established in the premises of Hon'ble High Court of Punjab and Haryana, Chandigarh are functioning on all working days. These Lok Adalats have settled **256 cases** and an amount of **Rs. 3,29,91,225/-** has been settled as compensation in Motor Accident Claim Cases.

Legal Awareness Programmes

During the quarter, the Authority organized **several Seminars/Legal Awareness camps/Workshops** on various topics and dates at different venues in Chandigarh. The details are given below:

187 / NYAYA DEEP

1. Awareness programmes on Community Radio station

The resource persons deputed by the Authority got recorded programmes on 91.2 Fm Jyotirgamy Community radio station of Punjab University Chandigarh. The following programmes were aired on different topics and dates:

1. 09.10.2015: Talk on welfare of senior citizens Act by Ms. Manjit Kaur, Advocate.
2. 20.10.2015: Talk on Freedom of Speech and Expression by Ms. Shalini Bagdi, Advocate.
3. 13.11.2015: Talk on Mediation by Ms. Savita Saxena, Advocate.
4. 20.11.2015: Talk on Protection of children from Sexual Offences Act (POCSO) 2012 by Ms. Manjit Kaur, Advocate.
5. 04.12.2015: Talk on Section 354 of IPC by Sh. J.K. Kamboj, Advocate
6. 26.12.2015: Talk on Juvenile Justice Act by Sh. J.K. Kamboj, Advocate

2. Legal Literacy Camps in schools of Chandigarh:

Total 55 legal literacy camps were organized by State Legal Services Authority, U.T, Chandigarh in different schools of Chandigarh. In these camps /classes, the subjects of discussion primarily included fundamental Duties, Juvenile Justice, Rights of Women and Children, Rights of specially abled, Rights of Senior Citizens, E-Courts, Protection of Children from Sexual Offences Act, 2012, Sexual harassment at work places, Mediation, Lok Adalats, Drug Abuse, Improvement of Literacy and Life Skills and Empowerment of Children and Women of the disadvantaged sections of society. Para legal Volunteers, Panel Lawyers and Law students interning with Authority were speakers in these camps.

3. Awareness Camps and Surveys by Law Students:

The Authority organised 10 days internship for 11 students of different law colleges, wherein they visited Snehalya, Old Age

Home , Observation cum special home on 24.12.2015 and interacted with the inmates under the guidance of Law Officer of the Authority.

On 30th and 31st December, they visited all the legal services clinics and conducted surveys in Villages Burail, Kaimbala, Maloya, Dhanas with the help of Para Legal Volunteers and Panel Lawyers. They also addressed the NSS camps in Govt. senior Secondary school, Manimajra Town, Government Senior Secondary School, Kaimbala, Government Model Senior Secondary School, Sector 20, Chandigarh, Government Model Senior Secondary School, Sector 16, Chandigarh on various socio-legal issues.

4. Street Plays:

The students of University Institute of Legal Studies, Punjab University, Chandigarh presented a "Nukkad Natak" in Palsora, Chandigarh on 07th October, 2015 on the topic 'Dowry' and another in Dadumajra, Chandigarh on 17th October, 2015 on the topic 'Dowry and Female foeticide'.

I. Activities of Projects in collaboration with N.G.Os

A. Kaimbala Project:

Recently, the project 'Sakshar Balak-Balika and Saksham Maa' being run in collaboration with N.G.O 'Hamari Kaksha' has been extended for another year and shifted to Government Senior Secondary School, Kaimbwala. The teaching of Legal literary Skills to the working women has also been taken up among the residents of village. In this project, various activities have been lined up for this year which include Awareness Camps, Excursion Trips, vocational training and health camps etc. The legal literacy club of the school and the PLVs working in the Legal Service Centre have integrated their activities with the project.

Following major activities have been undertaken in this quarter:

1. On 17.10.2015 an Orientation Programme for the mothers was organized wherein they were sensitized about the Health and Personal Hygiene. The Workshop was conducted by Ms

189 / NYAYA DEEP

Sangeeta Choubey , a teacher associated with the Hamar Kaksha NGO.

2. On 04.11.2015 , a workshop on the eve of Diwali was organized. In this workshop , the mothers were taught the art of Diya Making, Rangoli and Gel Candle making. This workshop was conducted by Mrs Anju Sharma, resource Person associated with NGO Hamari Kaksha.
3. A Cancer Awareness programme was organized under the project 'Saakshar Balak Balika and Saksham Maa' in village Kaimbwala by N.G.O. Hamari Kaksha on 22.12.2015 wherein Members from the Rotary Club and Medical fraternity were present. The Member Secretary of the Authority addressed the gathering.

B. Indira Colony Project: State legal Services Authority has recently started 'Hamari Pathshala' project with N.G.O. Human Social Justice Panel in Indira Colony for improvement of Legal Literacy and Awareness of the people. Following are the activities of this project undertaken by the team of Para Legal Volunteers:

1. The team has recently conducted an awareness drive in Indira Colony and sensitized the people to keep their surroundings free from litter so as to avoid the Dengue as well as other diseases.

An awareness campaign for Protection from Dengue and Malaria was organized from 28th September 2015 to 2nd October 2015. During the campaign PLVs with the help of UT Health Department cleaned the blocked drains to dispose off stagnant water, checked the installed water coolers and water storage places in the colony to stop Dengue and Malaria breeding.

On 2nd October 2015 on the Mahatma Gandhi Jayanti Day and International Day of Non Violence, a march was organized by more than 100 Colony children studying in Hamari Pathshala. The March was led by Col. V.S. Dhillon, Sh. Y.N. Chugh, Mr. Ashwani Sondhi, PLVs. The Children carried slogan Banners to make people aware about how

190 / NYAYA DEEP

to protect themselves from Dengue and Malaria. Chlorine tablets were also distributed to save them from water borne diseases. March passed through Jhuggies colony and main streets of the colony and ended after an address to the gathering by Para Legal Volunteers on socio-legal issues.

2. From 4th November to 11th November 2015, an **ELDERS WEEK** was observed. During this week the team visited various houses and jhuggies in the colony along with children to know the problems of elders. They tried to involve the children in community work. Children also visited the houses and gave information about the elders. With the help of children 18 such elders were identified who required help of various types such as medical, pension, proper food, hygiene living conditions etc. Now the team is following up and providing further help to those elders.
3. The team received the call from the office of the Authority, to help a patient lying abandoned outside PGI emergency. Col Dhillon and Sh. Y. N. Chugh, PLVs went to the hospital and inquired about his well being. He told that his wife and two children are staying in Sector 8, Chandigarh and he had fallen sick few months back. His family left him in lurch and no body came to help him for the treatment expenses. He was admitted in Government Super Speciality Hospital Sec 16, Chandigarh and then he was referred to PGI, Chandigarh .The PGI treated him for a week in emergency and then discharged him .As nobody came to take him so the security staff shifted him outside. The PLV s tried to convince his family to come forward but they refused. Efforts were put in to get him admitted at Homes for destitutes but got negative response from all the places as he was ill. Later with the efforts of the PLVs, Prof. Gupta of PGI permitted the patient to stay in Helpline Sarai of PGI for further treatment. They are visiting him periodically to help him.
4. On 24.12.2015 the NGO Human Social Justice panel under the project 'Hamari Pathhshala' organized an awareness camp in Indira colony Chandigarh and

supplied school uniforms and books to the students. Member Secretary and PLVs addressed the gathering.

II. Legal Aid:-

During the quarter, free Legal Aid was provided to **257 beneficiaries** under Section 12 of the Legal Services Authority Act, 1987.

III. Refresher Programmes for the Panel Lawyers and PLVs.

The Authority is regularly conducting Monthly Orientation Courses for the Lawyers/Para Legal Volunteers/Mediators in Chandigarh Judicial Academy as per the directions of National Legal Services Authority, New Delhi. In these monthly programmes various topics on Socio Legal Issues etc. were taken up for discussion given as under:

Date	Topics	Speakers	Participants
26.10.2015	Prisoners Rights	Mr. Jatinder Kumar Kamboj and Ms. Manjit Kaur Sandhu	43
27.11.2015	Constitution Provisions and Legal Aid	Mr. Jatinder Kumar Kamboj and Ms. Manjit Kaur Sandhu	44

I. Visits to Model Jail Chandigarh :

Member Secretary, State Legal Services Authority, U.T. Chandigarh visited the Model Jail, Chandigarh regularly during the quarter to monitor the legal aid services to the Jail inmates. Sh. Rajeshwar Singh, Law Officer visited Model Jail, Burail, Sector 45, Chandigarh and interacted with the inmates of each barrack on every Monday of the week. He provided free legal aid to unrepresented inmates.

On every alternate day Advocates deputed by the Authority visited the jail. They interacted with the inmates of each barrack and provided free legal aid to unrepresented inmates. A total number of **61** visits were conducted to Model Jail, Chandigarh during the quarter.

DADRA & NAGAR HAVELI

INFORMATION SHOWING IN RESPECT OF LEGAL SERVICES PROGRAMME ORGANISED BY DISTRICT LEGAL SERVICES AUTHORITY DADRA AND NAGAR HAVELI, SILVASSA DURING THE PERIOD FROM OCTOBER 2015 TO DECEMBER 2015

Sr.	Date	Subject	Venue
1	10.10.2015	"National Lok Adalat for Traffic, Petty Matter and Municipal Matter"	District Court Silvassa Premises, Silvassa
2	16.10.2015	"Senior Citizen Day & World Mental Health Day"	Consumer Forum Hall, District Court, Silvassa
3	26.11.2015	"Children's Day & Law Day"	Consumer Forum Hall, District Court, Silvassa
4	10.12.2015	"World HIV/AIDS Day, Disability Day & Human Right Day"	Consumer Forum Hall, District Court, Silvassa
5	12.12.2015	"National Lok Adalat"	District Court Premises, Silvassa

DELHI

I. LEGAL AID

(i) **Visits to Jails and Observation Homes**

Under the Project started by DSLSA in the year 2013 "Ensuring Expedient and Effective Legal Services to the Inmates of Jails and Observation Homes" DSLSA has adopted all the 10 Jails and 04 Observations Homes in Delhi.

Each Observation Home has been assigned to one of the Secretary of DLSA. They have been directed to visit the home once in a week and to supervise the work of Legal Services Advocates. In the abovesaid quarter, the **Legal Services Advocates made 848 visits to Jails and 65 visits to Observation Homes, while Ld. Secretaries made 18 visits to Jails and 15 visits to Observation Homes in Delhi.**

Further, vide office order dated 20th July, 2015, the empanelled Legal Services Advocates of JJBs have been directed to visit the respective Observation Homes after the court working hours to assess the Legal Services need/requirement of Juveniles in Conflict with Law. They have been directed to visit these homes once in a week and devote atleast two hours of services during such visit. During the visit, they assess the Legal Services need/requirement of Juveniles in Conflict with Law. **In the abovesaid quarter, the empanelled Legal Services Advocates of JJBs made 84 visits to Observation Homes.**

(ii) Visits to Children Homes

Vide office order dated 20th July, 2015, the empanelled Legal Services Advocates of CWCs have been directed to visit the respective Children Homes after the court working hours once in a week and devote atleast two hours of services during such visit. During the visit, they assess the Legal Services need/requirement of Children in need of Care and Protection. **In the abovesaid quarter, the empanelled Legal Services Advocates of CWCs made 83 visits to Children Homes in Delhi.**

Besides the above, DSLSA has also **appointed two Lady Legal Services Advocates to visit Children Homes, Observation Homes, Shelter Homes for Girls located in the Nirmal Chhaya Complex twice a week** to provide free legal aid and services under the domain of the DSLSA, to have interaction with the inmates & redress their legal grievances and to report back to DSLSA about the problems faced by the inmates, which need to be immediately addressed. **In the month of December, 2015, they have made 15 visits to these homes.**

(iii) Beneficiaries of Legal Services

During the quarter October to December, 2015, Delhi State Legal Services Authority has provided legal aid/assistance to following number of persons:

Category	No. of Legal Aid Beneficiaries
Schedule Caste	130
Schedule Tribe	02
Women	1646
Children	39
In custody	2870
General	896
Others	216
Total	5799

Further, in the abovesaid quarter, the Delhi State Legal Services Authority also dealt with

- 346 cases of DAR/MACT.
- 597 cases of Missing Children.
- 159 cases of victims of sexual assault
- Under Delhi Victims Compensation Scheme, 2011, compensation was awarded in 174 cases and the total amount of compensation was Rs. 3,40,20,000/- (Three crore forty lakh twenty thousand).

II. LOK ADALAT

During the abovesaid quarter, the Lok Adalats organized by DSLSA are as under:-

(i) **Monthly National Lok Adalat:-**

As per the Calendar of National Legal Services Authority, Delhi State Legal Services Authority organised Monthly National Lok Adalat on 10th October, 2015. **A National Lok Adalat was also held on 12th December, 2015.** DSLSA organized Lok Adalat in High Court, District Courts, Permanent Lok Adalats, State Consumer Disputes Redressal Commission, District Consumer Disputes Redressal Forums, Debt Recovery Tribunals & Revenue Courts.

(ii) **Daily Continuous Lok Adalat:-**

DSLSA has also devised a Mechanism/Protocol for organizing the **Daily Continuous Lok Adalats (DCLAs)** in all the 11 Districts. Every District Legal Services Authority is organising 'Daily Continuous Lok Adalat' on all working days from 4 PM to 6 PM.

(iii) **Permanent Lok Adalats:-**

DSLSA has two Permanent Lok Adalats (PLAs) functioning at Mata Sundri Lane, Near I.T.O. wherein electricity matters pertaining to three Discoms i.e. TPDDL, BSES RPL and BSES YPL are taken up for the purpose of amicable settlement.

In the abovesaid quarter, the category-wise number of cases disposed of in Lok Adalats is as under:-

S. No.	Case Category	Cases disposed of	Settlement Amount	Fine Amount
	Pre-litigation			
1.	Traffic	1,56,533	0	Rs. 2,60,320/-
2.	Telecom	69	Rs. 5,65,074/-	0
3.	Matrimonial	03	Rs. 18,000/-	0
4.	Civil Cases including Recovery Cases	356	Rs. 3,67,79,101/-	0
	Post-litigation			
5.	Traffic	17,411	Rs. 4,74,910/-	Rs. 6,11,261/-
6.	CrI. Compoundable	1507	Rs. 6,12,66,460/-	Rs. 15,35,600/-
7.	138 NI Act	783	Rs. 13,72,67,937/-	Rs. 49,900/-
8.	Civil Cases including Recovery Cases	378	Rs. 1,57,45,350/-	Rs. 10,000/-
9.	Matrimonial	102	Rs. 1,34,40,000/-	0
10.	Labour/MCD	1201	Rs. 6,16,550/-	Rs. 15,100/-
11.	Electricity	216	Rs. 1,17,31,210/-	0
12.	MACT	430	Rs. 12,39,54,391/-	0
13.	Consumer Cases	267	Rs. 6,32,77,960/-	0
14.	Debt Recovery Tribunal	55	Rs. 39,59,21,424/-	0
15.	Revenue Cases	140	Rs. 63,450/-	0
16.	Permanent Lok Adalats	1153	Rs. 6,59,17,479/-	0
17.	Other Cases	1265	Rs. 99,64,860/-	Rs. 87,050/-
	Total	1,82,763	Rs.93,84,58,837/-	Rs. 30,37,781/-

Besides the above, in the abovesaid quarter, 894 cases were also disposed of in the Specialittings of Plea-Bargaining held on the day of Monthly/National Lok Adalat, in which the settlement amount was Rs. 14,54,681/- and fine amount was Rs. 4,68,550/-

III. LEGAL LITERACY

(1) Legal Literacy/Awareness Programme at GRCs/NGOs

During the abovesaid quarter, DSLSA organized **519 Legal Awareness Programmes** at Gender Resource Centres/NGOs on

196 / NYAYA DEEP

the topics of “Fundamental Rights & Duties under Constitution of India, Maintenance and Welfare of Parents & Sr. Citizens Act, Benefits available to Sr. Citizens under various schemes, Protection of Women from Domestic Violence Act, Dowry Prohibition Act, Awareness Programmes for Socially and Economically weaker sections of Society with special reference to SC & ST/Minorities, Awareness Programmes on Unorganized Workers Social Security Act, 2008 in association with Labour Department, Govt. of NCT Delhi, Awareness Programmes for RWAs pertaining to Prevention of Corruption Act and redressal mechanism of their complaints with civil authorities, Special awareness/sensitization Programmes for NGOs on Mental Health Act and NALSA Scheme for Mentally ill and Persons with Mental Disabilities Human Rights, Protection of Women from Sexual Harassment at Workplace, Delhi Victims Compensation Scheme, Prohibition of Employment of Children etc.

(2) Legal Literacy Programmes for School Students

During the abovesaid quarter, the DLSAs organized **1053 Legal Literacy/Awareness Programmes** for Schools students on the topics of Fundamental Rights & Duties under the Constitution of India, functioning of Police Stations and Set up of Judicial System in India, Cyber Laws and cautions to be exercised while Net Surfing with special reference to Social Media, Traffic Laws, Protection of Women from Domestic Violence Act, Protection of Children from Sexual Offences Act etc.

Besides the above, in the months of November and December 2015, DLSAs invited students of 15 schools at different dates in a group of 30-40 students from each school to observe the proceedings of courts.

(3) Essay Competition in Schools

On 19th December, 2015, the Central DLSA organized a Quiz Competition between two schools viz. **SBV, Wazirpur Village and SBV, Phase-1, Block-H, Ashok Vihar**, New Delhi in the presence of Ld. Secretary and Incharge, Central DLSA. The Quiz was on general awareness touching questions on legal awareness as well. The winners of the

Quiz in both the schools were rewarded by the Ld. Secretary.

(4) Legal Literacy Programmes for College Students

- On 6th October, 2015, Ld. Secretary, New Delhi DLSA addressed a Legal Literacy Programme at **Dayal Singh College (Evening)** on the topic of Sexual Harassment at Workplace and Cyber laws.
- On occasion of National Law Day on 26th November, 2015, the Ld. OSD, DSLSA addressed the students of **Jamia Millia Islamia University** on the topics of “Activities of DSLSA and Legal Services Authorities Act, 1987 & Schemes there under”. On this occasion, the Ld. Secretary, New Delhi DLSA also delivered a lecture on the topic of “Protection of Women from Domestic Violence Act, 2005”.

(5) Training Programme for Officers/Officials of Delhi Police

In the abovesaid quarter, the DSLSA and DLSAs held **62 Legal Literacy Programmes** for Officers/Officials of Delhi Police at various Police Stations, DCsP Offices and Specialized Training Centre, Rajender Nagar on the topics of “Protection of Children from Sexual Offences Act, Role and Responsibilities of Police Officers in dealing with offences against women, Juvenile Justice Act, Compliance of Court Directions – Missing Persons, Registration of FIRs, Role of AHTUs, DLSAs and NGOs, Rescue of Children working in hazardous units and minor maids/servants, How to tender evidence, conduct of witness before court, art of examination in-chief, preparation of cross-examination, non-production of victim/prime witnesses result thereof”.

Besides the above, the Central DLSA by sending the Legal Services Advocates also participated in **10 “Jan Shikayat Nidan” Programmes organized at Police Station Karol Bagh. On 11th December, the Secretary, South-West** also delivered a lecture on “Investigation and Role of IOs” in a course on the topic “Investigation of Economic Offences” at Central Detective Training School, Ghaziabad and also graced the valediction Programme.

(6) Awareness Programmes at Jails

Apart from the awareness programmes held by Ld. Secretaries of DLSAs during their jail visits, in the abovesaid quarter, the DLSAs organized **57 programmes** at Jails on the topics "Bail, Rights of Inmates, Plea-Bargaining, Human Rights" etc.

On 21st December, 2015, the **High Court Legal Services Committee also organized a Legal Awareness Programme** at Jail No. 3. Around 350 inmates attended the said programme.

(7) Legal Awareness Programme for Senior Citizens at Old Age Homes

During the abovesaid quarter, the New Delhi DLSA organized **06 awareness programmes** for Senior Citizens at Old Age Homes on the topic "Maintenance and Welfare of Parents and Senior Citizens Act, 2007".

(8) Radio/TV Programmes:-

In the abovesaid quarter, the DSLSA addressed following radio/TV Programmes:-

- On 6th October & 22nd December, 2015, Ld. Secretary, South DLSA addressed 02 Radio programmes.
- On 22nd November, 2015, Ld. Secretary, West DLSA addressed a Live Phone in Programme on the topic of "Consumers' Rights".
- On 19th December, the Ld. OSD, DSLSA & Secretary, New Delhi DLSA participated in panel discussion on the topic "Plea-Bargaining" at Doordarshan Kendra which was broadcasted on 29th December at 6.00 pm.

(9) Legal Awareness Programmes in Rural/Remote Areas/ Industrial Pockets:-

In the abovesaid quarter, the North and North-West DLSAs organized **21 Legal Awareness Programmes in Industrial**

Areas of Mangol Puri, Lawrance Road, Bawana, Narela, Libaspur, Wazirpur, Jahangirpuri and G.T. Karnal Road Near Rana Pratap Bagh.

(10) Training Programmes for Legal Services Advocates:-

In the abovesaid quarter, the following training programmes were organized for Legal Services Advocates:-

- **Training & Orientation Programme for Newly Empanelled Legal Services Advocates:** - On 2nd & 3rd November, the Central and West DLSAs jointly organized a Two Days' Training cum Orientation Programme for newly empanelled Legal Services Advocates on the panel of Central and West DLSAs. The programme was inaugurated by Sh A.K. Chawla and Ms. Rekha Rani, Ld. District & Sessions Judges/ Chairpersons of Central & West DLSAs. In this programme, Ld. Member Secretary, Ld. OSD, Judicial Officers in Central and West Districts, Ms. Justice Manju Goel, Ld. Secretaries of Central and West DLSAs and Advocates were the Resource Persons. The training was given as per the Module of NALSA and the topics of training were:
 - Basic knowledge in Civil remedies with special emphasis on Injunction
 - Constitutional Perspective, Legal Services Authorities Act 1987 and the Schemes their under
 - Role and Responsibilities of Legal Services Lawyers - Do and Don't
 - Communication with Clients and Counselling
 - Basic knowledge of Criminal Law - Plea-Bargaining, Rights of an Arrested Person, Bail
 - Lawyering Skills- Criminal- Drafting, Witness Examination and Argument
- **Training of Legal Services Advocates in Service Jurisprudence:-**On 17th November, 2015, DSLSA in association

with Delhi High Court Legal Services Committee organized a Training Programme for Legal Services Advocates dealing with Service and Labour matters and practicing in the District Courts, High Court of Delhi besides other Tribunals or Quasi Judicial Authorities at Conference Hall, Central Office, DSLSA, Patiala House Courts. In this programme, Sh. Manoj Dwivedi, Advocate and Ms. Jyoti Singh, Sr. Advocate and Sh. Rajender Dhar, Addl. Labour Commissioner-cum-Addl. Secretary (Labour) were the Resource Persons. The topics of training were:

- Service Law Jurisprudence
- Drafting of Pleadings - Collection of documentary evidence-use of RTI
- Examination of Witness -Examination in Chief and Cross Examination
- Argument skill, content and presentation
- Communication Skills - Interaction/understandings with beneficiaries - Client satisfaction
- New trends and challenges in Labour Laws
- **Interaction Programme for Legal Services Advocates:** On 5th December, 2015, the DSLSA held an Interaction Programme for the Legal Services Advocates on the panel of Central Office at Conference Hall, Central Office, Patiala House Courts, New Delhi.
- **Training/Orientation Programme for the Legal Services Advocates on the panel of New Delhi DLSA:-** As per the Training Module of NALSA, the New Delhi DLSA conducted a Two Days' Training/Orientation Programme for the Legal Services Advocates on the panel of New Delhi DLSA on 17th& 18th December, 2015. In this programme Sh. Amar Nath Gaur, Ld. District & Sessions Judge, New Delhi District, Sh. H.S. Sharma and Sh. J.R. Aryan, Ld. District & Sessions Judges (Retd.), Sh. Dharmesh Sharma, Ld. Member Secretary, DSLSA, Sh. Sanjeev Jain, Ld. Officer on Special Duty, Sh. Dharmender

201 / NYAYA DEEP

Rana, Ld. Project Officer, DSLSA, Ms. Monika Saroha, Ld. Secretary, New Delhi DLSA, Ms. Rebecca M. John, Sr. Advocate, Sh. Dhruv Diwan, Partner, Shardul Amarchand Mangaldass Shroff & Company were the Resource Persons. The topics of the Training Programme were:-

- Role and Responsibilities of Legal Services Lawyers – Do’s and Don’ts for a Panel Lawyer
- Communication with Clients and Counselling
- Rights of an Arrested Person
- Plea-Bargaining
- Lawyering Skills- Civil and Criminal Law: Drafting, examination of witnesses, arguments
- Basis Knowledge in Civil remedies with special emphasis on Injunctions

Group Discussion, Open House Discussion and Quiz were also held.

Besides the above, in the abovesaid quarter, the DLSAs organized **42 Programmes** for Legal Services Advocates to take their feedback, proper monitoring of work being done, orientation, training, motivation and sensitization. The training was given as per the Training Module of NALSA. Some of the topics of training were: Sentence (Probation, Parole and Admonition), Execution, Civil Nature Suits – Finer aspects from filing till framing of issues and Finer aspects of Section 145 to Section 158 Indian Evidence Act, Complaint Cases, Court Fee Act, Suit Valuation Act, Age determination of Probable Juveniles under Juvenile Justice Act etc. **Meetings with the Legal Services Advocates on the panel of JJBs and CWCs and also with Jail Visiting Advocates are being conducted regularly every month.**

- On 16th December, 2015, the North-West DLSA also organized a **Training Programme for Judges** on the topic “Victim Compensation”.

(11) **Misc. Programmes:-**

- On 16th October, 2015, the Ld. Secretary, New Delhi DLSA attended a '**Seminar on Female Foeticide and Protection of Girl Child**' at Constitution Club of India.
- On 26th October, 2015, Ld. Secretary, New Delhi DLSA attended a '**Conference on Domestic Violence Act**' at Press Trust of India, Sansad Marg.
- On occasion of National Legal Services Day on 9th November, 2015, **03 Nukkad/Skit & Play were organised** by students of Law Centre- I in the Rohini Courts Complex as well as Law Faculty and Art Faculty of Delhi University to create awareness among the general public about the services provided by DLSA.
- The Secretary, South-West DLSA attended **02 "Legal Aid and Awareness Camps"** at Bharat Vihar area of Sector-14, Dwarka, New Delhi on 21st November, 2015, and a programme organized by Centre for Social Research on "Community Stakeholder Interface Meeting" at B-11, Green Vatika, Pratap Enclave, Mohan Garden, New Delhi and also delivered lecture on the topics of "Prohibition of employment of children and Maintenance and Welfare of Parents and Sr. Citizens Act."
- On 26th November, 2015, a Legal Services Advocate on the panel of New Delhi DLSA held a **Legal Literacy Class and awareness programme at Centre for Advocacy and Research (CFAR).**
- Para Legal Volunteers sent by Shahdara DLSA visited the Cluster Area under the jurisdiction of PS Farash Bazar and spread **legal awareness/legal drop by door to door campaign** on 26th, 27th, 28th & 30th November, 2015.
- On 3rd December, the North-West DLSA with the help of NGO (Attalika PMCS Pvt. Ltd.) organized a **Legal Literacy Programme under "Udaan" - Scheme** to train the youth of J&K through customized industry endorsed training programme and make them better employable.

- On 4th December, 2015, the DSLSA organized an **awareness programme at New Delhi Bar Association** regarding the Schemes and Activities of DSLSA. In this programme, the Member Secretary and OSD, DSLSA were the Resource Persons.
- On 11th December, 2015, the Secretary, New Delhi DLSA participated in a “**Consultation on Domestic Violence Act**” at Constantia Hall, YWCA, Ashoka Road, New Delhi organised by Action India and CFAR.
- On 19th December, 2015, the Ld. Secretary, New Delhi DLSA conducted presentation on “**Rights of Senior Citizens-Challenges and implementation**” at India Habitat Centre, Lodhi Road, New Delhi.
- On 22nd December, 2015, the Secretary, New Delhi DLSA participated in “**National Consultation on Domestic Violence Act**” organized by Centre for Social Research at India Habitat Centre, New Delhi.
- On 23rd December, 2015, the West DLSA organized a **Legal Services Camp at Shakur Basti Jhuggies Demolition Site, Delhi.**

IV. OTHER ACTIVITIES

(1) **Launching of Free Legal Aid Door to Door Mobile Campaign:-**

On the occasion of Gandhi Jayanti, the East and Shahdara DLSAs launched a “Free Legal Aid Door to Door Mobile Campaign” (LEGAL DROPS) on 01.10.2015 to provide legal aid in rural/remote areas, industrial pockets etc. and the said Campaign is regularly being conducted.

(2) **One Day Symposium on Juvenile Justice (Care and Protection of Children) Act, 2000 and Protection of Children from Sexual Offences Act (POCSO), 2012 :-**

On 3rd October, 2015, the DSLSA in association with Delhi Judicial Academy organized a One Day Symposium on

204 / NYAYA DEEP

Juvenile Justice (Care and Protection of Children) Act, 2000 and Protection of Children from Sexual Offences Act (POCSO), 2012. The programme was inaugurated by Hon'ble Mr. Justice S. Ravindra Bhat, Judge, High Court of Delhi and Chairman, Judicial Education and Training Programme Committee, High court of Delhi. The Sessions were addressed by Hon'ble Mr. Justice S Nagamuthu, Judge, Madras High Court; Professor B.T. Kaul, Chairman, Delhi Judicial Academy; Ms. Bharti Ali, Co-Founder HAQ; Ms. Michelle Mendonca, Director, Partnership, Justice & Care; Sh. Anant Asthana, Advocate/Child Rights Activist; Sh. Sanjeev Lalwani, Addl. Prof. AIIMS and Dr. Dhruv Sharma, Assistant Director, Forensic Science Laboratory. The programme was attended by Judges (POCSO Act), Newly appointed Judicial Officers at Delhi Judicial Academy, Public Prosecutors, Doctors, Forensic Experts, Police Officers/Juvenile Welfare Officers, Representatives of Bar and NGO, Chairpersons and Members of CWCs and panel advocates of DSLSA.

(3). **Foundation Day Programme of Legal Services Clinic at Campus Law Centre:-**

DSLSA organized Foundation Day Programme of Legal Services Clinic at Campus Law Centre; University of Delhi on 10th October, 2015. On this occasion, 03 competitions i.e. Quiz, Debate and Poster Making Competitions were organized. The said programme was attended by Ld. Officers of DSLSA and Ld. Secretaries of DLSAs. The Hon'ble Judges of High Court of Delhi were also invited to grace the occasion.

(4) **Programme on "Child Abuse and Interventions":-**

On 10th October, 2015, the Ld. Project Officer, DSLSA as a Special Guest attended a programme on the topic "**Child Abuse and Interventions**" organized by SAAKAR NGO in association with Shri Ram Foundation School, Naveen Shahdara and House of Learning at **Shah Auditorium, Civil Lines, Delhi.**

(5). **Celebration of Anti-Tobacco Day:-**

In order to celebrate the Anti Tobacco Day, the East and Shahdara DLSAs in coordination with the Shahdara Bar Association (Regd), office of CDMO (East) and office of CDMO (Shahdara) conducted a One day Anti-smoking and Anti-Tobacco Drive in and around the Karkardooma Court Complex on 12th October, 2015. A Large number of people were made aware about the hazards of Smoking & Tobacco and numerous violating people were challaned. The move was appreciated by the Authorities and covered by the Media. Such drive is being conducted on regular intervals and in the said quarter, it was also conducted on 22nd December, 2015.

(6). **Round Table Conference:-**

On 17th October, 2015, DSLSA in association with Bachpan Bachao Andolan (NGO) organized a **Round Table Conference at Constitution Club of India**. The said conference was organized to streamline the work being done on the issues relating to child trafficking, child labour, sexual abuse of children etc. and said conference was attended by Member Secretary and OSD, DSLSA, Members of CWCs, Empanelled Advocates of the All India Legal Aid Cell on Child Rights, Child Rights organizations like Childline, Salaam Balak Trust, Shakti Vahini, Butterflies, Prayas, Apne Aap, STOP and others.

(7) **Celebration of Legal Services Day :-**

The NALSA in association with DSLSA celebrated Legal Services Day from 7th - 9th November, 2015, by conducting following programmes/activities:-

- **Launching of Legal Services Schemes of NALSA and A Workshop on Actualisation of NALSA's Schemes-** On 7th November, 2015, DSLSA hosted the programme "Launching of Legal Services Schemes of NALSA & Workshop on Actualisation of NALSA's Schemes" at Air Force Auditorium, Subroto Park, New Delhi. The said

programme was attended by Hon'ble Executive Chairpersons and Member Secretaries of SLSAs, Chief Secretaries or their nominees of each State, Secretaries of the concerned ministries/department of Govt. of India, Chairpersons & Secretaries of only best DLSAs from each State.

- **Celebration of Legal Services Day and Commendation Ceremony of Best DLSA and Best PLV in each region:-** The Officers of DSLSA alongwith Chairpersons and Secretaries of DLSAs attended the Programme "Celebration of Legal Services Day and Commendation Ceremony of Best DLSA and Best PLV" organized by NALSA at Dr. Kothari Auditorium, DRDO Bhawan, New Delhi.

(8) Celebration of Children's Day:-

In order to celebrate Children's Day, the East and Shahdara DLSAs in collaboration with Department of Women and Child Development, organized various sports and cultural activities at Juvenile Justice Board-I at Sewa Kutir from 14th to 18th November, 2015. On 14th November, Hon'ble Mr. Justice S. Ravindra Bhat, Judge, High Court of Delhi inaugurated the programme. On this occasion, an Inter-State Cricket Match was organized for the children lodged in Observation Homes in different states i.e. JJB-I in Delhi, JJB Faridabad (Haryana) and JJB Uttar Pradesh. On 18th November, closing ceremony was held. Hon'ble Ms. Justice Mukta Gupta, District & Sessions Judges/Chairpersons of East and Shahdara DLSAs, Member Secretary, OSD, Project Officer, DSLSA and Secretaries of DLSAs and Principal Magistrates of JJBs were present on this occasion. **A Prize Distribution Function was also held. On this occasion, a Library was also set up from the books donated by DSLSA at Observation Home for Boys - II, Sewa Kutir Complex, Kingsway Camp, Delhi.**

(9) Training of 10 DHJS (Trainee Judicial Officers) from 23rd - 24th November, 2015:-

The 10 DHJS (Trainee Judicial Officers) who were undergoing Foundation Course at Delhi Judicial Academy

207 / NYAYA DEEP

also visited Delhi State Legal Services Authority as a part of Training. **On 23rd November**, Member Secretary and OSD addressed Introductory Sessions on various Legal Services Activities and Programmes. They were also provided access to files relating to Victim Compensation, Intervention & Counselling by Legal Services Advocates of New Delhi DLSA in cases of "Missing Children" and "Victims of Rape". They also had an interaction with the Legal Services Advocates deputed at the front office for providing Legal Advice and Counselling to Legal Aid Beneficiaries. They were also taken to Child Welfare Committee and Observation Home for Boys "Prayas" at Delhi Gate to observe the proceedings of these institutions. They also had an interaction with Sh. Anant Kumar Asthana, Sr. Legal Services Advocate at "Prayas" in relation with the various issues pertaining to Juvenile Justice and Legal Aid Services. On 24th November, they were attached with the Secretary, DLSAs at various Courts Complexes nearer to their residence for interaction on the issues relating to Victim Compensation Scheme and the working of DLSAs. The Secretaries had also taken them in Legal Literacy Programmes fixed on that day.

- (10) **Visit of 11- Member Delegation of Judicial Officers from Bangladesh at DSLSA :-** An eleven member delegation of Judicial Officers from Bangladesh who visited India for the purposes of a study tour titled "Experimental Learning in India" from 1st to 4th December, 2015, also visited Central Office of DSLSA in the afternoon of 3rd December, 2015. The Officers of DSLSA briefed them about the activities of DSLSA and DLSAs, ADR Mechanism, Legal Services Authorities Act etc. The Secretary, East DLSA also delivered a lecture to foreign delegation on functioning of District Legal Services Authorities and Lok Adalat on 04.12.2015.
- (11) **Legal Education Programme at Delhi Commission for Women:-** On 5th December, 2015 from 10.00 AM to 5.00 PM, the DSLSA organized a Legal Education Programme at Conference Hall, DCW, Vikas Bhawan, New Delhi. The topics of the training programme were: Understanding Working of DSLSA, Overview of Criminal Justice System

208 / NYAYA DEEP

& Courts, Overview of Sexual Offences including Protection of Children from Sexual Offences Act (POCSO), 2012, Protection of Women from Domestic Violence Act, 2005, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. In this programme, Member Secretary and OSD, DSLSA, Ms. Tenzing Choesang, Director, Lawyers' Collective and M. Gargi Mishra, Research & Advocacy Officer, Lawyers' Collective were the Resource Persons.

- (12) **Street Play Competition:-** On 18th December, 2015, DSLSA in association with Atmabodh (NGO) organized a Street Play Competition for school students. The Trophies were given to the winning students and certificates were given to all the participants.
- (13) **Training, Orientation and Sensitization Programme for PPs/APPs at Delhi Secretariat:-** On 28th& 29th December, 2015, DSLSA in association with Home Department, GNCTD organized a Two Days' Training, Orientation and Sensitization Programme for PPs and APPs at Delhi Secretariat, New Delhi. The programme was inaugurated by Sh. Arvind Kejriwal, Hon'ble Chief Minister and Sh. Satyender Jain, Hon'ble Home Minister, Govt. of Delhi. The topics of the training programme were:-

Day I Session I : Introduction

- Functionaries in Criminal Justice Administration - Expectations of the accused/Expectations of the accused/victim / society in the light of:

Constitutional values and Principles of Criminal Jurisprudence

- Role of the Prosecutor, in particular:
 - As an Officer of Court
 - Discoverer of Truth
 - Professional ethics- obligations

Session II: Appreciation of Electronic evidence;

- Scope and ambit of Sec.65-B of the IEA;
- Issues concerning collection, storage, production and proof of Electronic evidence;
- Challenges with regard to oral and documentary evidence under the Indian Evidence Act;

Session III: Criminal Justice Delivery System :

- Need for Balancing Rights of various Stake Holders i.e. Society, accused and the victim.
- Victim oriented Special legislative provisions.
- Victim Compensation Scheme : Rule 7 of POCSO Rules vis-à-vis Delhi Victim Compensation Scheme, 2011 - DSLSA
- Challenges and way forward

Day II Session I : Need for Capacity Building of the Prosecutor with special reference to the issues of:

- Plea Bargaining
- Withdrawal of Prosecution
- Tender of Pardon

Session II: Importance of Protection of Rights of Children & Women through the Criminal Justice System:

- International Law
- Constitutional Law
- Domestic Law - POCSO & Criminal Law Amendment Act, 2013, Juvenile Justice (Care & Protection of Children) Act, 2000
- Critique of the above legislative measures
- Challenges and way forward

Session III: An orientation towards Protection of Women from Domestic Violence and Sexual Harassment.

- Scope and ambit of the various enactments
- Roles and responsibilities of the Public Prosecutors under such Acts.

Session IV: Identification of Best Practices

(Breakout Group Discussion followed by Group Presentations)

In this Programme, Sh. Dharmesh Sharma, Member Secretary and Sh. Sanjeev Jain, OSD, DSLSA, Ms. Jyoti Kler, Secretary, Central DLSA, Sh. Naveen Gupta, Secretary, West DLSA, Ms. Bharti Ali, Director, Haq- Centre for Child Rights, Dr. V.K. Kashyap, Forensic Biologist Faculty of NICFS, Sh. Anant Asthana, Sr. Legal Services Advocate were the Resource Persons.

(14) Para Legal Training Programme:-

On 19th& 20th November, 2015, DSLSA in association with Centre for Advocacy and Research (CFAR) organized a Para Legal Volunteers Training Programme at India International Centre; Max Muller Marg and Integrated Social Initiatives (ISI), Institutional Area; Lodhi Road for **58 Social Workers from different NGOs in Delhi catering to victims of Domestic Violence, Sexual Abuse and other social issues** (including 02 transgenders from The Naz Foundation Trust (NGO) and 01 participant referred from Prayas Observation Home for Boys, Delhi Gate). The Member Secretary, OSD and Project officer, DSLSA; Secretaries of DLSAs; other Judicial Officers; Senior Advocates; Sh. Anant Asthana, Child Rights Activist, Ms. Anjali Gopalan, Executive Director, The Naz Foundation Trust, Dr. K.B. Rai, Former Advisor, Administrative Reforms Department, Govt. of NCT of Delhi, Ms. Ruchika Nigam, Deputy Manager-Partnership Development, Justice and Care, Sh. Suneel Keswani, Corporate Trainer were the Resource Persons. The topics of training were:-

- The Legal Services Authorities Act, 1987 and Legal Aid Programmes and Activities of DSLSA, Justice Delivery System, Adjudicatory and non Adjudicatory Mechanisms,

- An overview of Fundamental Rights & Duties under Constitution of India
- Overview of Criminal Justice System & Courts

Contract Labour, Industrial Disputes, Shops and Establishment and Factories Act, Employees Provident Fund and Misc. Provisions Act, POCSO Act, 2012 and PNDT Act, 1994, Matrimonial Laws, Laws of Inheritance, Maintenance Laws, Dowry Prohibition Act, RTI Act, 2005, Consumer Protection Act, 1986, PWDV Act, 2005, Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013

- Overview of Civil Law & Courts, Law relating to Possession, Injunction, JJ ACT, 2000
- Human Rights concerning Transgenders
- Effective Communication and Interpersonal Skills

(15) Workshop for the Stakeholders of CWCs:-

On 28th November, 2015, DSLSA organized 5th **Workshop** for the stakeholders of the CWCs at Conference Hall, Central Office, DSLSA, Patiala House Courts from 2 to 5 PM.

The topics were:

- **Presentation on complexities of Trafficking-** Rescue procedure (under Immoral Traffic Prevention Act), Post rescue procedures, orders to be passed by the CWC-Importance of reasoned and speaking orders
- **Child Psychology** - Understanding Child Psychology, Working with victims of trauma, effective communication and skills-search of truth

Ms. Surbhi Sharma, Advocate, Justice & Care; Ms. Benita Itty, Social Worker, Justice & Care and Ms. Sumati Ghosh, Social Counselor, SPYM were the resource persons.

212 / NYAYA DEEP

An Open House Discussion was also held by Ld. Member Secretary, DSLSA and Sh. Anant Asthana, Advocate/ Child Rights Activist on working of CWCs i.e. Day to Day Problems and Solutions and Identification of Best Practices for uniform approach.

(16) Report on the Project of the Year -"Rehabilitation of Street Children":-

A Pilot Project on "Identification, Welfare and Rehabilitation of Street Children" has already been initiated by North-East DLSA in the areas falling in North-East District which has brought out appreciable tangible results in ameliorating the condition of street children by providing them basic care, education, health care and hygiene. DSLSA through its North East DLSA has launched similar project in New Delhi District.

In the abovesaid quarter, the following activities were undertaken by DSLSA and DLSAs:-

- (i) On 28th October, 2015, the Secretary, New Delhi DLSA held a meeting with all the stakeholders at Central Office, DSLSA.
- (ii) On 29th October, 2015, the Secretary, New Delhi DLSA visited Hanuman Mandir, Connaught Place to meet with street children.
- (iii) On 29th November, 2015, the Ld. Secretary, New Delhi DLSA as a resource person attended a programme organized by Salaam Balak Trust (NGO working for Street Children).
- (iv) Participation in a Consultation on Child Domestic labour and Regulation of Placement agencies:-On 9th December, 2015, the Ld. OSD, DSLSA participated in a "Consultation on Child Domestic Labour and Regulation of Placement Agencies" organized by Bachpan Bachao Andolan at Constitution Club of India. In this programme, the Ld. OSD addressed on the topic "Issues and Challenges relating to Child Domestic Servants".

- (v) The Secretary, West visited Children Home maintained by Salaam Baalak Trust at DMRC, Metro Pillar No. 65, Tis Hazari, Delhi on 17.12.2015 and Delhi Council for Child Welfare (PALNA) at Qudsia Bagh, Yamuna Marg, Civil Lines, Delhi on 18.12.2015 to find out suitability of distribution of clothes and eatables collected.
- (vi) On 19th December, 2015, the Secretaries, Central and West DLSAs visited the Shelter Home and Night Shelter maintained by NGOs namely PRAYAS and Salaam Balak Trust to understand about the measures taken there for winter protection, so that assistance in suitable cases can be provided by DLSAs in case of any lapses.
- (vii) Initiative was also taken by North DLSA involving all judges, court staff, panel advocates and Rohini Bar Association and provide old/new woollen clothes, blankets to needy poor persons.
- (viii) On 17th December, 2015, the Secretary, Shahdara DLSA held a meeting with SAKAR NGO regarding providing shelter and winter protection to street children and homeless person.

Besides the above, the Central and East DLSAs also organized **18 programmes at GRCS** to sensitize and aware the people to take special measures to provide shelter and winter protection to street children and homeless persons.

PUDUCHEERY

FROM 1.10.15 TO 31.12.15

I. Continuous Lok Adalat:

No. of sittings	27
No. of cases settled	4257
No of MACTOP cases	40
MACTOP settled amount	Rs.5,21,4730

214 / NYAYA DEEP

II.Special Lok Adalat:

**(Conducted for Nationalized Banks, Cellphone Cos. &
Ins. Cos.)**

No. of cases settled	473
Total amount settled	Rs.49,210,926

Name of the companies for which cases settled:
BSNL, UCO Bank, Indian Overseas Bank , MTS, Indian Bank

III.Combined Lok Adalat Statistics:

Lok Adalat	Continuous Lok Adalat	Special Lok Adalat
No of cases settled	4257	473
No. of MACTOP cases	40	---
Total No of cases	4770	
Amount settled in MACTOP cases	5,44,25,656/-	

IV.National Lok Adalat:

CASES SETTLED	16,029
SETTLED AMOUNT	Rs.10,39,31,053

Legal Aid / Legal Literacy Camps

No. of camps conducted	10
No. of Villages covered	30
No. of persons benefited	1185

Conciliation Cell

No. of Conciliation Cells	7
Total No. of sittings	72
Received petitions	221
Disposed petitions	168

Legal Aid Beneficiaries

SC	6
ST	1
BC	29
Women	70
Children	22
In Custody	6
General	6
Others (PHP+Sencit)	8
Total	148

On **10-10-2015** the UTPLSA, the Brochure containing various schemes being implemented by the Unorganized Labour Welfare Board was released by the Hon'ble Thiru Justice M.JAICHANDREN, Judge, High Court, Madras, Executive Chairman of UTPLSA and Port folio Judge for Puducherry on 10-10-2015 at the integrated court Complex, Puducherry. The brochure printed in vernacular language was distributed to the Workers and General Public through steps are being taken to distribute the brochures all 55 Village Legal Care And Support Centre, functioning in the UT of Puducherry.

The 87 PLVs who successfully completed the training were issued with certificate and Identity card during the function held on 10-10-2015 at Integrated Court complex in the Presence of Hon'ble Thiru Justice M.JAICHANDREN, Judge, High Court, Madras, Executive Chairman of UTPLSA and Port folio Judge for Puducherry

On 13-10-2015 a meeting was conducted in UTPLSA for ascertaining the conditions and existing facilities at the Shelter Homes/Observation Home and on Child & Drug Abuse., Hon'ble Member Secretary Thiru G.Sendil Kumar and Thiru S.Prakash , Presiding Judge of Juvenile Justice Board, and Panel Advocates And other officials discussed about the conditions existing facilities at the Shelter Homes / Observation Home. The Member Secretary directed to fix up a day for inspection of the Homes

On 28-10-2015, a training programme on Juvenile Crime and Handling of Juveniles, the meeting was conducted for the Legal Aid Counsels of Judicial Magistrate courts, Welfare Officers, Police officers and representatives of the Department of Social Welfare Department.

On 3-11-2015, a preliminary meeting for identification of cases for National Lok Adalat to be held on 12-12-2015 in UTPLSA. The meeting was attended by the officers of the Government Department.

On 28-11-2015, at Yanam His Lordship, Hon'ble Thiru Justice M.JAICHANDREN, Hon'ble Judge, High Court, Madras, Hon'ble Portfolio Judge for Puducherry and Hon'ble Executive Chairman of Union Territory of Puducherry Legal Services Authority, Puducherry, was pleased to distribute the Prizes and Certificates to the winners in the Essay Competition held on the topic of Fundamental Duties as enshrined in the Constitution of India. Certificate distributed to students participated in the competition.

On 1.12.2015, on the occasion of the WORLD AIDS Day under the guidance of His Lordship, the Hon'ble Executive Chairman, Union Territory of Puducherry Legal Services Authority, Puducherry, Legal Awareness Programme was organized at the conference Hall of the Authority with coordination with the Pudhuvai Cluny Multi Purpose Social Services .

On 12-12-2015, Hon'ble Thiru Justice SANJAY KISHAN KAUL, Chief Justice, High Court of Madras and Patron-in-Chief, UTPLSA, was pleased to distribute the Prizes and Certificates to the winners in the Essay Competition held on the topic of Fundamental Duties as enshrined in the Constitution of India.

Certificate distributed to students participated in the competition.

I, II & III Prizes distributed to the **48** winner-students in the competition.

Further, **News Letter of the UTPLSA**, for the year 2015 was released by His Lordship, Hon'ble Chief Justice of Madras High Court. First copy was received by the Hon'ble Chief Minister of Puducherry.

On 19-12-2015, at Mahe, His Lordship, Hon'ble Thiru Justice M.JAICHANDREN, Hon'ble Judge, High Court, Madras, Hon'ble Portfolio Judge for Puducherry and Hon'ble Executive Chairman, UTPLSA, Puducherry, was pleased to distribute the Prizes and Certificates to the winners in the Essay Competition held on the topic of Fundamental Duties as enshrined in the Constitution of India and to deliver a Special Address. Certificate distributed to students participated in the competition.

I, II & III Prizes distributed to the **46** winner-students in the competition.

On 30-12-2015, the UTPLSA in co-ordination with the Directorate of Prosecution, Law Department, Puducherry conducted a Refresher Course to the Prosecutors, Legal Aid Counsels of the Judicial Magistrates courts and Officers of the Police Department , Puducherry, around 55 Persons were Participated.

Statistical Information

NATIONAL LEGAL SERVICES AUTHORITY

STATEMENT SHOWING THE NUMBER OF PERSONS BENEFITTED THROUGH
LEGAL AID AND ADVICE HELD BY STATE LEGAL SERVICES AUTHORITIES UNDER
LEGAL SERVICES AUTHORITIES ACT, 1987, SINCE INCEPTION (AS ON 31.12.2015).

S.No	State	SC	ST	OBC	Women	Children	Incustody	General	Total
1	Andhra Pradesh	7,270	5,742	10,046	13,693	1,617	11,057	31,831	81,256
2	Arunachal Pradesh	169	1,470	78	397	5	75	1,554	3,748
3	Assam	38,269	28,502	8,343	25,550	1,403	884	123,639	226,590
4	Bihar	5,244	1,473	9,056	7,375	1,233	2,149	18,811	45,341
5	Chhattisgarh	51,026	61,553	51,534	39,175	8,370	36,977	37,257	285,892
6	Goa	82	35	315	2,500	89	3,887	1,848	8,756
7	Gujarat	16,664	8,903	1,775	33,855	581	14,595	47,891	124,264
8	Haryana	39,633	105	1,230	12,80	607	42,496	15,362	112,235
9	Himachal Pradesh	1,354	194	125	6,986	161	345	5,630	14,795
10	Jammu & Kashmir	1,927	504	1,160	18,025	799	360	12,810	35,585
11	Jharkhand	1,819	2,906	3,485	4,067	45	4,847	3,797	21,373
12	Karnataka	9,423	2,064	19,938	15,080	178	239	89,061	135,983
13	Kerala	2,639	637	3,458	18,264	847	24,100	165,036	214,981
14	Madhya Pradesh	318,822	271,095	228,965	105,239	11,134	64,729	684,067	1,684,051
15	Maharashtra	49,917	36,273	23,472	101,516	2,339	28,849	3,701,214	3,943,580
16	Manipur	3	26	30	159	15	30	2,363	2,626
17	Meghalaya	349	1,468	66	202	1,527	1,330	161	5,103
18	Mizoram	233	34,399	2,574	5,083	562	4,996	6,458	54,305
19	Nagaland	1,136	6,129	2,133	2,482	794	2,407	573	15,654
20	Odisha	32,738	22,112	1,849	37,566	610	4,723	39,795	139,393
21	Punjab	11,168	588	4,977	17,178	910	44,212	30,692	109,725
22	Rajasthan	20,172	28,316	9,051	18,060	802	24,668	25,854	126,923
23	Sikkim	161	583	40	2,518	276	3,53	818	7,931
24	Tamil Nadu	199,581	24,454	268,352	429,558	3,346	36,672	4,574,763	5,536,726
25	Telangana	132	63	77	1,052	283	1,004	909	3,520
26	Tripura	676	509	137	6,454	412	2,702	4,266	15,156
27	Uttar Pradesh	793,375	101,922	629,998	377,004	140,686	16,793	2,545,680	4,605,458
28	Uttarakhand	3,117	1,622	43	3,807	1,848	1,883	19,054	31,767
29	West Bengal	7,969	3,656	3,750	27,789	1,554	19,838	23,681	88,237
30	Andaman and Nicobar Islands	-	-	-	211	-	1,269	404	1,884
31	U.T. Chandigarh	887	10	55	1,611	244	6,109	746	9,662
32	Dadra and Nagar Haveli	-	4	-	480	185	44	1,442	2,155
33	Daman & Diu	1	2	4	72	120	40	214	453
34	Delhi	6,597	338	368	62,711	8,475	123,553	108,162	310,204
35	Lakshadweep	-	2	-	-	-	1	2	5
36	Puduchery	22,248	37	16,124	22,081	4,608	925	6,478	72,501
37	S.C.Legal Services Committee	1,256	252	1,795	2,644	23	6,430	11,519	23,919
	TOTAL	1,646,057	647,948	1,304,796	1,423,246	197,095	538,753	12,343,842	18,101,737

Statistical Information

NATIONAL LEGAL SERVICES AUTHORITY
STATEMENT SHOWING THE NUMBER OF LOK ADALATS HELD
BY STATE LEGAL SERVICES AUTHORITIES UNDER LEGAL SERVICES AUTHORITIES
ACT 1987 AND CASES SETTLED SINCE INCEPTION (AS ON 31.12.2015).

S. No.	State	No. of Lok Adalats held	No. of MACT Cases Settled	No. of Cases Settled (including MACT Cases)	Compensation Awarded in MACT Cases (in Rs.)
1	Andhra Pradesh	213,508	142,475	2,190,405	17,259,693,269
2	Arunachal Pradesh	685	1,052	6,582	42,751,176
3	Assam	4,224	32,994	473,249	3,036,012,407
4	Bihar	28,518	136,126	1,480,721	1,193,865,978
5	Chhattisgarh	17,972	13,228	6,536,201	2,650,389,229
6	Goa	1,123	5,318	17,913	396,635,626
7	Gujarat	160,855	220,131	7,860,514	16,063,559,311
8	Haryana	147,593	40,929	1,864,398	4,508,889,563
9	Himachal Pradesh	10,603	6,716	340,675	1,029,601,068
10	Jammu & Kashmir	5,673	12,030	435,566	2,738,924,672
11	Jharkhand	30,765	6,221	6,014,795	969,872,301
12	Karnataka	171,157	165,546	4,493,070	10,658,150,004
13	Kerala	42,537	173,216	740,150	9,412,299,991
14	Madhya Pradesh	39,795	217,947	16,202,965	16,941,857,758
15	Maharashtra	44,274	110,536	2,965,787	20,196,400,318
16	Manipur	109	1,533	6,671	182,341,500
17	Meghalaya	254	1,019	12,171	143,130,406
18	Mizoram	1,506	240	3,344	6,094,080
19	Nagaland	343	1,573	5,961	229,582,117
20	Odisha	16,805	53,245	4,934,569	4,638,692,274
21	Punjab	33,391	19,410	3,090,741	2,197,819,714
22	Rajasthan	203,192	626,822	3,640,856	10,349,645,787
23	Sikkim	2,185	174	7,975	9,646,000
24	Tamil Nadu	265,455	261,065	7,307,731	46,206,395,693
25	Telangana	9,280	9,809	363,856	2,925,285,837
26	Tripura	1,638	11,027	162,100	156,865,198
27	Uttar Pradesh	49,592	96,785	17,595,635	9,894,046,380
28	Uttarakhand	1,986	5,323	384,896	738,180,395
29	West Bengal	25,036	43,673	2,311,139	4,361,920,607
30	Andaman and Nicobar Islands	276	39	9,005	8,033,468
31	U.T. Chandigarh	9,530	20,669	686,305	1,755,472,848
32	Dadra and Nagar Haveli	30	158	2,400	12,147,699
33	Daman & Diu	35	61	2,176	3,099,000
34	Delhi	15,706	23,75	1,607,909	4,043,322,748
35	Lakshadweep	319	11	172	435,000
36	Puducherry	1,280	9,434	62,917	497,416,556
37	SCLSC	8	44	281	-
	TOTAL :	1,557,238	2,470,332	93,821,801	195,458,475,978

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