न्याय विभाग
DEPARTMENT OF JUSTICE

Azadi Ka Amrit Mahotsav

FINAL CONSOLIDATED PROJECT REPORT

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

2022-2025





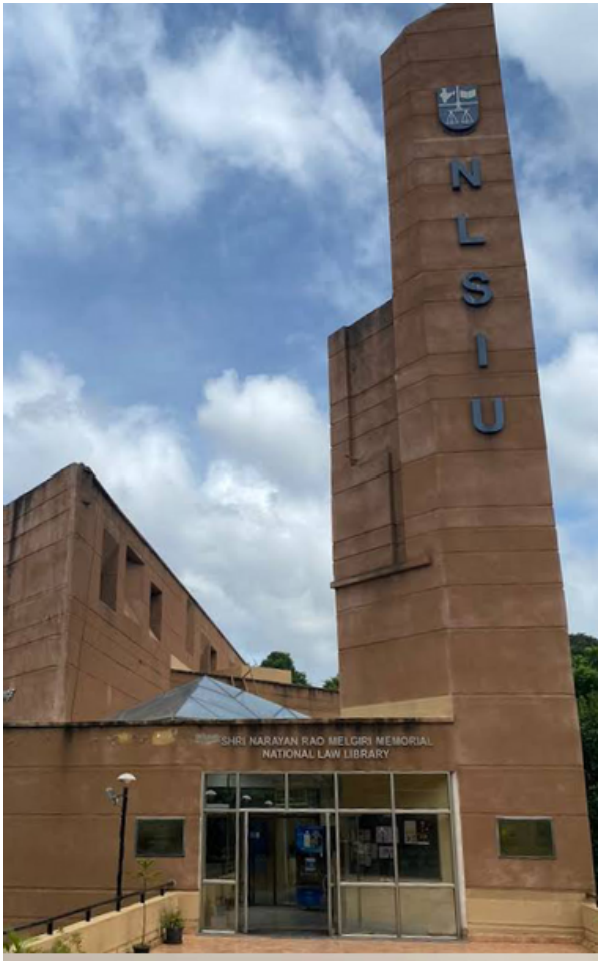






Centre for Environmental Law, Education, Research and Advocacy (CEERA)
National Law School of India University (NLSIU), Bengaluru

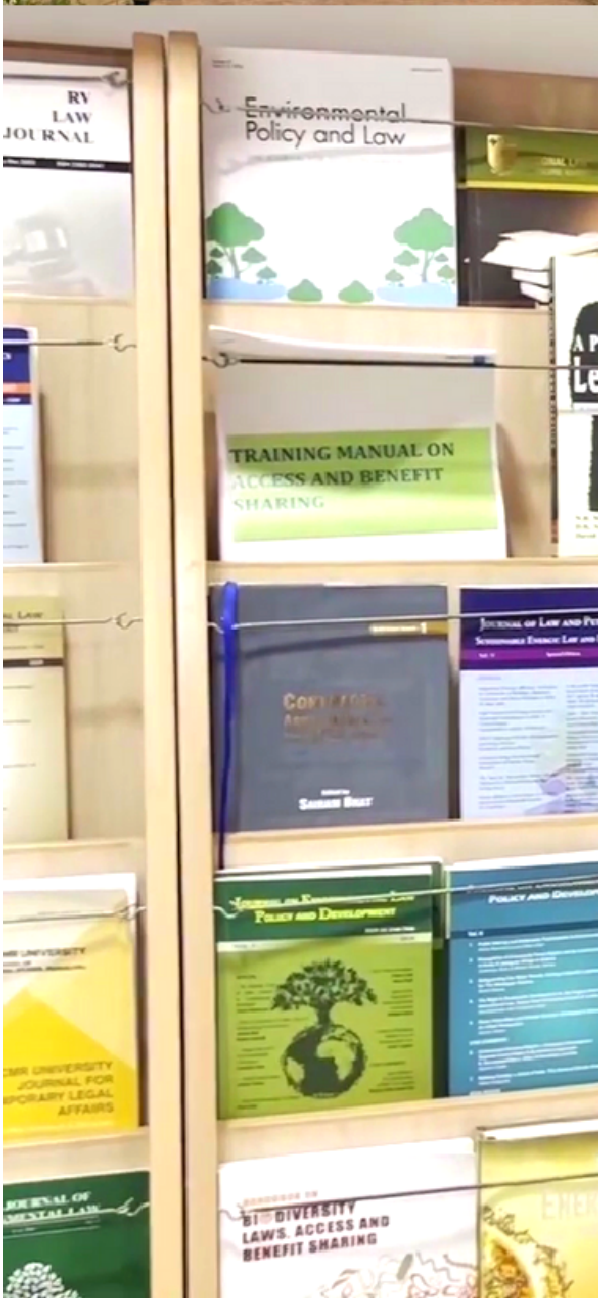
Department of Justice, Ministry of Law & Justice, Government of India
Under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme



ABOUT NLSIU

The National Law School of India University, the Nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a centre of excellence for legal education and research in India.

The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS, Department of Justice etc. The Projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.



ABOUT CEERA

Centre for Environmental Law, Education, Research and Advocacy (CEERA) established in 1997 focuses primarily on research, policy advocacy and training in the field of environmental law. Over the years it has engaged in building an environmental law database, effectively networking among all stakeholders, undertaking training and capacity building exercises, providing consultancy services, and building an environmental law fraternity. CEERA has had a vivid experience of working closely with the World Bank, United Nations Development Programme, Ministries, government departments and other institutions of national and international repute on various issues and reformations.

CEERA has been entrusted with several research projects, capacity development programs and workshops to impart training to Forest Officers, Revenue Officers, Officers of the Central Pollution Control Board and State Pollution Control Boards, Officers of various State Biodiversity Boards and of the Government of Karnataka, the Ministry of Environment, Forest and Climate Change, other Ministries, Public Sector Undertakings, international organizations, the Bar, and the Bench in India.

At present CEERA is working closely with the Department of Justice's Pan India Legal Literacy and Legal Awareness Programme for disseminating justice via digital literacy. It is also working on a project given by the Indian Council for Social Science and Research on the Atma Nirbhar Bharat project. Recently, it has undertaken a policy formulation project along with West Bengal National University of Juridical Sciences on Wetland Conservation.

ABOUT THE LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Access to justice has been recognized as an essential facet of human development, for ensuring democratic governance, in reducing poverty and for the purpose of dispute resolution and prevention. The country has progressive laws in many areas such as the recognition of historical injustices, importance of group rights, affirmative actions for vulnerable sections, including for women and children. The governments' priorities in legal and judicial reform include improving the efficiency of the justice delivery system for marginalized groups, who do not have strong lobbies to ensure that their rights are guaranteed.

To meet the aspirations of the Government, the DoJ has formulated a coherent scheme on access to justice titled as "Designing Innovative Solutions and Holistic Access to Justice (DISHA)" for the period of 2021-2026. The Scheme of DISHA aims to amalgamate and merge different Access to Justice components being executed by DoJ to bridge the gaps in justice delivery. It serves three key objectives that include providing quality legal aid through different mechanism of Tele-Law, Nyaya Bandhu - Pro Bono Legal Services and Nyaya Mitra programme to make people Legally Literate, bring positive changes in the mindsets and attitudes.

The Legal Literacy and Legal Awareness programmes through Pan India Action Plan envisages a multi-stakeholder, progressive and transformative approach that would integrate innovative ideas, tools and simplified methodology to enable vulnerable sections to key information and awareness on legal rights, entitlements and relevant laws.

न्याय विभाग
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सत्यमेव जयते

As an implementing agency under this programme, the CEERA has been granted a Two-Year Project on "Digital Legal Literacy – Dissemination and Assessment". The project focuses on dissemination of legal literacy and is to be implemented in aspiration districts across 6 States of India namely – Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh and Karnataka. The main objectives of the project include the following:

- Dissemination of the legal literacy on mass level • Creation of an overall communication strategy including digital/social media platforms
- Strategizing effective and sustainable legal awareness campaigns
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the programme
- Conceptualizing and conducting youth connect workshops by planning events in colleges/schools and institutions



MOA Signed on 3rd January 2022

Duration – 2 Years + One Year No cost extension

Funds Released

1. Date – 21st January 2022 I Amount – Rs. 9,94,875/-
2. Date – 25th January 2023 I Amount – Rs. 9,94,875/-
3. Date – 13th March 2024 I Amount – Rs. 9,94,875/-



STATUS OF DELIVERABLES

CEERA-NLSIU is the National Level Agency for Digital Legal Literacy: Dissemination and Assessment for the Pan India Legal Literacy and Legal Awareness Programme under the DISHA Scheme. The Project was initially granted for a period of two years (Jan 2022- Jan 2024). However, upon request by CEERA-NLSIU, the project received a one-year no-cost extension by the Department of Justice, Ministry of Law & Justice, Government of India vide letter dated 13.02.2024. Under the terms and conditions of the one-year extension letter, CEERA-NLSIU is required to conduct and complete a set of 8 (eight) activities. The following table provides the status of completion of the deliverables under the Project.

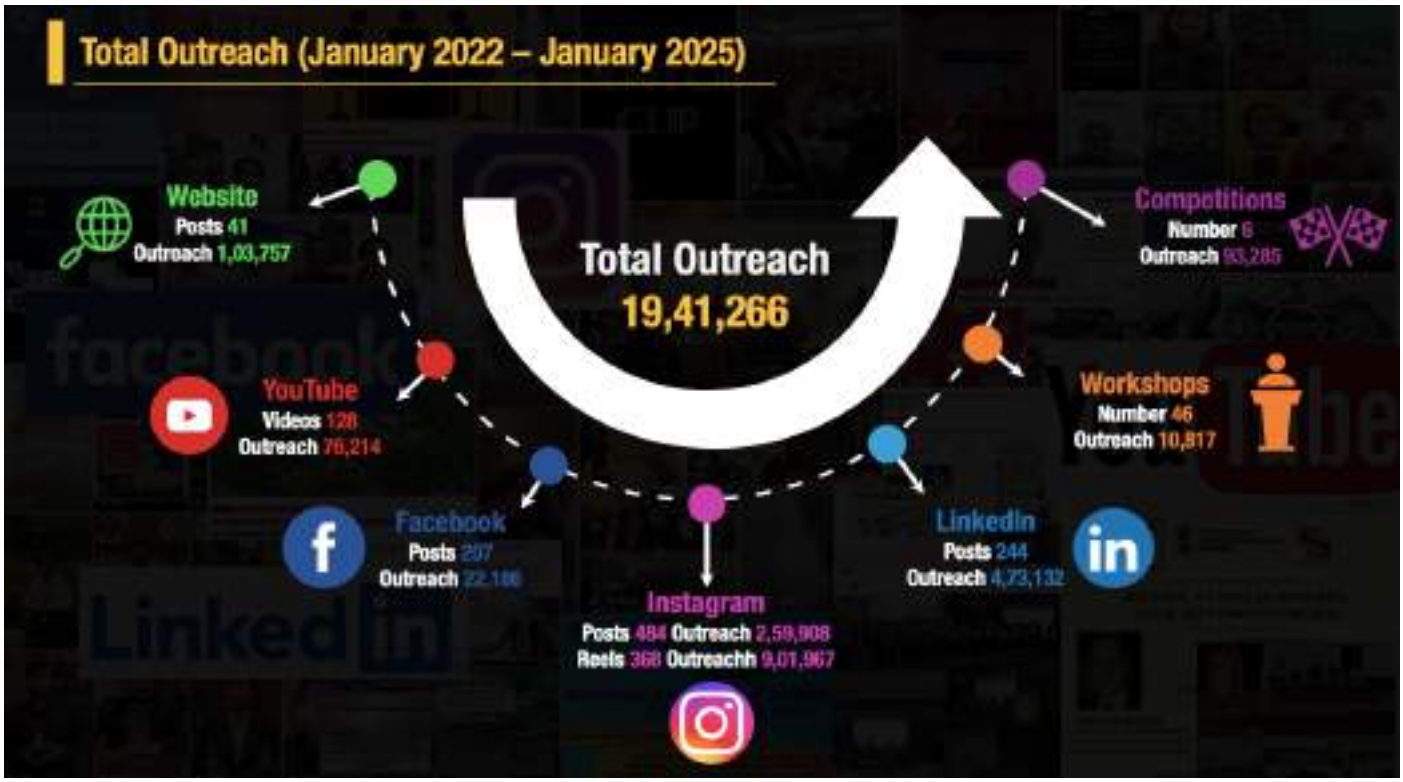
S. No.	Deliverables	Status	Action Plan
1.	Strengthening the Creation and dissemination of IEC material on various social media channels, websites, YouTube Channel, Facebook, Instagram, and LinkedIn. In the Process of dissemination, the target outreach for the period of extension will be 4 Lakhs.	CEERA-NLSIU has been continuously creating, uploading and disseminating IEC materials on various aspects of legal literacy and legal awareness on all our platforms. The cumulative outreach of digital media platforms from January 2022 till January 2025 is **19,41,266.** and the total outreach through digital platforms is **18,37,164.**	Completed
2.	Publication of second volume of the Legal Aid Handbook containing FAQ. The FAQs will be digitally circulated.	Earlier, CEERA-NLSIU had published two handbooks under the Project: (i) Legal Aid  Handbook Vol.1 (2022) – FAQ based IEC Material; and (ii) The Picture Book on Legal Awareness 2023 – Infographics based IEC Materials. The elements of both these publications were combined in our Third publication, a handbook titled "**Legal Aid to Legal Rights 2024**" under  the aegis of the Department of Justice. The Second Handbook also includes case studies that will guide the reader to apply the knowledge of the law in a context. It can be **accessed free of cost** at: https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	Completed

S. No.	Deliverables	Status	Action Plan
3.	Circulating the picture book posters on All social media to increase outreach.	The **Picture Book on Legal Awareness 2023** is one of our major publications that utilizes visual infographics in the form of posters to simplify the law related to various topics for ease of understanding and dissemination. The book can be **accessed free of cost** at: https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/  We have been regularly posting various chapters of the book on our social media handles.	Completed
4.	Continue Organizing the Legal Aid Competition.	The 3rd edition of **Prof. V. S. Mallar Memorial Legal Aid Competition 2024** was launched in August 2024 in collaboration with Symbiosis Law School, Pune. A record number of **59 Teams** are participating in the third edition of the Competition. A List of all teams is provided in **Annexure II**. These 59 teams will carry out various activities for the 6 components of the Competition i.e. (i) Legal Podcast & FAQs; (ii) Reel Making; (iii) Speed Mentoring; (iv) Street Play; (v) Jan Sunwaii; (vi) Litigation Assistance Lab. The Competition was concluded on 26th November 2024 with the declaration of results. 	Completed
5.	Conduct Legal Literacy Workshops both Online and Offline on Pan India Level	Throughout the entire 3 year duration of the Project CEERA-NLSIU has conducted **46 Legal Literacy Workshops** (26 offline + 20 Online) in collaboration with partnering institutions to strengthen the cause of legal literacy across **13 states** of India – Karnataka, Uttar Pradesh, Maharashtra, Odisha, Bihar, Rajasthan, West Bengal, Assam, Madhya Pradesh, Uttarakhand, Tamil Nadu, Tripura and Delhi. These workshops include One-Day Certificate Course on Legal Aid Lawyering (based on ToT model), Village Halts, Topic-Specific Workshops (Gender Violence & Juvenile Justice). The total cumulative outreach through these workshops is **10,817**. We have also attempted to conduct legal literacy and training workshops based on Para Legal Volunteer (Basic Legal Training &	Completed

S. No.	Deliverables	Status	Action Plan
		Assistance) Model for the **Anganwadi Workers**. This would require coordination and permission from the Women and Child Development Department, Ministry of Women and Child Development. However, our attempts so far to obtain the necessary approvals, permission, and coordination have not been successful.	
6.	Strengthen collaborative Activities especially in making short reels to promote legal literacy and to give publicity to DoJ Schemes and Activities.	In contemporary times, short reels on social media platform have become an effective tool to spread legal literacy and give publicity to various schemes of the Government and the Department of Justice. In order to boost the dissemination of legal literacy through reels by igniting and capitalizing on the competitive spirit of the GenZ students, CEERA-NLSIU launched a **Reel Making Competition** on "**Grievance Redressal for Socio-Legal Issues**" in March 2024. However, this competition was an unsuccessful event, due to lack of sufficient participation and was eventually withdrawn. As an alternate, the Reel Making activity is now an **integral component of the Prof. V. S. Mallar Memorial Legal Aid Competition**, where it is proving immensely successful as demonstrated by the outreach of the reels prepared by students. Recognizing the need to spread literacy and awareness about the Alternative Dispute Resolution (ADR) mechanism and its relevance for legal aid, CEERA-NLSIU in collaboration with KLE Law School, Bengaluru has recently launched the **First National Labour Law Conciliation Competition,**  **2024.** This competition aims to promote awareness about labour laws and dispute resolution mechanisms through conciliation. In addition to spreading the cause of legal literacy and legal awareness, it provides the students a platform to understand and practice the art of negotiation and conciliation in labour disputes. The competition was concluded on 9th November 2024.	Completed

S. No.	Deliverables	Status	Action Plan
7.	Explore the possibility of launching Massive Open Online Course (MOOC) through platforms such as Swayam and NPTEL, making legal education and knowledge of Start-Ups, Legal Rights and remedies more accessible to a broader audience.	Over the years, CEERA-NLSIU has built a good collaboration with NPTEL, IIT Madras which facilitates 4 MOOC Courses offered by Prof. (Dr.) Sairam Bhat. Recently, NPTEL launched the NPTEL+ platform for organizing short courses. This opportunity was utilized to launch a **3 Day (10hrs) Certificate Course on Start-Ups: Legal, Intellectual and Regulatory Compliance** from 22nd – 24th February 2024. The aim of the course was to spread legal literacy and legal awareness regarding legal compliances relevant for Start-Ups so that they can efficiently navigate the legal challenges they may arise in the future including dispute resolution, action from regulatory authorities etc. **161 Participants** from diverse background participated in the course. 	Completed.
8.	Review and dissemination of IEC Materials prepared by other agencies under the Legal Literacy & Legal Awareness Programme on Social Media handles, YouTube Channel & Website.	CEERA-NLSIU has reviewed the IEC Materials prepared by other agencies under the LLLAP. Selected IEC materials are regularly disseminated and posted on our social media platforms.	Completed.

OUTREACH ANALYTICS



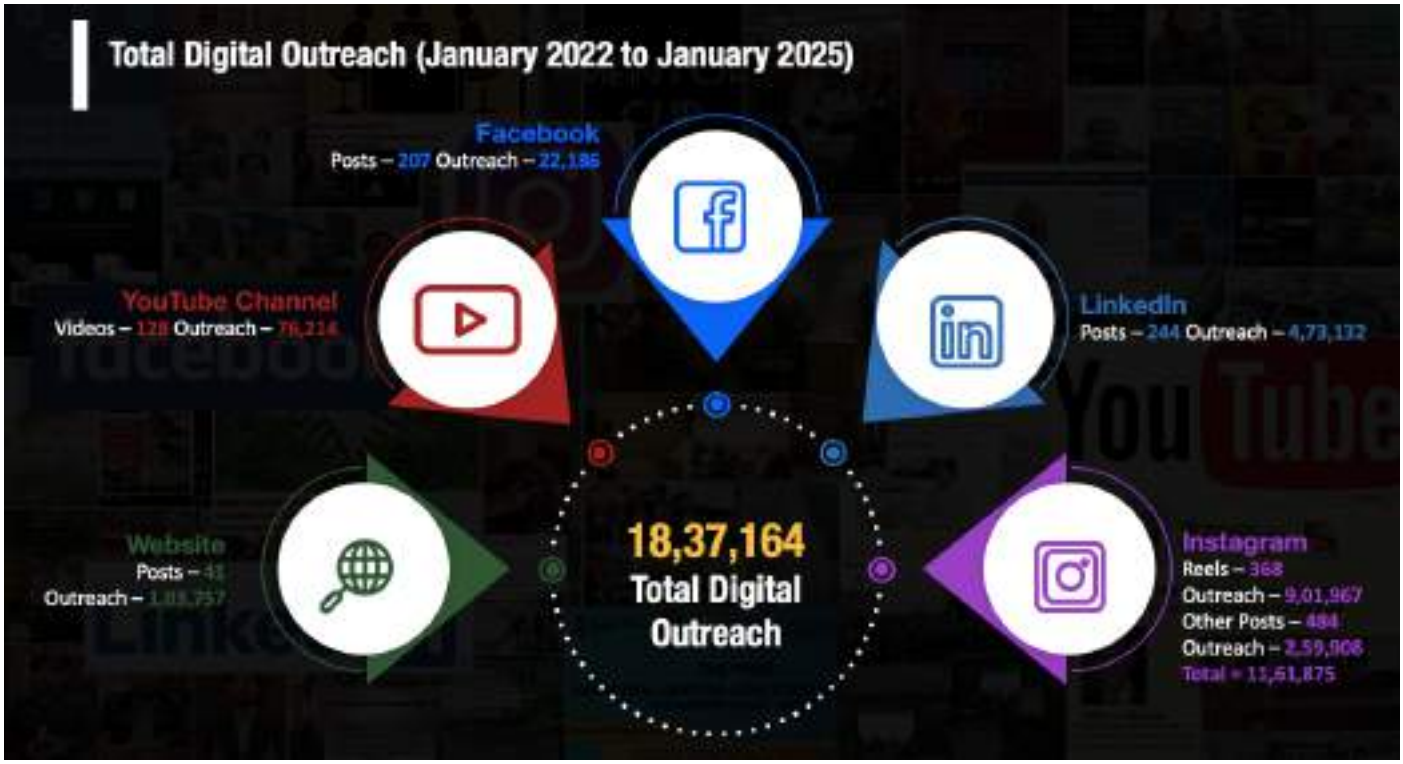


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   - *1.2 YouTube Analytics*
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   - *2.2 Website Analytics*
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   - *3.1 Outreach through Instagram (Reels and Posts)*
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4. Facebook & LinkedIn
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12. Second Prof. V.S. Mallar Memorial Competition 2023

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12.2 Competition Report

12.3 Participating Teams

12.4 Winners

13. Third Prof. V. Mallar Memorial Competition 2024

13.1 Competition Brochure

13.2 Participating Teams

13.3 Winners

14. Reel Making Competition on Slum Dwellers 2022

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15. Policy Hackathon Aatma Nirbhar Bharat 2023

15.1 Policy Hackathon Brochure

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17. Monthly Reports for the Year 2022

18. Monthly Reports for the Year 2023

19. Monthly Reports for the Year 2024

PART A

DIGITAL LEGAL LITERACY

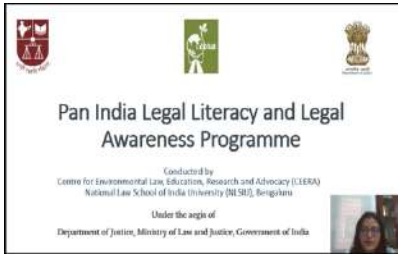
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS

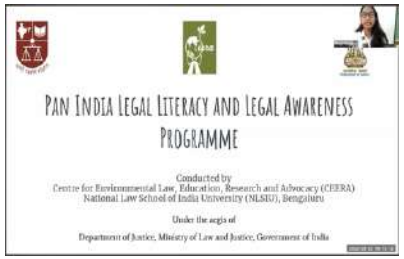
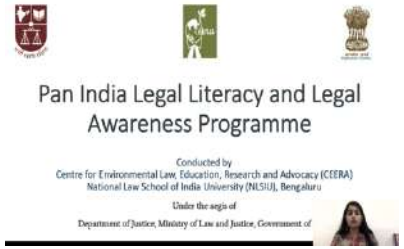
CEERA-NLSIU YOUTUBE VIDEOS

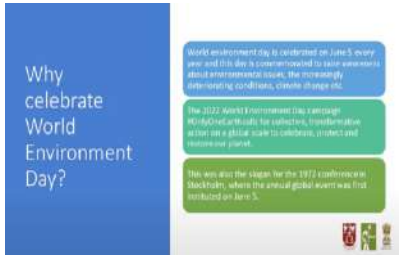
JANUARY 2025

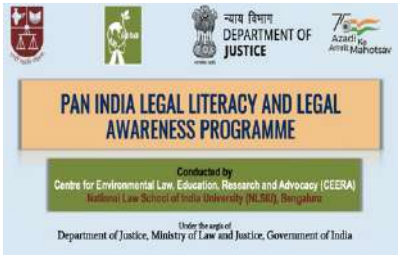
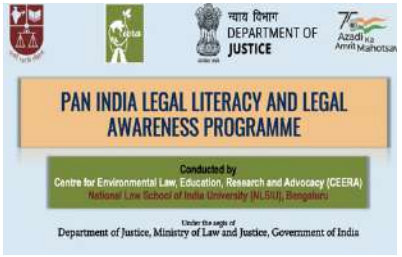
CEERA-NLSIU has created a YouTube Channel for disseminating IEC materials and legal literacy information. The Channel now has 128 videos on various legal topics in the form of informative lectures, street plays, speed mentoring, podcasts etc. in English, Hindi as well as other regional languages. The Total outreach through our YouTube channel as on 20th January 2024 is **76,214** through **128 videos**.

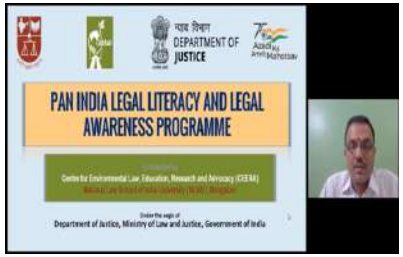
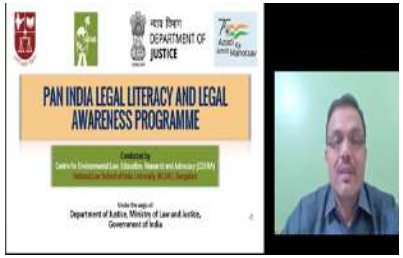
S. NO.	TOPIC OF THE VIDEO	SPEAKER	LANGUAGE	DATE	SCREENSHOT	LINK
1.	Pan India Legal Literacy and Legal Awareness Programme	Prof. (Dr.) Sairam Bhat	English	March 07, 2022		https://www.youtube.com/watch?v=QDumeWGTHcU
2.	ಕಾನೂನು ಸಂರಕ್ಷಣೆ ಹಾಗು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು :- ಪರಿಸರ ಸಂರಕ್ಷಣೆ : ಸಾಂವಿಧಾನಿಕ ನಿಬಂಧನೆಗಳು (Law Enforcement and Local Institutions – Environment Protection Constitutional Principles)	Dr. MK Ramesh	Kannada	March 19, 2022		https://www.youtube.com/watch?v=2VKW_RvFPRA

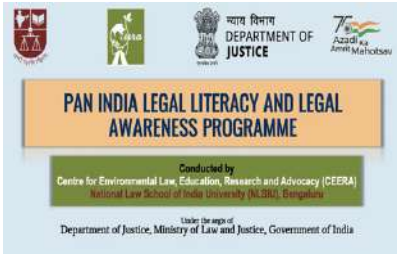
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
3.	Legal Awareness on "Cheque Bounce", viz, Dishonour of Cheques under the Indian Law	Mr. Rohith Kamath	English	April 18, 2022		https://www.youtube.com/watch?v=3_W46GM4Seo
4.	Right to Education Act, 2009	Ms. Madhubanti Sadhya	English	April 30, 2022		https://www.youtube.com/watch?v=lLzBe58Adbk
5.	बिहार मुख्यमंत्री कन्या उत्थान योजना	Mr. Satyadeep Singh	Hindi	April 30, 2022		https://www.youtube.com/watch?v=hVaLYSQBGD4
6.	शिक्षा का अधिकार अधिनियम 2009	Ms Lavanya Agarwal	Marwari	April 30, 2022		https://www.youtube.com/watch?v=87Aqtido1fk

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
7.	कन्या भ्रूण हत्या के खिलाफ अधिकार	Ms Pooja Rajawat	Marwari	April 30, 2022		https://www.youtube.com/watch?v=KNBncU5CvAo
8.	अफीम-डोडा क्या होता है? अफीम- डोडा के बारे में कानून	Mr Anil Patel	Marwari	April 30, 2022		https://www.youtube.com/watch?v=t1fwbnraX7U
9.	POCSO Act, 2012: Rights of the Child and Grievance Redressal Mechanism	Ms Lianne Dsouza	English	April 30, 2022		https://www.youtube.com/watch?v=0njKvwVMZWU
10.	राष्ट्रीय मानवाधिकार आयोग (National Human Right Commission)	Dr Anita Yadav	Hindi	May 14, 2022		https://www.youtube.com/watch?v=fb2PJmpXKI0

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
11.	Protection of Women from Sexual Harassment at Workplace	Dr Gowri	English	May 21, 2022		https://www.youtube.com/watch?v=flGJT_kKLiI
12.	Rights of Senior Citizens	Ms Anuja Shah	English	May 24, 2022		https://www.youtube.com/watch?v=dLfjK8gihQ4
13.	भारत में बाल विवाह कानून	Dr. Anjali Thanvi	Marwari	May 25, 2022		https://www.youtube.com/watch?v=V04jtYumPAw
14.	Pledge World Environment Day	N/A	English	June 5, 2022		https://www.youtube.com/watch?v=PhZ7XzcdTVM

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
15.	Advanced Contracts, Tendering and Public Procurement	Prof. (Dr) Sairam Bhat	English	June 9, 2022		https://www.youtube.com/watch?v=Ma3uoinK__Y
16.	ಉಚಿತ ಮತ್ತು ಕಡ್ಡಾಯ ಶಿಕ್ಷಣ ಹಕ್ಕು (Right to free and compulsory education)	Ms. Shilpa ML	Kannada	June 9, 2022		https://www.youtube.com/watch?v=N8tAgg8GnU8
17. .	ಪರಿಸರ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಪಂಚಾಯತ್ ಸಂಸ್ಥೆಗಳು (Environment Protection and Panchayati Institutions)	Mr CN Manjappa	Kannada	June 9, 2022		https://www.youtube.com/watch?v=MypU_cu3uwU
18.	Right to Information Act, 2005 & Filing RTI Application Online	Ms Gayatri Gireesh	English	June 10, 2022		https://www.youtube.com/watch?v=E0UUajU2YWM

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
19.	International Yoga Day 2022	N/A	English	June 18, 2022		https://www.youtube.com/watch?v=_cOHjxip2yk
20.	World Refugee Day 2022	Prof. (Dr.) Sairam Bhat	English	June 20, 2022		https://www.youtube.com/watch?v=oV3Mf1ARH5E
21.	Awareness on International Plastic Bag Free Day	Prof. (Dr.) Sairam Bhat	English	June 26, 2022		https://www.youtube.com/watch?v=UQNu7yyv0Fs
22.	International Day Against Drug Abuse & Illicit Trafficking	Ms Diana John	English	July 4, 2022		https://www.youtube.com/watch?v=jUBXSzbBNzQ

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
23.	ಉಚಿತ ಕಾನೂನು ನೆರವುಸೇವೆಗಳು (Free Legal Aid Services)	Dr. Satish Gowda N	Kannada	July 17, 2022		https://www.youtube.com/watch?v=jaA9IZCegqM
24.	Right to Legal Aid in India	Prof. (Dr.) T.R. Subramanya	English	July 19, 2022		https://www.youtube.com/watch?v=rOZD-HvJLlc
25.	Lok Adalat - An Apparatus to achieve Social Justice in India	Mr. V. Suryanarayana Raju	English	July 20, 2022		https://www.youtube.com/watch?v=Xy6g4vqU1hA
26.	Matrimonial Rights of Women (महिलाओं के वैवाहिक अधिकार)	Dr. Parikshet Sirohi	Hindi	August 4, 2022		https://www.youtube.com/watch?v=HC6Ql5O4SRE

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
27.	Protection of Women from Domestic Violence	Mr Girish KC	English and Kannada	August 4, 2022		https://www.youtube.com/watch?v=rBDieCLD4ec
28.	Concept of Gift & Gift Deed	Ms. Shubhalakshmi P	English	August 4, 2022		https://www.youtube.com/watch?v=zvm1Apvpukc
29.	Mediation of Matrimonial Disputes	Geethanjali K.V.	English	August 4, 2022		https://www.youtube.com/watch?v=X2uEP4ns9r0
30.	Real Estate & Consumer Rights - Rights & Duties of Allotees, Duties of Builders	Raghav Parthasarathy	English	August 4, 2022		https://www.youtube.com/watch?v=IrDBvMSq4-g

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
31.	Consumer & The Law in India	Ms Diana John	English	August 4, 2022		https://www.youtube.com/watch?v=FXkCkoLAdRk
32.	Contracts, Agreements and Public Policy	Dr. Sairam Bhat	English	August 26, 2022		https://www.youtube.com/watch?v=OBBnNf3Osus
33.	25 years of CEERA	Prof. (Dr.) MK Ramesh	English	Sept/ 07, 2022		https://www.youtube.com/watch?v=K9yZHQYSlVI&t=1190s
34.	Rights & Conditions of Slum Dwellers in Bengaluru	School of Law, Christ (Deemed to be University)	English	January 10, 2023		https://www.youtube.com/watch?v=pAv5wL1cOOA

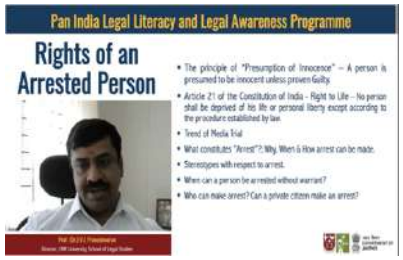
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
35.	VMLAC - Speed Mentoring & Street Play by Nirma University	Nirma University	Hindi	January 13, 2023		https://www.youtube.com/watch?v=96AmHjfDV9Y
36.	Sampurna - A Street Play on Child Marriage & Right to Education	Amity University	Bangla	February 12, 2023		https://www.youtube.com/watch?v=Ukqv-ieFahU
37.	Legal Literacy Through Jan Sunwaii	Amity Kolkata	Bangla	February 12, 2023		https://www.youtube.com/watch?v=SvCZCR5pC5o
38.	Street Play on Child Marriage | बाल विवाह पर नुक्कड़ नाटक	National Law University, Jodhpur	Marwari	February 12, 2023		https://www.youtube.com/watch?v=HYOftSClCZY

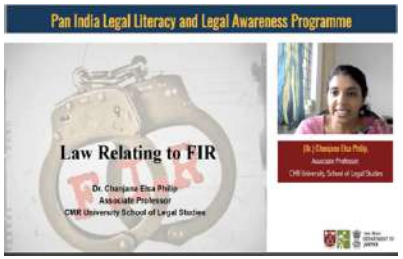
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
39.	Karutham Vardhakyathe: Care for The Elderly	CUSAT, Cochin	Malayalam	February 12, 2023		https://www.youtube.com/watch?v=aNy-yk2CeZc
40.	Legal Literacy on Elderly Rights in Kekadiya Village	NLIU Bhopal	Hindi	February 13, 2023		https://www.youtube.com/watch?v=4JGiUdE3_18
41.	Awareness and Availability of Health Facilities (Speed Mentoring)	VM Salgaocar College of Law, Goa	English	February 13, 2023		https://www.youtube.com/watch?v=ZqMWf7tyX9s
42.	Legal Literacy through Speed Mentoring in New Government High School, Chintamani	N/A	English / Kannada	February 13, 2022		https://www.youtube.com/watch?v=Y5vvXHBTh-Y

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
43.	Child Abuse, Ragging, Cyberbullying and Good Touch Bad Touch (Speed Mentoring)	Institute of Law, Nirma University	English	February 13, 2022		https://www.youtube.com/watch?v=5G55jlbY0uI
44.	Child marriage, Child abuse, and Right to Education.	DNLU, Jabalpur	English / Hindi	February 13, 2023		https://www.youtube.com/watch?v=T8kXjqWadUQ
45.	Legal Literacy on Elderly Rights- Street Play	HNLU	Hindi	February 13, 2023		https://www.youtube.com/watch?v=enGXaolaOgo
46.	Nukkad Natak at Matoshree Old Age Home, Karve Nagar on the Rights of Elderly- Street Play	Symbiosis Law School, Pune	Hindi	February 13, 2023		https://www.youtube.com/watch?v=uUmcdoAl1_0

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
47.	Nukkad Natak at Manerwadi, Khanpur on Domestic Violence - Street Play	Symbiosis Law School, Pune	Hindi	February 13, 2023		https://www.youtube.com/watch?v=7TINFqyyYWk
48.	Prevention of Child Abuse- Speed Mentoring	CUSAT, Cochin	English	February 13, 2023		https://www.youtube.com/watch?v=U-nXtBsMnjE
49.	"Food for Thought" in the Legal Perspective- Speed Mentoring	Amity University	Bangla	February 15, 2023		https://www.youtube.com/watch?v=nsOkjz6uUDY
50.	Right to Education, Child Marriage, Domestic Violence, Child Sexual abuse and Harassment- Mentoring	JSS College of Law, Mysore	Kannada	February 13, 2023		https://www.youtube.com/watch?v=_oq3TY5tWv4

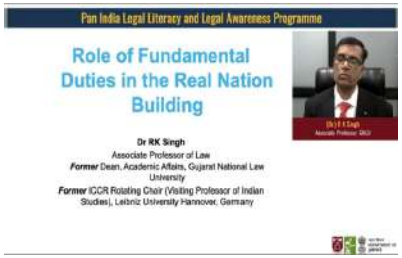
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
51.	Jan Sunwai Vishwakarma University	Vishwakarma University	Marathi	February 13, 2023		https://www.youtube.com/watch?v=fv6apROoyyE
52.	Street Play on Right to Education in Ragi Gudda Slum	Christ University	Kannada	February 13, 2023		https://www.youtube.com/watch?v=SAvpB3hUqPk
53.	Street Play on Domestic Violence in Ragi Gudda Slum	Christ University	Kannada	February 13, 2023		https://www.youtube.com/watch?v=VOpXPksJzj0
54.	Jan Sunwai- Raja Lakhamgouda Law College, Belagavi	Raja Lakhamgouda Law College, Belagavi	Kannada	February 15, 2023		https://www.youtube.com/watch?v=qUKM2RKE4RI

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
55.	Consumer Protection - Know your Rights	N/A	English	February 15, 2023		https://www.youtube.com/watch?v=M3AbitteZnA
56.	Copyright Protection- What it is, How is it?	N/A	English	February 15, 2023		https://www.youtube.com/watch?v=5ixR1j-nSHM
57.	Rights & Status of Women under the Constitution of India	Prof. (Dr.) T R Subramanya	English	February 19, 2023		https://www.youtube.com/watch?v=fEZ4dcZXObc
58.	Rights of an Arrested Person	Prof. (Dr.) V.J. Praneshwaran	English	February 19, 2023		https://www.youtube.com/watch?v=GmhSZubr_z4

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
59.	Law relating to FIR every citizen must know	Dr Chanjana Elsa	English	February 19, 2023		https://www.youtube.com/watch?v=ZQxfhgEZFnk
60.	Law relating to Traffic Violations	Adv. Vidya Selvamony	English	February 19, 2023		https://www.youtube.com/watch?v=jYbSsKhXzP4
61.	Must know Law relating to Driving Licenses in India	Adv. Vidya Selvamony	English	February 19, 2023		https://www.youtube.com/watch?v=a_8FmPLRDsE
62.	Law Relating to Child Labour in India	Dr. Akhila Basalalli	English	February 19, 2023		https://www.youtube.com/watch?v=utH7qC3SHZE

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
63.	Legal Literacy Lecture on Strengthened Consumer Protection in India	Prof. (Dr.) Ashok R Patil	English	February 20, 2023		https://www.youtube.com/watch?v=-xHXUVcxJLI
64.	Health menace of tobacco use: Laws to protect young generation	Prof. (Dr.) Ashok R. Patil	English	February 20, 2023		https://www.youtube.com/watch?v=1AMHRBRT_O0
65.	Duties of Police Officer while making arrest and Rights of arrested person	Prof. Divyanshu Priyadarshi	English	February 20, 2023		https://www.youtube.com/watch?v=twy9Fjc_UfA
66.	Value of Competition & Importance of Competition Law for a common man	Dr. Vijay Kumar Singh	English	February 20, 2023		https://www.youtube.com/watch?v=LS02l1hYuyY

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
67.	Consumer Welfare Legislation (other than Consumer Protection Act)	Dr. Gigimon VS	English	February 20, 2023		https://www.youtube.com/watch?v=tfylOobD1k8
68.	Consumer Protection: What is Silk Mark and its significance	Ms. Samriddhi Bammidi	English	Mar 15, 2023		https://www.youtube.com/watch?v=MBTkC1cjgro
69.	World Consumer Rights Day: Minuscule changes in consumer behaviour can reduce carbon footprint	N/A	English	Mar 15, 2023		https://www.youtube.com/watch?v=D9cX7Q9nMXY
70.	Picture Book on Legal Awareness- CEERA-NLSIU-DOJ	CEERA NLSIU	English	Mar 21, 2023		https://www.youtube.com/watch?v=1bBtXEfysmQ

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
71.	Role of Fundamental Duties in the Real Nation Building	Dr. R K Singh	English	Mar 28, 2023		https://www.youtube.com/watch?v=M_E1Yqg-8eU&t=10s
72.	Street Play on Domestic Violence	National Law University, Jodhpur.	Hindi	Mar 28, 2023		https://www.youtube.com/watch?v=rnRxlOEq110
73.	Street Play on Domestic Violence | घरेलू हिंसा पर नुक्कड़ नाटक	National Law Institute University (NLIU), Bhopal.	Hindi	Mar 28, 2023		https://www.youtube.com/watch?v=T4UYXGZoFm0
74.	Speed mentoring in Schools of Jodhpur (Hindi)	National Law University, Jodhpur	Hindi	Mar 28, 2023		https://www.youtube.com/watch?v=r05W44kIesM

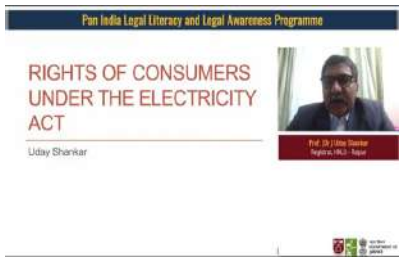
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
75.	भोपाल के स्कूलों में स्पीड मेंटरिंग के माध्यम से कानूनी साक्षरता और कानूनी जागरूकता	National Law Institute University (NLIU), Bhopal.	Hindi	Mar 28, 2023		https://www.youtube.com/watch?v=kqe1K5XP9Fo
76.	अबला से सबला - घरेलू हिंसा पर एक नुक्कड़ नाटक	Hidayatullah National Law University Raipur	Hindi	Mar 28, 2023		https://www.youtube.com/watch?v=Oz4tuY_FhjE
77	Kali - A Street Play on Domestic Violence (Bangla)| কালি - গার্হস্থ্য সহিংসতার উপর একটি রাস্তার নাটক	Amity Kolkata.	Bangla	Mar 28, 2023		https://www.youtube.com/watch?v=P3bula1JOHw
78	नुक्कड़ नाटक के माध्यम से दिल्ली में वरिष्ठ नागरिकों के अधिकारों के बारे में कानूनी जागरूकता	University School of Law and Legal Studies, GGSIPU, Delhi	Hindi	March 28, 2023		https://www.youtube.com/watch?v=zbAmsQtGp_0

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
79	नुक्कड़ नाटक के माध्यम से दिल्ली में बाल शोषण और यौन उत्पीड़न के बारे में कानूनी जागरूकता	University School of Law and Legal Studies, GGSIPU, Delhi	Hindi	March 28, 2023		https://www.youtube.com/watch?v=bU6gN_qiLlE
80	नुक्कड़ नाटक के माध्यम से मेरठ, उत्तर प्रदेश में शिक्षा के अधिकार के बारे में जागरूकता	Sardar Patel Subharti Institute of Law, SVSU, Meerut	Hindi	March 28, 2023		https://www.youtube.com/watch?v=c8DkvEI_JmE
81	Street Play on Elderly Rights (Meerut) | बुजुर्गों के अधिकारों पर नुक्कड़ नाटक (मेरठ)	Sardar Patel Subharti Institute of Law, SVSU, Meerut	Hindi	March 28, 2023		https://www.youtube.com/watch?v=aVTKS5jhOoI
82	Street Play in Ajjappanahalli by Ramaiah College of Law (Kannada)	Ramaiah College of Law, Bengaluru	Kannada	Mar 29, 2023		https://www.youtube.com/watch?v=RW3OpRVyquc

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83	Neridaam Karuthode - Street Play on Child Sexual Abuse	School of Legal Studies, CUSAT, Kochi	Malayalam	Mar 29, 2023		https://www.youtube.com/watch?v=GNe-KZD2PEk
84	Street Play by Nirma University	Nirma University	Hindi	Mar 29, 2023		https://www.youtube.com/watch?v=aRyR4y_6VeA
85	स्पीड मेंटरिंग के माध्यम से मेरठ के डीएस पब्लिक स्कूल (D.S. Public School) में कानूनी जागरूकता	Sardar Patel Subharti Institute of Law, SVSU, Meerut.	English / Hindi	Mar 30, 2023		https://www.youtube.com/watch?v=BSRRrLoc7Xc
86	स्पीड मेंटरिंग के माध्यम से बागपत के देवस पब्लिक स्कूल में कानूनी जागरूकता	Sardar Patel Subharti Institute of Law, SVSU, Meerut.	English / Hindi	Mar 30, 2023		https://www.youtube.com/watch?v=2mnQf84xwq8

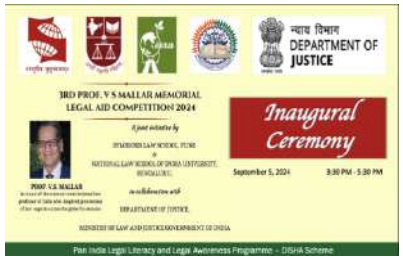
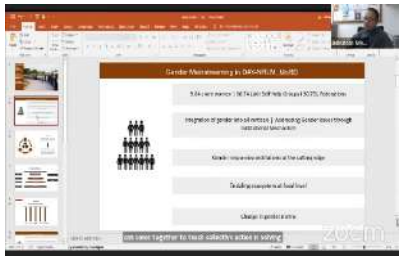
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
87	स्पीड मेंटरिंग के माध्यम से बाल शोषण और यौन उत्पीड़न पर मेरठ के स्कूल में कानूनी जागरूकता	Sardar Patel Subharti Institute of Law, SVSU, Meerut.	English / Hindi	Mar 30, 2023		https://www.youtube.com/watch?v=FXzJyy6D7xQ
88	स्पीड मेंटरिंग के माध्यम से मेरठ के चौधरी बशीर खान इंटर कॉलेज (CBKIC) में कानूनी जागरूकता	Sardar Patel Subharti Institute of Law, SVSU, Meerut.	Hindi	Mar 30, 2023		https://www.youtube.com/watch?v=eJ7q_-hCLRY
89	Life of illiterate Akshita - A street Play on Girl Education | ಹೆಣ್ಣು ಮಕ್ಕಳ ಶಿಕ್ಷಣದ ಬಗ್ಗೆ ಬೀದಿ ನಾಟಕ	Raja Lakhamgouda Law College, Belagavi, Karnataka	Kannada	Mar 30, 2023		https://www.youtube.com/watch?v=xQW_wpi6elU
90	Eternal Love a Mother | ತಾಯಿಯ ಶಾಶ್ವತ ಪ್ರೀತಿ - A Street Play on Rights of Senior Citizens	Raja Lakhamgouda Law College, Belagavi, Karnataka	Kannada	Mar 30, 2023		https://www.youtube.com/watch?v=D5d4eJ_4Sbo

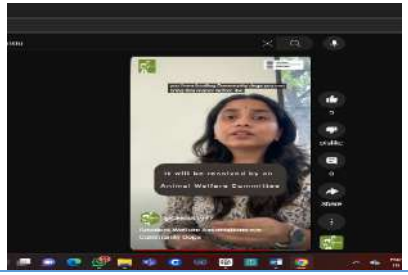
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
91	Legal Literacy and Legal Awareness through Speed Mentoring in Schools of Belgavi (Karnataka)	Raja Lakhamgouda Law College, Belagavi, Karnataka	English/ Kannada	Mar 30, 2023		https://www.youtube.com/watch?v=UVZqGgGefB4
92	Legal Literacy and Legal Awareness through Village Halt in Hindalga Village (Karnataka)	Raja Lakhamgouda Law College, Belagavi, Karnataka	English/ Kannada	Mar 30, 2023		https://www.youtube.com/watch?v=1liRHxffFbE
93	Snippets from CEERA-NLSIU-DoJ Pan India Legal Literacy and Legal Awareness Programme	Prof. (Dr.) Sairam Bhat	English	Apr 1, 2023		https://www.youtube.com/watch?v=4BHc0gDVmt0
94	Invest in Our Planet: A Collated Documentary	Jaibatruka Mohanta	English	Jun 5, 2023		https://www.youtube.com/watch?v=P3QDTy79pNw

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
95	Importance of Legal Aid for Legal Practice	Prof. (Dr.) Sairam Bhat	English	Jun 28, 2023		https://www.youtube.com/watch?v=MzghHbifJ6c&t=14s
96	Legal Social Responsibility	Prof. (Dr.) Sairam Bhat	English	Jun 30, 2023		https://www.youtube.com/watch?v=a3Mi5-ukroU&t=27s
97	Rights of Consumers under the Electricity Act	Prof. (Dr.) Uday Shankar	English	Jul 7, 2023		https://www.youtube.com/watch?v=J_R9kzHdK14&t=3s
98	VMLAC -2022: First Legal Aid Conclave	N/A	English	July 23 2023		https://www.youtube.com/watch?v=1xSMM-jSfPM

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
99	NLSIU's Centre for Environmental Law, Education, Research & Advocacy / Chair on Urban Poor & the Law	N/A	English	July 24, 2023		https://www.youtube.com/watch?v=6BNDCFUaVlI
100	Second Legal Aid Conclave - Prof. VS Mallar Memorial Legal Aid Competition, 2023	N/A	English	August 16, 2023		https://www.youtube.com/watch?v=n0UY84DltnQ
101	Human Rights & Environmental Issues: Sustainable Development Goals	Prof. (Dr.) Sairam Bhat	English	Feb 1, 2024		https://www.youtube.com/watch?v=Q0hXwYBIMMU
102	Exercise Your Right to Vote #voteforindia	Ms. Diana John	English	April 30, 2024		https://www.youtube.com/watch?v=rh7gxA9VNh4

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
103	OUGHT Initiative [Ep. 01] – Light Pollution	Prof. (Dr) Sairam Bhat, Adv. Gayathri Gireesh	English	May 3, 2024		https://www.youtube.com/watch?v=679ghuIltmg&t=1297s
104	[Audio Version] OUGHT Initiative Episode 1 – Light Pollution	Prof. (Dr) Sairam Bhat, Adv. Gayathri Gireesh	English	May 3, 2024		https://www.youtube.com/watch?v=dlEpyjAnRwE&t=421s
105	OUGHT Initiative [Ep. 02] – Right to Repair	Prof. (Dr) Sairam Bhat	English	May 14, 2024		https://www.youtube.com/watch?v=3bEKNJfAS_A
106	[Audio Version] OUGHT Initiative Episode 2 – Right to Repair	Prof. (Dr) Sairam Bhat	English	May 14, 2024		https://www.youtube.com/watch?v=64wv9TKb4xg&t=4s

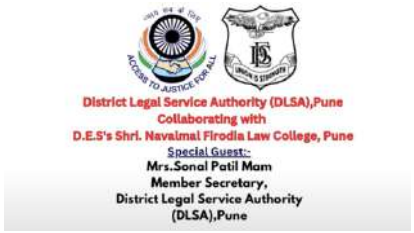
S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
107	Inaugural Ceremony- 3rd Edition Prof. VS Mallar Memorial Legal Aid Competition, 2024	N/A	English	Sept. 6, 2024		https://www.youtube.com/watch?v=-CoTO-Xx9n0&t=4837s
108	Right to Safe Abortion: Legal, Medical, and Ethical Issues	N/A	English	June 16 2023		https://www.youtube.com/watch?v=6fg6oPK6gYI
109	Workshop on Financial Frauds	N/A	English	July 14, 2023		https://www.youtube.com/watch?v=qbdSd8I1RWY
110	One Day Online Workshop on Gender Based Violence: Legal Protection	N/A	English	Dec 15, 2023		https://www.youtube.com/watch?v=nv0IJTBxQF8

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111	Virtual Workshop on Mediation Act, 2023	N/A	English	Jan 23, 2024		https://www.youtube.com/watch?v=N3rEcCaOhLI
112	CEERA-DoJ One Day Online Workshop on Contours of Juvenile Justice	N/A	English	June 28, 2024		https://www.youtube.com/watch?v=nNSY9eTk9DQ
113	Rights of Acid Attack Survivors	Prof. (Dr) Sairam Bhat	English	Feb 12, 2024		https://www.youtube.com/shorts/gL1PgfQpRNw
114	Resident Welfare Associations v/s Community Dogs	Ms. Gayahtri K K	English	Feb 13, 2024		https://www.youtube.com/shorts/MYifVU5nzn4

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
115	Dishonoured Cheque 101	Adv. Rohit Kamath	English	Feb 13, 2024		https://www.youtube.com/shorts/WKj3Wg4SGRU
116	Part 1 | Protect Your from Cybercrimes	Prof. Sairam Bhat	English	Feb 29, 2024		https://www.youtube.com/shorts/CxMzblaDR6M
117	Part 2 | Protect Your from Cybercrimes	Prof. Sairam Bhat	English	Feb 29, 2024		https://www.youtube.com/shorts/55lCQtT2XcY
118	Let Everyday be Women's Day	Ms. Gayahtri K K	English	Mar 08, 2024		https://www.youtube.com/shorts/4Mav3nkuTEs

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
119	Part 3 | Protect Yourself from Cyber Crimes	Ms. Diana John	English	April 29, 2024		https://www.youtube.com/shorts/r1DdAZWR2Ao
120	One Nation One Election	Prof. (Dr.) Sairam Bhat	English	October 16, 2024		https://www.youtube.com/watch?v=aC7Zy9x-yE0
121	OUGHT Initiative [Ep. 03] – Harassment at Workplace	Prof. (Dr.) Sairam Bhat	English	November 13, 2024		https://www.youtube.com/watch?v=Gkw4YKJmad8
122	OUGHT Initiative [Ep. O4] – The Concept of Economic Duress	Prof. (Dr.) Sairam Bhat	English	November 13, 2024		https://www.youtube.com/watch?v=UZOYDInIdoQ

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
123	OUGHT Initiative [Ep. 05] – Buying a Property: Things to Keep in Mind	Jaibatruka Mohanta	English	November 15, 2024		https://www.youtube.com/watch?v=e7whk4MzsWo
124	Podcast On Human Organ Trafficking	Adv. Sandhya Raju & Mrs. Dila Davis	English	December 31, 2024		https://www.youtube.com/watch?v=rShApdZWWZQ
125	Panel Discussion on "How to Make Research Grant Proposal?"	Prof (Dr.) S Shanthakumar, Prof. (Dr.) Sairam Bhat and Prof. (Dr.) Sandeepa Bhat	English	January 1, 2025		https://www.youtube.com/watch?v=nUwukJwfIBc
126	Podcast on Violence Against Women & Children :- Legal Remedies and Schemes of WCD Department	Adv. Reena John, Ashwathi & Deepa Jose	Malyalam	January 1, 2025		https://www.youtube.com/watch?v=ldT-YOFo2go

S. No.	Topic of the Video	Speaker	Language	Date	Screenshot	Link
127	Podcast on Consequences of Drugs in Society - Legal Aspects, Anti Drug Projects & Remedial Measures	Shri Satheesh PK, Assistant Excise Commissioner & Shri Binu Kumar, CI, Excise Department	Malyalam	January 1, 2025		https://www.youtube.com/watch?v=4fikonx47fU&t=15s
128	Podcast - [विधितatva Ep. 01] Open Door, Open Law : Your Guide to Free Legal Aid	Mrs. Sonal Patil, Member Secretary, DLSA, Pune	English & Hindi	January 3, 2025		https://www.youtube.com/watch?v=HKgi9GimGmI

YouTube Analytics

Top videos

Views · Lifetime

	ಉಚಿತ ಕಾನೂನು ನೆರವುಸೇವೆಗಳು - Dr. S...	33.2K
	Rights & Conditions of Slum Dwelle...	10.1K
	Street Play on Domestic Violence | ...	5.6K
	Nukkad Natak at Matoshree Old Ag...	2.6K
	Right to Legal Aid in India - Prof. (Dr...	1.4K

CEERA-NLSIU-DoJ

@CEERA1997 · 1.89K subscribers · 123 videos

The Centre for Environmental Law Education, Research and Advocacy (CEERA)

Channel details

www.youtube.com/@CEERA1997

2.16K subscribers

128 videos

76,214 views

Joined Feb 21, 2022



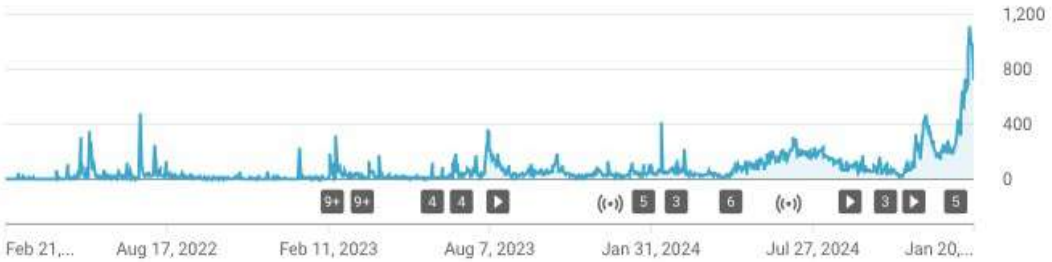






YouTube Analytics

Views	Watch time (hours)	Subscribers
76.6K	2.9K	+2.2K



Top geographies

Views · Lifetime

India	89.0%
United States	0.1%
Pakistan	0.1%
United Kingdom	0.1%

Watch time from subscribers

Watch time · Lifetime

Not subscribed	93.5%
Subscribed	6.5%

Age and gender

Views · Lifetime

All | Videos | Shorts

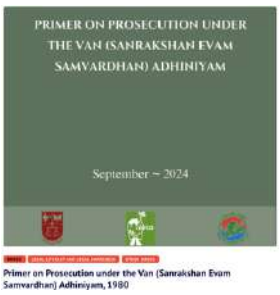
Female	32.3%
Male	67.7%
User-specified	0%

13–17 years	0%
18–24 years	19.5%
25–34 years	29.9%
35–44 years	29.2%
45–54 years	13.9%
55–64 years	4.1%
65+ years	3.3%

WEBSITE (CEERAPUB.NLS.AC.IN)

CEERA-NLSIU has a special tab for disseminating IEC Materials for the Legal Literacy and Legal Awareness Programme on its website www.ceerapub.nls.ac.in. The outreach through our website for the period Jan 2022 to January 2024 is **1,03,757 through 41 posts.** The blog posts in the legal literacy and legal awareness category on our website and their respective outreach is as follows:

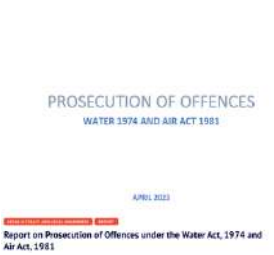
S.No.	Screenshot	Title	Link	Outreach
1.	 Street Play Scripts By CUSAT 'Bodhavum Bhodhyavum' (Consciousness and Conviction)	Street Play Script by CUSAT Bodhavum 'Bhodhyavum' (Consciousness and Conviction)	https://ceerapub.nls.ac.in/category/blog/legal-literacy-and-legal-awareness/	80
2.	 Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward	Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward	https://ceerapub.nls.ac.in/analysing-the-draft-liquid-waste-management-rules-2024-salient-features-and-way-forward/	550
3.	 Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	https://ceerapub.nls.ac.in/examining-the-doctrine-of-veil-piercing-vis-a-vis-environmental-parent-company-liability-in-india/	1228

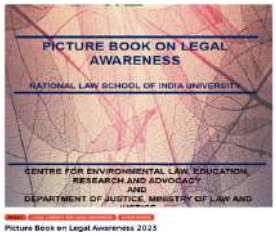
S.No.	Screenshot	Title	Link	Outreach
4.		Primer on Prosecution under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	https://ceerapub.nls.ac.in/primer-on-prosecution-under-the-van-sanrakshan-evam-samvardhan-adhiniyam-1980/	817
5.		Problem Statement | First National Labour Law Conciliation Competition 2024	https://ceerapub.nls.ac.in/problem-statement-first-national-labour-law-conciliation-competition-2024/	1180
6.		Guarding Green Claims: Indian Approach Towards a Sustainable Future	https://ceerapub.nls.ac.in/guarding-green-claims-indian-approach-towards-a-sustainable-future/	2085
7.		Rules, Regulations & Guidelines – Third Edition Prof. V.S. Malar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/rules-regulations-guidelines-third-edition-prof-v-s-mallar-memorial-legal-aid-competition-2024/	785
8.		Environmental Restorative Justice: An Emerging Paradigm in Environmental Governance	https://ceerapub.nls.ac.in/environmental-restorative-justice-an-emerging-paradigm-in-environmental-governance/	1192

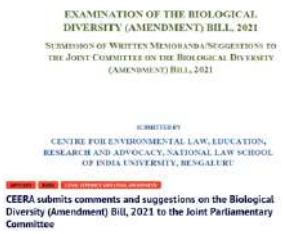
S.No.	Screenshot	Title	Link	Outreach
9.	 Proposed Legal Framework for Climate Induced Disaster like the Wayanad Landslide	Proposed Legal Framework for Climate Induced Disaster Like the Wayanad Landslide	https://ceerapub.nls.ac.in/proposed-legal-framework-for-climate-induced-disaster-like-the-wayanad-landslide/	2389
10.	 Brochure: 3rd Prof VS Mallar Memorial Legal Aid Competition, 2024	Brochure: 3rd Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/brochure-3rd-prof-vs-mallar-memorial-legal-aid-competition-2024/	2537
11.	 Legal Aid to Legal Rights 2024	Legal Aid to Legal Rights 2024	https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	1883
12.	 The Role of Pollution Control Boards in the Real Estate Sector	The Role of Pollution Control Boards in the Real Estate Sector	https://ceerapub.nls.ac.in/the-role-of-pollution-control-boards-in-the-real-estate-sector/	3135
13.	 Plastic Waste Management in India with special emphasis on multilayered packaging	Plastic Waste Management in India with Special Emphasis on Multilayered Packaging	https://ceerapub.nls.ac.in/plastic-waste-management-in-india-with-special-emphasis-on-multilayered-packaging/	4980

S.No.	Screenshot	Title	Link	Outreach
14.		Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	https://ceerapub.nls.ac.in/significance-of-mediation-an-address-at-the-online-workshop-on-the-mediation-act-2023/	2678
15.		The Policy and Legislative Framework to Regulate the Usage of Non-Personal Data	https://ceerapub.nls.ac.in/the-policy-and-legislative-framework-to-regulate-the-usage-of-non-personal-data/	2733
16.		Green Credit and Climate Action: An Analysis of Green Credit Rules, 2023	https://ceerapub.nls.ac.in/green-credit-and-climate-action-an-analysis-of-green-credit-rules-2023/	5028
17.		Jan Vishwas Act: Transition from Punitive Regime to Trust Based Regime	https://ceerapub.nls.ac.in/jan-vishwas-act-transition-from-punitive-regime-to-trust-based-regime/	3287
18.		Quasi-Decriminalisation in Environmental Laws in India: An Evaluation	https://ceerapub.nls.ac.in/quasi-decriminalisation-in-environmental-laws-in-india-an-evaluation/	5871
19.		Stray Dogs and Cattle Management – Towards a Humane Approach	https://ceerapub.nls.ac.in/stray-dogs-and-cattle-management-towards-a-humane-approach/	5264

S.No.	Screenshot	Title	Link	Outreach
20.	 REIMAGING FOREST GOVERNANCE – APPRAISAL OF THE FOREST [CONSERVATION] AMENDMENT ACT 2023	Reimaging Forest Governance – Appraisal of the Forest (Conservation) Amendment Act, 2023	https://ceerapub.nls.ac.in/reimaging-forest-governance-appraisal-of-the-forest-conservation-amendment-act-2023/	4452
21.	 POLICY HACKATHON 2023 CEERA-NLSIU Policy Hackathon 2023	CEERA-NLSIU Policy Hackathon 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-policy-hackathon-2023/	2060
22.	 Snapshots of Green Budget 2022/23	Snapshots of Green Budget 2022/23	https://ceerapub.nls.ac.in/snapshots-of-green-budget-2022-23/	1410
23.	 Note on Biological Diversity (Amendment) Act, 2023	Note on Biological Diversity (Amendment) Act, 2023	https://ceerapub.nls.ac.in/note-on-biological-diversity-amendment-act-2023/	6238
24.	 A CRITICAL ANALYSIS OF PRICE VARIATION IN GOVERNMENT CONTRACTS	A Critical Analysis of Price Variation in Government Contracts	https://ceerapub.nls.ac.in/a-critical-analysis-of-price-variation-in-government-contracts/	599

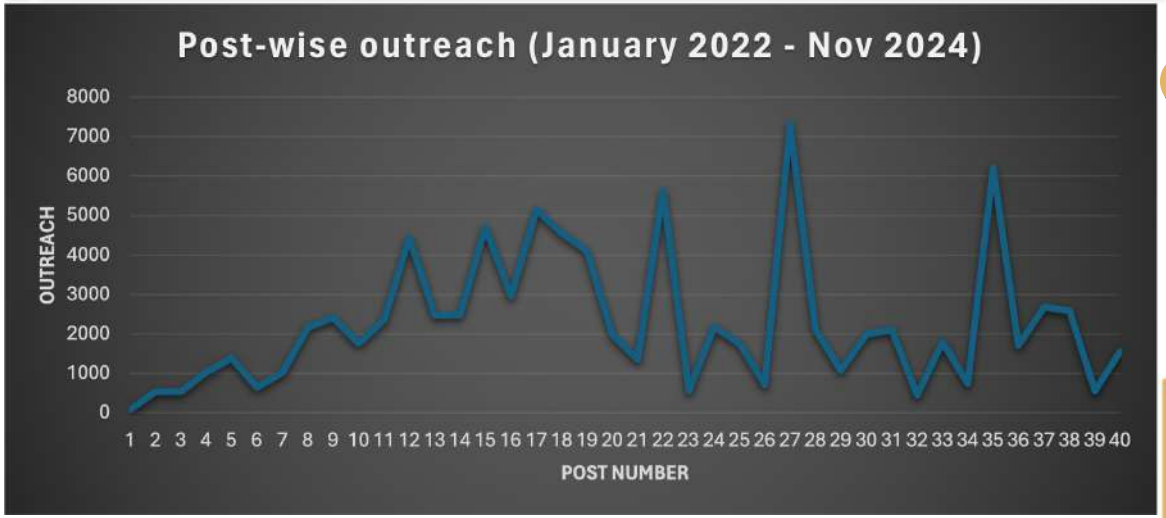
S.No.	Screenshot	Title	Link	Outreach
25.		Green Credit and Climate Action	https://ceerapub.nls.ac.in/green-credit-and-climate-action/	2322
26.		Insights into the New 'High Seas Treaty'	https://ceerapub.nls.ac.in/insights-into-the-new-high-seas-treaty/	1900
27.		CEERA-NLSIU Draft Climate Protection Bill 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-draft-climate-protection-bill-2023/	799
28.		Food Wastage, Climate Change, Hunger: The Need for Action	https://ceerapub.nls.ac.in/food-wastage-climate-change-hunger-the-need-for-action/	8267
29.		Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	https://ceerapub.nls.ac.in/project-report-on-affordable-shelters-for-street-women-and-children-a-case-study-of-delhi/	2177
30.		Report on Prosecution of Offences under the Water Act, 1974 and the Air Act, 1981	https://ceerapub.nls.ac.in/report-on-prosecution-of-offences-under-the-water-act-1974-and-air-act-1981/	1173

S.No.	Screenshot	Title	Link	Outreach
31.		Picture Book on Legal Awareness 2023	https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/	2102
32.		Battery Waste Management Rules, 2022	https://ceerapub.nls.ac.in/battery-waste-management-rules-2022/	2262
33.		Comparative Enforcement Mechanisms and Pinning of Liability in Environmental Crimes in India and Asia Pacific Region	https://ceerapub.nls.ac.in/comparative-enforcement-mechanisms-and-pinning-of-liability-in-environmental-crimes-in-india-and-asia-pacific-region/	484
34.		Legal Aid Handbook Vol. 1 2022	https://ceerapub.nls.ac.in/legal-aid-handbook-vol-1-2022/	1855
35.		Climate Aid	https://ceerapub.nls.ac.in/climate-aid/	842
36.		Navigating the Wildlife (Protection) Amendment Bill, 2021: A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection	https://ceerapub.nls.ac.in/navigating-the-wildlife-protection-amendment-bill-2021-a-comprehensive-analysis-of-the-need-for-scientific-	6753

S.No.	Screenshot	Title	Link	Outreach
			methods-in-wildlife-protection/	
37.		Climate Resilient Cities in India – Assessing the Climate Smart Cities Action Framework	https://ceerapub.nls.ac.in/climate-resilient-cities-in-india-assessing-the-climate-smart-cities-action-framework/	1946
38.		Right to Information: The BCCI Conundrum	https://ceerapub.nls.ac.in/right-to-information-the-bcci-conundrum/	3089
39.		Transparency, Good Governance and the Right to be Forgotten	https://ceerapub.nls.ac.in/transparency-good-governance-and-the-right-to-be-forgotten/	2955
40.		Comments and Suggestions on the Biological Diversity (Amendment) Bill, 2021 to the Joint Parliamentary Committee	https://ceerapub.nls.ac.in/ceera-submits-comments-and-suggestions-on-the-biological-diversity-amendment-bill-2021-to-the-joint-parliamentary-committee/	617
41.		Aquamation as a form of "Green Cremation": A short note	https://ceerapub.nls.ac.in/aquamation-as-a-form-of-green-cremation-a-short-note/	1753
Total Outreach Through Website			**1,03,757**	

Website Analytics

www.ceerapub.nls.ac.in



Posts: 41

Outreach: 1,03,757

Avg. Outreach per post: 2,530

Maximum 8,267

Minimum: 80



BLOG LEGAL LITERACY AND LEGAL AWARENESS

Transparency, Good Governance and the Right to be Forgotten



BLOG LEGAL LITERACY AND LEGAL AWARENESS

THE POLICY AND LEGISLATIVE FRAMEWORK TO REGULATE THE USAGE OF NON-PERSONAL DATA



BLOG LEGAL LITERACY AND LEGAL AWARENESS

Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward



BLOG LEGAL LITERACY AND LEGAL AWARENESS

Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023



ARTICLES LEGAL LITERACY AND LEGAL AWARENESS

RIGHT TO INFORMATION: THE BCCI CONUNDRUM



ARTICLES BLOG LEGAL LITERACY AND LEGAL AWARENESS

ENVIRONMENTAL RESTORATIVE JUSTICE: AN EMERGING PARADIGM IN ENVIRONMENTAL GOVERNANCE

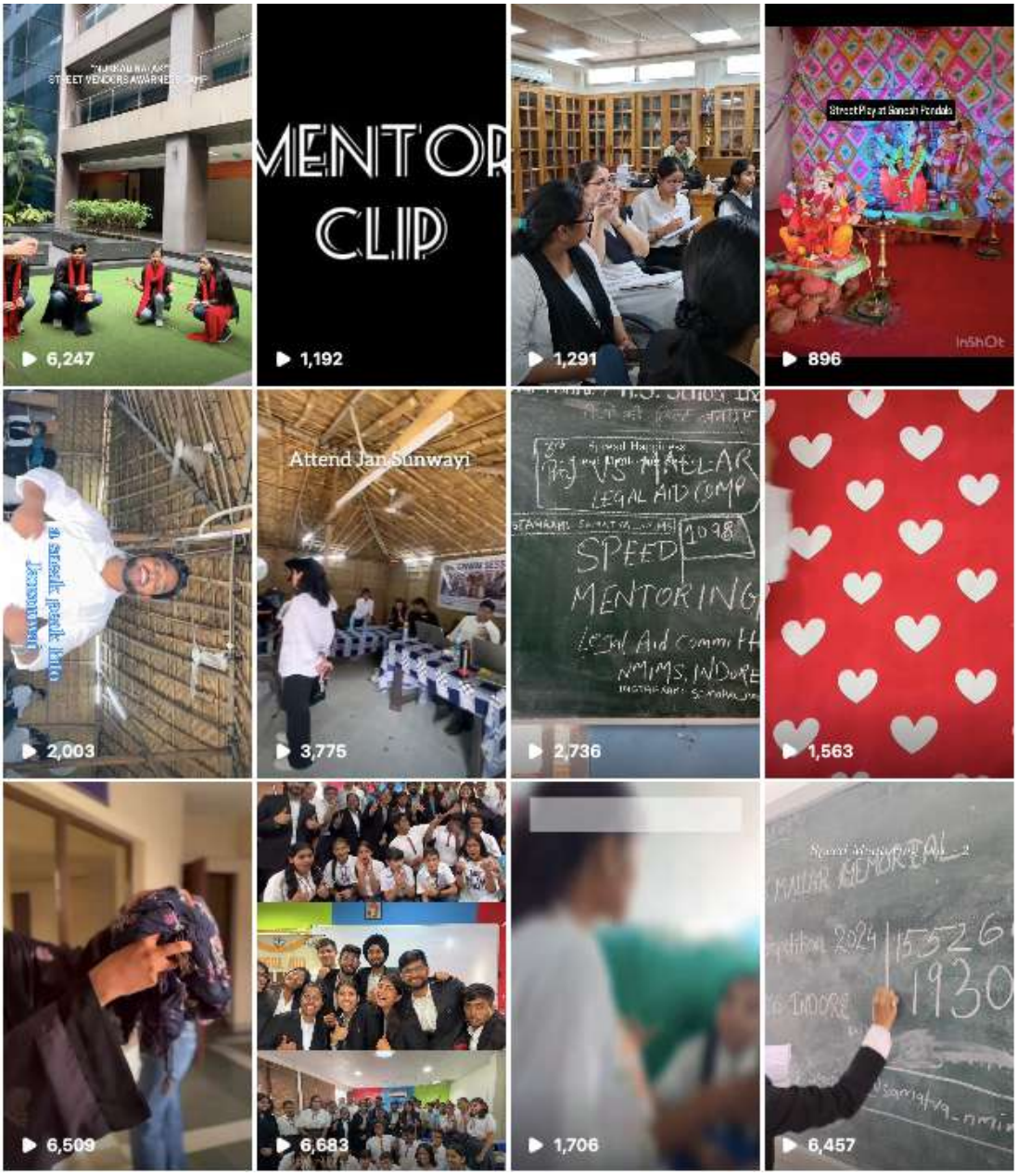


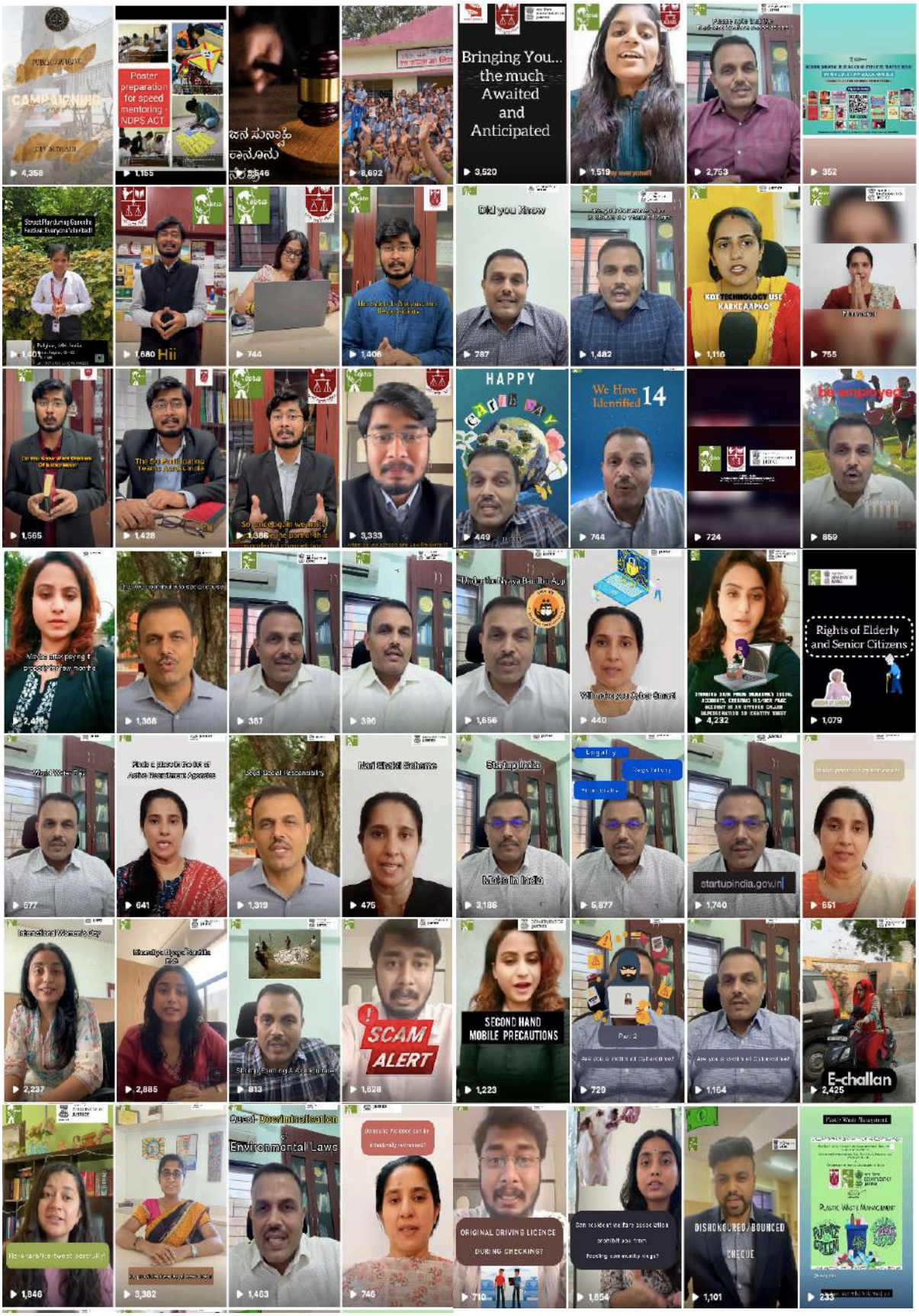
ARTICLES LEGAL LITERACY AND LEGAL AWARENESS

GUARDING GREEN CLAIMS: INDIAN APPROACH TOWARDS A SUSTAINABLE FUTURE

INSTAGRAM PAGE:

- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 852 (Reels 368, other posts – 484); Total Outreach through Instagram: 11,61,875 (9,01,967 – reels + 2,59,908– other posts).** Some of the reels are as follows:




Poster preparation for speed mentoring - NDPS ACT
Bringing You... the much Awaited and Anticipated
Did you Know
HAPPY
We Have Identified 14
Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SCAM ALERT
SECOND HAND MOBILE PRECAUTIONS
E-challan
ORIGINAL DRIVING LICENCE DURING CHECKING?
DISHONOURED/BOUNCED CHEQUE
PLASTIC WASTE MANAGEMENT

Instagram Analytics

In our experience reels on Instagram has proved to be the most successful method for spreading legal literacy and legal awareness. The reels are short, crisp, and engaging. Instagram by default provides several features for editing and customizing videos. Unfortunately, Instagram does not provide detailed analytics as YouTube. However, the number of views of each videos is conveniently shown below each of the reels.

Reels

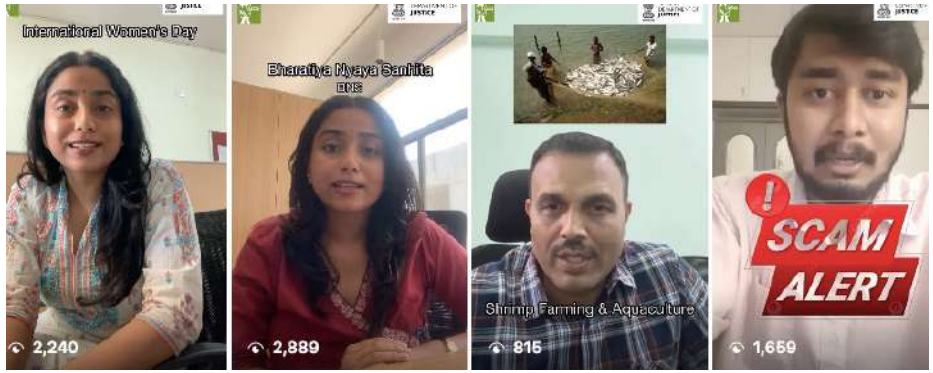
Count - 368
Outreach – 9,01,967

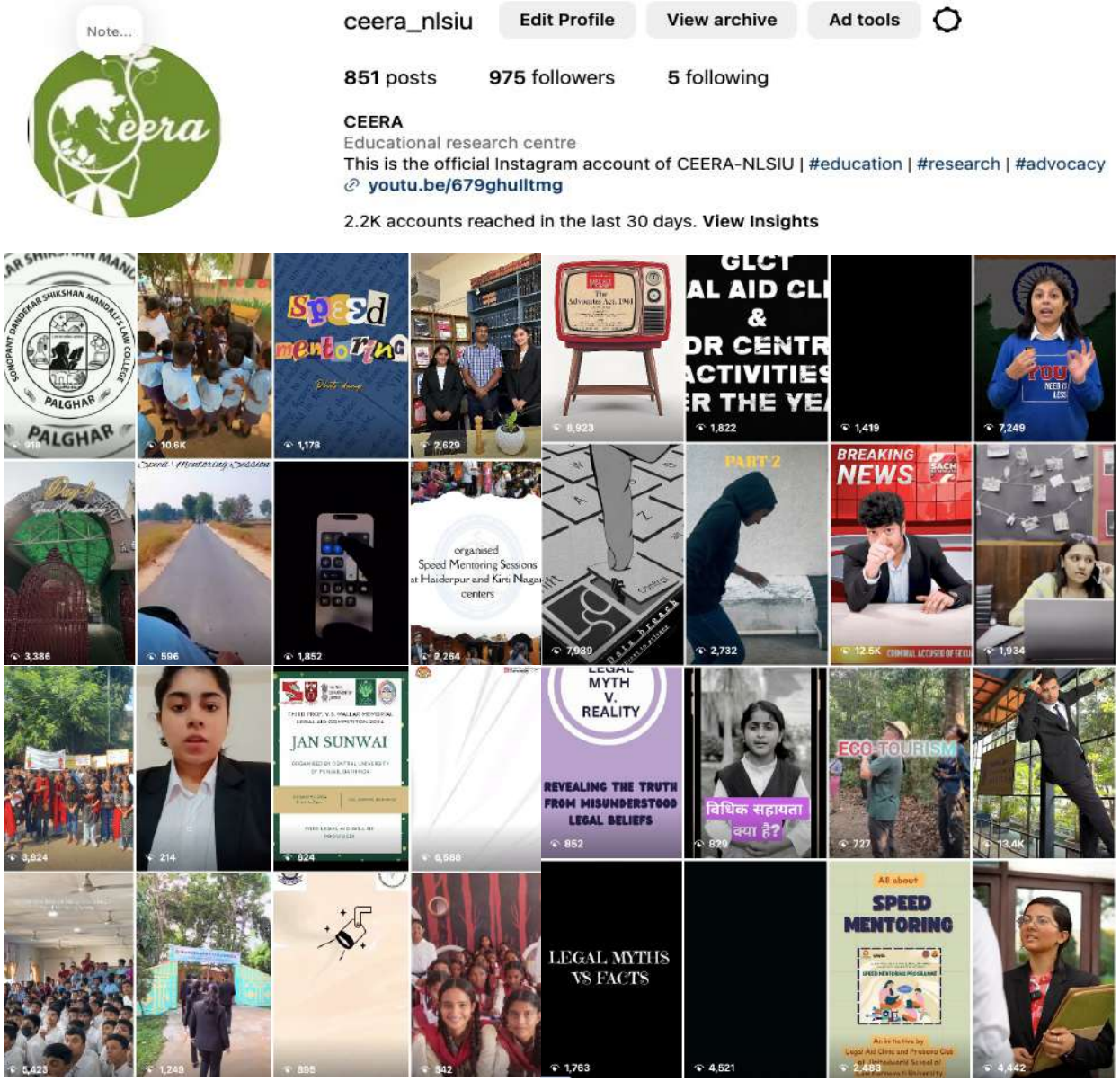
Posts

Count – 484
Outreach – 2,59,908

Total

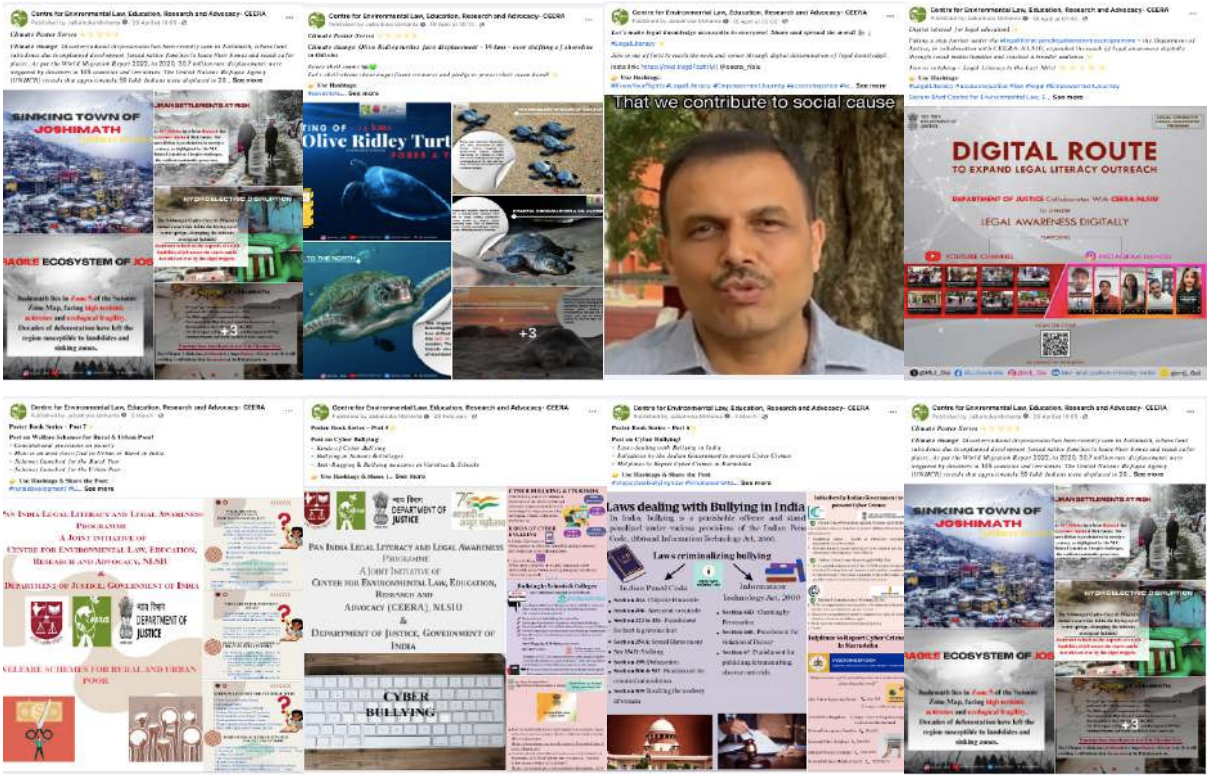
Count – 852
Outreach – 11,61,875





FACEBOOK PAGE

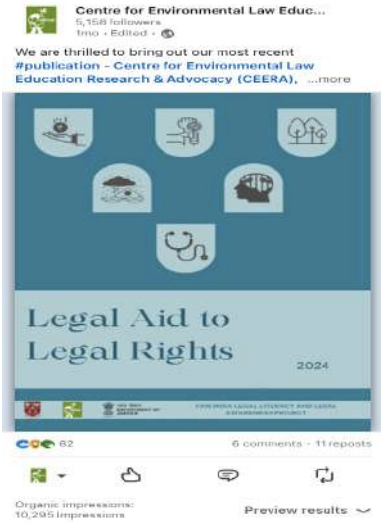
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 207; Outreach through Facebook: 22,186.** Some of the Facebook Posts are as below:



LINKEDIN PAGE

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. Our LinkedIn Page is a very active page and during the period of January 2022 to January 2025 we have posted **244 posts** related to legal literacy and legal awareness with an outreach of **4,73,132.** Some of our posts on LinkedIn are as follows:















facebook Analytics



A few events that unfurled over the weekend with Centre for Environmental Law, Education, Research and Advocacy- CEERA (Series Post 1/3) Post - 1 Few snippets from the village halt carried out at Mosambayanahalli, Mysuru, Karnataka on September 13...
Mon, 16 Sep

Post reach
126



Problem Statement - Release ✨✨✨✨✨ The Problem Statement of the First National Labour Law Conciliation Competition, 2024 ✨ is now live! The Rules and Regulations shall be shared in due course. *There are limited Teams for this Competition, therefore register* NO...
Tues, 10 Sep

Post reach
125



What is Legal Social Responsibility? In this video Prof. (Dr.) Sairam Bhat, Professor of Law, National Law School Of India University , Bangalore explains the concept of Legal Social Responsibility and what it entails for the Legal Profession. Just like we have CSR - we need...
Mon, 2 Sep

Post reach
104



Centre for Environmental Law, Education, Research and Advocacy- CEERA

666 likes · 859 followers

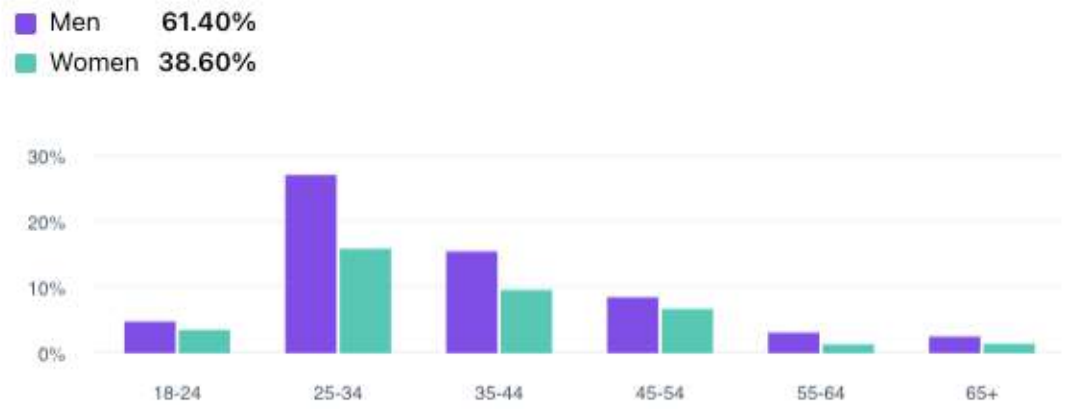
See dashboard
Edit
Advertise

Posts
207

Outreach
22,186

Avg
107

Age and gender



LinkedIn Analytics

Nov 30, 2023 - Nov 28, 2024

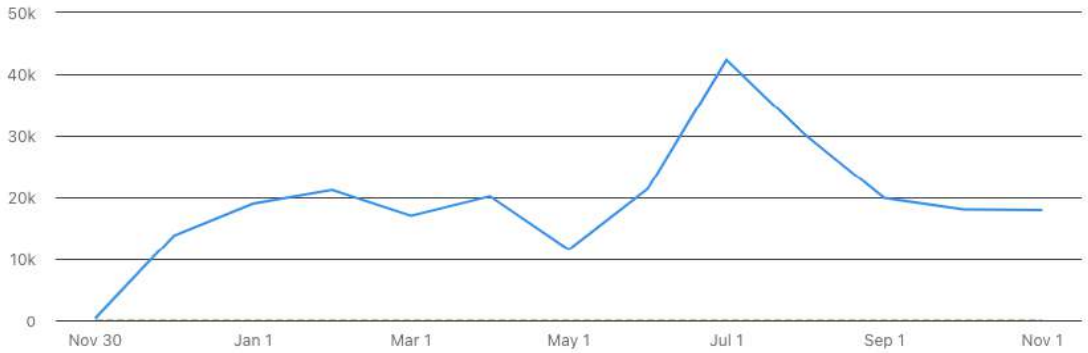
Highlights

Data for 11/30/2023 - 11/28/2024

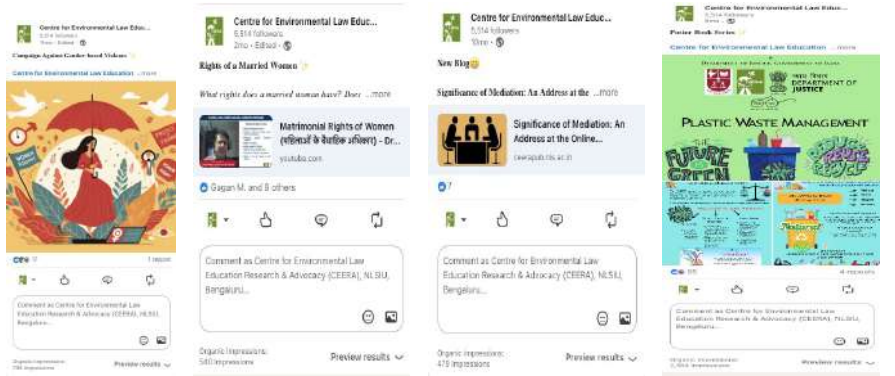
252,953	4,306	84	31
Impressions	Reactions	Comments	Reposts

Metrics

Impressions



Organic	252,953
Sponsored	0







LinkedIn Analytics

LinkedIn does not retain the posts which are over one year old. The exact data is available only for posts since November 30, 2023. For which the outreach has been 2,28,818 through 118 posts. Hence, to calculate the outreach of the entire duration of the Project (since January 2022) – estimations have been done on the following basis –

- CEERA simultaneously post content on Facebook and LinkedIn – Number of posts posted on Facebook during Jan 2022 – Nov 30, 2023 = 126
- Average Outreach per post on our LinkedIn Page - 1939

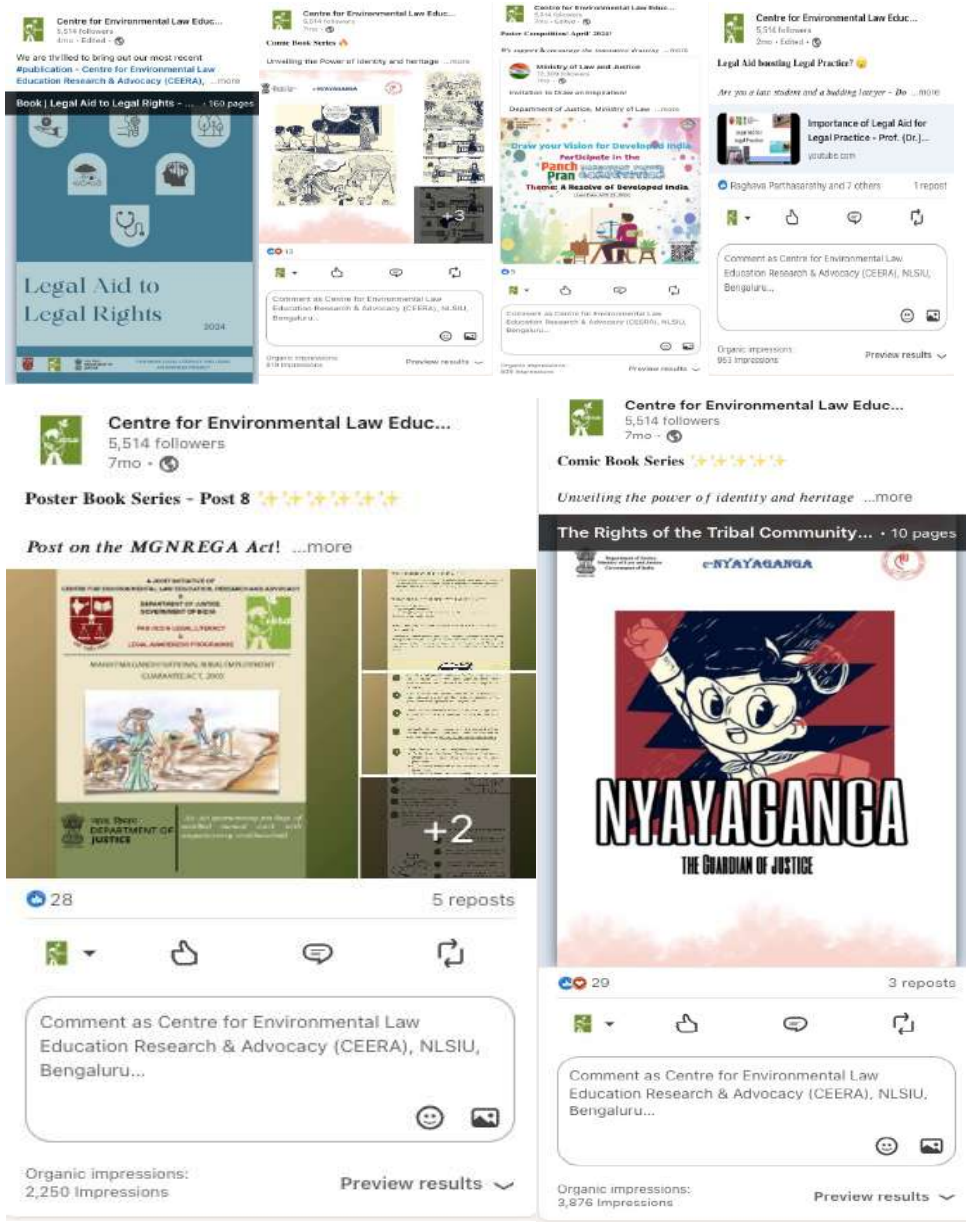
Estimations

Number of Post on Facebook from January 2022 to November 30, 2023 = **126**

Average Outreach per post on LinkedIn = 1939
Estimated Outreach on LinkedIn till November 2023 = **2,44,314**

Outreach on LinkedIn since December 2023:
Posts – **118**; Outreach - **2,28,818**

Total Outreach on LinkedIn:
Posts - 244 Outreach – 4,73,132



PART B

LEGAL LITERACY WORKSHOPS

Legal Literacy Workshops

Number

- 41 Legal Literacy Workshops
- 4 Village Halts
- 1 Three-Day MOOC Course for Start-ups
- **Total 46**



Mode

26 Offline
20 Online



Type

- Legal Aid Lawyering
- Village Halts
- Topic Specific (Gender & Juvenile, ADR)
- MOOC

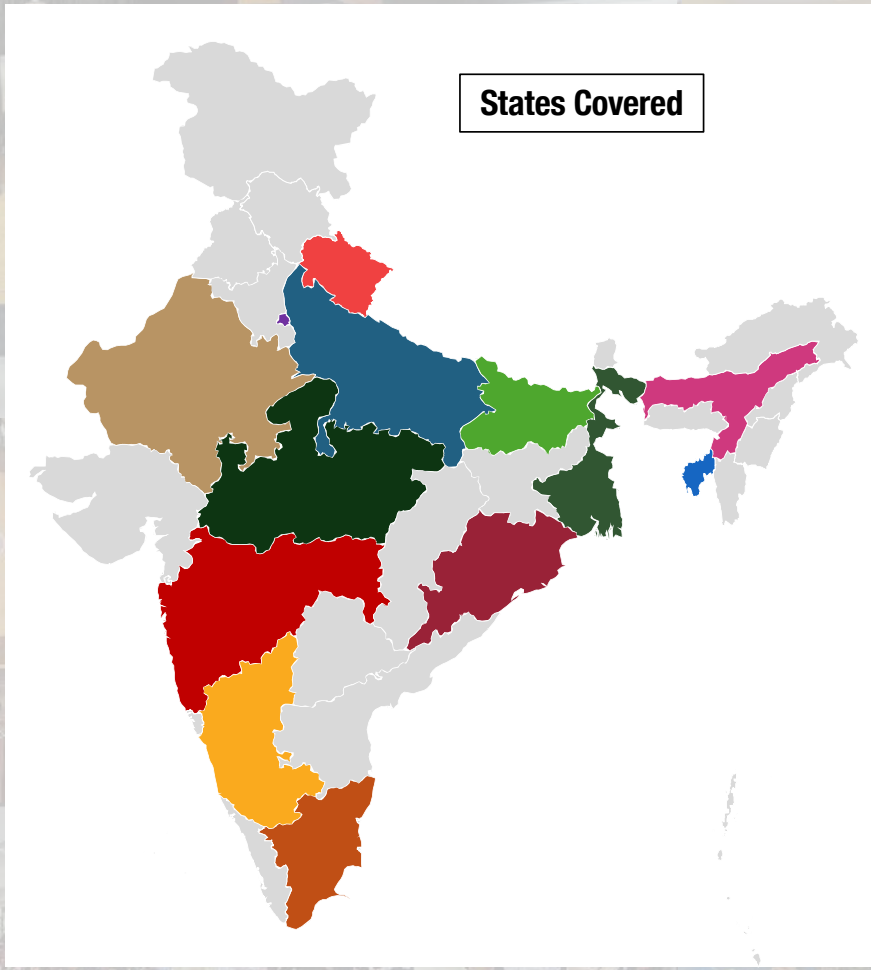


Outreach

10,817



Legal Literacy Workshops

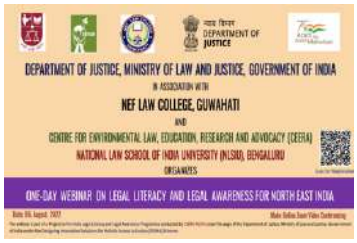


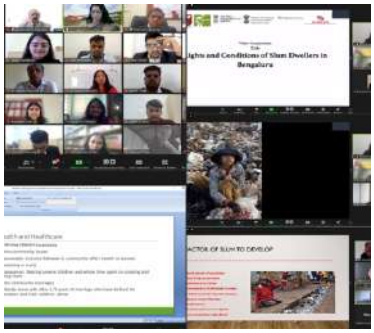
- Karnataka
- Uttar Pradesh
- Maharashtra
- Odisha
- Bihar
- Rajasthan
- West Bengal
- Assam
- Madhya Pradesh
- Uttarakhand
- Tamil Nadu
- Tripura
- Delhi

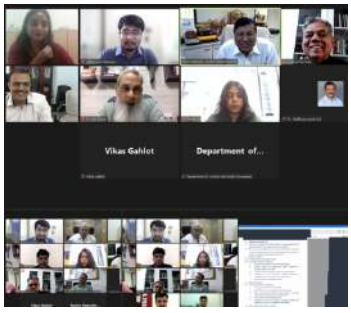
Attempted to conduct Legal literacy and training workshops based on Para Legal Volunteer (Basic Legal Training & Assistance) Model for the **Anganwadi Workers**. Unsuccessful in coordination and obtaining requisite permissions from the Women and Child Development Department, Ministry of Women and Child Development.

List of Legal Literacy Workshops & Courses Conducted

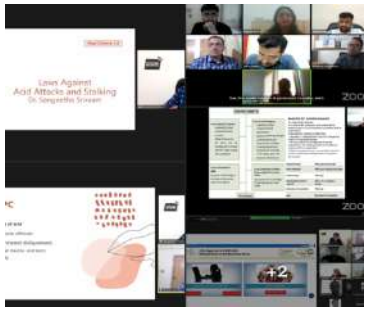
S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
1.	**First Coordination Workshop** with Partnering Institutions for Pan India Legal Literacy and Legal Awareness Programme **(17.02.2022)**		Online	**N/A**
2.	**One-Day Workshop on Legal Literacy and Legal Awareness** in collaboration with SCAB Law College, Raichur **(26.03.2022)**		Raichur, Karnataka	299
3.	**Second Coordination Workshop** with Partnering Institutions for Pan India Legal Literacy and Legal Awareness Programme (12.04.2022)		Online	**N/A**
4.	**Workshop on Climate and Waste Management: Evaluating Environment, Occupation Health and Safety Policies in India** in association with MS Ramaiah Medical College, Bengaluru (24.06.2022)		Bengaluru	84
5.	**First Legal Aid Conclave – Launch of Prof. V.S. Mallar Memorial Legal Aid Competition 2022** (01.07.2022)		Online	140

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
6.	**One-Day Webinar on Legal Literacy and Legal Awareness for North-East India** in association with NEF Law College Guwahati (06.08.2022)		Online	586
7.	**Second Legal Aid Conclave under the Prof. VS Mallar Memorial Legal Aid Competition, 2022** (19.08.2022)		Online	113
8.	**One-Day Legal Literacy and Legal Awareness Workshop in Odisha** in collaboration with KIIT University, Bhubaneshwar (27.08.2022)		Bhubaneshwar, Odisha	107
9.	**One-Day Legal Literacy and Legal Awareness Workshop** in collaboration with Sanjivanie College of Law, Bahraich, Uttar Pradesh (03.09.2022)		Bahraich, Uttar Pradesh	192
10.	**Third Legal Aid Conclave** under the Prof. VS Mallar Memorial Legal Aid Competition, 2022 (30.09. 2022)		Online	60

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
11.	**One-Day Workshop on Legal Literacy and Legal Awareness in Ghaziabad** in collaboration with Kamkus College of Law, Ghaziabad (05.11.2022)		Rajnagar, Ghaziabad, UP	236
12.	**Commemoration of the Constitution Day & Announcement of Winners** for the Inaugural Prof. VS Mallar Memorial Legal Aid Competition, 2022 (26.11.2022)		Bengaluru and Online (Hybrid)	67
13.	**Two-Day National Conference on Human Rights of Slum Dwellers and Forced Eviction: A Legal Mandate** (15.12.2022 – 16.12.2022)		Online	251
14.	**One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness in Mumbai** in association with NMIMS, Mumbai (17.02.2023)		Mumbai	133
15.	**One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness** in collaboration with MSCBU, Baripadu (18.03.2023)		Baripada, Odisha	119

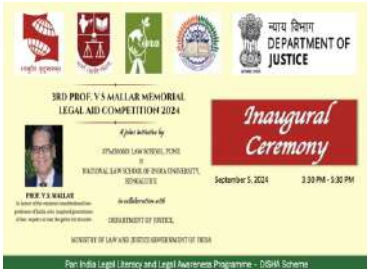
S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
16.	**One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness** in collaboration with MNLU Nagpur (24.03.2023)		Nagpur	200
17.	**One-Day Youth Training of the Trainers (ToT) Workshop on Legal Literacy and Legal Awareness** in collaboration with Vishwakarma University, Pune (06.05.2023)		Pune	247
18.	**One-Day Online Workshop on Right to Safe Abortion: Legal, Medical & Ethical Issues** (16.06.2023)		Online	1051
19.	**Inaugural VMLAC 2023 and First Legal Aid Conclave** (03.07.2023)		Online	200
20.	**One-Day Webinar on Protecting Citizens' Interest in Financial Frauds** (14.07.2023)		Online	290

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
21.	**One-Day Youth Training of the Trainers (ToT) Workshop on Legal Literacy and Legal Awareness** in collaboration with CNLU Patna (03.08.2023)		Patna	174
22.	**Legal Aid to Legal Practice – Second Legal Aid Conclave under VMLAC 2023** (05.08.2023)		Online	200
23.	**Doctor Centric Approaches to Medical Negligence & Malpractice** in collaboration with Ramaiah Medical College, Bengaluru (12.08.2023)		Bengaluru	659
24.	**One-Day Webinar on Forest Rights Act** (08.09.2023)		Online	158
25.	**Interdisciplinary International Conference on Human-Animal Conflict and Compensation** in collaboration with DNLU, Jabalpur (09-10 Sept 2023)		Jabalpur	150

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
26.	**Legal Aid for Legal Practice – Third Legal Aid Conclave under VMLAC 2023** (22.09.2023)		Online	200
27.	**Round Table Conference on Atma Nirbhar Bharat** in association with ICSSR (05.10.2023)		Online	90
28.	**Legal Literacy and Legal Awareness Workshop** in collaboration with NLU Jodhpur (09.10.2023)		Jodhpur, Rajasthan	175
29.	**Legal Aid and its Dimensions** – Fourth Legal Aid Conclave under VMLAC 2023 (27.10.2023)		Online	200
30.	**One-Day Online Workshop on Gender-Based Violence: Legal Protection** as part of Nayi Chetna 2.0 Campaign (15.12.2023)		Online	1303

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
31.	**One-Day State Level Seminar on Gender Based Violence** as part of Nayi Chetna 2.0 in collaboration with SCAB Law College, Raichur (21.12.2023)		Raichur, Karnataka	150
32.	**One-Day Online Workshop on the Mediation Act, 2023** (23.01.2024)		Online	652
33.	**One-Day Workshop on Gender-Based Violence: Legal Protection** in collaboration with Vivekananda Institute of Professional Studies – VSLLS Pro Bono Club as part of the "Nayi Chetna 2.0" Campaign (15.02.2024)		New Delhi	100
34.	**Two Day Village Halt** in Sundarbans, West Bengal under the "**Legal Literacy for the Last Mile**" Campaign (11-12 03 2024)		Villages: Godkhali, Dulki, Sajenkhali and the Western Side of Sundarbans National Park Sundarbans, West Bengal	120
35.	**Three Day Village Halts in** 4 Villages of Mayurbhanj District of Odisha under the "**Legal Literacy for the Last Mile**" Campaign (19-21 03 2024)		Villages: Bhaluki, Ashanbani, Hinjalgadia & Uparsahi Mayurbhanj, Odisha	250

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
36.	**One-Day Certificate Training Workshop on Legal Aid Lawyering** in collaboration with Kristu Jayanti College of Law, Bengaluru (01.06.2024)		Bengaluru, Karnataka	263
37.	**Virtual Workshop on Contours of Juvenile Justice in India** (28.06.2024)		Online	56
38.	**Village Halt** in Agartala The conduction of village halt marked the beginning of the Pro-Bono Legal Aid Services for NLU Tripura (19.07.2024)		Agartala, Tripura	Around 100
39.	**One-Day Certificate Course on Legal Aid Lawyering** in collaboration with NLU Tripura (20.07.2024)		Agartala, Tripura	257
40.	**One-Day Certificate Workshop on Legal Aid Lawyering** in collaboration with School of Legal Studies, CMR University, Bengaluru (09.08.2024)		Bengaluru, Karnataka	181

S. No.	Workshop / Course (Title, Date & Partnering Institute)	Snippets	Location	Outreach
41.	**Inaugural Ceremony for 3rd Edition of Prof. V. S. Mallar Memorial Legal Aid Competition 2024** in collaboration with Symbiosis Law School Pune (05.09.2024)		Online	Attended by around 220, participants of the Legal Aid Competition
42.	**Village Halt** in collaboration with JSS Law College, Mysore & DSLA Mysuru (13.09.2024)		Mosambayanhalli, Mysuru, Karnataka	200
43.	One-Day Certificate Workshop on **Legal Aid Lawyering – An IQAC Initiative** in collaboration with JSS Law College, Mysore (14.09.2024)		Mysuru, Karnataka	150
44.	**One-Day Certificate Workshop on Legal Aid Lawyering** in collaboration with UPES School of Law Dehradun (27.09.2024)		Dehradun, Uttarakhand	220
45.	**One-Day Legal Aid Lawyering Workshop** in collaboration with Central University of Tamil Nadu (23.10.2024)		Thiruvarur, Tamil Nadu	120
MOOC Courses				
46.	**Three-Day Certificate Course on Start-Ups: Legal, Intellectual and Regulatory Compliance** in collaboration with NPTEL, IIT Madras on the NPTEL+ Platform (22-24 02 2024)		Online	161
Total Outreach				**10,817**

PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

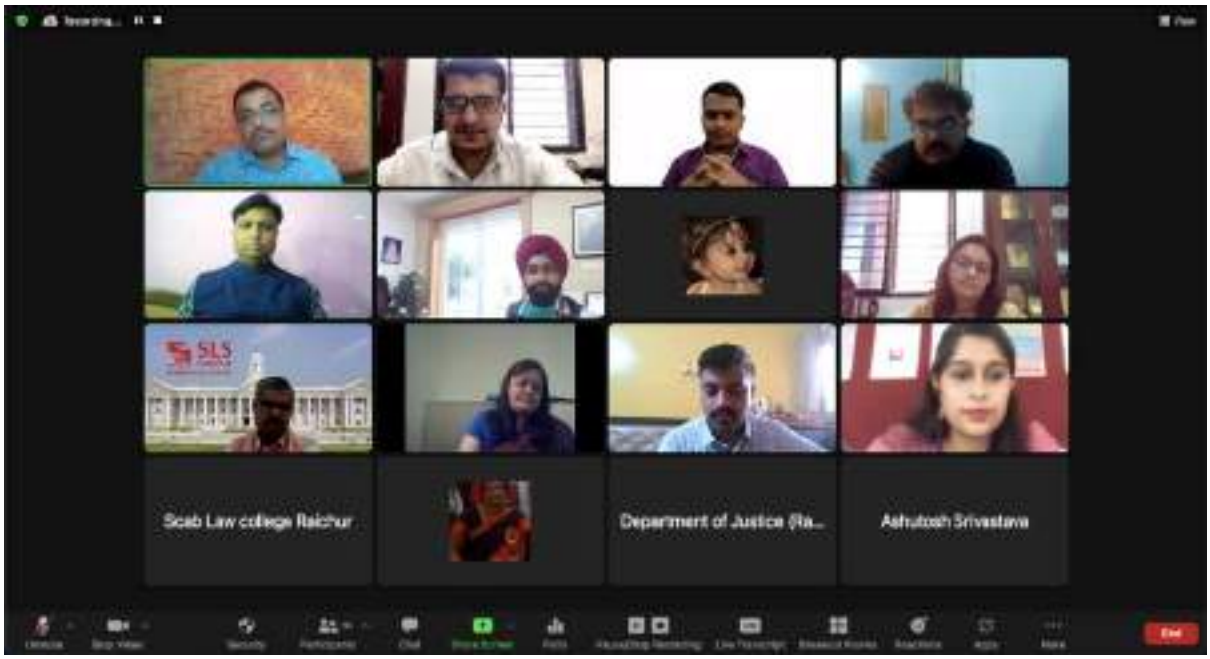
CONDUCTED BY CEERA-NLSIU

MINUTES OF THE MEETING

FIRST COORDINATION WORKSHOP WITH PARTNERING INSTITUTIONS FOR PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Date: February 19, 2022

On 17 February 2022 CEERA-NLSIU organized the "**First Coordination Workshop with Partnering Institutions for Pan Indian Legal Literacy and Legal Awareness Programme**" under the project "**Pan India Legal Literacy and Legal Awareness Programme**" granted to CEERA-NLISU by the Department of Justice, Government of India under the "Designing Innovative Solutions for Holistic Access to Justice (DISHA)". The workshop was organized virtually on **Zoom Platform** from **10:00 am** onwards.



LIST OF PARTICIPANTS

The Workshop was attended by the following Participants -

1. Prof. (Dr.) Sairam Bhat, Professor of Law & Coordinator CEERA-NLSIU
2. Prof. Subir K Bhatnagar, Vice Chancellor, RMLNLU, Lucknow
3. Dr. Sukhvinder Singh Dari, Director, Symbiosis Law School, Nagpur
4. Smt. Padma J Jagirdar, Principal SCAB Law College, Raichur
5. Dr. Kumar Askand Pandey, Associate Professor, RMLNLU, Lucknow
6. Dr. Sachin Tripathi, Assistant Professor, Symbiosis Law School, Nagpur
7. Dr. Bishwa Kallyan Dash, Assistant Professor, School of Law, KIIT, Bhubaneswar
8. Dr. Anjali Thanvi, Assistant Professor, NLU Jodhpur
9. Dr. Satyadeep Kumar Singh, Advocate Patna High Court
10. Ms. Uma Ramu Sandhya, Assistant Professor, SCAB Law College, Raichur
11. Mr. Ravindra Pare, Scheme Coordinator, DISHA Scheme, Department of Justice
12. Mr. Ashutosh Srivastava, Programme Manager, DISHA Scheme, Department of Justice
13. Ms. Madhubanti Sadhya, Teaching Associate, CEERA-NLSIU
14. Mr. Rohith Kamath, Consultant, CEERA-NLSIU
15. Mr. Vikas Gahlot, Teaching Associate, CEERA-NLISU
16. Ms. Lianne D'Souza, Research Fellow, CEERA-NLSIU
17. Ms. Gayathri Gireesh, Advocate, Karnataka High Court

SUMMARY OF THE DISCUSSION:

1. Prof. (Dr.) Sairam Bhat welcomed everyone and after a brief round of introduction, he elaborated about the Legal Literacy and Legal Awareness Project and the DISHA Scheme. He also stated that the primary task of CEERA-NLSIU under the project is related to dissemination while other institutions will be responsible for creation of content. He also elaborated on other initiatives of the Department of Justice such as TeleLaw, NyayBandhu etc.
2. Prof. Bhat emphasized that a national level project of this nature cannot be done without the help and collaboration of friends and institutions. He mentioned that the state partnering institutions have been chosen owing to their proximity to the aspirational districts in their respective states.
3. He stated that one Training of the Trainer Workshop will be organized at the partnering institutions once the pandemic is over.

4. In the meanwhile, the partnering institutions and the faculty coordinators are requested to identify laws that are relevant for their respective state as each state may have its own legislative focus.
5. For digital legal literacy, Prof. Bhat proposed a plan for recording of short videos of 15-20 minutes on important legislations and creating a poster on that law. For the first stage, the language of the video can be English, but focus should be given on local language for effective dissemination.
6. Prof. Bhat further expressed that as part of our dissemination strategy we must revive our Legal Aid Clinics. He highlighted that the legal aid clinics are not that effective compared to when they started with. They have now become a check box for NAAC, NIRF etc. He proposed holding a Legal Aid Clinic competition to revive the clinics.
7. He expressed that in these two years of the project we must create something will have a lasting impact. He also stressed that the Department of Justice will hold regular review meetings and will provide suggestions. He stated that we must be open to suggestions and ideas, and should revisit our strategy on the feedback received for course correction. After the Prof. Bhat opened the floor for questions and suggestions. In this regard the following questions were asked by the partnering institutions:
    - What is the expected level of time and engagement of the partnering institutions?
    - Some of aspirational districts are located in Maoist infected areas and hence digital legal literacy might not effective in those areas. What should be our strategy for those areas?
    - When should we conduct the master trainer workshops?
    - What should be the content of the videos?
    - What is the level of engagement of Legal Services Authorities?
    - How to avoid overlapping of content in the videos?
    - What is the deadline for identifying laws, language, and resource person for video recordings and when to start recording?
    - Asking people from far flunked areas and take part in the Master Trainer Workshop may prove to be challenge. How should we convince them to come?
    - Is there any Tangible or monetary benefit under the project?
8. To the above questions and doubts asked by the participants, Prof. Bhat clarified as follows:

- A Master Trainer Workshop will be organized at the partnering institution. The state faculty coordinators can identify partners and faculty members that will help us in engaging people from not only law colleges but also from NCC, Scouts, NSS. We can involve local district administration, legal services authorities and NGOs. A dissemination strategy in this regard has been prepared and circulated to the partnering institutions.
- For Maoist affected areas we can look at legislations such as the Forest Rights Act that may be relevant. The difficulty in reaching out and travelling to these districts have been communicated to the Department of Justice. So far, we have budget for holding one master trainer workshop in each state. But to reach out to more people we require additional funds. One suggestion in this regard is to reach out to local MLAs and take help from MPLAD funds. As digital penetration is very less in these districts we should circulate posters to panchayats and local bodies.
- The master trainer workshops will be conducted post June 2022. Till then we should identify stakeholders and resource persons for recording of videos and digital legal literacy. We should endeavor to record at least 15-20 videos for the YouTube channel. There is no limit on the number of videos we can record even more based on the feedback.
- The videos should be recorded focusing on three points: (i) Right involved; (ii) Whom to approach to exercise that right; (iii) Where to address the grievance in exercise of that right. Prof. Bhat clarified that these videos are not lectures so philosophical and lecture method should be avoided. They should be recorded in simple language, avoiding jargon and from a common man perspective. For Pan India dissemination, we should use English/Hindi. For effective state level engagement, we should focus on regional language. Hence, faculty or resource persons should be identified for regional language recordings. It was also clarified that we should evolve some evaluation strategy to receive feedback. The number of views and hits on YouTube videos can be one such criteria.
- A project of this kind cannot be done without the engagement of Legal Services Authorities. We should reach out to them and invite their participation and collaboration. We should involve them for master trainer workshop. We should tap the potential of para legal volunteers and associate with them.

- To avoid overlapping of content in the videos, CEERA team will prepare a google form and circulate it with the faculty coordinators and partnering institutions. CEEERA team will also circulate a consent policy to be accepted by the resource person to assign copyrights to the Department of Justice.
- We must endeavor to identify the legislation, language, and resource person by 25th February, 2022. We can start recording in the month of March 2022.
- Asking people from far flunked areas and rural areas without travel allowance is a valid concern and asking poor people to come and attend is not only unfair and unjust. We cannot promise them monetary compensation for the same. We should endeavor to convince them to take part in this nation building exercise.
- Past work experience always matters in getting prestigious projects and that can be a tangible benefit under this project. Though any monetary reward cannot be promised, we can issue them certificates and letters etc. for their involvement in the project, which will help in the future.

9. With this discussion, the Workshop came to conclusion and Prof. Bhat thanked all the participants for taking out valuable time from their busy schedules to attend the workshop.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

CONDUCTED BY CEERA-NLSIU

MINUTES OF THE MEETING

SECOND COORDINATION WORKSHOP WITH PARTNERING INSTITUTIONS FOR PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Date: April 12, 2022

On **April 12, 2022**, CEERA-NLSIU organized the "**Second Coordination Workshop with Partnering Institutions for Pan Indian Legal Literacy and Legal Awareness Programme**" under the project "**Pan India Legal Literacy and Legal Awareness Programme**" granted to CEERA-NLISU by the Department of Justice, Government of India under the "Designing Innovative Solutions for Holistic Access to Justice (DISHA)". The workshop was organized virtually on **Zoom Platform** from **4:00 pm** onwards.



LIST OF PARTICIPANTS

The Workshop was attended by the following Participants -

1. Prof. (Dr.) Sairam Bhat, Professor of Law & Coordinator CEERA-NLSIU
2. Mr. Vivek Shukla, Advocate, Lucknow High Court
3. Dr. Sachin Tripathi, Assistant Professor, Symbiosis Law School, Nagpur
4. Dr. Bishwa Kallyan Dash, Assistant Professor, School of Law, KIIT, Bhubaneswar
5. Dr. Anjali Thanvi, Assistant Professor, NLU Jodhpur
6. Ms. Madhubanti Sadhya, Teaching Associate, CEERA-NLSIU
7. Mr. Vikas Gahlot, Teaching Associate, CEERA-NLISU
8. Ms. Lianne D'Souza, Research Fellow, CEERA-NLSIU
9. Ms. Anuja Shah, Research Fellow, CEERA-NLSIU
10. Ms. Gayathri Gireesh, Advocate, Karnataka High Court

SUMMARY OF THE DISCUSSION

1. Prof. (Dr.) Sairam Bhat welcomed everyone and apprised everyone on the Work done on the Legal Literacy and Legal Awareness Project since the Last Coordination Workshop which included:
    - Status of Recording, Editing and Publishing Videos for the CEERA-NLSIU-DoJ YouTube Channel.
    - Preparations of Frequently Asked Questions (FAQs) and publication of the same in a Handbook.
    - Conduction of the First Master Trainer Workshop on Legal Literacy and Legal Awareness in Raichur.
2. Discussion was held on conducting a Master Trainer Workshop in Odisha.
3. Presentation and Discussion of the Draft brochure of the Inaugural Prof. V S Mallar Memorial Legal Aid Competition 2022 and the various activities to be conducted under the Competition which includes Street Plays, Jan Sunwaii, Village Halts, Speed Mentoring, Village Adalats and Final Report.
4. With this discussion, the Workshop came to conclusion and Prof. Bhat thanked all the participants for taking out valuable time from their busy schedules to attend the workshop.

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ONE-DAY WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS

ORGANISED BY

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

IN ASSOCIATION WITH

SETH CHUNILAL AMARCHAND BOHRA LAW COLLEGE, RAICHUR

AND

CENTRE FOR ENVIRONMENT LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA),
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

Held on: 26 March, 2022

Venue: SCAB Law College Raichur





REPORT

SUMMARY OF THE PROCEEDINGS

The One-Day Workshop on Legal Literacy and Legal Awareness was organised under the aegis of the Department of Justice, Ministry of Law and Justice, Government of India in association with Seth Chunilal Amarchand Bohra Law College, Raichur and Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru on 26th March 2022.

SESSION 1 – INAUGURATION



The Inaugural Speech was delivered by **Prof. (Dr.) Sairam Bhat**, Professor of Law & Coordinator, CEERA-NLSIU. In his Inaugural speech, Prof Bhat emphasised the need and importance of legal literacy and legal awareness campaigns in Raichur which is identified as one of the aspirational district in Karnataka for the Legal Literacy and legal Awareness Program (LLLAP). He highlighted the important social and legal issues such as child marriage, cyber bullying and women safety, social media

responsibility in digital age. Prof. Bhat further underscored the importance of legal awareness and legal literacy dissemination in such districts to involve law students and lawyers in this campaign of nation building and inculcating social responsibility. He discussed the initiatives of CEERA under the Project and the launch of CEERA Pro Bono Assistance helpline number.



The Key note address was delivered by **Sri Mahadevappa G.K.**, In-charge Principal District & Sessions Judge, Raichur. Reiterating Importance of legal education, Sri Mahadevappa stated that it is necessary to train the young minds during the college days and to make best use of legal literacy program during the college days. He highlighted that it is very pertinent to train the students for social cause, practical importance and applied methods of legal principles, court practice and legal implementations.

In his speech, Sri Mahadevappa shared valuable insights on pending cases in courts and underscored the need for speedy disposal of cases. It is well known fact that the number of judges has to be proportional to the population. Hence, there is a pertinent need to increase the ratio of Judges in India. Citing the example of the Court in Raichur, He stated that the First Division Magistrate Court has around 5000 pending cases which includes cases under the POSCO Act, SC/ST atrocities cases, land acquisitions, Arbitration, Motor Vehicles along with civil criminal appeals and session trials. Even though the Special Courts are legally required to take cognizance of case within 30 days, take evidence on a day to day basis, and dispose of the case within a year, that is not the reality. He stated that the reasons for delay in court matters are many. One such being the supporting system from Police Department in evidences. With the online and virtual hearing of evidences gaining prominence the matters can be disposed in a speedy manner. He emphasised that in cases of POCSO and JJ Act, the virtual hearing and recording of evidence is a sensitive matter therefore In camera hearing shall be continued. Legal awareness should be disseminated

regarding the misuse of online virtual hearing, recording through mobile phones which is punishable offence.

He also underscored the significance of NCC, NSS in legal literacy and it can be an important aspect in the student training program. The legal aid campaign needs to be strengthened in order to enable the speedy and efficient disposal of cases.



The next address was delivered by Chief Guest Shri **Maski Nagaraj**, General Secretary, Taranath Shikshana Samsthe, Raichur. He was assertive in his statement that legal literacy campaign should also include training on criminal investigations to present it in the court of law. As an example he said that in the matters of NDPS the investigation is so vital and crucial to the case in the courts and to prove the nexus between the offence and the accused. Legal awareness is very necessary to bring in practical knowledge and experiences. He also the emphasized the social responsibility of lawyers and educating the common people about the practices of child marriage and the need for the compulsory education

SESSION 2 – Technical Session



The Technical Session was taken by **Prof. (Dr.) Sairam Bhat**, Professor of Law & Coordinator, CEERA-NLSIU & **Mr. Vikas Gahlot**, Teaching Associate, CEERA-NLSIU. Prof. Bhat addressed the importance of Raichur as an aspirational district. He also emphasised the need for mass grass root level out-reach through DOJ legal awareness program through the Class room and practical lawyering experimental Lab. He asserted the use of social Identity of a lawyer for societal responsibility.

Next Prof. Bhat discussed the major issues faced by Raichur and North-Karnataka, such as cyber bullying, domestic violence and child marriages. Cyber bullying is becoming rampant on social media platforms there should be legal awareness especially among women regarding the use of social media, and sharing personal photograph in social media platforms. Domestic Violence is an important social and legal aspect between the age group of 25-45 years. The main sociological factors are fear of divorce, impact on child psychology and awareness on behavioural change. The Protection Officers play a crucial role bringing awareness to the sociological and the legal facet of domestic violence. Prof. Sairam Bhat insisted upon the efforts to revive Legal Aid clinics.

Mr. Vikas Gahlot discussed the Consumer Protection Act. He emphasised that it is a key legislation relating to day to day life of every common man and the growth of apps like Swiggy and Zomato and others. He highlighted that Consumer Awareness should be at the forefront in today's technological and legal advancement. Citing an example of online food portals, he asserted the necessity to bring in consumer awareness especially in young generation, who have access to smart phones, regarding food safety standards, kitchen safety standards, plastic packaging and food grade audits in cloud kitchens. There is a prominence of legal awareness in the field of consumer rights in housing sector.

SESSION 3 – Question Answer Session



After the Technical Session a Q&A sessions was held and a healthy discussions ensued between the panellists and participants on the following key points -

• Regarding the strengthening of the Legal Aid Clinics in the colleges and inculcating the attitude of social engineering in the students.

- The major concerns on Internet trolling and cyber bullying and how to be sensitive about the usage of social media platforms
- With plastic waste being so unbridled and a pandemic menace, the discussion was held on how to invoke Sec. 133 and powers of the District magistrate to solve the public nuisance.
- Discussion and deliberations on the child marriage, education to girls and people in general, the role of Child Protection Officers in disseminating the importance of education among girls.

Glimpses of the Workshop







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ANNEXURE – LIST OF PARTICIPANTS

Workshop on Legal Literacy & Legal Awareness - 2022

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REPORT OF THE WORKSHOP

"CHEMICALS AND WASTE MANAGEMENT: EVALUATING ENVIRONMENT, OCCUPATIONAL HEALTH AND SAFETY POLICIES IN INDIA

Organised by

Centre for Environmental Law, Education, Research and Advocacy (CEERA)

National Law School of India University (NLSIU), Bengaluru

In association with

Ramaiah Medical College

&

School of Law, Ramaiah University of Applied Sciences

Under the aegis of the

Ministry of Environment, Forest and Climate Change

and

Department of Justice, Ministry of Law and Justice, Government of India

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Date: June 24th, 2022

Venue: M S Ramaiah Medical College

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CEERA extends its profound gratitude to Ramaiah Medical College and School of Law, Ramaiah University of Applied Sciences for their support in collaborating and organising the workshop. CEERA is grateful to **Dr. U Ramachandra Kamath**, Deputy Hospital Administrator, Ramaiah Medical College and all the resource persons for their support and contributions towards making the workshop a success. In particular, we are thankful to Prof. (Dr.) M K Ramesh, our mentor and guide, for his relentless support in all our endeavours.

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ABOUT THE WORKSHOP



It is a well-known truth that hazardous substances and the consequential waste generated thereof pose significant threats to the environment, plant, animal and human health and safety. Particularly in the context of the handling and management of chemical and hazardous waste, deficiencies in the waste handling practices, waste management strategies and site safety standards may give way for increased threats to those personnel who are directly involved in the handling of such waste. In India, the need to minimise the risk of such threats has time and again been reiterated through the legal framework in place. The plethora of rules, laws and guidelines formulated specifically for various categories of wastes, is evidence of the increased awareness of the need for safe handling of chemical and hazardous. However, despite the broad and comprehensive legal framework, the safe handling and management of chemical and hazardous waste is are faced with recurring implementational issues. Gaps between the law and its practical implementation on the ground are increasingly evident with the outbreak of chemical accident and recurring occurrences of health and safety hazards. This clearly paves way for the need to identify specific implementational challenges that imped the effectiveness of the laws already in place.

In this backdrop, the collaborative workshop is organized to provide a platform for deliberation on key issues and challenges in hazardous and chemical waste management in India, particularly in light of the environmental, occupational health and safety standards. Given the complex web of laws and policies governing chemical and hazardous waste management and handling in India, the workshop seeks to deliberate on the issues, challenges and progress made so far in putting the law into practice.

The workshop is organized under the aegis of the three-year project on ***"Collaborative Engagement for Research, Training and Development in Handling of Chemical and Hazardous Waste"*** granted by the Ministry of Environment, Forest and Climate Change and Pan India Legal Literacy and Legal Awareness Programme, Department of Justice, Ministry of Law and Justice.

THEMATIC AREAS FOR DISCUSSION

- Legislative gaps in chemical and hazardous waste management in India
- Implementational challenges of hazardous waste management
- Role of various stakeholders in chemical and hazardous waste management
- Revisiting the

ABOUT THE INSTITUTIONS

ABOUT NLSIU

The National Law School of India University, the Nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a centre of excellence for legal education and research in India.

The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS etc. The Projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.

ABOUT CEERA

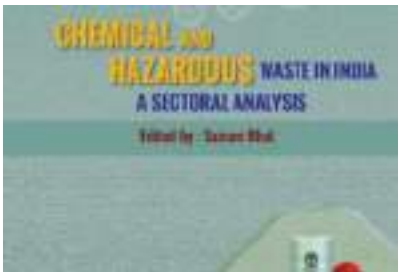
The Centre for Environmental Law, Education, Research and Advocacy (CEERA), established in 1997 is a benefactor of the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of Karnataka, the Bar and the Bench in India and abroad. Building an environmental law database, effectively networking among all stakeholders, building up an environmental law community and policy research in the area of environment are CEERA's main objectives. To achieve the aforesaid, CEERA has incessantly and successfully been able to build functional and professional linkages with government agencies and non-governmental organisations in India, the south-asian region and at international levels.

CEERA, has also be regularly engaged in capacity building and training of practitioners, government servants, academicians and scholars on various legal topics. CEERA has been partnering with Central Pollution Control Board in organising Training programs for the officers of various State Pollution Control Boards and other industry professionals for over 9 years.

CEERA is proud to have completed a two-year Research Project granted by the United Nations Development Programme (UNDP) under the Global Environment Facility (GEF), and as one of the deliverables, organised, convened and conducted over twenty workshops at Institutions of

national repute creating awareness on the Biodiversity Law and Access and Benefit Sharing (ABS) in less than 2 years. Two research publications on the scanty research area of biodiversity laws were also the outcome of this project.





CEERA has also made several publications in the area of environmental law, the law and public policy along with Newsletters, CEERA March of the Environmental Law, NLSIU's first e-Journal – Journal on Environmental Law, Policy and Development and manages two websites viz., enlaw.nls.ac.in, wherein the law and policy on Environment is regularly updated, and abs.nls.ac.in, a dedicated portal wherein the law and policy on Biodiversity Access and Benefit Sharing is updated periodically. All our publications are duly updated on our online portal ceerapub.nls.ac.in which is open for subscription to all readers. Currently CEERA is implementing a three-year project for MOEFCC on Chemicals and Waste Related Multilateral Environmental Agreements.

ABOUT M.S. RAMAIAH GROUP OF INSTITUTIONS

The Ramaiah Medical College (RMC) was established in 1979 with the vision of providing quality education in the field of medical sciences. The College is affiliated to the Rajiv Gandhi University of Health Sciences (RGUHS), Karnataka and is recognised by the Medical Council of India (MCI). To meet the need of training the next generation of doctors, the Ramaiah Medical College Hospital (RMCH) was set up in 1984. One of the leading medical institutions in the country, Ramaiah Medical College offers a host of educational degrees in the medical sphere, including specialities and super specialities. The institution strives on the vision of being a centre for medical education, service and research of highest standards at National and International levels.

The School of Law, Ramaiah University of Applied Sciences (RUAS) provides a distinctive and appropriate multidisciplinary and cross-disciplinary knowledge ecosystem to offer such a unique blend of law, science, and technology program. On the global front, The University has actively pursued internationalization as one of its core strengths for research, teaching and service. In particular,

the School of Law is a pioneering department of the university which offers comprehensive courses that complement theoretical learning with a strong emphasis on practical application. Its facilities cover a wide range of specialisations and are designed to enable research and in-depth exploration of the field. The exemplifies the connections between law, science, and technology are ubiquitous increasingly complex in contemporary societies.

SUMMARY OF PROCEEDINGS

Inaugural Session



The Workshop on **"Chemicals and Waste Management: Evaluating Environment, Occupational Health and Safety Policies in India"** commenced with a warm address by Ms. Madhubanti Sadhya, Assistant Professor of Law, CEERA, NLSIU. After providing a brief introduction about the Centre's activities, initiatives, and research, Ms. Sadhya gave an overview of the workshop and introduced the guests/speakers for the inauguration. Further, a gist of their distinguished career and achievements was expressed to highlight the importance of their presence, followed by the agenda of the workshop, as set by the dignitaries.

Mr. Srinivasa Murthy, Chief Executive, Gokula Education Foundation – Medical (IAS – Rtd)



Mr. Srinivasa Murthy commenced his address by underscoring the importance of the theme in the given age and time as there is inadequate awareness of the topic, and elaborated on the link between lack of awareness by citizens and possible exposure to harmful elements that endanger their health and risk their lives. He continued by sharing his personal experience while serving as the commissioner of Bangalore, where over fifteen thousand sanitation workers used to work without any protective gear. The plight of Municipal workers handling wastes with bare hands and transporting garbage in open trucks while breathing toxic

fumes from the waste was also expressed. Mr. Murthy further made note of the difficulty of 'Pourakarmikas' and the necessity of a legal framework compelling medical examinations of these workers and the need for conducting health camps for the examination of these workers. Mr. Murthy enlightened the audience on the vastness of the term 'occupational safety' by giving a glimpse of the safety risks of transport personnel in handling chemicals and hazardous waste. He also spoke about the hardships of transport workers who spend eight to ten hours behind the wheel of heavy vehicles. The amount of stress they are under, the concentration required while driving at the night, the noise pollution they face, and its effect on their mental health, the immense fatigue, and other physical discomforts they face due to a variety of factors including uncomfortable driving seats were noted. In this context, it was suggested that a legal framework must address issues such as safe driving conditions, insurance, and periodical health check-ups. Throwing light on the hardships faced by health care workers, Mr. Murthy then stressed on the importance of occupational safety of healthcare workers, particularly in light pandemic. The uncertainty and alienation they faced from society were discussed. Their bravery while serving patients in COVID wards while experiencing extreme physical discomfort due to the PPE suits and the mental trauma they faced including harassment by the public was noted by the speaker.

On a concluding note, Mr. Murthy focussed on the duty of citizens in assisting the government in the implementation of safety standards in the overall discourse on occupational health and safety in handling chemicals and hazardous waste.

Dr. Medha Y Rao, Principal and Dean, Ramaiah Medical College



Dr. Medha Y Rao, Principal and Dean, Ramaiah Medical College was the keynote speaker. She contributed to the workshop by deliberating very briefly on the medical aspects of occupational hazards. The importance of the medico-legal fraternity in framing laws related to occupational health and safety was highlighted. The requirement of measures through the law for the protection of doctors as well as all other health care workers were also mentioned. By delving into complex interconnection between law and medicine, Dr. Rao explained the importance of laws being devised for the benefit and safety of doctors and other workers and the involvement of these people in the law-making process and implementation was deliberated. She also remarked on the physical and mental effects of occupational ill-health on healthcare workers. With a medical insight, she explained the broad category of occupational hazards such as exposure to highly toxic healthcare wastes and radiation, causing health hazards.

In addition to such physical risks, mental elements such as high levels of anxiety, post-traumatic stress disorders and other allied issues associated with occupational hazards were discussed. Therefore, occupational health is not only physical well-being but includes, the mental, emotional, and social well-being of a worker.

Dr. Rao further exclaimed the importance of employee awareness about their rights and duties as well as the potential hazards of the workplace. The vital role that employees play in the implementation of standards set by the organization was also discussed. While speaking about healthcare workers, she commented upon the unavailability of sufficient protective gear for the workers, which was substantiated by the difficulties these workers faced during the pandemic. Further, while commenting on the legal protections for workers she questioned the effectiveness of the frameworks and channels of compensation for injuries and loss sustained through occupational hazards. Dr. Rao ended her keynote speech by talking about the implementation of regulations related to workplace safety was the need of the hour and that these measures must be framed with the consultation of experts and scientific basis and also that organization must declare their safety measures on a sustained basis.

Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU



Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU address the audience by stating the importance of doctors and lawyers in society. Following this, Dr. Bhat proceeded by explaining the inevitable role chemicals play in our lives by citing examples. As chemicals are part and parcel of human development, the importance of understanding efficient waste management strategies for wastes generated by these chemicals was stressed upon.

Proceeding further, Dr. Bhat briefly delved into the provisions of the Occupation Health and Safety Code, 2020 and opined on the difficulties that would arise during the implementation of the said code. Along with the difficulties with implementation, he also hinted at the kinds of difficulties that are faced in the workplace such as workplace bullying, and how including the various other hazards would not be possible because of the unpreparedness of the legal system. He furthered this notion by pointing out the lack of legal awareness and very poor legal literacy and concluded by stating that true democracy can be established only when informed citizens are aware of their rights and duties exist in the society.

Dr. Prashant Desai, Dean, School of Law, Ramaiah University of Applied Sciences



Dr. Desai, in his address, offered a legal perspective while setting the agenda for the workshop. He began by explaining the safeguard measures that are required to be taken for the protection from occupational hazards. He then laid emphasis on the constitutional obligations, duties and rights of every person in truly implementing measures for occupational health and safety in India. He also stated the presence of several legislations and rules such as the environment protection act, e-waste management rules, biomedical waste management rules, etc but highlighted how most, if not all of these lacked facilitations. He opined that the public must join hands with the government for the effective implementation of these laws. On a concluding note, Dr. Desai strongly suggested that the only way to move forward and ensure a safer environment and workplace was through stricter regulations involving stringent punishment and citizens joining hands and working with the facilitator, that is, the government.

Session I

Challenges in Management and Handling of Hazardous Waste Sector: Implementation, Convergence of Stakeholders, Compliance Standards

The first technical session of the workshop was chaired by Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU, who began by giving a brief overview of the topic.

Ms. Madhubanti Sadhya, Assistant Professor of Law, CEERA, NLSIU-



Ms. Madhubanti Sadhya, Assistant Professor of Law, CEERA, NLSIU gave a broad overview of the legal aspects of the occupational health and safety in the medical sector by providing a glimpse of the topic *"Chemical Waste Management & Handling in Medical Establishments: Perspectives & Challenges w.r.t. Occupational Health and Safety"*. Ms. Sadhya began by introducing the broad categorization of wastes that are generated in hospitals such as Infectious wastes, pathological wastes, sharp wastes, chemical wastes, pharmaceutical wastes, cytotoxic wastes, radioactive wastes, and general wastes. She elaborated on the laws and mandates in place for the exclusive handling and management of such wastes in India. This was followed by an illustration of chemical wastes generated in hospitals, the health hazards caused by them, and the people that are at risk of exposure. She then explained the ways to handle, manage & dispose chemical Wastes in detail.

To elaborate on this same, Ms. Sadhya thew light on the colour code system for waste segregation and the several steps involved in the procedure for management & disposal of biomedical waste. The process involved in collecting, treating, and disposal of chemical wastes from various sources was discussed in detail. Ms. Sadhya brought her brief session to a close by expounding the occupational health and safety standards and the various other regulatory frameworks for occupational health and safety.

Ms. Lianne D'Souza, Research Fellow, CEERA, NLSIU



Ms. Lianne D'Souza, Research Fellow, CEERA, NLSIU conducted an interactive session on *"OHS Standards and Welfare of Workers in the Medical Sector: The Indian Legal Framework"*. At the first instance, she offered a brief glimpse of the Indian legal framework governing the welfare of workers in the medical sector. In this context, she explained the Clinical Establishments (Registration and Regulation) Act, 2010, with reference to the meaning and scope of the term 'clinical establishments', the requirement of compulsory registration of clinical establishments, and the penalty for contravention of the law. Later, the Indian Public Health Standards and the

various levels of medical care facilities that are available were discussed. The various measures that are to be taken for the safety of healthcare workers such as; Provision of Protective gear, the Display of Standard Operating Procedure (SOP), Implementation of infection control practices, Infection Prevention and Control, Safe BMW Management, and Training of Healthcare workers were discussed. With respect to the safety and health care workers, the responsibilities of healthcare facilities as per the National Guidelines for Infection Prevention and Control in Healthcare Facilities, 2020 which was formulated in light of the COVID-19 pandemic, were discussed. Ms/ D'Souza proceeded to discuss the OHS Standards and Welfare of Workers in the Medical Sector by demonstrating how hospitals are categorized as industries and come under the purview of the OHS Code, 2020. In accordance with the Code, the duties of the employer and the welfare provisions available for the workers were explained in detail. A case study of AIMR hospital on the failure to maintain set standards and the devastating effects that followed due to the non-compliance with the legal framework was explained. On a concluding note, Ms. D'Souza the National Disaster Management Guidelines on Hospital Safety and the various standards and procedures prescribed in detail.

Session II - Interface of Law, Science and Medicine – Handling of Hazardous Substances and Waste

Dr. Hoysala N Chanakya, Chief Research Scientist, Centre for Sustainable Technologies, IISC



The second session began with the introduction of the speakers **Dr. Hoysala N Chanakya**,Chief Research Scientist at the Centre for Sustainable Technologies, IISC. Dr. Chanakya set the agenda for the session by stating that the intention of the session was to focus on sustainability of hazardous wastes. The presentation started with discussion on the concept of 'Sustainable Development'. Sustainable Development has been considered to be development in a manner that the needs of the present are met without jeopardizing the needs of

the future. The concept has been evolving and in the present times, has become the need of the hour. The concept of sustainable development involves moving from the notion of environment and conservation to sustainability and beyond. There have been various approaches that have been adopted to ensure sustainable development. One of these approaches is the 'Pollution Control' approach. However, the same has been inadequate in the present due to the subjectivity in the environmental standards from region to region. It needs to be understood that the environment is location and geography-centric *i.e.,* the extent to which the environment can absorb the waste varies from place to place. The environmental standards must be framed in a manner keeping in mind the absorption capacity of the environment in that particular place. Further, the shift from approaches being merely regulatory to becoming voluntary and participatory was discussed. It has been seen that industrial units have voluntarily taken measures to discharge the waste in a safe manner and participated in ensuring sustainable development. To support the same, the case study of organic foods was presented where the reasons behind the popularity of organic food was discussed. According to Dr. Chanakya, the primary reason behind the popularity of organic food has been the 'Responsible Consumption and Inclusion of Consumers' in making green choices. The statistical data regarding the same was shared and it was shown how voluntary participation of enterprises in promoting organic food as a chemical-free alternative has resulted in consumers becoming responsible in their consumption.

Following this, the ways to incentivise the industry system and green choices of industries were discussed. Some of the ways included end-to-end documenting of green measures taken, syncing with the regulators, conducting footprint assessment, increasing internal accountability and future focus, ensuring that environment has capacity for absorbing the pollution, helping in assessing land resource footprint, etc. Further, the acronym PEST was introduced which talks about main focus points of industries and enterprises. The abbreviation for PEST stands as Political, Economical, Social, Technological. However, it does not include 'Environment' or 'Sustainability' as factors, which demonstrates that they have been considered as add-ons and not-so-significant factors while making business decisions. Due to this, environment as a factor gets sidelined and is not given much due importance. As a result, it was opined by Dr. Chanakya that the factor of environmental compliance must be taken up at the initial stage of the making of the business.

Subsequent to this, Dr. Chanakya discussed various drivers or factors that are stressing the need for a reduction in the Carbon Footprint and ensuring environmental compliance. These drivers include resource crunch i.e. paucity of resources like freshwater, minerals, etc, the need for future readiness, reducing environmental burden, enact policies and legislations that are favouring

waste water reuse, conversion of wastes into value-added products, etc. With the drivers emphasizing on sustainable development, there are certain other factors that are resulting in environmental compliance and sustainability in practices. These factors include responsible consumption, sustainable development linked policy environment, regulatory mechanism, etc. Along with these factors, the response to Research and Development (R & D) practices in the field of environmental compliance has been tremendous. Moreover, another factor contributing to compliance of environmental laws has been the existence of a Pro-Active Judiciary. However, in spite of these factors playing their role, it can be seen that in the current scenario, 'sustainability' as a concept and measure is yet to articulate properly in various areas and sectors. For instance, there are laws needed that can regulate the discharge of waste water into the environment. On such a note, Dr. Chanakya concluded the session by stating that the entire effort comes down to ensuring that 'sustainable development' as a notion must be widely recognised as the need of the hour across all the sectors and business practices.

Ms. Sheril Christopher, EHS Country Manager, 3M India Ltd



The session proceeded to the second leg with the second speaker, **Ms. Sheril Christopher**, EHS Country Manager at 3M India ltd. The topic of the presentation *was "Handling of Hazardous Substances and Waste"*. At the first instance, Ms. Christopher narrated certain incidents which were related to accidents being caused due to improper handling of hazardous substances. These incidents included instances of hydrogen sulfide gas leak, styrene gas leak, explosion taking place due to failing to drain out chemicals before shutting the unit, etc. Hence, in light of the accidents taking place due to improper handling of hazardous and chemical waste, it becomes very important to ensure proper handling of hazardous waste.

It was suggested that one of the key areas to focus on, in order to ensure the proper handling of hazardous waste, is by ensuring the right communication regarding the disposal of hazardous waste. This communication can take place through different ways with one of the major ways being through Pictograms. The Pictograms serve as an effective way in communicating information about the nature of certain wastes and the manner of handling them.

Further, laws pertaining to waste management in India were discussed which included a discussion on the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The discussion on the Rules pertained to compliance that every organisation has to

follow under Rules. Certain procedural requirements that are to be met were mentioned like Filling of Form-3, Filing for an Annual Return under Form-4, Ensuring Labelling of Hazardous waste under Form-8, etc. Moreover, the waste bin that is assigned for the collection of Hazardous waste is to be marked in 'Yellow' colour. Furthermore, in context of storage of the hazardous waste, it was clarified that such waste is not to be stored for more than 90 days. Following this, the ways to treat hazardous waste was discussed. Ms. Christopher also mentioned four primary ways to treat hazardous waste.

- One, Reuse the hazardous waste for an existing purpose if possible.
- Two, use the hazardous waste for a different purpose. This can be done by reprocessing the hazardous waste. For instance, reprocessing hazardous waste to make it of use in the Cement Industry.
- Three, through incineration of hazardous waste that cannot be reused or reprocessed.
- Fourth, dumping of non-recyclable hazardous waste into landfills in a safe manner.

With this discussion on the ways to treat hazardous waste, the session came to an end on a note that it is very crucial and important to ensure proper handling and treatment of hazardous waste.

SESSION III - Law and Policy Reforms in Management of Hazardous Waste

The third technical session commenced with the introduction of the Chairperson **Dr. M K Ramesh,** Former Professor of Law and IC/VC of NLSIU.

The session began with **Dr. M K Ramesh** explaining his role as a chairperson and initiating the dialogue and discussion between the speakers.

Dr. Chetan Singhai, Associate Professor, School of Social Science, Ramaiah University of Applied Sciences



Dr. Chetan Singhai began the discussion starting with the meaning of the term 'Policy' where he delved into the interpretation of the term 'Policy' as an acronym and expanded it as – 'PO' stands for Periodically-Organised, 'LI' stands for Legally Induced and 'CY' stands

for Calculated Yields. Taking into account the definition of the term 'Policy', the policy that exists for the handling of hazardous waste is not periodically organised and is outdated. The policy has not been designed by keeping in mind the global context and changes. For instance, the UNEP document on hazardous waste that prescribes for two essential factors i.e., Responsibility and Accountability while handling hazardous waste cannot be reflected from the current policy on hazardous waste. Moreover, the definition of Hazardous Waste in the Hazardous Wastes (Management and Handling) Rules, 1989 has been preventive in nature. However, with the Hazardous Waste Management Rules 2016 coming into effect, the definition of hazardous waste has become much more proactive and broader in nature. However, the definition is still inadequate with respect to the waste substances it covers. It has excluded certain significant kinds of waste like waste water, bio-medical waste, municipal solid waste, etc. Hence, the definition of 'Hazardous Waste' in the current policy for handling of hazardous waste definitely deserves a policy critic and an amendment that can include the remaining kinds of waste that must have been included.

Furthermore, in context of the issue of hazardous waste in the country, it has been observed that it is more behavioural and institutional in nature than technical. Further, the reason behind the difficulties in implementation of the rules on hazardous waste has been involvement of multiple entities in its implementation. This has given rise to multi-sectoral issues. The key challenges that remain with respect to the policy on managing of hazardous waste are multi-fold. It includes the following; one, how to integrate other policies with Hazardous waste policy. Two, how to deal with the hazardous waste of industries. Three, neglect of technological advances while framing the policy on Hazardous waste. Four, updated information reports on hazardous waste are missing in the national repositories. Five, there is a need for the creation of a module on hazardous waste Management. After deliberating on the challenges that remain regarding the policy on hazardous waste, Dr. Singhai discussed the solutions to the same and made certain noteworthy suggestions. These suggestions included revisiting the definition of 'hazardous waste' under the law, creating yearly strategic frameworks to assess the implementation, provide technical guidelines, create an accident reporting mechanism, having a full-fledged roadmap regarding achieving the Sustainable Development Goals (SDGs), etc. With this, the presentation was concluded.

The Chairperson of the Session, Dr. Ramesh, after the conclusion of the first Guest Speaker Dr. Singhai's presentation, exclaimed that the preceding discussion opened a pandora's box which mainly concerns with the policy gap i.e., the gap between policy and law with respect to management of Hazardous waste.

Dr. Prashant Desai, Dean, School of Law, Ramaiah University of Applied Sciences



Following this, the second speaker, **Dr. Prashant,** by delving into the problems that have been affecting the management of hazardous waste in India. The main problems as identified are as follows; 1) Lack of intent in implementation, 2) Lack of policy directions and incentives, 3) Inadequate Institutional Capacity, which is the lack of capacity to operate 4) Lack of Preventive measures 5) Lack of Collection facilities for Hazardous waste 6) The existing policy fails to take into account the developing technologies 7) Lack of Guidelines regarding compliance 8) Inadequate infrastructure to manage Hazardous waste 9) Lack of fulfilment of International standards and 10) Lack of dedication amongst the public to segregate waste.

In response to these problems, Dr. Desai provided certain solutions and practices that are to be adopted immediately to resolve the above-mentioned issues. These include 1) Devising alternative strategies for managing Hazardous waste, 2) Making new regulations wherever necessary 3) Ensure that the government and department bodies fulfil their duties 4) Facilitating a two-way communication between different sectors 5) Engaging with Priority sector and adopting cleaner technologies and 6) Devise initiatives to help people. Dr. Desai concluded the session by emphasising on the need of grass-root level involvement from the side of government and its authorities.



Following this, **Dr. M K Ramesh** delved into the difference between 'Law' and 'Policy' and tried explaining how both are different from each other. The difference between 'Law' and 'Policy' is a grey area. It can be said that 'Policy' is a driver of the vehicle whereas 'Law' is the vehicle that is used to put into application the aspirations. Moreover, 'Policy' is not enforceable in the court of law whereas 'Law' is enforceable. The non-conformity with the 'Policy' cannot be challenged unless it is an exceptional circumstance. The process of making of 'Law' and 'Policy' is explained as there being a need, in response to which a policy is made, subsequently to which a law is enacted and further enforced. If the law is considered as unconstitutional then the same is challenged before the court of law. It is seen that the difference between 'Law' and 'Policy' is not watertight. So, 'Policy' is to be implemented with the help of institutions that are established by 'Law'. The two

challenges that exist in context to the law and policy on Hazardous waste is one, existence of problems of coordination with respect to the implementation of Hazardous Waste Rules and two, lack of competence and capacity building by the institutions involved in the management of hazardous waste. On this note, the session concluded.

Session IV: Mapping Stakeholder Roles and Responsibilities in OHS

The session commenced with a brief introduction of the speakers. **Dr. Shalini Pradeep**, Professor from the Department of Community Medicine, Ramaiah Medical College, briefly spoke about the topic of the session *"Mapping Stakeholder Roles and Responsibilities in OHS."*



Dr. Jay Soorya, Occupational Health Physician

The first speaker to address the audience on this topic was **Dr. Jay Soorya**, an occupational health physician. Dr. Soorya's presentation primarily focused on the responsibilities of employers as stakeholders. He expounded the importance of better occupational health and safety in India. Highlighting the importance of international norms, Dr. Soorya mentioned how the UN's Sustainable Development Goal 3.9



correlates with reducing occupational deaths. He talked about the International Labour Organisation (ILO) and how they propose regulations and conventions that benefit workers. Furthermore, he also mentioned how ILO's Convention 170, or the Chemical Convention, is yet to be adapted and ratified by India. He then proceeded to highlight the duties of employers as stakeholders. According to Dr. Soorya, their duties include drawing up health and safety policies; preparing risk management, preparedness, and mitigation strategies; evaluating their manufacturers for authorization and transport of chemicals; employing competent safety supervisors; providing occupational health centres, ambulance services, and decontamination facilities; doing periodic health checks on employees; training of employees; ensuring safe disposal of waste in compliance with government laid down procedures, among other things. He then concluded by emphasising the importance of teamwork when it comes to OHS and called for policies that were inclusive of all stakeholders.

Dr. Manikandan S, Scientist D, ICMR – Regional Occupation Health Centre



Taking over, **Dr. Manikandan**, Scientist D, ICMR-Regional Occupation Health Centre, discussed the role of ICMR in helping the state work towards bettering the occupational health and safety situation. ICMR is responsible for providing research support in relation to occupational health. He discussed the Factories Act, 1948, in detail. In this first limb of his discussion of this legislation, he discussed the definition of a hazardous process according to the Act. Furthermore, he discussed three important schedules under the Act. The first schedule provides a list of industries that deal with hazardous processes. The second schedule discusses the permissible limits of certain chemicals in workplaces. It acts as a reference while evaluating an industry to stipulate if the level of exposure is permissible or not. The third schedule gives a list of important notifiable diseases. Dr. Manikandan then proceeded to discuss preventive strategies like maintaining cleanliness, whitewashing every 5 years, planning of effluence, maintenance of temperature and ventilation, planned disposal of waste and effluence according to the concerned state guidelines, use of technology such as an exhaust to prevent the inhalation of dust and fumes, use of a hygrometer to check humidity, keeping drinking water away from any source of contamination, etc. He also discussed Section 41 of the Factories Act, under which state governments can form a site appraisal committee to approve the setting up or expansion of factories that deal in hazardous

substances. It was mentioned that such authorities can also carry out visits to the factory to make sure it is operating in accordance with the rules and regulations in place. Factory owners have a duty to disclose any information about the risks associated with working in the factory and also mention any precautionary measures workers can take, such as the use of PPE kits. They also have to provide for a medical examination of the worker before they are assigned a job in the factory, as well as periodic examinations while they continue to work for them. The section also calls for the participation of workers in safety management. Workers have the right to warn any person in charge of the factory if they feel like there is imminent danger. Finally, Dr. Manikandan mentioned the efforts undertaken by the National Institute of Occupational Health, Ahmedabad, which include collaborative efforts with the ministry of labour and employment as well as ministry of environment, forest and climate change. He then described the role of the Southern Regional Occupational Health Centre. They have conducted multiple environmental health studies, such as a study on air pollution in collaboration with the Karnataka State Pollution Control Board and water pollution studies in the Vrishabhavathi and Kali River basins.

As a concluding note to the presentation, Dr. Shalini posed questions about the initiatives that are being undertaken for the training of occupational nurses. In response to this, Dr. Manikand claimed that the institution has conducted a training workshop for NIMHANS nurses where they come to ROHC and train. Adding to this point, it was hinted that there is a dearth of qualified and trained occupational health doctors, and trained nurses with industry experience are even harder to come by. This was further substantiated by the suggestion that there is a need for capacity-building courses. To remedy this, it was pointed out by Dr. Manikandan that there is a compelling need to conduct orientation programmes for MBBS students to inform them about career prospects in the field of OHS. Dr. Manikandan added that they are also taking short-term internships for community medicine M.D. students.

Dr. Gautam Melur Sukumar, , Additional Professor, Department of Epidemiology, Centre for Public Health, NIMHANS



In the last limb of the session, **Dr. Gautam Melur Sukumar**, Additional Professor at the Department of Epidemiology, Centre for Public Health, NIMHANS, shifted the focus of the session to non-communicable diseases (NCDs), which he considered to be “silent killers.” Before embarking on that discussion,

however, he reflected on the discussion that happened just before his session. He added that a three-month course on occupational health isn't sufficient. There should be diploma, masters, and doctor of medicine courses on occupational health. He reverted to the topic of NCDs, stating that they claim many lives. About 60% of the population dies of non-communicable diseases. He asserted that they pose an equal, if not bigger, threat to public health as exposure-related diseases do.

According to Dr. Sukumar, if only notifiable diseases are focused upon, we ignore non-communicable diseases like diabetes, hypertension, heart diseases, etc. He stated that since the workforce is a subset of the population, NCDs' burden on the population is likely to be reflected in the workplace. Therefore, policies that attack NCDs would also help the workforce as well. Similarly, as workers contribute significantly to national burden of NCDs, reducing NCDs in workplaces will help in reducing national burden significantly. He mentioned that around 8-33 percent of industrial workers are estimated to have one or more NCD/NCD risk factors. So, trying to remedy NCDs would be a lot more efficient in combating occupational health issues than overly focusing on exposure-related diseases. On the topic of exposure-related diseases, he described how they have three important determining factors: dose of exposure, duration of exposure, and susceptibility of workers. Susceptibility, he said, is related to NCDs. A decrease in NCDs would also decrease susceptibility and hence lower the overall prevalence of occupational diseases. Towards the end of his speech, he emphasised the need for policy change. He said that NCDs are ignored by policies that both labour organisations and health departments have come up with and that we need to bring about a legislative change. He believes that the Occupational Safety, Health, and Working Conditions Code should include NCDs, not as notifiable diseases, but as a health priority. Dr. Sukumar also provided statistics about the prevalence of NCDs and NCD Risk factors in the general population as well as in workplaces.

Number affected in population (in millions)	**Prevalence in population (%)**	**NCDs & NCD Risk Factors**	**Prevalence in Workplace (%)**	**Number affected in workplace (in millions)**
97	8.0	Diabetes	9.3	50
291	24.0	Hypertension	22.0	110
53	4.4	CVD	4.9	26
539	44.5	Tobacco Use	28.0	150
354	29.2	Alcohol Use	29.9	161
400	33.0	Physical Inactivity	41.4	222

48	4.0	Obesity	17.0	91

On this note, the session was briefly brought to a conclusion with a short question and answer session.

Session V – Way Forward

MR. NAVEEN CHANDRA, Regional Counsel, Kennametal India Ltd.



The final session for the workshop was steered by **Mr. Naveen Chandra**, Regional Counsel for Kennametal India Ltd. He provided an industry perspective on the topic. Mr. Chandra opined that, Environmental, Social, and Governance (ESG) Reports have a lot of importance in current times. Customers in Europe, Australia, and New Zealand are very likely to ask for ESG reports. Companies might even lose orders if they do not have a territorial ESG strategy. Corporates today are learning to look beyond the law. More important than laws, is what is acceptable to society and stakeholders at large. When it comes to Business Standards and Sustainability Reporting (BRSR), there is a lack of established standards. Different companies and different industries have different standards. He pointed out that, on one hand, ESG says that we need to support MSMEs and SSIs, but on the other hand, MSMEs and SSIs are grappling with basic BRSR compliance. In a report that they did, they found that only 25 of the 426 suppliers in a business were properly adhering to environmental norms. This is not because they are not inclined to comply, but because some of the markets are extremely cost-sensitive. Complying with the norms would erode their margin. ESGs are not an investment for many MSMEs, but rather they are still a cost.

In addition to this, Mr Chandra stated that there are many practical challenges that industries have to face. Common Effluent Treatment Plants are not available to businesses in some industrial belts which affects the infrastructural requirements under the legal mandate. Another issue that he pointed out is the prevalence of frivolous demand notices by pollution control boards. While the government has been insisting about ease of doing business, corporations still have to face such obstacles, it was claimed by Mr. Chandra that some of the procedures are designed for corporations to fail. Frivolous action and corruption, according to him, are the

biggest problems right now. He concluded by saying that changing the minds of stakeholders will be far more helpful than change in law when it comes to bringing about change.

On a concluding note, for the Workshop, Ms. Lianne D'Souza emphasised the benefits of having inputs and insights from a vast array of sectors and professions, including lawyers, industrial, lawyers, medical practitioners, scientists, and researchers.Mr. Ramchandra Kamath commended how people from various sectors joined together to make this workshop interdisciplinary and multisectoral. He stressed that there is a need for communication between sectors and that this communication will have many benefits. He also emphasised the need for all partners and stakeholders can contribute towards providing a safer workplace. On this note, the workshop concluded with an engaging discussion

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REPORT

FIRST LEGAL AID CONCLAVE – PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION 2022 LAUNCH

Organised by

Centre for Environmental Law Education Research and Advocacy (CEERA)
National Law School of India University (NLSIU), Bengaluru

Under the Aegis of

Department of Justice, Ministry of Law & Justice, Government of India

ABOUT THE CONCLAVE

The First Legal Aid Conclave was organised on **1st July, 2022** by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

The Conclave is part of **Prof. V.S. Mallar Memorial Legal Aid Competition, 2022** which is being organised by CEERA-NLSIU in pursuance of the activities under a Two-year Project titled "Pan India Legal Literacy and Legal Awareness Programme" granted to CEERA-NLSIU by the Department of Justice, Government of India under the Designing Innovative Solutions and Holistic Access to Justice (DISHA) Scheme. The conclave was attended by attended by teams from 45 Legal Aid Clinics of various Law Colleges across the country and **400** participants. The List of Law Colleges and participants is appended to this Report as **Annexure I.**

SUMMARY OF THE PROCEEDINGS



Ms. Lianne D'Souza, Research Fellow, CEERA-NLSIU commenced the proceedings of the Conclave by welcoming all the esteemed panellists and participants.



Prof. (Dr.) Sairam Bhat, Professor of Law & Coordinator CEERA, emphasised that Legal institutions must work with different departments of the government for efficient working and the present initiative could be a way towards achieving that. He stated that Prof Mallar, in whose memory the competition is being organised, always believed in pro bono work and never ran behind money and materials. It is to forward his legacy. He also wanted to equip every Indian with legal knowledge and this initiative will forward his legacy. Prof. Bhat further discussed that this competition will be stretched over a long period of time with declaration of results on November 26, 2022. Two more Conclaves on August 19, 2022 and September 23, 2022 are also being planned. These conclaves are essential and mandatory to the competition for various insights. He further discussed the various initiatives that have been taken by CEERA including digital mechanisms to disseminate legal knowledge: - (Pan India Legal Literacy) such as Digital Outreach- Revising audio-visual videos dissemination on various legal topics of public concerns and public issues; Preparation of FAQs- CEERA has also prepared a FAQ for answering various questions which general public has concerning different policies, laws, and all. Example- Animal laws; Adoption of brief and attractive strategies for disseminating legal knowledge- This is mainly for school children. This is done by poster making things and making them easily available. This helps them to get procedural knowledge through the dissemination of those posters widely.



Shri Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, DoJ-GoI, explained about the DISHA

scheme which was launched in April 2021. It has 4 programs under it. Basically, to provide legal advise through telephonic services (Tele Law), developing Pro bono lawyering culture in India (Nyaya Bandhu), facilitating local judiciary in resolving old cases (Nyaya Mitra), and strengthening legal literacy and legal awareness through partner agencies on pan India level (Legal Literacy and Legal Awareness). Legal literacy and legal awareness is the mother of all programs here. He highlighted that there is gap between community and lawyers. With this kind of initiatives the gap between community and lawyers can be filled.



Prof Dr Venkata Rao, Chairperson, VSLLS & VSES, emphasised that the present competition will keep the legacy of Prof Mallar alive. He explained that Prof Mallar said that pro bono teaching is the first step of pro bono lawyering. Prof Mallar never ran behind materialistic things. He pointed out that the present library at the NLSIU is one of the best libraries in India. However, there was a time when everything was lacking in the NLSIU library. It was Prof Mallar who took the initiative and made transformational changes to take the library on a different level. His dissemination of legal knowledge was also aimed for making social, economic equality a real concept.



Prof. (Dr) T.V. Subba Rao, Professor-Emeritus, VIPS, during his address to the participants discussed that Legal Aid means providing an arrangement in the society which makes the missionary of justice easily accessible and to make the rights of the people given by law actually effective. Prof Mallar considered that justice is actually become inaccessible in the society. Justice system is

extremely on deteriorative and baneful stage. Law is a delivery agent of justice and it is in the hands of limited group of people who have to work for the benefits of others. There is a need of participatory justice and not just simple justice. We are still under colonial hangover and that need to be removed. He emphasised that justice is not a governmental charity but it is a basic human right. Any right without providing access to that right is against justice. He further highlighted that four elements necessary for providing justice are Availability, Accessibility, Acceptability and Quality Assurance.



Prof (Dr.) MK Ramesh, Former IC/VC & Professor of Law, NLSIU, began his address by stating that Prof Mallar was an epitome of helping people by going out of the way without thinking about himself. This entire event is to forward the legacy and ideology of Prof Mallar. He gave an example of the accomplishment of Shri Rabindranath Shamba who has established over 10000 legal aid institutions out of courts. No bar council, no lawyer can raise issue against it. It is just one of the mention of accomplishment in this field and there are many such examples. This gives the glimpse of importance of legal aid institutions in India. He emphasised that students at law school must be imbibed with the importance of pro bono cases and the importance of dissemination of legal awareness to people apart from this field. They must not be imbibed only with the lawyering or corporate skills. Prof MK Ramesh considered that it is important but legal aid knowledge and its importance also matters.



Prof. (Dr.) M.R.K. Prasad, Professor of Law, VMS College of Law, addressed the participants

and discussed 4 aspects of clinical legal education viz. How you effectively teaches law, how do you inculcate the skills to young lawyers, Experience of clinical legal education, and clinical legal education to the community. He emphasised that during this activity (the Legal Aid Competition) the teams should focus on disseminating socially relevant material to the society. Apart from winning/losing, they must learn from the process. Similar thing in Moot Court Competition as well. What is important is to learn and not to win. He highlighted that this competition will test- Legal Representation, Legal Advice, Legal Aid, Law Reforms, Promoting ADR, etc. He pointed out that this activity is mainly student driven, teachers in each team is just to guide the students. He also cautioned the teams that while meeting with the public, the students and faculty members must keep in mind that they are representing their college.



Prof (Dr.) Yogesh Pratap Singh, Professor of Law, NLU Odisha, began his address by stating that In 2014 and 2016, the Supreme Court has held that access to justice is a Fundamental Right. It held that (i) The mechanisms of the state must provide access to justice; (ii) The mechanisms provided must be accessible; (iii) Process of Adjudication must be speedy; (iv) Process of Adjudication must be bearable. He highlighted that Legal Aid clinics are one of best mechanisms to achieve the above stated objectives. Mediation is also a kind of skill which must be inculcated into the law students. (ADR). He concluded by emphasising that Legal dissemination has no boundaries.



Mr. Rohit Kamath, Legal Consultant, CEERA-NLSIU

commenced the discussion on the Guidelines of the Competition by stating that any Single Institution would not be able to disseminate the legal knowledge completely. Such a task requires mutual commitment by various institutions. He highlighted that all the participating institutions will have to make a video disseminating legal knowledge on any topic concerning public issues. He then explained the Guidelines and Rules of the Competition. The key rules in this regard are -

1. Number of participants in each team- 8 core members with one faculty member and one student coordinator and can take any number of additional volunteers from the participant's institutions.
2. The competition has several facets and different parts under it- Mainly 5 Facets- A village and community hunt, Street Mentoring, Street Play, Village Adalat, Jan Sunwaii Fixed marking and deadlines for each facets. The particular form of submission must be adhered with.
3. Submission dates- Point number 7 of the guidelines
4. At least two street plays by each team
5. Jan Sunwaii- Survey and interview questionnaire
6. First Deadline- 25th August
8. Final Report Submission- It will be the submission of all the quantity and qualitative work undertaken during the project with an undertaking with it.

ANNEXURE I

LIST OF TEAMS AND LIST OF PARTICIPANTS

1. LIST OF TEAMS TAKING PART IN THE LEGAL AID COMPETITION

CEERA, NLSIU WELCOMES THE REGISTERED TEAMS PARTICIPATING IN THE PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION

LAUNCH OF THE COMPETITION
JULY 1, 2022

1. V.M. SALGAOCAR COLLEGE OF LAW
2. UNIVERSITY OF RAJASTHAN, JAIPUR
3. CHANDERPRABHU JAIN COLLEGE, DELHI
4. ANSUYABEN BALKRISHNA PARIKH LAW COLLEGE, KADI (GUJARAT), INDIA
5. DES SHRI NAVALMAL FIRODIA LAW COLLEGE, PUNE
6. FACULTY OF LAW, JAGRAN LAKECITY UNIVERSITY, BHOPAL
7. VIKASH LAW SCHOOL, BARGARH, ODISHA
8. MAR GREGORIOS COLLEGE OF LAW, THIRUVANANTHAPURAM
9. MAHARASHTRA NATIONAL LAW UNIVERSITY, MUMBAI
10. DHARMASHASTRA NATIONAL LAW UNIVERSITY, JABALPUR
11. ARUNODAYA INSTITUTE OF LEGAL STUDIES, BENGALURU
12. SRI JAGADGURU RENUKACHARYA COLLEGE OF LAW, BENGALURU
13. SCHOOL OF LEGAL STUDIES, COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY, KOCHI
14. CMR UNIVERSITY SCHOOL OF LEGAL STUDIES, BENGALURU
15. RAMAIAH COLLEGE OF LAW, BENGALURU
16. BENNETT UNIVERSITY, NOIDA
17. INSTITUTE OF LAW, NIRMA UNIVERSITY, AHMEDABAD, GUJARAT
18. VIVEKANANDA INSTITUTE OF PROFESSIONAL STUDIES, DELHI
19. K L E SOCIETY'S LAW COLLEGE BENGALURU
20. SCHOOL OF LAW, PRESIDENCY UNIVERSITY, BENGALURU
21. LLOYD LAW COLLEGE, GREATER NOIDA
22. THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES, KOCHI
23. THE NORTHCAP UNIVERSITY, GURUGRAM, HARYANA
24. CENTRAL UNIVERSITY OF PUNJAB, BATHINDA, PUNJAB
25. NMIMS KIRIT P. MEHTA SCHOOL OF LAW, MUMBAI
26. NARAYAN SCHOOL OF LAW, GOPAL NARAYAN SINGH UNIVERSITY , JAMUHAR, BIHAR
27. TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
28. JECRC UNIVERSITY, JAIPUR
29. SYMBIOSIS LAW SCHOOL, PUNE
30. DR.RAM MANOHAR LOHIA COLLEGE OF LAW, BENGALURU.
31. UNIVERSITY LAW COLLEGE AND DEPARTMENT OF STUDIES IN LAW, BANGALORE UNIVERSITY
32. NARSEE MONJEE INSTITUTE OF MANAGEMENT STUDIES (NMIMS)
33. DR. RAM MANOHAR LOHIYA NATIONAL LAW UNIVERSITY, LUCKNOW
34. CHRIST ACADEMY INSTITUTE OF LAW, BENGALURU
35. DEPARTMENT OF LAW, VISHWAKARMA UNIVERSITY, PUNE
36. MANIPAL UNIVERSITY, JAIPUR
37. SCHOOL OF LAW, CHRIST(DEEMED TO BE UNIVERSITY), BENGALURU
38. SAVEETHA SCHOOL OF LAW, CHENNAI
39. IFIM LAW SCHOOL, BENGALURU
40. HAMDARD INSTITUTE OF LEGAL STUDIES AND RESEARCH, THE SCHOOL OF LAW, JAMIA HAMDARD, DELHI
41. JSS LAW COLLEGE, MYSURU
42. SARDAR PATEL SUBHARTI INSTITUTE OF LAW, SVSU, MEERUT
43. UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES, GGSIPU, DELHI
44. HIDAYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR
45. AMITY LAW SCHOOL, KOLKATA

About the Event

The competition is launched under the aegis of a project under the DISHA Scheme granted to Centre for Environmental Law, Education, Research & Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru by Department of Justice, Government of India.

Awards

Best Legal Aid Clinic-Winner	INR 25,000
Best Legal Aid Clinic-First Runners Up	INR 20,000
Best Legal Aid Clinic-Second Runners Up	INR 15,000
Best Rural Legal Aid Clinic	INR 15,000
Best Faculty Coordinator	INR 10,000
Best All India Legal Aid Clinic Student Para-Lawyer	INR 10,000

zoom
Meeting ID: 996 8246 4270
Passcode: 803737

2. LIST OF PARTICIPANTS			
1. Aashish Gupta	2. Sagar Rai	3. Sathya Krishnan	4. Preethi C A CMRU SOLS
5. Rashmi Shetty	6. Ananya	7. Harish Raveendran	8. Vibha H V CMRU SOLS
9. Ramakrishna Prasad Mandava	10. RAJITHA	11. Alok Kumar	12. Meghana Manoj
13. Sowjanya N	14. Pratiksha Pal	15. SACHIN TRIPATHI	16. Sayed Aamir Ali
17. Gouri HARI	18. Lipan kumar pruseth	19. Vaibhav Rao	20. Sourabh Agarwal
21. Shylendra 195Y066	22. Chirag HB	23. Sareesha Chawla	24. Jayam Jha
25. Ridhima Karol	26. kushagra sinha	27. Apoorva Ravi	28. Shivananda Sahu
29. Bhaskar B S CMRU SOLS	30. Srikant Shekhar	31. shwetabh sharma 033	32. Dileep Ramesh
33. Raunak Nenwani	34. Rohan suryawanshi	35. Vilasini.K	36. G.Deependar Singh Rajput
37. swayangshree Ratha	38. Mr. Divyanshu Priyadarshi	39. Prathibha. M	40. Siddharth Garg
41. ufylc avinash gautam	42. Likheit Aggarwal	43. GAURANGI PANDE	44. 12th_B_Raj Kothari
45. LSL B Nishtha Arora	46. Khushi Saboo# NMIMS	47. Anirban	48. NIRIKSHA
49. Prathap Prathu	50. Dr. Seram Rojesh	51. Chhavi Gupta	52. Nidhi T
53. Somya Bajaj	54. S shiva Shankar	55. Mallaiah MR	56. vaishnavi
57. Tapesh Meghwal E5	58. Radhika Castelino	59. GAURAV BAWA BBA LLB	60. JAGADEESH C G AILS
61. Prof. Yogesh Pratap Singh	62. Mahima	63. Aarzoo Gang	64. Gayathri Praharshitha K

65. Amitayush	66. Shambhavi Tiwari	67. Shreya Vijaykumar	68. Sangeetha R G - RCL
69. Soumya Kumari	70. Aishwarya Suresh	71. Shilpa B P SJR College of Law	72. Vaishnav Reddy
73. Dr. Nikhila Tigadi	74. Alwin Fredrick Y	75. Mahesh Singh	76. Somya Sharma
77. Rajendra Rushi	78. Sushmita	79. Madhu Madhu	80. IIPA
81. Sindhu Roy	82. Ashlesha Pandey	83. Riddhi	84. Dev Sharma
85. Md Arif Imam	86. Harshit Bansal	87. Vivek Shukla	88. Chandan Acharya
89. Isha Patil	90. Mo Haroon	91. Vanshika Jain	92. Rosy Meher
93. Srishti Bhardwaj	94. Aayush sharma	95. Param Shah	96. PARVATHI PK
97. Yash Kumar	98. Eram Contractor	99. ahir neeta	100. Nayanjyoti Das
101. Dr. Satyadeep Singh	102. Shravani Sudhir Surve	103. Subbaiah M K	104. ANSHIKA SHARMA
105. Abhradip	106. SAGARIKA BISWAL	107. Nevin Koshy John	108. SHIVAM SHARMA
109. Sarthak Agrawal	110. MANSHIKA PARIK	111. radhika gudihal	112. Shreya P S
113. Vaishnavi	114. Nuha razak	115. Aparna Gupta	116. 803737
117. Sridip Nambiar	118. Shreya Upadhye	119. Amana Khare	120. Rehan Ghalib Khan
121. Sowmiya	122. Srinivas Deshpande	123. Vivish mathew Lobo	124. ARYAN SRIVASTAVA
125. VINOD GOWDA CMR SOLS	126. Vaibavi S G	127. Venkatesh c	128. Soumyea Ranganathan
129. Soham sharma	130. Sarika Agarwal	131. Dr Bikram Kumar Dash	132. Jatin Patil
133. Anjum	134. Bhavya Goswami	135. Karishma	136. Prof. Mita Kumar (Bennett University)

137. anjum jahan	138. SAHIL JAIN	139. Lalit Bhangdiya	140. Yogeesha M R
141. Devraj	142. Lakshmi Kumar	143. Samriddhi S	144. Siddhesh More
145. Dr. Yash Tiwari	146. Kranti Deb Mukherjee	147. Ananya Konur_IFIM Law School	148. SREEPARNA SAMADDER
149. Dr. Raj Kumar Yadav	150. 1950337 Aadya Gowda	151. Chiranth Jain	152. Vedika Jain
153. GAJENDRA S	154. Sagar Mishra	155. Upasana Mishra	156. ISHAN AHMAD
157. Anamika Tomar	158. Himanshi Srivastava	159. Ushakumari k g	160. maya mallar
161. Shaurya Saraswat	162. IQOO Z3	163. UFYLC Yashi Sharma	164. Renukka M
165. Dr. Preethi A Nayak	166. Urja Mishra	167. Dwitikrishna tripathy	168. Sreejith Balachandran
169. Aravinth R	170. Mohith	171. ROHIT KULKARNI	172. Sai Amith
173. shivam walekar	174. Karthik Anand	175. SJCL05ON31 1 - Apoorva Ravi	176. Nandini Arya
177. Yash Mangale	178. AROLIN DSOUZA	179. Ruthu Honnapura	180. JAIMINI KUMAR SAHU
181. Jay Patel	182. Srujan B Raj	183. Parthasaradhi IFIM LAW SCHOOL	184. Srishti Agrawal
185. Yuktha Shetty RCL	186. Gurunath Chavhan	187. Lakshay Chauhan ballb	188. Anand Raj
189. Khushi Punia	190. Yusuf Khan	191. Shiksha Dahiya	192. DEEKSHITH S
193. Apoorva Ravi-RCL	194. Sanjay IFIM LAW SCHOOL	195. Apoorva Katti	196. Himanshi Jaiswal
197. Gaurangi Sharma	198. sanjay roj	199. Archana PS	200. realmeDr.Sarika C11
201. Sherwyn Correia	202. Sanjeev Singh	203. Satvika swara	204. Sharath Kumar R

205. Priyank	206. Manoj Meena# Assistant Professor	207. Dr. SATHISH GOWDA N.	208. Malay Adhikari
209. Manoj Meena	210. Rashi Priya	211. Suhasini Chowdhury	212. Vikas Gahlot (NLSIU)
213. Madhubanti Sadhya	214. Anushri Awasthi	215. Rohith Kamath	216. Kajal Gupta
217. Lianne D'Souza	218. Dr Binu Mole K	219. Harsha M H	220. Gayathri Gireesh
221. Chinmayi AK	222. Anuja Shah	223. SHARAN H M	224. KLELAW-13
225. Syed Bakhar Azeez CMRU SOLS	226. Sairam Bhat	227. vedant	228. Manimaran R
229. Yashaswini S	230. Sanam	231. Priyanshee DNLU	232. Asha
233. Chinmayi's iPhone	234. Devu R	235. Dr. Shirish Kulkarni	236. Sanjana Ramnath
237. Nikky Jha	238. Swetha cmr sols	239. Pearl Monteiro	240. Devadharshini Balamurugan
241. udit Singh solanki	242. Akhil Sankhyan	243. v. Madhuri	244. Vijpreet Pal
245. Parthasaradhi G	246. Sadhvi Sinha	247. Harshitha HS	248. Prof.R.Venkata Rao
249. Tejashri Inder CMRU SOLS	250. Asha Ashrit	251. Ishwari S	252. Harsh yadav
253. Ashwini N S	254. Aditi Bhal	255. Chandralekha	256. Rekhil S
257. Sananda Bhattacharjee	258. OCC 07	259. Afrin Khan	260. YASHASWINI
261. Pallavi.R	262. Inchara HM	263. TEESHA -	264. Anusha
265. Shravya Rao	266. Nandita Krishna# IFIM Law School	267. Manu. S	268. Sahasrajith CMR SOLS
269. Ridhima Chandani	270. HEMAVATHI R	271. Vijayalakshmi Indimath	272. Nideesh Kumar T V

273. YASHASWINI AILS	274. 236	275. Kanchana Prathap	276. Dr Rammanohar Lohia College of Law
277. Kshitij Sharma	278. Shagun Chaudhary	279. Sinu Sharma	280. Uma Sandhya
281. Ronite mariya Joy	282. Keerthana S	283. Sonalika nath	284. shraddha lad
285. Dinesh Gardia	286. JA36 Maitra Varun	287. HARSH KHANCHANDANI	288. Ruthu Honnapura - RCL
289. ANJALI Thanvi	290. Asha p	291. Thamizharasi Chinnasamy	292. Srinidhi S
293. M.K.Ramesh	294. subbarao	295. Dakshit S	296. Issac Mathew
297. Prerna Roy Choudhury	298. Nikunj Agarwal	299. priyanka bhat	300. Neha Venkatesh
301. Ahana Ghosh	302. Punith M	303. dipesh yadav	304. DARSHANA VORA
305. BRINY SAMYUKTHA J	306. Tejaswini	307. Yuktha Shetty	308. Abhilash C - RCL
309. Riya Thomas	310. Vidya Selvamony	311. Nikita Arora	312. Saee Bhate
313. Rimjhim Sharma	314. VASUNDHRA	315. Uzair - IFIM Law School	316. Animesh Jha - DNLU Jabalpur
317. Niharika R	318. Yash Y. Naik	319. Stalin Manjaly	320. Asst Prof Bhavana Chandran-PU#SOL
321. Aisiri	322. Pooja Rajawat	323. Sarita yadav	324. Chirag Mankar
325. Prof Tarun arora	326. Vansh Gabra	327. Mukhtar Abbas Naqvi	328. Niriksha
329. Raunak Tiwari	330. Janaki K T	331. Nirja Agrawal	332. Sarika Dash
333. Sanjay Jas	334. J-Adhipatya	335. Avinandan Khuntia	336. Tanya Bhushan
337. UFYLC RAJAT KUMAR	338. Prakash Singh	339. Trupti Sharma	340. Ritesh Yadav

341. Vishesh Gandhi	342. Mahika Bisht	343. Namratha Sharma	344. sarah joy
345. Dr. Pankaj Kumar	346. Bhoomika Kumar	347. Harsh Sehrawat-BBALLB029	348. Amoolya Prasad
349. Simran Bherwani	350. sakshi Prabhudesai	351. IFIM Law School	352. Ifrah Siddiqui
353. Meena RML clg student	354. Alok kumae	355. Riya Shukla	356. Skanda - RCL
357. Sridhar Babu	358. medha sathya	359. Dharshan.M CMR SOLS	360. Aruna N Pai
361. Siddarth	362. Dhaaranee	363. Rajalakshmi TN	364. Sushant Sharma
365. Sanya Narula	366. YASH MANGALE	367. SOFIUL AHMED	368. Navodita
369. Kaushalya	370. dibyaprakash panigrahi	371. Srajan jain	372. Renika
373. Nida khurshid	374. Sweta patel	375. Aditi Mehta	376. Hemica Ponnamma
377. realme 6	378. Dr. Kaumudhi Challa	379. Bhanu	380. Saumya
381. Jeslin Jesiya	382. Himanshi Yadav	383. Priyal P	384. Dilip kumar
385. Lakshay Chauhan	386. Gaurav Kumar	387. Soumya Patel	388. Siddhesh
389. Lavanya Agarwal	390. Suraj Singh	391. Divyathej	392. madhu r
393. Vrinda Chaturvedi	394. Ashutosh Srivastava	395. Vipashyana Hilsayan	396. Divya mann
397. Anjali Shekhawat	398. Pratibha Bhati	399. Anna Mary Mathew	400. Aniket Raj

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ONE-DAY WEBINAR ON LEGAL LITERACY AND LEGAL AWARENESS FOR NORTH EAST INDIA

Organised under the Aegis of

DEPARTMENT OF JUSTICE, MINISTRY OF LAW A JUSTICE, GOVERNMENT OF INDIA

In Association With

NEF LAW COLLEGE, GUWAHATI

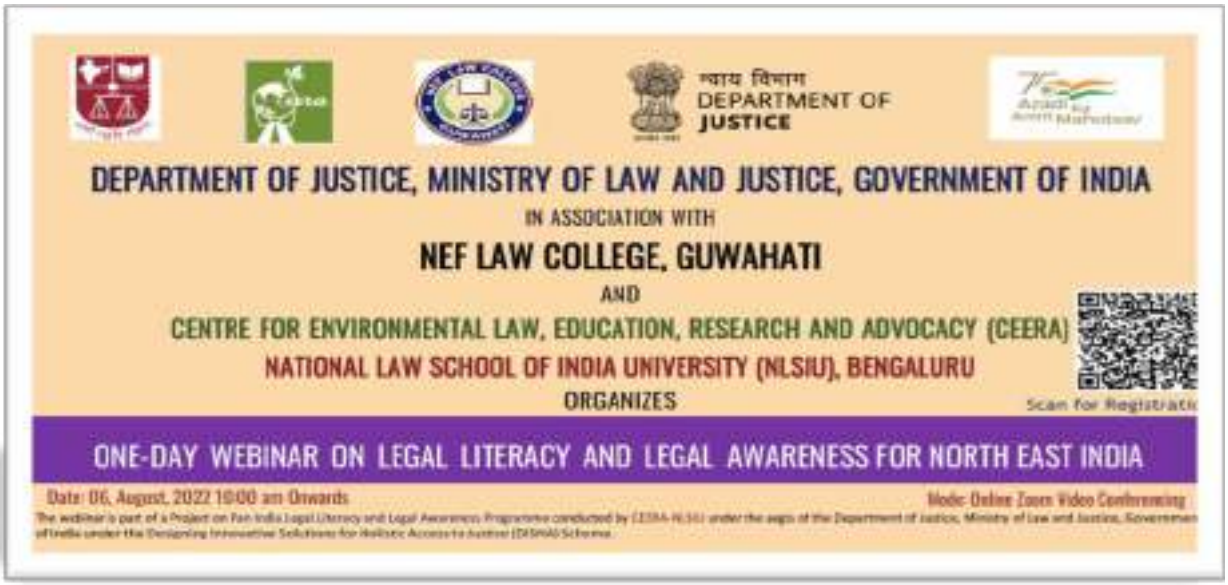
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CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA)
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

AUGUST 06, 2022 (Saturday)

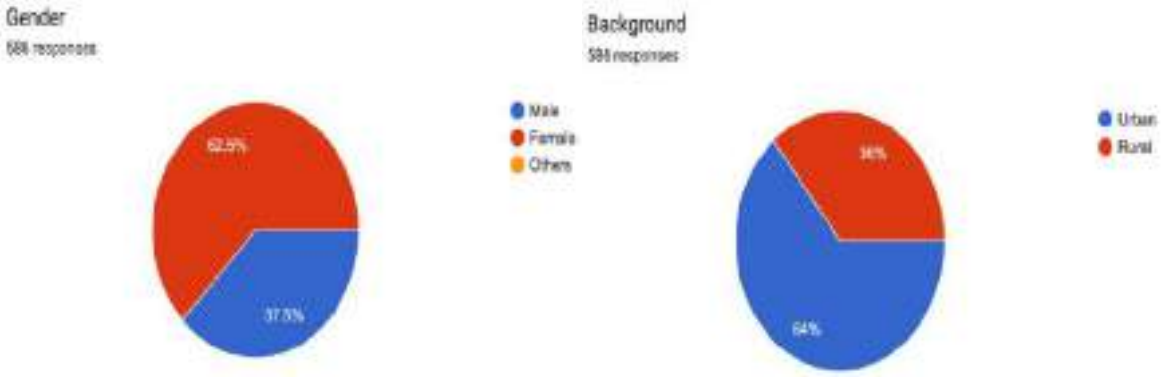
REPORT

ABOUT THE WEBINAR



The **One-Day Webinar on Legal Literacy and Legal Awareness for North East India** was organised on **August 06, 2022** under the aegis of Department of Justice, Ministry of Law and Justice, Government of India by NEF Law College, Guwahati in association with Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU).

The Webinar is a part of Two-year Project titled "Pan India Legal Literacy and Legal Awareness Programme" granted to CEERA-NLSIU by the Department of Justice, Government of India under the Designing Innovative Solutions and Holistic Access to Justice **(DISHA)** Scheme. The webinar was attended by 586 registered participants. The List participants is appended to this Report as **Annexure I**. Out of the **586** registered participants 62.5% were Female and 37.5 % were Male. 64% percent of the Participants were from urban background while 36% were from rural background.



SUMMARY OF THE PROCEEDINGS



Dr. Bhuban CH Barooah, Principal, NEF Law College, commenced his address by welcoming esteemed panelists & participants to the One-Day Webinar on Legal Literacy and Legal Awareness specially designed for North East India. He discussed the march of society from a society governed by customs and tradition to a society governed by law. He emphasized that in modern society every part of life is governed and protected by law. He discussed that the purpose of the law is not only to control or govern the society but also to promote & develop the society and hence it is very important for everyone to know about law. He deliberated upon the importance of knowing the law not only from the rights' perspective but also from the duties' perspective. He emphasised that both rights and duties are equally important. He concluded his address by wishing both the organising institutions a fruitful learning experience and look forward to future opportunities for collaboration between the two esteemed institutions.



Hon'ble Justice Koteshwar Singh, Judge, Gauhati High Court, underscored the importance of law students' involvement in the legal system by making a statement that "Law Students are the foundation of the legal system". His lordship emphasised that law students make the justice system more responsible. His lordship discussed Section 4(k) of the Legal Services Authorities Act, 1947 which provides that the Central Authority shall develop, in consultation with the Bar Council of India, programmes for clinical legal education and promote guidance and supervise the establishment and working of legal services clinics in universities, law colleges, and other institutions was highlighted by the speaker to make a direct reference to student's role in the administration of justice. His lordship highlighted that there are numerous challenges in front of the Legal Service Authorities to make marginalised, deprived and

undermined sections aware of their rights and this is where the role of law students come into picture as they help in the dispensation of justice. His lordship mentioned that students, while pursuing their studies are not part of the legal system as yet, but they can contribute by spreading legal awareness, and being active in legal aid clinics. This process enables them to see the reality and how the legal system works and what challenges are faced by the judiciary. His lordship emphasised that to make access to justice less cumbersome, student's involvement is pertinent. His lordship gave a few suggestions to strengthen legal literacy which includes (i) Involvement of Law Students; (ii) Activating inoperative legal aid clinics in law schools; (iii) Assigning law students as Para-Legal volunteers. For law students, his lordship identified a few areas where their involvement is required such as (i) Drug Addiction (In the context of North-Eastern India); (ii) Sexual Offences against minors (owing to the alarming number of cases in Assam); (iii) Child Trafficking. His lordship concluded by highlighting the scope for involvement of students as the Act itself provides for the role of students in rendering justice, though limited, but of huge potential.



Prof. (Dr.) Romesh Chandra Barpatra Gohain, Former Dean, Faculty of Law, Gauhati University & Former Advocate General of Assam during his address discussed the importance of Legal Awareness and highlighted that "Law moulds the conduct of a man." He discussed the genesis of human rights and the important international instruments on human rights. He further emphasised the importance of The Commissions for Protection of Child Rights Act, 2005 and the National Commission for Women Act, 1990. Both these legislations contain sections for promoting awareness and legal literacy. He pointed out that there is no policy to educate people about their rights and duties. He appealed to the organising institutions to invite the beneficiaries to whom the agenda may direct and be relevant and to create a database for customary laws through research programmes.

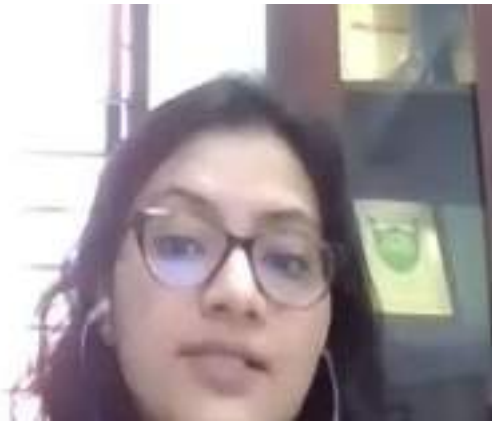


Prof. (Dr.) Sairam Bhat, Professor of Law & Co-ordinator, CEERA, NLSIU commenced his address by emphasizing that Legal aid must be preventive in nature and not remedial. He shared the vision of CEERA on Legal literacy and Legal Awareness which included: (i) To raise awareness of the Legal Duties of citizens under the Constitution and under our legal system; (ii) To sensitize and assist citizens to recognise a problem or a conflict as a legal dispute and to analyse the legal solutions available; (iii) To provide access to legal aid and pro bono lawyers; (iv)To facilitate legal information and simplify the learning of law, this is the cornerstone of our democracy; (v)To eradicate the poverty of legal information; (vi) To raise faith in the justice delivery mechanism and to encourage obedience to the legal system.



Sh. Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, DoJ, GoI deliberated about the 2009 Department of Justice's project on Access to Justice for Marginalised People in collaboration with the United Nations Development Programme. He discussed the Access to Justice in North Eastern States and Jammu and Kashmir Project. He concluded by emphasising on the need for strengthening the workforce and agencies under the legal literacy project.

Ms. Madhubanti Sadhya, Assistant Professor of Law, NLSIU commenced the discussion by explaining that legal illiteracy could mean two things: i) Being unaware of the law; ii) Being unaware of the legal recourse. She provided a broad overview of the Right to Legal Aid from an individual's perspective. Right to Legal Aid-derived from both Article 39-A and the



Legal Services Authorities Act, 1947. She discussed aspects like eligibility to avail the benefits under the Act, procedure for application and its disposal etc. She emphasised on Section 13 of the Act, which states that the right to Legal Aid under the LSA, 1948 is not an absolute right as it is subject to the authority's satisfaction of the existence of a prima facie case. If one falls within the prescribed income bracket to claim free legal aid, Ms Sadhya shared a table of the list of income ceiling limits of the Indian States, with a mention of the ceiling bracket of Rs.3 Lakhs in Assam. To prove one's income limit, the requirement of an income certificate accompanied by an affidavit was informed by the speaker. Ms. Sadhya also informed the participants of the online facility to apply online. (NALSA ONLINE Portal).



Mr. Rohit Kamath, Advocate, Karnataka High Court, gave an overview of the Narcotics and Psychotropic Substances Act, 1985. He engaged in an interaction with the participants by asking pertinent questions of legal literacy such as the legality of the consumption of Bhang with an objective to explain the significance of the definition clause. Mr. Kamath informed the participants that the definition of Cannabis is exclusive of leaves and inclusive of only seeds and flowers of cannabis. He further discussed the Authorities who can take an action under the Act i.e. Police, Narcotics Control Bureau, Excise and Customs Officers (Who also have the power to search and seize). He highlighted the types of activities that are punishable under the Act which include aiding, abetting, attempting, and commissioning those activities. Therefore, financing, transportation, and letting out premises or land are also punishable. Mr. Kamath highlighted that the burden of proof is on the accused unlike the other criminal cases as there is a presumption under the Act that when a person is found in possession, he has knowledge. He further discussed that possession also includes constructive possession under the Act. He mentioned that consumption is an offence and is punishable. He discussed the difference between small quantity and commercial quantity and the role of the department of revenue. He concluded by stating that the Act maintains that though consumption is punishable, the possession of the same in small quantity may not attract liability.



Mr. Vikas Gahlot, Teaching Associate, CEERA, NLSIU discussed about the definition of consumer under the Consumer Protection Act, 2019. He discussed about the recent judgement regarding extra charging for carry bags where the consumer authorities have held that pricing carry bags with the company's logo amounts to an unfair trade practise. He discussed the contract law principle that a stranger to a contract cannot sue, However, the Consumer Protection Act is an exception as just the use of a product or service, entitles you with the right to sue. He discussed who is not a consumer under the Act- when the goods are purchased or services are hired free of cost, services are for commercial purpose, purchased under the contract of employment. He discussed the various malpractices like unfair contract/ unfair trade practise, defective goods, excessive price, and hazardous goods and hazardous service offered for sale, all amount to liability under the Act. He discussed the grievance redressal mechanism under the Act and the provision of online filing of compliments and highlighted the National Consumer Helpline.



Ms. Gayathri Gireesh, Advocate, Karnataka High Court emphasised the importance of awareness of cyber-bullying in a technology dependent world especially bullying in educational institutions. She discussed that cyber bullying is a form of harassment to any individual through an electronic communication, devices or technologies like computer, mobile, email, social media or any platform. She discussed the Guidelines on School Safety and Security including the CBSE- Anti bullying Committee Guidelines, 2015. She further discussed the functions of the committee which include - quick and sensitive response to bullying; following a confidential mechanism for resolving the issue; creating a conducive environment for reporting and providing counselling to the affected. She also deliberated upon the UGC Guidelines on Ragging and Bullying wherein ragging is punishable and a criminal offense and this needs to be mentioned in brochures. She highlighted that parents and student should be

sensitised regarding the menace of bullying. She discussed about the National Education Policy 2020 guidelines on using internet in colleges and schools. Peer mandate access to use of internet, security check, guidelines of use of technology in educational institutions required. Since it is a criminal offence, it is punishable under the Indian Penal Code,1860 and Information Technology Act, 2000. She further discussed about the various Initiatives by the Indian Government to prevent cybercrimes such as (i) Scheme of Cyber Crime Prevention Against Women and Children; (ii) Online Cyber Crime Reporting Unit (Central Citizen Portal); (iii) National Commission of Women.



Ms. Anuja Shah, Research Fellow, CEERA NLSIU deliberated upon the emerging issue of sexual atrocities against children. She discussed the Protection from Children Against Sexual Offences Act, 2012. She highlighted that the Act provides for stringent and deterrent punishments ranging from 20 years to the death penalty to offenders. She discussed that prior to this Act, Goa's Children's Act, 2003 and Rules 2004 prescribed punishment for offenders. She mentioned that Sections 375,377,374, IPC also punish offenders, however they fail to cover mail child and the concept of modesty. She stated that the prominent features of the Act include: (i) Definition of child; (ii) Gender neutral irrespective of sexual orientation; (iii) Applicable to the children who doesn't have Indian Citizenship given that the offence has taken place in India; She highlighted that Information to police has to be in writing, and a free copy of FIR is given to the complainant. She discussed the Supreme Court Guidelines on the Protection available to the child while reporting a complaint which were laid down in *Shankar Kishenrao Khade v. State of Maharashtra* which include: (i) Statement of child recorded at his/her residence or the place where he/she chooses; (ii) Statement to be preferably taken by Women PO, not below the rank of Sub-Inspector; (iii) Police Inspector should not be in uniform; (iv) Statement has to be recorded and read to the child in simple language; (v) Right to have a social worker present while recording a statement; (vi) Child cannot be forced to go to the PS. And cannot be detained in PS. at night. She also discussed the various rights under the Act such as: (i) Right to be represented by a lawyer; (ii) Right to protection of identity; (iii) Right to police protection; (iv) Right to be examined by a registered female medical practitioner in the

presence of his/her parents; (v) Right to protection for any false complaint. She also motioned a few NGO's working for Child Rights in the North-East such as (a) Utsaah-Guwahati, Assam; (b) Snehalaya Centre for Child Rights. She also discussed about the role the Government Bodies such as Assam State Commissioner for Protection of Child Rights & Government of Assam Initiative in prevention of sexual abuse of children.



Ms. Aparna Sojan, Research Fellow, CEERA, NLSIU provided an overview of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986; She Initiated the session by shedding light on the Rat-hole coal mining incident. This incident involving children in Meghalaya was brought to daylight after an NGO conducted an investigation. As a result of the investigation, 70,000 children were reported to have been engaged in that rat-hole coal mining. She discussed the objectives of the Act is to ban employment of children below 14 years of age in certain specified occupation and processes and to regulate the conditions of work of children in employments where they are not prohibited from working. She also discussed the changes brought by the 2016 Amendment. She further highlighted that; (i) no child can be employed or permitted to work in any occupation or process; (ii) can help his family enterprise which is non-hazardous in nature - only after school or during vacations; (ii) can work as an artist in audio-visual entertainment industry - Advertisements, Films, TV Serials, Reality shows, Sports except circus and for this the consent of District Magistrate has to be obtained. She further highlighted that as per the provision of the Act no work should affect school education of the child. She discussed the Penalties for engaging a 'child' in labour in contravention of Section 3 or an adolescent in contravention of Section 3A (Section 14). She then discussed about the Child and Adolescent Labour Rehabilitation Fund and highlighted that the amount recovered as penalty from employer along with Rs 15,000 from concerned Government for each child/adolescent engaged in prohibited labour is credited as a deposit/investment with a bank. This amount, inclusive of any interest, is payable to the child or adolescent who has been engaged in labour. Lastly, she discussed about the National Child Labour Scheme.



Mr. Jaibatruka Mohanta, Research Fellow, CEERA, NLSIU provided an overview of the Seven Sisters-Victim Compensation Act. He discussed the definition of victim under CrPC- S. 2(wa) which states that "Victim - means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his or her guardian or legal heir". He further discussed about the Victim Compensation Scheme under S. 357 A - Cr.P.C. 1973 wherein it is mandated that every state government will prepare a scheme for victim compensation. He further discussed the step-by-step procedure to avail compensation from these schemes. He elucidated upon the landmark judgement *Nipun Saxena & Anr. v. Union of India* wherein the Supreme Court has ordered that the NALSA Compensation Scheme – 2018 should be applicable and the courts need to follow the same in cases involving women victims/child victims. He concluded by stating that legal awareness is the key in victim compensation cases.

The event was concluded by Ms. Anuja Shah & Prof. (Dr.) Sairam Bhat with a Vote of thanks, with special reference to Dr. Barooah & other distinguished speakers who had graced the inaugural ceremony with their presence.

ANNEXURE I

LIST OF PARTICIPANTS

LIST OF PARTICIPANTS FOR ONE-DAY WEBINAR ON LEGAL LITERACY AND LEGAL AWARENESS FOR NORTH EAST INDIA			
1. Kaman Rai	2. Kaustav Choudhoury	3. ADITYA RATHI	4. Dr.Gowda.N .D
5. Ujwal Nandekar	6. Dr Misha Bahmani	7. Vikesh Chauhan	8. Pearl Monteiro
9. Dr. Ankita Sharma	10. Anil Chourasia	11. Saksham Misra	12. Amita
13. Jagadish A.T	14. Priya A Jagadish	15. Manjunatha N G	16. Mercy K Khaute
17. CHETANKUMAR T M	18. Rohit Gupta	19. Mehvish Khan	20. Smt.Shilpa B P
21. Madhusudhan SN	22. Shankarappa T	23. Radhika M	24. Mannat Kalra
25. C.Prajnaa paramita	26. Yashaswini S	27. Manya Kalra	28. Radhika M
29. SIDDESH N	30. Daniel Bonaventure Raj A	31. Dr.Arundhati P Dasani	32. Aashree Jha
33. Aravind Rajagopal	34. Sharon Gnana Pragasm	35. Ayesha rao	36. Manohar L Bhat
37. Gayathri. N M	38. Ritika	39. Shruthi D	40. DR.SUSMITA DHAR
41. Dr. Shiv Mangal	42. Viralkumar Kanudawala	43. Dr. Suman Kalani	44. Anuja Paul
45. Dhiraj Behera	46. Dr. Mayurika Roy	47. Wasim Hassan	48. Ronit Roy
49. Sabina Ahmed	50. Debasish Dutta	51. Ridul Ali	52. Dr Ramprasad Pole
53. Sudipta Sarma	54. Rashmi Rekha Borah	55. Dhritima Ray	56. Indrani kakati
57. PRODIPTA BARMAN	58. Prarona Saikia	59. Maliha Siddiqui	60. Aditya Kaushik Sarmah
61. Shalini Patra	62. Aditya Das	63. Aries Thoudam	64. Raunaq Hussain
65. Sushma Mitra	66. Alma Shaheel	67. Gaibidimliu	68. RICHO HABUNG
69. Rimlim dutta baruah	70. Sabina Ahmed	71. Ms. SUDARSHANA ROY	72. Sansuma Basumatary

73. Barasha Kalita	74. Mohsin Ahmed	75. Driptashree Nath	76. SHAHAB UDDIN
77. TOLUTO H. KATTY	78. Riya saha	79. Rajib Hussain Sikdar	80. Muskan Begum
81. Abhishek Bharati	82. Ipshita Dutta	83. PRIYANKA DAS	84. Joy Aditya Phookan
85. Pannie Tangha	86. Arpita Roy	87. Janvi Jain	88. Leezz Rongpe
89. Nang khatika mein	90. Barsha Nishi Bhargav	91. Dibam Z Meyase	92. Shegufta Parveen
93. Taufique Ahmed	94. Janvi Jain	95. SHAHID HUSSAIN	96. Frecy Domneithem Kipgen
97. Rashmi bharali	98. Anamika Dey	99. Malabita Saikia	100. Shiny Nath
101. Alokali h aye	102. Rituraj saikia	103. Jambom Mothu	104. Atlanta Deka
105. Ampita Bhowmick	106. Samborlang Susngi	107. Manish Das	108. Rwisumwi brahma
109. Lipika Roy	110. Priya Dey	111. Omega Chongtham	112. Lanjuanliu Newme
113. Nilanjana Chhetry	114. Disha jain	115. Donald M Sangma	116. Nishat Tamanna laskar
117. Retain mukhim	118. Debangshi Biswas	119. Rwisumwi brahma	120. Kasturi Sarma
121. Partha Kr Deb	122. Bidangshri Boro	123. NIKAHOLIH CHISHI	124. KANAKENDU DAS
125. Jutismita Das	126. Donald M Sangma	127. Kavita lohar	128. Wanbiangkaru laloo
129. Mirlin Teronpi	130. Retain mukhim	131. Preeti C Sangma	132. Muskan Sanganeria
133. Tengsura G Sangma	134. Arunav Sarma	135. NAIRITA CHOUDHURY	136. Rwisumwi brahma
137. Manish Das	138. DIPIKA ROY	139. BIKASH DAS	140. Ankita chetia
141. Debapriyam Deka	142. Samnur Rahman	143. Aishwarya Jain	144. Cheanchi Marak
145. Tahibur Rahman	146. Madhurjya borkakoty	147. Wansalan Rymbai	148. Puja Sah
149. Ningombam Priya Devi	150. Anamul Hoque	151. Kalimul Bari Choudhury	152. Anamika Dey

153. Chanda Mahto	154. Raktim Sarma	155. Hello Rocket Basumatary	156. Amit kr Boro
157. Chanda Mahto	158. Limo Ango	159. Durga Banik	160. Rwisumwi brahma
161. Md kaif	162. MEHDI MASUD	163. Md kaif	164. Nabanita medhi
165. Shabnam Gulshan Talukdar	166. Maharup khan	167. Heena Brahma	168. Md kaif
169. Purnima Wari	170. Daisy Choudhury	171. Sabnam Hasina Begum	172. Pallabi Rajbongshi
173. Pratha Todi	174. Sonia Begum	175. Nilanjana Chhetry	176. Ayuman choudhury
177. Simran Devi	178. Nisha Sharma	179. Rajshree Guha	180. Mominul Haque
181. Ruchika Harlalka	182. Pradyumna Kakoty	183. Rashi Jain	184. Pinki Kumari Agarwal
185. Madhulina Baruah	186. K Amenka Ayeh	187. tina basumatary	188. Kaushiki Das
189. Yakholum chipui	190. Roushan Rahman	191. WASBIR ISLAM	192. Ekhyuthung kikon
193. Manjushree Saha	194. Priya Devi	195. Nilutpala Das	196. Muskan Agarwal
197. ABHILEKHA KAKOTI	198. Pallavi Jindal	199. Minkcha Lowang	200. Jahangir Hussain
201. Mohini Mittal	202. Shruti Jain	203. Divya Nepram	204. Shahanaz Parvin
205. Pankaj Choudhury	206. Chunkimngam Gangmei	207. Rajashree Konwar	208. BAILKY RYMBAI
209. Suranjita Hazarika	210. Samudra Shaan Kashyap	211. Anamika Boro	212. Mahak Maskara
213. Latu hallang	214. Barasha Thakuria	215. Kasturi Chakravarty	216. Rituporna Mazumdar
217. Isha Das	218. Priyadarshini Boro	219. Iltiza Yesmin	220. Mukuta Moni Bayan
221. Karishma Das	222. Florina Roy	223. Tamanna Farhin Ahmed	224. Alongbar Basumatary
225. Aiphulri Kharbani	226. Thokchom Gailengpou Singh	227. Florina Roy	228. Kethokhrieno Peseyie
229. Please me Phawa	230. Bibisikha Medhi	231. Rwisumwi brahma	232. Debanga Baruah

233. Garima Jain	234. Mukesh Bothra	235. Hebokali K SUMI	236. Ronith Natraj
237. Neha Kashyap	238. Amelu Tetseo	239. Mahfuza Akhtar	240. Shristy Dey
241. Taharul Islam	242. Mahfuza Akhtar	243. Annesha Ghosh	244. Himashree Basumatary
245. Deepabali Brahma	246. Junmoni Singha	247. Pallabi Rajbongshi	248. Ilamgwamlie namgi
249. Dr. Rashmi Gogoi	250. Sunny Sen	251. Riya saha	252. Nisha Sharma
253. John Sonjit Besra	254. Euty Chiamy A Sangma	255. Jyotishma n Thakuria	256. Priyanka Hessa
257. Debapriyam Deka	258. Kunal Saraswati	259. Hitesh k	260. Laxmi Paul
261. Farhana rahmani	262. ASMITA BAISHYA	263. Partha Kr Deb	264. Laxmi Paul
265. Robinson kshetrimayum	266. Dharmen singha	267. Pongngam Bohham	268. Debasish Dutta
269. Shiny Nath	270. Laimwn narzary	271. Zuchobem o E Humtsoe	272. Sabita Siangshai
273. Nyainyo Wangjen	274. Tengrim Marak	275. Barphung Narzary	276. Kaushiki Das
277. Nivedita Raha	278. Barphung Narzary	279. Jasmin Sultana Talukdar	280. Naina Konwar
281. NIKITA SINGH	282. DEBJANI BHARADWAJ	283. Ritushree Prasad	284. Ritushree Prasad
285. Tabassum Sultana	286. Namrata Das	287. Dr. Kasturi Bora	288. Onam Perme
289. Nisha Sarma	290. Jagriti bhuyan	291. Hema Gogoi	292. Farjaha Islam
293. Ashima Baruah	294. Upashana Goswami	295. Sumita Gope	296. Karpi Riba
297. Saptarishi prasad sharma	298. Dr. Bhuban Ch. Barooah	299. Vaishali Agarwala	300. Bhaswati Borah
301. Tapti Borah	302. Kajal Garg	303. Khukdap Kimsing	304. ABHILEKHA KAKOTI
305. Jandeno N Humtsoe	306. Sonia Debbarma	307. Sarmistha Das	308. BOLIN RAMCHIARI
309. Akshi Dutta	310. Jyotismita Goswami	311. Arpita Dutta	312. Wilata manlai

313. Sonia Debbarma	314. Nang walika jenow	315. Upasana Atreya	316. Amenda Ningthoujam
317. Yuna Migi	318. Malabita Saikia	319. Dibam Z Meyase	320. Topi Bomjen
321. Dr. Manashi Kalita	322. Therali Ovung	323. Kili H Chishi	324. KEKHRIEU KERETSÜ
325. Nazma Pervin	326. Dhritima Ray	327. Alitoli Yeptho	328. Purba Goswami
329. Bolounii Kyapaomai	330. Manalisha Kalita	331. Togam Riram	332. Angaristhha Das
333. Najma khatun	334. Ronak Prajapat	335. Monalisa Mondal	336. Kethokhrieno Peseyie
337. Dristee neog	338. JENNIFER DKHAR	339. Wasim Hassan	340. Jasmine .G.Pala
341. Geolang Basumatary	342. Gargi Chakravarty	343. Geolang Basumatary	344. Sharmistha Bhattacharjee
345. Khapmoy Ronrang	346. Dhwrwmsula Basumatary	347. Thungreni N Ezung	348. Pinky Bora
349. Geeta Das Duarah	350. Mrs.Mahfuja A. Saikia	351. Bronson Daimari	352. Keramot Ali
353. Yikehechile	354. Marjom Ete	355. Akansha Chakraborty	356. Katoholi K Chishi
357. Jitadipta Nandi	358. Aman	359. Shivam Bang	360. Binita Jain
361. Madhu sureka	362. Giyash Uddin Ahmed	363. Anumita Kar	364. Rubia Anjum Chowdhury
365. Shahrukh Jamal	366. Ashanul Habib	367. Dr Anurekha Goswami	368. Geolang Basumatary
369. Shahab Uddin	370. Rubia Anjum Chowdhury	371. AMRITA CHETIA	372. Fullkan kalita
373. Swarnali Barua	374. Mehbub Alom Barbhuyan	375. Arista Priyadarshini	376. Saptarishi Prasad Sharma
377. Nisha Sarma	378. Biman Das	379. Mukesh Chetry	380. RATISH KUMAR ROY
381. Shruti Jain	382. Gourab Roy	383. Togam Riram	384. Deep Jyoti Deka
385. Sayan Chakraborty	386. Priyanka saikia	387. Krishna Dev Roy	388. Rituporna Mazumdar
389. AWJWLA BRAHMA	390. Gaibidimliu	391. Safikul Islam	392. Bishal Debnath

393. Dristirupa Patgiri	394. Kali geiyi	395. Watitemjen Jamir	396. Rabindra Changmai
397. Roseleen Deori	398. Mrs. Dimpy Saikia	399. Monalisa Das	400. Hiyasmriti das
401. Dipannita Das	402. Trailokya Hazarika	403. Begum Musfi Ahmed	404. Dr Rehana Sultana Choudhury
405. Uditya Ghimire	406. Begum Musfi Ahmed	407. Roshan machang khonjuju	408. Reema Chonme N Sangma
409. K Laltanpuii	410. Merica H kiho	411. Moushumi Sarmah	412. Ankita Das
413. Aroop Rudra Pal	414. Md kaif	415. Dalon Monwangham	416. Dipannita Das
417. Judithy V.L.Nunpuii	418. Rohitaz Ahmed	419. Gaigongsin kamei	420. Karishma Saikia
421. Daisy Choudhury	422. Gaigongsin kamei	423. Adib Khan	424. NUR ALOM MONDAL
425. Priti Baro	426. RAJESH NARZARY	427. Rumi Swargiary	428. Spainer A Sangma
429. Nami Saikia	430. SUDEEP DUBEY	431. Rwisumwi brahma	432. Ajima Ahmed
433. DAMEKI NONGRUM	434. Evanrilyne M Lyngkhoi	435. Susanna K.R Lyngdoh	436. Nikita Kumari
437. Imran Nazir	438. Fungbili Boro	439. Juriti Saharia	440. Jangsil G. Momin
441. Humayun Kabir Choudhury	442. Nandita Basumatary	443. Dhritima Ray	444. Ngamnoi Wangpan
445. Nabasmita Bharadwaj	446. Banisha Youroin	447. Dr. Sujata Bhattacharyya	448. Jaya Saikia
449. Shushima khatun	450. Beauty Neog	451. Jesim Jakaria	452. Banashri Deka
453. Mohsina Begum	454. ASHA BHAR	455. Sushmita sarkar	456. Smriti Parashar .
457. Iftikar ahmed	458. Iftikar ahmed	459. Sandeep Kumar Suman	460. Shreya agarwal
461. Ronak kandoi	462. Rashmi Agarwal	463. Indu Pareek	464. Dani Yamang
465. Geni kirkom	466. Sabikun neha	467. Geni Kirkom	468. Vishal Sharma
469. Stallwon Lamo	470. Sadia Sultana	471. Sadia Sultana	472. Barnali Barman

473. Dedrict Binong	474. Radhe Takhe	475. Trailokya Hazarika	476. AMLAN JYOTI BORUAH
477. AMLAN JYOTI BORUAH	478. AMLAN JYOTI BORUAH	479. AMLAN JYOTI BORUAH	480. Aibanteilang khonglah
481. Sudheesh S. Kesarkar	482. Rajesh Rai	483. Dimashree langthasa	484. URMILA BRAHMA
485. MUNIN CHANDRA RAY	486. SAYANIKA SINGHA	487. Kicho Tajum	488. Indrani kumari
489. SAYANIKA SINGHA	490. Fullkan kalita-	491. Nani Maamung	492. Raju Gyadi
493. ZOHIR ALOM CHOUDHURY	494. Raja Dupak	495. Palakshi Goswami	496. Marter Basar
497. Puja Brahma	498. Puja Brahma	499. Meliwute Mekrisuh	500. Udit prakash kakati
501. SHAHID Hussain	502. Bidyartha Ray	503. Yuktha Shetty	504. Chiging habung
505. Sadia Sultana	506. Sadia Sultana	507. Farheen Rahman	508. Snigdha Hazarika
509. Pankaj Jyoti Nath	510. Apoorva Ravi	511. Marli Kamki	512. MR. PETER NGORANG
513. Taniang Tajo	514. Taniang Tajo	515. Taje Maying	516. Nazneen Borah
517. Taniang Tajo	518. Meenakshi Jerang	519. Taniang Tajo	520. Ruthu Honnapura
521. Ranjan Barman	522. TAM TALU	523. Sum Padung	524. Korak yolu
525. Chunkimngam Gangmei	526. Saleha Khatun	527. Mahadev Das	528. Ruprekha Choudhury
529. Sunita taku	530. Mahadev Das	531. Zujanthung	532. Leena choudhury
533. Rezuana Azad	534. Harpreet Kaur	535. Mahadev das	536. Rezuana Azad
537. Mimnur Khan	538. Ginghoi Lap	539. Karsang Nini	540. Sudeshna Dey
541. Omor panggam	542. SAHINUR ISLAM	543. Taufique Ahmed	544. Toshika k kiba
545. Sandhaya	546. Prashanjit Roy	547. Ngubin Doke	548. Thaddeus Techi
549. Anjuma yesmin	550. Pundung libang	551. Tamiz ali	552. Sajidur Rahman

553. ARPITA PAUL	554. Lekha G	555. Mudang Doilyang	556. Ruhul Amin Faruquee
557. Alila H Sangtam	558. Marina Mehjabin	559. Priti Baro	560. Pinky Bora
561. Shabnam Benozir Ahmed	562. Chabbish Nopi	563. Priyanka Saikia	564. Pradyumna Kakoty
565. Sameerah Nisha Sultana	566. KAVITA KUMARI DAS	567. Shahhida	568. Neinidaroi Wann
569. Himakshi Borah	570. Kalpana Gogoi	571. ROOP CHAN ALOM	572. Romiz Uddin
573. Jahirul Mondal	574. Momtaj Begum	575. Jahirul Mondal	576. Rina Chakma
577. Deepika Shri kachari	578. ANNA K P.	579. HOSAMA TH SHARAN	580. Abhilash C
581. Bonani mahanta	582. Lenzing Libang	583. Sudeshna Dey	584. Ailemdashisha Mukhim
585. Chabbish Nopi	586. Daroiki Sungoh		

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PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022







CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, (CEERA)

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Organizes a

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

under the

Pan India Legal Literacy and Legal Awareness Programme

On
August 19th
Zoom Online

REPORT OF THE PROGRAMME

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

ABOUT NLSIU

The National Law School of India University, the nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a center of excellence for legal education and research in India. The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS, Department of Justice etc.

The projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.

ABOUT CEERA

Centre for Environmental Law Education, Research and Advocacy (CEERA), established in 1997 is a benefactor of the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of Karnataka, the Bar and the Bench in India and abroad. Building an environmental law database, effectively networking among all stakeholders, building up an environmental law community and policy research in the area of environment are CEERA's main objectives.

To achieve the aforesaid, CEERA has incessantly and successfully been able to build functional and professional linkages with government agencies and non-governmental organisations in India, the South Asian Region and at International levels. CEERA, has been partnering with the Central Pollution Control Board in organizing Training Programmes for the officers of various State Pollution Control Boards and other industry professionals for over eight (8) years. One of the first in India, to be successfully granted a World Bank project and thereafter being a steady choice for the Ministry of Environment Forest and Climate Change, CEERA has been

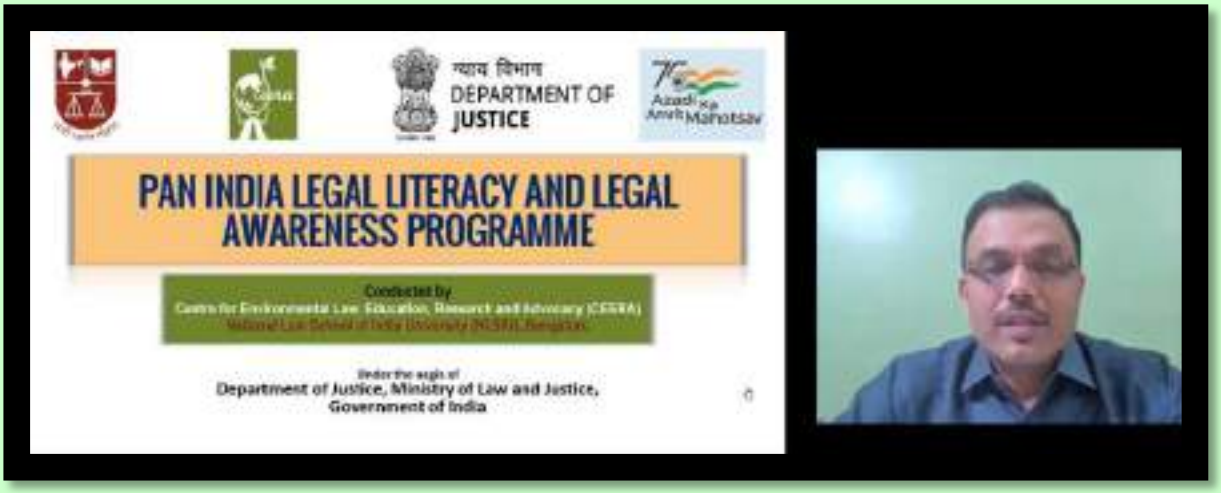


entrusted with research projects and workshops to impart training to Forest Officers, Revenue Officers, Officers of the Central Pollution Control Board and also of the Government of Karnataka. CEERA is proud to have completed a two-year Research Project granted by the United Nations Development Programme (UNDP) under the Global Environment Facility (GEF), and as one of the deliverables, organised, convened and conducted over twenty workshops at Institutions of national repute creating awareness on the Biodiversity Law and Access and Benefit Sharing (ABS) in less than 2 years. Two research publications on the scanty research area of biodiversity laws were also the outcome of this project. CEERA is currently implementing a Three-Year Project granted by the Ministry of Environment, Forest and Climate Change titled "Collaborative Engagement for Research, Training and Development in Handling of Chemical and Hazardous Waste". The broad objectives of this project *inter alia* include, providing advisory to the Ministry on matters connected to the Conference of Parties under various Multilateral Environmental Agreements, to which India is a party.

CEERA has several publications in the area of environmental law, the law and public policy along with Newsletters, CEERA March of the Environmental Law, NLSIU's first e-Journal – Journal on Environmental Law, Policy and Development and manages three websites viz., enlaw.nls.ac.in, wherein the law and policy on environment is regularly updated, and abs.nls.ac.in, a dedicated portal wherein the law and policy on Biodiversity Access and Benefit Sharing is updated periodically. All our publications are duly updated on our online portal ceerapub.nls.ac.in, which is open for subscription to all readers.

About CEERA, NLSIU YouTube Channel

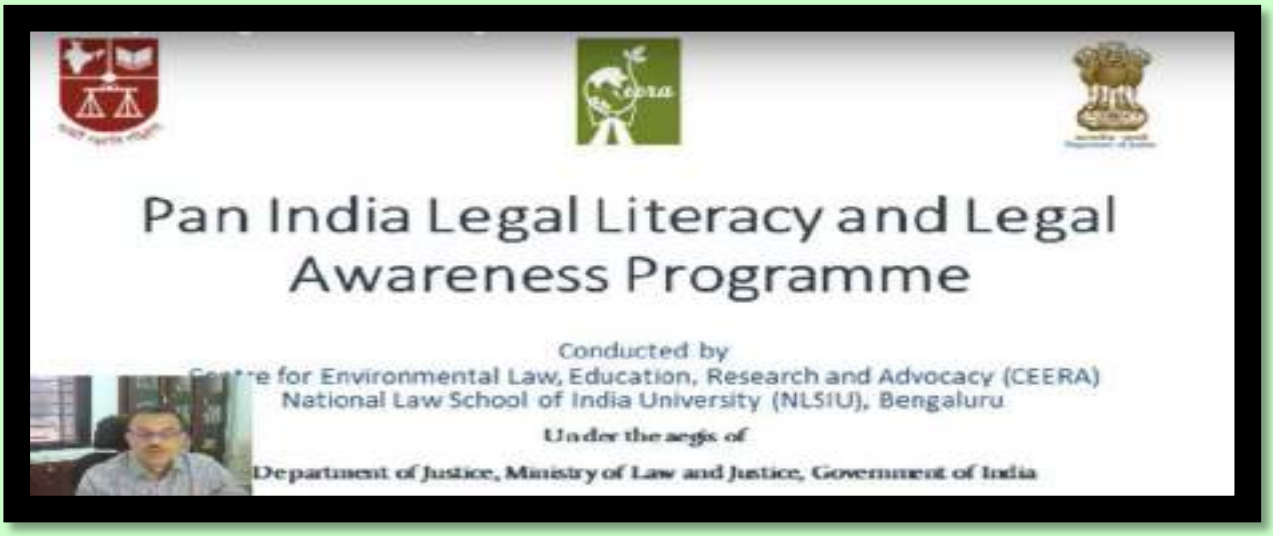
The Centre for Environmental Law Education, Research and Advocacy (CEERA) established in 1997 is a research centre that focuses on research and policy advocacy in the field of environmental law. Building an environmental law database, effectively networking among all stakeholders, undertaking training and capacity development exercises, providing consultancy services and building an environmental law community are CEERA's main objectives. It enjoys the support of the Ministry of Environment Forest and Climate Change, Ministry of Law and Justice, International organisations, the Bar and the Bench in India. Center Coordinator: Prof. (Dr.) Sairam Bhat The Channel has been launched by CEERA-NLSIU in pursuance of project granted by Department of Justice, Government of India on "Pan India Legal Literacy and Legal Awareness Programme" under the DISHA Scheme for promoting Digital Legal Literacy and Legal Awareness in India.



The Department of Justice, Ministry of Law and Justice, Government of India formulated a scheme on Access to Justice named "Designing Innovative Solutions and Holistic Approaches on Access to Justice (DISHA)" for the Year 2021-2026.



DISHA aims to merge different Access to Justice programmes including Pan India Legal Literacy and Legal Awareness Programme. The focus of this programme is to devise tools and methodology enabling the marginalized sections of society to key information and awareness on legal rights, entitlement and Access to Justice issues.



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It is a privilege to Centre for Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru for having been selected as the National Agency for Dissemination under the DISHA initiative.



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Prof VS Mallar Legal Aid Conclave

ABOUT LEGAL AID COMPETITION

A joint initiative by the Centre for Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru and Department of Justice, Ministry of Law and Justice, Government of India

To meet the aspirations of the Government, the DoJ has formulated a coherent scheme on access to justice titled as "Designing Innovative Solutions and Holistic Access to Justice (DISHA)" for the period of 2021-2026. The Scheme of DISHA aims to amalgamate and merge different Access to Justice components being executed by DoJ to bridge the gaps in justice delivery. It serves three key objectives that include providing quality legal aid through different mechanism of Tele-Law, Nyaya Bandhu - Pro Bono Legal Services and Nyaya Mitra programme to make people Legally Literate, bring positive changes in the mindsets and attitudes.



As an implementing agency under this programme, the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru has been granted a Two-Year Project on "Digital Legal Literacy – Dissemination and Assessment".

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The project focuses on dissemination of legal literacy and is to be implemented in aspiration districts across 6 States of India namely – Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh and Karnataka. The main objectives of the project include the following:

- Dissemination of the legal literacy on mass level
- Creation of an overall communication strategy including digital/social media platforms
- Strategizing effective and sustainable legal awareness campaigns
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the programme
- Conceptualizing and conducting youth connect workshops by planning events in colleges/schools and institutions



PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

SUMMARY OF PROCEEDINGS

Inaugural Session

(SECOND LEGAL AID CONCLAVE-19/08/2022)

SESSION 1-LEGAL AID: PRACTISE AND PROCEDURE

Prof Suresh Nadagoudar, Dean, Faculty of Law, University Law College, Bangalore University



The session commenced with Prof. Suresh Nadagoudar, delivering his views on access to justice and the importance of legal aid in helping achieve this goal. He opined that legal aid should not be merely confined to empowering people to approach Courts through free legal assistance. Rather, it should also focus on equipping people with

awareness of their rights. While discussing about the importance of justice, the speaker quoted Gandhiji's words that in order to enable justice, awareness of rights is a must.

He emphasized the role that Gram Nyayalayas can play in facilitating access to justice at the grassroots level by taking justice to the doorsteps of the people. He expressed dismay about how hardly 211 Gram Nyayalayas have been established in around 3 States in the country. He further laid stress upon how the legal literacy campaigns should be focusing on unorganized workers and their labour rights.

Dr. MRK Prasad, Professor of Law, V.M. Salgaokar College



Dr. Prasad's session laid special emphasis on how law schools should offer legal aid. He stated that presently, the legal aid clinics in law schools were confined to providing 'inside litigation services,' i.e., only with respect to providing assistance to litigation services in Courts. However, these clinics do not offer assistance for other matters such as gaining access to welfare schemes offered by the government for which going to the courts may not be necessary. He exhorted law schools to start offering such 'outside litigation services' to the public. He further directed participating teams to ponder upon whether off-campus legal aid clinics can also be established in addition to the clinics

situated inside their campuses. Moreover, he also placed emphasis on the need to have clarity on the structure of legal aid clinics, on the focus areas and selection of student members in the clinics. He further stated that legal aid clinics should also strive to impart skills to students who would soon join the Bar as young advocates. Since funding remains a significant challenge for the smooth functioning of legal aid clinics, he mooted the idea of collecting a nominal fee from all students of every law school which could be directed towards facilitating the conduct of legal aid clinics. Along with this, he also proposed engaging in collaborations with other colleges and civil society organisations.

Dr. Jagadeesh Chandra T.G, Registrar, Gujarat National Law University



Dr. Jagadeesh Chandra commenced his address by underscoring that the purpose of legal education must be dispensation of justice. He further quoted Justice U.U Lalit's observation that access to legal aid is as important as the right to education. He exhorted the governments to disburse generous funds earmarked for legal aid. He further mooted the idea of making use of Panchayat level officers of the State for dissemination of legal aid and awareness. He underscored the importance of building credibility in the provision of legal aid services. For this, he opined that imparting proper training and

allocating a fixed remuneration for the advocates who are empanelled for legal aid services is essential. He also suggested that social media platforms should be leveraged by Governments to spread awareness about legal aid.

SESSION 2-LEGAL AID CLINICS AND LEGAL LITERACY

1. **Professor Madhuri Parikh, I/c Director and Dean, Faculty of Law, Nirma University**



Ms. Madhuri circled her discussion around the functioning of Nirma University's Legal Aid Clinic established in 2009. The speaker shared the objectives of the Legal Aid Clinic to be increasing social awareness, making legal education multi-disciplinary and providing legal advice and counselling. According to the speaker, the legal aid clinic now focuses its activities on legal aid and legal literacy; para-legal aid services; consultancy services and social services.

The clinic which established 2 years after the genesis of the University underwent three stages of development, namely, legal awareness and legal literacy stage; sensitizing people about legal rights stage and the final stage which involves the full-fledged functioning of the clinic. The speaker then mentioned the activities taken up by the clinic till present date and they include, legal literacy through activities like drama skits, essay competitions and expert sessions; regular visits and consultations at nearby villages; legal literacy at Sabarmati Jail through various programs; legal aid to under

trial prisoners through the cell in Sabarmati Jail; permanent legal aid clinic at ILNU and coordination of activities through NSS and research centers.

The speaker also mentioned the various activities majorly focused on spreading legal awareness and legal literacy and they include the rally on the theme of "March towards Gender Justice and Gender Equal Society, the lecture on "Problems of child labour and violence against women and the legal provisions"; schools visits and village adoption and the rendering of legal aid to women, elderly and local workers.

2. **Prof. Shyam Kishore, Professor Alliance University**



Prof. Shyam commenced his session by laying emphasis on the requirement of enhancing efforts in the area of legal literacy. The speaker underscored the importance of legal literacy to function as a separate wing under legal aid. To effectuate legal literacy in the realest sense, the speaker mentioned that each group must be equipped with knowledge pertinent to them. For example: Industrial workers to be educated about the new Labour codes and farm groups to be informed about Geographical Indications and IPR. Therefore, in conclusion the speaker urged the participants to build a network to have a structured process with a targeted approach.

Shri. Shridhar Prabhu, Non-Official Member, Karnataka State Legal Services Authority



Shri. Shridhar Prabhu offered the audience with a brief overview of the role and functions of Legal Services Authorities in India. Before delving into its functions, the speaker explained the organizational structure and the members of the LSAs.

The speaker informed the audience that legal services provided by the LSAs are of 4 forms:

i) Legal Aid and Assistance to eligible categories before courts/ tribunals and assistance through front offices and legal services clinics.

ii) Awareness and Outreach Program- To make people aware of their rights and entitlements and to assist them in the actualisation of the same under welfare laws and schemes of the Central and State Government.

iii) Alternate Dispute Resolution (Look Adalat and Mediation)- To promote ADR Mechanisms to resolve pending and pre-litigation cases and organise Look Adalat.

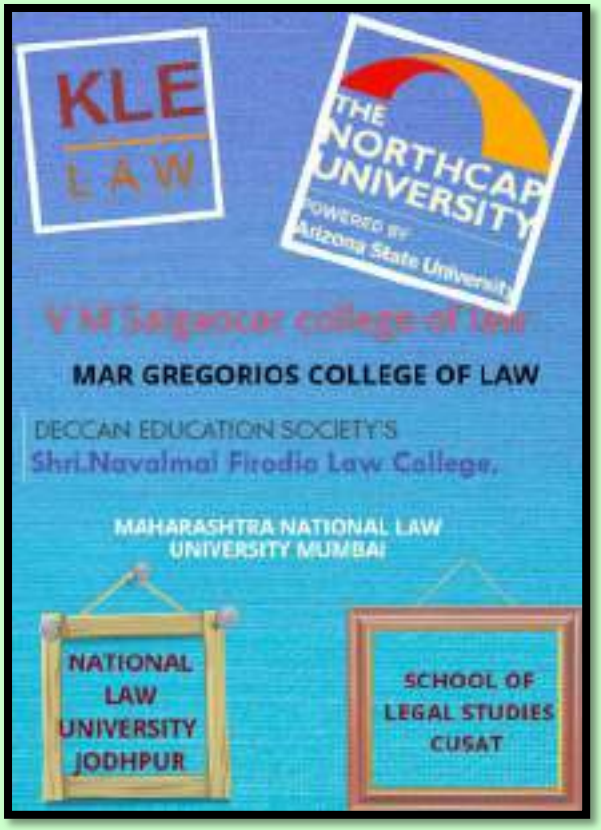
iv) Victim Compensation Scheme- To facilitate rehabilitation of victims of crime by determination and disbursement of compensation under Victim Compensation Schemes.

The speaker also informed the participants about the various NALSA schemes adopted over the course of 11 years starting from 2010- 2021.

The key point of information given to the participants was regarding the Digital Services available to the citizens. The services include: NALSA: Legal Services Mobile App and KSLSA Telegram Channel. Through the NALSA App, public can get legal assistance, legal

advice and pre-institution mediation as well as track their applications.

SESSION 3-LEGAL LITERACY AND LEGAL AWARENESS: INITIATIVES, PROGRAMMES AND SCHEMES



Pearl Monteiro, Assistant Professor, VM Salgaocar College of Law

The speaker described the activities undertaken by the Legal Aid Clinic at V.M Salgaocar Law College. The College has 28 Legal Aid Clinics and some additional special clinics which have been established for catering to child rights, consumer rights and differently abled populations. All students who join the legal aid clinics undertake to commit themselves for a period of two years and devote at least 100 hours for the activities associated with the legal aid clinics.

The activities undertaken at the clinics include filing of Public Interest Litigations, assisting with applications for availing welfare schemes and filing of RTI applications. In addition to this, the legal aid clinics in the college have also cooperated with the Goa Election Commission during the time of elections in Goa. It has helped the migrant workers during the pandemic. The legal aid clinics have also initiated the setting up of libraries using Panchayat funds and have undertaken measures for child labour abolition in coastal villages in Goa. The speaker

also talked about LAC's ongoing project in collaboration with the NGO Pravasi Bandhu, aimed at protecting migrant workers from arbitrary actions and securing their wages, during the pandemic. This Legal Aid Clinic is also a proud holder of the N.R. Madhava Menon Award for the Best Legal Aid Volunteer.

Ushakumari K. G., Assistant Professor, Mar Gregorios College of Law

The speaker brought to the organisers' notice, the various activities initiated by this 10-year-old institution. The speaker went onto enlighten the audience about the various activities undertaken by MGCL's Legal Aid Clinic and they include: Legal Aid camp at Vilappilsala, legal aid centre started at Snehaveedu, visits to rehabilitation centres like Ashraya and SICK and orientation drives against drug abuse at Rajaji Nagar. The two other major's activities as mentioned by the speaker include: The Legal Extension Programme 2021 at Pazhyaya Kunnumalapanchayat, as part of Azadi ka Amrit Mahotsav. Mar Gregorios College of Law in association with the DLSA, Thiruvananthapuram under the aegis of NLSA and the Tribal Department of Kilimanoor Grama Panchayat organised a 3-day Legal Aid Camp. The programmes spread over three consecutive days included: Legal Aid Clinic concluded by a Lok Adalat, where the grievances were noted and solved by students under the guidance of the faculty co-ordinator, legal awareness classes and medical camp. The second programme is the ongoing 4-year project Niyama Mitra (2022) aimed at minimizing litigation in Nellanad Panchyat and the LAC hopes to conduct a mega Adalat soon.

Dr. Anjali Thanvi, Assistant Professor, Faculty of Law, National Law University, Jodhpur

The speaker described the activities undertaken by the Legal Aid and Awareness Committee at NLU, Jodhpur. The LAAC mainly carries out activities which improve the quality of life of the socially and economically less privileged. It also links with the established lawyers across the State of Rajasthan so as to expand the scope of legal aid services and consultancy and has been periodically providing legal assistance for the same.

Among the various activities, the adoption of Surpura Village to develop the basic infrastructure and public facilities in the village, stands out. The LAAC also continues to research on the Right to Education position in India, across all the states by involving

student volunteers and academicians from law schools. The speaker stated the 3 limbs of the Committee to be Legal awareness initiatives, legal aid activities and smart village initiatives.

Dr Binumole K, Assistant Professor, School of Legal Studies, CUSAT

The speaker commenced by describing the range of activities undertaken by the Cochin University Legal Aid Clinic focussing on prevention of drug abuse, anti-human trafficking and anti-ragging. It conducts a variety of programmes through webinars, legal literacy and awareness classes and sensitisation initiatives.

The legal aid clinic has also undertaken special initiatives for addressing the needs of vulnerable groups such as women, transgenders, elderly and tribal peoples. The College also has a Tele-legal aid clinic and has a strong social media presence. The legal aid clinic has been regularly conducting Lok Adalats. It has also conducted awareness campaigns through All India Radio. Apart from these activities, the legal aid clinic was also at the forefront for fundraising activities during the course of the Kerala Floods.

Ms. Shiksha Dahiya Senior Assistant, Professor and Faculty Advisor, Legal Aid Society, The North Cap University, Guru Gram, Haryana

NCU Law School conducts Legal Aid Camps frequently in association with District Legal Aid Service Authority (DLSA), Gurugram to provide legal assistance and consultancy to poor litigants to enforce their rights The major activities of the centre include: the legal awareness drive at Rajendra Park, Gurugram, reaching out to NGOS and the slum upgradation initiatives/ programmes

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Dr. Mahantesh B Madilwalar, Associate Professor, KLE Society's Law College, Bengaluru

The speaker commenced his discussion by informing the audience that the LAC has undertaken 7 major activities during the span of the Legal Aid Cell. To create awareness on World Consumer Right's Day, an awareness programme on Consumer Rights in association with the DLSA was conducted. Further workshops on POCSO Act, 2012 and Solid Waste Management were held. To gauge young minds' involvement, students were made part of poster making competitions aimed at spreading awareness, and at the same time, attracting more participation of the future leaders of the nation. In addition to this, a skit on Tobacco Free Society was also performed by the members of LAC. More recently in 29/07/2022 a programme for the legal literacy on Child Rights and a legal aid survey at Karubele Village took place.

The Second conclave had the enthusiastic participation from the registered teams. The presentations from the Teams displayed various activities from their respective legal aid clinics. As being part of the Prof VS Mallar Legal Aid completion the Teams and the Resource Persons had keen interests in reviving the Legal Aid Clinics and having more activities as part of the legal learning process and justice system



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Names of the participating colleges

V.M. Salgaocar College of Law
University Five Year Law College, University of Rajasthan, Jaipur
Chanderprabhu Jain College
Des Shri Navalmal Firodia Law College, Pune
Faculty of Law, Jagran Lakecity University, Bhopal
Vikash Law School, Bargarh
Mar Gregorios College Of Law
Maharashtra National Law University, Mumbai
Dharmashastra National Law University, Jabalpur
Arunodaya Institute Of Legal Studies
Sri Jagadguru Renukacharya College of Law Bangalore
School Of Legal Studies, Cochin University Of Science And Technology
CMR University School Of Legal Studies
Ramaiah College of Law
Bennett University
Institute of Law, Nirma University, Ahmedabad, Gujarat
Vivekananda Institute of Professional Studies
K L E Society's Law college Bengaluru
School of Law, Presidency University,Bengaluru
Lloyd Law College, Greater Noida
The National University of Advanced Legal Studies
The NorthCap University, Gurugram, Haryana
Central University of Punjab, Bathinda, Punjab
NMIMS Kirit P. Mehta School of Law, Mumbai
Narayan school of law, Gopal Narayan Singh University
Tamil Nadu National Law University
JECRC University, Jaipur
Symbiosis Law School Pune
Dr.Ram Manohar Lohia College of Law, Bangalore.
University Law College and Department of studies in law, Bangalore University
Narsee Monjee Institute of Management Studies (NMIMS)
Dr. Ram Manohar Lohiya National Law University, Lucknow

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Christ Academy Institute Of Law, Bangalore
Department of Law, Vishwakarma University, Pune
Manipal University Jaipur
School of Law, CHRIST(Deemed to be University)
Saveetha School of Law, Chennai
IFIM Law School, Bengaluru
Hamdard Institute Of Legal Studies And Research, The School Of Law, Jamia Hamdard
JSS LAW COLLEGE
Sardar Patel Subharti Institute of Law, SVSU, Meerut
University School of Law and Legal Studies, GGSIPU
Hidayatullah National Law University
Amity Kolkata
National Law Institute University, Bhopal
Shri Dharmasthala Manjunatheshwara Law College Centre for Post Graduate Studies and Research in Law
Renaissance Law College, Indore
National Law University, Jodhpur
Raja Lakhamgouda Law College, Belagavi

Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru

Under the aegis of

Department of Justice, Ministry of Law and Justice,

Government of India

Organizes

"One Day Workshop on Legal literacy & Legal Awareness in Odisha"

In Association with

School of Law, KIIT Deemed to be University, Bhubaneswar

August, 27, 2022 at Seminar Hall, Campus 6, KIIT University, Bhubaneswar

WORKSHOP REPORT

The One Day workshop was conducted at the School of Law, KIIT University, Bhubaneswar, Odisha on the 27th August 2022 on the topic "Legal Literacy and Legal Awareness in Odisha" under the agies of CEERA-NLSIU and Department of Justice, Ministry of Law and Justice, Government of India. The objective of the workshop was to sensitize and synthesize the legal awareness among the peer to transmit the same to the society. In this process, invitation was advanced to law students, lawyers, civil society organizations, para legal volunteers et al. At the event, a total 107 participants (98 students, 8 faculty of law and social sciences, 1 advocate) took part for the whole day workshop.

The session was inaugurated by the welcoming address from **Prof. (Dr.) Bhavani Prasad Panda, Director, School of Law, KIIT University** and he spoke about the outreach of access to justice throughout the state of Odisha. Further, promulgating the vision of our founder Dr. Achyuta Samanta.

Follow by the speech by Hon'ble Dr. Justice Sanjeeb Kumar Panigrahi, Judge, High Court of Orissa

1. Justice Sanjeeb Kumar Panigrahi, the chief Guest at the event, spoke about the origin of the literary program which started in the 80s to educate the common masses but never took in a legal perspective which led to the poor status of the present day. His Lordship said that legal literacy is favorable only to the elite people but completely alien to people at the grassroots.

2. He said that most of the masses see law as social security programs and violation of their rights. It is only when they are involved in any legal proceedings; they get to understand the complexity of the legal system.
3. He said that the 3R method (Reading, wRiting and aRithmetic) used for literacy cannot be the same for legal literacy and needs fundamental changes in its approach.
4. He described legal awareness as a scenario where everybody should know their entitlements, social securities, their rights and duties, etc. He emphasized that it should be extensively promoted in rural areas where the goal is to ensure that every village has one 'legal messenger' who can give primary guidance to the people.
5. He said that it is difficult to find pro bono lawyers as most lawyers wish to earn greater remuneration elsewhere. However he said that whenever there is a need; one should be ready for pro bono work as it is a great service to the people. He also stressed that such selfless values need to be inculcated at the ground level.
6. He expressed the dire need to 'indianize' the legal system as it is not accessible to the bulk of the masses and that can only be done when language as a barrier is removed. He concluded that such a noble work must be done by the youth where volunteers from law schools are well equipped to spread awareness.

The first Technical session was taken over by: **Mr. Smruti Ranjan Mohapatra, Deputy Secretary, OSLSA, Cuttack**

1. Mr. Mohapatra firstly spokes about the practical implications of Article 39A which is equal justice and free legal aid for all.

2. He talked about National Legal Services Authority of India (NALSA) was formed on 9 November 1995 under the authority of the Legal Services Authorities Act 1987.

3. He talked about the various functioning of the OSLSA & DLSA which is to be approached by anyone in the need of legal aid which can be accessed through helpline no. known as "Nyaysanjogh" which can be availed from every district of the state.

4. He also talked about the Permanent Lok Adalat which is very crucial for settling petty matters.

5. He further discussed about ADR centres, High Court legal service committee, High Court Mediation centre.

6. He introduced us to the mechanism of Jail Legal Aid Clinic under which on a duration of every two days, a male lawyer and on a duration of a day, a female lawyer and PLV every two days visits the prison houses of state.

7. He also talked about the helpdesk for migrant labours which are functional since the month of June 2020.

8. He also talked about an essential concept, the hospital legal aid which places a very crucial role in dying declaration.

9. Further, he mentioned about "How pre-litigation had aided in shortening up courts time in cases like matrimonial, motor vehicle accident etc.

10. He mentioned about "How OSLSA is playing crucial role in providing victim compensation scheme to the needy people in the state of Odisha.

11. He lastly talked about How DLSA and OSLSA making joint efforts for generating legal awareness and legal literacy in the state of Odisha.

The Second Technical session was led by **Prof. (Dr.) Sairam Bhat, Prof. of Law, NLSIU**

1. Prof Dr Sairam Bhat spoke extensively about Legal Awareness by identifying the problems and challenges a common man faces. He gave his own experiences with cases involving post divorce harrassment, maintenance of elderly citizens, rising cases of peculiar child marriage cases in Karnataka and substandard food preparation and packaging methods used by food delivery businesses.
2. He emphasized on the point that non-litigation challenges with no clear answers is the gap for contributing to legal awareness. He stressed on the inefficiency of generic laws and the importance of specific laws for dealing with the aforementioned cases.
3. He gave interesting instances where criminal offences may be committed in regular day to day situations due lack of awareness i.e attendees to a child marriage can be witnesses to crime. He elaborated on the challenges faced by legal due to prevalence of customs and traditions over legal provisions.
4. He spoke about the need for reading and understanding specific legal provisions for solving social issues and stigmas. He spoke about instances regarding the negligence by businesses and companies towards rights of their customers. He stressed on the poor status of urban legal literacy and the role the Legal Fraternity has to play and transform the society through responsible actions. He said that the purpose of legal education is to bring the sensitivity of day to day issues into the limelight. He concluded by saying that legal literacy is not complicated yet core for our lives, we need to be aware and hold people accountable.

Ms. Gayathri Gireesh, Research Fellow, CEERA, NLSIU

1. Ma'am mentioned about CEERA YouTube channel run by eminent NLU alumnaries.

2. She further emphasised on "What is Cyber bullying and the importance it holds in this decade.

3. She mentioned about the various norms and rules enforced by UGC for Anti-Ragging practices in the Universities and colleges.

The Third Technical session was chaired by **Sh. Manas Ranjan Mohapatra, Senior Advocate, High Court of Orissa**

1. Mr. Manas emphasised on the fact that the main blockade towards access of Justice is ignorance of Law.

2. He further went on to state that developing countries like developed ones should have access to legal aid and that legal aid should be included as a subject in the legal curriculum which is of foremost importance without that legal aid would only remain in pen and paper not in real ground.

3. A legal aid clinic should be emerged in every village and every locality majorly slums, old age and infirm homes. It is necessary to be a good human being to feel the suffering of the down-trodden to provide legal aid.

4. Legal Aid should not remain just within the ambit of seminars, opinions and papers it is requisite for showing our concern toward the poor.

5. It is of prime necessity to be linked to litigation to promote legal aid and to be an outstanding professional in litigation, reading is of utmost necessity.

6. The mechanism of PIL has contributed immensely to Legal Aid and state defence.

7. He finally said that you need to have good heart first and be a good human being only then, we will realise what real Legal Aid is.

The Last session was taken by ***Mr. Prateek Mishra***, Assistant Professor, School of Law, KIIT University, Bhubaneswar.

1- He elaborated the true nature of legal aid and why literacy is important for facilitation of the true constitutional spirit.

2- He further gave some examples of legal literacy and awareness services what has been resorted as best practices by different law schools recently for the appreciation of all audience.

The Workshop ended with a Final note of the desired goals of the event and also the summary of the day being proposed by ***Dr. Bishwa Kallyan Dash***, The State Co-ordinator of DISHA project on behalf of CEERA-NLSIU. He was assisted by ***Ms. Swati Mohapatra***, Assistant Professor, School of Law, KIIT University in conducting the whole event. The Workshop ended with distribution of physical certificates among the participants.

ONLINE REGISTERED

Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru

Under the aegis of

Department of Justice, Ministry of Law and Justice, Government of India

Organizes

One Day Legal literacy & Legal Awareness Workshop

In Association with

School of Law, KIIT Deemed to be University, Bhubaneswar

August, 27, 2022 at Seminar Hall, Campus 6, KIIT University, Bhubaneswar

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Urvashi Saboo	Thakur ramnarayan college of law Mumbai	Student	Female	Urban	8355855596	urvashisaboo121@gmail.com	
Yashaswini singh	National law university, odisha	Student	Female	Urban	8287806114	Yashaswinisingwan56@gmail.com	

Students

Online 20 | Offline 72

$= 92 + 6 = 98$ [Students]

Clerk 10.30 AM

Faculties = 8.

Advocate - 1

Total = 107

ONE DAY LEGAL LITERACY & LEGAL AWARENESS WORKSHOP

Organized by

Centre for Environmental Law, Education, Research and Advocacy (CEERA)
National Law School of India University (NLSIU), Bengaluru
Under the aegis of
Department of Justice, Ministry of Law and Justice, Government of India
In association with
Sanjivnie College of Law, Kirtanpur, Bahraich, Uttar Pradesh
&
Ekal Abhiyan, Uttar Pradesh
Held on
September, 03, 2022 at Sanjivnie College of Law, Kirtanpur, Bahraich Uttar Pradesh

Brief Report

With the objective of dissemination of Legal literacy and spreading Legal awareness on mass level, the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University Bengaluru under the aegis of Department of Justice, Ministry of Law & Justice, Government of India, organized 'One day Legal Literacy & Legal Awareness Workshop' in association with Sanjivnie College of Law, Kirtanpur, Bahraich, U.P. & Ekal Abhiyan, Uttar Pradesh on 3rd September, 2022 at Sanjivnie College of Law, Kirtanpur Bahraich Uttar Pradesh.

The workshop was conducted under DISHA Scheme (Designing Innovative Solutions on Holistic Access to Justice) of Department of Justice, Ministry of Law & Justice, Government of India to enrich legal knowledge and legal awareness among the law students and the rural public of the district.

The legal workshop focused on many relevant and important topics like how legal clinic can work effectively in rural areas, how the law students can contribute in providing legal

aid. Law points were explained in simple and understandable language with suitable examples. Participants were told about crimes against children and how to curb these crimes and what are the rights and remedies available to old citizens. Along with this, participants were made aware regarding how crimes like cyber harassment can be avoided and what measures can be taken to prevent them.

Inaugural Session

Prof (Dr.) Rohit Prakash Singh, Principal, Sanjivnie College of Law, Bahraich welcomed to the Chief guest Prof. (Dr.) Subir K Bhatnagar, Vice-chancellor, RMLNLU, Lucknow and Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU Bengaluru with his team and to all participants including law students and village people of bahraich district and seva karykarta of Ekal abhiyan.
The workshop was formally inaugurated by lighting the lamp and Maa Saraswati puja. Prayer and welcome song was sung by the students.

The chief gust Prof. (Dr.) Subir K. Bhatnagar, VC, RMLNLU delivered inaugural address and said that Justice is not been delivered by the courts only but it may done through Meetings, Conciliation, Mediation too. Mediation and Conciliation has its futuristic approach towards access to justice. Praising the program, Professor Bhatnagar expressed the need for more such programs. The vice-chancellor also appreciated the contribution of CEERA, NLSIU and Ekal Abhiyan in this regards.
Prof. Bhatnagar highlighted that law students can easily spread awareness about small but important Acts or provisions like RTI Act or Section 125 of the CrPC. He said that India lives in villages and its our duty to make them aware through these type of programmes.

Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU, Bengaluru has delivered keynote address and told about the need of practical study and exposure of Law as theories of the Law should be studied with practical exposure of it.

Ms. Ruchi Pandey, Gram Swaraj Manch, Ekal Abhiyan, Lucknow also felt need of such programmes in rural areas and told that our rural public may not have access to National

Law School of India University, but today such a great institute has come by itself to make us aware about different approach of general laws. She told that we can empower ourselves by knowing the small sections of the laws which we face in our daily routine. Ms. Ruchi Pandey asked to all participants of Ekal abhiyan and students to take full advantage of this workshop. She also told that this type of programmes will be a step forward towards 'Capable India and Educated India'.

Technical Sessions

Prof. (Dr.) Sairam Bhat, Prof. of Law, NLSIU and National Coordinator of Pan India Legal Literacy and Legal Awareness Programme explained the important points related to Cyber Crimes, RTI Act, Sexual Harassment at Workplace, POCSO Act etc. in very simple language. While telling about how the law students can disseminate legal aid to the village people prof bhat told that Law students should go through the material available at CEERA website and also watch legal literacy videos to understand the various aspects of laws and once students are aware then they can easily make others aware regarding this.

Prof. Sairam Bhat shared the legal knowledge and important provisions of laws through many live examples. While expressing concern over the increasing crimes against women and children Prof. Bhat shared few remedies to prevent the crimes against children and women. He also told how the incidents of increasing sexual harassment against women can be stopped and what are the rights and remedies available to women in this regard.

Mr. Vivek Shukla. Advocate, High Court of Judicature at Allahabad, Lucknow, U.P & Research scholar, NLSIU, Bengaluru has shared the various provisions related to Cyber Harassment. He told that Social Media has become important part of every body's life. Users should know the common provisions related to this otherwise there is always a danger of accident. Mr. Shukla spoke about cyber crimes like cyber bullying, defamation, Voyeurism and Cyber Stalking etc. While talking about prevention of cyber crime of harassment, Mr. Vivek shared some important safety tips on how to be safe on 'Online;.

Mr. Anuja Shah, Research fellow, CEERA-NLSIU presented impressive talk and provided important information about ‘POCSO Act’ and ‘Senior citizen's Right's’
Ms. Shah said that now child harassment cases are increasing day by day in the state of U.P. She shared many live examples related to child harassment and also spoke about the child rights over others. Ms. Shah also focused upon rights of elderly people in India. she also spoke about how the number of incidents regarding abuse against senior citizens are increasing and what are the remedies available in the law rregarding this. Ms Anuja Shah also shared the information about youtube channel CEERA NLSIU regarding legal awareness and told to all participants to go through the information available in these videos and make themselves aware.

Sri Om Prakash ji, Ekal Abhiyan Bahraich Uttar Pradesh shared about how Ekal Abhiyan is contributing towards awareness among rural India. He delivered special thank to the ‘Team CEERA NLSIU’ for their effort to make this legal workshop successful.

A vote of thanks was delivered by Prof. (Dr.) Rohit Prakash Singh, Principal, Sanjivnie College of Law, Bahraich, U.P.
Law students, Teaching staff, Ekal Karyakarta including general public of Bahraich have participated in this workshop.

——————— ***** ———————

दिनांक - 03/09/2022

को संजीवनी कालेज ऑफ ला कीर्तनपुर, बहराइच (उ०प्र०)

में आयोजित विधिक साक्षरता एवं विधिक जागरूकता शिविर में आयोजित कार्यक्रम में सम्मिलित लोगों की सूची।

आयोजक

CEERA, NLSIU, Department of Justice and Sanjivanie College of Law, Kirtanpur, Bahraich - U.P.

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Sanjivani College of Law, Kirtanpur Bahraich

Law Faculty

(1.) Dr. Rohit Prakash Singh 7307990584 RPSir
(Principal)

(2.) Dr. Asifa Parveen (Asst. Prof.) 8299294142

(3.) Dr. Manish Kumar Singh " 9450681232

(4) Dr. Sudhakar Prasad Tripathi " 9415802170

(5.) Smt. Nisha Tripathi " 9140428317

(6.) " Shikha Shukla " 8765678610

(7.) Mr. Amit Kumar Srivastava " 8090591259

(8) " Manish Kumar Srivastava " 6392368139

(9) " Chandra Prakash Verma " 8004814747

(10) Dr. Rudresh Ram Pathak " 9721666108

(11) Mr. Ragvendra Pratap Singh " 9451300500

(12) " Arun Kumar Kanaujia " 7001310497

(13) Mrs. Farozan " 8840442024

(14.) Mrs. Sadhna Singh. " 8887786793

(15) Mr. Jagdamba Prasad Tripathi " 7985298544

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LEGAL LITERACY & LEGAL AWARENESS WORKSHOP

3/9/2022

क्रमांक	Student/ Name	Profession	Mobile No Contact Address	Sign.
1	Jaimul Abedin	student LLB 3rd	9935311211	
2	Anwar Ali	Student LLB 3rd	9005531262	
3	Shadik Reham	Student LLB 3rd	7054154084	
4	Aashutosh Mishra	Student B.A.LLB 3rd	8707461120	
5	अंकुर प्रताप	एकलव्य मिशन	8738668820	
6	[illegible]	Student LLB 3rd	7800500851	
7	अजय सिंह	अपना व्यवसाय	8305310391	
8	Anuj kashyap	Student	[illegible]	
9	अनंत मिश्र	Student 5 Y	7379987656	
10	रेशमा सिंह	[illegible]		
11	[illegible]	[illegible]		
12	Sandeepkumar Saroj	Student LLb 3yr	6386831925	
13	Maheskumar mtp.	Student 5 Y	8851341879	
14	Masti Dharbaalam	Student	9519917215	
15	Seeral Cheruthan	Student	8118651126	
16	Kuldeep Singh	Student	6307147224	
17	Ajay kumar	Student L.LB	7080422234	
18	Akash Verma	Student	9598214216	
19	M Prince Maurya	Student LLB II	8009772914	
20	Atul Aworthi	Student 5 year	9026445108	
21	Abhinav Srivastava	Student LLB	[illegible]	
22	Sunil Kumar Yadav	Student LLB	8026429998	
23	Tirupati Balajee	Student LL.B	8927679105	
24	Chandankumar Vishwakarma	Student BALLB 5Year	7408001935	
25	Dayashankar	Student BALLB	8808037401	
26	[illegible]	Student LL B.	8520069482	
27	Arun Shukla	Student LL.B	9127252400	
28	[illegible]	Student L.L.B	9984377988	
29	Alaka Tripathi	Student LL.B 5yr	9628716748	
30	Kavishma Yadav	student LL.B 5yr	8840734957	
31	Asha Yadav	student LL.B 5yr	8317062342	
32	Abhivyanjana	Student LL.B 5yr	9950428226	
33	Mansi Shukla	student LLB 5year	8303151224	

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	Name. नाम	Student / Profession	Mobile no. Contract Address	Signature
34	Shiva Tiwari	BALLB	7905675553	Shiva
35	Rohit Nishad	BALLB	9919515935	Rohit
36	Kavita Chaurasia	LLB (3yr) 1st sem	8565061509	Kavita
37	Faiz Ahmad Kidwai	As a Advocate	9369320350	
38	Jagdish Prasad	LLB (3year Ist Sem	9918532720	
39	mukesh Kashyap	L.L.B. (3 year I st	8887862119	mukesh Kr
40	Tejasvi Agrahari	LLB (3yr 1st)	8948002607	Tejasvi
41	Ankit Kumar	student B.A LLB 5th	9793881323	Ankit
42	vidya Sagar yadav	student BA LLB	7525 883979	
43	Deepak Pathak	B.L.L.B 3rd student	6389338239	
44	Vivek kumar gupta	Student BALLB	6307945929	Vivek
45	Pushpendra chauhan	BALLB 5th	7505521623	Pushpendra
46	Manish Kumar	BA LLB 4th sem	770.505.5180	manish
47	Bhupendra Nishad	BA LLB 4th sem	7054870571	Bhupendra
48	Sandeep Kumar Verma	BLSP	8795164624	Sandeep Kumar
49	Yogesh Singh	B.Sc 2 Student	9335927691	
50	Vipin Kumar	Akal abhiyan	9695489127	Vipin Kumar
51	Shahida begum	LLB 3 year	8899747233	Shahida
52	Nahid Begum		8294677167	N
53	Tilak Ram yadav	B.A.LLB	9984250493	
54	Aman Yadav.	B.A.L.L.B	6307446839	
55	Sana Fatima	D.EL.LED	9161902250	Sana Fatima
56	Arjun jaiswal	B.A. LLB	9883636891	Arjun jaiswal
57	Osama Bin Rafeeque	BA 2LB	8129929868	
58	Ramashankar yadav	BA LLB	8550928619	
59	Yash Vardhan Singh	B.A LL.B	9415572006	
60	Mohd Rashid	B.A.LL.B	8795/95018	
61	Rahul Kumar	B.A LLB	8357798661	
62	Suneeta Devi	D.EL.LED	7991822318	
63	Pradeepak yadav	BALLB	9794948665	
64	Naan Singh		7235000540	
65	Anil Verma	BALLB	9838474112	Anil Verma
66	Garima tiwari	BALLB	9956821819	Garima tiwari
67	Mohit Mishra	BALLB	9305465044	Mohit Mishra
68	Abhishek Mishra	B.A.LL.B	6307876194	Abhishek

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	Name	Student/ Profession	Contact No. Address.	Signature
69	Shrabal Prasad Tripathi	B.A. L.L.B	8795221925	
70	Vishal Singh	B.A L.L.B	9555229489	
71	[illegible]	[illegible]	[illegible]	
72	Nandini Tiwari	BA LLB	9799103539	
73	Umera	B.A L-L-B	9628723172	
74	Nausheen fatima	B.A L.L.B	8381948332	
75	Aarifa Siddiqui	B.A. L.L.B	9721695227	
76	Neha Pathak	B.A. L.L.B	8081004427	
77	Anonya Srivastava	B.A. L.L.B	6391211789	
78	Shashi Verma	B.A LLB	9129478028	
79	Sughara Devi	BALLB	7307257564	
80	Sadhna dubey	L.L.B	8601779553	
81	Rarina Chaudhary	B.A.L.L.B	8756129009	
82	Sakshi Rawat	B.A.LL.B	8795548937	
83	Anoop Tiwari	LL B	8601109142	
84	Tannu	B.A LL D	85 28 298554	Tannu
85	Ratna chauhan	L.L.B 1st year	8009313147	
86	Praveen Kumar Verma	BALLB Students	8081677157	Praveen Verma
87	Surya Kumar Yadav	BA LLB	9454396803	
88	SANJAY	B.A LL.B	7395015376	
89	Veerendra Yadav	BALLB	9120906273	
90	Vikhyat Singh	BA.LLB	9792640281	
91	Amarjeet	BA:LLB	7319641927	Amarjeet
92	Dharendra Kumar Yadav	LL.B. 3 year	9394686556	
93	UMESH Yadav	BALLB	9115367474	
94	Preeti Tripathi	B.ALLB - 3 year	8382034572	
95	Mantasha Shakeel	LLB · 3-year	9125762722	
96	Ishika Gupta	BA LLB	9161452565	
97	Adnan Khan	BA LL.B 4 sem	9161799249	
98	Pulkit garg	L.L.B 3 year	6387393761	
99	mohd. Faisal masood	LL.B 5 Year 4th	2081935250	
100	Mohd. Shahid	LL.B 5 Year 4st	8960199662	
101	Vinod Gupta	B.A LLB	6390214542	
102	Ankit singh	BA LLB	6393857?	
103	Shivam Verma	B.A. L.L.B	95 1949 [illegible]	
104	Brij Mohan Verma	LL.B	9557 53966	

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	Name. नाम	Student / Profession	Mobile No. Contract Address	Signature
105	Surbhi Kashyap	L.L.B. 3 Year	9425973115	S.K.
106	Ankita Mishra	L.L.B. 3 year	9984114194	
107	Aman Gupta	L.L.B 3 Year	7007551289	
108	Mohd Amir	B.A. LL.B 5 year	6392545736	Amir
109	Devendra kumar	LLB 3 year	7880360668	
110	Syed Hafiza Gayasi'	L.L.B 3 year	7355294311	Hafiza
111	Syed. Khadeja Waheed	L.L.B 3 year	7355294311	Khadeja
112	Rishabh Mishra	BALLB 5y - 4th sem	6393709269	Rishabh
113	Anuj ku. Shukla	BALLB 5y.	6306782993	Anuj
114	Basant kumar Chauhan	B.L.B. 3 Years	7355696334	B. Kumar
115	Lavkush Mishra	B.A.L.L.B	6393890195	
116	Mo. TABREJ	L.L.B 3 yr	9648160110	
117	देव नारायण [illegible]	[illegible]	6387885683	
118	[illegible]	" "	6393344036	
119	[illegible]	" "	7235857600	
120	Rodi Shukla	"	7607930649	Rodi
121	[illegible]	" "	8808187320	
122	[illegible]	[illegible]	7007760212	
123	[illegible]	"	6397458918	
124	[illegible]	" "	8787207647	
125	[illegible]	"	731818 3395	
126	शिवानी	"	9651628921	शिवानी
127	[illegible]	"	8009199272	
128	[illegible]	"	7355647725	
129	Haidar Ali		9984117045	Raigh
130	Chandra Prakash Verma	Asst - Prof	8004814747	
131	Jagdamba Prasad Tripathi	Asstt. Prof	7985298544	
132	Pawan Mishra	Librarian	9517618592	
133	Farzan	Asst. Prof.	8840442024	
134	Shiksha Shukla	Asst. Prof	8765078650	
135	Nisha Tripathi	Asst. Prof.		
136	Manish Kumar	"		
137	Amit Kumar Srivastava	Asst - Prof	8090591259	
138	Dheerendra rastogi	5 year 1st sem		
139	Abhi rastogi	5 year 1st sem		
	Misba Begum	3 year [illegible] sem		Misba

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	Name	Student	Signature
140	Shruti Nishad	BALLB 5year 9th sem.	Shruti
141	Aseema Jafri	" "	Aseema
142	Tazeen Raza	" "	Tazeen
143	Shagun singh	" "	Shagun Singh
144	Brijesh kumar Singh.		Rajesh
145	Lal Moni Singh	- 9455817795	- Lalmani
146	Himanshu Tripathi	(LLB 3rd) 9721964695	L.L.B. 3 year Himanshu
147	Mohan Ram	9473938893	Mohan
148	Pradeep Kumar Singh	9415719037 B.A.LLB VII Sem	3rd Yr
149	आदित्य श्रीवास्तव	LLB 5th VII 9039360536	
150	Alankrit Jain	3rd VII - 9030400060	Alankrit
151	Rishi Agarwal	3rd VII 8002310510	Rishi
152	संदीप कुमार पाठक	7355162733 3rd	संदीप कुमार पाठक
153	Ahsan Ali	6300215092	Ahsan Ali
154	Alsama Bareen	LLB 3 Year VII	Alsama Bareen
155	दिव्यगुप्ता द्विवेदी	7007793799 3rd VII	दिव्य गुप्ता
156	Anjil Singh	9838046067 LLB	Anjil
157	Ankit Rastogi	7275261290 LLB 3yr	Ankit
158	Raindeen	8795282415 LLB 3	
159	परवीन कुमार	9161521818 LLB 3yr	
160	Arti Chaudhari	9458658594 LLB 3y	Arti
161	समृद्धि सिंह	6388430515 LLB 3y	समृद्धि सिंह
162	Umesh Kumar	9984901942 LLB 3y	
163	नान्दवि गुप्ता	7007099336 LLB 3y.	
164	नान बाबू वर्मा	9125360040 LLB (3y)	नान बाबू
165	Raj dutta verma	6387522206 (LB)	Rajdutta Verma
166	[illegible]	7860477719 (LLB 3y)	
167	रवि शर्मा	8948619191 (LLB 3y)	रवि शर्मा
168	Parasuram	9994332681 (LLB 3y)	Parasuram
169	राजीव दीक्षित	9455596667 (LLB 3y)	Ajeet Singh
170	Amit Kumar Pal	9140292756 (LLB) 3y	
171	Sabir Hussain	7275094036 (LLB 3yr)	Sabir
172	Ekta Nishad	9839754172 (LLB 3yr)	Ekta Nishad
173	Vinod Kumar Singh	9450747524	Vinod

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174	Akmond Kumar Sandhy	BALLB(10 wks)	BALLB(10wks)	Akmd
175	आदिल शाह	9839027961	LL.B. (3y) 6th	आदिलशाह
176	पन्ना लाल मिश्र	9506089250	" "	पन्नालाल
177	जगदीश दीक्षित.	7408904460	BA.LL.B 10th Sem	जगदीश
178	Alok Verma	9186911868	"	Alok Verma
179	Firdos Akhtar	6393587476	LLB 3yr VIth Sem	Firdos
180	सुरज कुमार गुप्ता	9936769662	LL.B 3yr VIth Sem	सुरज
181	Mohan Tiwari	9598090063	BALLB 2nd 10th	Mohan
182	लालबहादुर तिवारी	9721209622	BALLB 10th	लालबहादुर
183	Pratiksha Shukla	07520122773	LLB. 3 Yr 6	Pratiksha
184	Yagya Datt Sharma	9415054151	LL.B 3y VI	Yagya
185	अंशुमान सिंह	9919242133	LL.B 5y X	अंशुमान
186	Vishal dubey.	9721002297	BALLB 10th sem	Vishal
187	Utkarsh Singh	7379863189	5y 10th	Utkarsh
188	Shashi Prabha.	9415054450 9	3y 6th	Shashi
189	Akash Mataholin	9565941450	3y 6th	Akash
190	Hafsa Usmani	6306417719	5y 10	Hafsa
191	Sheeraj Ahmad	9839211412	5y X	Sheeraj
192	अंकुर प्रताप	9838975673	5y VI	अंकुर
193				
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PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022







CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, (CEERA)

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Organizes a

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

under the

Pan India Legal Literacy and Legal Awareness Programme

On

September 30th

Third conclave

Zoom Online

REPORT OF THE PROGRAMME

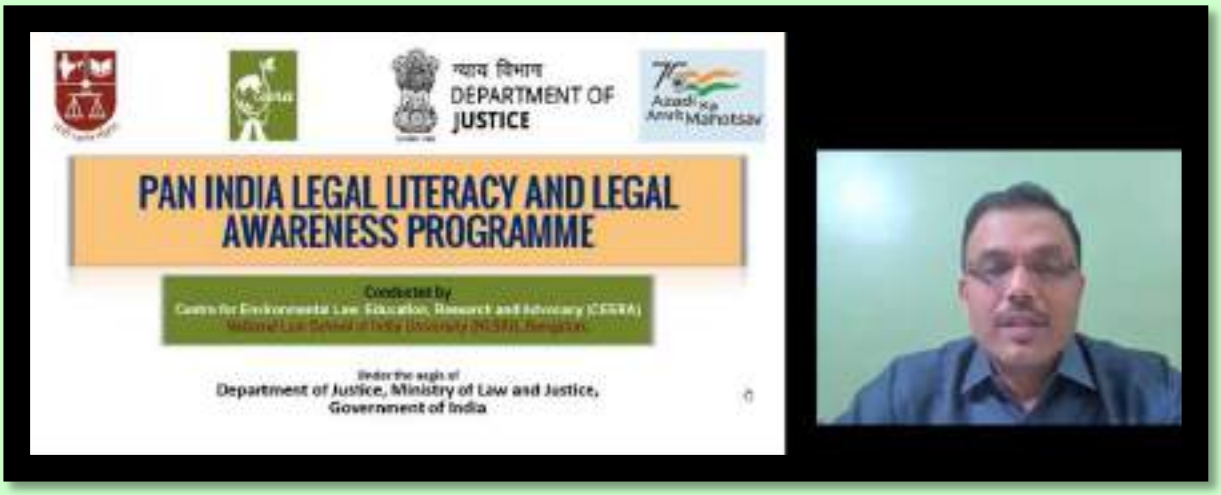
PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022



About CEERA, NLSIU YouTube Channel

The Centre for Environmental Law Education, Research and Advocacy (CEERA) established in 1997 is a research centre that focuses on research and policy advocacy in the field of environmental law. Building an environmental law database, effectively networking among all stakeholders, undertaking training and capacity development exercises, providing consultancy services and building an environmental law community are CEERA's main objectives. It enjoys the support of the Ministry of Environment Forest and Climate Change, Ministry of Law and Justice, International organisations, the Bar and the Bench in India. Center Coordinator: Prof. (Dr.) Sairam Bhat The Channel has been launched by CEERA-NLSIU in pursuance of project granted by Department of Justice, Government of India on "Pan India Legal Literacy and Legal Awareness Programme" under the DISHA Scheme for promoting Digital Legal Literacy and Legal Awareness in India.

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

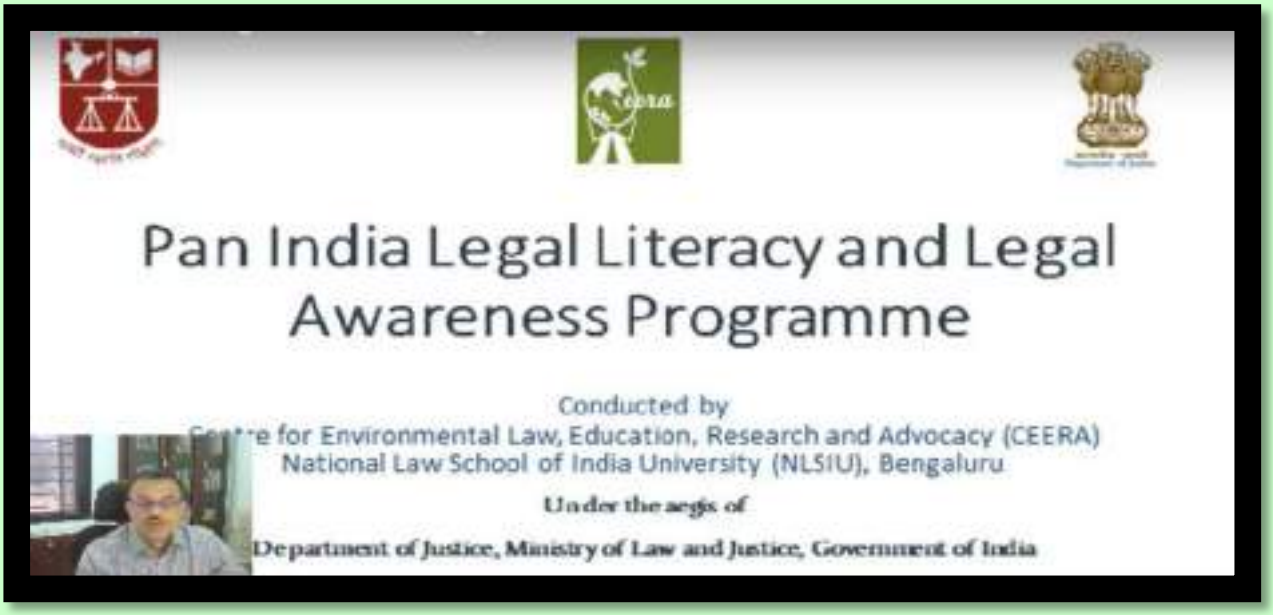


The Department of Justice, Ministry of Law and Justice, Government of India formulated a scheme on Access to Justice named "Designing Innovative Solutions and Holistic Approaches on Access to Justice (DISHA)" for the Year 2021-2026.



PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

DISHA aims to merge different Access to Justice programmes including Pan India Legal Literacy and Legal Awareness Programme. The focus of this programme is to devise tools and methodology enabling the marginalized sections of society to key information and awareness on legal rights, entitlement and Access to Justice issues.



It is a privilege to Centre for Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru for having been selected as the National Agency for Dissemination under the DISHA initiative.

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

Prof VS Mallar Legal Aid Conclave



ABOUT LEGAL AID COMPETITION

A joint initiative by the Centre for Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru and Department of Justice, Ministry of Law and Justice, Government of India

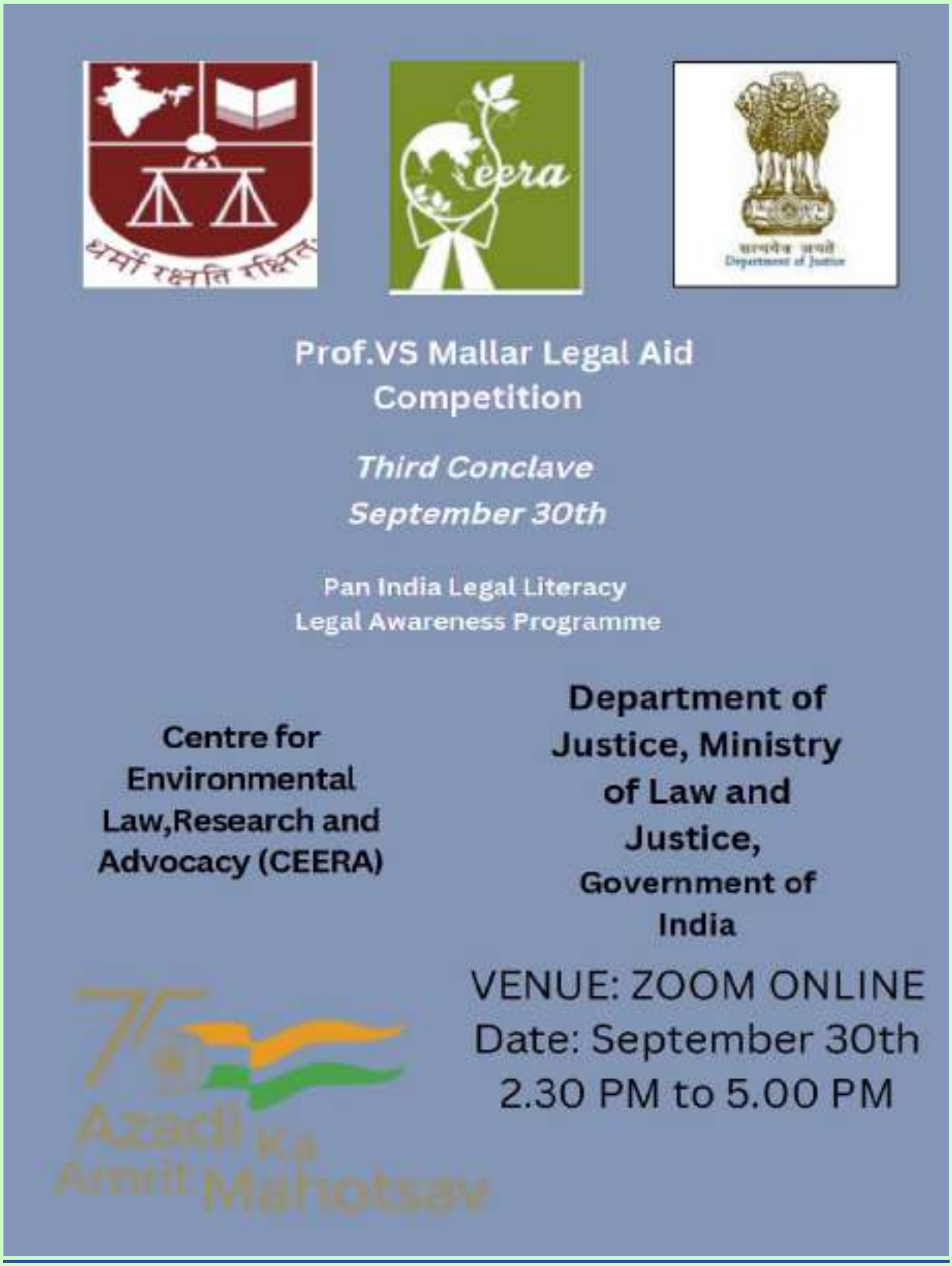
To meet the aspirations of the Government, the DoJ has formulated a coherent scheme on access to justice titled as "Designing Innovative Solutions and Holistic Access to Justice (DISHA)" for the period of 2021-2026. The Scheme of DISHA aims to amalgamate and merge different Access to Justice components being executed by DoJ to bridge the gaps in justice delivery. It serves three key objectives that include providing quality legal aid through different mechanism of Tele-Law, Nyaya Bandhu - Pro Bono Legal Services and Nyaya Mitra programme to make people Legally Literate, bring positive changes in the mindsets and attitudes.

As an implementing agency under this programme, the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru has been granted a Two-Year Project on "Digital Legal Literacy – Dissemination and Assessment".

The project focuses on dissemination of legal literacy and is to be implemented in aspiration districts across 6 States of India namely – Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh and Karnataka. The main objectives of the project include the following:

- Dissemination of the legal literacy on mass level
- Creation of an overall communication strategy including digital/social media platforms
- Strategizing effective and sustainable legal awareness campaigns
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the programme
- Conceptualizing and conducting youth connect workshops by planning events in colleges/schools and institutions

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022



PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

Summary of the Proceedings
Session I
LEGAL AID: PRACTICE AND PROCEDURE

THE SESSION WAS INITIATED BY A PRELUDE TO CONCLAVE BY PROF. SAIRAM BHAT, CENTRE CO-ORDINATOR (CEERA, NLSIU) AND INTRODUCTION TO THE CONCLAVE AND THE FACETS OF COMPETITION WAS BY MS. GAYATHRI GIREESH ADVOCATE, CEERA NLSIU BANGALORE

PROF. BHARAT DESAI (CHIEF GUEST) IS JAWAHARLAL NEHRU CHAIR AND PROFESSOR OF INTERNATIONAL LAW, CENTRE FOR INTERNATIONAL LEGAL STUDIES, SCHOOL OF INTERNATIONAL STUDIES, JAWAHARLAL NEHRU UNIVERSITY.



Prof Bharath Desai began the session with a strong emphasis on saying that Legal aid clinics can be potential tools for legal dissemination. The topics for legal awareness are important matters of everyday relevance. In India where there is extreme poverty and illiteracy, there is necessity of legal aid services to make Justice more accessible. He was very appreciative of the fact that the competition is named after Prof. V S Mallar.

According to him the Legal Aid clinics are powerful tools to teach the legal

instrumentalities. He was also vocal about the fact the National Educational Policy (NEP) must design courses to teach legal instrumentalities. The legal aid awareness programs and clinics must be designed in a way to prepare basic tools, and literature to be made available in regional languages.

The topics like Environment aspects, food adulteration, consumer education, marital rape, Sexual violence (reported, prosecution, conviction) and gender violence are very relevant even today and awareness is the most important thing The suicide rates are as high as 36% in India, the incidents of child abuse are also increasing. The other most relevant and contemporary factor has been the NRI marriages, human genital mutilation and bodily integrity. Women empowerment aspects in such instances must be of utmost importance. The NCW must be assisted with proper research and data by the legal aid services and clinics. The highlights of the session by the learned Professor was that he laid more emphasis on legal dissemination aspect in regional languages and more research work on the important topics on women empowerment.

DR. SHASHIKALA GURPUR IS THE DIRECTOR SYMBIOSIS LAW SCHOOL PUNE DEAN AT THE SYMBIOSIS INTERNATIONAL (DEEMED UNIVERSITY) AND IS ALSO THE JEAN MONNET CHAIR PROFESSOR (EUC-LAMP-CO FOUNDED BY EU)



PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

Dr. (Mrs.) Shashikala Gurpur a distinguished academician, is a votary of Gender Reforms Having worked with Prof. Madhav Menon and Prof. V S Mallar she was reminiscence of the fact of an important term “intellectual philanthropy”. The revered professors made prominent efforts to accentuate both Financial sustainability and legal literacy. She recollected her works with Prof Mallar and said that professor Mallar had an immense passion to do good and had welfare motive toward the people

Prof. Shashikala made an observation which is so vital in training the legal aid volunteers is that “Institutionalizing rather than individualizing”. She said she believed in energizing the world of legal literacy. Quoting Upendra Baxi, ”Intelligent mind is required for socialism” which percolates to mean that meaningful socialism is effective with its effective implementation. There are numerous aspects which requires student’s response factor to human sufferings and channelizing to social good catering to underprivileged. The rule of law index and right to access to justice are part of legal awareness initiatives. On such basis the Symbiosis college has designed a mandatory course on developmental lawyering having aspects of Learning by doing Problem solving methods, Capacity building to students, Spiritualisms service and care, thereby bringing them to the core consciousness raising and learning. The aspects of Rape victims and community based law reforms must have new approach to make it more humane in nature. Professor made an important observation stating vulnerability is money and status independent and therefore the approach to assist the victims must have humane touch

The highlights of an experienced talk were that the legal aid must also be legal care, inspiring the younger generation. The dedicated teachers and students can certainly bring about a policy and pedagogical reforms

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

SHRI ASHUTOSH SRIVASTAVA is a Programme Manager, Legal Literacy Programme, DOJ- GOI DISHA SCHEME



Acknowledging and congratulating the CEERA NLSIU in its efforts and initiatives in the legal aid awareness programs and the competition Ashutosh Srivastava, narrated a few incidents of his acquaintances and experiences of the legal aid program.

In 2009, few initiatives of models for upscaling and amplifying skills for students to work in legal Aid services were made. In North Eastern states there were many access to justice programs. There were 158 legal Aid clinics catering to many aspects of legal aid. In one of the incidents where the CJI Dipak Mishra was involved he explained how a case of old age pension was solved by the then Honorable CJI, in a place called Jankia in Orissa where there was a camp consisting of the officers of the NLSA authority, Senior Police officers of the District, District Collector and the Block Development officer. In the place of Jankia, there are 3 legal aid clinics and around 70 cases of grievances, rights and entitlements have been resolved

The legal aid clinics must stress upon becoming more sustainable, continuous and work as a support system to formal justice system. Village Adalats, Jan Sunwai

are important and effective programs.

In another example, he mentioned the importance of representation rights. In some places where the law students and professors in the legal aid clinics making efforts to resolve the case, they also must have Representation rights

In another training program, there was an assignment which includes to research on information in newspapers regarding the heinous crimes. The front page article reporting of such crimes had to be researched upon and provide the data. This task was very effective and created an awareness about the forms of crimes in the society and the ways to solve them. The highlights of the talk was the sustainable nature of the legal aid clinics are to be implemented in many parts of the country

SESSION II: LEGAL AID CLINICS AND LEGAL LITERACY

DR. UDAY SHANKAR IS A REGISTRAR AND PROFESSOR
HIDAYATULLAH NATIONAL LAW UNIVERSITY AND A DISTINGUISHED ACADEMICIAN



Dr. UdayaShankar laid emphasis on an effective and meaningful branding of legal aid services. The branding requires intended targets and providing targeted reliefs. Usually the targets are marginal community having least access to forma

justice system. The intended services should include strategies for effective resolution. The Legal Aid clinics must necessarily cater to those cases which are elementary, the aggrieved parties should get relief. Research in such elementary cases should be made so that access to justice is meaningful. The students and research community must aggressively take up legal aid research activities of elementary cases. This creates a compelling atmosphere where there is decentralized justice mechanisms in working. It is the responsibility of government and the authorities for making conducive atmosphere for such research oriented programs. The highlight of the session was the necessity of branding the legal aid services to make it more approachable

DR. AVINASH. S. BHAGI IS AN ASSISTANT PROFESSOR OF LAW
GUJARAT NATIONAL LAW UNIVERSITY AND A DISTINGUISHED PROFESSOR AND ACADEMICIAN



Dr. Avinash Bhagi Emphasized on Empirical research, critical approaches to the underlying factors of ground realities of legal aid clinics and make efforts for effective functioning.

The constitutional provisions for legal aid are numerous. Equal justice and access to justice in its very sense is a fundamental right. The structure is provided by the

National level to taluka level. There are various rules and regulations in the legal services authority and also made by BCI. There must be awareness of existence of such provisions. The villages, rural areas must be aware of schemes like Disha, Nyaya Bandu and Tele law

Legal aid clinics to be like medical clinics, visible and functioning. They should be like care and support centers. The educational institutions must develop and design structure to cater to protection homes, Juvenile homes. Police station and Jails are the most important places where the legal aid is required. The legal aid volunteers must help the victims in need and assist them in Legal drafting services. The highlight of the session was that the professor said unequivocally that "there is existence of law in books, what is required now is law in practice"

DIVYDITYA KOTHARI IS THE DIRECTOR: RENAISSANCE UNIVERSITY,
FOUNDER: RENAICON ADVISORY AND RESEARCH LLP,
EXCLUSIVE EMPRESS PVT. LTD



Academician and entrepreneur in education field and Skill building, Adolescence training and Counselling, He emphasized the necessity of skill building in the legal aids clinics. There must be empanelment of psychologist especially in family matters. The efforts must be made to meet the intent of justice. The skills of legal aid volunteers must also be rewarded and recognized. Mentioning the importance of training and skill about a program, fortnightly conducted for CA

and the condition was that there must be two interns with every CA so that skill is imparted on them. As a result, 73 students placed in law firms. Legal aid clinics are brilliant tools and approaches for access to justice initiatives. Skill development is very necessary for legal volunteers to approach and learn the process of problem solving methods. The highlight of the session was the necessity of skill building in the legal awareness trainings

LEGAL LITERACY AND LEGAL AWARENESS INITIATIVES

DR. TARANATH IS THE PRINCIPAL/ CHAIRMAN
SHRI DHARMASTHALA MANJUNATHESWARA
LAW COLLEGE, MANGALORE



SDM trust has always been service oriented. The legal aid services have been undertaken by the SDM law college. The para legal volunteers have been given training with many aspects of legal aid services. The motto of the clinics should be that Ignorance of law is no excuse and very society must be legally vigilant society. There must be a clarion call to train the students to have Passion, compassion, empathy and sympathy, with the touch of spiritualism. The student's orientation begins from an entrance test. The test is about knowledge of vernacular language, psychology, legal and service mindedness. the training involves efforts from Students to have community approach and institutions oriented to facilitate the learning process. Camps across organized across the

borders with the college students belonging from different states

Topics are various including medical negligence, torts, consumer rights and awareness. Street plays, law stalls, pamphlets, literature translation to kannada are parts of legal aid learnings.in association with NGO there are legal awareness programs in public gathering. In schools and colleges Legal information and orientation are done by the PLV regarding Rules regulations of legal aid availability, driving licence, Cyber law in school's awareness among school students regarding the usage of internet and safety matters

The workshops to unorganized sectors are regularly conducted involving the Students of MSW, social science, The SDM legal volunteers have organized Fundamental duties campaign, the, civil judges training program which are effective in legal dissemination aspects. The highlight of the session was that in the SDM law college the students are trained from the beginning to have service oriented approach.

DR. DEEVANSHU SRIVASTAVA IS THE HEAD AT FACULTY OF LAW,
JAGRAN LAKE CITY UNIVERSITY



In association with the BCI and NALSA the legal aid training and awareness camps were organized in the, nearby villages of the University which

is also nearby to the National park to create awareness programs. In the Village of Dindora, legal service clinics on IPR programs and Village grams were organized. The skills of Bamboo byproduct making and the art of Block printing was recognized to help them providing market for their products. The awareness program was made to have Village farming market. Usage of coconut shells for planting trees as an alternative to plastic bags were made in the rural areas and in the nurseries. This innovative method was initiated so as the be more environmentally conscious training program.

The one district one product was made aware to the villagers and along with that the geographical indication tag was also made known to them. In this regard Draft proposal and policy papers were submitted to the government through the institution and Legal Services Authority. The efforts to make futuristic dispute resolutions practical was laid emphasis involving District, Retd HC judge
Panel of Judges to have legal aid clinics on a regular and continuous basis Having taken inspiration from CEERA on expanding horizons on activities events with MNCs nearby like HEG, P&G industrial areas of Bhopal were organized so that there is an awareness on guidelines, rules and regulations on workplace, Sexual offences, Pocso and child rights. The social and legal aspects of Minors and the, bus drivers who are into violative of minors, the awareness was made through schools and colleges. The highlights of the session was that the rural people were made aware of their community and IPR rights through the legal aid camps

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SHRUTHI PRABHAKAR IS AN ASSISTANT PROFESSOR
CHRIST ACADEMY INSTITUTE OF LAW

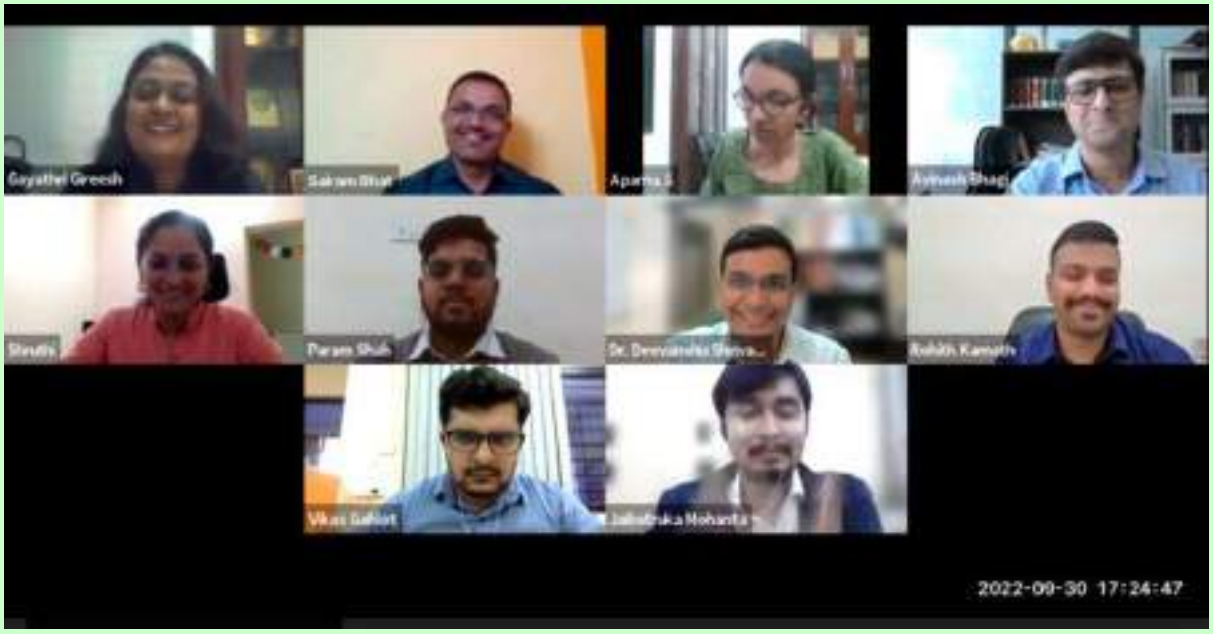


The legal aid programs in the Campus and also in the villages adopted by the college in the identified areas has been organized as part of the Legal literacy campaigns. The importance of inculcating Social and Service mindedness in the students has been in the initial semesters as part of the curriculum. The programs are long-term, involving the research and literature development. The Students are made to work on research the important areas legal awareness. The students are encouraged to intern and work in the government approved projects which are important areas of legal dissemination. The Radio programs are also effective ways of reaching to the people. The concept of helpline numbers to reach to the people can be another important aspect in awareness building programs

The highlight of the session was that the research and data development is made in regional languages so as to be made reachable in the rural areas.

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VOTE OF THANKS WAS MADE BY MS. APARNA S
RESEARCH FELLOW, CEERA NLSIU, THANKING THE DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA, CEERA TEAM, THE RESOURCE PERSONS, THE TEAMS REGISTERED FOR THE COMPETITION, FACULTY CO-ORDINATORS AND THE PARTICIPANTS.



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Names of the participating colleges

V.M. Salgaocar College of Law
University Five Year Law College, University of Rajasthan, Jaipur
Chanderprabhu Jain College
Des Shri Navalmal Firodia Law College, Pune
Faculty of Law, Jagran Lakecity University, Bhopal
Vikash Law School, Bargarh
Mar Gregorios College Of Law
Maharashtra National Law University, Mumbai
Dharmashastra National Law University, Jabalpur
Arunodaya Institute Of Legal Studies
Sri Jagadguru Renukacharya College of Law Bangalore
School Of Legal Studies, Cochin University Of Science And Technology
CMR University School Of Legal Studies
Ramaiah College of Law
Bennett University
Institute of Law, Nirma University, Ahmedabad, Gujarat
Vivekananda Institute of Professional Studies
K L E Society's Law college Bengaluru
School of Law, Presidency University,Bengaluru
Lloyd Law College, Greater Noida
The National University of Advanced Legal Studies
The NorthCap University, Gurugram, Haryana
Central University of Punjab, Bathinda, Punjab
NMIMS Kirit P. Mehta School of Law, Mumbai

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

Narayan school of law, Gopal Narayan Singh University
Tamil Nadu National Law University
JECRC University, Jaipur
Symbiosis Law School Pune
Dr.Ram Manohar Lohia College of Law, Bangalore.
University Law College and Department of studies in law, Bangalore University
Narsee Monjee Institute of Management Studies (NMIMS)
Dr. Ram Manohar Lohiya National Law University, Lucknow
Christ Academy Institute Of Law, Bangalore
Department of Law, Vishwakarma University, Pune
Manipal University Jaipur
School of Law, CHRIST(Deemed to be University)
Saveetha School of Law, Chennai
IFIM Law School, Bengaluru
Hamdard Institute Of Legal Studies And Research, The School Of Law, Jamia Hamdard
JSS LAW COLLEGE
Sardar Patel Subharti Institute of Law, SVSU, Meerut
University School of Law and Legal Studies, GGSIPU
Hidayatullah National Law University
Amity Kolkata
National Law Institute University, Bhopal
Shri Dharmasthala Manjunatheshwara Law College Centre for Post Graduate Studies and Research in Law
Renaissance Law College, Indore
National Law University, Jodhpur
Raja Lakhamgouda Law College, Belagavi

One-Day Legal Literacy and Legal Awareness Workshop, Ghaziabad

organized by

Kamkus College of Law Ghaziabad

in association with

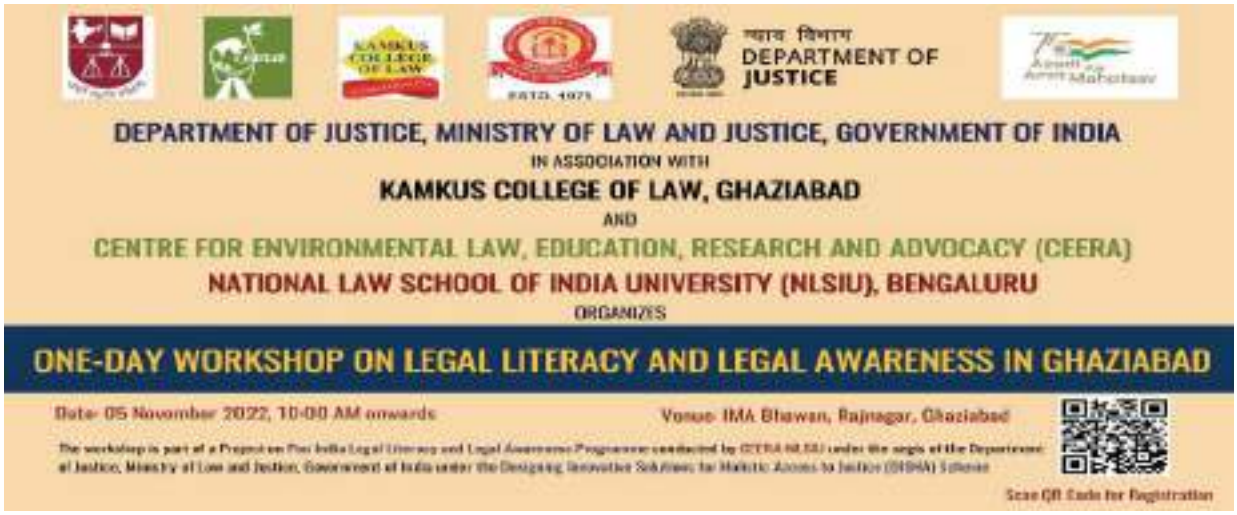
Centre for Environmental Law, Education, Research & Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru

and

Department of Justice, Ministry of Law & Justice, Government of India

Saturday, November 05, 2022

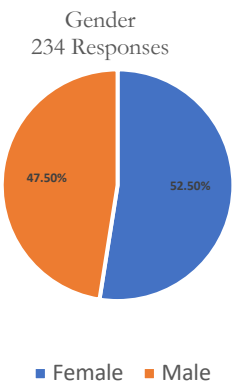
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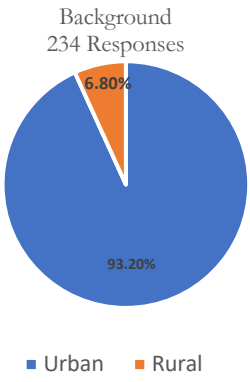


ABOUT THE WORKSHOP

The **One-Day National Workshop on Legal Literacy and Legal Awareness in Ghaziabad** was organised on the **November 05, 2022** under the aegis of Department of Justice, Ministry of Law and Justice, Government of India by Kamkus College of Law, Ghaziabad in association with the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University, Bengaluru (NLSIU). The Workshop is a part of Two-year Project titled "Pan India Legal Literacy and Legal Awareness Programme" granted to CEERA-NLSIU by the Department of Justice, Government of India under the Designing Innovative Solutions and Holistic Access to Justice (**DISHA**) Scheme. The Workshop was organised at the Indian Medical Association Bhavan, Ghaziabad.

The workshop was attended by 234 registered participants. The list of participants is appended to this Report as **Annexure I**. Out of the **234** registered participants 52.5% were Female and 42.5 % were Male. 93.2% percent of the participants were from urban background while 6.8% were from rural background.





SUMMARY OF THE PROCEEDINGS

The workshop was given an auspicious beginning with a lighting of lamp ceremony and S*araswati Vandana* by the esteemed guests and speakers. This was followed by a welcome address by **Mr. Kirtikar Sukul**, Advocate, Supreme Court of India and consultant Ministry of Home Affairs, Government of India. He commenced his address by welcoming esteemed panellists and participants to the Workshop on Legal Literacy and Legal Awareness. Mr. Sukul highlighted the importance of legal literacy and awareness in today's day and age. He also emphasised on the need of Workshops in providing the last-mile awareness to the people and taking legal literacy where it counts the most.



Hon'ble (Dr.) Justice Kaushal Jayendra Thaker, Judge, High Court of Judicature at Allahabad, was the Chief Guest of the inaugural session of the Workshop. Justice Thaker addressed the gathering through a video-conference. His lordship underscored the importance of such workshops in cultivating an environment of legal awareness and literacy. He articulated the importance of legal literacy in clearing the pendency of cases before the constitutional courts of the country. His lordship deliberated on fundamental rights and focused on right to life, under article 21 of the Constitution and its enforcement. His lordship asserted that access to justice is the responsibility of everyone connected to the legal profession, and articulated the need for student led legal aid bodies to reach grass root level. Further, his lordship highlighted how the subject of environment law was only introduced as a study area for law graduates after the major conferences based on environmental law and practice. This only goes to prove that the landscape of legal studies is ever-changing, which requires the legal aid and awareness campaign to also be dynamic.



The esteemed guests on the panel joined the Chief Guest Justice Thaker in launching a special issue of the Kamkus Law Journal emphasising on "Environmental Law and Policy".



Prof. (Dr.) Anurag Deep, Professor of Law, Indian Law Institute, New Delhi, in his address deliberated upon the need for legal literacy based on the principle that "knowledge leads to access". He underscored that the principle "ignorance of law is not an excuse anywhere in the world", but even the best of legal professional are not aware of all the laws. However, a responsible citizen is required to know basic essence of laws, especially those affecting them. Professor Anurag Deep gave example of the *Shreya Singhal* judgement which declared section 66A of Information Technology Act, 2000 unconstitutional but the police continue to file FIR under this section. He emphasized that legal literacy is not only the legal requirement but it is the duty of everyone to literate themselves and others which happens to be a Fundamental duty under Article 51 clause (h) of the Constitution of India.



Shri Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, Department of Justice, Government of India deliberated about the Department of Justice's project on Access to Justice and Legal literacy. He talked about their flagship project 'DISHA' which is focussed on legal literacy and awareness of the masses. He discussed the main facets of the projects like pan-India legal literacy programme. He talked about the Tele-Law programme, in which, you can put your dispute and a legal practitioner would connect with you. He articulated the need for legal practitioner to take up *pro-bono* cases for providing legal aid to poor, disadvantaged and indigent persons. He also stated that many ministries are working together for electoral literacy. He emphasised the need of para legal workers to whom he referred to as 'Social Compounders', to reduce pendency of work in court, and an option of alternative resolution of dispute should be given priority to increase the rate of conviction which will lead to quality of Justice. In his speech, he promoted the slogan E1T10 which means that Each one should teach 10 students to make the society legal disputes free.



Prof. (Dr.) Sairam Bhat, Professor of Law & Co-ordinator, CEERA, NLSIU commenced his address by emphasizing that the aim of Legal aid and awareness should be preventive in nature and not remedial. He eloquently stated the vision of CEERA on legal awareness and literacy coupled with importance with the current outreach programme. He made the workshop interactive by addressing a few questions to the audience. Professor Bhat emphasized upon the need for legal aid and awareness amongst the masses. He pointed out that legal awareness is important for any and every facet of our lives from food to medical aid. He also cautioned against equating literacy or formal education with legal literacy. Prof. Bhat also highlighted the need of FSSAI certifications required for Street Food Vendors under the FSSAI Act.



Mr. Vikas Gehlot, Teaching Associate, CEERA- NLSIU gave a presentation on the Consumer Protection Act, 2019. He discussed about the definition of consumer under the Consumer Protection Act, 2019.He discussed the contract law principle that third parties to a contract cannot sue, however, the Consumer Protection Act is an exception as just the use of a product or service, entitles you with the right to sue. He discussed the various malpractices like unfair contract/ unfair trade practise, defective goods, excessive price, and hazardous goods and hazardous service offered for sale, all amount to liability under the Act. He also discussed about the grievance redressal mechanism under the Act and emphasised on the complaint through online portal. Lastly, Mr. Vikas made the participants aware about the National Consumer Helpline by Department of Consumer Affairs, Government of India and CEERA pro-bono helpline number so that legal aid could be provided to the needy people.



Dr. Anita Yadav, Assistant Professor, Campus Law Centre, Faculty of Law, University of Delhi, started with a few curious questions from the participants and made it an interactive session. She talked about the purpose of legal aid and the role of clinical legal education in achieving the access to justice. She emphasised that legal aid is not a charity or a chance, but it is constitutional commandment and statutory imperative on state under Article 39A of the Constitution of India. Dr. Yadav discussed about the importance of legal aid in context of cyber-crimes that are affecting the people at large. She

also made the participants aware of how a complaint can be filed on National Cyber Crime Reporting Portal.



The Chief Guest for the valedictory session **Shri Jitendra Kumar Sinha**, Hon'ble District Judge, Ghaziabad highlighted the role of law students in providing legal aid to needy people thereby providing smooth access to justice to the people. He congratulated the organizers for organizing such a workshop in Ghaziabad and emphasised on the fact that such workshop would inculcate necessary skills in the students and motivate them to work for the social causes.



Dr. Sanjeev Kumar Tyagi, Principal, Kamkus College of Law, gave the vote of thanks. On behalf of the Kamkus College of Law, he thanked all the guests for gracing the occasion. He thanked the Department of Justice, Government of India and CEERA-NLSIU for their support in organizing the workshop. He praised the faculty members of the college for their efforts which resulted in the smooth functioning of the workshop. Lastly, he thanked the participants for their active participation.






Launch of a Special
Issue of the Kamkus
Law Journal
on
"Environmental
Law and Policy"
ND JUSTICE, GOVERNMENT OF INDIA
KAMKUS COLLEGE OF LAW


OF LAW AND JUSTICE, GOVERNMENT OF INDIA
ASSOCIATION WITH
S COLLEGE OF LAW
AND
EDUCATION, RESEARCH AND ADVOCACY (CEERA)
IU), BENGALURU
ORGANIZES
AWARENESS








DEPARTMENT OF JUSTICE, MINISTRY OF
KAMKUS COLLEGE OF LAW
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU
ONE-DAY WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS IN GHAZIABAD
DEPARTMENT OF JUSTICE
KAMKUS COLLEGE OF LAW


ORTHOPAEDIC CLUB AUDITORIUM

ANNEXURE – I

LIST OF PARTICIPANTS

S. No.	Full Name	Name of the Institution
1	Ajit Seth	Shiv Nadar University
2	Aakash Kumar	Kamkus College of Law
3	Aarti Yadav	Kamkus College of Law
4	Aastha	Kamkus College of Law
5	Aayushi Pal	Kamkus College of Law
6	Abhay Gupta	Kamkus College of Law
7	Abhishek Kumar	Kamkus College of Law
8	Abubakar T.M.	Ans SirdMyruru
9	Adnan Khan	Kamkus College of Law
10	Akansha Singh	Kamkus College of Law
11	Akhlaq Ahmad	Kamkus College of Law
12	Alka Anand	Kamkus College of Law
13	Aman Kumar	Kamkus College of Law
14	Anchal Dubey	Kamkus College of Law, Ghaziabad
15	Anita	Kamkus Law College
16	Anjali	Kamkus College of Law
17	Ankush	Kamkus College of Law
18	Annapurna Dayyala	Kamkus College of Law
19	Anshika Sharma	Kamkus College of Law
20	Anup Kumar Rao	Kamkus College of Law
21	Archit	Kamkus College of Law
22	Arjun	Kamkus College of Law
23	Arjun Kumar	Kamkus College of Law
24	Asha	Kamkus College of Law
25	Asha Rani	Kamkus College of Law
26	Bhawna Kaushik	Kamkus College of Law
27	Chetna	Kamkus College of Law
28	Chhavi Panwar	Kamkus College of Law
29	Dalip Thawani	Kamkus College of Law
30	Daya Wati	Kam Kus Law College
31	Deepak Gupta	Kamkus College of Law
32	Deepak Mishra	Kamkus College of Law
33	Deepak Saklani	Kamkus College of Law
34	Deepanshu Gupta	KaAMKUS Collage Of Law
35	Deepika Sirohi	Kamkus College of Law
36	Devraj	Kamkus College of Law
37	Dimple Sharma	Kamkus College of Law
38	Divya	Kamkus College of Law
39	Divyanshi Tiwari	Kamkus College of Law
40	Dr. Seema Singh	Kamkus College of Law , Ghaziabad
41	Durga	Kamkus College of Law
42	Durgawati Pal	Kamkus College
43	Garima Ahuja	Institute Of Company Secretaries Of India

44	Gaurav Anand	Kamkus College of Law
45	Gaurav Kumar	Kamkus College of Law
46	Hamza	Kamkus College of Law
47	Hari Shankar Tiwari	Kamkus College of Law
48	Harleen Kaur	Kamkus College of Law
49	Harshit Bhatti	Kamkus College of Law
50	Harshita Goswami	Kamkus College of Law
51	Harshita Sharma	Kamkus College of Law
52	Himanshi	Kamkus College of Law
53	Himanshu	Kamkus College of Law
54	Iram	Kamkus College of Law
55	Isha Chaudhary	Kamkus Law College
56	Isha Katara	Kamkus College of Law
57	Islamuddin Saifi	Kamkus College of Law
58	Kajal Chaudhary	Kamkus College of Law
59	Kanchan	Kamkus College of Law
60	Kashish Verma	Kamkus Law College
61	Khushboo Yadav	Kamkus College of Law
62	Khushi	Kamkus College of Law
63	Khushi Wadhwa	Kamkus College of Law
64	Kishita Naik	Kamkus College of Law
65	Km Sushma Verma	Kamkus College of Law
66	Kohina Garg	Kamkus College of Law
67	Kritika Jain	Kamkus College of Law
68	Kuldeep	Kamkus College of Law
69	Kunal	Kamkus College of Law
70	Kunal Kumar	Kamkus College of Law
71	Kunal Kumar	Kamkus Collage Of Law
72	Kunal Saxena	Kamkus College of Law
73	Lakshya Verma	Kamkus Law College
74	Larani	Kamkus College of Law
75	Laxmi Kant Sharma	Kamkus College of Law
76	Laxmi Tiwari	Kamkus College Ghaziabad
77	Lovely	Kamkus College of Law
78	Man Mohan Sahni	Kamkus College of Law
79	Manik Mittal	Manik Mittal
80	Mann Yadav	Kamkus College of Law
81	Manoj Kumar Sharma	Kamkus College of Law
82	Mansi	Kamkus Law College
83	Mansi Giri	Kamkus College of Law
84	Mansi Sharma	Kamkus College of Law
85	Mansi Shukla	Kamkus College of Law
86	Mayank	Kamkus College of Law
87	Mayank Tyagi	Kamkus College of Law

88	Md Faizur Rahman	Kamkus College of Law
89	Meghna Chauhan	Kamkus Law College
90	Meghna Singh	Kamkus College of Law
91	Mehran	Kamkus College of Law
92	Mirnal Singh	Kamkus College of Law
93	Mohammad Shish	Kamkus College of Law
94	Mohd Anas	Kamkus College of Law
95	Mohd Monis	Kamkus Law College
96	Mohd Umar Ali	Kamkus College of Law
97	Mohd Zaki Saifi	Kamkus College of Law
98	Mohini Sharma	Kamkus College of Law
99	Mohsin	Kamkus College of Law
100	Monu Sharma	Kamkus College of Law
101	Mukul Kumar	Kamkus College of Law
102	Muneer Ahmed	Kamkus College of Law
103	Muskan	Kamkus College of Law
104	Muskan Alvi	Kamkus College of Law
105	Naman Dutta	Kamkus College of Law
106	Nandani	Maitreyi College Delhi University
107	Naresh Kumar	Kamkus College of Law
108	Naveen Singhal	Kamkus College of Law
109	Nazine	Kamkus College of Law
110	Nazneen	Kamkus College of Law
111	Neelam	Kamkus College of Law
112	Neelam Tripathi	Kamkus College of Law
113	Neelima Agarwal	Kamkus College of Law
114	Neetu Mankotia	Kamkus College of Law, Ghaziabad
115	Neha Kumari	Kamkus College of Law
116	Neha Pal	Kamkus College of Law
117	Neha Sharma	Kamkus College of Law
118	Nekpal	Kamkus College of Law
119	Niharika M	Kamkus College of Law
120	Nikhil Kumar	Kamkus College of Law
121	Nilima Sharma	Kamkus College of Law
122	Nirmit	Kamkus College of Law
123	Nisha	Kamkus College of Law
124	Nisha Raikwar	Kamkus College of Law
125	Nishant Tyagi	Kamkus College of Law
126	Nitin Khanna	Kamkus College of Law
127	Noman Khan	Kamkus College of Law
128	Pallavi	Kamkus College of Law
129	Parvi Kapoor	Kamkus College of Law
130	Pawan Kumar Rai	Kamkus College of Law
131	Payal	Kamkus Law College
132	Pooja Bhargav	Kamkus College of Law

133	Pooja Sharma	Kamkus College of Law
134	Pradeep Kumar Jha	Kamkus College of Law
135	Pranit Visiyait	Kamkus College of Law
136	Prateek Kumar Tyagi	Kamkus College of Law
137	Praveen Kumar	Kamkus College of Law
138	Preeti Singh Raghav	Kamkus College of Law
139	Pritam Kumar Singh	Kamkus College of Law
140	Priyanka Rana	Kamkus College of Law
141	Priyanshi Tripathi	Kamkus College of Law
142	Pushkar	Kamkus College of Law
143	Pushkar Jain	Kamkus College of Law
144	Ragini Chauhan	Kamkus College of Law
145	Rajan	Kamkus College of Law
146	Rajat	Kamkus College Of Low
147	Rajat Goswami	Kamkus College of Law
148	Rajeev Gupta	Kamkus College of Law
149	Rajnesh	Kamkus College of Law
150	Raka Medhavi	Aligarh Muslim University
151	Ramandeep Tyagi	Kamkus College of Law
152	Ranbir Thakur	Kamkus College of Law
153	Renu Kumari	KamcusCollege Of Law
154	Richa Agnihotri	Kamkus College of Law
155	Richa Kasana	Kamkus College of Law
156	Richa Srivastava	Kamkus College of Law
157	Ritik Kumar	Kamkus College of Law
158	Ritika Singh	Kamkus College of Law
159	Rohit Jain	Kamkus College of Law
160	Roshan Fazil	Kamkus College of Law
161	S K Jha	Kamkus College of Law
162	Sachin	Kamkus College of Law
163	Sachin Jha	Kamkus College of Law
164	Saksham Batra	Kamkus College of Law
165	Samishtha Diwakar	Kamkus College of Law
166	Saniya	Kamkus College of Law
167	Sanjay Gupta	Kamkus College of Law
168	Sanjay Tyagi	Kamkus College of Law
169	Sarvesh Tyagi	Kamkus College of Law
170	Satya Jeet Sahu	Kamkus College of Law
171	Saurabh Kaushik	Kamkus College of Law
172	Saurabh Suman	Campus Law Centre, University Of Delhi
173	Shahid Alvi	Kamkus College of Law
174	Shailesh Rustagi	Kamkus College of Law
175	Shakeena Nisha	Kamkus College of Law
176	Shelly Sharma	Kamkus College of Law
177	Shipra Tyagi	Kamkus College of Law

178	Shiv Prakash	Kamkus College of Law
179	Shivani Singh	Kamkus Collage Of Law
180	Shruti Mohanty	Kamkus College of Law
181	Shubham Verma	Kamkus College of Law
182	Shweta Naik	Kamkus College of Law
183	Sofiya Choudhary	Kamkus College of Law
184	Somya Joshi	Kamkus College of Law
185	Sudhir Kochhar	Kamkus College of Law
186	Syeda Aaliya Fatima	Kamkus College of Law
187	Tabassum Baig	Kamkus College of Law
188	Tabish Hasan Rana	Kamkus College of Law
189	Tamanna Sehrawat	Kamkus College of Law
190	Tannu Sharma	Kamkus College of Law, Ghaziabad
191	Tarun Dagar	Kamkus College of Law
192	Tashu Sisodia	Kamkus College of Law
193	Tripti Bansal	Kamkus College of Law
194	Tripti Bhardwaj	Kamkus College of Law
195	Tulsi Sharma	Kamkus College of Law
196	Vaibhav Agarwal	Kamkus College of Law
197	Varshika Baliyan	Kamkus College of Law
198	Vartika Agnihotri	Kamkus College of Law
199	Varun Parashar	Kamkus College of Law
200	Vidushi	Kamkus College Of Ghaziabad
201	Vijay Kumar	Kamkus College of Law
202	Vikas Jha	Kamkus College of Law
203	Vikas Kumar	Kamkus College of Law
204	Vinay Singh	Kamkus College of Law
205	Vivek Prasad Bhatt	Kamkus College of Law
206	Arpit	Kamkus College of law
207	Yash Sharma	Kamkus College of Law
208	Yashi Pandey	Kamkus College of Law
209	Yoginder Sagar	Kamkus College of Law
210	Yuvraj	Kamkus College of Law
211	Zoya Parveen	Kamkus College of Law
212	Nikita Nagar	Bhagirath Public School
213	Alfiza Ahmad	Bhagirath Public School
214	Saniya Sheikh	Bhagirath Public School
215	Payal Tyagi	Bhagirath Public School
216	Monika Bajpai	Bhagirath Public School
217	Aliya Khan	Bhagirath Public School
218	Alvika Sharma	Bhagirath Public School
219	Srishti Saxena	Bhagirath Public School
220	Parul Chaudhary	Bhagirath Public School
221	Devraj Sharma	Bhagirath Public School
222	Ansh Khandelwal	Bhagirath Public School

223	Jayesh Bhardwaj	Bhagirath Public School
224	Neha Kumari	Bhagirath Public School
225	Abuzar	Bhagirath Public School
226	Parul Nagar	Bhagirath Public School
227	Nikita Nagar	Bhagirath Public School
228	Alfiza Ahmad	Bhagirath Public School
229	Saniya Sheikh	Bhagirath Public School
230	Payal Tyagi	Bhagirath Public School
231	Monika Bajpai	Bhagirath Public School
232	Nidhi Sharma	Bhagirath Public School
233	Aastha Rawat	Bhagirath Public School
234	Rudra Chaudhary	Bhagirath Public School

SCHEDULE OF THE EVENT

COMMEMORATION OF THE CONSTITUTION DAY

and

ANNOUNCEMENT OF RESULTS FOR PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

organised by

Centre For Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru

In association with

Arunodaya Institute of Legal Studies, Bengaluru

DATE: NOVEMBER 26, 2022 (Saturday)

VENUE: Conference Hall, Training Centre, NLSIU, Bengaluru.

COMMEMORATION OF THE CONSTITUTION DAY AND ANNOUNCEMENT OF RESULTS FOR PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION	
DATE OF THE EVENT: NOVEMBER 26, 2022 (SATURDAY)	
10:00 A.M. to 10:15 A.M.	**Welcome Address for the Event** **PROF. (DR.) SAIRAM BHAT** Professor of Law, NLSIU
Session 1 **10:15 A.M. – 10:45 A.M.**	**INAUGURAL ADDRESS** **CHIEF GUEST** **Discourse on The Constitution of India** **PROF. (DR.) P. ISHWARA BHAT** Professor of Law and Former Vice-Chancellor, NUJS, Kolkata and KSLU, Hubballi
Session 2 **10:45 A.M – 11:15 P.M.**	**The Constitution of India: The History, Features, and the Fundamental Rights** **PROF. (DR.) Y.S.R MURTHY** Vice Chancellor, RV University, Bengaluru.
11:15 A.M. – 11:30 A.M.	**Tea Break and Group Photo**
11:30 A.M. – 12:15 A.M.	**Address By the Guest of Honour** **(In the Memory of Prof. V.S. Mallar)** **SMT. SHANTI MALLAR** Retired Deputy General Manager of Vijaya Bank. **PROF. (DR.) M.K. RAMESH** Professor of Law and Former (I/C) Vice Chancellor, NLSIU Bengaluru. **PROF. (DR.) T. RAMAKRISHNA** Chair Professor, IPR, NLSIU, Bengaluru.
12:15 P.M. – 12:45 P.M.	**Announcement of Awards/Cash Prizes for Prof. V.S. Mallar Memorial Legal Aid Competition, 2022** **PROF (DR.) T.V. SUBBA RAO** Professor Emeritus, VIPS, Delhi and Visiting Professor, Ex-officio Member, MPPP Council **SMT. SHANTI MALLAR** Retired Deputy General Manager of Vijaya Bank. **ADV. ARUNA SHYAM** Additional Advocate General, High Court of Karnataka and Member of Academic Council, NLSIU, Bengaluru.

12:45 P.M. to 1:00 P.M	**Vote of Thanks** **SMT. SHRIDEVI T.K.** Principal of AILS and Syndicate Member, Karnataka State Law University.

DEPARTMENT OF JUSTICE

ANNOUNCEMENT OF RESULTS FOR THE PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

SR. NO.	PRIZE NAME	INSTITUTE, FACULTY & STUDENTS
1.	PROF. V.S. MALLAR MEMORIAL AWARD FOR BEST LEGAL AID CLINIC	**Dr Ram Manohar Lohia College of Law, Bangalore** – *Dr Sridhar Babu | Aishwarya Suresh, Asha P, Thamizharasi C, Vijaykumar R, Madhu R, Manu S, Mahesh Singh G, Harinarayan KR & Vijayalakshmi*
2.	MRS. SHANTI MALLAR AWARD FOR BEST RURAL LEGAL AID CLINIC	**Raja Lakhamgouda Law College, Belagavi** – *Dr Charan Kumar T M | Kamil R, Anil G, Sujeet K & Shivanand B*
3.	PROF. V.S. MALLAR MEMORIAL AWARD FOR FIRST RUNNER- UP LEGAL AID CLINIC	**National Law University, Jodhpur** – *Dr Jyoti Thanvi | Aarzoo G, Aroma A, Adya G., Rajesh R. & Namrata J.*
4.	PROF. V.S. MALLAR MEMORIAL AWARD FOR SECOND RUNNER'S UP LEGAL AID CLINIC	**Symbiosis Law School, Pune** – *Dr Shirish Kulkarni | Kartik P, Rohit K, Harsh K, Varsal M, Nikunj A, Sagarika L, Gauravgi P & Yash M*
5.	PROF. M. K. RAMESH AWARD FOR BEST STUDENT LEGAL AID LAWYERS	**Department of Law, Vishwakarma University, Pune** – *Dr Devyanshu Priyadarshi | Isha P, Jay P, Siddhesh M, Shraddha L, Chirag M, Rohan S, Soumyaa R & Lalit B*
6.	PROF. T. V. SUBBA RAO AWARD FOR BEST FACULTY COORDINATOR	**School of Legal Studies, Cochin University of Science and Technology Cochin University** – *Dr Rosa Mulo K, Dr Hariprasad PC, Dr Vani Kesari A & Mrs Jeen Varkha Peter*

REPORT

TWO-DAY NATIONAL CONFERENCE

ON

"HUMAN RIGHTS OF SLUM DWELLERS AND FORCED EVICTION: A LEGAL MANDATE"



Organised by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

National Law School of India University (NLSIU), Bengaluru

along with

CMR School of Legal Studies, Bengaluru and

Symbiosis Law School, Pune

UNDER THE AEGIS

OF THE DISHA SCHEME, DEPARTMENT OF JUSTICE, GOVT. OF INDIA

AND

THE CHAIR ON URBAN POOR AND THE LAW

MINISTRY OF HOUSING AND URBAN POVERTY ALLEVIATION

GOVT. OF INDIA

DECEMBER 15 – 16, 2022
Venue: Online – Zoom Platform

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ACKNOWLEDGEMENT

The Centre for Environmental Law, Education, Research and Advocacy (**CEERA**), National Law School of India University (**NLSIU**), extends its sincere gratitude to the **Ministry of Housing and Urban Affairs, Government of India** for its continued support and extended patronage in organizing the Seminar. A special mention to the **Department of Justice, Ministry of Law and Justice, Government of India** for its constant encouragement.

CEERA extends its sincere gratitude to its partner institutions for this conference – **Symbiosis Law School**, Pune and **CMR School of Legal Studies**, Bengaluru.

We are thankful to **Prof. (Dr.) Sudhir Krishnaswamy**, Vice-Chancellor, NLSIU, for his enriching support and the entire NLSIU administration in this regard.

We would also like to thank all our dignitaries & Resource Persons beginning with **Prof. (Dr.) Anurag Deep, Prof. Bismi Gopalakrishnan, Dr. V.J. Praneshwaran, Dr. Anita Yadav, Dr. Rajeev Babu, Dr. Irfan Rasool, Dr. Sini John, Dr. Sangeetha Sriram, Ms. Pavithra R., Dr. Biswa K. Dash, Adv. Raghav Parthasarathy, Ms. Raagya Zadu** for their cooperation, support, and contributions towards making the Conference a success.

We also extend our sincere gratitude to **Prof. Shashikala Gurpur** and **Prof. T.R. Subramanya** for their collaborative support in organizing the Conference. We also extend our sincere gratitude to all the participants who participated in the Conference and contributed to the deliberations

Finally, we would like to thank the CEERA Team - **Mr. Rohith Kamath, Mr. Vikas Gahlot, Ms. Anuja Shah, Ms. Aparna S., Ms. Gayathri Gireesh, Ms. Shilpa Sanjeevan, Mr. Param Shah, Mr. Dhawan G M and Mr. Jaibatruka Mohanta** for their help and support in organising this Conference seamlessly.

- ***Prof. (Dr.) Sairam Bhat –*** *Coordinator – CEERA, Professor of Law, NLSIU*

ABOUT THE CONFERENCE

The National Conference on **'Human Rights of Slum Dwellers and Forced Eviction: A Legal Mandate'** had been organized under the aegis of the Chair on Urban Poor and the Law instituted by a Memorandum of Understanding between the Ministry of Housing and Urban Poverty Alleviation (**MoHUPA**) and NLSIU. The collaborator of the Conference had been the Department of Justice (**DOJ**), Ministry of Law and Justice's Pan-India Scheme for '*Designing Innovative Solutions on Holistic Access to Justice*' (**DISHA**) which aims to address the issues faced by people on account of their disadvantaged positions within the socio-legal scenario in the society. The objective of this Conference had been to sensitize the rights of slum dwellers and deal with the intricacies of forced eviction in pursuance to realize the true meaning of the DISHA scheme under the DOJ's initiative.

The National Conference's Chairs are the following esteemed professors: **Prof. T.R. Subramanya** (Dean – CMR School of Legal Studies, Bengaluru), **Prof. Shashikala Gurpur** (Director – Symbiosis Law School, Pune) and **Prof. Sairam Bhat** (Professor of Law – NLSIU & Centre Co-ordinator CEERA).

The primary focus of the Conference had been to understand the nuances involved in the eviction drives and the aftermath recourse involved, and the needful safeguards to be kept in place for the slum dwellers. The Conference prepared a road map for the human rights of slum dwellers along with a proper legal mandate that comes to the rescue in such scenarios. The Conference was conducted with the intent to inter-mingle academic writings and discussions along with practical case studies and solutions.

Further, slums are informal communities within cities that have subpar housing and unpleasant living circumstances. They frequently have too many people living in a little amount of space. Slums are not a recent phenomena; they have long existed in practically all cities, especially during periods of industrialization and urbanisation. In cities where there is fierce rivalry for land and profits, slums are typically the only sort of settlement that is inexpensive and accessible to the poor. Rapid and exclusive urbanisation trends sparked by rising rural-to-urban migration are the primary cause of slum growth.

Slums display deprivation that goes beyond material poverty. Extreme overcrowding, unhygienic, unhealthy, and dehumanising living circumstances define slum residents in India. They face unstable land tenure, a lack of access to fundamental municipal amenities including clean water to drink, proper sanitation, storm drainage, the disposal of solid waste, internal and approach roads, street lighting, access to education and healthcare, and inadequate housing.

According to the Government of India, the construction sector contributes nearly 9% to India's GDP and employs close to 51 million workers. Interestingly as the dreams of millions are cherished through these homes, the workforce, engaged in this sector live in deplorable conditions with no provision of basic shelter, food, sanitation, safety, adequate housing and health care facilities.

Further, due to arbitrary criteria such as the inability to provide the necessary documentation, the majority of those who have been evicted are not deemed "qualified" for rehabilitation by the state. It is incredibly insufficient and infringes on a number of fundamental human rights for the minority of impacted families who do obtain resettlement. The majority of resettlement sites are found on the outskirts of urban areas and do not offer inhabitants appropriate housing, security, or access to basic amenities. Moving to remote locations causes the majority of families to lose their employment or work, children to be forced out of school, and communities and social networks to disintegrate. Losses of security and safety, as well as loss of livelihood, affect women disproportionately.

On the other hand the aspect of Forced Migration causes people to move to cities in search of work due to the collapse of rural economies, the agricultural crisis, landlessness, and displacement brought on by megaprojects in rural areas. Numerous people are forced to live in appallingly substandard housing circumstances in cities due to the lack of affordable and public housing, frequently without access to basic services. Local administrative authorities are trying more and more to relocate informal settlements from city centres to the city's outskirts due to the increased demand for land in urban regions. Residents' quality of life, health, and education are all negatively impacted by this. The land obtained by these evictions is subsequently put to use for businesses that generate income, such as high-rise office buildings, shopping malls, and entertainment complexes, or for housing colonies for the urban elite.

Therefore, this Conference looked into the following aspects and intended to provide a holistic solution for the same.

ABOUT NLSIU

The National Law School of India University, the Nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a centre of excellence for legal education and research in India. The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS etc. The Projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.

ABOUT CEERA

The Centre for Environmental Law, Education, Research and Advocacy (CEERA), established in 1997 is a benefactor of the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of Karnataka, the Bar, and the Bench in India and abroad. Building an environmental law database, effectively networking among all stakeholders, building up an environmental law community, and policy research in the area of the environment are CEERA's main objectives. To achieve the aforesaid, CEERA has incessantly and successfully been able to build functional and professional linkages with government agencies and non-governmental organisations in India, the south-Asian region and at international levels.

CEERA has also been regularly engaged in capacity building and training of practitioners, government servants, academicians, and scholars on various legal topics. CEERA has been partnering with Central Pollution Control Board in organising Training programs for the officers of various State Pollution Control Boards and other industry professionals for over 9 years. One of the first in India, to successfully be granted a World Bank project and thereafter world bank's steady choice for the Ministry of Environment Forest and Climate Change, CEERA has been entrusted with research projects and workshops to impart training to Forest Officers, Revenue Officers, Officers of the Central Pollution Control Board and also of the Government of Karnataka.

CEERA is proud to have completed a two-year Research Project granted by the United Nations Development Programme (UNDP) under the Global Environment Facility (GEF), and as one of the deliverables, organised, convened, and conducted over twenty workshops at Institutions of national repute creating awareness on the Biodiversity Law and Access and Benefit Sharing (ABS) in less than 2 years. Two research publications on the scanty research area of biodiversity laws were also the outcome of this project.

In 2018, CEERA was granted a Research Project by the Ministry of Law and Justice to conduct research on 'Strengthening Legal Provisions for the Enforcement of Contracts'. This Project had explored all the possible avenues of reformation in the Contractual and Commercial Law to uplift the dire situation of contractual enforcement in India. As one of the deliverables under this project, National Seminar was conducted over the course of two days where 251 participants from various parts of the country had shown enthusiasm and interest.

CEERA had also organised a three-day International Conference on 'Liberalization and Globalization: Changing Legal Paradigm in 2016, with an objective to examine the impact of Liberalization, Privatization and Globalization (LPG) in India - specifically on the various laws enacted and amended subsequent to Liberalization. It was attended by about 150 participants globally and had around 100 paper presentations as well. As an outcome of the conference, a book containing the best research papers, were published by CEERA in NLSIU Book Series-3, which was released to mark 25 Years of Economic Liberalisation and Globalisation.

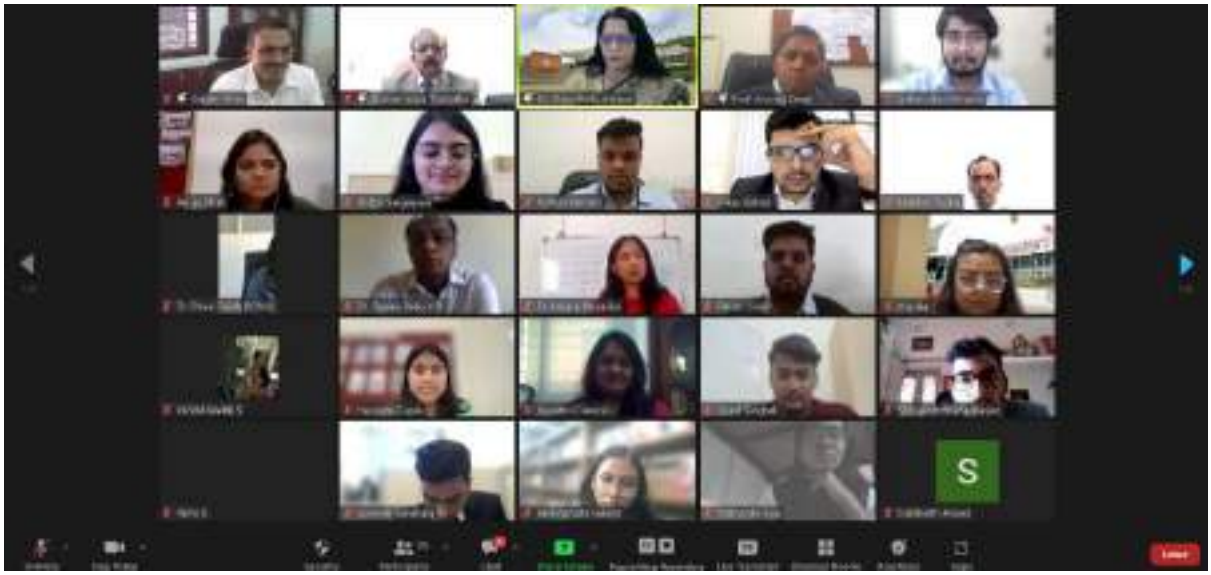
CEERA has made several publications in the area of environmental law, the law and public policy along with Newsletters, CEERA March of the Environmental Law, NLSIU's first e-Journal – Journal on Environmental Law, Policy and Development and manages two websites viz., enlaw.nls.ac.in, wherein the law and policy on Environment is regularly updated, and abs.nls.ac.in, a dedicated portal wherein the law and policy on Biodiversity Access and Benefit Sharing is updated periodically. All our publications are duly updated on our online portal ceerapub.nls.ac.in which is open for subscription to all readers. Currently CEERA is implementing a three-year project for MOEFCC on Chemicals and Waste Related Multilateral Environmental Agreements.

Currently, CEERA is working as an implementation agency on the Two-Year Project on "Digital Legal Literacy – Dissemination and Assessment" granted to it by the Department of Justice, Ministry of Law and Justice. major projects granted to it by Department of Justice, Ministry of Law and Justice. The project focuses on the dissemination of legal literacy and is to be implemented in aspiration districts across 6 states of India. Furthermore, CEERA is also working on the two-year project on "Towards the development of a Robust Legal & Policy Framework in Protection, Promotion and Standardisation of Indian Businesses: Enhancement and Implementation of the AatmaNirbhar Bharat Vision" granted to it by the Indian Council of Social Science Research (ICSSR). The project focuses on proposing a Plan to Promote (Make in India), Protect (Indian enterprises) and Standardize (Indian products) and prepare a Policy on the Promotion, Protection, and Standardization of the Make in India Initiative towards the achievement of AatmaNirbhar Bharat.

SUMMARY OF PROCEEDINGS
INAUGURAL SESSION

PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU
PROF. (DR.) ANURAG DEEP, PROFESSOR OF LAW, INDIAN INSTITUTE OF LAW
PROF. (DR.) SHASHIKALA GURPUR, DEAN AND DIRECTOR OF SYMBIOSIS INTERNATIONAL UNIVERSITY
PROF. (DR.) T.R. SUBRAMANYA, DEAN, CMR SCHOOL OF LEGAL STUDIES

The Two-Day National Conference on Human Rights of Slum Dwellers and Forced Eviction: A Legal Mandate organised by the Centre for Environmental Law Education, Research and Advocacy (**CEERA**), National Law School of India University **(NLSIU)** in collaboration with Symbiosis Law School, Pune and CMR School of Legal Studies, Bengaluru commenced with **Mr Jaibatruka Mohanta, Research Fellow, CEERA,** welcoming all the Dignitaries, Resource Persons, and delegates to the Conference.



PROF. (DR.) SHASHIKALA GURPUR, DEAN & DIRECTOR OF SYMBIOSIS INTERNATIONAL UNIVERSITY, PUNE

The inaugural session commenced with an address by **Prof. (Dr.) Shashikala Gurpur.** She began her session by welcoming all the dignitaries and extending her gratitude to **Prof. Dr. Sairam Bhat** for organizing the event. She also appreciated the presence of **Prof. Anurag Deep** & **Prof. Dr. T. R. Subramanya** by referring to them as the 'walking library of law'. Prof. Gurpur shared with the audience that the gathering paved the way for the celebration of

the diversity of the delegates and the eminent research institutes present at the virtual conference.

She further pointed out that the forum was not only set up for research work and spreading awareness but was also symbolic of the long-term idea of justice. The speaker further expressed her opinion that the environmental law sector should be claimed by women because 'nature is nurture' and all the women in the world are responsible for nurturing their children and turning them into responsible humans, just like 'nature'.

In relation to the core theme of the event i.e., 'Slum Dwellers', the speaker shared her thoughts on how slums stand as a direct contradiction to the skyscrapers and capitalist society in general. Further to put forth the plight of the slum dwellers, Prof. Gurpur posed questions to the audience such as 'where are the dreams of these people? what happens when consent is replaced by unilateral command? and, what are the commercial values of these slums?'

With this, she established the importance of this conference by stating slum dwellers are the foot soldiers of the city entitled to all constitutionally guaranteed rights, especially the right to live with human dignity, right to shelter and livelihood, right to health, clean drinking water, clean environment, pollution-free air, right to be informed and privacy. Following this, she gave a brief of all the topics covered in the conference and concluded by thanking the dignitaries and delegates present in the meeting for being a part of this national conference.

PROF. (DR.) T.R. SUBRAMANYA, DEAN, CMR SCHOOL OF LEGAL STUDIES, BENGALURU

Prof. (Dr.) T.R. Subramanya took over the inaugural session to deliver his address. He commenced his talk by highlighting the significance of environmental law & provisions for the urban poor in general and also brought everyone's attention to the fact that their rights are mostly treated half-heartedly by the Indian legal fraternity. In light of slum dwellers' rights, certain socio-economic rights such as the right to shelter, food and the rights of migrant slum dwellers were also discussed.

During his address, he also brought to light, the plight of migrant workers, especially in the construction industry where they are not even provided with basic amenities like water, food and shelter. To this, the speaker exclaimed that 'a situation of slum dwellers is not less than garbage in India, and their right to livelihoods such as food, medicine, water and other necessary amenities for a prosperous living are being constantly ignored'. In his concluding remarks, he highlighted the principle of reasonable justice and the significance of Article 141 in all these cases.

PROF. (DR.) ANURAG DEEP, PROFESSOR OF LAW, INDIAN INSTITUTE OF LAW, DELHI

Prof. (Dr.) Anurag Deep started the inaugural address by highlighting the uniqueness of the topic and how it is overlooked by everyone. He brought to light crucial data from the United Nations (**UN**) that '1 in every 8 people live in a slum'. He further informed the delegates that in the year 2000, UN had recognised the existence of slums and had started participation in improving slums in 2008.

He further added that an alarming comparison of the entire slum population in India is more than the population of a whole country like Australia.

Following this, he apprised all the delegates, that we collectively must ensure equality of status and opportunity for the slum dwellers. Articles 19(1)(d), 19(1)(e), 21 and the Directive Principles of State Policies were discussed in regard to migrant workers and 'their right to reside and settle in any part of the country, general public restrictions, the responsibility of the state for the welfare of the people, among others'. He deduced the problem of slum dwellers in India and emphasized that the violation of fundamental rights was not due to the lack of legal provisions but because of ignorance in their enforcement.

To deal with the implementation issue, he suggested six ways to enforce a law by discussing certain landmark cases first such as Ajay Maken v. Union of India (260 (2019) DLT 581) (which highlighted the fundamental right envisaged in Article 21 i.e. 'right to city' for the first time), Samar Pal v. Union of India and MC Mehta's case. The six ways as suggested by him, which these laws can be enforced are education; persuasiveness – i.e. by use of social media; incentive way; compulsive way – i.e. by deterrence; coercive way – i.e. by administrative/civil measures and by punitive ways as well.

PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU

The inaugural session concluded with **Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU** expressing his gratitude towards the distinguished guests, acknowledging the Chairs and Co-Chairs of the Conference and the delegates. He mentioned the topic under discussion to be an eminent national issue.

In light of the theme of the Conference, Prof. Bhat drew everyone's attention toward the Dharavi re-development project and the measures circulated owing to it. The migration worker's employment concerns were also discussed.

In his concluding remarks, Prof. Bhat appraised the objective of the conference was to bring together, like minds for successful deliberations and outcomes. Lastly, he thanked all the dignitaries for being part of the event and wished luck to all the delegates presenting their papers.

DAY 1: SESSION – 1
HEALTH, POVERTY AND SOCIAL INCLUSION

CHAIRPERSON: DR. ANITA YADAV, ASSISTANT PROFESSOR OF LAW, DELHI UNIVERSITY
CO-CHAIRPERSON: MS. RAAGYA ZADU, CONSULTANT, CEERA-NLSIU

1. Challenges in Social Inclusion of Slum Dwellers – *P. Vaijayanthi*



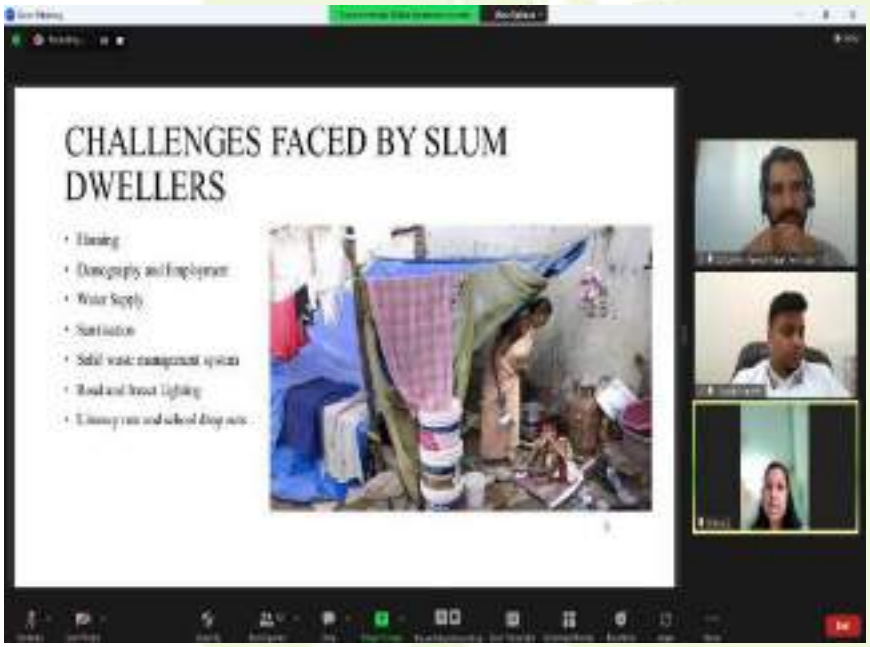
P. Vaijayanthi commenced her presentation by quoting a real-life example from the slums of Telangana. She used this study to focus on the various factors contributing to slum dwellings. Through the use of her example, she highlighted how in slums the problems faced are diverse and grave in nature. She further asserted that it is widely believed that slum dwelling is a menace and went on to shed light on the evolution of slum dwelling in the country. It was informed by the presenter that slum dwelling has been a threat ever since the development of contemporary cities as city living is difficult because of how crowded and unclean the slum neighborhoods are. Many migrant workers, especially semi and unskilled labourers whose earnings are minimal, prefer slum dwellings over expensive and opulent city life, despite the filthy and inhumane conditions. This presentation made an effort to discover reasons other than economic viability that force people into choosing slum housing. The chair complimented P.Vaijayanthi on her practical presentation for using the real-life example of the slums of Telangana.

2. The Right to Education, Health and Social Security of Slum Dwellers – *Dr. Kalindri*

Dr. Kalindri analysed how the Indian Constitution grants its inhabitants the freedom to freely move throughout the territory of India and choose their place of residence. However, the presenter also noted that the geographical disparity is growing in the absence of a

coherent development plan for slums. On this note, the presenter also informed that this division was being widened by the rapidly rising interstate migration. Using the findings of the Economic Survey done by the Government of India (2017), and the World Bank Report, 2018, she substantiated how these slum dwellers merely exist in society without having access to basic human rights. Dr. Kalindri then spoke about landmark cases, like Samar Pal v. Union of India which sheds light on the crude life of slum dwellers and Olga Tellis v. Bombay Municipal Corporation, {1985 SCC (3) 545} which was responsible for expanding the ambit of the right to life to include the right of livelihood. So this paper focussed on their problems and what steps can be taken to improve their situation. The chair appreciated the legal perspective taken on this issue and requested Dr. Kalindri to retrospect on the practicality of each solution.

3. **Slum Dwellers in India: Fulfiling Daily Need a Challenge – *Vaishnavi Jayaram***



Ms. Vaishnavi Jayaram commenced her presentation by reflecting on the reasons for urbanization and emphasizing the interlink between the rural population's attraction towards urban cities and the increase in urbanisation. She stated that when there is growth in the economy of the country, there will be growth in the slum areas and she termed this vicious cycle to be a Poverty Trap. She also significantly noted the housing crisis in India and the poor quality of housing in India. Further, she analysed the reason behind this to be the lack of proper access to the basic needs of these dwellers. During the course of her presentation, she also elaborated on some of the basic challenges faced by slum dwellers and how they constantly face the risk of eviction. Lastly, she concluded her presentation by stating that the solution should not only focus on making government schemes but also on the execution of these schemes.

4. **Slum dwellers and their Fate: A Need to Curb their Livelihood and Healthcare Problems – *Ashish Pathak and Gaurav Kaushik***

Mr. Ashish Pathak began his presentation by noting India's population of over 1.3 billion, or 17.5% of the world's total to be taking up only 2.4% of the planet's total land area and noted slum dwellers to be one of the many diverse social groups that make up the population there. He informed the audience of their plight by emphasizing the health issues they face due to the lack of adequate sanitation facilities and basic medical amenities. The speaker noted that although, the Right to Life, which includes the right to a "meaningful life," is guaranteed by Article 21 of the Indian Constitution, due to the ineffective policies by the government, slum dwellers who move from their villages or homes to cities for work face difficulties. The researchers have made an effort to concentrate on the issues encountered by the Slum Dwellers in India and the conditions that predispose them. Additionally, by formulating workable policies for the government, NGOs, etc., and by reviewing numerous conventions, declarations, regulations, etc., it has been attempted to offer feasible answers for their upliftment. To conclude, he remarked the lack of documentation of the figures of slum dwellers to be a hindrance to finding solutions, and in light of the same, he advocated for proper identification of the slum dwellers in the country. This solution was commended by the chair as a viable solution that can be practically implemented.

5. **The Need for Better Healthcare for the Vulnerable: The Experience of Women and Children in Slum Dwellings at Goa – *Dr. Kim Rocha Couto***



Dr. Kim, Associate Professor at VM Salgaocar College of Law, Miramar, Goa, focused her presentation on the experience of women and children in the *bastis* of Goa. She began by mentioning slums to be overcrowded settlements with a lack of basic municipal services and unfit places for habitation. In simple terms, settlements in social isolation and social exclusion are considered slums. She briefly discussed the current state of health and healthcare in Goa for women and how the southern district and northern district have different but equally problematic issues. She concluded by bringing into the forum, the main issue to be the lack of documents that prevent women slum dwellers from access to public distribution systems such as ration shops. For children this causes the majority of them to drop out. Dr. Kim also analysed the role of legislation in securing the rights of

women and children and arrived at the conclusion that the effective implementation of the laws is in letter and spirit only. To make her final point, she shed light on Goa's experience in bridging the gap through community mobilization and concluded that mobilizing the community in strengthening healthcare and educational measures for vulnerable groups – can effectively help bridge the gap so that women and children in slum dwellings can realize and enjoy their human rights.

6. **Rights and conditions of slum dwellers in Bengaluru: Video presentation – *Bhargav and Team***

Bhargav and Team's video on the Rights and Conditions of Slum Dwellers in Bengaluru showcased the plight of the slum dwellers across the city of Bangalore. This video presentation involved video clippings of direct and physical interactions with the slum dwellers. The objective of their study included exploring the various slums across the city of Bangalore, speaking to the slum dwellers themselves and getting first-hand information on the problems faced by them. The team also briefly spoke about the rights and conditions of slum dwellers in Bangalore. One of the parts of the video displayed the stark contrast between the lives of the rich and the slum dwellers in Bangalore, on either side of a railway track. The video concluded with a quote from Nelson Mandela, i.e., "Overcoming poverty is not a gesture of charity, it is an act of justice. This presentation received great comments as it was truly an out-of-the-box representation of the sorrows of the slum dwellers. The video concluded with one of the team members expressing gratitude to the organizing team for providing them a platform for being the voice of the slum dwellers and for bringing out their lives before others at the national conference.

7. **Impact of Health and Mental Well-Being of People Affected by Forced Eviction: Video presentation – *Rashmi G S***

Rashmi G S approached the topic at hand by making a video of the slum dwellers, their living conditions their daily challenges. For the purpose of the study, she approached the slum dwellers in their habitats, interacted with them and gathered information about their lives intending to suggest solutions. She focused on the migration of the urban poor from rural areas in search of better living conditions and how their migration has been tough. She also gathered insights on the mental and

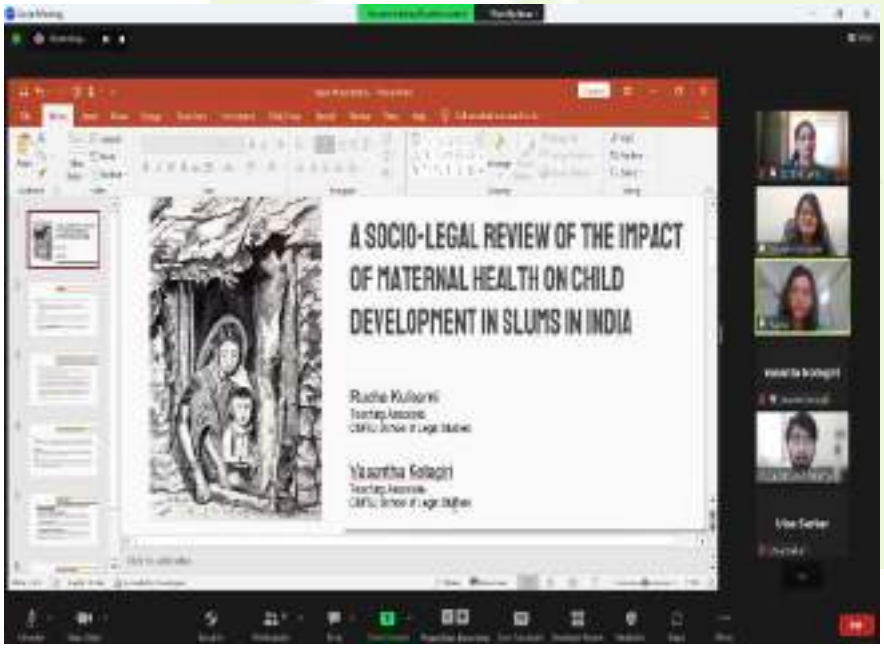


physical toll living in slums has caused. Lastly, she concluded the video by giving suggestions and steps to be taken by both the government and private individuals.

DAY 1: SESSION – 2
LAND, POVERTY AND GOVERNANCE

CHAIRPERSON: DR. RAJEEV BABU, ASSOCIATE PROFESSOR OF LAW, RAMAIAH LAW COLLEGE, BENGALURU
CO-CHAIRPERSON: MS. PAVITHRA R., ASSISTANT PROFESSOR, CHRIST DEEMED TO BE UNIVERSITY, BENGALURU

1. **Right to City: An Impact Assessment of Slum Rehabilitation Schemes for Inter-State Migrant Women in the State of Punjab – *Dr. Ishita Sharma and Dr. Shiva Satish Sharda***



Dr. Ishita Sharma commenced her presentation by laying emphasis on the judgement of Ajay Maken vs Union of India, [260. (2019) DLT 581].

Her presentation majorly highlighted the concept of the right to housing with specific reference to the state of Punjab. Dr. Ishita further made note of the Punjab Slum Dwellers (Proprietary Rights) Act, 2020 which gave the proprietary right to the slum dwellers. She also highlighted the drawbacks of this Act for not giving any cut-off date to slum dwellers for getting proprietary rights. It was further noted that there is no slum dwellers rehabilitation authority in Punjab as compared to other states such as Mumbai. The other part of the presentation was addressed by Dr. Shiva who stated that the COVID-19 pandemic has created an urgent demand for the creation of interstate migrant data. He concluded the presentation by emphasizing the need for the law in Punjab to be workable for slum dwellers and should not be a half-hearted attempt in dealing with this issue.

2. **Land, Property and Governance of Slum Dwellers – *Mathanki Roja S***

Mathanki Roja's presentation majorly focussed on the migration done by men in the search of work and by women owing to marriage. She, later on, analyzed the various state laws which are made for slum dweller rehabilitation namely the Andhra Pradesh Land Revenue Code,1999, Maharashtra Maha Awas Yojna and The Punjab Slum Dwellers (Proprietary Rights) Act, 2020. In her analysis, she found out that there exist various schemes for slum dwellers' rehabilitation but the existence of lacunae, hinders the proper implementation of the same.

3. **Assurance of Property Rights to the Slum Dwellers – A Critique – *Mr. Ashraya S. Chakraborty & Ms. Pria Makanda***



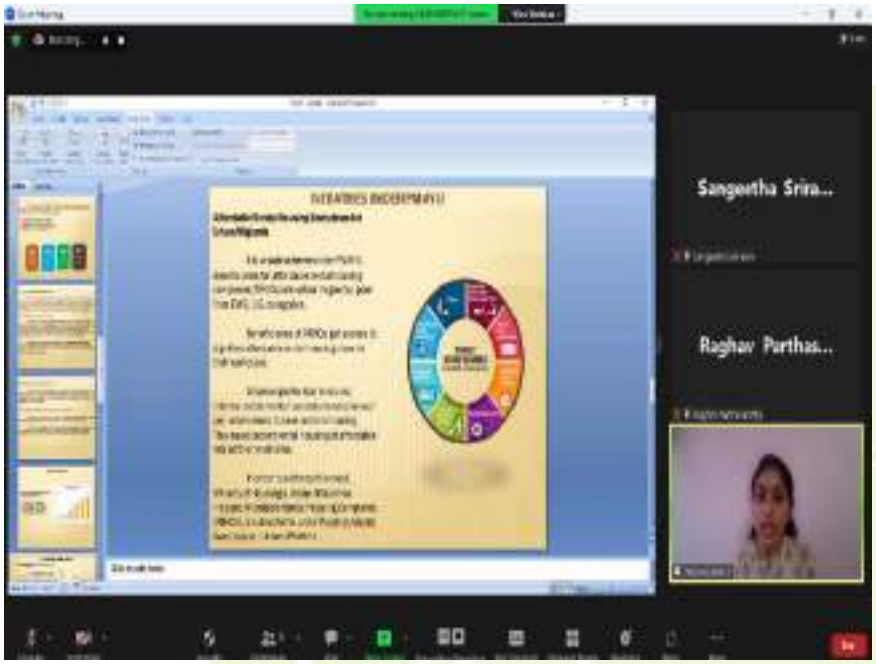
The presenters initially talked about various government initiatives in place for the management of slums like the National Slum Development Programme (NSDP), Integrated Housing & Slum Development Programme (IHSDP) and Valmiki Ambedkar Malina Basti Awas Yojana (VAMBAY). To discuss further, the judgement in PG Gupta v. State of Gujarat and Ors was discussed to stress on property rights of slum dwellers. The court's holding in this case that the "Right to shelter under Art.19(1)(g) when read with Art.19(1)(e), as well as Art-21 of the Constitution of India, comprises "the right to residence as well as to settlement", the court also stated that it is an essential duty of the state to assign those people who are being evicted a permanent housing accommodation, in the scheme of housing. In the end, they concluded by suggesting that both central and state governments must collaboratively make a policy in collaboration for providing property rights to the slum dwellers.

4. **Mere Right to Existence: A Threat to the Human Rights of Slum Dwellers of West Bengal – *Soumik Ash & Reeta Chowdhury***

The presenter's main objective was to shed light on the situation of the slum dwellers especially those residing in Kolkata, West Bengal. Firstly, they highlighted the cause which led to the creation of these slums in the first place as they pointed out that after independence, a huge influx of migrants was seen in West Bengal. The Government of West Bengal failed in giving education, food, shelter and basic amenities to these people.

This situation was further aggravated by the Bangladesh Independence in the year 1971. Thereafter, rehabilitation in the city of Champaran was planned but this idea got failed due to the paucity of land in Champaran, leading the migrants back to Kolkata. The presenters further highlighted that the basic rights of these slum dwellers are violated and the Kolkata board is not properly looking after them. Therefore, they concluded by stating that there is a stark difference between what Kolkata Municipal claims to have done and what has been done in reality.

5. **Incarceration of Rights of Slum Dwellers in India – Tracing Down the New Voiceless – *Shalini & Abhilash Arun Sapre***



Ms. Shalini started her presentation by criticizing the landmark judgement in MC Mehta v. Union of India, which ordered the removal of the slums within a week. This judgement was in stark contradiction to various other Supreme Court judgments of Ajay Makhan v. UoI and Olga Tellis v. Bombay Municipal Corporation. They further highlighted the PM Awas Yojna which aimed at providing pakka house to slum dwellers by 2022 but it is important to note that this goal is still very far away to achieve. Further, the presenters pointed out that Article 25 of UNDHR which talks about the "right to a standard of living adequate" and various other covenants are not followed in India. They concluded by suggesting that an adequate legal framework is required from improving the conditions of people living in slum areas and also urban development planning by municipal corporations must be correctly structured.

6. **The Impact of Health and Mental Well-being of the People Affected by Forced Eviction – *Tripti Bhushan***

The speaker began the presentation by pointing out that forced eviction affects the well-being of humans as it intensifies inequality, social conflict, and segregation and invariably affects the poorest, most socially and economically vulnerable and marginalized sectors of society, especially women, children, minorities and indigenous peoples. Forced evictions also violate the protection of the family and the right to enjoy one's culture (Articles 23 and 27, ICCPR).



Therefore, the speaker recommended the taking of immediate measures towards restitution of human rights of all affected persons by providing adequate compensation, resettlement, and rehabilitation; restoring homes, livelihoods, basic services, and education; ensuring access to places of work, education, and healthcare; and, enabling a return to original sites of residence, where possible and desired.

CHAIR REMARKS

The Chairperson Dr. Rajeev Babu, commenced by commenting that the slum dweller's proprietary right was discussed at great length during the session. He also emphasised the increased reporting of cases of violation of human as well as property rights of slum dwellers.

Further, the Co-Chair Ms. Pavithra R., pointed out that the inter-state migration of women has increased in general due to the complex issue of social security and the COVID-19 pandemic has posed various new challenges for people who are migrating from one place to another in search of housing. She also pointed out that not all the slum dwellers are fully employed and therefore, there is an urgent need for an employment scheme for the slum dwellers.

DAY 2: SESSION – 1
CASE STUDIES RELATED TO EVICTION, MIGRATION AND RESETTLEMENT

CHAIRPERSON: DR. IRFAN RASOOL, ASSOCIATE PROFESSOR OF LAW, CHRIST ACADEMY OF LAW, BENGALURU
CO-CHAIRPERSON: MR. ROHITH KAMATH, ADVOCATE, CONSULTANT, CEERA-NLSIU

1. **A Study on Actions of the Karnataka Slum Development Boards for the Betterment of Slum Dwellers: With Special Reference to Bangalore City – *Pratibha S. Hiremath and Dr. Chandrakanthi L***



The presenters commenced the presentation by laying down the issues and challenges that are faced by slum dwellers to access basic healthcare, education, amenities, etc. Their scope of research was restricted majorly to Bangalore city and they informed the audience that in Karnataka, the Karnataka Slum Clearance Board established by the Karnataka Slum Areas (Improvement and Clearance) Act, 1973 majorly identifies the slums which are facing issues and challenges and also makes aware slum dwellers of their basic rights. The presenters later focused on the 2021-2022 Annual Slum Dweller Report which revealed a big number of people residing in slums with very less income, despite Bangalore being a capital of startups. The presenters concluded by analysing the various Supreme Court cases from Olga Tellis's case to the present Delhi`s Shakarpur Slum Union case and suggested that without proper grants and fair compensation mechanisms, the condition of slum dwellers would not improve as such.

2. **An Omniscient view of Slum Dwellers at Kalaburagi - A Case Study – *Rima S***

The presenter highlighted that the objective of the paper is to address the problems of slum dwellers in Kalaburagi and also to analyze the scheme of Rajiv Awas Yojna for providing accommodation to slum dwellers. She began her presentation by sharing some figures from the city of Kalaburagi, that is; there are at least 60 slums in the city, accounting for 11% of

the city's population. She also emphasised that the scheme of Rajiv Awas Yojna has failed in catering to the needs of slum dwellers of the city of Kalaburagi. At the end of their presentation, she suggested that the local municipal body of Kalaburagi must prepare a road map for the removal of these slums and provide accommodation to slum dwellers at an alternate place in the city of Kalaburagi.

3. **New Delhi against the Urban Slum: Role of DUSIB – *Anushka Datta & Mugdha Pathak***

   The presenters commenced their address by laying emphasis on the failure of the Delhi Municipal Corporation in providing basic amenities to the people residing in slums. They further pointed out that Delhi also has an Urban Shelter Improvement Board established under Delhi Urban Shelter Improvement Board Act, 2010. However, on preliminary research, the presenters observed that the board has not served the purpose for which it came into existence. They suggested that this board in consultation with slum dwellers should make housing schemes. Additionally, they suggested Basti Vikas community also be established. The presenters also called upon for improvement in state policies for slum dwellers which focuses on structural improvement and rehabilitation of slum dwellers. They concluded by highlighting that the board in Delhi should not only rehabilitate the existing slums in Delhi but should also curb the development of new slums. Furthermore, training programmes and skill development for slum dwellers must be done to resolve the issue of employment is sorted.

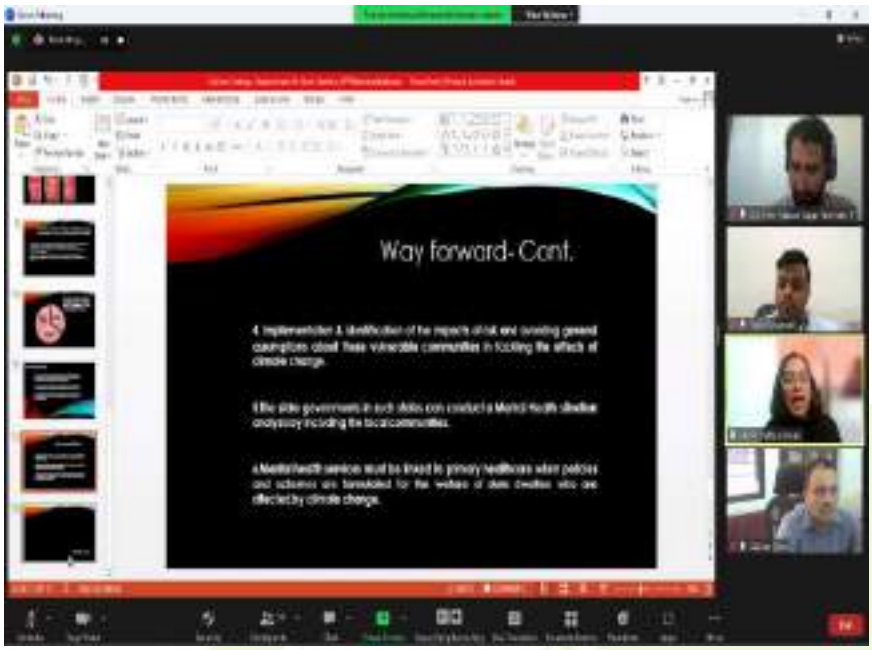
4. **A Socio Policy Analysis on the Effectiveness of Judicial Remedies Available in Cases of Illegal Demolition in India – State policy vis-a-vis Human Rights – *Abhisekh Rodricks & Shibasish Bhattacharjee***

   The presenters firstly highlighted that their presentation is divided into two segments; the initial part involved the analysis of important case laws like Ajay Maken v. Union of India, Olga Tellis & Ors v. Bombay Municipal Corporation and the various provisions of judicial remedies to slum dwellers. In the later part, the presenters suggested policy recommendations to eradicate illegal demolition of slums in India like urban development planning by municipal corporations to be correctly structured and also rehabilitation schemes for the slum dwellers must be implemented with full force.

5. **Study on the role of Self-help Groups in the Development of Rural Families since 2010”- *Mr. Jyotirmoy Banerjee & Ms. Saloni Bahl***

   The presentation explored the purpose of self-help groups with special reference to the effects of the self-help group on rural population communities. Further, they presented that the self-help groups have majorly helped in providing financial assistance to the communities in rural populations, especially to people who want to launch small-scale businesses. They concluded by saying that though that it is seen nowadays that the self-help groups are being supported by the government it is important to note that there is a need to revisit the policy on priority sector lending requirement of the self-help groups.

6. Climate Change, Displacement & Slum Dwellers: Connecting the Dots to Identify 'Mental Health' Concerns of the Slum Dwellers in India – *Abhinandita Biswas*



The major objective of this presentation was to highlight the climate change impact on the mental health of slum dwellers and also to study the role of non-state actors like NGOs or local communities in addressing the mental health concern of slum dwellers. She pointed out that Mental Healthcare Act, 2017 is aspirational legislation but it is majorly seen that the slum dwellers are always neglected from a mental health aspect.

The speaker apprised that as climate change is increasing, it is the need of the hour to address the mental health issues of these communities. To conclude, she suggested that the government must start identification of the impact of the risk of mental health on the slum dwellers and that mental health services must be linked to primary health services.

REMARKS OF THE CHAIR

The chair Dr. Irfan Rasool, Associate Professor of Law, Christ Academy of Law, Bengaluru pointed out that apart from providing case studies related to eviction, migration and resettlement, the presenters must majorly focus on the legal aspect related to it. He informed that in most incidents of forced eviction, affected persons and communities are not provided with the reason for eviction/demolition of their homes; this information is also generally not made public. Further, Mr. Rohith Kamath, Advocate, Consultant, CEERA-NLSIU recommended that government should ensure that evicted, displaced, and homeless/landless families are considered for priority housing and land allotment under all state and central housing and land schemes and also the problems faced by slum dwellers must be solved by the government with the help of long-term solutions.

DAY 2: SESSION – 2
LAND, POVERTY AND GOVERNANCE

CHAIRPERSON: DR. SINI JOHN, ACADEMIC COORDINATOR, CHRIST ACADEMY OF LAW, BENGALURU
CO-CHAIRPERSON: ADV. GAYATHRI GIREESH, CEERA - NLSIU

1. **An Analysis of Slum Dwellers and their Land Rights – *A. Beryl Sugirtham***



This presentation began with a pertinent self-answered question i.e. "What comes to mind when we talk about slums? ...inadequate housing." As per the presenter, her paper revolves around the concept of Article 21, with a special focus on the "right to shelter" and with a primary objective to enforce the rights. The case of PG Gupta v. State of Gujarat which highlighted that the "Right to shelter" compromises "the right to residence as well as to settlement and its essential duty of the state to assign those people who are being evicted permanent housing accommodation, in the scheme of housing" was discussed. Similarly, the presentation also covered some issues regarding the infringement of the right to health and land by taking support of the judgment in Sundama Singh and Ors. v. Government of Delhi and Anr., in which the Court observed that "What every often is overlooked is that when a family living in Jhuggi is evicted forcibly, each member of such family loses a bundle of their rights i.e., right to livelihood, right to shelter which includes right to land, right to education, right to health."

2. **Law relating to Slum Dwellers in India-An Assessment – *Lavanya V & Dr. Jyothi Vishwanath***

Their presentation began their presentation by making statements such as "Slum Dwellers are sine qua non of the city and they are entitled to a quid pro quo." The paper's main focus

was on the rural-urban migration due to the employment opportunity created by the intense construction work being done by the government and private organizations, with an emphasis on the government's failure to provide shelter to the migrant workers under Section 34 of the Building and other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. Distinct legal facets revolving around the slum dwellers such as international human rights, the UN's view on Indian slum dwellers, problems faced by them, different housing schemes etc. were discussed in a nuanced way in this paper. According to the chair, this presentation offered an overall good outlook on the subject matter.

3. **Compensation and rehabilitation rights of Displaced people in India-A Critical Study – *Arunima Goel***



The foundation of the paper is based on the critical analysis of the approach of the judiciary toward the right to property, compensation, rehabilitation and resettlement of displaced people, with a special focus on "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013." It was informed by the presenter that India has the highest rate of displacement due to ostensible development projects i.e. around 70 million people are estimated to have been displaced since *"independence"* with most of the displaced people composing tribal people with distinct traditional values and cultures. The chair appreciated the fact that the deficiency of the relevant laws regarding shelter was intricately discussed by her with the analysis of relevant case laws.

4. **Existential Crisis and Agony of Landless People: Right to Shelter of Slum Dwellers in India – *Utsa Sarkar & Mohammad Saleem***

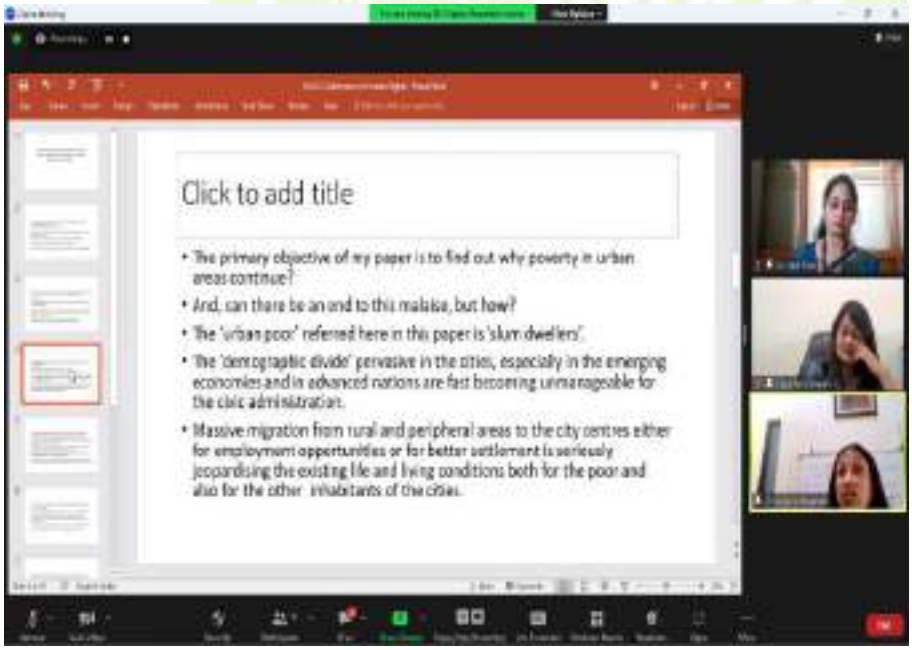
This presentation was set up on the judicial underpinnings regarding housing, with a focus on demolition drives in Mumbai and Delhi. It was highlighted that according to the current legal situation, no person (who is landless) can have the standard of right to life as envisaged in the Article 21 of the Constitution of India. It also focused on certain other

facets as well, such as relocation costs, various schemes and pronouncements set up by the Government of India regarding housing, UN conventions etc. The chair appreciated that this paper had a focus on the UN habitat report and various conventions but also stated that the presenters need to focus more on the deficiency in central and state legislations regarding housing for landless people and their enforcement.

5. **Socio-Legal Review on the Impact of Maternal Health on Child Development in the Slums of India – *Ms. Rucha Kulkarni & Ms. Vasantha Kotagiri***

At the onset, the presenters began by sharing the definition of slums by the UN i.e. "one or a group of individuals living under the same roof in an urban area, lacking in one or more of the following five amenities: 1) Durable housing; 2) Sufficient living area; 3) Access to improved water; 4) Access to improved sanitation facilities; and 5) Secure tenure." Following this, the presenter shifted the focus of the presentation to slum dwellers in general and the current scenario of mothers and child development in slum dweller communities. The chair appreciated this paper as it focuses on an underrated issue in the slum dweller's community i.e. by shedding light on the plight of women and children in the slum dweller community.

6. **Urban Poor and the Violation of their Human Rights: Will There be an End? – *Dr. Anjana Hazarika***



The presentation efficiently surrounded the sociological and anthropological of the urban poor. She began her presentation by reiterating the UDHR Principle, which states that human rights are inherent to every human being i.e. we get these rights from our birth & violation of these rights is a crime i.e. poverty is a violation of human rights and the existence of poverty is an assault on human dignity. She also emphasized that being a signatory of the UDHR, it is the primary obligation of the Government of India to safeguard the human rights of slum dwellers. In this context, the chair informed that it's not only the government's responsibility to take initiative regarding this issue but rather private actors must also work on the same.

DAY 2: SESSION – 3
HEALTH, POVERTY AND SOCIAL INCLUSION

CHAIRPERSON: DR. SANGEETHA SRIRAM, ASSISTANT PROFESSOR OF LAW, CENTRAL UNIVERSITY OF TAMIL NADU
CO-CHAIRPERSON: MR. RAGHAV PARTHASARTHY, ADVOCATE

1. **Pradhan Mantri Awaas Yojana-Gramin: A Critical Impact Assessment – *Siddarth Anand & Fariya Sharaf***



This presentation was aimed at highlighting the important points that lead to the success of this yojana and its overall socio-economic impact on society. They began their presentation by evaluating the impact of programmes that came before the Pradhan Mantri Awaas Yojana, such as the Indira Gandhi Awas Yojana and did a comparative analysis of both yojanas. They highlighted that there was a 7.3% increase in the cement houses due to this project and is considered one of the best projects initiated for the upliftment of the poor. They also shared some of the benefits and impacts that the Indira Gandhi Awas scheme had on Indian society. Following this, they pivoted to how the Indira Gandhi Awas Yojana was restructured into the Pradhan Mantri Awas Yojana. They also shared that the political interference at grass root level in India is immense and corruption by the implementing agencies defeats the purpose of helping those who are in actual need. Lastly, they suggested that there are a plethora of schemes in India and the only thing that is lacking is their implementation. The chair suggested their paper include legal and practical impediments, with solid evidence and asked them to interlink all the topics covered in the paper.

2. **The Socio-Economic Characteristics of Migrant Construction Workers in India: An Overview – *Dr. Anitha M***

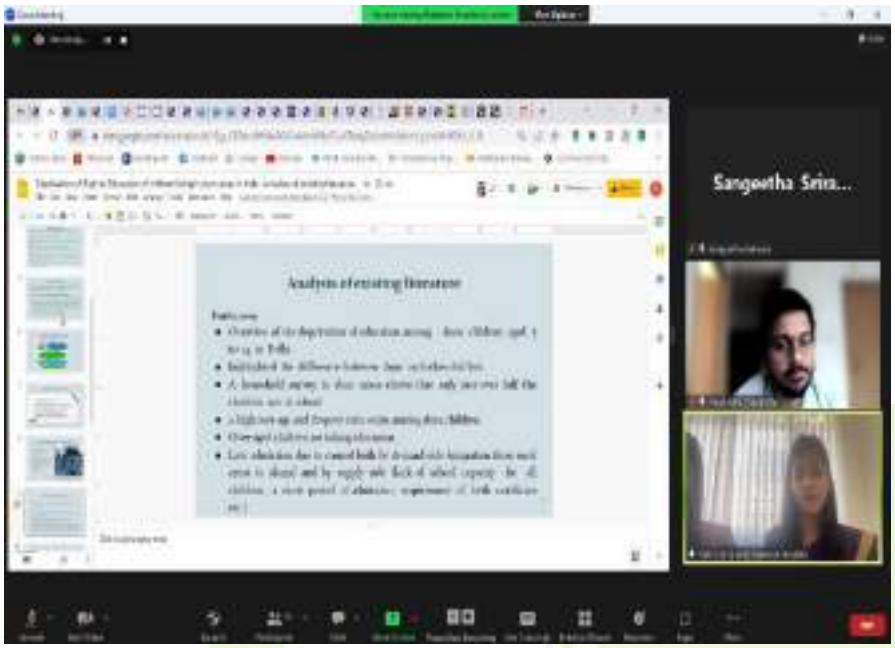
The presenter shared the objective of the presentation to be two-fold, one to highlight the problems faced by migrant construction workers in India as they suffer from lack of legal representation resulting in further human rights violations; and two, to highlight that they are one of the major sectors of our economy owing to their involvement in the building infrastructure. She also addressed the issues such as exclusion and social topography that migrant workers faced during COVID-19. The presenters referred to them as the backbone of our economy and pointed out how they are not provided with any official training and are rather trained by skilled masons. The poor education background, their financial condition and the impact of various legislations on the current economy were also discussed by the speaker. In this context, she also highlighted that women workers are more affected than male workers. It was also suggested that their standard of living needs to be increased and mass communication should be used to get them aware and educated about their rights and liabilities. The chair agreed with the author's view that construction areas are the largest employers in this country and this area needs a lot of focus, it was also suggested that the author should narrow down their research area and be more specific.

3. **Role of Adult Education and Literacy in Social Inclusion: Filling the Generation Gap – *Niraj Kumar Seth & Rekha Seth***



This presentation mainly focussed on illiteracy, linguistic disability, social exclusion, and intergenerational inequality with a special focus on four-fold linguistic disability i.e. illiteracy, mother tongue, English, and digitalization. Along with these intergenerational gaps, gender disparity and loss of economic opportunities were also covered in this paper. They also suggested that there should be adult schools after work hours, back-to-school programmes for adults and mass-level translation of scientific and literary papers. The chair recommended the presenters to explore the ideas where education comes to an adult instead of schemes wanting adults to approach them. The significance of digital education was also highlighted.

4. **Deprivation of Right to Education of Children Living in Slum Areas in India-A Review of Existing Literature – *Ms. Nidhi Saroj & Ms. Rajeshwi Pradhan* -**



As the topic suggests, the main focus of this paper was on analysing the issues related to the violation of the right to education in slum areas. They focused the analysis mainly on the literature review and focused on finding the research gaps. Issues such as overcrowding, unskilled teachers and child labour were also discussed. They reviewed the papers of Naik and Jogdand, 2013; Tsujita, 2009; Rose P 2016 and observed a few of the research gaps such as "lack of ground reality" and "reason for lack of awareness" to be missing. They suggested that to tackle this mass-scale problem, awareness needs to be spread, scholarships for girl children need to be increased, and focus on skill-based education should break the current status quo. The chair suggested following a literature review timeline for the paper.

5. **Pradhan Mantri Awas Yojna – *Yashvardhan Vats & Tanisha Maheshwari***

Their paper on this project was quite nuanced. Micro home solution for slum dwellers, a comparative analysis between different states that have implemented this scheme and between rural and urban areas. It was highlighted that Madhya Pradesh is the state that has done the best utilisation of this scheme and among urban and rural areas, rural areas showed more development. Certain aspects such as space, light, and ventilation that need to be taken into account for the development of housing schemes were also highlighted during the presentation.

6. **Re-examining the Role of the UN in Safeguarding the Rights of the Slum Dwellers – *Dr. Makhan Saikia***

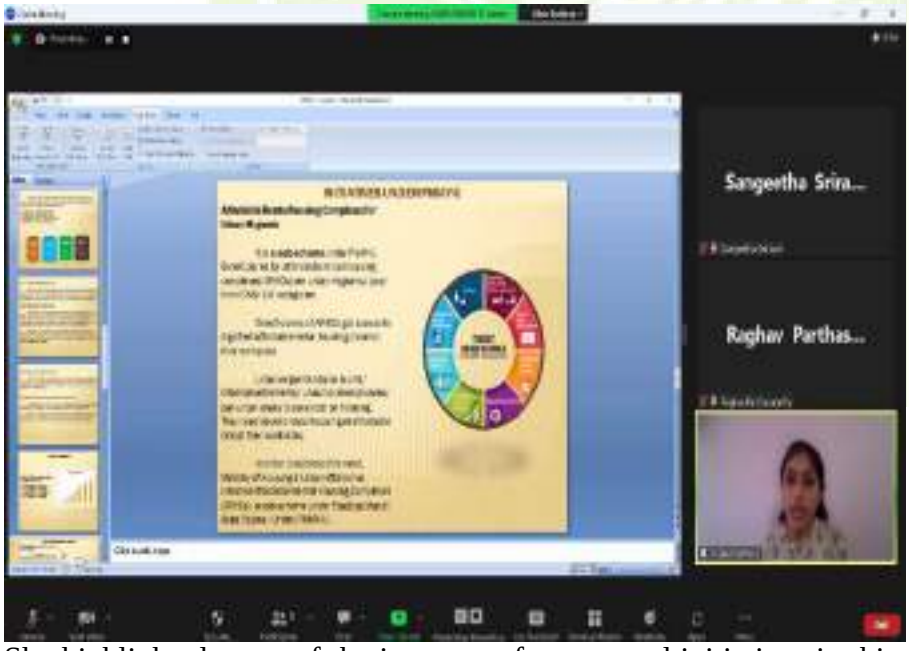
His presentation commenced by highlighting the role of the UN in safeguarding slum dwellers' rights. The key takeaway from the presentation was the observation made by the presenter that the UN should move away from piecemeal slum upgrading and move more towards organized planning for the slums. He recommended that the UN's habitat plan is

not enough to deal with this issue and it was also suggested that instead of demolishing the slums they should be legitimized instead.



The chair was not convinced by his idea that the UN is obligated to protect the rights of slums in India and stated that it primarily falls on the national government to take care of the slums in India.

7. Pradhan Mantri Awaas Yojna – *Ms. Yashaswini S*



She initiated her presentation with a discussion on the UN Human Right Settlement Programme andUN-Habitat Programme. After that, she focussed her presentation on India's biggest housing programme, i.e., Pradhan Mantri Awaas Yojana. She highlighted some of the important features and initiatives in this programme such as in-situ slum redevelopment, credit-linked subsidiary link and affordable housing partnership. The presenter also suggested that denial of basic facilities is a failure of the state and that major issues such as eviction drives need to be confronted upfront. The chair suggested that instead of focusing on describing this well-known scheme, the paper needs to be more focused on the suggestions & recommendations in this context.

8. **Convergence of Housing, Health, Education, Decent Work and Social Security for the Urban Poor; Legal and Policy Perspective – *Rekhil S & Mariya P S***

The speakers focussed their presentation on highlighting the migration of people from rural to urban areas. The rise in urban population, Part III and IV of the Constitution of India, with respect to provisions on the welfare of the people, affordable housing and free primary education were a few of the important highlights of their presentation. In the light of demolition and eviction, case law, such as Samarpal vs UOI was also discussed. Sustainable housing programmes, housing policies for urban poor, UN's programme with the state and newly recognized rights such as the "right to city" were addressed in this paper as well with great emphasis.

DAY 2: SESSION – 4
CASE STUDY RELATING TO EVICTION, MIGRATION AND RESETTLEMENT

CHAIRPERSON: DR. BISHWA K. DASH, ASSISTANT PROFESSOR (SENIOR), NATIONAL FORENSICS SCIENCES UNIVERSITY, GANDHINAGAR
CO-CHAIRPERSON: MR. VIKAS GAHLOT, TEACHING ASSOCIATE, CEERA- NLSIU

1. **Inclusive Urban Planning with respect to Slum Administration: Case study of Pune's Biggest Slum, Janata Vasahat – *Prof. Kshitij Naikade, Dr. Manika Kamthan & Dr. Shashikala Gurpur***

The presenters quoted the definition of slums as a very poor and crowded area, especially of a city, as per the Cambridge dictionary. They furthered the understanding of slums by giving information on the parameters that declare a place a slum. Some of these parameters include- lack of light, water supply, lack of ventilation and overcrowding. The presenters then proceeded to bring everyone's attention to Goal 11 of Sustainable Development Goal which is to make cities and human settlements inclusive, safe, resilient and sustainable- efforts must be redoubled to ensure that all urban inhabitants have access to safe and adequate housing, clean air and basic services, and live in resilient and sustainable communities.

During the presentation, they emphasized how every human being has the unalienable right



to participate in, contribute to, and enjoy economic, social, cultural, and political development, which paves the way for the full realisation of all human rights and fundamental freedoms. It was further informed by the presenters that the main toolkit for urban growth is urban planning. Slum upgrading plays a significant role in urban development because slums are inherently a part of urban habitat. Furthermore, there was a succinct discussion on relevant urban planning schemes in India. To conclude the speakers focused on COVID-19 and its impact on the slums of India and finally the Janata Vasahat Model. Lastly, they also gave some helpful recommendations for the improvement of the situation.

2. **Impact on Health and Mental well-being of Teenagers Affected by Forced Eviction – *Nikhita S & Kritika Jain***

This paper focused on the effects of teenage forced eviction in Bangalore's Urban area slums on their mental health and general well-being. To gather initial data, the writers adopted an empirical research approach. The doctrinal methodology has also been used to gather secondary data from reviews of previous literature, laws, and official circulars and notifications. The authors also paid close attention to how evictions affect teens. The article's main focus is on how teenagers who have been evicted from their homes cope with their daily lives, education, health, and other issues. In the research process, the mental health and well-being of adolescents living in typical households compared to those living in slums who have experienced such evictions were also covered. Lastly, the legislative gaps relating to the slum residents' physical and mental health have also been examined.

3. **Human Rights Violation on Slum-Dwellers in Bangalore, Issues, Regulatory Challenges, Suggestions – *Anuja Paul & Nirmala Harish***

In their presentation, they expressed their concern about the exponential growth of slums in Bangalore, in reference to the findings of the Karnataka Slum Development Board. They

brought to light the findings that out of 2,397 slums in the State of Karnataka, 387 of them are in Bangalore. The study's scope and limitations were restricted to the slums of Bangalore's metropolitan districts Devara Jeevanahalli (DJ Halli), Bellandur, Sarjapura, and Ejipura.



They analysed the major issues in Bangalore's slums including poverty, population growth, hazardous living conditions and societal problems. It was further observed that these slums are a major source of water and air pollution, and impromptu rehabilitation efforts make it more challenging. The crucial problems in Bangalore's slums were also highlighted in this regard. The major goal of this study was to critically evaluate the conclusions of several surveys, studies, notes, and scholarly articles on Bangalore slums, as well as the findings of various authorities and Boards of the Karnataka State government, and to recommend potential solutions.

4. **A Legal Study on Embracing of Town Planning-An End to Atrocities of Slum Dwellers –** ***Mr. Arjit Pandey & Ms. Akanksha Surana***

Their presentation underlined the influx of rural populations into urban areas in search of subsistence, slums are continuing to increase and the quality of housing to decline. As cities grow, so do their slum populations. This was pinpointed by the presenters to be mainly caused by the failure to plan cities in ways that address people's needs. It was further analysed that the displacement of the force from the rural economy has created serious stress on cities and towns. In this regard, they gave the example of Kalaburagi, a second-tier city in Karnataka state. They lastly concluded their presentation by stating that to improve the quality of life in urban areas, it is of critical significance that the housing stock is improved through urban renewal, in situ slum improvement and development of new housing stock in existing cities as well as new townships. The presenters observed that the way the government has dealt with the problem of slums and town replanning shows the

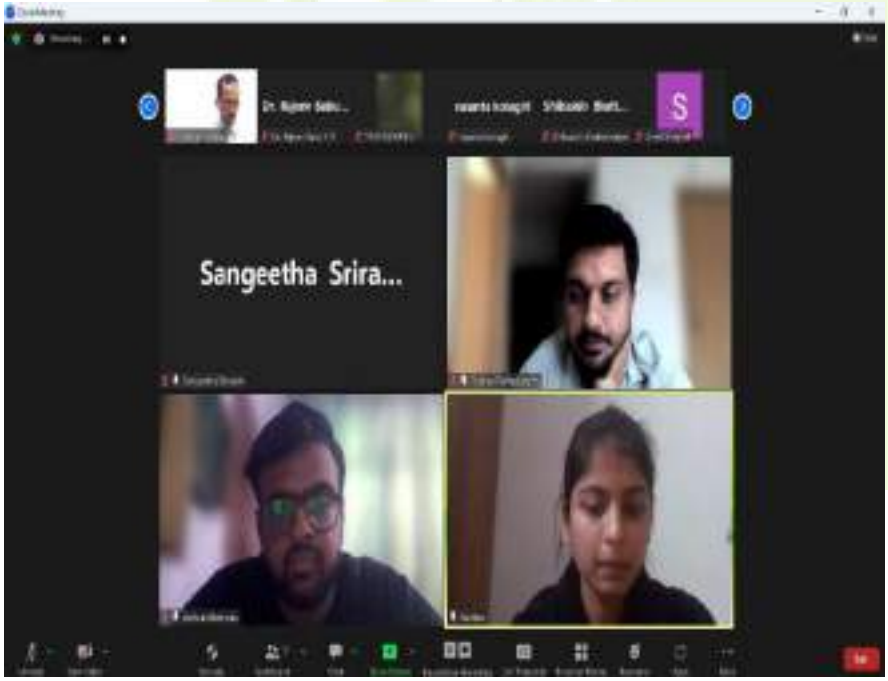
lacuna of addressing the root cause of the problem as it continues aggravating it to a much higher level.

5. **Amelioration of Slums: A Study of Disorganized and Disoriented-Political Dissonance – *Ms. Deveshi Bose & Ms. Aditi Nidhi***

They started their presentation by giving a heuristic definition of slums and slum dwellers. They mentioned their research questions and then proceeded with how they approached each question. The study carried out was primarily empirical in nature. The methods used to collect the data were qualitative. Moving forward, they discussed the case studies of slums in the State of West Bengal and Uttar Pradesh to gain an overview of the structural development of slums in these areas. They ended their presentation with some important solutions that were appreciated by the chairs.

6. **Children in Shelter Homes: Issues and Challenges – *Gaurav Kumar***

The presenter made an attempt to examine several problems faced by children who reside in shelter homes, including security, access to health care, education, and justice as well as violations of human rights.



The speaker informed that the fundamental rights against exploitation and the right to live with human dignity are two essential provisions for the protection and well-being of children that are included in the Indian Constitution. The status and rights of children residing in shelter homes across the nation have drawn the attention of the Supreme Court. The issues and problems faced by youngsters who contracted the COVID-19 virus were also delved into by the presenters. More efforts were made to understand the true causes, both legal and social, so that appropriate treatments and solutions could be found.

7. Using the Indian social security system to advance education rights – *Raju Kumar*

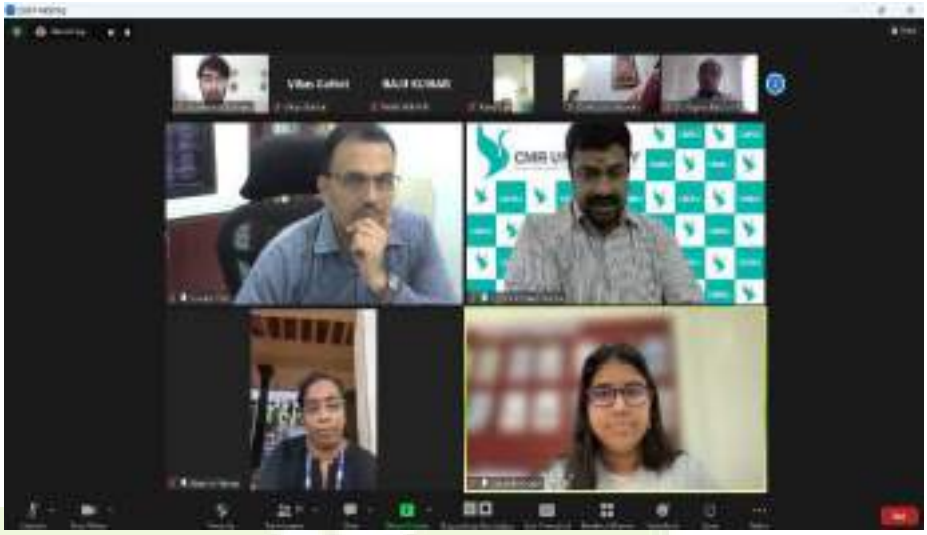
The speaker shed light on the fact that more than 57 million children did not attend school in 2011. Although he noted that in the past few years, basic schooling has been more widely available. It was further informed by the speaker, that the right to education is also a key element of social policy for the government in combating poverty. Another essential social security promise is access to education. In the light of the same, the speaker apprised that without freeing kids from child labour and giving them social safety nets, universal primary education cannot promote the right to education. Studies show that when properly managed through social safety nets, the education sector improves all facets of a country's growth. The speaker further discussed the practical concerns related to India's expansion of the right to education through social protection measures. He also examined the benefits and drawbacks of international standards as well as the social security system in India and offered suggestions on how to strengthen social protection for the right to education.

VALEDICTORY SESSION

PROF. (DR.) BISMI GOPALAKRISHNAN, PROFESSOR AND DEAN, MG UNIVERSITY, FACULTY OF LAW, UNIVERSITY OF KERALA- CHIEF GUEST
PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU
DR. V. J. PRANESHWARAN, PROFESSOR AND DIRECTOR, CMR UNIVERSITY, SCHOOL OF LEGAL STUDIES

PROF. (DR.) BISMI GOPALAKRISHNAN, PROFESSOR & DEAN OF MG UNIVERSITY, FACULTY OF LAW, UNIVERSITY OF KERALA

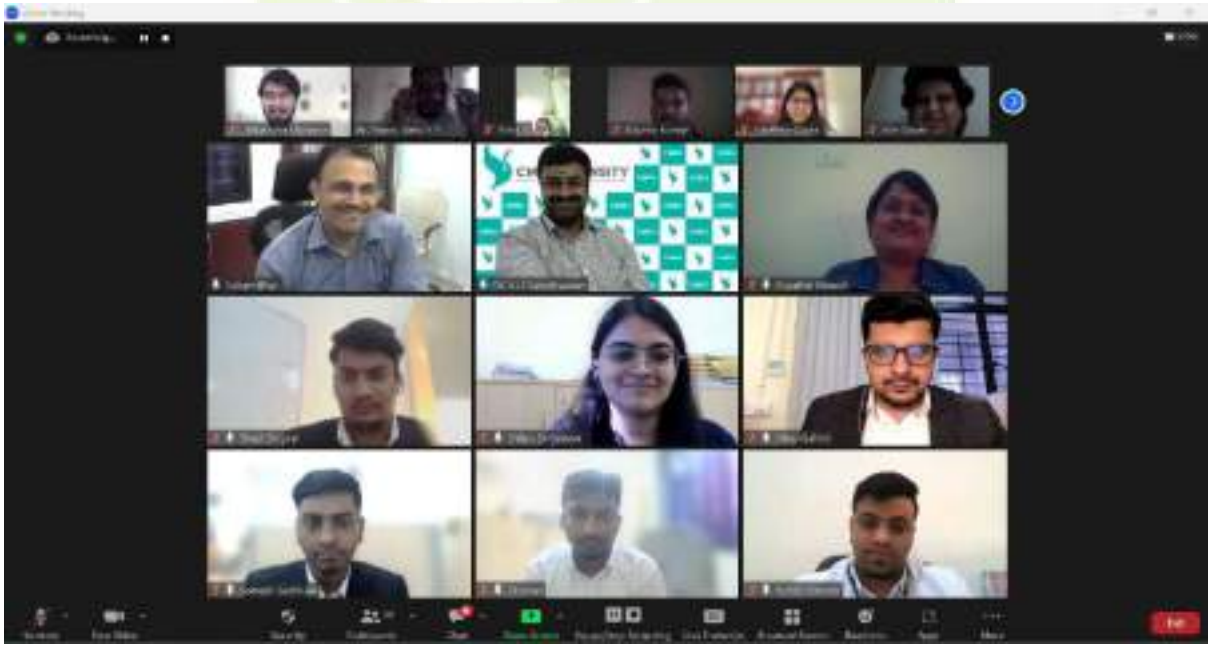
Prof. (Dr.) Bismi Gopalakrishnan emphasised that forced eviction is a very traumatic process for the slum dwellers as it endangers the life of the already venerable slum dwellers. Following this, she highlighted the Delhi High Court judgment wherein the vulnerable livelihood of slum dwellers was discussed as well as the point on the separation of the right to life and right to livelihood.



She also shed light on the issue of livelihood of slum dwellers and suggested the analysis of the same from the perspective of constitutional law and human rights. Lastly, she concluded by suggesting that a unique balanced view must be taken on the aspect of the violation of the human right of slum dwellers.

DR. V. J. PRANESHWARAN, PRINCIPAL CMR LAW SCHOOL, BENGALURU

Dr. V. J. Praneshwaran commenced his valedictory address by giving a very different perspective on the topic which was discussed in the conference and he underscored the existence of a presumption of a violation of human rights. He further called for the rejection of this presumption as human rights issues should be dealt with without any biases or presumptions of violation only. Lastly, he suggested that various alternate accommodations must be provided to slum dwellers through various state and national schemes and concluded his address by mentioning that a human must not take any assumption and presumption of any matter and rather try to take a holistic view of the same.



The conclusion of the national conference on this note lays a crucial aspect for the study of slum dwellers in India. It marks an important milestone in addressing the challenges faced by this vulnerable section of society. The conference would have provided a platform for experts, policymakers, and slum dwellers themselves to share ideas, experiences, and best practices in improving the living conditions of slum communities across the country.

It is hoped that the discussions and recommendations from the conference will inform policies and programs aimed at addressing the root causes of slum living, such as poverty, inadequate housing, and lack of basic services. By working together, it is possible to develop sustainable solutions that promote social inclusion, economic development, and the well-being of all citizens, including those living in slums.

On this note, the Vote of Thanks was proposed by Mr. Jaibatruka Mohanta and Prof. Sairam Bhat provided the final concluding remarks at the virtual Conference.

EVENT REPORT
ONE DAY MASTER TRAINER WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS
17/02/2023
BY: LEGAL AID CLINIC & SUPPORT CENTRE

The Legal Aid & Support Centre of the NMIMS Kirit P Mehta School of Law organised a "Master Trainer Workshop on Legal Literacy and Legal Awareness" in the NMIMS Mukesh Patel Auditorium, Mumbai. The workshop focussed on educating the youth on the importance of legal education. The speakers of the workshop included dignitaries from different fields of the legal fraterniy, such as Dr. Sairam Bhatt, Mr. Vikas Gahlot from CEERA, Adv. Rohini Pandit, Professor Divyanshu Priyadarshi, Hon'ble Shri Anant Deshmukh, Advocate Audrey D' Mello. There were 200 attendees who attended the workshop online and 120 attendees who attended it offline.

The chairperson of Legal Aid & Support Centre, Ms. Sushmita Das inaugurated the event by giving an opening speech to the attendees of the workshop, followed by the Dean of Kirit P. Mehta School of Law, Dr. Durgambini Patel who gave a welcome address. The workshop started with the discussion of how the Indian Justice System has evolved drastically, imparting that 'legal aid should not be based on the "ivory tower" attitude but be replaced by an individual and societal responsibility'. The speakers addressed the issue, there has been a dedicated Act for providing free legal aid services to the population yet the redressal rate is poor. Various reports and statistics were showcased to support the same. The first speaker of the session, Adovate Rohini Pandit, highlighted a very important concept of Mediation, which is an improvised form of negotiation though, a blooming and new concept yet it only survives in a country where barriers like that of infrastructural needs are negated. Hence, pre-litigation mediation can prove to be a fruitful medium to avoid the huge docket explosion.



The session was followed by a discussion led by the Secretary of the Mumbai District Legal Services Authority, Shri Anant Deshmukh, on how litigation and legal assistance are provided to persons who have been wronged. He stressed the significance of inexpensive legal methods, such as mediation and arbitration, which may be easily accessed by those who cannot afford an expensive advocate. Sir also highlighted why Legal Aid has not yet been fully implemented despite the fact that it is one of the most critical reasons that focuses only on Legal Aid. He elaborated on the relevance of law enforcement as opposed to mere legislation and writing.



The keynote speaker, Dr. Sairam Bhatt from NLSIU Bangalore, granted a highly participatory address. Instead of adhering to the typical principles of presenting a lecture, as most academic speakers do, he used real-world instances, like when he was travelling to Goa and was pulled over for speeding. He continued onto this case by describing how the inspector's posture changed after Dr. Sairam sir said that he is a lawyer. With this example, he was attempting to demonstrate the significance of the power of the law and how we should utilise it responsibly. The second lesson from the same example was that, since he avoided paying the fine by merely mentioning that he is an advocate; decided to assist another elderly couple who had been pulled over for speeding who were asked to provide the original insurance documents for their vehicle, despite the fact that the Motor Vehicles Act, 2019 requires the driver to provide only copies. From the second mention, he deduced that it is essential to understand how obligations to others and your own basic rights are intertwined.

Assistant Professor Divyanshu Priyadarshi shared with us the experiences that he and his students had while participating in the Legal Aid Competition's Village Survey activity during the last two months. He mentioned the phrase named 'Process of Middlemen', which most of us were unaware of the until Professor Divyanshu presented it to us. He was attempting to recreate the same situation he encountered during the village survey. He argued that it is not that the government does not provide food and rations to the populace, but instead intermediaries stockpile the supplies for their own financial gain. As an example, rice that is intended to be priced at Rs 2/- per kilogramme is actually sold for Rs 10 /-, with the remaining profit margins going to middlemen or so-called government distributors.

The session was carried forward by Professor Vikas Gahlot. Sir posed questions that appeared elementary at first, but were actually profound and intricate. He distinguished between legal consciousness and legal literacy. According to Dr. Sairam's lecture, he stated that being aware and that of presenting insurance documents to the police is required is part of Legal Awareness, whereas being aware of the Motor Vehicles Act of 2019 is Legal Literacy.

Majlis Foundation director and advocate Audrey D'Mello spoke on expanding access to legal aid and other forms of support for victims, with a focus on women and children.

Being in the same room amidst their wisdom, expertise and experience was inspiring in itself. The normal notions of many law students about the academic workshops as very basic but the immense amount of knowledge, lessons we gained from the incidents of their own life is what made the workshop phenomenal. The biggest lesson we could take from the workshop will be, what Dr Sairam Sir said was " If you want to commit to Legal Aid and change the society, you have to start doing that from your own home, only then you will be able to know the level of patience and compromises you need to make to change someone's life and bring them to justice". The words of Audrey mam, "The black and blues may fade away but the hurt inflicted will linger," have resonated with us forever. Ma'am added to the discussion by saying that criminals typically prey on mothers and children because of their vulnerability. She went on to say by taking the example of domestic abuse; many individuals are aware of the problem and know that the "Man of the House" regularly hits his wife and children, but they would never report it or file a formal FIR in accordance with the applicable laws and regulations. She thinks that in order to affect broader societal change, we must start by making changes in our own lives, and that one way to do this is to ensure the safety of the rights of others alongside our own. This means that in addition to our rights, we must also fulfil certain obligations.



The event ended by a felicitation ceremony for our dignitaries followed a vote of thanks given by Legal Aid & Support Centre's faculty co-convenor Ms. Khyati Nayak.

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA),

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

UNDER THE AEGIS OF

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

Organizes

ONE-DAY MASTER TRAINER WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS

In Association with

MAHARAJA SRIRAM CHANDRA BHANJADEO UNIVERSITY, BARIPADA, ODISHA

ON MARCH 18, 2023 AT ANNEX CONFERENCE HALL, MSCB UNIVERSITY, BARIPADA

WORKSHOP REPORT

The One Day Master Trainer Workshop was conducted in the **Maharaja Sriram Chandra Bhanjadeo University, Baripada, Odisha** on the 18th March 2023 on the topic "Legal Literacy and Legal Awareness" under the aegis of CEERA-NLSIU and Department of Justice, Ministry of Law and Justice, Government of India. The objective of the workshop was to sensitize and synthesize the legal awareness among the peer to transmit the same to the society. In this process, invitation was advanced to law students, lawyers, civil society organizations, para legal volunteers etc. At the event, a total 119 participants took part for the whole day workshop.

The session was inaugurated by the welcoming address from **Prof. Santosh Kumar Tripathi, Vice-Chancellor, Fakir Mohan University & I/c Vice-Chancellor MSCB University, Baripada** and he spoke about the outreach of access to justice throughout the state of Odisha. He emphasised the Role of Legal Literacy and Awareness by saying that Legal awareness and literacy is the knowledge and understanding of the law, legal rights, and responsibilities. It's important for everyone to have a basic understanding of the law to avoid legal trouble and to protect their rights. Legal literacy can be gained through various means such as reading legal documents, attending legal workshops, and taking online courses. By being legally aware, people can make informed decisions and protect themselves from exploitation. Legal literacy can also help people to better

understand their rights and responsibilities within society, and to contribute positively to their communities.

TECHNICAL SESSION 1 AND IT WAS TAKEN OVER BY ADV. BIBHU PRASAD TRIPATHY, ADVOCATE, HIGH COURT OF ODISHA

Mr. Tripathy spoke about the Legal Awareness in Odisha and the role of Legal services Authority in it. He stated that Legal awareness in Odisha is crucial for people to understand their rights and responsibilities. The state government has implemented various initiatives to increase legal literacy and awareness among the people. The Odisha State Legal Services Authority (OSLSA) is responsible for providing legal aid and awareness to the people of the state. It conducts legal literacy camps, workshops, and seminars to educate people about their rights and the legal system. The OSLSA also provides legal aid to the poor and marginalized sections of society, including women, children, and the disabled. Additionally, the state government has launched a mobile app called "Mo Sathi" to provide legal aid and awareness to people in remote areas. Through these initiatives, the government is working towards increasing legal awareness and literacy in Odisha and empowering its citizens to exercise their legal rights.

He remembered his initial days of his career and said that he used to do pro-bono works in association with Legal Services Authority and it gave him immense knowledge and wide range of cases to work upon. Firstly, it provides legal services to those who cannot afford it, ensuring that everyone has access to legal representation and justice. Secondly, it allows lawyers to give back to their communities and use their skills to help those in need. Pro bono lawyering can also help lawyers to gain experience and develop their skills in areas of law that they may not have otherwise had the opportunity to practice in. Additionally, pro bono work can help lawyers to build their professional networks and reputations, as well as increase their job satisfaction. Overall, pro bono lawyering is a win-win situation for both the clients and the lawyers involved.

THE SECOND TECHNICAL SESSION WAS LED BY ADV. ROHITH KAMATH, ADVOCATE – CONSULTANT, CEERA-NLSIU

He gave valuable information on Cyber Security and its relation with Consumer Protection. He emphasised that Cybersecurity and consumer protection are closely linked. Protecting consumer data and privacy is a key component of cybersecurity. Companies that collect and store consumer data have a responsibility to keep that data safe and secure from cyber threats. Consumers can protect themselves by being cautious when sharing personal information online and using strong and unique passwords. Additionally, consumers should be aware of their rights under data protection laws and should report any suspected breaches of their personal data to the appropriate authorities. Companies can also take steps to protect consumer data by implementing strong cybersecurity measures and being transparent about their data collection and storage practices. He also stated the need of more legal awareness as well as stringent Legal Framework for the same.

Further speaking on Pro-bono Lawyering and Legal Literacy he stated that it help people in understanding and getting their rights regardless of their financial or social status. He said that this is the tool empower the last section of the society.

THE THIRD TECHNICAL – SHRI. BIRENDRA KUMAR SENAPATI , INSPECTOR, BARIPADA.

He stated that The role of police in access to justice is to ensure that the law is enforced and that people's rights are protected. The police play a critical role in maintaining law and order, preventing crime, and protecting citizens from harm. However, the police also have a responsibility to ensure that justice is accessible to all, regardless of their background or socioeconomic status. This includes ensuring that marginalized communities have equal access to justice and that police officers are held accountable for any misconduct or abuses of power. By working with communities to build trust and respect, the police can help to create a more just and equitable society. Additionally, police officers can work to educate people about their legal rights and responsibilities, and can refer individuals to legal aid organizations or pro bono lawyers when necessary. Overall, the police play a critical role in ensuring access to justice for all.

THE FOURTH TECHNICAL – ADV. JAIBATRUKA MOHANTA, RESEARCH FELLOW, CEERA-NLSIU

He emphasized on Online Fraud and need of Legal Aid for its victims. He stated that Online fraud is growing problem that can have serious consequences for victims. In India, legal aid is available to those who have been defraud online, but accessing this aid can be challenging. One of the main barriers to accessing legal aid for online fraud victims is a lack of awareness about the resources that are available. Many people may not know that free legal aid is available to them, or they may not know how to access it. Additionally, the legal system can be complex and difficult to navigate, which can make it challenging for victims to pursue legal action. This is particularly true for those who are marginalized or living in poverty, who may not have the resources to hire a lawyer or pursue a case through the courts. To address these challenges, there are several initiatives underway to improve access to legal aid for online fraud victims in India. This includes increasing awareness about the resources that are available, providing legal aid clinics and other support services, and simplifying the legal process to make it more accessible to those who need it. By working together, stakeholders can help to ensure that victims of online fraud have access to the legal support and resources they need to seek justice and recover from their losses**.**

At the end of the event Mr. **Prof. P.K. Satpathy,** Chairman P.G. Council, MSCB University proposed the voteof thanks to all the esteemed speakers and participants for their invaluable insights, perspectives, commitment, and active participation in improving access to justice.

This event was an important step towards improving access to justice in our community. Overall, engagement and participation in the discussions and activities in this event helped to create a dynamic and meaningful learning experience. He promised to conduct these types of event in the future too.

MEDIA PAGE













SL.No.	NAME	DESIGNATION	DEPARTMENT
1.	Sandeep Kr. Mohapatra	Advocate DLSA Panel Baripada	
2.	Narayan Sar.	Advocate. Do-	-Do-
3.	Jnanaranjan Nayak.	Advocate. DO	- DO -
4.	Prof. Kalipada Mahanta	Retd. Professor.	
5.	Gatikrishna Tripura	Human Right Act	
6.	Biswajay Priyadarshi	Student	BSE
7.	Sonal Mishra	Advocate	
8.	DR. B.K. Panjvalli	Professor	Pharmacology
9.	Tapan Kumar Ghosh	Advocate,	
10.	Sanjay Kumar Tanti	Advocate,	
11.	Surendra Kumar Satapathy	Asst. Prof. of Mgmt	Mgmt
12.	Lakhan Narayan Das	Asst. Prof. - Mgmt	MBA
13.	Dr. Subhasri Rath	Asst. Prof, MSCBU	WLBC
14.	Bijaya Krishore Sahu	HM. Balichhaco HS	
15.	Sudhanshu Sekhar Sethi	Asst. Teacher GUP & BSD Balichhak	
16.	Dr Pushpanjali Parida	Associate Professor & HOD Zoology	Zoology
17.	Jayashree Das	Advocate, Retd	
18.	Pranati Murmu	Advocate, Baripada	
19.	Dr. Rajan Kr. Tirkey	Assistant Professor	MLC.
20.	Chand Chandra Sahu.	Lecturer	MLC.
21.	Sachikanta Behera	Student	MLC
22.	Dolagobindu Besra	Student	MLC
23.	Suryamukha Pradhan	Student	MLC.
24.	Kishor Kumar Mohanty	Student	MLC
25.	Omme Rumman	Student	MLC
26.	Sneha Patra	Student	MLC
27.	Mousumi Payra	student	MLC
28.	Pallabi Das	Student	MLC
29.	Manoswini Dutta	Student	MLC
30.	Sunani Priyadarshini	Student	MLC
31.	Soumyashashi Giri	Student	MLC.
32.	Pratyabati Singh	Student	MLC
33.	Manisa Mohanty	Student	M.L.C.
34.	Haripriya Hansdah	Student	MLC
35.	Subhadra Das	Student	M.L.C
36.	Umashankar Kar	Student	M.L.C

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Executive Council
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S.L No.	NAME	DESIGNATION	DEPARTMENT
37.	Bhagabatan Mishra	student	MLC
38.	G. Prem Rout	Student	MLC
39.	Chandan Kumar Das	Student	MLC
40.	Kumar Pradeep Jhadav	Student	MLC
41.	Nandlal Mohakud	Student	MLC
42.	Debitirtha Sethy	Student	MLC
43.	Sijy Kundu	Staff. MSW Asst. Prof.	M.S.W.
44.	B. Prasanjan Mallick	Associate Prof. of Phy	Physics
45.	Muskan Rai	Student	WLBC
46.	Sunita Parida	Student	WLBC
47.	Pagalaxmi Sahoo	Student	WLBC
48.	Samita Malla	Student	WLBC
49.	Sanjati Sahoo	Student	WLBC
50.	Sumedha Sahoo	Student	WLBC
51.	Anita Rani Padhiari	Student	WLBC
52.	Narendra Nath Singh	President	NGO
53.	Abani Kanta Pati	member	NGO
54.	Raghunath Mohanta.	Member	N.G.O.
55.	Sunil Kumar Rana	Advocate	Barrister.
56.	Deelak Purohani	Student	MLC
57.	Dr. Banamali Parida	Faculty member MLC	Law
58.	Arun Kumar Behera	Student	Law
59.	Diptimayee Pradhan	Student	WLBC
60.	Priyanka Priyadarsani Dash.	student	MSW
61.	Sudhansi Lenka	student	WLBC
62.	Himani Nain	Student	MSW
63.	Rajendra Kumar	R.L.O	
64.	Akash Padhan	Student	WLBC
65.	Rajeb Kumar Giri	Student	WLBC
66.	Kamini Mahali	Student	MSW
67.	Ranjita Rout	Student	MSW
68.	Satyabhama Das	Student	MSW
69.	Pradeep Kumar Lenka	Student	MSW
70.	Nanaottam Mohanta	Student	MSW
71.	Indumati Tudu	Student	MSW
72.	Amit Kumar Kochepatra	Student	MSW

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73.	Purab Ku. Bindhani	Student	MSW
74.	Snehalata Mukhi	student	MLC
75.	Saraswati Biswal	Student	MLC
76.	Sricathi Nayak	Adv	Baripada
77.	Jyotiranjee Patel	Student	MLC
78.	Priyanshu Mahapatra	Student	MLC
79.	D.Sitaram Das	Teacher	MPSA
80.	Dr. Rabindra Kumar Mishra	Teacher	WL&BC
81.	D - S.D. Rout.	Teacher	WL&BC
82.	Narendra Nath Behera	Working Journalist	IRPR
83.	DR. SAMIR PRADHAN	OD completed	Dhan IIBS Bangur
84.	Amit Kumar Naik	Human Right Scholar	
85.	Ashok Ku Das	Journalist	
86.	Kajal Prusty	student	odia
87.	Rati Seth	Student	ODIA
88.	Sarmista Mohanty	student	Education
89.	Chandini Mohanta	Student	ATS
90.	Deba Soren	Student	Odia
91.	Bidhree Prusty	Student	Odia
92.	Sasmita Nayak	Student	ODIA
93.	Pranjit Mohanta	student	MCA
94.	Amulya Biswal	student	MCA
95.	Smrutirekha Guru	Student	MSc Botany
96.	Sasmitalekha Mahanta	Student	Zoology
97.	Soumipriya Behera	Student	Sanskrit
98.	Swagatika Mohanty	Student	ODIA
99.	Jashalata Biswal	student	odia
100.	Gautam Ku Singh	Student	Zoology.
101.	Farhat Akram	Student	MCA
102.	Tanmaya Priyadarsini Sethy	Student	MCA
103.	Saraswati Behera	Student	MCA
104.	Sunil Kumar Sahoo	student	MCA
105.	Disha Biswal	student	MCA
106.	Priyanka Garai	Student	MCA
107.	Soumyaranjan Singh	Student	MCA
108.	Bijoy Ghosh	Student	MCA
109	Anshuman Mishra	Student	MLC

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110.	Puja devi Mohanty	Student	odia
111.	Prangya Paramita Mohanda	Student	MSC
112.	Shalabdee Mishra	Student	MSC
113.	Kamini Mahali	Student	MSC
114.	Subhasmita Das	Student	MSC
115 -	Mohapatra Saumya darshan Nayak	Student	Int. Bed-M.ed
116 -	Rameswar Nayak	Student	MCA
117.	Debasmita Mallick	student	MCA
118 -	Swagatika Mohanty	Student	ODIA
119 -	Gyana ranjan Ghadei	Student	ODIA.

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ONE DAY MASTER TRAINER WORKSHOP ON
LEGAL LITERACY AND LEGAL AWARENESS

organised by

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

in association with

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA), NLSIU, BENGALURU

and

CENTRE FOR ENVIRONMENTAL LAW (CEL) &

PRO BONO CLUB AND LEGAL AID CENTRE

MAHARASHTRA NATIONAL LAW UNIVERSITY, NAGPUR

on

24 March 2023

at

Seminar Hall B, from 9:30 a.m. to 1:00 p.m.

ORGANISING COMMITTEE

PATRON

Prof. (Dr.) Vijender Kumar

Vice-Chancellor, MNLU, Nagpur

CONVENOR

Dr. Veena Roshan Jose

Assistant Professor of Law & Centre in Charge, CEL

CO-CONVENORS

Mr. Jagdish Khobragade, Assistant Professor of Law
Ms. Ashwini Kelkar, Assistant Professor of Law
Dr. Shivender Rahul, Assistant Professor of English
Dr. Anchit Verma, Assistant Professor of Law
Mr. Raman Tirpude, Assistant Professor of Management

&

STUDENT ASSOCIATES

PROGRAMME REPORT

The Centre for Environmental Law & Pro Bono Club and Legal Aid Centre, Maharashtra National Law University (MNLU), Nagpur organised One Day Master Trainer Workshop on Legal Literacy and Legal Awareness in association with the Department of Justice, Ministry of Law and Justice, Government of India, and the Centre for Environmental Law, Education, Research and Advocacy (CEERA), NLSIU, Bengaluru, on 24th March 2023 at MNLU, Nagpur campus. The Inaugural Ceremony was graced by Shri Jaydip Govardhan Pande, Secretary, District Legal Services Authority, Nagpur, Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU, Bangalore, Dr. Ashish J Dixit, Registrar, MNLU Nagpur, Prof. (Dr.) Himanshu Pandey, Professor of Law, MNLU Nagpur and Dr. Veena Roshan Jose, Convenor and Centre-in-Charge, Centre for Environmental Law.

Prof. (Dr.) Himanshu Pandey welcomed all the distinguished guests and attendees and highlighted the significance of Legal Literacy and Legal Awareness in the paradigm of social justice. Further, Prof. (Dr.) Sairam Bhat delved deep into the need behind understanding the nuances of legal aid and the gaping lack of awareness among the masses with respect to the fundamental right to free legal aid. Shri Jaydip Govardhan Pande addressed the gathering and shared the harsh ground realities and lacunae in the system of social justice due to a lack of awareness and misconceptions about legal aid. The inaugural session concluded with a vote of thanks by Dr. Veena Roshan Jose, Centre in Charge, Centre for Environmental Law, and the Convenor of the Workshop.

The inaugural session was followed by three technical sessions led by Prof. (Dr.) Sairam Bhat, Shri Jaydip Govardhan Pande and Mr. Vikas Gahlot, Teaching Associate, NLSIU, Bangalore respectively.

Around 200 participants actively attended the programme, which commenced at 09:45 a.m. and was concluded at 1:15 p.m., which was followed by lunch.











DEPARTMENT OF LAW

REPORT ON
ONE-DAY TRAINING OF THE TRAINERS (ToT) WORKSHOP
ON LEGAL LITERACY AND LEGAL AWARENESS

OVERVIEW OF THE WORKSHOP:

On 6th May, 2023 the Department of Law, Vishwakarma University, Pune organized a One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness. The Workshop was organised with the aid of Department of Justice, Ministry of Law and Justice, Government of India in association with Centre for Environmental Law Education Research and Advocacy (CEERA) of National Law School of India University (NLSIU) Bengaluru and Department of Law, Vishwakarma University Pune. Registration for the workshop started at 9:30 am and we witnessed around 160 students who whole heartedly participated in the entire workshop.

INAUGURAL SESSION
Prof. (Dr.) Wasudeo Gade Vice President, VU Pune
Dr. Sarika Sagar Dean, Faculty of Law, VU Pune
Shri B. Chandra Mohiyar Director (Access to Justice and Legal Aid to Poor), Department of Justice, Government of India
Prof. (Dr.) Sairam Bhat Prof. of Law & Coordinator, CEERA-NLSIU, Bengaluru

LIST OF SPEAKERS:

- Prof. (Dr.) Sairam Bhat (Professor of Law & Coordinator, CEERA-NLSIU)
- Advocate Rohith Kamath
- Asst. Prof. Divyanshu Priyadarshi VU
- Mr. Vikas Gahlot (Teaching Associate, CEER-NLSIU)
- Advocate S. V. Abhang (Founder, Lex Credence)
- Dr. Mallinath Shivlingappa Kalshetti (Deputy Director General, YASHADA & Director, SIRD Indian Administrative Service - 2007 batch).

PROF. DR. SAIRAM BHAT (Introductory Session)

Sir talked about how providing legal aid is in a way a lawyer's Constitutional Duty. He emphasized on how helping people with the power provided by the knowledge of law is an essential part of the legal profession and provided real-life examples to help the audience relate and understand better. Legal awareness, sometimes called public legal education or legal literacy, is the empowerment of individuals regarding issues involving the law. Sir emphasized that India is the administer of abundant of laws on variety of subjects. The Parliament considers the objectives of the legislation. Most of the people pertain benefits but some due to lack awareness of beneficiaries some laws lay down the substantive rights of masses. After many attempts The Legal Literacy has been concede as an instrument of qualitative change at the basic level.

SHRI ASHUTOSH SRIVASTAVA

About DISHA and Legal literacy programme

Sir educated us about a government initiative named "Designing Innovative Solutions and Holistic Access to Justice (DISHA)". DISHA aims to consolidate four programmes that include: – Tele-Law; Nyaya Bandhu; Nyaya Mitra; Legal Literacy and Legal Awareness with a component on Information Education and Communication (IEC) including Technology. The key objectives of DISHA are;

- Conceptualization of DISHA to redefine the policy framework, vision document and action plan.

- Enriching the Quality of Legal aid to the Marginalized through Tele-Law; Pro Bono and Nyaya Mitra programme and
- Raising Legal Awareness through Legal Literacy and Dedicated Information, Education and Communication (IEC) on Access to Justice Initiatives

One of the key objectives is the expansion of North Eastern and Jammu & Kashmir Project Legal literacy and Legal Awareness programme to Pan India Legal Literacy and Legal Awareness programme. This programme envisages a multi-stakeholder, progressive and transformative approach that would integrate innovative ideas, tools and simplified methodology to enable vulnerable sections to key information and awareness on legal rights, entitlements and relevant laws.

TECHNICAL SESSION 1

ADV. ROHITH KAMATH

Sir spoke about legal literacy as Legal literacy is commonly understood as knowing the primary level in law. When citizens who are particularly marginalized or underprivileged groups, know what the law has to offer them, they can recognise and challenge injustices. The first initiative towards knowledge of the law, which can modify people's lives, is legal literacy. Sir firmly believes that it is required to use education as a tool for endangered ground to understand the critique of law, to familiarise themselves with the purview of their rights under the law, and eventually to claim their rights as a means to bring change in the society. The legal system of any nation has a big contribution in empowerment of its poor's. The object of empowerment cannot be fulfilled unless, the poor's and under privileged are made aware of their rights.

ASST. PROF. DIVYANSHU PRIYDARSHI

Sir started his discussion with the Legal Aid Competition that was organized in the year 2022 by NLSIU. He talked about the various legal aid activities and focused on the root level problems that are present in the society. He emphasized on how even as a student one can work on providing legal aid to individuals to address various social issues. The aim of social justice is to attain substantial degree of economic, social and political equality which is legitimate expectation and constitutional goal. The Constitution thus mandates the state to accord justice to all members of the society in all facets of human activity. Rule of Law is a potent instrument of social justice to bring about equality.

MR. VIKAS GAHLOT

Sir started his session by raising a simply query regarding the difference between Legal Literacy and Legal Awareness. He went on to explain which one comes first and how these function in real life. Sir used relevant examples to explain these two important topics. Prof. Vikas Gahlot also talked about how people might sometimes hesitate to take legal actions in certain cases. In such cases, the need to aware them about the legal aspects is the first step. The fact that literate or affluent class of the society is unaware of their rights and responsibilities make us want to question the status if this issue Pan-India. Legal literacy is the cornerstone of the democracy, it is a lubricant for making democracy and representative work. Lack of legal literacy and awareness stems out of the country's education which emphasizes on traditional rote-learning technique.

Prof. (Dr.) SAIRAM BHAT

Sir made the audience aware of various helpline numbers including Child Helpline, Elder Helpline, and the Helpline number for cyberbullying. He used various instances in which these numbers can be contacted to seek help and made us understand how this is an essential part of our legal framework. Dr. Sairam Bhat also emphasized on the ill effects of Ragging, a practice still prevalent in universities and its recent facet, cyberbullying. He spoke about the Internal Committee to address such issues along with the helpline number.

Sir spoke about access to justice that access to Justice is the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances. There is no access to justice where citizens (especially marginalized groups) fear the system, see it as unfamiliar, and do not access it; where the justice system is financially inaccessible; where individuals have no lawyers; where they do not have information or knowledge of rights; or where there is a weak justice system. Access to justice involves legal protection, legal awareness, legal aid and counsel, adjudication and enforcement.

LUNCH BREAK

TECHNICAL SESSION 2

ADVOCATE V. S. ABHANG

Sir is the Founder of Lex Credence firm in Pune. Sir started his session by asking the reasons for individuals often not taking up Legal Aid as a part of their career. The Legal Literacy and Legal Awareness Programme aims to empower the poor and disadvantaged sections of society to seek and demand justice services. The Programme also seeks to improve the institutional capacities of key justice service providers to enable them to effectively serve the poor and disadvantaged.

Various issues which are faced by the common public is related to demand of compensation, bank fraud, awareness of Alternate dispute resolution mechanisms and other important rights. Sir discussed some important case laws like *Hussainara Khatoon vs state of Bihar*. Life is a bundle of rights and it is important for us to understand how to lead a meaningful life. Sir also discussed about the reasons why advocates do not set up their own Legal Aid centres. Quality of legal professionals attending legal aid/pro bono cases matters in the legal field.
We have now various technologies like e-courts and e-filing system to assist the lawyers with their cases.

TECHNICAL SESSION 3

DR. MALLINATH SHIVLINGAPPA KALSHETTI

Accompanied by Dr. Ram Pole Research Officer & Faculty, YASHADA, Pune

Sir is Deputy Director General & Director, SIRD Indian Administrative Service - 2007 batch (Retired). Sir spoke about the work of YASHADA (Yashwantrao Chavan Academy of Development Administration). It is an Administrative Training Institute of the Government of Maharashtra, and meets the training needs of government departments and rural and urban non-officials and stakeholders. Human resource development has traditionally been one of Maharashtra's major strengths. The importance of evolving sound and responsive administrative systems was realized as far back as 1963 when the Administrative Staff College (ASC) was established in Mumbai. The ASC was relocated at Pune in 1984 and renamed "Maharashtra Institute of Development Administration" (MIDA). MIDA, constituted as an autonomous society under the Societies Registrations Act, 1860, was to serve as the apex body

for promoting and developing modern management practices and was to function as the nodal state level training institute in the field of development administration. Aptly enough, it was rechristened, "Yashwantrao Chavan Academy of Development Administration" (YASHADA) in 1990, as a tribute to the pioneering spirit of the late Shri Y. B. Chavan, former Chief Minister of Maharashtra & Deputy Prime Minister of India, who had inspired the setting up of the ASC.

Sir also emphasized about the legal awareness which should be given to the people closing working with the Panchayat. There are schemes like *Vidhwa Samman Yojana* for the welfare of widowed women so that their rights are protected and taken care of.
All the speakers emphasized on the need to focus of Legal Aid activities and services.

VOTE OF THANKS BY PROF. APURVA BHILARE

PHOTO GALLERY






of The Trainers (ToT) Workshop on
and Legal Awareness
Vishwakarma University, Pune
and Justice, Government of India and
Research and Advocacy (CEERAL
versity (NLSIU) Bengaluru
00 AM to 4:30 PM
Kondhwa, Pune




One Day Youth Training of The Trainers (ToT
Legal Literacy and Legal Awarene
Organised by
Department of Law, Vishwakarma Universit
In Association with
Department of Justice, Ministry of Law and Justic
Centre for Environmental Law, Education, Research and
National Law School of India University (NLSIU),
DATE:
04th May, 2023
TIME:




One Day Youth Training of The Trainers (ToT)
Legal Literacy and Legal Awareness
Department of Law, Vishwakarma
In Association with
Department of Justice, Ministry of Law and
Centre for Environmental Law, Education,
National Law School of India University
DATE:
06th May, 2023
TIME:
9:00 AM to 4:30 PM




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One Day Youth Training of The Trainers (ToT) Workshop
Legal Awareness
Organised by
DATE
TIME







ONE DAY WORKSHOP ON RIGHT TO SAFE ABORTION: LEGAL, MEDICAL AND ETHICAL ISSUES

Organised By

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

In Association With

DEPARTMENT OF JUSTICE,

MINISTRY OF LAW AND JUSTICE,

GOVERNMENT OF INDIA

16th June 2023



REPORT

BACKGROUND

The Centre for Environmental Law Education, Research and Advocacy (CEERA), National law School of India University (NLSIU) organized a **One Day Virtual Workshop on the Right to Safe Abortion: Legal, Medical and Ethical Issues** on 16th June 2023 under the Project on Pan India Legal Literacy and Legal Awareness Programme granted to CEERA-NLSIU by the Department of Justice, Ministry of Law and Justice, Government of India under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme. The Workshop was designed to enable critical deliberations surrounding the need to ensure that safe abortions are made available to women as a matter of right in India.

Abortion is a medical procedure that terminates a pregnancy and there are different methods of abortion depending on the gestational age of the pregnancy. In the early stages of pregnancy, i.e., up to 10-12 weeks, a medication abortion can be performed using medications like mifepristone and misoprostol, which will induce the expulsion of the embryo or the fetus. Surgical abortion is another common method, which involves removing the pregnancy through aspiration or dilation and curettage (D&C) techniques. Both medication and surgical abortions are generally safe procedures when performed by qualified healthcare professionals in appropriate medical settings. Risks associated with abortion are relatively rare but can include bleeding, infection, and damage to the cervix or uterus.

It is important for individuals considering abortion to seek medical advice, receive proper counseling, and have access to safe, reliable, adequate and affordable healthcare services to ensure their well-being during the process. Stigma surrounding abortions in India remains a significant challenge despite the legality of the procedure. Cultural and social factors contribute to the persistent stigma associated with abortion, leading to a lack of open discussion and understanding. This stigma often results in secrecy, judgment, and discrimination towards women who have undergone abortions. One of the main reasons for the stigma is the conservative societal attitudes

towards sex and reproduction. Abortion is often seen as a taboo, considered morally wrong or a reflection of promiscuity. Such attitudes lead to the shaming and ostracization of women who choose to have abortions or those who face unplanned pregnancies. Religious beliefs also play a role in the stigmatization of abortion in India as it is mostly viewed as a violation of the sanctity of life, leading to condemnation and moral judgment against women seeking abortions. These views further contribute to the negative perception of women who undergo the procedure.

Stigma surrounding abortions also affects access to safe and legal abortions. Women may fear disclosing their decision to family members, healthcare providers, or community members due to concerns about social consequences. This fear and lack of support can lead to delays in seeking timely medical care, resulting in potential risks to their health and well-being. The stigmatization of abortion also impacts the quality and availability of comprehensive sexual and reproductive health education. The lack of accurate information perpetuates myths and misconceptions, further fueling the stigma and inhibiting informed decision-making. Addressing the stigma surrounding abortions requires a multi-faceted approach. Efforts should promote open dialogue, raise awareness about the importance of reproductive rights, and combat myths and misinformation. It is crucial to foster a non-judgmental and supportive environment where women can access accurate information, counseling, and healthcare services without fear of discrimination or social repercussions.

The right to abortion in India is protected under the Medical Termination of Pregnancy (MTP) Act of 1971. This legislation allows for abortions to be performed by registered medical practitioners in specific circumstances, including risks to the woman's life or health, fetal abnormalities, and pregnancies resulting from rape or contraceptive failure. Over the years, the Act has been amended to expand the gestation limit for abortions and enhance access to safe and legal procedures. Indian courts have also played a crucial role in affirming a woman's right to make reproductive choices and promoting the importance of safe and accessible abortions. Despite legal protections, challenges such as limited awareness, accessibility, and social stigma remain, necessitating ongoing efforts to improve access and support for women seeking abortions.

In this backdrop, the objective of the Workshop was to sensitize, deliberate, understand and develop the laws regulating abortion. Launched with the intention of delving into the legal, medical, and ethical issues surrounding abortions, the Workshop aimed to further the discourses on this area by underscoring how women's right to choose whether or not to continue with the pregnancy should trump over that of the right to life of foetus.

INAUGURAL SESSION

DR NISHTHA JASWAL

VICE-CHANCELLOR, HIMACHAL PRADESH NATIONAL LAW UNIVERSITY



In her inaugural address, Dr. Nistha Jaswal, the esteemed Vice-Chancellor of HPNLU, a legal academic and scholar, set the tone for a thought-provoking discourse on the legal nuances of the MTP Act, 1971. Dr. Jaswal delved into the intricacies of the Act, highlighting its importance in safeguarding reproductive rights and women's health. Emphasizing the right to privacy, she expounded on the delicate balance between individual autonomy and societal interests within the context of the MTP Act. Addressing the 24-week time bar for abortions, she drew comparisons to jurisprudence across the world, notably citing the Dobbs case in the American legal landscape. Dr. Jaswal astutely referenced Indian cases, such as *Justice K.S Puttaswamy v. Union of India* (AIR 2017 SC 4161), Dr. Nikhil Dattar v. Union of India (MANU/MH/0937/2008) and *Suman Kapur v. Sudhir Kapur* ((2009) 1 SCC 422), which have shaped the discourse on personal liberties and reproductive rights.

SRI ASHUTOSH SRIVASTAVA

PROGRAMME MANAGER, DEPARTMENT OF JUSTICE

In his inaugural address, Mr. Ashutosh Srivastava delivered a concise yet impactful speech. He commenced by expressing his gratitude to CEERA, NLSIU for their commendable efforts in advancing legal research and education. Mr. Srivastava then emphasized the government's commitment to women's rights, highlighting the significant strides made in this domain. He underscored the importance of creating a legal framework that protects and empowers women, ensuring their full participation in all spheres of society. Through his address, Mr. Srivastava conveyed a strong message of collaboration between governmental institutions and academic organizations like CEERA, recognizing their valuable contributions to the development and implementation of progressive legal policies.



PROF . [DR.] SAIRAM BHAT

PROFESSOR OF LAW & CENTRE CO-ORDINATOR, CEERA, NLSIU

In his inaugural address, Dr. Sairam Bhat, the Centre Coordinator of CEERA highlighted the importance of promoting women's rights, recognizing the need for comprehensive legal frameworks that address gender equality and empower women in society. He also emphasized on the need to sensitize members of judiciary and train them on the intricate legal issues involved in discourses around abortion rights so as to enable them to arrive at right decisions while determining cases that appear before them.



TECHNICAL SESSION 1

RIGHT TO SAFE ABORTION: MEDICAL AND ETHICAL ISSUES

DR. NOZER SHERIAR

GYNAECOLOGIST AND OBSTETRICIAN; MEMBER, TECHNICAL ADVISORY GROUP, WHO-SOUTH EAST ASIA REGION

Dr. Nozer Sheriar's session delved into the medical and ethical issues around abortion. Drawing from his extensive personal experience as a doctor, Dr. Sheriar shed light on the flaws in existing laws, the prevailing societal dogma, and the unfortunate silence often imposed upon women seeking abortions. He pointed out how legal restrictions on abortions does not end abortions but only leads women to opt for illegal means to terminate their pregnancies which are also often unsafe. He commenced the session by posing the following set of questions to the audience: whether abortions should be available to women on demand, whether the husband should be formally involved in the decision making, whether there should be gestational limits for abortions, whether the ultimate decision to allow abortions should be left to a committee of experts and whether abortions would make women careless with their contraceptives.



Dr. Sheriar's talk also debunked the notion that abortions have to be 'rare' in addition to being safe and legal as it was high time that abortion be normalized and taking recourse to abortions be considered common. He placed on record global statistics to drive home the point that abortions occur worldwide in countries that ban abortions and countries that allow abortions with restrictions. He also drew attention to the fact that in India, half of the pregnancies in India are unintended, out of which two-thirds end up being terminated. While 22% of such abortions occurred inside health facilities, an overwhelming majority of 73% occurred outside health facilities.

With low and middle-income countries experiencing severe shortage of healthcare workers and a lack of access to healthcare facilities, he emphasized on the need to encourage self-management of abortions, which he underscored, was a safe and effective option for abortion care. He further cleared the ambiguity behind the viability of abortions in later trimesters of pregnancy, by pointing out that late abortions do not cause any more danger than pregnancy. He also stressed on the need to sensitise people and medical professionals that in cases of teenage pregnancies, rather than approaching courts for allowing abortions, such pregnancies ought to be terminated under Section 5 as it unequivocally poses danger to their lives.

Dr Sheriar highlighted that legal instruments on abortion need to be drafted precisely, without leaving room for ambiguity, so that recourse need not be taken to courts time and again for extending the scope or application of the Act.



Expressing his apprehensions against Medical Boards being left to decide whether abortions are to be allowed, Dr. Sheriar proposed that the Ministry of Health and Family Welfare should draft, publish and notify a list of foetal abnormalities that can be diagnosed prenatally and are considered major and grave enough warranting termination, so that when any woman's pregnancy falls within the ambit of the list, abortions may be performed immediately without waiting for approvals.

He emphasized that the fetus does not possess personhood, highlighting the importance of prioritizing the health and autonomy of women in matters of reproductive choice. He further reinforced the notion that abortion is a safer procedure than childbirth, unequivocally asserting the significance of safe and accessible abortion services for women's overall well-being. In a powerful call to action, Dr. Sheriar stressed the urgent need to decriminalize self-abortion until society can provide adequate support to those in need. He elucidated that this is not merely a medical issue but

a human rights concern that demands compassion, empathy, and a shift away from stigmatization. The session ended with Dr. Sheriar revisiting the questions he had posed to the audience at the beginning, expressing his hope that the session would have compelled the audience to answer all of them affirming women's right of choice.

TECHNICAL SESSION 2

REPRODUCTIVE RIGHTS OF WOMEN: JUDICIAL PERSPECTIVE

ADV. ANUBHA RASTOGI

ADVOCATE, HIGH COURT OF BOMBAY

Advocate Anubha Rastogi's session explored the legal landscape surrounding abortion in India, vis-à-vis the Medical Termination of Pregnancy Act, 1971 and its recent amendments. She pointed out how the MTP Act was brought into existence at the behest of the medical professionals, aiding them to perform abortions under exceptional circumstances, without attracting Section 312 of the Indian Penal Code which penalizes abortions. Therefore, it was not drafted from the point of view of women's right of choice, which makes it difficult till date to theorise access to abortion as a matter of right in India. Abortions have been only made legal in certain circumstances which precludes itself from being an unfettered right.



Adv. Rastogi highlighted how there was a deluge of petitions in the Supreme Court seeking permission for termination of pregnancies in advanced stages from 2016, which prompted the Court to direct the petitioners to approach the High Courts for hearing such cases as they required to be heard on a priority basis. She pointed out that the flooding of petitions was resultant of the prevailing ambiguities regarding the interpretation of the MTP Act, 1971. This further muddled the situation with a lot of conflicting interpretations from different judgments pronounced by various High Courts. It was further highlighted that in the absence of the provision criminalizing abortion, there would not be a need to have a legislation authorizing abortions. Therefore, she

pointed out that the root cause behind the haphazard jurisprudence on abortions is the fact that India is still retaining the provision which criminalises abortions.

Adv. Rastogi drew attention to the fact that with MTP Act and its recent amendments, there was a paradigmatic shift from abortion being a matter of a woman's decision informed by her provider to abortion being a matter of a decision of the provider. She pointed out how consultation of expert opinions had become entrenched as the norm rather than the exception with the inroad of Medical Boards, which was not envisaged by the law-makers and was entirely borne out of judgments. Therefore, India has embraced third party authorisation in abortions as the legally accepted standard in abortions.

Thereafter, she gave the audience an insight into the conflations between the Protection of Children from Sexual Offences (POCSO) Act, 2012 and the MTP Act, 1971. POCSO Act requires a mandatory reporting of sexual offences committed against a minor, which invariably includes any instance of pregnancy resulting from sexual activities regardless of whether it was consensual or not. This directly contradicts the provision in the MTP Act which requires medical practitioners to protect the privacy of any woman who approaches them seeking an abortion. As a result of this, grave consequences ensue whereby doctors refuse to provide their services to minors approaching them for an abortion out of not wanting to involve with the legal system and the minors and their guardians themselves turning away from healthcare clinics for abortions only to resort to illegal and unsafe measures for terminating the pregnancy. Adv. Rastogi highlighted that this is the result of the law depriving the person who is bearing the pregnancy to make a choice of wanting to initiate criminal proceedings against the alleged offender. She pointed out that the Supreme Court had recently attempted to resolve the ambiguity by ruling that the service provider is to maintain the confidentiality of the minor by not disclosing the identity and other personal information to the police while making a mandatory reporting, if a request is made in writing to that effect. However, the practical effects of this ruling are yet to be fully understood and ambiguities still prevail as to the duties and liabilities of the service providers in the case of abortions concerning minors.

The Drugs and Cosmetics Act, 1940 is another legislation with which MTP Act has a conflation. The drugs given for inducing abortions being Schedule-H drugs, there are requirements of detailed

record keeping under the Drugs and Cosmetics Act, which contradicts the requirement of maintaining confidentiality under the MTP Act. Furthermore, Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 makes knowing or determining the sex of the foetus an offence and does not address the aspect of whether an abortion following sex determination would be an offence. Thus, the State decides whether the termination of pregnancy following sex determination is permissible and makes only the sex-selection an offence, leaving the matter of sex-selective abortion hanging in the air.

TECHNICAL SESSION 3

ROLE OF STATE AND LEGAL INSTITUTIONS IN ABORTION

ADV. BROTOTI DUTTA

ADVOCACY ADVISER FOR ASIA, CENTRE FOR REPRODUCTIVE RIGHTS

Adv. Dutta commenced her session by discussing about the need to revisit the discourses surrounding decriminalisation of abortions and the retention of a legislation lie MTP Act, particularly due to the fact that the existence of these provisions have not been able to curb unsafe abortions, with 73% of abortions taking place outside of healthcare facilities and 9-10% of maternal deaths being attributable to them. She then drew the attention of the audience towards the World Abortion Laws Map prepared by the Centre for Reproductive Rights, noting that globally the trend was towards liberalizing abortion laws, with 59 countries expanding the legally permissible grounds for availing abortion and only 4 of them obliterating the right to avail abortion on any grounds. She also highlighted that 90% of abortions taking place in countries with liberalized abortion laws are safe, thereby establishing a direct correlation between legal recognition of abortion resulting in safer abortions.



Thereafter, Adv. Dutta elucidated the international standards that have been laid down vis-à-vis General Comment 36 of the UN Human Rights Committee, General Recommendation 24 of the UN CEDAW Committee, General Comment 22 of CESCR, WHO Guidance Document of 2022 and ICPD Program of Action, 1994 all of which unequivocally decries criminalization of abortions and calls upon States to remove such legal provisions which act as a barrier to access safe abortions. She further highlighted that the gestational limits as well as the third-party authorisations and concomitant delays, endorsed by

the MTP Act and judicial pronouncements posed significant issues and concerns as far as Indian law on abortions are concerned.

Adv. Dutta concluded her session by sharing insights from her field experiences pointing out that third party authorisation requirements have resulted in undesirable consequences such as doctors asking for consent from spouses and Child Welfare Committees in cases of married women and minors respectively, even though law has not envisaged such a role for them, out of fear of getting embroiled in legal consequences. She reiterated the issues of conflation with POCSO Act, Drugs and Cosmetics Act and the Pre-Conception and Pre-Natal Diagnostic Techniques Act as a ground reality, posing significant hurdles in the implementation of MTP Act. She also shed light on how access to safe abortion is a distant dream for women with disabilities as the MTP Act does not make a precise and adequate distinction between mental disability and intellectual disability, thereby warranting a psychiatrist's consent or court order in invariably all such cases.

DISCUSSION – Q AND A

MR. VIKAS GAHLOT, MR. ROHITH KAMATH AND MS. APARNA SOJAN

TEAM CEERA

Following the conclusion of Technical Session, an open discussion was moderated by Mr. Rohith Kamath, Mr. Vikas Gahlot, and Ms. Aparna Sojan delving into the recurrent themes and concerns emerging from the sessions delivered by each of the Panelists. It was highlighted how the rationale behind MTP Act was not the furtherance of women's right of choice; rather, it was borne out of the law criminalising abortions which made a revisiting and overhaul of the current legislations governing abortions a critical necessity. The glaring gap between implementation of the law and the law that exists on paper was also discussed in light of the issue of consent being obtained from spouses and child welfare committees out of fear of legal repercussions where there are no such mandates. The discussion also explored the need to have discourses around the role played by the personal beliefs and dogmas of the medical service professionals in ensuring safe and legal abortions. The open house discussion ended on the note that the medical and legal community should help in tailoring and navigating the deliberations on abortion through the lens of woman's right to choose what she wants to do with her pregnancy.

RIGHT TO ABORTION

1. What is abortion?

Abortion refers to the procedure by which pregnancy is terminated through medical or surgical interventions. It is also referred to as medical termination of pregnancy.

2. Who may take recourse to abortions?

Under the Medical Termination of Pregnancy Act, 1971 (hereinafter 'the Act'), any pregnant woman, regardless of her age and marital status may abort the foetus according to the conditions prescribed under the Act.

3. Is consent of another person like spouse or parents or guardian necessary for abortion under the Act?

For a woman who is above eighteen (18) years of age and of a sound mind, consent of husband, parents or guardian is not necessary for abortion. Only the woman undergoing the procedure needs to sign the consent form.

However, for women who are below eighteen (18) years of age and for women who are mentally ill, consent of parents or guardian is necessary for abortion.

4. What are the grounds on which abortion can be performed?

Abortion can be on any of the following grounds under the Act:



- When the pregnancy poses a threat to the life of the woman;
- When the pregnancy might injure the physical or mental health of a woman;
- When there are chances that the child would be born with a serious physical or mentalabnormality;
- When pregnancy occurs as a result of failure of contraceptive methods; and
- When pregnancy has been caused as a result of rape.

5. What is the time limit for having an abortion?

- A woman can have an abortion after obtaining the opinion of a doctor if it has not reached its twentieth week. For pregnancies that are in between twentieth (20) and twenty-fourth (24) weeks, medical opinion of two doctors need to be sought. The doctor has to be someone who is a gynecologist or an obstetrician.

- The option of termination of pregnancy when it has reached the stage of twentieth (20) to twenty-fourth (24) week is only available to some specified categories of women which have been enumerated under the Medical Termination of Pregnancies Rules through an Amendment in 2021. It can be exercised only when:
  - the pregnancy has been caused due to rape, sexual assault or incest;
  - when the woman is physically disabled or is mentally ill;
  - when the woman is under 18 years of age;
  - when the woman has become a divorcee or a widow during the course of the pregnancy;
  - when the child when born might face a threat to its life on account of malformations developed during pregnancy or would be born with serious handicaps because of mental or physical abnormalities; and
  - when the woman who is pregnant is within a situation of disaster, emergency or humanitarian conditions as declared by the Government.

6. What is the procedure for abortion if the prescribed time limit has passed?



At present, for termination of pregnancy that has crossed twenty-four (24) weeks, a writ petition has to be preferred before the High Courts or the Supreme Court. The Courts order the concerned Medical Board of the State where the woman resides to look into whether the performing of the procedure would be safe for the woman at the advanced stage of pregnancy and whether child is likely to be born with malformations that might threaten his life or with serious handicaps because of mental or physical abnormalities.

The Medical Boards are constituted by State governments and is mandated to consist of a gynecologist, pediatrician and a radiologist or sonologist. The Medical Board has to provide an opinion after examining the woman and her medical reports within three days of receiving a request for the termination of pregnancy. The Board can also invite other specialists for the purpose of additional investigations to make a determination on the request.

- In its opinion, the Medical Board has to state whether the request is allowed or denied and the reasons for arriving at this decision. It also has to certify whether the woman is physically fit for undergoing the procedure for termination of pregnancy.
- The decision rendered by the Medical Board on allowing or denying a woman to undergo the procedure for termination of pregnancy shall be final.

7. Where can a woman have an abortion?

The Act allows termination of pregnancies in government hospitals as well as other hospitals approved for this purpose by the concerned State government.

8. Who all can access information about the medical termination of pregnancy?



- The Act guarantees privacy to the woman seeking to terminate her pregnancy. It forbids doctors from disclosing the details regarding the woman to any other person unless the information is being sought by any person authorised by law for the purpose;
- Moreover, it is also stipulated that the documents containing the details of the woman seeking abortion should be labelled as a 'secret document' and should be within the custody of the head of the hospital;
- There is a blanket ban on disclosing the forms signed by the woman and the entries made by her for the purpose of gaining admission to the hospital; and
- Lastly, an employer, to whom details regarding termination of pregnancy have been furnished by a woman for the purpose of availing leave, is also under a similar obligation to refrain from divulging the details to any other individual.

9. What are the consequences for violation of the provisions of the Act?

- If a termination of pregnancy is performed by a person who is not a registered medical practitioner, he would be liable for being punished with a rigorous imprisonment ranging from two (2) years to seven (7) years;
- For terminating a pregnancy in a place which is not authorised for this purpose, the woman doing so as well as the owner of the place would be liable for being punished with rigorous imprisonment which may range from two (2) years to seven (7) years;
- For violating the privacy of a woman seeking or having undergone abortion, by

- disclosing details about her, a punishment of one (1) year imprisonment or fine or both has been prescribed under the Act.

10. Can a medical practitioner be held liable in cases of medical negligence during the medical termination of pregnancy?

- Under the Medical Termination of Pregnancy Act, 1971, registered medical practitioners are not liable in any suit or legal proceeding if he does anything according to the provisions of the act if he has done it on good faith.
- The Supreme Court has laid down in many judgments that a medical practitioner can be made liable for medical negligence only if he has failed to take reasonable care and has not adopted normal practices that a professional possessing ordinary skill would have resorted to. He cannot be held liable merely because there was a misadventure or he chose to pursue one course of treatment over another. The law does not punish him for mere error of judgment. He would be liable only if his conduct falls below the standards of a reasonably competent practitioner in the field of medicine.

11. Can a man divorce his wife on the grounds of her undergoing an abortion without his consent/knowledge?

The MTP Act has made it clear that women need not obtain consent from their partners for undergoing abortion. There have been instances where Courts have held that a woman's refusal to have a child may amount to mental cruelty under the Hindu Marriage Act of 1955. If this principle is extended to cases where women undergo an abortion without her partner's consent or knowledge, it could be treated as a ground for divorce.

12. Can an unmarried woman get her pregnancy terminated before 24 weeks according to MTP Act?

Initially, the MTP Rules prohibited single women from undergoing abortions if the pregnancy exceeded 24 weeks. However, the Supreme Court has settled this matter and has said that in order to protect the right to reproductive autonomy and access to safe abortions, unmarried women cannot be prevented from getting abortions.

13. Can a woman who has undergone medical termination of pregnancy avail of maternity benefits?

Yes, according to S. 10 of the Maternity Benefit Act 1961, a woman who has undergone medical termination of pregnancy can avail of the benefits of the act after showing proof by way of certificate from the registered medical practitioner.

14. Can abortion be covered under maternity health insurance?

In India, maternity insurance typically covers expenses related to childbirth, including prenatal care, delivery, and postnatal care. However, the specific coverage and eligibility criteria may vary depending on the insurance provider and the policy terms. Since this is usually designed to provide coverage for pregnancies that result in live births abortion may not be included in the coverage or may have different terms and conditions. There is also a waiting period for maternity health insurance plans in case of abortion, which can range from 9 to 24 months.

15. Can a woman self-administer abortion pills?

No. According to the MTP Act, only a registered medical practitioner is licensed to administer abortion pills, and strictly according to the provisions of the Act. The MTP Rules 2003 say that termination of an early pregnancy up to 7 weeks can be done by using pills but only by a registered medical practitioner at his clinic.

16. Can abortion pills be sold over the counter?

The MTP Kit is a schedule-H drug per the Drugs and Cosmetics Act, 1940. It has a combination of mifepristone and misoprostol tablets, which help perform medical pregnancy termination (non-surgically expelling the embryo from the womb). The sale of MTP kits without prescription is punishable under the Drugs and Cosmetics Act, 1940 and Rules of 1945.

17. What is 'safe abortion' according to the World Health Organisation?

According to the World Health Organisation (WHO) abortion is safe if it is performed using a method recognised by WHO, within an appropriate duration of pregnancy by a person with requisite skills.



18. What is World Health Organisation's position on abortion?

- The WHO has been at the forefront for advocating safe abortions. In WHO's recent Guidelines on Abortion Care, 2022, the following recommendations have been enunciated for ensuring safe abortions:

- Decriminalisation of abortion
- Removal of legal provisions that make abortions permissible based on specific grounds and upper gestational limits
- Abortion should be available to women without authorisation from any third-party, including parent, guardian, spouse, health authority or judicial authority
- Recognise self-management of abortions outside of hospitals without direct supervision of healthcare providers for pregnancies that have not crossed 12 weeks.

ONE DAY WEBINAR ON

PROTECTING CITIZENS' INTEREST IN FINANCIAL FRAUDS

Organised By

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY

(CEERA)

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

In Association With

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE,

GOVERNMENT OF INDIA

14th July, 2023

Streamed on

Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru

Under the aegis of

Department of Justice, Ministry of Law and Justice,

Government of India

Webinar on Protecting Citizens' Interest in Financial Frauds

14th July 2023

WORKSHOP REPORT

The Centre for Environmental Law Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU) organized a Webinar on the **'Protecting Citizens' Interest in Financial Frauds'** on 14th July 2023 under the Project on Pan India Legal Literacy and Legal Awareness Programme granted to CEERA-NLSIU by the Department of Justice, Ministry of Law and Justice, Government of India under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme.

The Webinar was designed to disseminate information regarding various aspects of financial fraud, specifically online financial fraud. Prior to the webinar, a detailed FAQ was sent to all of the participants which covered definitions and modes of financial frauds, safe practices to remain safe from falling victim to such frauds, reporting to concerned authorities, insurance coverage for financial frauds and many other related topics.

INAUGURAL SESSION

SRI ASHUTOSH SRIVASTAVA

PROGRAMME MANAGER, DEPARTMENT OF JUSTICE

The webinar began with an introductory address by Sri. Ashutosh Srivastava, Program Manager, Department of Justice (DoJ). Mr. Srivastava welcomed everyone to the session and briefed the audience about the consistent efforts taken by the Department of Justice under the

DISHA Scheme in making justice accessible to everyone. In his speech, he pointed out that despite the proliferation of online financial fraud in the growing digital age there is still not enough awareness as to available legal remedies. He highlighted that accepting all terms and conditions of various apps or websites is a significant example of why such workshops should arm the citizens with useful information and be more cautious. Mr. Srivastava expressed his gratitude to CEERA NLSIU for conducting a webinar on such a relevant topic.



PROF. [DR.] SAIRAM BHAT

PROFESSOR OF LAW, NLSIU & CENTRE COORDINATOR, CEERA

In his inaugural note, Prof. (Dr.) Sairam Bhat, the Centre Coordinator of CEERA, emphasized that this is a citizens' awareness webinar to spread awareness regarding both internal controls (precautions taken by citizens) and external controls (regulatory controls and redressal mechanism). He pointed out that the issue at hand is not limited to financial fraud, rather it is a broad spectrum of financial malpractices which fintech apps employ on a daily basis and the citizens who are unaware of such practices end up incurring huge debts. Agreeing with Mr. Ashutosh, Dr. Bhatt also emphasized the need for empowering citizens with relevant information regarding financial fraud.

TECHNICAL SESSION-1

ROLE OF RBI & BANKING INSTITUTIONS

MR. JAIDEEP PANGHAL

LAW OFFICER, PUNJAB NATIONAL BANK

The speaker for the first technical session, Mr. Jaideep Panghal elaborated on the RBI Notification on Customer Protection- Limiting Liability of Customers in Unauthorized Electronic Banking Transaction which is mandatorily applicable to all Scheduled Commercial Banks, all small finance banks and payment apps such as GPay, Paytm etc.



Mr. Panghal further elaborated on the varying liability of victims of financial frauds depending upon whether the information was divulged himself albeit by deception or if it was taken without his knowledge and the time taken to report the fraud to their banks. He emphasized that the burden of proof lies on the bank if the victim has informed the bank about the fraud within 3 days. Further, he discussed the importance of Banking Ombudsman, in case the banks do not resolve the complaints within the stipulated time.

TECHNICAL SESSION-2

FINANCIAL FRAUDS: CYBERLAW PERSPECTIVES

MR. JAIDEEP REDDY

COUNSEL TRILEGAL, VISITING FACULTY, NLSIU

Mr. Reddy began his session by briefing the audience about the statistics on financial fraud and stressed on the significance of this topic both from a public interest perspective as well as from a consumer perspective. He also explained the different methods employed by fraudsters in obtaining the personal or banking information of individuals. Mr. Reddy then dealt in detail with various applicable laws such as the Information Technology Act, 2000, the Indian Penal Code, 1860, RBI Master Directions and Frauds. He also pointed out various sectoral regulations on financial frauds, namely, the guidelines on cyber security issued by the Insurance Regulatory and Development Authority, and SEBI's regulation of finfluencers. In his session, he also dealt with a set of laws prohibiting pyramid or Ponzi schemes in India such as the Banning of Unregulated Deposit Schemes Act of 2019.



He further elaborated on frauds pertaining to crypto-assets or virtual digital assets. Mr. Reddy guided the participants on various legal recourses available to victims of financial fraud

specifically on reporting on the National Cyber Crime Reporting Portal. He also shared certain precautionary measures one has to follow as a responsible citizen to protect oneself from financial fraud.

TECHNICAL SESSION-3

CONSUMER LAW REMEDIES FOR FINANCIAL FRAUDS

MR. SHYAM PADMAN

ADVOCATE, SHYAM PADMAN ASSOCIATES

The Third Technical Session was on the consumer law remedies for financial fraud. Mr. Padman gave a comprehensive idea about various provisions of the Consumer Protection Act to all the participants of the webinar. He talked about both class action and individual action that is possible under the statute. Under the class action provisions, he emphasized the role of the Investigative Wing of the Central Consumer Protection Authority and the power of the District Collector to search and seize if he has any reason to believe that any person has violated any consumer rights or committed unfair trade practice or causes any false or misleading advertisement to be made. He further discussed the role of the Central Government in protecting consumers from unfair trade practices in e-commerce. He opined that the 2019 Act is much broader in scope and provides for more effective punishments which are brought in the interest of the consumers.



Under the individual action, Mr Padman elaborated on the possibilities as well as limitations in filing a complaint before any of the consumer grievance redressal forums and stressed on the increased power of these authorities under the new Act. He also urged all the participants to proactively participate in making the Act effective.

TECHNICAL SESSION-4

APPS, FINTECH & CRIMINAL PROCEDURE

MR. ROHITH KAMATH

ADVOCATE & ACS, CONSULTANT, CEERA, NLSIU

MR. R S SHASHIKUMAR

CHARTERED ACCOUNTANT

The final session was on Apps, Fintech and Criminal Procedure. Mr. Kamath and Mr. Shashikumar both took turns to delve deep into the modus operandi of fraudsters. They explained how fraudsters set up websites closely resembling genuine websites, however, one should look out for grammatical or factual errors. They also pointed out that and also that most fraudsters operate outside India, incorporate entities using the faceless, paperless incorporation process and target unemployed, less-income individuals by offering them lucrative jobs and eventually obtaining their personal information and wiping out their bank accounts.



They explained how the rise of co-working spaces due to COVID has led to an increase in financial fraud. They further elaborated on the modus operandi of the scams run by Credit/Lending apps, and UPI scams by sharing several incidents and enlightened the audience on how to seek legal recourse. They also shared useful tips with the audience to stay vigilant and not become victims of such elaborate fraud schemes.

FAQs ON ELECTRONIC FINANCIAL FRAUD

1. WHAT IS MEANT BY FINANCIAL FRAUD?

Financial fraud refers to deceptive activities carried out by individuals or organizations with the intention of obtaining money or assets illegally. It typically involves misrepresentation, manipulation, or theft of funds, assets, or sensitive information.

2. WHAT IS ELECTRONIC FINANCIAL FRAUD?

Electronic financial fraud refers to any fraudulent activity that involves the use of electronic or online channels or apps to deceive individuals for monetary gain.

3. HOW DOES ELECTRONIC FINANCIAL FRAUD OCCUR?

Electronic financial fraud can occur through various means, such as emails pretending to be from legitimate sources asking for personal or banking details, SMS, WhatsApp or other messages with links to lottery prices, pre-approved loans, vouchers or coupons etc.

SOME OF THE COMMON TYPES OF ELECTRONIC FINANCIAL FRAUD ARE:

- **Phishing scams:** Fraudsters send deceptive emails or messages with links to trick individuals with offers, discounts, and rewards to trick users into revealing sensitive information.
- **UPI Scams:** Unauthorised UPI payment requests by fraudsters via calls or messages or QR scans to enter UPI PIN/OTP for receiving money.
- **Credit/Debit card skimming**: In ATMs, fraudsters attach an external keyboard/card reader/pinhole camera above the keypad which is camouflaged with the ATM device to steal the user's card details.
- **Contactless NFC cards:** Lost/stolen or transaction limitless cards are very vulnerable to fraud, especially a credit card which usually doesn't require a pin on tap and pay.
- **SIM Swapping/cloning:** Fraudsters employ various methods such as offering free-of-cost data recharge or SIM upgradation to make a clone of the user's SIM and gain access to personal or banking details. Unauthorized/non-licensed repair stores may also commit the same.





- **Credit/Debit card fraud**: Fraudsters try to get your card information via vishing calls (phone calls pretending to be from a bank or a wallet service, telecom providers), fake apps, websites, ads, pop-ups, advertisements, SMS, and WhatsApp message links to steal money from your bank account.
- **Online shopping fraud:** Scammers set up fake online stores offering branded items at low cost to collect payments for products or services that they never deliver.
- **Fake/Counterfeit Apps:** Fraudsters can remotely access the user's device through fraudulent apps and extract information like account details, OTP, card details etc.
- **Juice Jacking:** Fraudsters target public USB ports meant for charging purposes to insert malware/bugs into the user's mobile to steal sensitive information. This can also be done by external gadgets from unauthorized stores or manufacturers or street vendors or train vendors using gadgets like power banks.
- **Identity theft:** Stealing someone's personal information to make unauthorized transactions or open new accounts in their name and request medical or emergency monetary help on the user's friends list.

SOME INSTANCES OF ONLINE FINANCIAL FRAUDS IN INDIA

- In May 2023, a woman in Nagpur lost over 5 lakh rupees as she was deceived into clicking a fraudulent link as part of a supposed job recruitment process.
- Another man from Nagpur lost 6.16 lakhs by a fraudster who asked him to click on the link and verify some details through WhatsApp.
- A Mumbai resident lost 20,000 rupees after clicking on a malicious link. A message, posing as a genuine message from the bank warned him that his net-banking facility will be discontinues unless he updates his KYC information and asked him to click on a link to update his PAN Card.
- Recently there were reports on scammers cloning or obtaining biometric data such as fingerprints of Aadhar users to withdraw money misusing the Aadhar Enabled Payment System (AePS) as this does not require OTP to withdraw cash, biometric data alone suffices.

4. HOW CAN I PROTECT MYSELF FROM ELECTRONIC FINANCIAL FRAUD?

- Be cautious of unsolicited emails or messages asking for personal information.
- Never share your Bank account details, login credentials, ATM or UPI PINs, OTPs, or Debit/Credit card details with any strangers, and never write your PIN on the card.
- Use strong, unique passwords for your online accounts and enable two-factor authentication/biometrics where available.
- Regularly review your financial statements and account activity to detect any suspicious transactions.

- Avoid clicking on links, pop-ups, ads or downloading attachments from unknown or suspicious sources.
- Set transaction limits on your NFC credit/debit card. If you lost the card block or freeze immediately.
- Verify the security of websites before entering sensitive information by checking for "https" in the URL and a padlock icon and double verify the website address and its genuineness.
- Educate yourself about common scams and stay informed about new fraud techniques.

5. WHAT IS THE ROLE OF THE RESERVE BANK OF INDIA IN CURBING FINANCIAL FRAUD?

The Reserve Bank of India (RBI) has notified all commercial, small finance and payments banks to strengthen their security systems to electronic transactions safer.

- Banks are obliged to put in place risk mitigation systems to identify existing risks in their digital infrastructure and also efficient fraud detection and prevention mechanisms among others.
- As per RBI mandates, banks will have to ensure that customers have registered for SMS alerts mandatorily. Customers can also opt for e-mail alerts. Banks shall also maintain 24x7 mechanisms for the customer to report unauthorised electronic banking transactions.
- RBI has also issued a list of safe digital practices that can be exercised by users to stay safe from falling victim to financial fraud.



6. WHAT ARE THE PUNISHMENTS PRESCRIBED FOR FINANCIAL FRAUD UNDER VARIOUS LAWS IN FORCE IN INDIA?

The **Indian Penal Code** of 1860 and the **Information Technology Act** of 2002 define and prescribe punishment for an array of financial frauds.

UNDER THE INDIAN PENAL CODE, 1860

Offence	Key Ingredients	Punishment
Criminal Breach of Trust [Sections, 405, 406 & 409]	Misappropriation/conversion of entrusted property for personal use contrary to the laws governing the discharge of entrusted responsibility.	**Section 406**- If committed by an individual- Imprisonment up to 3 years/fine/both **Section 409**- If committed by a banker, merchant, factor, broker, attorney or agent- Imprisonment for life/up to 10 years + fine
Cheating [Sections 415-420]	**1**. As per **Section 415**, cheating is deceiving a person to: 1. fraudulently or dishonestly inducing to	**1. Section 417**- Imprisonment up to 1 year or with fine, or with both.

	deliver the property to any person or allow a person to retain it. 2. intentionally induces to do or omit to do an act which he would not have done otherwise that causes damage or harm to the body/mind/reputation of that person. **2. Section 416**- Cheating by pretending to be another person is 'cheating by personation' **3. Section 420-** Cheating and dishonestly inducing delivery of property or destroy the whole or any part of the property	**2. Section 419-** punishment for cheating by personation is imprisonment up to 3 years or fine or both. **3. Section 420-** Imprisonment up to 7 years with fine.
Forgery	**1. Section 463-** Forging a document or electronic record to cause damage or injury public or to any person or for other mentioned reasons. **2. Section 468-** forging a document or electronic record for the purposes of cheating. **3. Section 471-** punishment for fraudulently or dishonestly using any document or electronic record as genuine which he knows or has reasons to believe that is fake	**1. Section 465-**Imprisonment up to 2 years, Or with fine, or with both. **2. Section 468-** Imprisonment up to 7 years with fine. **3. Section 471-** punishable in the same manner as if he had forged such document or electronic record.

UNDER THE INFORMATION TECHNOLOGY ACT, 2002

Offence	Key Ingredients	Punishment
Data Protection Failure	**Section 43A-** Failure to protect sensitive information stored in a computer resource it owns, controls or operates by a body corporate	Compensation
Computer related offences	**Section 66-** any of the acts mentioned in Section 43 such as contaminating a computer.	Imprisonment up to 3 years or a fine of up to 5 lakh rupees or both.
Identity Theft	**Section 66C-** Fraudulently or dishonestly using an electronic signature, password or the like of any other person.	Imprisonment up to 3 years and with a fine of up to 1 lakh rupees.

7. HOW TO REPORT A FINANCIAL FRAUD?

If you've fallen victim to financial fraud, inform your bank immediately about the fraud. For more details, one can give a missed call to **14440**.

1930- Victims of such frauds can also call the Cyber Crime Helpline 1930.

NATIONAL CYBER CRIME RECORDING PORTAL

NCCRP is a centralized portal aimed to facilitate online reporting of all kinds of cyber-crimes including mobile crimes and financial frauds such as phishing, vishing, SIM swapping, identity theft, and debit/credit card fraud.
A victim of online financial fraud can visit the NCCRP website (https://cybercrime.gov.in/). The detailed steps for reporting a complaint can be accessed here.
Once a complaint is filed, the selected State/UT will further deal with your complaint and the user can time track the status of the complaint and can also withdraw the complaint before it is converted into an FIR.
This service can be availed by citizens and non-citizens alike.

8. WHAT IS THE CUSTOMER'S LIABILITY IN CASE OF FINANCIAL FRAUD?

Zero Liability

- A customer has no liability if an unauthorised transaction has happened because of contributory fraud/negligence/deficiency on the part of the bank.
- If it happened because of a third-party breach where neither the bank nor the customer is at fault.
- The customer will have to report the incident to the bank within **3 working days** to avoid liability.

Limited Liability

- A customer is partially liable if the unauthorised transaction happened because he divulged personal/banking information albeit being deceived to do so. If the fraudulent transaction continues even after informing the bank, the bank will have to bear such losses.
- If the deficiency lies with neither the bank nor the customer but there is a delay of **4-7 working days** in reporting the fraud to the bank, the customer's liability will be capped at 5,000/-, 10,000/- and 25,000/- depending upon the type of account.
- If there is a delay of **more than 7 working days** in reporting, the liability of the customer is determined as per the bank's Board approved policy.

9. IS THERE INSURANCE COVERAGE AVAILABLE FOR ONLINE FINANCIAL FRAUD?

Cyber Insurance policy for protection from cybercrimes is available for individuals in India. In 2021, the **Insurance Regulatory and Development Authority of India (IRDAI)**, released a Guidance Document to the insurers on how to design a cyber-insurance policy. The document can be accessed here.

Further, several banks themselves offer fraud coverage insurance such as the HDFC ERGO Cyber Sachet, Kotak Cyber Secure, SBI Cyber VaultEdge etc.

10.I LOST MY MOBILE, OR GOT STOLEN, WHAT SHOULD I DO NOW?

Since mobile phones contain sensitive personal, banking or other information it is always wise to secure your phone with a pattern/passcode/fingerprint/face ID lock. If your phone is lost or stolen, it is best advised to:

- Use **Find My Device** for Android or **Find My iPhone** for IoS to locate or lock the phone or erase data from it.
- Request your telecom service provider to block the SIM card as SIM cards also store sensitive information in them.
- File an FIR at the nearest police station.
- File a request for blocking the lost/stolen phone in the **Central Equipment Identity Register (CEIR)** Portal. For this:
    - Obtain a new SIM card from TSP which is necessary for OTP verification and carry identity proof of the user, invoice of the lost/stolen device (optional) along with the Complaint Number of such FIR. Alternatively, you can also submit the number of Lost Article Report.
    - Go to https://ceir.gov.in and follow the steps for registering a request for blocking as provided in detail here.
    - Once the device is found, the user can request to unblock the same.

11.WHAT TO DO IN CASE OF INACTION FROM THE SIDE OF THE BANK IN CASE OF A FINANCIAL FRAUD?

If someone has withdrawn money from your account and the same has been notified to your bank, the bank will have to resolve your complaint within 90 days from the date of receipt.

You may approach the Banking Ombudsman or the appropriate Consumer Forum, if your bank has not taken any action after a financial fraud was duly reported. Complaints to the **Banking Ombudsman** can be made either online through the portal that can be accessed using this link: https://cms.rbi.org.in/ or can be sent via post.

TRAINING WORKSHOP REPORT

ONE DAY YOUTH TRAINING OF THE TRAINERS (ToT)

NATIONAL WORKSHOP ON

LEGAL LITERACY AND LEGAL AWARENESS

On

3rd August, 2023 (Thursday)

At

Moot Court Hall, Nishant Nilayam, Chanakya National Law University, Patna (Bihar)

ORGANISED BY

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

In Association With:

- **DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA;**
- **CENTRE FOR ENVIRONMENTRAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA); and**
- **NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, (NLSIU) BANGALORE**

Susheela Suresh	**Dr. Sairam Bhat**	**Prof. S.C.ROY**
Coordinator- NLSIU	CEERA- Director	CIRF in IPHD, CNLU- Director

Report Prepared By: Chanakya National Law University, Patna.

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About National Legal Service Authority, New Delhi

National Legal Services Authority (NALSA) is a nodal organisation functioning with the purpose of providing legal aid to all marginalised and under privileged section of our community. One if the legislative mandates of NALSA under section 4 (k) of Legal Services Authorities Act, 1987 is to establish and supervise the legal services clinics in all law colleges, universities and other institutions in India. Therefore, the purpose of the National Workshop on "Legal Literacy and Legal Awareness" is to enhance the contribution of law schools in securing means of access to justice and collaborate the efforts made of legal services authorities and law schools towards legal aid services which in turn will assist in realising the goal of 'access to justice for all'. National Legal Services Authority was constituted on 5th December, 1995.

A nationwide network has been envisaged under the Act for providing legal aid and assistance. National Legal Services Authority is the apex body constituted to lay down policies and principles for making legal services available under the provisions of the Act and to frame most effective and economical schemes for legal services. It also disburses funds and grants to State Legal Services Authorities and NGOs for implementing legal aid schemes and programmes.

In every State, State Legal Services Authority has been constituted to give effect to the policies and directions of the NALSA and to give free legal services to the people and conduct Lok Adalats in the State. The State Legal Services Authority is headed by Hon'ble the Chief Justice of the respective High Court who is the Patron-in-Chief of the State Legal Services Authority. In every District, District Legal Services Authority has been constituted to implement Legal Services Programmes in the District. The District Legal Services Authority is situated in the District Courts Complex in every District and chaired by the District Judge of the respective district.

NALSA has been providing and shall continue to provide funds to State Legal Services Authorities for the implementation of the Legal Aid Schemes and Programmes but the infrastructure has to be provided by the State Govts. Separate Permanent and Continuous Lok Adalats in Govt.

About the National Workshop on Legal Literacy and Legal Awareness-2023

The workshop was a part of a Project on Pan India Legal Literacy and Legal Awareness Programme conducted by CEERA-NLSIU under the aegis of the project granted to CEERA-NLSIU by the Department of Justice, Ministry of Law and Justice, Government of India under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme.

The Centre of Innovation Research and Facilitation in Intellectual Property for Humanity and Development (CIRF in IPHD), Chanakya National Law University (CNLU), Patna organised One Day Youth Training of the Trainers Workshop on Legal Literacy and Legal Awareness in association with the Department of Justice, Ministry of Law and Justice, Government of India, and the Centre for Environmental Law, Education, Research and Advocacy (CEERA), NLSIU, Bengaluru, on 3rd August, 2023 in Moot Court Hall, Nishant Nilayam at CNLU campus, Patna.

The Inaugural Ceremony was graced by **Shri R.N.S Pandey**, Member Secretary, Bihar Legal Services Authority (BLSA), Patna; **Dr. Ritu Ranjan Kumar**, Assistant Director, Bihar Institute of Public Administration and Rural Development (BIPARD), Patna; **Prof. (Dr.) Sairam Bhat**, Professor of Law, NLSIU, Bangalore, and **Shri Manoranjan Prasad Srivastava**, Former Registrar, CNLU, Patna.

Prof. (Dr.) Subhash C. Roy welcomed all the distinguished guests and attendees and highlighted the significance of Legal Literacy and Legal Awareness in the paradigm of social justice. He defined legal awareness with reference to legal empowerment. He raised the question *whether just being graduate makes us empower?* The scope of legal awareness is not limited to uneducated , but extends towards educated citizen also who are unaware of basic legal knowledge like their Human rights enshrined under Article 21 of the Indian Constitution, FIR filing procedure, labour laws, minimum wages, cybercrimes and the list goes on. He highlighted that there is a need to develop a society where rights and duties both are made aware to the citizen for social transformation.

Shri R.N.S. Pandey opened the discussion with the statement that Legal literacy is an indispensable and fundamental object of life. He stated that lack of legal awareness acts as a hindrance in the development of the society. Thus, he focused on liberating the citizen from

legal issues by taking initiatives like setting up literacy clubs, legal empowerment camps and media exploration.

Dr. Ritu Ranjan Kumar, addressed the gathering by drawing the attention towards rural areas. He illustrated the legal issues being faced by the rural individuals due to lack of awareness amongst them about their rights and benefits being given to them through various government schemes. Moreover, he also targeted the cyber issues in rural areas due to unreserved exposure to internet.

Further, Prof. (Dr.) Sairam Bhat delved deep into the need behind understanding the nuances of legal aid and the gaping lack of awareness among the masses with respect to the fundamental right to free legal aid. He gave new dimension to legal aid by connecting it with the medical aid, which falls under right to life.

Shri M.P. Srivastava, addressed the gathering and shared the harsh ground realities and lacunae in the system of social justice due to a lack of awareness and misconceptions about legal aid.

The inaugural session concluded with a vote of thanks by Ms. Baishali Jain, Research Assistant, DPIIT- IPR Chair, CNLU, Patna. The inaugural session was followed by two technical sessions lined up with benevolent speakers.

PARTICIPATION

Total 174 students have registered for the workshop through the registration link (Annexure 2). The participants included the faculties, research scholars and students from various colleges. Out of 174 students, the students who attended the workshop were 65 (Annexure 3). The participation colleges were:

1. Chanakya National Law University, Patna
2. Bihar Institute of Law (BIL), Patna
3. Patna Law College, Patna University, Patna
4. Amity University, Patna
5. University of Allahabad, Prayagraj
6. Jamia Milla Islamia, New Delhi
7. IIMT, Meerut

CONCEPT NOTE

National Legal Service Authority Act 1987 was groundbreaking step in the history of Indian legal system. It led to the inception of the idea of providing free legal aid to the ones who suffered from failed access to justice due to lack of resources to take the case to the Court. The Constitution of India, in Article 39A, talks about the obligation of the State to ensure secure means of access to justice for the underprivileged section of the society. The Act draws inspiration from this provision and a collective effort of the system has now given such shape to Legal Aid Clinic where they are able to contribute to society in numerous ways. NALSA is essentially the flag-bearer of this vision of access to justice to all.

In the previous decade, law schools from all over the nation has taken cognizance of the mandate of the Constitution and National Legal Service Authority Act 1987 and made significant contribution to this vision. The Legal Aid Clinics of these law schools exists with an aim of bridging the gap between what law promises to offer and the actual realities of law. The legal profession is expected to play a dynamic role in the administration of justice. Efforts have been made to provide socially relevant education to the law students so that they become professionally competent to secure the constitutional mandate of access to justice. The students are exposed to the reality of the society and provided able guidance to contribute towards betterment of the society.

The idea behind organizing the workshop was to bring out and discuss the importance of Legal Literacy and Legal Awareness and the ways or the initiatives the students can take to achieve the same for transformation of the society.

WORKSHOP TECHNICAL SESSION 1

The first round of technical session was lined up with the speakers **Prof. Dr. Sairam Bhat**, Professor of Law, NLSIU; **Dr. Satyadeep Singh**, Advocate, Patna High Court, **Dr. Ranjit Kumar**, Advocate, Patna High Court and presentation by students of CNLU- **Ankit Kumar** (LLM student), **Anurag Chauhan** (LLM student), **Raju Kumar** (final year student) and **Tulika Mishra ( ).**

Prof. (Dr.) Sairam Bhat, addressed the gathering on the note that "use the legal power to bring Social transformation". He referred to several case studies and personal experiences ignite the minds of the youth to take an initiative towards this noble cause. He talked about Child rights as discussed under the Right to Education Act, 2009. Section 17 of the act was discussed wherein it states that no child can be subjected to physical punishment or mental harassment and whosoever violates it will be subjected to punishment as prescribed under the subsequent provisions.

Moving further, he talked about The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein he highlighted Section 23 which protects the interest of the senior citizens by giving them the right to get the registered gift deed cancelled on ground of forgery, undue influence or otherwise.

Adding on he discussed one more contemporary sensitive issue related to youth i.e. cyber bullying and suicidal attempts. While discussing the data on suicide being committed in India, he talked about Mental Healthcare Act, 2017.

Eventually, he concluded his address by sharing one of his initiatives like the how he has helped the Golgappa vendor get an fssai certificate making him aware of his legal rights.

Dr. Satyadeep Singh, delivered his session with the help of presentation wherein, he has discussed the Right to Education Act in depth. Therein, he discussed the historical background, constitutional arrangements, and framework along with the salient features of the act.

He concluded his presentation, by sharing the various schemes of both the Central and Bihar state government that has been laid down to motivate the education of children and female education also. Additionally, he also stated that the ground reality of the implementation of government schemes is not in the line of achieving the object. Major reasons being the lack of awareness of such schemes, lack of information as to how to avail the scheme, corruption and

ignorance of their rights and benefits. With this backdrop, he showed path to the students as to how they can move towards with the legal literacy and awareness.

Dr. Ranjit Kumar, emphasised upon Art 39 of the Indian Constitution. He talked about the access to justice to all. The remedies should be made available to all the people irrespective of any sort of discrimination. To achieve this, he aimed at motivating the young lawyers to work for the upliftment of the society in pro bono capacity whenever needed.

WORKSHOP TECHNICAL SESSION 2

The distinguished speakers for the technical session two included: **Mrs. Shashi Sharma**, Social Member- Juvenile Justice Board; **Dr. Peter Ladis F**, Assistant Professor and Legal Aid Cell- Convener, CNLU; **Mr. Chandan Kumar**, Member, Child Rights Centre, CNLU and **Prof. (Dr.) S. C. Roy**, Professor of Law, CNLU.

Mrs. Shashi Sharma's session was a knowledgeable session wherein she not only discussed almost each and every provisions of the Juvenile Justice Act but also shared the glimpses of ground reality of how the JJ Board works and how it has successfully helped the children in shaping their future by providing them speedy disposal of long standing cases.
She also talked about the orphan and abandoned child, how they are helped by providing them childcare institutions. She sensitized the gathering by sharing the internal happiness one feels when you become the cause for the smile on that one child or family.

Dr. Peter Ladis F along with his student coordinators presented the journey of Legal Aid Cell (*Moto: Stand, Speak and Act*), CNLU. He laid stress on the legal aid service taken by the law schools. He also appreciated the innovative measures taken for propagating and promoting legal aid. The Member Secretary said that NALSA itself has undertaken steps to ensure that the people across the country get access to legal aid without encountering any roadblocks. Through various activities such as awareness camps, legal education in schools, client counselling sessions and many more, he tried to motivate the students to come forward and join the hands for a step towards Social Transformation.

"Government alone will never be able to do it. It is only the people themselves who must utilise Law for the purpose of bringing justice at the doorstep of the large masses of the people of the country."
With these word, Prof. Dr, S.C. Roy said that the workshop shall act as a medium of channelizing thoughts. Every college has its own model of operating its Legal Services Committed and the Legal Service Authorities would be benefitted by having the number of students available.
Concluded with the vote of thanks and memento to all the distinguished resource persons.

VALEDICTORY SESSION

The valedictory session was chaired by Prof. (Dr.) Sunita Roy, Dept. of PMIR-Head, Patna University, Patna. She discussed the importance of legal literacy and legal awareness in the light of socio-legal issues, role play of legal cadets, legal awareness amongst the children about their rights because they are the most vulnerable ones in the society and Nyaya Mitra.

The session was followed by the brief summary of the two technical sessions which was given by Ms. Baishali Jain. Thereafter, the floor was open for the attendees to share their experience at the workshop.

The presence of the distinguished guests was a testament of commitment towards knowledge-sharing, growth and progress. The workshop served as an inspiration for all the participants and attendees.

CONCLUDING REMARK

Justice is the word that usually comes to our mind whenever we come across Indian Judicial Process. Irrespective of his/her social and economic status everyone has the right to get justice through judiciary. Very often, it becomes difficult for a people to get through judicial process due to certain economic reasons or certain procedures which he/she is unaware of. Usually a person does not want to indulge in the litigation process because of the mindset that once they get into this, it would become very difficult to get rid of it. Another reason is delay in justice.

Various Legal aid committees have been established by both central and state Government in order to ensure that every person who is economically weak can get justice by providing free legal aid support. Nevertheless, law schools to have some obligation to contribute to solution of crisis in access to justice. The law students can be great help to the society and being students they will gain some experiences. By setting up seminars, visiting jails and assisting low-income individuals and communities that are unaware or having difficulties in hiring lawyers. In 1997, the Bar Council of India made the study of legal aid an important and compulsory topic of law schools. However, even after 20 years of introduction of the rule, the measure has not been implemented properly resulting to failure.

A great positive change can be seen if the institutions decide to make "LEGAL AID" a mandatory subject for at least first two years in the integrated course of law. In first two years the fresh law students have enough interest and time to work for such organizations and after being a subject with credits it will make mandatory for all to participate. However, the ratio of participation by the first two year should be more than the next three years. Within these two years, those students who find interest in this field will be the ones working for it willingly for the upcoming years.

Inclusion of the subject in academic may help a lot as the participation of students will increase to a great extent. Motivating and letting them know the essence of their participation towards the nation will automatically enhance the participation of students. Also rewarding the students when needed, giving them proper facilities like transportation and attendance on visits regarding the legal aids cells will facilitate the process. There should be particular panel of

faculty as well who should be approachable by students very easily. The faculty should empower them by delegating authority to the students and also accompany them at times. Once they get authority, they will create sense of responsibility also. This will increase their dedication in their work. The universities should fund the society well as this is for a great cause and will bring life to the legal aid cells.

REPORT

PAN INDIA LEGAL LITERACY AWARENESS PROGRAMME

Organised under the Aegis of

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

In Association With

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

And

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA)

NATIONAL LAW UNIVERITY, JODHPUR

OCTOBER 9, 2023

ABOUT THE WORKSHOP



The One-Day Workshop on Legal Literacy and Legal Awareness was organised on October 9, 2023 under the aegis of Department of Justice, Ministry of Law and Justice, Government of India by National Law University, Jodhpur in association with Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU). The workshop is a part of Two-year Project titled "Pan India Legal Literacy and Legal Awareness Programme" granted to CEERA-NLSIU by the Department of Justice, Government of India under the Designing Innovative Solutions and Holistic Access to Justice (DISHA) Scheme. The workshop was graced by esteemed speakers such as Adv. Gopal Sandhu, Mr. Vikas Gehlot, Prof. Sairam Bhat and Dr. Deendayal Purohit who shared their valuable insights on several aspects of pro-bono legal aid with real life examples to make the session engaging. The workshop aimed at highlighting the issues faced by marginalised society while accessing legal aid and access to legal education. The workshop was a huge success as 175 attendees were present in the workshop. The List of participants is appended to this Report as Annexure I. Out of 175 registered participants, 80 were female and rest were male participants. Out of the total registered particpants, 113 participants were from urban background while the rest belonged to rural background.

SUMMARY OF THE PROCEEDINGS



The event started with the inaugural ceremony by lightning the lamps and address from Faculty Chairperson of Legal Aid and Awareness Committee, Dr. Anjali Thanvi. Dr. Thanvi addressed the esteemed speakers and welcomed the participants. She addressed the pertinent significance of legal aid and awareness and highlighted the works commenced by the committee to uplift the marginalised people around National Law University, Jodhpur. She emphasized that in modern society every part of life is governed and protected by law. She also discussed that the purpose of the law is not only to control or govern the society but also to promote & develop the society and hence it is very important for everyone to know about law. She concluded her address by wishing both the organising institutions a fruitful learning experience and look forward to future opportunities for collaboration between the two esteemed institutions as well a substantial work produced through the ongoing workshops under the aegis of Department of Justice. The inaugural address was followed by presentation of mementos to the guest speakers. The session was marked by insightful information and suggestions highlighted by the guest speakers. After the session, Members of Legal Aid and Awareness Committee, Ms. Tasneem and Mr. Nigam delved into the works corroborated by the committee in furtherance of the objective of the committee, i.e. spreading legal aid and awareness throughout. They highlighted committee's effort to establish the state's first Smart Village through 'Smart Village Initiative', establishment of a community library as well as computer lab and annual initiative of Right to

Education Programme were the major highlights. They also highlighted pertinent issues faced in rural areas and nearby areas where the committee is working for the development of legal aid. After the session, Ms. Preeti Badola, Faculty Member of Legal Aid and Awareness Committee presented the concluding remarks. She promised on the behalf of the whole



committee and National Law University, Jodhpur that it will always work towards the progress of society to achieve utmost legal aid and spread legal awareness in the rural areas as well. She conveyed her heartfelt gratitude to the guests and participants for making the workshop a huge success.





SUMMARY OF THE SPEAKER SESSIONS

1. ADVOCATE GOPAL SANDU

The workshop was graced by the presence of Advocate Gopal Sandu who is a young lawyer practicing in Rajasthan High Court and Tribunals in Jodhpur and Jaipur. He is a reknowned name in the field of social work and has been associated with the work of legal aid since his college times. Currently he is a Campus Ambassador at various Social and legal organisation and companies such as LexisNexis, NGO- LEAF (Legal Education And Awareness Foundation). LAAC attaches special bonding with him as he has also been the convenor of Legal Aid Committee, Jaipur. He is champion of human rights has he has helped more than 25 people in the pro- bono case.



Mr. Sandu expressed his gratitude to be associated with Legal Aid and Awareness committee National Law University, Jodhpur. He talked about the importance of Legal aid in the present era where everyday rights of people are getting violated by the hands of those who consider themselves powerful and above law. As law students and sincere citizens of the country it befalls upon us to lay a hand in realization of rights of the citizens. He emphasised that we are the youth and it is our duty to make sure that people's trust in rights and justice is not faded. He also reminicised about his college days when he enthusiastically used to take part in Nukkad Naataks. He concluded by saying that it is heaven's choice thatb we're given an opportunity to help our fellow beings, the awareness will not come from these words or speeches, the awareness should come from within and the actions from our consciousness. His enlightened words enflamed a light of pride and a wish to work harder in the committee members.



2. DR. ANJALI THANVI (CHAIRPERSON OF THE COMMITTEE)



Ms. Anajli Thanvi graced the stage with her presence and welcomed all the esteemed guests, students and committee members. What caught everyone’s attention was the pride she took in the committee and its work. She emphasised that the Legal Aid Committee plays a crucial role in ensuring that justice is not a privilege reserved for the few but a right accessible to all members of our society. Over the years, our committee has achieved significant milestones in our quest to uphold the principles of justice. We have provided legal aid to countless individuals who could not otherwise afford it. We've supported underserved communities, ensured due process, and stood up for the rights of the marginalized. Our legal aid initiatives have made a tangible difference in the lives of many, and for that, we are immensely proud. We understand

that no committee can function in isolation. We have actively collaborated with legal professionals, non-governmental organizations, and government agencies to expand our reach and impact. Together, we have organized legal clinics, awareness campaigns, and educational programs, all designed to empower individuals with legal knowledge. As we move forward, our Legal Aid Committee has set its sights on even greater accomplishments. We aim to further enhance the accessibility of legal aid through innovative technology, legal education, and outreach programs. We are committed to addressing emerging legal challenges, including those posed by changing societal dynamics and advancements in technology. Our aspiration is to leave no one behind in their quest for justice. In furtherance of the same, our committee made an effort to set up a community library in Surpura, which has proved utmost beneficial to the students therein. Projects like Saahas, Nukkad Naataks, Shipljeevika and others are continuously undertaken by the committee to ensure optimum support to the people in need. She concluded by saying that we've as a committee are a family and we work to help our other extended family to get their rights. She called upon everyone present to support the cause of legal aid and ensure that justice is the birth right of all.

3. Prof. SAIRAM BHAT and Mr. VIKAS GAHLOT

Professor of Law & Co-ordinator, CEERA, NLSIU commenced his address by emphasizing that Legal aid must be preventive in nature and not remedial. He shared the vision of CEERA on Legal literacy and Legal Awareness which included: (i) To raise awareness of the Legal Duties of citizens under the Constitution and under our legal system; (ii) To sensitise and assist citizens to recognise a problem or a conflict as a legal dispute and to analyse the legal solutions available; (iii) To provide access to legal aid and pro bono lawyers; (iv)To facilitate legal information and simplify the learning of law, this is the cornerstone of our democracy; (v)To

eradicate the poverty of legal information; (vi) To raise faith in the justice delivery mechanism and to encourage obedience to the legal system.

Mr Vikas moving along the same lines discussed about the definition of consumer under the Consumer Protection Act, 2019. He discussed about the recent judgement regarding extra charging for carry bags where the consumer authorities have held that pricing carry bags with the company's logo amounts to an unfair trade practise h



He pointed out that the Consumer Protection Act contains an exception to this rule. According to this law, simply using a product or service gives consumers the right to take legal action. He went on to clarify who doesn't fall under the category of a consumer as per the Act. This includes situations where goods or services are acquired at no cost, for commercial purposes, or as part of an employment contract.

He also addressed various unethical practices, such as unfair contracts, unfair trade practices, substandard goods, overpricing, and the sale of dangerous goods or services, all of which can result in legal liability under the Consumer Protection Act.

Furthermore, he discussed the complaint resolution mechanism established by the Act and highlighted the option for consumers to file complaints online. He also emphasized the availability of the National Consumer Helpline.

Both the guests added to the knowledge of the members and promised their unhindered support for the cause and prised the work of the committee. We were overwhelmed by their esteemed presence.





ANNEXURE I

---------- LIST OF PARTICIPANTS----------

LIST OF PARTICIPANTS ON ONE DAY MASTER TRAINER WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS

AT NATIONAL LAW UNIVERSITY, JODHPUR

Abhishek Bishnoi	11. Bhupendra Singh Siyawat	21. Dushyant Singh Bhati	31. Kajal Khichi	41. Madhulika Solnki	51. Nirmala Kanwar	61. Priyanka Saini	71. Sunita Bissa	81. Yash Kumar
2. Aishwariya Bhati	12. Chandra Prakash	22. Firoj Khan	32. Vandana Bhati	42. Madhvi Rajpurohit	52. Payal Gaur	62. Rajani Vyas	72. Sumer Singh	82. Anil Patel
3. Aksha Khan	13. Chandrakanta Parihar	23. Gaurav Bagdi	33. Kanika Mathur	43. Mahaveer Singh	53. Payal Gaur	63. Ruksana	73. Tanaro	83 Ashutosh Kumar
4. Aman Giri	14. Chand Kanwar	24. Gaytri	34. Khushi Bairwa	44. Mahendra Bagadi	54. Peera Ram	64. Sana Quayyum	74. Tanveer Khan	84. Kavya Gupta
5. Ankita Parihar	15. Chetna Parihaar	25. Guddi	35. Khushi Bohra	45. Manisha	55. Piyush	65. Sakshi Mehta	75. Taro	85. Mishi Bohra

6. Anjali Ghussar	16. Chirag Pungalia	26. Harshvardhan Khichi	36. Khushi Gupta	46. Manisha Phophaliya	56. Piyush Bhati	66. Shubham Molpariya	76. Ujlaram Bheel	86. Manvi Garg
7. Apoorv Gehlot	17. Damini Nagal	27. Hemraj	37. Kripal	47. Maya	57. Piyush Soni	67. Shrishti Ojha	77. Uzma Nasim	87. Harshita Gupta
8. Ayushi Rao	18. Deen Dayal Purohit	28. Himanshu Chouhan	38. Kuldeep Singh Tanwar	48. Meenakshi Purohit	58. Pramod	68. Sneha Sharma	78. Vaibhav Panwar	88. Dhani Dave
9. Bhawana Goswami	19. Devansh Dubey	29. Jhalak Chouhan	39. Kusum Dadhich	49. Mudit Dave	59. Prateek Gupta	69. Suman Kumari	79. Vaidehi	89. Nigam Vrat Attri
10. Bhumi Borana	20. Dimple Gupta	30. Jyoti Sharma	40. Leela Dhar	50. Nirma	60. Preeti Gehlot	70. Sudhanshu Tak	80. Vidisha A Ganpat Kumawat	90. Rohit Meena

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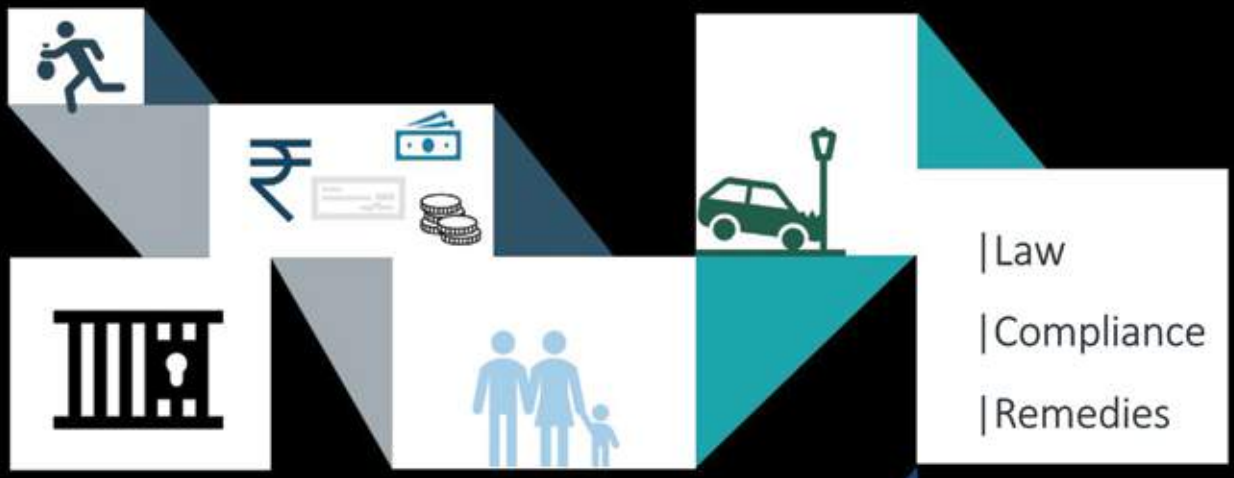
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PART C

PUBLICATIONS

LEGAL AID HANDBOOK

VOLUME 1 2022



Azadi Ka Amrit Mahotsav

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS

न्याय विभाग
DEPARTMENT OF JUSTICE

LEGAL AID HANDBOOK

VOLUME 1 2022

Jointly Published by



DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA



NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU



CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY

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CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA),

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

VISION STATEMENT

The vision of CEERA on Legal Literacy and Legal Awareness encapsulates:

I. To progressively raise awareness of the duties of the Indian citizens under the Constitution and the legal system.

II. To empower, sensitize and assist citizens to recognise a problem or a conflict as a legal dispute and to analyse the legal solutions available.

III. To strengthen and support access to legal aid and pro bono lawyering.

IV. To facilitate access to legal information and legal learning in a simplistic and holistic manner.

V. To bridge asymmetry in access to legal information, knowledge, and legal assistance.

VI. To raise faith in the justice delivery mechanism and to encourage participation in the legal system.

VII. To develop the capacity for utilisation of preventive, promotive, and rehabilitative legal measures to protect the violation of rights.

VIII. To create opportunities for revitalising legal aid clinics in order to raise their level of engagement with the public.

IX. To strengthen legal aid clinics by entrusting law students with the responsibility of raising legal awareness.

X. To accommodate paralegals in the system of rendering legal justice.

XI. To spread constitutional values and ethos of respecting diversity, promoting inclusion, brotherhood, and social responsibility by innovative engagement.

XII. To improve availability and accessibility of information by building an innovative and interactive repository of legal literacy material.

Niraj Kumar Gayagi
Joint Secretary

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FOREWORD

The right to Legal Aid is a fundamental right implicit under Article 21 of the Constitution on India. In the words of Justice P.N. Bhagwati, *"It is an arrangement to have easy access to the justice delivery system for the poor and illiterate people, so that ignorance and poverty do not stop them from seeking justice.''* Over the years, India has taken significant steps to implement this right, such as the enactment of the Legal Services Authorities Act, 1987, the establishment of Legal Authorities at the National, State, District & Taluk Level, and the organization of Lok Adalats, and establishment of Legal Aid Clinics in law schools across the country. Further, the Department of Justice has collaborated with Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru, Karnataka to strengthen Pan India Legal Literacy and Legal Awareness Programme, Tele-Law Programme and Pro-Bono Lawyering. The work done by CEERA-NLSIU has been instrumental in securing the constitutional mandate of building a just society. However, there remains challenges in the path of effective implementation of legal aid services for poor and disadvantages.

The *Legal Aid Handbook Vol.1 2022*, published jointly by the Department of Justice, Ministry of Law and Justice, Government of India and CEERA-NLSIU, is an attempt to strengthen national efforts in securing the right to legal aid. With twin objectives, firstly, it intends to raise legal education and legal awareness among the common man by providing legal information in simple language so that it can be comprehended by an average citizen easily, Secondly, it aims to serve as a ready reckoner for Legal Aid Clinics, Legal Aid Lawyers and Para Legal Volunteers in order to assist them in their roles and discharge their duties.

To achieve these goals, the book is purposefully equipped with Frequently Asked Questions on various intricacies of law delving into a wide range of topics relevant to the common man, such as Fundamental Rights, Fundamental Duties, Right to Education, Rights of women, children and senior citizens, domestic violence etc. It also covers beneficial and welfare schemes of the Government such as MGNREGA, Pradhan Mantri Awas Yojna, National Social Assistance Programme etc. This book seeks to provide vital information that will help the reader in exercising these rights and taking benefits of the law and policy framework in India. To this end, each chapter of the book covers three fundamental aspects, namely (i) what is the right, (ii) how to exercise that right, and (iii) whom to seek assistance in exercising that right.

This is a laudable initiative by the teams at DoJ and CEERA-NLSIU. I wish Prof. Bhat all the best and hope that this book succeeds in its endeavour.

Nyayagi

(Niraj Kumar Gayagi)

तीव्र एवं गुणवत्ता से परिपूर्ण न्याय प्रदान करने वाली कुशल विधिक एवं न्यायिक प्रणाली
कानून के शासन मे लोगों का विश्वास सुदृढ़ करती है।
An efficient legal and judical system that delivers quick and quality justice reinforces the confidence of the people in the rule of law.

Preface

Access to justice, in its conventional sense, encompasses the right to approach courts and the right to be legally represented before courts. However, a formal recognition of these rights may not translate into effective access to justice for the underprivileged sections of society. Even though there are laws and policies which guarantee rights to marginalised people, they are often not in a position to ensure that these rights are realised because of their inability to understand and traverse the paths of the legal and judicial systems in the country. This often leaves such people more vulnerable and precarious than they already are. Therefore, devising novel solutions are necessary for ensuring that access to justice is a reality for all sections of people in the country.

Realising this, the Department of Justice of the Ministry of Law and Justice has formulated a Pan-India Scheme, called "Designing Innovative Solutions for Holistic Access to Justice" (DISHA) which aims to address the issues faced by people on account of their disadvantaged positions within the socio-legal scenario and to equip them with a thorough understanding of their rights as well as the means to enforce these rights effectively. DISHA endeavours to enhance legal aid for the marginalised sections of the society through a digital interface called 'Tele-Law' which would provide legal advice and consultation for over 2.5 lakh Gram Panchayats. Another initiative that has been undertaken is to empanel advocates for providing services in a pro bono manner and developing web and mobile applications for maintaining a database of such panels.

DISHA further aims to increase legal awareness through leveraging technology and forming partnerships with other Ministries as well as educational institutions across the country. It intends to facilitate capacity building programmes along with utilisation of grass-root or frontline workers and volunteers for this purpose. As an implementing agency under DISHA, the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru has been granted a Two-Year Project on "Pan India Legal Literacy and Legal Awareness Programme." The project seeks to disseminate legal literacy across 6 States in India, namely, Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh and Karnataka. Through this project, CEERA would undertake imparting of legal awareness at a large-scale, creating a communication strategy by leveraging technology and social media platforms, strategizing legal awareness campaigns, conducting workshops and competitions on allied themes at various educational institutions and other avenues.

In order to support the Department of Justice's goals, CEERA having assumed the responsibilities of the legal literacy dissemination agency has strived to promote legal literacy and awareness not just through digital platforms but also through partnerships with institutions at ground level. The catalytic efforts of legal aid clinics and legal aid cells are crucial for ensuring dissemination of legal literacy at grass-roots level. In an attempt to gauge youth engagement in rendering legal awareness to the public, CEERA, has organised the Prof. V.S. Mallar Memorial Legal Aid Competition, a unique initiative for imparting legal awareness and for promoting the active engagement of student-led legal aid clinics with the public. Through this competition, CEERA endeavours to achieve the support of the work of legal aid cells around the country, thereby promoting legal awareness through awareness drives and other innovative projects that bridge the knowledge gap. The impetus of the idea behind this competition is the significant role to be played by budding lawyers in serving their nation by spreading legal awareness about the challenges they believe society as a whole needs to solve.

For the purpose of effective digital dissemination, CEERA-NLSIU has also launched a YouTube channel, in the name CEERA-NLSIU-DoJ, where videos made by experts in the field of law from the walks of litigation, advocacy, research and academia, which elaborate the legal provisions that are of relevance to the common man are regularly uploaded.

The publication of this Handbook is an initiative in furtherance of the mandate undertaken by CEERA to strengthen legal literacy and awareness to the public of the country. This Handbook is a compilation of 'Frequently Asked Questions' on the various legislations in India that every individual residing herein must be aware of. The laymen often find it difficult to comprehend the technical language of law, and this makes it difficult for them to understand their rights and duties and leverage it for addressing their grievances. Through this venture, we have strived to ensure that a lack of understanding of the law would not stand as a barrier for people to access justice. This Handbook has been intended to serve as a ready reckoner for people from all spheres of life, enabling them to refer to the information provided therein and take the necessary step for redressal of their grievances. The Handbook has been carefully curated in lucid language and contains information that would act as a necessary guide for enabling people to make self-initiated actions for securing their rights and fulfilling their duties under the law. We hope this Handbook would be instrumental in facilitating access to justice for all the people in and across the country.

I express my sincere gratitude to Department of Justice, Ministry of Law and Justice, Government of India and in particular Shri Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, Department of Justice. I would also like to thank the CEERA



Team comprising of Mr. Rohith Kamath, Mr. Vikas Gahlot, Ms. Anuja Shah, Ms. Gayathri Gireesh, Ms. Aparna S and Mr. Jaibatruka Mohanta, all of whom have put great efforts in completion of the research under the project. Furthermore, I also extend my heartfelt gratitude to Ms. Madhubanti Sadhya and Ms. Lianne D'Souza who have been part of our team during the initial days of the project and have made significant contributions to this work.

Prof. [Dr.] Sairam Bhat
Professor of Law & Coordinator, CEERA
National Law School of India University, Bengaluru

1

Consumer Protection

1. Who is a Consumer?

A Consumer is a person who buys any goods or hires or avails any services for a consideration. Consumer also includes a person who uses such goods or is a beneficiary of a service with the approval of the purchaser. However, a person who buys goods or services for any commercial purpose would not be considered as a consumer. Here, if the goods have been bought or used by a self-employed person, exclusively for the purpose of earning his livelihood, it would not be considered as a commercial purpose and such person can be considered as a Consumer. Both offline and online transactions through which goods are purchased come within the ambit of the Consumer Protection Act, 2019.

2. What are the rights of the Consumer?

Under the Consumer Protection Act, 2019, a consumer has the following rights:

i) **Right of Protection** – A consumer has the right to be protected against the marketing of goods, products, or services which are hazardous to life and property.

ii) **Right to Information** – A consumer has the right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, to protect the consumer against unfair trade practices.

iii) **Right of assurance** – A consumer has the right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices.

iv) **Right to be heard** – A consumer has the right to be heard and be assured that a consumer's interest will receive due consideration at appropriate fora.

v) **Right to seek Redressal** – A consumer has the right to seek redressal against unfair trade practices or unscrupulous exploitation of consumers.

vi) **Right to Awareness** – A consumer has the right to consumer awareness.

3. Who can file a complaint under the Consumer Protection Act?

The following persons can file a complaint under the Consumer Protection Act:

- A consumer;

- Any voluntary consumer association registered under any law for the time being in force;
- The Central Government or any State Government;
- The Central Authority, i.e. the Central Consumer Protection Authority.
- One or more consumers, where there are numerous consumers having the same interest;
- Legal heir or legal representative, in case of death of a consumer;
- Parent or legal guardian, in case the consumer is a minor.

4. What can be complained under the Consumer Protection Act?

A complaint can be filed by a complainant for –

- **Unfair Contract** or **unfair trade practice** or a **restrictive trade practice** has been adopted by any trader or service provider;
- **Defective Goods** – i.e. the goods bought by him or agreed to be bought by him suffers from one or more defects;
- **Deficiency of Services** – i.e. the services hired or availed of or agreed to be hired or availed of by him suffers from any deficiency.
- **Excessive Price** – i.e. a trader or a service provider has charged for the goods or for the services, a price in excess of the price (a) fixed by or under any law; (b) displayed on the goods or packaging; (c) displayed on the price list exhibited by him or under any law; (d) agreed between the parties;
- **Hazardous goods are being offered for sale** – (a) in contravention of standards relating to the safety of such goods as required to be complied with; (b) where the trader knows that the goods so offered are unsafe to the public.
- **Hazardous services** – i.e. the services, which are hazardous or are likely to be hazardous to life and safety of the public when used, are being offered by a person who provides any service and who knows it to be injurious to life and safety;
- **Product Liability** – i.e. a claim for product liability action lies against the product manufacturer, product seller or product service provider.

5. Where can the complaint be filed?

- **District Consumer Disputes Redressal Commission (DCDRC)** - value of goods and services paid for does not exceed 50 Lakh Rupees.
- **State Consumer Disputes Redressal Commission (SCDRC)** - value of goods and services paid for is more than 50 Lakh Rupees but does not exceed 2 crore Rupees.
- **National Disputes Redressal Commission (NCDRC)** - value of goods and services paid for exceeds 2 crore Rupees.

6. Can a consumer complaint be filed online?

Yes, a consumer complaint can be filed online at https://edaakhil.nic.in/edaakhil which is an initiative by the Department of Consumer Affairs, Government of India. It has a detailed handbook, and tutorials for helping the consumers in the process of e-filing. The Handbook for E-Daakhil can be accessed at http://edaakhil.nic.in/edaakhil_hand_book.pdf.

7. Is there a Consumer Helpline Number?

Yes. There is a National Consumer Helpline (NCH) number i.e. **1800-11-4000/14404** which is available on https://consumerhelpline.gov.in/. The number works on all days (8:00 am to 8:00 pm) except on National Holidays.

2

Copyright Protection

1. What is Copyright?

Copyright is an intellectual property right that is granted to original works that are produced in a fixed and tangible form. It confers exclusive rights, i.e., rights that can only be exercised by the person whom it is granted to Copyright enables a person to reproduce, communicate, translate, adapt, sell and rent the copies of a work of which he is an author.

2. What are the criteria for obtaining Copyright?

- Firstly, the work has to be *original*, which means that it has to be *created independently* and should exhibit a *minimal level of creativity*. It should not have been copied from some other source. Moreover, copyright is not granted based on the quality of the work.
- Secondly, the work should be expressed in a *fixed and tangible form*. Copyright does not confer any protection to the ideas that a person may have. Rather, it seeks to protect the manner in which the person has expressed the idea. Therefore, the creative ideas of a person is eligible for being protected through the means of copyright only if it has been reduced to a fixed form such as writing or printing and a tangible form, i.e., where it can be touched. For instance, copyright protection would extend to the recipe of a particular dish or the way in which notes have been arranged for a musical composition. It would not extend to the dish that is prepared out of the recipe or the song that is sung out of the composition.

3. In what categories of works do Copyright exist?

Copyright can be registered with respect to six classes of works:

- *Literary works* – this includes computer programmes, tables and compilations made using computer databases
- *Dramatic works* – this includes any recitals, choreography or entertainment and the scenic arrangement or acting, which is in a written form – it does not include a cinematograph film.

- *Musical works* – this includes only the music and its graphical notations – it does not include the lyrics that are sung along with the music.
- *Artistic works* – includes painting, sculpture, drawings such as diagrams, maps, charts and plans, engravings, photographs and architectural work.
- *Cinematograph works* – this includes visual recordings and the sound recordings accompanying it.
- *Sound recordings* – this includes recordings of sounds made in any medium by any method.

4. Who can hold a Copyright?

- In the case of a *literary work*, its author would be the owner of the copyright. In the case of a *dramatic work*, its author would be the owner of the copyright. In the case of an *artistic work*, the artist would be the owner of the copyright. If the literary, dramatic or artistic work has been written in the course of employment with a newspaper, magazine or periodical, for the purpose of publication therein, then the proprietor of the newspaper would hold a copyright over it.
- In the case of a *musical work*, its composer shall be the owner of the copyright. In the case of a *photograph*, the person taking the photograph would be considered as its author. In the case of a *cinematograph film* and *sound recording*, its producer shall be the owner of the copyright. If these are produced for a valuable consideration which is given by another person, then the other person would be the copyright owner.
- In the case of a *speech* which is made in public, the person who has delivered such speech would be the owner of the copyright.
- In the case of a *Government work*, Government would hold the copyright over it.

5. What are the rights of a Copyright holder?

The following are the rights that are available to the owner of a copyright:

- Right to reproduce the work in any form
- Right to issue copies of the work to the public if it is not already in the public domain
- Right to perform or communicate the work in public
- Right to make any translations and adaptations of the work
- Right to make any cinematographic film or sound recording with respect to the work
- Right to sell the work or offer it for commercial rental

6. Can copyright be transferred to another person/entity?

Transfer of copyright can be made through any of the following methods:

a. *By Assignment* – the whole of the copyright or a part of it may be assigned to another person or entity. Once it is assigned to another person, he would become the copyright owner with respect to the rights assigned. The copyright would continue to subsist in the owner with respect to the rights which he has retained for himself and has not assigned.

Assignment of copyright can be made with respect to existing work or future work. The copyright owner has to make the assignment in writing, signed by him or his agent. The rights that are assigned to by the copyright owner and the duration with respect to which it is made must be specified. If it is not stated, the period of assignment of copyright would be 5 years. The person to whom copyright is assigned should pay monetary consideration to the copyright owner, which is called royalty. The assignment should also mention the amount of royalty and any other consideration that would be payable to the copyright owner or his legal heirs.

b. *By Will* – If an unpublished manuscript with respect to a literary, musical or dramatic work is given under a Will by its author, then the person to whom it is granted would also be entitled to the copyright of that work.

c. *By Licence* – The copyright owner can grant a licence to another person for permitting specific activities to be undertaken with respect to the copyrighted work. The licence granted may be for producing a cover version, for broadcasting the work or for translation of the work. Unlike the case of an assignment, the person to whom license is granted does not become the copyright owner.

7. Is there a time period for which Copyright shall exist?

For all the six categories of works, copyright would subsist for a period of sixty years from the beginning of the year succeeding the year in which the owner of copyright dies. On the expiry of sixty years, the copyright shall cease to exist and it would become a work in the public domain.

8. What is a Performer's Right?

A person who performs through the means of acting, dance, music, lecture or any other performance can be considered as a performer. Performers of a work have some exclusive rights under the Copyright Act. Performers are entitled to produce sound and visual recordings of a work which can be communicated to the public. If the work is subjected to any sort of changes which can affect the performer's reputation, he can approach

courts for restraining order or seek compensation. A performers right is independent to that of the copyright and does not affect the copyright subsisting over a work.

9. What is the procedure to be followed for obtaining licences for producing cover versions and translations?

- A person who wishes to make a cover version of a literary, dramatic or musical work in the form of a sound recording has to give a notice to the copyright owner as well as the Registrar of Copyrights expressing his intention to make the cover version. The notice has to be sent at least 15 days prior to the making of the cover version of the work. Along with this, the amount of royalties, as determined by the Copyright Board has to be paid to the copyright owner. The cover version should not destroy the integrity of the original work. It should clearly state in the display that it is a cover version. The cover version should not have anything in its label or packaging which may cause the public to believe that it is an original work. For making each additional cover version, the entire procedure has to be followed again.
- For the purpose of making a translation of a copyrighted work, a person has to submit an application in the format contained in Form VI of the Copyright Rules, 2013 and has to pay a fee of Rs 5000 to the Registrar of Copyrights. The Copyright Board would then publish a notice regarding the application in newspapers and would also forward the notice to the copyright owner. After 120 days have elapsed, the Copyright Board would decide whether or not licence should be granted and would also determine the royalties payable by the applicant to the copyright owner. At a time, an application can be made only for the purpose of translation of a single work in any one of the languages. Separate applications will have to be made for translating a work in more than one language.

10. What happens if someone's Copyright is violated?

A person who infringes upon a copyright is liable to imprisonment of a term ranging from six months to three years along with fine ranging from fifty thousand rupees to two lakh rupees. If a person who has already been held liable for copyright infringement commits the offence again, then there is an enhanced punishment of at least one year imprisonment which may extend upto three years and a fine of one lakh rupees which may extend to two lakh rupees.

Furthermore, police officers can seize the infringing copies as well as the plates used for making them and surrender it before a Magistrate. The copyright owner can apply to the Magistrate for the copies or plates.

11. What are the remedies available to the copyright owner for an infringement of copyright?

A copyright owner can approach courts for obtaining injunctions to prevent the copyright infringement from being continued and are also entitled to receive compensation in the form of damages. The copyright owner can also approach courts for obtaining the infringing copies and can initiate civil action for the wrong of 'conversion', i.e., unauthorisedly depriving the copyright owner from exercising his rights over the work.

12. What are the defences for legal action initiated against copyright infringement?

A person can always take a defence that he was unaware and had no reasons for believing that copyright subsisted in the work which was used by him. He can also plead that he believed that the copies and plates used by him would not amount to copyright infringement.

If a person, claiming to be a copyright owner, issues threats that he would initiate legal action with respect to copyright infringement, without having any grounds to do so, then the person against whom the threats are issued can approach the courts for getting an injunction for discontinuing the threats and for getting compensation.

13. Are there any exceptional situations where copyright infringement is not punished?

Certain acts are not deemed to be an infringement of copyright such as using a work for personal uses including for the purpose of research or for making a criticism or review. Similarly, using a work over which copyright subsists for the purpose of reporting current affairs would also not be considered as a copyright infringement. Teachers and students are allowed to reproduce works over which copyright may subsist for the purpose of facilitating studies and in preparing questions or answers for an examination. A copyrighted work can be performed in front of the students and staff of an educational institution. Extracts of a literary or dramatic work can be performed in the form of readings or recitals in public. Works may be performed for non-commercial purposes in residential places or religious institutions. A maximum of 3 copies of books that are not available in India can be made for keeping it in a non-commercial library.

14. How can I apply for registering copyright over a work?

For the purpose of registering a copyright, an application as to be made to the Registrar of Copyrights in the format prescribed under Form XIV of the Copyright Rules 2013.

The amount of fees that would have to be paid along with the application would differ according to category to which the work belongs. For instance, for registering a copyright with respect to a literary, dramatic, musical or artistic work, a fee of Rs 500 has to be paid. For an application with respect to a cinematograph film, the fee payable is Rs 5000 whereas for an application with respect to a sound recording, the fee payable is Rs 2000. The details of the fees to be paid can be found in the Second Schedule of the Copyright Rules, 2013.

15. Is it mandatory to register copyright for protecting a work?

No, it is not mandatory to register copyright over a work. As soon as a work is created in a written form, say, in the form of a printed book or a blog post in digital form, copyright is vested over it automatically without any subsequent registration. Registration of copyright is advisable only so that it would serve as evidence in a legal dispute regarding ownership of copyright before a court of law.

16. Can copyright protect collective rights held by a community of persons, such as folklores, vernacular stories and scripts or information that has been passed on traditionally?

- For collective management of copyright, registered societies can be formed. If an author or artist is a member of a registered copyright society, it would issue licenses and collect royalties on behalf of the works produced by the author or artist. At present, there are five registered copyright societies in India, namely, The Society for Copyright Regulation of Indian Producers for Film and TV (SCRIPT) which caters to copyright protection in cinematography and TV industry, the Indian Performing Rights Society Ltd (IPRS) and the Indian Singers Rights Association (ISRA) for music industry, Phonographic Performers Ltd (PPL) for sound recordings and the Indian Reprographic Rights Organization (IRRO) for photocopies.

  Therefore, for protection of folklores and vernacular stories or scripts, a copyright society can be registered for this purpose. This would enable artists behind such creations to negotiate licenses and royalties whenever such works are commercially utilised by other persons or entities.

- For protecting traditional knowledge with respect to medicines, a Traditional Knowledge Digital Library (TKDL) has been created which documents information relating to Ayurveda, Unani, Siddha and Yoga in a digitised format. This prevents other persons and entities from commercially utilising the traditional knowledge and granting of other intellectual property protections over this information. Even though

ancient texts that contain such information would be in the public domain as copyright protection is only for sixty years, such an arrangement in the form of a repository or database would be eligible for copyright protection and the Government would be the owner of the copyright in this case.

Similarly, in every local body such as Gram Panchayat, Municipality and Corporation, a Biodiversity Management Committee is constituted for documenting and keeping track of the biological diversity in that area. This is maintained in the form of a People's Biodiversity Register (PBR) which contains particulars of the local biological resources, their medicinal and other uses as well as the traditional knowledge associated with them. For obtaining any intellectual property right over any research or information generated using the resources that come within PBR, application has to be submitted to the National Biodiversity Authority. The applicant of any such intellectual property right would have to share the benefits, the monetary rewards and fee derived from licensing or assigning the work produced by him with the community. Though this is not copyright protection and is envisaged to safeguard traditional knowledge, this would ensure that no person or entity would be able to acquire patents or copyright over the resources that are collectively held and enjoyed by a community.

3

Cyber Bullying

1. What is Cyber Bullying?

Cyber Bullying refers to an act of bullying or harassment of any kind through electronic communication devices like computers, mobile phones, text messages, phone calls, e-mails, social media platforms. This act of bullying in the electronic form consists of hurtful, derogatory comments, false information to malign the person and sometimes threaten to murder or to outrage the modesty of a person and sexual harassment.

2. What are the different kinds of cyber bullying?

The different types of cyber bullying are:

- **Online harassment** happens with the use of social media where an obscene, distasteful or offensive content is used with a wilful, hostile intention to hurt, malign and defame.
- **Cyberstalking** happens by using social media platforms like Facebook, Twitter etc to harass and solicit unfavourable sexual favours, sending derogatory emails and blackmail repeatedly.
- **Cyber Defamation** happens by making false accusations, publication of defamatory statements against a person in the electronic media. It can also be termed as internet or online defamation.
- **Cyber Hacking, Cyber Bullying and Cyber Extortion** are the most common forms of online harassment. Cyber hacking is an illegal access to any personal details of the person and bully them with sexual or offensive content. The intention can also be for financial gains through blackmail or physical threats for rape, extortion and murder.

3. What are the CBSE guidelines regarding the cyber bullying/bullying in the Schools?

In 2015, Central Board of Secondary Education (CBSE) framed guidelines for the prevention of bullying and setting up of Anti-Bullying committees in schools. This committee comprises of Vice-principal, a senior teacher, school doctor, counsellor, parent-teacher representative, school management representative, legal representative and educators. The responsibilities of the Committee under the Guidelines are to:

- Articulate and develop the School Anti Bullying Prevention plan.
- Awareness and training programs for School staff, students and parents.

- Continuous awareness programs for being watchful, cautious and observing the signs of bullying.
- Quick and sensitive response to bullying in schools.
- Debates, discussions and poster competitions should be organised in schools to educate the students.
- Schools should provide for Complaint Box, Suggestion Box and confidential system of reporting of bullying activities in the school.
- Names and contact numbers of members of the committee should be displayed in the school premises.
- Provide Counseling for Primary, Middle and Secondary Schools for children of different ages.

4. What is the UGC Circular regarding Ragging and Bullying in colleges?

In 2009, University Grants Commission (UGC) notified the "UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009" to curb ragging throughout higher-education institutions in India. The important measures for the prevention of ragging and bullying mandated at the institution level are:

- The advertisement and the brochure for college admissions must mention in clear terms that ragging is a punishable offence and totally banned in the institutions. The provisions shall be printed in block letters.
- The Prospectus shall also incorporate directions of the Central government. State Government and the guidelines of the Supreme Court.
- The Parents and guardians are sensitised about the consequences of ragging and bullying activities.
- The admission and enrolment form shall have printed letter as an undertaking signed by the students regarding the consequences of ragging.
- Institutions shall start the academic year with publicity and awareness programs, posters leaflets, seminar and street plays sensitising about the ragging and bullying activities in the institutions.

5. What is the helpline number for ragging and bullying related incidents in colleges?

The UGC is responsible to operate a toll-free helpline and be operational at all times and accessible to students 24×7. The Anti-ragging helpline number is **1800-180-5522.**

6. What are the relevant provisions under the Indian Penal Code, 1860 relating to bullying and ragging in colleges?

The relevant provisions of the Indian Penal Code (IPC) applicable to college students who are into bullying or ragging are:

- Any ragging through the means of threatening to cause bodily harm or threatening to spread false rumours can be punishable under Section 506 of the IPC for committing criminal intimidation.
- Any ragging through the means of threatening to cause physical harm or hurt or grievous hurt which results in disability or even death can be punishable under Sections 323, 324, 325 or 326 of IPC for causing hurt or grievous hurt, as the case may be.
- Ragging and bullying whereby death is caused to the person against whom it is perpetrated can be punishable under Section 304 of IPC for the offence of culpable homicide.
- If ragging leads to the student against whom it is perpetrated committing suicide, the offender may be held liable under Section 306 of IPC for abetment of suicide.

7. What are the legal provisions applicable for the Cyber bullying through online platforms?

- Section 354A IPC can be invoked when a person posts lewd comments on social media and Section 354D of IPC can be invoked when there is cyber-stalking of women.
- Creating obscene content on internet can be punished under Section 292 of IPC as well as Section 67 of the Information Technology Act.
- Creation of a fake social media profile and uploading of vulgar or obscene photos of a woman on such profile can be punished under Section 354A of IPC for *sexual harassment,* Section 354D for *Stalking,* Section 499 read with Section 500 for *defamation,* Section 507 for *criminal intimidation by an anonymous communication* and Section 509 for *insulting the modesty of a woman*.

8. What are the relevant provisions under Information Technology Act, 2000 applicable for cyber bullying?

- If a person cheats someone by portraying their image as someone else on the internet

or the social media, he/she can be punished under Section 66D of the IT Act, 2000.

- If a person intentionally captures someone's private pictures and uploads it on the internet, without their consent, it is punishable under Section 66E of the IT Act.
- If a person transfers, circulates or uploads vulgar or improper material on the internet, it is punishable under Section 67 of the IT Act.

9. What are the important initiatives by the Government Authorities to prevent Cybercrimes?

- CCPWC (Cyber Crime Prevention against Women and Children) is a National Mission for the safety of women constituted by utilising Nirbhaya fund, having following objectives:
  - To facilitate online complaint of victims/complainants to report cyber bullying or any forms of cybercrimes.
  - Complaints pertaining to online Child Pornography, Child Sexual Abuse Material or sexual content such as rape.
  - Complaints registered under this portal are dealt by the respective police authorities of States and Union Territories.
  - This portal also provides for anonymous reporting of cybercrimes as per the directions of the Supreme Court of India.
- Responsibilities of the NCW (National Commission for Women) in cases of Cyber Bullying
  - The Commission has the powers to request a police investigation to be held and conducted.
  - The Commission has the powers to appoint an investigative committee, gather the evidence, question the witnesses, call the accused, and get police records, etc. wherein the commission feels that the situation involves major violation of rights to women and children.
- **Online Cyber Crime Reporting Unit.**

  The Online Cybercrime Reporting Portal is a central citizen portal of the CCTNS project (Crime and Criminal Tracking Network System) with special focus on

Women and Children. Using this portal, an online cyber-crime complaint can be made by the victims of cyber-crime. The portal is central repository for all such cybercrimes.

10. What are the helpline numbers that are available for Cyber Bullying?

Complaints regarding cybercrime can be filed online through https://cybercrime.gov.in/ or in the alternative can be reported through the Helpline number **1930**. Complaints on cyber bullying directed against women can be reported through the number **7827170170.**

4

Dowry Harassment

1. What is Dowry?

Section 2 of the **Dowry Prohibition Act, 1961,** defines the term 'dowry' as property or valuable security shelled out or agreed to be bestowed, by the parents of one party to a marriage to the parents of the other party. It is pertinent to note that this Act is applicable to people from all religions.

However, 'Dower or Mahr', governed by Muslim Personal Law is usually given as financial security to the women and shall not be covered under the sweep of this definition. Even Streedhan is not analogous to dowry. Anything that is given solely to the bride before, during, after marriage, or even during childbirth is considered streedhan, which is exclusively her property. The fundamental distinction between dowry and streedhan is that dowry possesses an element of 'coercion' where there is either a demand for dowry with an element of threat or it is made conditional to the marriage whereas streedhan is provided voluntarily. Streedhan also includes the bride's inherited or self-acquired property, as well as monetary or in-kind gifts from her husband's family. Another distinction is that dowry is regulated by the Dowry Prohibition Act of 1961, whereas streedhan is governed by the Hindu Succession Act of 1956.

2. Is receiving or giving dowry illegal in India?

Yes, according to the Dowry Prohibition Act, 1961, receiving, sending, demanding, or abetting the giving or receiving of dowry is strictly prohibited. Even the agreements concerning dowry shall be considered void *ab initio*. For those who take or give dowry, the law prescribes a punishment of at least five years or a fine not less than Rs, 15,000 or the dowry amount, whichever is more. Urging or demanding dowry is also illegal in our country and shall lead to imprisonment for a minimum of 6 months and a maximum of 2 years. A fine of up to Rs. 10,000 may also be imposed. A person who is found advertising an offer of dowry as a consideration for the marriage of their son or daughter, through any form of media shall be liable to be punished with imprisonment for a minimum term of 6 months and a maximum term of 2 years. All the offences falling within the ambit of the Dowry Prohibition Act shall be considered non-bailable. Under this Act, people can be arrested without warrant in such dowry-related cases.

Wedding presents are often drawn up as dowry. A wedding present is not illegal given that it is received without any demand and it falls under the list maintained in accordance with the rules made under the Dowry Prohibition Act, 1961. Even if the present is made on the bride's behalf, it must be customary in nature and its value should not be excessive in relation to the financial status of the person by whom, or on whose behalf, the present was given.

3. What special laws have been framed for the purpose of preventing harassment in relation to dowry?

Section 498A of the IPC penalises the brutal and cruel treatment given by the husband or the relative of the husband of a woman by punishing them with imprisonment for up to three years and a fine. Cruelty here can be comprehended as a willful act that is likely to drive the woman to commit suicide or cause grave injury or danger to her "life, appendage, or health" (whether mental or physical). It is inclusive of harassment caused to her with reference to the dowry. Even, **the Protection of Women from Domestic Violence Act** has multifaceted provisions that can be passed down to put a stop on the dowry-related violence so long as dowry is a reason for domestic violence.

- **Protection Order:** If the magistrate is satisfied that domestic violence has been eventuated or is likely to take place, he can pass a protection order in favor of the aggrieved person and thereby prohibit the person suspected of harassment from both committing an act of domestic violence or aiding or abetting in the commission of an act of domestic violence. The order may also restrict the person from setting a foot inside the place of employment of the aggrieved person, interacting with the aggrieved party or instigating any physical force against the relatives of the victim, etc.
- **Residence Orders:** If the aggrieved party and the person suspected of harassment live in a shared household, and the magistrate is satisfied that domestic violence has taken place, he can pass a residence order directing the respondent to remove themselves from the shared household (this order cannot be passed against a woman) or even provide an alternate accommodation for the aggrieved woman that is of the same standard as that enjoyed by her in the shared household. The magistrate may also prevent the respondent or any of his relatives from entering any portion of the shared household in which the aggrieved person resides, etc. or pass any other order or direction which he thinks is reasonably necessary to protect the aggrieved person or any child of such aggrieved person. The court can also tell the officer in charge of

the nearest police station to protect the aggrieved person or to help her, or the person who is making the application on her behalf, carry out the order.

- **Custody Orders:** The magistrate, for time being, can grant custody of a child or children to the aggrieved party or to the person/legal heir presenting a request on her behalf. If necessary, the magistrate can also make plans for the respondent to see the child or children. If the magistrate thinks that a visit by the respondent could hurt the best interests of the child or children, he can put a ban on such visits.

  To avail any of the relief provided under the Protection of Women from Domestic Violence Act, one must present an application to the Magistrate. In addition to the aforementioned provisions, there are also laws relating to dowry death to deter people from engaging in cruelty towards women.

4. What is Dowry Death?

If the death of a woman is caused by the physical assault, unwarranted bruises, burns or any other non-typical circumstances, within seven years of her marriage, and it can be shown that prior to her death she was exposed to savagery, inhumanity or violence by her intimate partner or the family members of her partner with respect to any demand for dowry, the death shall be contemplated as a dowry death falling within the purview of section 304 B of the Indian Penal Code (IPC).

Furthermore, **section 113 B of the Evidence Act,** states that if it is proved that a person subjected a woman to cruelty in relation to dowry before her death, then the court presumes that the woman's death was a dowry death.

Similarly, if it is shown that a woman committed suicide within seven years from the date of her marriage and that her husband or a relative of her husband had subjected her to cruelty, the court may presume that such suicide had been abetted by her husband or by the relative of her husband.

5. What are the resources that can be accessed in case of dowry related violence?

There are many helplines that are dedicated towards providing emergency services as well as counseling for women in need.

- **Women Helpline-1091-** Whenever a woman from any part of the country needs urgent help from the police or wants the police to come and rescue her, she can immediately dial the Police Helpline number **'1091'**, which is majorly useful for requiring help in emergency situations like rape, molestation, eve teasing, domestic violence, kidnapping and such other acts. As soon as a call is received, it is directed

to the respective police station in the district, with the Superintendents of Police and Commissioners of the district being held responsible for cases in their jurisdiction.

- **Women's Helpline-(Domestic Abuse) 181-** The Ministry of Women & Child Development has launched the Women's Helpline '**181**' to provide free, confidential, immediate and 24x7 support and assistance to women in distress and in need of care and protection – both in public and private spaces, to facilitate crisis and non-crisis intervention through referral to appropriate agencies and to provide details about the support services, schemes and programmes available.
- **National Commission for Women helpline:** the dedicated helpline number **'7827170170'** aims to provide round-the-clock counseling and support services to women affected by violence. You can file an online **complaint on National Commission for Women portal at http://ncwapps.nic.in/.** While making the complaint, you are required to provide the contact details of the complainant and the respondent (if available), a brief description of the incident, details of remedies already exhausted, and supporting documents (if any).

  The National Commission for Women sends the person who made the complaint an acknowledgment along with the complaint number, login ID, and password, if the complaint has been accepted by the National Commission for Women. If the complaint is turned down, the person who made the complaint will be informed as soon as possible. You can also call the National Commission for Women or go there in person to check the status of the complaint.

  Contact numbers for complaint related queries: **011-26944880, 26944883**. The NCW can be contacted anytime between 9.00 AM and 5.30 PM (Monday to Friday). They can also be contacted through email at any time at complaintcell-ncw@nic.in.

6. Is there any NGO or department of police that assists and counsels the victims of dowry harassment?

There are a few NGOs in different states of the country that have been putting efforts in making a socially equitable society.

- **Dhwani Crisis Hotline (NGO) -** The International Foundation for Crime Prevention and Victim Care **(PCVC)** runs this NGO which brings forth prompt and timely assistance to the survivors of physical assault, violence and burn injuries from their intimate partners or their family members. The idea is to dispense information to succor the needs of victims/aggrieved parties at different stages of rehabilitation. One can contact the 24-hour toll-free hotline number by dialing **044-43111143 or 1800 102 7282.**

- **Sayodhya (NGO) -** Based out of Hyderabad, Andhra Pradesh, this NGO provides temporary accommodation to victims of violence/abuse and an online emergency response through its 24 hours telephone helpline. The services include free of cost medical kit, legal, psychological and emotional counseling sessions, bed-covers and blankets, sanitation facilities and clothing. They also help victims reintegrate with their family if they wish to do so. Furthermore, they motivate women to take charge of legal justice by taking them to the women protection cells where they elucidate upon the procedure to be followed by the aggrieved party to file a case against the offender. The shelter home shares a close nexus with police officials and judicial bodies to make certain that absolute protection is guaranteed. 24-hour helpline number can be accessed by dialing **18005991811.**
- **Shakti Shalini (NGO) –** This NGO, based out of Delhi, provides assistance to the survivors of gender and physical/mental/sexual abuse. There is a distinct Centre named 'Crises Intervention and Counseling Centre (CICC) that sentimentalize as the primary point of contact for seeking advice/solution. Over and above that, the Centre has three operational PAN India helpline numbers for survivors of gender or sexual violence. To access the helpline one can call **011-24373737,** or Call/WhatsApp-**9654462722/7838957810.**
- **Police helplines:**

  Various states have also set up police helplines that help against gender-based crimes such as dowry and domestic abuse.

  - Kerala has launched a 24-hour police helpline for women that can be accessed by calling **9497996992**.
  - Similarly, Women in Karnataka can call **080-22943225, 080-22943224**, to access free counseling and police assistance.
  - In Karnataka, there is a separate helpline for women in Bangalore- **080-22943225**. Mysore women can contact the police at **0821-2418110/ 2418410.**
  - Women in Mumbai can call **022-22633333** or **22620111** to get police assistance.
  - There is a women's helpline run by Chandigarh Police which can be contacted at **0172-274190.**

5

FARMER'S RIGHTS (PPVFRA)

1. Who is a Farmer?

The Protection of Plant Varieties and Farmers' Rights Act, 2001 (the PPVFRA) in section 2(k) defines farmer to be any person who is concerned with

- cultivating the crops either by himself, or
- supervising other person(s) cultivating the land, or
- conservation and preservation of wild or traditional varieties, or
- identifying useful properties of wild or traditional varieties.

The definition is broad, and covers all farmers, whether landed or landless, male or female.

2. What is the scope of the Protection of Plant Varieties and Farmers' Rights Act, 2001?

The PPVFRA aims to recognize the efforts made by farmers towards conserving and improving plant varieties, and providing plant genetic resources for the development of new plant varieties. Thus, PPVFRA aims to create an effective mechanism to safeguard the rights of the farmers and plant breeders by protecting the plant varieties. Through this, PPVFRA also aims to provide a stimulus to private and public research in plant varieties to accelerate the overall growth of agricultural development. A direct result of the protection to plant varieties would lead to growth of the seed industry thereby ensuring high quality seeds to the farmers in the country. The PPVFRA was enacted to meet obligations under the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). It is an international treaty which required India to either extend patent protection to the plant varieties or prepare an effective *sui generis* system for it.

3. Where can we submit application for registration under the PPVFRA?

Application for the registration can be sent to the office of the Registrar, Plant Varieties Protection and Farmers' Rights Authority. To assist the farmers with the process of registration, regional offices at Guwahati (Assam), Ranchi (Jharkhand), Palampur (Himachal Pradesh), Shivamogga (Karnataka) and Pune (Maharashtra) have also been

set up. The Authority is also concerned with recognizing and rewarding the farmers for their contribution towards the improvement and preservation of plant genetic resources. Details of the Authority are as follows:

- **Address**- Registrar, Protection of Plant Varieties and Farmers' Rights Authority, Government of India, Ministry of Agriculture & Farmers Welfare, Society Block, 2nd Floor, NASC Complex, DPS Marg, New Delhi- 110012.

- **Chairperson**
  Tel: +91-11-2584127
  Fax: +91-11-25840478
  Email: chairperson-ppvfra@nic.in - 11-25848127

- **Registrar General**
  Tel: +91-11-25843316
  Fax: +91-11-25840478, 25843316
  Email: rg-ppvfra@nic.in - 11-2584331

The actions of the Registrar can be appealed against in the Plant Varieties Protection Appellate Tribunal. The Tribunal is expected to dispose of the case within one year.

4. What kinds of varieties of food crop are protected by the Act?

The PPVFRA provides for registration of the following kinds of varieties of food crops:

i. Extant variety - It consists of the following kinds of variety:

a. Varieties which have been notified under section 5 in the Seeds Act 1966. Under this section, the Central Government has the authority to notify certain variety or kind of seeds if it is of the opinion that it is necessary to regulate the quality of such a seed for the purposes of agriculture; or

b. Any variety which is available in the public domain; or

c. Any variety for which there exists common knowledge.

ii. Farmers' variety - The PPVFRA defines farmers' variety to be those crops which have either been traditionally cultivated by the farmers, or there exists common knowledge of those crops amongst the farmers.

iii. New Variety - Any variety which fulfills the criteria of novelty, distinctiveness, uniformity and stability can be understood as a new variety. Section 15 of the PPVFRA provides that such a variety can be registered, and details down the requirement as follows:

a. Novelty - variety should not be available in the public domain at least for a year before filing for the registration.
b. Distinct - such a variety should have at least one essential characteristic distinct from any other variety.
c. Uniformity - such a variety should be uniform in its essential characteristics.
d. Stability - the essential characteristics of such a variety should remain unchanged after propagation.

iv. Essentially Derived Variety- Any variety, derived from an initial variety, which is distinguishable from such initial variety but still retains the expression of the essential characteristics of the initial variety; or

v. Any other variety as declared by the Central Government through Official Gazette.

The PPVFRA does not extend protection to such plant varieties where there is greater need to prevent their commercial exploitation in order to protect public order or morality, or where there exists possibility of serious prejudice caused to the environment, or where harm could be caused to human, animal and plant life.

5. Who can apply for registration of a plant variety?

The PPVFRA empowers any person claiming to be a breeder, or successor of a breeder, or any farmer (or group of farmers) claiming to be the breeders to file an application for the registration of the plant variety.

6. What is the process for Registration?

The process of registration, as described in the PPVFRA is as follows:

- Filing of application form - Under Section 18, the process related to the application form has been described. The form requires the applicant to state the domination assigned to the variety along with complete details about the parental varieties from which such variety has been derived, and contribution of other persons such as farmers and institutions, if any. Further, the application form requires the applicant to sworn by an affidavit claiming that the variety does not have any terminator technology, and adhere to other regulations.
- Farmers do not have to pay the application fee.
- The Registrar then conducts a test of the variety to evaluate whether it conforms to the standards specified by the regulations.

- Upon accepting the application post completion of the test, the Registrar advertises the variety to call for objections. The process is slightly different for registration of essentially derived variety.
- At the completion of this process, the Registrar issues the certificate of registration to the applicant.

Registration applications for the different varieties are available here - https://plantauthority.gov.in/compendium-varieties-registered-under-ppvfr-act-2001. A list of the registered varieties upto 2018 can be found on https://plantauthority.gov.in/sites/default/files/compendiumfinal27oct2018.pdf

DURATION OF VALIDITY OF THE REGISTRATION		
Kind of Plant	**Default duration**	**Maximum duration upon re-registration (Total)**
Trees and Vines	9 years	18 years from the date of registration
Extant Variety	6 years	15 years from the date of notification by the Official Gazette
Any other Crop	6 years	15 years from the date of registration

7. What rights are available to the farmers under PPVFRA?

- PPVFRA grants farmers a *right to register traditional or farmers' variety*. Thus, upon the issue of the registration certificate by the registrar, the farmer(s) treated like breeders would get the exclusive right to produce, sell, market, distribute, import or export the registered variety**.** However, in the case of extant varieties, the breeder needs to establish her right, and failure to do so would make the Central or the State Government the owner of such rights. An exception has been created for researcher's rights wherein any variety can be used for the purposes of research and experimentation. Though, in the case of repeated use of a variety for the development of a new variety for commercial production, prior approval is required from the breeder.
- The Act recognizes the efforts of the farmer engaged with conservation of genetic resources and improvement of plant varieties through selection. Thus, such farmers are entitled to be *recognized and rewarded by the Gene Fund*. Gathering an understanding of about different varieties of plant crops and their distinct behaviors to give effect to plant selection requires years of experiences by the farmers. The PPVFRA recognizes such contributions made by the farmers.

  In some situations, the breeder might get the registration even if he has not disclosed all the parental varieties linked to his new variety, and one of the varieties can be

traced back to one or more rural communities. In such situations, the Authority would direct the said breeder to award compensations to such a community. The amount of the compensation would be deposited in the National Gene Fund, which would later distribute it amongst the communities. Thus, the PPVFRA aims at fully recognizing the efforts of the farming community.

- Exclusive ownership over plant varieties would require the farmers to purchase new seeds for sowing and prevent them from saving and re-sowing the seeds. This would cause hardships to the farmer. To avoid this, the Act does not interfere with the traditional *farmers' right to save, use, sow, and sell his farm produce including seed* of such a variety protected under the PPVFRA.
- PPVFRA also enables farmers to *seek compensation* by raising a complaint of non-performance of any registered variety sold to them.
- In the event that the breeder of the registered variety does not provide adequate quantity of the variety at a reasonable right, PPVFRA provide farmers with the scope to seek for *compulsory licensing to a third party*.
- Farmers are *not required to pay any fees* for the facilities provided under PPVFRA. The farmers are not expected to pay application and registration fees, and fees for any legal proceeding under the Act.
- No farmer can be charged for infringement of the Act, if the farmer is able to prove that she/he was not aware of the legal provisions. This provision is there to prevent legal harassment of farmers, and acknowledges the low legal literacy in the community.
- The Authority provides a series of awards, each year, to recognize and promote the conservation of the plant genetic resources. Plant Genome Saviour Farmer Rewards and Recognitions are awarded to those farmers -
  - who help in improving the plant variety through selection,
  - who promote preservation and conservation of genetic plant resources,
  - and if such preserved and selected variety has been used as a donor for a registered variety under PPVFRA,
  - The applications for such awards can be sent to the Secretary or Chairperson of the Panchayat Biodiversity Management Committee or the District Agricultural Officer, who upon shortlisting the application will send it to the Registrar of the Authority. A cash prize of Rs. 1 lakh is also awarded.

8. What are the other initiatives taken by the Government to promote and protect farmers' rights?

- **Schemes targeting credit facilities:**
  - **Agriculture Infrastructure Fund (AIF)** - The scheme is concerned with improving the quality of agriculture infrastructure in the country by facilitating mobilization of medium to long term debt financing facility. It is predominantly concerned with post-harvest management infrastructure and farming assets for the entire community.
  - **Kisan Credit Card Scheme** - Revised in 2020, this scheme focuses on ensuring adequate and timely credit supply to the farmers. The credit card is allotted on the basis of the holdings by the farmers. Credit availed under this scheme can be utilized for the purchase of agricultural inputs such as, seeds, fertilizers, etc.

- **Schemes for crop insurance**
  - **Pradhan Mantri Fasal Bima Yojana** - Under this scheme, insurance protection is extended to food crops, oilseeds, horticultural and commercial crops (as notified by the state government). It aims at stabilizing the income of the farmers, especially by providing them monetary support in situations of damage of crops due to unforeseen events.
  - **Weather Based Crop Insurance Scheme (WBCIS)** - It aims to insure the farmer against financial loss caused due to crops due to adverse weather situations arising from rain, humidity, etc.

- **Schemes related to financial support**
  - **PM Kisan Maan Dhan Yojana** - It aims at extending financial security to small and marginal farmers by providing them with a minimum fixed pension of Rs. 3,000. The farmers need to contribute a certain amount, ranging from Rs. 55 to Rs. 200 per month, depending upon their age. The Central Government matches it by contributing an equivalent amount in the Pension Fund.
  - **Pradhan Mantri Kisan Samman Nidhi** - The scheme aims to financially support the land holding farmers by providing them a monetary support of Rs. 6,000 per year in three equal installments.

- **Schemes related to seed distribution:**
  - **Sub-Mission on Seeds and Planting Materials** - It is a comprehensive scheme focused on increasing the production and productivity of agriculture by supplying

quality seeds to farmers. Some of the elements of the scheme are as follows:

- Seed Village Programme
- National Seed Reserve
- Establishment of seed processing-cum-seed storage godowns
- Boosting seed production
- Strengthening quality of the seed
- Assistance for boosting seed export

- **Bringing Green Revolution to Eastern India (BGREI) -** A sub-scheme under the Rashtriya Krishi Vikas Yojna, BGREI is concerned with improving the production of rice and wheat by providing assistance on seed production and distribution, along with other supports.

- **National Food Security Mission (NFSM)** - It also targets at facilitating distribution of seeds at lower prices. Details of the extent of assistance provided by the Government on different seeds can be found here - https://www.nfsm.gov.in/Guidelines/NFSM12102018.pdf.

9. Are there any NGOs working for the protection of rights of the farmers?

Names and the contact details of the NGOs who are working for the protection of the rights of the farmers are mentioned below:

- **Rythu Swarajya Vedika**
  Email Address: contact@rsvonline.org
  Webiste: http://rsvonline.org/

- **Krushi Vikas Va Gramin Prashikshan Sanstha**
  Email Address: krushi.vikas@yahoo.com
  Contact No: 07267-224710
  Webiste: https://www.krushivikas.org/

- **Gramya Resource Center for Women**
  Email Address: gramya.hyd@gmail.com
  Contact No: +040- 42601382
  Website: https://gramya.org.in

6

Fishermen's Rights

1. Who is a Fisherman?

As per the Fishermen (Protection and Welfare) Bill, 2017, a "fisherman" means a person who earns his livelihood by catching fish from the sea, including traditional fishermen, and whose only source of income is the money he makes from selling such fish and includes the person working as the fisherman's helper.

2. What is a Fisherman's Right to Work?

Right to Work is a fundamental right in India as a part of Right to Life guaranteed under Article 21 of the Constitution of India. This includes the right of an individual to work in any productive employment, and they may not be prevented from engaging in such work. It consists of the right to livelihood, the right to an adequate standard of living, protection via labor laws, and fair remuneration.

3. What are the various challenges faced by the fishermen community in India?

- *Absence of Legislation* - The Fisherman (Protection and Welfare) Bill, 2017, which seeks to protect fishermen in India's coastal states, is a step towards providing specific assistance to fishermen across the country. However, the bill has not yet been passed and hence is not evocable. In the absence of legislation specifically catering to them, fishermen in India continue to face various challenges.
- *Seasonal Nature of Work* - Since fishing in India is a seasonal business, during off-seasons, the fishermen are forced to seek work at construction sites, or take up other jobs which require them to relocate to other areas. The absence of a relief scheme for the fishermen during the fishing ban period causes many fishermen's families to go into debt. The government's policies have remained mainly fisheries-centric instead of fishermen-centric, which adds to the problem.
- *Debt Trap* – Fishermen often find themselves in a debt trap as fishing is banned during the monsoon months to keep mechanized boats away from breeding fishes; they take advance payments from fish traders. They spend the rest of the year repaying this debt and the accompanying interest.

- *Climate Change* – Fishermen have not been untouched by climate change's impact. Due to the increased frequency of cyclones hitting the coastal regions, heavy rains, and localized depression, the fishing days become fewer. This situation is further exacerbated as the government does not have an adequate policy in place for relief during such times. During the pandemic in 2020, the marine Fisheries sector lost Rs. 6,838/- crore per month.
- *Insurance Claims* - While the government has rolled out insurance schemes for fishermen (at present managed by the National Fisheries Development Board) who died at sea, the problem persists with its implementation. The process to claim the insurance benefits is long and tedious and has often been a bone of contention amongst activists working for fishermen's rights.
- *International Border Disputes* - Another challenge faced by them is the various international disputes regarding the borders in the sea. There have been several instances of fishermen caught in the crossfire between India and Sri Lanka because of its shared water boundary. Their rights in this regard must also be recognized and they must be educated regarding the sea boundaries.

4. What are the legislative provisions enacted to benefit the fishermen in India?

There is no legislative provision that deals explicitly with fishermen. However, they can employ certain benefits that are offered to workers across the nation. Fishermen in India fall under the umbrella of the unorganized sector and are thus, contemplated as unprotected workers who hail from some of the most vulnerable and socio-economically backward sections of society. They are often placed in remote areas, closer to the sea, where they can easily lay their hands on fish. Such sites conventionally have impoverished infrastructural facilities, roads, commutes, and modes of communication. A handful of laws that grant protection to the interests of fishermen in our nation are:

- **Minimum Wages Act, 1948** - This Act includes all the employees engaged in scheduled employment across India within its fold. Several states such as Andhra Pradesh, Bihar, Delhi, Gujarat, Orissa, Jharkhand, and West Bengal have included fisheries work under the ambit of scheduled employments. However, the drawback under this Act is that due to the nature of the fishing operations, the gamut and range of the aforesaid Act have been restricted. For instance, most inland fishermen today are either working for themselves or informally contracted and usually work for 'piece-rated' wages. The unorganized nature of the sector and the economically backward background of the fishermen pose a challenge for them in asking for minimum wages.

- **Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 -** This Act seeks to protect the rights of many fishermen who migrate from one coast to another by providing employment and service conditions for the fishermen. However, due to the indifference and lethargy of the implementing agencies, the benefits of this act have remained inherent and smoldered.

  The significant provisions of the Act include:

  - Providing separate restrooms, properly screened toilets, and washing facilities to female migrant workers.
  - Providing creches in establishments where 20 or more women are ordinarily employed as migrant workmen for three months or more.

It is important to note here that although there is no legislative provision for the benefit of fishermen, enactments are there to regulate fishing. Further, State legislations have been enacted for the welfare of the fishermen and the associated people.

- **Tamil Nadu Fishermen and Labourers Engaged in Fishing and other Allied Activities (Social Security and Welfare) Act, 2007:** It was enacted to provide for social security and to ensure the well-being of fishermen and laborers associated with fishing and other allied activities. It also states the reliefs and assistance available to such people under various circumstances like accidents, deaths, marriages, education, etc.
- **The Kerala Fishermen Debt Relief Commission Act, 2008:** This Act was enacted to help distressed fishermen due to indebtedness. The Kerala State Fishermen Debt Relief Commission formed under this act will assist the fishermen by recommending relief measures, helping with conciliation, negotiation, and adjudication of the concerned matters. They will also assist in rescheduling the loans taken.
- **The Kerala Fishermen's Welfare Fund Act, 1985:** It was enacted to constitute a welfare fund for promoting the welfare of fishermen in Kerala and incidental matters. The fund established under this Act could provide relief during natural calamities, financial assistance for permanent or temporary disablement, payment of loans and grants, education and food for the fishermen and their family members, and old-age assistance.
- **The Kerala Fishermen Welfare Societies Act, 1980:** This act came into force to constitute welfare societies for fisheries villages to develop the fishermen community's economic, social and cultural life.

5. Is there any scheme enacted by the Government to ensure the fishermen's welfare?

Presently, the Department of Fisheries, Government of India is implementing a flagship programme called the **Pradhan Mantri Matsya Sampada Yojana (PMMSY).** It is a scheme to bring about the Blue Revolution through sustainable and responsible development of the fisheries sector with a highest-ever investment of Rs. 20,050 crores for a period of 5 years with effect from 2020-21 to 2024-25 in all the States/Union Territories. PMMSY, *inter-alia*, also provides welfare-related activities, namely:

(i) Livelihood and nutritional support for socio-economically backward active traditional fishing families during fishing ban/lean period. Under this component, assistance is provided @ Rs. 4500/- per fishermen's families which include Rs. 3000/- per fishermen to be provided by the Government and Rs. 1500/- to be contributed by the beneficiary for three months consisting of the fishing ban/lean periods; and

(ii) Insurance for Active Fishermen:

The insurance coverage for fishermen includes:

(a) **Rs.5,00,000/-** against accidental death or permanent total disability

(b) **Rs.2,50,000/-** for permanent partial disability and

(c) insurance coverage for hospitalization expenses in the event of an accident for a sum of Rs. **25,000**.

Centrally Sponsored **National Scheme of the Welfare of Fishermen** by the Department of Animal Husbandry and Dairying seeks to provide financial assistance to fishermen in various ways. The scheme has three components – development of model fisherman villages to assist them in constructing houses and shared spaces, group accident insurance for active fishermen, and saving-cum-relief. For more information, visit: **https://dahd.nic.in/related-links/centrally-sponsored-national-scheme-welfare-fishermen**

Further, there are state-specific welfare schemes in place. For coastal areas in India, these can be accessed at:

STATE	SCHEMES/RELIEFS
Gujarat	https://cof.gujarat.gov.in/welfare-schemes.htm
Maharashtra	https://fisheries.maharashtra.gov.in/en/district-level-schemes

Kerala	Group Insurance Scheme for Fishermen: http://www.fisheries.kerala.gov.in/schemes Group Insurance Scheme for Allied Workers in Fishery Sector: http://www.fisheries.kerala.gov.in/group-insurance-scheme-allied-workers-fishery-sector
Karnataka	https://ahf.karnataka.gov.in/info-2/FISHERIES+DEPT/en#:~:text=An%20assistance%20of%20Rs.,the%20rural%20and%20urban%20areas. Distress Relief Funds: Compensation amount to the next kin if the fisherman dies on: - Land: Rs 3 lakh - Sea: Rs 6 lakh Damage to fishing gear and other property compensation: Rs 1 lakh
Tamil Nadu	https://www.fisheries.tn.gov.in/WelfareSchemes Reliefs and assistance provided by the Tamil Nadu government are mentioned in Section 21 of the Tamil Nadu Fishermen and Labourers Engaged in Fishing and other Allied Activities (Social Security and Welfare) Act, 2007.
Andhra Pradesh	YSR Matsyakara Nestham: https://vikaspedia.in/schemesall/state-specific-schemes/welfare-schemes-of-andhra-pradesh/ysr-matsyakara-nestham YSR Matsyakara Bharosa: https://ysrbima.ap.gov.in/new/YSRMB.aspx
Odisha	http://www.fardodisha.gov.in/fisheries-schemes
West Bengal	https://www.wbfisheries.in/scheme.php

6. Is there any organization dedicated to fishermen where they can seek support in times of distress?

- **South Indian Federation of Fishermen Societies (SIFFS)** is a Non-Governmental Organisation (NGO) dedicated to the Marine Fisheries Sector. It is comprised of organizations of small-scale fishermen and consists of a three-tier organizational structure. Focus of the organization over the last two decades has been on strengthening artisanal fisheries. It has been aided in this vision by over 9,104 fishermen organized through 153 primary societies in 8 districts of southern peninsular India. It was started primarily as a fish-marketing organization but currently provides

numerous services to member and non-member fishermen. Close to 65,000 fishermen, inclusive of non-members, avail of these services. The support details are as follows:

Contact number: 0471-2343711, 2343178
Email address: support@siffs.org
Website URL: http://www.siffs.org/

- **National Fishworker's Forum (NFF)** is another organization that seeks to foster unity among the fishermen, work towards the achievement of the fishermen's legitimate rights, and provide legal help to protect their rights. It is registered under the Trade Union Act of India.

  Email: nff@nffindia.org; rpatilnarendra@gmail.com

  Ph: 04714000292, Mob: 8289905239

7

Fundamental Duties of a Citizen

1. What is the meaning of Fundamental duties of a citizen?

A duty can be understood as a moral obligation cast upon a person to carry out a particular act. Article 51A of the Indian Constitution embodies Fundamental duties. However, it is not confined only to Article 51A. Fundamental duties are viewed as moral and civic duties that Indian citizens are required to abide by. While moral duties refer to the noble ideals of the freedom struggle, civic duties translate to the basic conduct such as respecting the Constitution, National Flag, National Anthem, amongst others.

2. Are Fundamental Duties ascribed to every person?

No, Fundamental duties are ascribed only to the citizens of India. Therefore, foreign nationals residing inside or outside India are not bound by Fundamental duties. The fundamental duties must be complementary to fundamental rights.

3. Can Fundamental duties be enforced in a Court of law?

Fundamental duties are not enforceable in a Court of law. Indian citizens are morally obligated by virtue of the Constitution to perform these duties. In simple terms, if a person is not abiding to the fundamental duties, that individual cannot be prosecuted or held liable for the inaction of the same.

4. Are Fundamental duties and Constitutional duties one and the same?

Fundamental duties and Constitutional duties are not one and the same.

Examples of Constitutional duties:

- Right to Vote is a constitutional duty of every citizen, provided they meet the required criteria as per the Constitution of India.
- The President of India shall be the supreme commander of the Defence Forces of the Union of India. This is a constitutional duty vested to the President of India.
- The Vice-President of India shall be the ex-officio Chairman of the Council of States (Rajya Sabha). This is a constitutional duty vested upon the Vice-President of India.
- It is the constitutional duty of the Prime Minister of India to communicate decisions taken by the Council of Ministers in relation to the administration of the affairs of the Union and proposal for legislation.

The above mentioned duties are Constitutional duties that come with the respective posts that individuals hold.

5. What are the Fundamental duties that the Constitution of India has ascribed to its citizens?

There are **11 Fundamental duties** that the Constitution of India has ascribed to its citizens.

The Fundamental duties relate to India's National Flag, the Constitution of India, the National Anthem, rich heritage, protecting the sovereignty and unity, amongst others.

6. What are certain implied but unsaid Fundamental duties of a citizen?

It is the Fundamental duty of every citizen to develop his/her whole personality through education.

The following are some of the unsaid fundamental duties that every citizen must abide by:

- *Duty to pay taxes*
- *Duty to help accident victims*
- *Duty to keep premises clean and green*
- *Duty to raise voice against injustice*
- *Duty to not smoke in public places*

7. What is the duty towards children, women and elderly people of the society?

It is the duty of every citizen to provide a safe environment and quality education for his/her child in order to foster his/her all round development.

It is further the duty of every citizen to respect every women and elderly citizen of our society and not to cause harm/abuse (physical/psychological) to them in any manner whatsoever.

8. What is the duty towards the national flower?

It is the duty of every individual to provide a clean environment to the national flower (Lotus) and all other species for them to strive in their growth.

9. What is our duty towards the national and other animals?

When it comes to duties towards the national and other animals, they are as follows:

- Providing easy access to food and water (in wildlife sanctuaries through man-made water tanks to be build, in order to compensate for dry lakes and pools).

- Planting endemic trees and plants in order to ensure a natural habitat for them.
- Not to chain or cage animals.
- To ensure that animals have a healthy life and dignified death (by monitoring their movements if necessary).
- To ensure that animals have a safe and secure habitat where they foster and thrive.

10. Is a Citizen bound only by the 11 Fundamental duties as provided under the Indian Constitution?

No, there are more fundamental duties other than the ones provided under the Indian Constitution.

The other duties are covered in the following legislations: Prevention of Insults to National Honour Act, 1971, the Protection of Civil Rights Act, 1955, the Unlawful Activities (Prevention) Act, 1967, the Representation of the People Act, 1951, the Environment (Protection) Act, 1986, and the Forest (Conservation) Act, 1980, amongst others that indirectly impose obligations, penalties and punishments and act as stringent regulations.

11. Are there any consequences if an individual tries to alter or misuse or if being the owner or occupier of a protected monument, contravenes an order from the designated authorities?

There are severe consequences against an individual who tries to destroy, remove, injure, alter, deface, imperil or misuses a protected monument space or contravenes an order from designated authorities.

The individual will be subjected to imprisonment that may extend to three months or even extend to two years or with a fine of INR 1 lakh or both.

12. What will happen if an individual uses the name, emblem, official seal or national flag of the Government of India or of any State for the purposes of running a business or unit or for any personal engagement?

An individual who uses the name, emblem, official seal or national flag of the Government of India or of any State for the purposes of running a business or unit or for any personal engagement shall be punished with a fine that may extend to INR five hundred rupees.

Please refer to the detail list of names, emblems, official seals, amongst others that should not be used by an individual on a personal capacity at https://www.indiacode.nic.in/bitstream/123456789/1896/1/a1950-12.pdf

13. What action will be taken against a person who tries to destroy or cause harm to the natural environment?

A person who tries to inflict any kind of harm towards the natural environment that includes forests, wild-life amongst others by means of felling or girdling of trees or causing fire wilfully or by negligence will be subjected to a punishment with imprisonment for a term that may extend to six months or fine, or with both.

14. What Fundamental duty does a Citizen have towards the protection and improvement of natural environment and how can it be performed?

Every citizen has a responsibility to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have a deep compassion for all living creatures so that the natural environment thrives as a habitat.

15. What action can be taken against a person who disrespects or brings an insult to the Indian National Flag and the Constitution of India?

Any person who insults, burns, mutilates, defaces, disfigures, destroys or tramples the Indian National Flag or the Constitution of India in either spoken or written acts shall be punished with imprisonment for a term that may extend to three years, with fine or both.

16. Is there any specific law with regard to the singing of National Anthem?

There is a specific legislation with regard to the singing of the National Anthem. The particular law states that if any person intentionally prevents the singing of the Indian National Anthem or causes disturbance to an assembly singing the anthem, the person shall be punished with imprisonment for a term that may extend to three years or with a fine or both.

17. What has been the most recent interpretation of the Court in relation to the law on the Indian National Anthem?

The Court has held that not standing up while the National Anthem is being sung or standing up but not singing the National Anthem may amount to disrespect to the National Anthem and a failure to adhere to the fundamental duty but it is not an offence under law.

Therefore, not standing up or singing during the National Anthem will be a failure towards fundamental duties and not an offence per se.

18. What are the instances when a citizen could be made liable for adversely impacting the environment through his actions?

- Urinating, spitting (spitting after consuming tobacco, pan masala products) amongst others at public places.
- Littering forests, wildlife sanctuaries, public places amongst others with eatables, plastic materials, electronic waste, medical waste, etc. is an offence under law in India.

8

Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA, 2005)

1. What does the MGNREGA guarantee?

The Act guarantees a minimum of 100 days of work for at least one member of every household in those rural areas notified by the Central Government.

2. Who are the beneficiaries under the MGNREGA?

Every person over the age of 18 years residing in a household in a rural area is eligible to apply for the work under the Act.

3. What kind of work is guaranteed by the Act?

Schemes under the Act provide 'unskilled manual work', defined as physical work capable of being done by an adult person without any skill or special training. Additionally, suitable individuals from households may be chosen for skilled labour as engineers and social auditors.

4. What is a job card under the Act?

- Every adult in a household willing to do work must first apply for a **'job card'** by submitting their name, age and address to the village Gram Panchayat. Documents required to apply for 'job card' as a proof of their name, age and address includes Ration Card, PAN Card, Voter ID Card, bank account details and Aadhar Card.
- The job card application can be made by downloading the proforma for job card under MGNREGA from the respective state website and submit the duly filled application form to the government office or any other equivalent office in their respective area.

5. How is a job card issued?

The village Gram Panchayat will issue a job card within 15 days from the date of receipt of their application which contains the following details:

- A unique job card number;
- Details of the adult members of the household;
- Bank or post office account number;

- Insurance policy numbers; and
- Aadhaar number.

6. What is the validity of job cards?

- The job cards are valid for a period of **5 years** from the date of issue.
- The job cards will also be updated with the following details about the work allocated:
  - number of days for which work was demanded;
  - number of days of work allocated;
  - description of the work allocated along with the muster roll number;
  - measurement details;
  - unemployment allowance, if any, paid;
  - dates and number of days worked;
  - date-wise amount of wages paid; and
  - delay compensation paid, if any.

7. What is the provision for the women and vulnerable people with respect to job card?

Single women, specially-abled persons, aged people, released bonded labourers, and those belonging to Particularly Vulnerable Tribal Groups will be given a special job card of a distinct colour ensuring them special protection in allocation of work, work evaluation, and work site facilities.

Those individuals whose names appear in a job card will then be entitled to apply for unskilled manual work. The individuals may download their respective job card from the job card list specified in this website: https://sarkarilist.in/mgnrega-job-card/, of their respective state.

For instance, in the State of Assam, applicants may contact Zilla Parishad of that district and similarly, in State of Karnataka, individuals may contact the local municipal corporation such as the BBMP office if they are in Bengaluru rural district, while obtaining the job card.

8. How can citizens apply for work under the Act?

- An individual may apply for work in the following ways:
  - By making an oral or written application to the Gram Panchayat, Ward member, Programme officer**,** or any other officer deputed by the State government;

- By calling the MGNREGA number designated by the State Government; and
- Through any other means designated by the State Government.

- There is no limit on the number of days for which an applicant can apply for work, although they must apply for at least 14 consecutive days of work, and 6 consecutive days if such work is related to sanitation.
- An individual may also apply for work in advance of the days they actually wish to work for. The applicant will be allotted work fifteen days from the receipt of the application by the relevant authority, or fifteen days from the date of seeking work in an advance application.
- Individuals will be informed of the allotment of work by means of a letter sent to their address or by a public notice displayed at the office of the village, block, or district Panchayat. All such work must to the best extent possible be within 5 kilometres of the village in which the applicant resides.

9. What happens when work is not allotted under the scheme?

If an applicant is not allotted work fifteen days from the date on which the application has been registered or work has been sought, they are entitled to receive a daily unemployment allowance at a rate notified by the State Government. Such rate will also be a minimum of one-fourth of the applicable wage rate for the first thirty days, and at least one-half of the wage rate for the rest of the days.

The unemployment allowance will cease once work is allotted. Further, if the household members have not turned up for work, if they have received 100 days of work, or if they have earned as much wages and unemployment allowance as is equal to 100 days of wages.

10. What is the scheme for wages?

- The wages for works under the Act will be specified by the Central Government for specific areas, and the minimum rate payable is Rs. 60 per day. If the Central Government has not specified any rate, work will be provided at the minimum wage set by the State Government for agricultural labourers under Section 3 of the Minimum Wages Act, 1948.
- Wage rate per day (in rupees) differs from one state to the other and is paid in accordance with the latest notification provided by the Ministry of Rural Development on 28th March 2022 available at https://nrega.nic.in/netnrega/writereaddata/Circulars/2447Wage_Rate_2022.pdf.

- The payment of wages will be through individual savings accounts of the workers in relevant banks and post offices unless exempted by the Central Government. Any payments of wages in cash will be directly provided to and in the presence of an independent person. In case of non-cash payments, the said wage amount is directly transferred to the respective individual's bank account through the source of bank account details provided while applying for the work under MGNREGA.

The wages are linked to the quantity of work done and paid according to the rural schedule of rates fixed for different types of work in different seasons. Such wages will be fixed so that an adult person who works for eight hours inclusive of an hour of rest will earn wages equal to the stipulated wage rate.

If any individual is assigned work outside a radius of 5 kilometres from the village in which they reside, they will be paid an extra 10% of the wages to meet additional transport and living costs.

All wages will be disbursed on a weekly basis and no later than two weeks from the date on which the work was done. If the wages are not disbursed 15 days from the date on which they become payable, the workers become entitled to compensation at the rate of 0.05% of the unpaid wages per day from the sixteenth day of non-payment.

11. What are the rights of workers in the worksite?

- Under the Act, workers are entitled to:
  - Work for no more than twelve hours in a single day;
  - Safe drinking water;
  - Periods of rest;
  - A first aid box with materials that would be able to provide emergency treatment for minor injuries and health hazards connected with the type of work;
  - Medical treatment free of cost if any injury arises by accident in the course of their employment; and
  - Accommodation, treatment, and medicines if the worker is hospitalised by such injury, along with a payment of daily allowances which must be at least half of the wage rate.
- If a worker dies or becomes permanently disabled by accident in the course of their employment, they or their legal heirs are entitled for ex-gratia payments as under the Pradhan Mantri Suraksha Bima Yojana or as may be notified by the Central Government.

- Children accompanying workers are entitled to shade, and if there are more than 5 children below the age of 5, one woman worker will be deputed to look after them. These children are also entitled to medical treatment in case of injury arising in the worksite, and in case of death or disablement caused, the State Government will designate an ex-gratia amount to be paid to the child's guardians.

12. Are there any groups that get priority under the Act?

Women, the elderly, people with disabilities and people with debilitating ailments will have a separate schedule of wage rates so as to improve their participation. Women will also be given priority such that at least one-third of the beneficiaries will be women who have registered and requested for work.

In addition, one labour-intensive public work will be reserved at all times to provide work to Particularly Vulnerable Groups such as the elderly and specially-abled people. Those women deputed to look after children in the worksite will be the most marginalised women in the locality, women in exploitative conditions or those in bonded labour, or liberated manual scavengers.

13. What is the mechanism for grievance redressal under the Act?

- While the grievance redressal mechanism may vary according to the State, States are mandated to follow the following structure while receiving complaints at the Ward, Gram Panchayat, Block and District levels:
  - Issue a dated receipt to complaints received by phone, internet, and orally;
  - Enquire through a spot verification, inspection, and disposal within 7 working days; and
  - Redress all grievances within 15 days.
- All orders by the authorities can be appealed:
  - The order of the Gram Panchayat can be appealed against to the Programme officer;
  - Those of the Programme officer can be appealed against to the District Programme Coordinator;
  - Those of the District Programme Coordinator can appealed against to the State Commissioner (NREGS), Divisional Commissioner (NREGS) and State Grievance Redressal officer; and

- Appeals can be made within 45 days of the issuance of the order and must be disposed of within 1 month.

- Individuals can file their grievances in the following ways:
  - By submitting a written or oral complaint to the relevant authorities at the Ward, Gram Panchayat, or Block or District levels.
  - By making an online complaint at https://nrega.nic.in/Netnrega/redersal/redersal.aspx?eb=&state_code=01

    Note: The location of the complainant is Andaman & Nicobar Islands by default, and the State code in the URL needs to be changed in order to change the State as well.
  - By contacting the helpline number **1077.**

- The individuals can also approach the ombudsperson appointed by each State (in accordance with the Government of India, Ministry of Rural Development and MGNREGA Division notification dated 11th April 2017), who receive grievances, enquire upon the grievance addressed, and pass awards. Information pertaining to this is available at https://nrega.nic.in/netnrega/writereaddata/Circulars/2113Grievance_Redressal_Rules_formation_concerning_10_States.pdf.

14. Who are the appropriate authorities to approach under the Act?

The District Programme Coordinator, in charge for the implementation of the scheme in a particular district, is responsible for redressing the grievances of applicants. In addition, the Programme officer may be approached for complaints at the Block level.

15. What is the role of the Gram/ Village Panchayats under the Act?

The Gram/Village Panchayats perform the following functions:

- Receiving applications for registration;
- Verifying registration applications;
- Registering households;
- Issuing job cards;
- Receiving applications for work;
- Issuing dated receipts for these applications for work;

- Allotting work within fifteen (15) days of submitting the application or from the date when work is sought in the case of an advance application, whichever is later, irrespective of the implementing agency;
- Conducting periodical surveys to assess demand for work;
- Identification and planning of works, developing shelf of projects including determination of the order of their priority. This list is forwarded to Programme officer for scrutiny and preliminary approval;
- Executing works that shall meet the required technical standards and measurements;
- Maintaining records for social audits of all works and expenditures;
- Maintaining accounts and providing utilization certificates in formats prescribed by Central/ State Governments;
- Prepare annually a report containing the facts and figures and achievements relating to the implementation of the Scheme within its jurisdiction and, copy of the same to be made available to the public on demand and on payment of such fee as may be specified in the Scheme;
- Awareness generation and social mobilization;
- Convening the Gram Sabha for planning and social audit; and
- Make available all relevant documents including the muster rolls, bills, vouchers, measurement books, copies of sanction orders and other connected books of account and papers to the Gram Sabha for the purpose of conducting the social audit.

9

Maternity Benefit

1. What is maternity benefit?

Maternity benefit refers to money which is payable by an employer to a woman who is on leave from work owing to delivery of child. The money that is to be paid would amount to the average daily wage to which the woman is to compensate her, for the period during which she is absent from work owing to pregnancy and subsequent delivery of child.

The wages that a woman would be eligible to under this Act includes cash allowances, including dearness allowance, rent allowance, incentive bonus and the money concessions given for supply of food or other articles. However, it does not include any other bonus or overtime allowance and payments out of provident fund, pension fund and gratuity.

2. Who all are entitled to maternity benefit?

Under the Maternity Benefit Act, 1961, women working in private or public establishments such as factory, mines, and plantations as well as in establishments where women have been employed for acrobatic, horse riding and other similar activities.

It is also applicable to all shops or establishments which employ at least 10 persons. If an establishment comes within the ambit of Employee State Insurance Act, 1948, then maternity benefit as provided under that Act would only be applicable.

3. What are the conditions for availing maternity benefit?

- Maternity benefit can be claimed by a woman if she has worked for at least eighty (80) days in an establishment in the twelve months preceding her delivery. Maternity benefit is payable for twenty-six (26) weeks. A maximum of eight (8) weeks benefit can be availed of before the delivery;
- For a woman who already has two or more children, maternity benefit that can be availed of is for twelve weeks. A maximum of six (6) weeks maternity benefit can be availed of before delivery in such cases;
- If the pregnant woman dies, then maternity benefit can be availed for the days upto the day of her death. If a woman dies during or after her delivery, with the child surviving, then the entire maternity benefit for which the woman is eligible should be paid by the

employer. If the child also dies, then the maternity benefit needs to be paid only for the day upto the death of the child;

- Women who adopt children of less than three months and women who opt to have children through surrogate mothers can also claim maternity benefit under the Act; and
- Maternity benefit can also be claimed by women, who work from their homes as part of their employment.

4. How can maternity benefit be availed of?

- A woman can obtain a medical certificate from a medical practitioner which states that she is pregnant. The format for the certificate to be obtained can be found in Form B appended to the Maternity Benefits Rules, 1963. If this certificate is produced before delivery, she can avail of the maternity benefit to which she is eligible for the period preceding delivery. Similarly, the maternity benefit for the period subsequent to the delivery of child can also be availed of by producing a medical certificate from a medical practitioner to that effect.
- A woman should also give a notice to her employer in the format prescribed under Form-E of the Maternity Benefit Rules, 1963. She can absent herself from work once the notice has been given. Such notice can be given six (6) weeks before her expected date of delivery but not before that. Even if she has failed to give the notice before her delivery, she can give the notice subsequent to the delivery. A woman cannot be denied maternity benefits merely because she had failed to give notice to her employer.

5. What are the rights that can be availed by a pregnant woman under the Act?

In addition to maternity benefit, a woman is entitled to the following rights under the Act:

- Right to avail absence from work for six (6) weeks following her delivery. This right can also be claimed in the event of a medical termination of pregnancy or a miscarriage;
- Right to be excused from work which are of a strenuous nature such as works involving long hours of standing which would affect the pregnancy or foetal development or affecting her health in any manner. This can be claimed one month prior to the leave of absence that a woman takes and at any time during the six (6) weeks subsequent to her delivery if she chooses not to take a leave;
- Right to be paid a medical bonus of one-thousand (1000) rupees if the employer does not provide pre-natal confinement and post-natal care free of cost;

6. What are the rights a woman can avail post delivery or miscarriage?

- A woman can avail of leave with maternity benefits for a period of six (6) weeks following medical termination of pregnancy or miscarriage. Similarly, a woman can avail leave with maternity benefits for a period of two (2) weeks after undergoing a tubectomy operation. For any illness that arises during pregnancy or after delivery or miscarriage, leave for one (1) month may be availed in addition to the leave that she is otherwise entitled to;
- A woman who has joined work after delivery of a child is entitled to take two breaks for nursing the child until the child attains fifteen (15) months of age. She is also allowed to visit crèche facilities four times a day;

7. What will happen if a woman is dismissed or discharged owing to the leaves she took during pregnancy?

- A woman cannot be dismissed or discharged from service during the period in which she has availed of a leave of absence on account of pregnancy. Notice period can also not be initiated during the course on which she has availed of a leave of absence during pregnancy;
- A woman who has been deprived of the maternity benefit or medical bonus or has been discharged or dismissed from service during the course of her maternity leave can appeal to the authority established under the Act in the format prescribed under Form G. Decision of that authority would be final; and
- No deduction can be made from the wages that are payable to a woman under the Act for the nursing breaks or for the exceptions that she takes due to the strenuous nature of work.

8. What are the consequences of non-payment of maternity benefit?

For non-payment of maternity benefit as well as for violation of any of the rights that have been guaranteed under the Act, an employer would be held liable and sentenced to imprisonment which can range from three months to a year and a fine ranging from two thousand to five thousand rupees.

9. How to lodge a complaint if maternity benefit is not being paid?

For non-payment of maternity benefit, a complaint may be lodged with the Inspector who has been appointed under the Act. The complaint has to be presented according to the format prescribed in Form H of the Maternity Benefit Rules. After conducting an examination, the Inspector may pass an order directing the payment of maternity benefits to the complainant.

Additionally, a woman who is aggrieved over non-payment of maternity benefits by her employer can also approach the National Commission for Women (NCW) in this regard. For this purpose, one can visit http://ncw.nic.in/ or http://ncwapps.nic.in/onlinecomplaintsv2 and can register an online complaint.

A written complaint containing all relevant details and supporting documents can also be personally delivered to the NCW or be sent to it through post. Once the complaint has been accepted, the NCW provides an acknowledgment number and a login ID along with its password.

This can be utilised to know about the status of the complaint. Alternatively, one can also call their helpline numbers **011-26944880** and **011-26944883** between 09:00 am - 05:30 pm from Monday to Friday.

10. How can women in the unorganised sector avail maternity benefit?

- For Building and Construction Workers, women working in the sector are eligible for maternity benefits under the Building and Construction Workers Act, 1996. These are disbursed by the State governments. An application form has to be submitted before the concerned officials of the State Building and Other Construction Workers Welfare Board.
- The benefits that are available would depend on the rules that have been framed by the concerned State governments. A model scheme has been proposed for the workers in which a leave of a minimum of ninety (90) days to a maximum of twenty-six (26) weeks has been provided which can be availed for two deliveries. However, the scheme has not been finalised yet.
- Other women workers employed in the unorganised sector come within the ambit of the Unorganised Worker's Social Security Act, 2008. This Act states that Central Government has to frame schemes for women in the unorganised sector.

11. Are there any specific schemes for women in the organise sector?

- No scheme has been enacted so far which specifies the maternity leave and other benefits to which a woman in the unorganised sector would be entitled to. The National Food Security Act, 2013 provides for benefits in the form of meals to be provided free of cost to all women during pregnancy and for six months after childbirth.
- It also states that women in the unorganised sector would be eligible for maternity benefits to the tune of Rs. 6000/-. The women working in unorganised sector can avail the benefits provided under schemes such as Janani Suraksha Yojana which gives cash assistance for deliveries that are undertaken in government hospitals or accredited private hospitals or the Pradhan Mantri Matru Vandana Yojana which also gives a monetary assistance of Rs. 5000 for the first delivery of a woman.

10

Medical Termination of Pregnancy

1. What is medical termination of pregnancy?

It refers to the procedure by which pregnancy is terminated through medical or surgical interventions.

2. Who may terminate pregnancy under the Act?

Any pregnant woman, regardless of her age and marital status may terminate her pregnancy according to the conditions prescribed under the Act.

3. Is consent of another person like spouse or parents or guardian necessary for termination of pregnancy under the Act?

For a woman who is above eighteen (18) years of age and of a sound mind, consent of husband, parents or guardian is not necessary for termination of pregnancy. Only the woman undergoing the procedure needs to sign the consent form.

However, for women who are below eighteen (18) years of age and for women who are mentally ill, consent of parents or guardian is necessary for termination of pregnancy.

4. What are the grounds on which pregnancy may be terminated?

Pregnancy can be terminated on any of the following grounds under the Act:

- When the pregnancy poses a threat to the life of the woman;
- When the pregnancy might injure the physical or mental health of a woman;
- When there are chances that the child would be born with a serious physical or mental abnormality;
- When pregnancy occurs as a result of failure of contraceptive methods; and
- When pregnancy has been caused as a result of rape.

5. When can a woman medically terminate her pregnancy?

- A woman may terminate her pregnancy after obtaining the opinion of a doctor if it has not reached its twentieth week. For pregnancies that are in between twentieth (20) and twenty-fourth (24) weeks, medical opinion of two doctors need to be sought. The doctor has to be someone who is a gynecologist or an obstetrician.

- The option of termination of pregnancy when it has reached the stage of twentieth (20) to twenty-fourth (24) week is only available to some specified categories of women which have been enumerated under the Medical Termination of Pregnancies Rules through an Amendment in 2021. It can be exercised only when:
  - the pregnancy has been caused due to rape, sexual assault or incest;
  - when the woman is physically disabled or is mentally ill;
  - when the woman is under 18 years of age;
  - when the woman has become a divorcee or a widow during the course of the pregnancy;
  - when the child when born might face a threat to its life on account of malformations developed during pregnancy or would be born with serious handicaps because of mental or physical abnormalities; and
  - when the woman who is pregnant is within a situation of disaster, emergency or humanitarian conditions as declared by the Government.
- Thus, the Rules do not permit women who are unmarried from exercising the option of termination of pregnancy when it has crossed the twentieth (20) week limit and is in a stage before the twenty-fourth (24) week.
- Recently, this issue was taken note of by the Supreme Court and it was held that the option of terminating pregnancy should be made available to unmarried women also when it is in a stage between twenty (20) to twenty-four (24) weeks.

6. What is the procedure for termination of pregnancy if the prescribed time limit has passed?

- At present, for termination of pregnancy that has crossed twenty-four (24) weeks, a writ petition has to be preferred before the High Courts or the Supreme Court. The Courts order the concerned Medical Board of the State where the woman resides to look into whether the performing of the procedure would be safe for the woman at the advanced stage of pregnancy and whether child is likely to be born with malformations that might threaten his life or with serious handicaps because of mental or physical abnormalities.
- The Medical Boards are constituted by State governments and is mandated to consist of a gynecologist, pediatrician and a radiologist or sonologist. The Medical Board has to provide an opinion after examining the woman and her medical reports within three days of receiving a request for the termination of pregnancy. The Board can also invite other specialists for the purpose of additional investigations to make a determination on the request.

- In its opinion, the Medical Board has to state whether the request is allowed or denied and the reasons for arriving at this decision. It also has to certify whether the woman is physically fit for undergoing the procedure for termination of pregnancy.
- The decision rendered by the Medical Board on allowing or denying a woman to undergo the procedure for termination of pregnancy shall be final.

7. Where can a pregnancy be terminated?

The Act allows termination of pregnancies in government hospitals as well as other hospitals approved for this purpose by the concerned State government.

8. Who all can access information about the medical termination of pregnancy?

- The Act guarantees privacy to the woman seeking to terminate her pregnancy. It forbids doctors from disclosing the details regarding the woman to any other person unless the information is being sought by any person authorised by law for the purpose;
- Moreover, it is also stipulated that the documents containing the details of the woman seeking abortion should be labelled as a 'secret document' and should be within the custody of the head of the hospital;
- There is a blanket ban on disclosing the forms signed by the woman and the entries made by her for the purpose of gaining admission to the hospital; and
- Lastly, an employer, to whom details regarding termination of pregnancy have been furnished by a woman for the purpose of availing leave, is also under a similar obligation to refrain from divulging the details to any other individual.

9. What are the consequences for violation of the provisions of the Act?

- If a termination of pregnancy is performed by a person who is not a registered medical practitioner, he would be liable for being punished with a rigorous imprisonment ranging from two (2) years to seven (7) years;
- For terminating a pregnancy in a place which is not authorised for this purpose, the woman doing so as well as the owner of the place would be liable for being punished with rigorous imprisonment which may range from two (2) years to seven (7) years; and
- For violating the privacy of a woman seeking or having undergone abortion, by disclosing details about her, a punishment of one (1) year imprisonment or fine or both has been prescribed under the Act.

11

Motor Vehicles Accidents

1. What basic steps should a driver of a motor vehicle involved in an accident follow?

There are certain steps and precautions that the driver should annex in the event of an accident such as:

- The driver should maintain his composure and do nothing that may harm the other driver or vehicle involved in the accident or any other person;
- The driver should not run away. They should check if they themselves or anyone else involved in the accident has been injured. If someone is injured, they must take all practical measures to secure medical attention for the injured by taking them to the nearest medical practitioner or hospital, unless it is not feasible to do so on account of reasons beyond their control, such as mob fury, or if the injured person (or the injured person's guardian if the injured person is a minor) desires otherwise. The accident victim can be treated by any registered medical practitioner or doctor, and it is their duty to attend to the victim immediately without waiting for the procedural formalities;
- If the condition of the driver and the passengers are stable, then the persons involved in the accident should try to take pictures of the people and vehicles involved in the accident, the registration plates of the vehicles, and the scene of the accident;
- The driver or drivers involved in the accident should move the vehicle or vehicles off to the side of the road, as soon as possible. If this is not possible, they should remain in the area of the incident until the police arrive, unless the injuries sustained because of the accident have made it impossible to do so; and
- If involved in an accident with another vehicle, the drivers should tell each other their name, address, phone number, insurance details, driving license number, and the registration numbers of their vehicle.

2. Is it safe for a third person/stranger to help the victims of road accidents?

- Yes, it is safe to help out the victims of road accidents. It is a common misconception that helping the victim of a road accident will land them up in a trouble. Three out of four people in India are reluctant to help injured accident victims on the road because

they fear harassment by the police, hospital costs, unnecessary encumbrances and prolonged legal formalities;

3. What is the law with respect to goof Samaritans?

In 2012, an NGO called Save Life Foundation filed a PIL in the Supreme Court, advocating for a law that ensures people who provide assistance to the victims of road accidents are given protection from such potential harm;

Because of this, in 2014, the Supreme Court directed the Central Government to issue necessary directions relating to the protection of "**good Samaritans**" until appropriate legislation was passed by the Union Legislature. A good Samaritan is a person who voluntarily and in good faith, comes forward to provide immediate assistance or emergency care to a person injured in an accident, or crash, or emergency medical condition, or emergency situation without expecting any reward or compensation in return; and

Finally, in 2016, the Apex Court of India gave **'force of law'** to the guidelines for the protection of good Samaritans which was further issued by the Ministry of Road Transport and Highways for the good Samaritans. This is to empower bystanders to help and rescue the victims of road crashes without having to worry about incurring hospital fees, being harassed by the police, being drawn into legal formalities, etc.

4. What are the crucial aspects of good Samaritans law?

The key aspects of the good Samaritan law are as follows:

- **A good Samaritan shall not be liable for any civil or criminal action:** For any injury or death of the victim of an accident involving a motor vehicle that was caused by the good Samaritan's negligence in acting or failing to act while rendering emergency medical or non-medical care or assistance;
- **A good Samaritan need not reveal his identity:** A person who informs the police or emergency service regarding an injured person cannot be compelled to reveal his identity or personal details. Disciplinary action can be taken against officials who force a Samaritan to reveal personal details;
- **Good Samaritans do not have to pay for the medical treatment of the injured:** In the case of a hospital visit, good Samaritans cannot be forced to bear the cost of initial treatment. Moreover, hospitals cannot refuse treatment to a victim. Refusing treatment will be deemed as deemed "professional misconduct"; and
- **The good Samaritan cannot be compelled to be an eyewitness:** Any police officer or other person cannot compel a good Samaritan who assists an injured individual to

testify in court. The good Samaritan will have sole discretion over whether or not he wants to testify in the case.

- **The good Samaritan will not be detained at the police station:** If the good Samaritan does not want to be a witness in the case, the concerned police official(s) will let the good Samaritan leave after he informs the police about an injured individual on the road without asking any further questions;
- **Should he choose to become a witness, the good Samaritan's interview will be held at his own convenience:** If a good Samaritan does choose to become a witness, the investigating officer will interview him at a time and place that is convenient for him, such as his home or place of business, and the investigation officer will be dressed in plain clothes, unless the good Samaritan chooses to go to the police station;
- In case a good Samaritan chooses to visit the police station, he shall be examined in a **single examination in a reasonable and time-bound manner**, without causing any undue delay; and
- **The good Samaritan will get a cash prize:** The government has launched a scheme wherein anyone who saves the life of a road accident victim by rushing them to a hospital within the "golden hour" will get a cash reward of Rs. 5,000. "Golden hour" here means the time period lasting one hour after a traumatic injury where medical assistance is most likely to prevent death. Aside from the cash prize, they will also get a certificate of appreciation. There will also be ten national-level awards every year for the most deserving good Samaritans, who will get Rs. 100,000 as a reward.

5. Which act addresses the matter of road accidents in India? Has it laid down specific instructions for the driver of a motor vehicle that has been involved in an accident?

Yes, the Motor Vehicles Act, 2019, a further amendment to Motor Vehicles Act, 1988 addresses road accidents, punishments, compensation to the victims, third party insurance etc. The Motor Vehicles Act, 2019 has laid down certain requirements for the driver of a motor vehicle that has been involved in an accident.

- The law requires the driver to stop and remain stationary for as long as reasonably necessary (not more than 24 hours) if asked to do so by a police officer, not below the rank of a sub-inspector;
- The driver is also required to take all reasonable steps to secure medical attention for the injured person, by taking him to the nearest medical practitioner or hospital available;

- They must also provide all the required information demanded by the police officer at the scene of the accident, and if no police officer is available, they must go to the closest possible police station and report the circumstances of the accident, including the reasons, if any, for not taking the reasonable steps to secure medical attention for the injured person. All of this has to be done as soon as possible and at least within twenty-four (24) hours of the accident;
- Finally, they are required to provide the insurance company that has issued certificates in relation to the occurrence of the accident with the following information:
  1. The insurance policy number and period of its validity;
  2. The date, time and place of accident;
  3. The particulars of the people injured or killed in the accident; and
  4. The name of the driver and the particulars of his driving license.
- People who are in violation of the aforementioned requirements shall be punishable with imprisonment for a **maximum term of six months**, or with a **fine of five thousand rupees**, or both. Repeat offenders can be punished with imprisonment for a **maximum term of one year** or with a **fine of ten thousand rupees** or both.

4. What is the procedure for getting compensation for the victims of road accidents under the Motor Vehicle Accidents Act, 2019?

- The Motor Vehicles Act, 1988, has provisions for just and adequate compensation for the injured victims of road accidents. Under this act, the central government has also set up the **Motor Vehicle Accident Fund,** which is used to provide compulsory insurance cover for all road users in the territory of India.
- A person can ask for compensation if:
  1. He has sustained injuries;
  2. He is the owner of the property;
  3. He is the legal representative of the person who died in the accident; and
  4. He is an agent authorized by the injured person (or by the legal representative of the deceased person in the case of a fatal accident).
- It should be noted that an accident victim under the age of 18 can file for compensation only through an advocate. Also, no application for compensation shall be entertained unless it is made within six months of the occurrence of the accident.
- Under section 164 of the Motor Vehicles Act, the owner of a vehicle or vehicles who caused an accident that resulted in the death of, or caused grievous hurt to a person, or the authorised insurer, must compensate the victims of that accident.

- The grievous hurt would constitute, loss of sight in either eye, loss of hearing in either ear, permanent disfiguration of the head or face, fracture or dislocation of a bone or tooth, loss of body part or joint, destruction or permanent impairing of the powers of any body part or joint and endangerment of life or cause the sufferer to be in severe bodily pain, or unable to follow his ordinary pursuits for twenty days.
- It need not be proved in court that the accident occurred due to some negligence or fault on the driver's part. The compensation should be:
  - Rs. 5,00,000/- in the case of death.
  - Rs. 2,50,000/- in the case of grievous hurt.

The Motor Vehicles Accident Fund will also be used for compensation for **hit and run cases,** wherein the identity of the person who caused the accident cannot be ascertained, the government is responsible for providing compensation.

Compensation for victims of hit and run cases was done under the solatium scheme wherein they were compensated Rs. 12,500/- in case of grievous injuries and Rs. 50,000/- in case of death.

However, the solatium scheme was recently superseded by a new Compensation to Victims of Hit & Run Motor Accidents Scheme, 2022, wherein the compensations were increased to Rs. 50,000/- in the case of grievous hurt and Rs. 2,00,000/- in the case of death. The new scheme has been effective since 1st April, 2022.

5. What procedure should be followed by road accident victims for claiming compensation under the Hit & Run Motor Accidents Scheme, 2022?

To claim compensation under the new **Compensation to Victims of Hit & Run Motor Accidents Scheme, 2022**, the applicant should approach the Claims Enquiry Officer of the Sub-Division or Taluka in which the accident took place and submit an application form with the following information:

1. The name and father's name of the person injured/dead (husband's name in case of married woman or widow);
2. Name, age, date of birth, and address of the person injured/dead;
3. Sex of the person injured/dead;
4. Aadhaar number of the claimant (in case of grievous hurt) or Aadhaar number of legal representatives;

5. The date, place, and time of the accident;
6. Occupation of the person injured/dead;
7. The nature of injuries sustained;
8. The name and address of the police station in whose jurisdiction the accident took place;
9. Name and address of the Hospital/Medical officer/Practitioner who attended on the injured/dead; and
10. Name and address of the claimant/claimants.

They should also submit a copy of the hospital bill if the hospital has provided cashless treatment as per this scheme.

If the Claims Enquiry officer does not accept the grounds advanced by the applicant, he shall record the speaking order and communicate to the applicant the reasons for not accepting the claim application.

It should be noted that if the claimant's hospital bill has been paid under this scheme this scheme, that amount should be reduced from the compensation amount. Further, if the claim raised by the hospital in such a case is greater than the compensation amount, no compensation shall be paid to the claimant or legal representative of the deceased, whichever the case may be.

6. Is there any nation-wide helpline dedicated to road accidents wherein people involved in accidents can seek support?

- For accidents occurring on national highways, the National Highway Authority of India (NHAI) has launched a single four-digit toll-free helpline number **1033** to provide assistance to highway users regarding both emergency and non-emergency issues.
- Indian Highway Management Company Ltd. (IHMCL), a firm promoted by NHAI, has established call centres in six different geographical zones named the 'West zone, South zone, Delhi zone, Chandigarh zone, Eastern zone and North-Eastern zone, for this purpose. People can dial **1033**, a single point of contact, from both mobile and landline devices to receive multilingual support.
- This number is operational throughout the year during all hours of the day (24*7). It assists road accident victims by arranging ambulances, highway patrol cars, and cranes to remove wrecked vehicles from the scene of the accident.

Other important helpline numbers in the event of a road accident are:

- **1073** - Road accident emergency service.
- **112** - All-purpose emergency number (National emergency number)
- **102** - Ambulance
- **108** - Medical helpline number for people living in the states of Andhra Pradesh, Gujarat, Uttarakhand, Goa, Karnataka, Tamil Nadu, Rajasthan, Assam, Meghalaya, MP and UP.

12

Narcotic Drugs and Psychotropic Substances

1. What are Narcotic Drugs and Psychotropic Substances?

"Narcotic drug" means coca leaf, cannabis (hemp), opium, poppy straw and includes all manufactured drugs. "Psychotropic substance" means any substance, natural or synthetic, or any natural material or any salt or preparation of such substance or material included in the list of psychotropic substances specified in the Schedule.

2. What amounts to an offence under Narcotic Drugs and Psychotropic Substances (NDPS) Act 1985?

The following acts constitute an offence under the NDPS Act:

1. Cultivation of any coca plant or gather any portion of coca plant;
2. Cultivation of opium poppy or any cannabis plant; and
3. Production, manufacturing, possess, sell, purchase, transport, warehouse, use, consume, import inter-State, export inter-State, import into India, export from India or transship any narcotic drug or psychotropic substance.

3. Doest the act of growing Cannabis (ganja) at one's rooftop or backyard constitute a criminal offence?

Yes, it constitutes to be a criminal offence and one may be punishable with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine which may extend to one lakh rupees**.**

4. What is the punishment for offences under the NDPS Act, 1985?

Punishment under the Act depends on the quantity of the drugs seized and depending on the severity of the offence, punishment varies:

Cultivation of Cannabis **Produces, manufactures, possesses,**	Rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine which may extend to one lakh rupees.

	which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees. **Less than Commercial but more than Small Quantity:** Rigorous imprisonment for a term which may extend to ten years, and with fine which may extend to one lakh rupees.
Produces, possesses, transports, imports inter-state, exports inter-state, sells, purchases, uses or omits to warehouse poppy straw or removes or does any act in respect of warehoused poppy straw	**Small Quantity:** Rigorous imprisonment for a term which may extend to [one year], or with fine which may extend to ten thousand rupees. **Commercial Quantity:** Rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years, and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees. **Less than Commercial but more than Small Quantity:** Rigorous imprisonment for a term which may extend to ten years, and with fine which may extend to one lakh rupees.

5. Whether Bhaang is excluded from the offence?

Bhaang is generally prepared from the leaves of the Cannabis plant. Ganja as per the NDPS Act, 1985 includes only the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops). It has been held by various judgements of the courts, that Bhaang does not fall under the definition of cannabis and hence the NDPS Act is not applicable on Bhaang

6. What is Small Quantity or Commercial Quantity?

Small Quantity and Commercial Quantity varies depending upon the type of the Narcotic Drug and Psychotropic Substance. It is defined by the Central Government by means of a notification.

7. If I am held as an offender under the NDPS Act, 1985, can I get a bail?

Bail is the rule, jail is the exception in most offences. But in case of offences under NDPS Act, jail is the rule, and only in exceptional circumstances bail is granted. Only if the following conditions are satisfied the Courts may grant a bail:

- The accused has reasonable grounds to believe that he is not guilty of the offence.
- The fact is that if bail is granted, the defendant is unlikely to commit any crime while out on bail.

8. Who has the burden of proof?

The burden of proof under the NDPS Act is different from other criminal offences. It is on the offender to show that he had nothing to do with the narcotic drugs seized.

9. Whether possession of NDPS is actual or constructive?

The law has developed on this subject to also include constructive possession. Even if a person does not possess narcotic drugs, but the same is found in his/her house, garden, backyard, warehouse, vehicle, etc, the person can be held liable under the Act.

10. Who is an addict?

An addict is a person who has dependence on any narcotic drug or psychotropic substances. It may be any person who has become a victim of drug abuse.

11. Are there any exceptions under the Act?

The State Government can make rules for providing license for certain forms of cultivation, use for medicinal purposes, etc. However, if there is any contravention of the license or purpose for which license is granted, there are special offences and rigorous penalties including imprisonment for such offences.

12. If you are an addict or a victim of drug abuse, do you have any privilege under the law?

If you are an addict and are charged with the offence, then you need to undergo the complete treatment for de-addiction. However, the exemption is given for only those offences where the quantity involved is very minute.

13

National Green Tribunal

1. What is the National Green Tribunal?

The National Green Tribunal (NGT) was established under the National Green Tribunal Act of 2010.

- It has been established with the intention of having an expeditious and effective disposal of environment related cases.
- Moreover, it is also for the conservation of natural resources and enforcement of environmental legal rights.
- It is a specialized bench dealing exclusively with environment disputes. NGT has been set up at five places and follows the circuit procedure for more accessibility.
- New Delhi is the Principal place of sitting of the Tribunal and Bhopal, Pune, Kolkata and Chennai are the other four places where the Tribunal operates from.

2. What is the importance of NGT in environmental protection?

NGT was set up as per the recommendations of the Supreme Court and Law Commission of India. The establishment of NGT is also in consonance with India's obligations under international law where it has undertaken the responsibility to protect environment and develop national legislations for effective implementation. The Supreme Court in its observations in various judgments has stressed upon the fact that NGT is not just for adjudication of environmental matters, it is preventive and remedial in nature as well. Therefore, the guiding principles of NGT in adjudication are the precautionary principle and polluter pays principle. Any person can approach the NGT for the damage caused to environment and the Tribunal can pass an order for the restitution for environmental protection

3. What are the legislations which fall within the jurisdiction of the National Green Tribunal?

1. The Water (Prevention and Control of Pollution) Act, 1974;
2. The Water (Prevention and Control of Pollution) Cess Act, 1977;
3. The Forest (Conservation) Act, 1980;

4. The Air (Prevention and Control of Pollution) Act, 1981;
5. The Environment (Protection) Act, 1986;
6. The Public Liability Insurance Act, 1991; and
7. The Biological Diversity Act, 2002.

4. Who can file cases before the NGT?

Any person aggrieved as a result of environment damage can file a petition before the NGT. It also considers any letter which brings to its notice the instances of environment damage as a petition. A valid complaint will be considered by the NGT even if there is no express representation from any party. A complaint can also be filed online. NGT has both the appellate and original jurisdiction.

5. What is the format for filing a petition before the NGT?

The main objective of the tribunal being speedy disposal of environment claims the NGT accepts a letter as a petition. Petitions can be filed online through "e-filing". The website of the NGT provides for online registration of cases through registered advocates and also through the registered users who can appear before the tribunal for the cases.

6. Whether the NGT has the *suo moto* powers to take up the cases?

The NGT Act of 2010 does not explictly confer suo moto powers on the Tribunal to take cognizance of the offences. However, the Supreme Court has held that the NGT must exercise *suo moto* powers to take cognizance of issues, as and when it becomes necessary for achieving the purposes for which the NGT was established.

7. Are the orders of the NGT binding on the parties?

The decisions of the NGT are binding on the parties. It also has the power to order for imprisonment up to three years and impose a fine which may extend up to ten crores.

8. What is the procedure for the enforcement of any legal right relating to environment matters under the adjudication of NGT?

- The NGT has jurisdiction on all civil cases involving substantial questions on environment. The Tribunal's orders are enforceable as the powers vested are the same as in a civil court under the Code of Civil Procedure, 1908. The decisions of the Tribunal are therefore binding.

- The NGT being a statutory adjudicatory body, it has original jurisdiction for filing applications and also appellate jurisdiction to hear appeals. Any person seeking relief or compensation for environmental damage caused can approach the Tribunal for seeking restitution. The Tribunal has powers to review its own decisions. The review decision of the Tribunal can be challenged in the Supreme Court.

9. What are the powers of NGT in adjudicatory matters?

The NGT has powers to investigate the claims of the aggrieved party. The NGT has the power to pass orders granting reliefs, compensation, restitution of damages and also has the power to impose penalty. It also has the power to order for imprisonment of up to three (3) years and impose fine which may extend up to ten crores.

10. What does 'Polluter Pays Principle' and 'Precautionary Principle' signify?

In environment jurisprudence, both the Polluter Pays Principle as well as the Precautionary Principle are very crucial. Polluter Pays Principle means that those who pollute should bear the cost of managing the environment and its restitution. Under the Precautionary Principle, the State is enjoined to anticipate, prevent and take measures for safeguarding environment from measures that might degrade it.

11. What is the provision for the online filing of cases in NGT?

- The NGT has provision for e-filing of cases through its website which can be accessed at https://ngtonline.nic.in/efiling/mainPage.drt
- The service of checking the status of cases filed online can be availed through https://www.greentribunal.gov.in/casestatus/diarynumber

12. What is the Help Center number for approaching the NGT?

The Help Centre can be contacted via **01123043528** and NGT would be open from 10:00 am to 04:00 pm (Monday-Friday).

14

People's Biodiversity Register

1. What is Peoples Biodiversity Register (PBR) under the Bio-Diversity Act 2002?

PBR is a comprehensive document which provides information on Biological resources which are locally available including the landscape and demography of a particular area or village. The concept of PBR is defined in the Biological Diversity Act, 2002.

2. What are Bio-Diversity Management Committees?

The Biological Diversity Act of 2002 has mandated every local self-government in rural and urban areas to constitute Biodiversity Management Committees (BMC) within their area of jurisdiction. The objective of BMCs is to ensure the conservation, sustainable utilization and equitable sharing of benefits from the biodiversity. All BMCs must prepare the PBR in consultation with local people.

3. What is the objective of preparing PBR?

The State Biodiversity Board maintains the PBR. This has the details of the application for the use of resources, approvals, benefit sharing and the beneficiaries under the access and benefit-sharing mechanism.

- The register gives a regulated access and protection from the over-exploitation of valuable resources and accountability by way of sustainable practices of sharing the biological resources by the stakeholders.
- The benefit sharing is further utilized for the conservation of biological resources.
- The documentation is essential as it empowers the local bodies and biological resources regarding the sovereign rights of biological resources. It ensures proper management, conservation strategy and sustainable use of biodiversity.

4. What are the necessary details to be included in the Peoples Bio Diversity Register?

The PBR is a comprehensive document which has details of the landscape, habitat and demography along with the details of the biological resources. The details which are in the register are:

- Name of the Panchayat Samiti: Taluk, District and State;

- Geographical area Panchayat Samiti;
- Total population under the Panchayat Samiti;
- Total population of male and female;
- Climate (rainfall, temperature and other weather patterns);
- Habitat and topography;
- Land use as per village records;
- Date, month and year of PBR preparation; and
- Type of forest management: Reserve Forests (RF) / Joint Forest Management (JFM) / Protected Areas (PA) / Community Owned and Managed Forests (COM).

5. What is access and benefit sharing?

Access and benefit-sharing (ABS) is a system which aims at fair and equitable distribution of benefits arising from the usage of genetic resources between the users of genetic resources. For example, the biotech companies and the forest dwellers.

- The "Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization to the Convention on Biological Diversity" is an international agreement which aims at sharing the benefits arising from the utilization of genetic resources and came into force on 12 October 2014. PBR helps in determining the access and benefit sharing.

6. What are the details provided in the PBR regarding the access and benefit sharing?

PBR comprises of a list of vaids, hakims and traditional health care (human and livestock) practitioners who are residing in particular geographical areas. It also has the details of the biological resources growing within the jurisdiction of the village. Moreover the details of access to biological resources and traditional knowledge granted, collection fee imposed, benefits derived, determination and mode of sharing can be found in the PBR.

7. What is the process of preparing the Bio-Diversity Register?

The important steps in the process which is vital to the preparation of PBR are:

- Formation of Bio-Diversity management committees;
- Awareness among the public regarding advantages and benefits of the register. There is a need and necessity to organize a group meeting to explain the objectives and purpose among the public;

- Training the public and volunteers for identification of biological resources, collection of data on biological resources and traditional knowledge. The documentation process includes the various information gathered through questionnaire and the focused discussion on various aspects of traditional knowledge. Information is also gathered through the published secondary information
- Participatory Rural Appraisals (PRA) are done at the village levels, with the knowledged individuals and through direct field visits
- Analysis of the knowledge such as traditional knowledge, review of literature and its validation
- Preparation of register, data collection and computerization

8. What is the role of the Technical Support Group in preparation of Peoples Biodiversity register?

The Technical Support Group (TSG) consists of experts belonging to various disciplines, universities, research institutes, colleges, schools and non-governmental organizations. The TSG provides inputs and advice to the BMCs for the identification of plants and animals. They also monitor, evaluate the PBR process and maintain the database on biodiversity resources.

9. What is Associated traditional knowledge?

Associated traditional knowledge refers to the knowledge that is growing, evolving, generated in traditional practices, preserved by the indigenous and local communities from generations to generations. It includes traditional know-how, skills, innovations, practices, and learning. For instance, the hakims and vaids are persons who may be considered as having the traditional knowledge on medicinal plants and its usage.

10. What is the process of determination of benefit sharing?

With regard to the determination of benefit sharing, the State Biodiversity Boards (SBB) shall follow the Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014. A particular biological resource is of high economic value, the benefit sharing may include an upfront payment as decided by the SBB on a case by case basis.

- State Bio-Diversity Boards retain a share not exceeding 5% of the benefits realized towards administrative charges

- The remaining 95% share of the benefits shall be passed on to BMC concerned or to the benefit claimers, if identified.
- Where benefit claimers are not identified, funds shall be deposited in the State Biodiversity Fund. It can be utilized to support conservation and sustainable use of biological resources and to promote livelihoods of the local people.

11. What is the process of applications for Access to Biological Resources?

The process of applications is under Section 7 of the BD Act. The concerned officer verifies the exact purpose of accessing biological resources and ascertains whether it is for commercial utilization or for bio-survey and bio-utilization.

Applications would not be entertained by SBBs if the purpose is for research on a biological resource or associated knowledge and obtaining Intellectual Property Rights for inventions based on any research or information on a biological resource obtained from India. Application would also not be entertained for transfer of results of research related to biological resources occurring in, or obtained from India, to any non-Indian/ non-Indian entity.

15

Plastic Waste Management

1. What is Single-use plastic?

Plastic Waste Management Rules, (PWM) 2021 classifies plastic items that are intended to be used only for a single time, after which it would be disposed of as single -use plastic commodities. Plastic bags, straws and plastic cups are some of the examples of single-use plastic commodities.

The PWM, 2021 has classified plastic into four categories namely,

- **Rigid packaging** – Articles such as paperboard boxes, aluminum cans, cereal boxes, cans in foods beverages, detergent bottles fall under the ambit of rigid packaging.
- **Flexible packaging** – Sample pouches, food and beverages pouches, cosmetics and personal care pouches are examples of flexible packaging.
- **Multi-layered packaging** – Laminated layers of polymers, paperboard and aluminium in tetra-pack, packaging of articles such as cheese and potato chips, food packaging in hotel and restaurant are some of the examples of multi-layered packaging.
- **Compostable plastics** - Compostable plastic are the plastics made from using more renewable content and eco-friendly materials.

2. What are the single use plastics that are prohibited?

The new rules prohibit the manufacture, stocking, distribution, import, sale and use of the following single-use plastic commodities from 1st July 2022:

- Ear buds with plastic sticks;
- Plastic flags;
- Plastic sticks for balloons;
- Ice-cream sticks;
- Candy sticks;
- Polystyrene (thermocol) for decoration;
- Cups, plates, cutlery like spoons, forks, straw and knives;
- Wrapping/packing films around sweet boxes, trays;

- Cigarette packets, and invitation cards;
- Plastic or PVC banners less than 100 microns; and
- Stirrers.

3. What is the amendment in thickness of plastic carry bags?

The thickness of the plastic carry bags is increased in the following manner:

- First from 50 microns to 75 microns with effect from 30th September 2021;
- Thereafter, from 75 microns to 120 microns with effect from 31st December 2021.

4. What is plastic waste management and plastic waste processing?

Plastic waste management includes collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner. Plastic waste processing refers to the process where plastic waste is handled for reuse, recycling, transformation as a new product or co-processing.

5. What are the requirements related to marking or labeling?

The following are the amendments relating to marking or labeling:

- The producer or brand owner of the carry bags is required to mention the information like name, registered number and thickness of the carry bags.
- The plastic packing should include the information like name, the registered number of the manufacturer or producer or brand owner, and thickness needs to be mentioned.
- Multi-layered packaging used for imported goods is excluded from the requirement of mentioning of name and registered number of the manufacturer.

6. Who is a manufacturer under Plastic Waste Management Rules, 2021?

The PWM Rules, 2021 defines 'manufacturer' as a person or unit or agency engaged in production of plastic raw material. In order to sell or supply plastics is it mandatory for the manufacturers to register themselves with the State Pollution Control Board or Pollution Control Committee. Similar mandates of registration are applicable for recyclers. These registrations have to be renewed from time to time.

7. What is Municipal Authority under the PWM Rules 2021?

The municipal authorities under the PWM Rules, 2021 are the Gram Panchayats for rural areas and Municipal Corporation in urban areas. These Municipal authorities under the Rules are entrusted with duty to:

- Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;
- Channelizing recyclable waste to recyclers;
- Channelizing non-recyclable waste as per the guidelines issued by CPCB;
- Spreading Awareness among various stakeholder about plastic waste management;
- Interacting with civil societies or groups working with waste pickers;
- Ensuring that open burning of plastic waste is not taking place; and
- Ensuring the plastic waste is managed in an eco-friendly manner.

16

Power of Attorney

1. What is the meaning of Power of Attorney ("POA")? Why is a Power of Attorney drafted?

Power of Attorney is a vital legal document. It is a legal arrangement which permits a person to appoint another person or entity to manage his/her property, medical affairs and finances in his/her absence. Power of Attorney is drafted to authorise a person to act on his/her behalf who is known as the principal or grantor.

2. Who can be appointed as the Power of Attorney?

The eligibility criteria for a person to be appointed as the Power of Attorney are as follows:

- Any person who is trustworthy;
- A person who is above 18 years;
- A person who is of sound mind.

3. Who can revoke the Power of Attorney?

The grantor of Power of Attorney, who is of sound mind and competent can revoke the Power of Attorney. Additionally, the deed of Power of Attorney may also provide for revocation of the general power of attorney.

4. Can a person appoint multiple Power of Attorney Agents?

Yes, there can be more than one Power of Attorney Agent. It is to be decided by the grantor whether they must act separately or jointly while making a decision.

5. Is it mandatory to get a Power of Attorney registered?

No, registration of Power of Attorney is optional and not mandatory. However, in light of various fraudulent actions being undertaken in respect to sale of immovable properties, lands, etc., any Power of Attorney for sale of land or immovable assets requires to be registered. Such Power of Attorney shall be a special power of attorney, and not by way of a general power of attorney.

6. What is a General Power of Attorney?

A General Power of Attorney is where the agent is authorised to take decisions on behalf of the principal. It covers a very broad spectrum of authority provided to the agent.

7. What is a Special Power of Attorney?

Special Power of Attorney is limited to a specified area or on a specific transaction. Once the purpose is fulfilled, the Power of Attorney immediately comes to an end.

8. What is the procedure followed for the registration of Power of Attorney?

In the event of Power of Attorney in respect of immovable property, it is required to be registered. Further, it must be authenticated by a sub-registrar or it must be notarized in case power to sell land is granted to the agent.

9. Under what circumstances can a Power of Attorney be revoked?

A Power of Attorney can be cancelled or revoked at any point of time, as long as the principal of Power of Attorney is in sound mind and competent.

10. Can Power of Attorney be given to a non-relative?

Yes, a Power of Attorney can be given to a non-relative. However, it is to be noted that the stamp duty levy is more in such cases, and the stamp duty is lesser when issued to a blood relative.

11. Is the stamp duty payable towards Power of Attorney?

Under Section 48 of the Indian Stamp Act, 1989, stamp duty is payable towards Power of Attorney. It can be paid either by the principal or the agent based on the prevailing laws in each State.

17

Prevention of cruelty to Animals

1. Does the Constitution of India mandate the protection of animals?

Yes. Under the Directive Principles of State Policy, Article 48 and Article 48(A) state that the State should endeavour to improve and preserve the lives of animals. Further, under Article 51A(g), every citizen has the duty to protect, improve and have compassion for living animals

2. Which law in India guarantees the right to protect animals from cruel treatment?

The primary legislation that offers protection to animals against cruelty is the Prevention of Cruelty to Animals Act, 1960. In addition to this, there is a plethora of rules formulated under the Act such as the Performing Animals Rules, 1973, Slaughter House Rules, 2001, Animal Birth Control (Dog) Rules, 2001, Transport of Animals on Foot Rules, 2001 etc.

3. What animals are protected under the Prevention of Cruelty to Animals Act, 1960?

Under section 2(a) of the Act, "animal" means as any living creature other than a human being. This can include birds, dogs, cows, or any animal that is domesticated or wild. All animals are protected under the Act.

4. What kind of acts amount to inflicting cruelty treatment of animals?

Under the Prevention of Cruelty to Animals Act, 1960, various actions can be considered cruel treatment. They are:

- Physically harming an animal. For example, kicking, beating, torturing, overriding, overdriving, overloading an animal, etc.;
- Any attempt or any act to administer a drug that can be injurious to the animal;
- Any act that involved injecting air into the milch such as Phooka or Doom Dev;
- Treating the animal such that it is subject to any unnecessary pain;
- Employing an animal when it is unfit for the same;
- Overcrowding animals together or keeping them in uncomfortable positions that subjects them to unnecessary pain;

- Neglecting to provide exercise, food, drink, or shelter;
- Using the animal as bait or inciting animals to fight for entertainment purposes;
- Abandoning an animal such that it would likely suffer from starvation or thirst;
- Allowing an animal that is disabled or diseased to go large in any street or die;
- Offering an animal that is suffering because of mutilation, starvation, thirst, overcrowding, or ill-treatment; and
- Confining an animal such that there is no opportunity for movement or using a chain that is unreasonably short or heavy.

5. What are the punishments for cruelty against animals?

Under the Prevention of Cruelty to Animals Act of 1960, there can be a fine between rupees 10-50 imposed for the first offence and if repeated within three (3) years then a fine of rupees 25-100 can be imposed with or without imprisonment for up to three months.

6. How do you report cruelty against an animal and which is the authority that you can report to?

If you witness an act of cruelty against an animal you can first approach the State Animal Welfare Board. In the alternative, a complainant can dial **112**, following which the emergency response support system would visit the spot and the local police would be responsible to file an FIR.

7. What kind of information would the authorities want?

When filing a complaint, the complainant can provide the authorities, with pictures or videos of the incident, along with the location and contact details.

8. How do I follow up after filing a report?

There are two ways to approach this. Firstly, you could fill an RTI form provided on the Animal Welfare Board of India's page, available at http://awbi.in/awbi-pdf/RTI.pdf

9. Is there any specific protection available to animals in pet shops?

Under Prevention of Cruelty to Animals (Pet Shop) Rules, 2018, pet shop owners have a duty to ensure that:

- There is sufficient food in line with the animal's dietary requirements;
- There is clean drinking water and that the vessels used for feeding are clean and free from contamination and organic wastes are removed frequently;

- The enclosures are cleaned daily to reduce the possibility of a disease outbreak;
- There are sufficient attendants for the animals and the animal cannot be left alone at night;
- The animals are provided with adequate bedding;
- The owners provide a receipt and maintain a copy for every animal sold; and
- Every puppy that is sold is micro chipped.

Furthermore, the pet shop owner has a duty towards sick animals which includes taking adequate care of sick and dying animals along with proper care taken to ensure hygiene, ensure that the animal is not enclosed with healthy animals and that the pet shop owner shall not abandon or discard unsold pet animals.

10. What action can be taken against pet shop owners for not complying with the law?

Anyone can file a written complaint to the State Animal Welfare Board which the State would then inquire with the local authorities – this can include your local municipality organizations, Panchayat officials from the Department of Health or Animal Husbandry, or the Zilla or Taluk Panchayat.

If the concerned authority finds any violation, then the owner would be issued a show-cause notice and if the board is not satisfied, they may cancel the registration. This decision can be appealed but if the appeal is rejected then the board can seal the shop.

11. Who does a person approach in case they suspect that a kennel is conducting illegal breeding or is a front for animal trafficking?

You can take up your complaint with the State Animal Welfare Board. Based on the complaint, the board would inspect the premises by an inspector authorised in writing by it on this behalf.

12. Where can a person check a pet shop's license?

Under Prevention of Cruelty to Animals (Pet Shop) Rules, 2018, pet shop owners are required to show their license and make it visible. The implementation of the same lies with the State Animal Welfare Boards and individual Municipality Corporations.

13. Apart from filing a complaint with the animal welfare boards is there any other action that citizens can take to report cruelty against animals?

Citizens can also report an instance of animal cruelty to any of the following organisations:

- **People for Animals (Nationwide)**
  Website: https://www.peopleforanimalsindia.org/
  Email: gandhim@nic.in
  Phone Number: + 91 11 23719293 / 94 / 23357088

- **Sanjay Gandhi Animal Care Centre (Delhi)**
  Website: http://www.sanjaygandhianimalcarecentre.org/
  Email: sgacc1980@gmail.com
  Phone: 011 25337751 / 25448062

- **Stray Relief and Animal Welfare (STRAW) India (Delhi)**
  Website: https://www.strawindia.org/
  Email: contact@strawindia.org

- **Charlie's Animal Rescue Centre (Bangalore)**
  Website: https://charlies-care.com/
  Phone: 9483911110 / 9035999372

- **Blue Cross of India (Chennai)**
  Website: https://bluecrossofindia.org/
  Phone: +91 44 46274999 / 44 71819575
  Blue Cross of India also provides a rescue service which can be accessed here: https://forms.zohopublic.com/bluecrossofindia/form/RCubeIncomingRescueRequest/formperma/

- **Compassionate Unlimited Plus Action (Bangalore)**
  Website: https://cupabangalore.org/
  Email: cupablr@cupaindia.org
  Phone: 080 22947300 / 301

- **Animal Aid Unlimited (Udaipur)**
  Website: https://www.animalaidunlimited.org/
  Email: info@animalaidunlimited.org
  Phone: 9829843726 / 9602325253 / 9784005989
  Animal Aid Unlimited has a reporting platform which can be accessed here: https://www.animalaidunlimited.org/report-an-animal/

- **Federation of Indian Animal Protection Organisation (Delhi)**
  Website: https://www.fiapo.org/fiaporg/
  Phone: +91 8750777701

18

Protection of Children from Sexual Offences

1. What are the kinds of acts punishable under the POCSO Act?

The POCSO Act protects children from the following acts and offences:

- **Penetrative Sexual Assault which includes:**
  - penetrating his penis into the vagina, mouth, urethra or anus of a child, or makes a child do the same, or
  - inserts any other object into the child's body, or
  - applies his mouth to a child's body parts.
- **Aggravated Penetrative Sexual Assault which include cases:**
  - when a police officer, a member of the armed forces, or a public servant commits penetrative sexual assault on a child;
  - the offender is a relative of the child, or if the assault injures the sexual organs of the child or the child becomes pregnant, among others;
  - Where assault results in death of child; and
  - Where assault is committed during a natural calamity, or in any similar situations of violence.
- **Sexual Assault which includes cases where:**
  - Where a person touches the vagina, penis, anus or breast of a child with sexual intent without penetration;
  - Where the assault is committed during a natural calamity; and
  - Where the person administers or helps in administering any hormone or any chemical substance to a child for the purpose of attaining early sexual maturity.
- **Aggravated Sexual Assault where:**
  - the person who perpetrates the assault is in a position of trust or authority vis-à-vis the child, like a family member, police officer, teacher, doctor, member of the armed forces, public servant, hospital staff, etc.; or
  - when the abused child is mentally ill.

- **Sexual Harassment of the Child which includes:**
  - Saying a word, or makes any sound or gesture, or exhibits any object or part of the body with the intention that the child will notice this Act;
  - Making the child exhibit his body such that others can see it;
  - Repeatedly following or watching or contacting the child; and
  - Showing any object to a child for pornographic purposes.
- **Use of child for pornographic purposes which includes:**
  - Storage of pornographic material for commercial purposes;
  - Failing to destroy, or delete, or report pornographic material involving a child; and
  - Transmitting, displaying, distributing such material except for the purpose of reporting it.

2. Who can claim protection under the POCSO Act?

Any child *i.e.* any person who has not attained the age of 18 years can claim protection under the POCSO Act. The Act is gender-neutral and is applicable to children of all genders and sexual orientations.

3. Who can report an offence committed under the POCSO Act?

Any person who has an apprehension that an offence may be committed or has witnessed or has knowledge an offence being committed must report such incident to the local police or special juvenile police unit. If any such person does not report the incident, they can be punished for a jail time of six months or a fine. A child against whom an offence has been committed under the Act, can also file a complaint.

4. What is the procedure to report an offence to the Police under the POCSO Act?

Information regarding an offence committed against a child under this Act can be filed in person at the police station or over the phone. The complaint/report must be recorded in writing which must be entered in a book kept by the police unit and the details of the report must be read over to the informant. The person reporting a complaint has the right to get a free copy of the FIR statement by the police.

Any statement taken from a child regarding any offence committed against him/her shall be recorded at the residence of the child or any place that the child chooses. The statement must be preferably taken by woman police officer not below the rank of sub-inspector. The police officer while recording the statement of the child shall not be in uniform. The statement should be recorded in a simple language so that the child understands the contents being recorded.

5. What are the rights guaranteed to the child under the POCSO Act?

- **T**he child has a right to be represented by a lawyer. The family or the guardian of the child can seek assistance of a legal counsel of their choice for any offence under the Act. If the family or the guardian of the child are unable to afford a legal counsel, the Legal Services Authority shall provide a lawyer to them;
- The child cannot be detained in any police station in the night for investigation or any other reason under the Act;
- During any investigation under the Act, the identity of the child cannot be disclosed unless a special court requires. The identity of the child including his name, address, photograph, family details, school, neighborhood or any other particulars which may lead to disclosure of identity of the child cannot be disclosed by media. The publisher or owner of the media or studio or photographic facilities can be punished for such disclosure;
- The child has the right to have a social worker present when recording any statement with the police;
- During any investigation under the Act, the child can seek police protection to avoid any contact with the accused;
- While providing any statement to the police regarding any offence, the child has the right to have a translator or an interpreter to explain the contents being recorded;
- The child has the right to get urgent medical or psychological treatment before registering an FIR;
- The child against whom an offence has been committed has the right to get medical treatment at the nearest hospital within 24 hours of recording the report;
- A girl child against whom an offence is committed can be examined only by a female doctor or in the presence of a woman nominated by the head of the medical institution;
- A child who is in need of special care and protection can avail protection from the Child Welfare Committee in their State;
- Any child who makes a false complaint or provides false information under the Act cannot be punished with any imprisonment or fine; and
- A child against whom an offence is committed under the Act has the right to receive special compensatory relief for contingencies such as food, clothes, transport.

6. What are the alternate ways to report abuse or harassment of the child?

Any person, including a child can report a complaint to the National Commission for Protection of Child Rights by submitting a complaint through the following ways:

- **Online**

  POCSO e-box - https://ncpcr.gov.in/user_complaints.php

- **Phone:**

  National Commission for Protection of Child Rights – **1800115455 (Toll free), 9868235077**

  The Child-line in India to report a complaint for offences committed under POCSO is **1098.**

19

Right to Education

1. What right does the Right to Education Act (RTE Act) guarantee?

Article 21A of the Indian Constitution provides that the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

- The RTE Act aids in the realization of this constitutional right. It is an Act that provides for the institutional mechanisms and lays down procedures through which the state is responsible for providing for free education to all children of the age of six to fourteen.
- The Act provides for free education - that is no child shall be liable to pay any kind of fee or charges or expenses for completing elementary education. Elementary education refers to education from classes 1 to 8.
- The word compulsory education has been used to signify the responsibility of the government to ensure that facilities for such free and compulsory elementary education at schools are provided.

2. Who can claim the right to free and compulsory education and where?

- This right can be claimed by every child, both male and female from the ages of 6 to 14 years.
- The right can also be exercised by a child belonging to a disadvantaged group such as a child with disability or a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or any other group having disadvantage owing to social, cultural, economical, geographical, linguistic or gender.
- The right can also be exercised by a child belonging to weaker section which means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.

3. In which schools can the right to free & compulsory education be claimed?

To exercise this right the appropriate Government and the local authority are responsible to provide a school in the neighbourhood, which is at a walking distance for the children

to attend. For children in classes from I to V, the school should preferably be located within 1 kilometres and for children in classes VI – VIII, the school should preferably be at a distance of 3 kilometres. However, the child can be enrolled in any school despite the distance from the child's neighbourhood to receive education free of cost.

- However, it is important to note that a child can receive education only from those schools established, owned (e.g. state established schools like Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School Aarohi schools in Haryana etc.), controlled or substantially funded directly or indirectly by the government or a local authority.
- Schools which are unaided, like private schools also have to admit children belonging to weaker section and disadvantaged group in the neighbourhood in class I, to the extent of at least twenty-five per cent of the strength of that class and provide free and compulsory elementary education till its completion.
- Which means, unaided schools have to allow the children who have been admitted under the 25% quota have to be permitted to complete elementary education till class 8.

4. What is the process of admission?

The admission process in schools covered under the RTE Act, differs across state. However, some of the common procedures followed in most states for admitting a child are as follows:

- Parents/guardians are required to fill a form provided by the requisite governments. These forms are generally available on the government website of each State, as each state has a separate website/portal for admissions. The neighbourhood schools can also be approached to obtain the form.
- Certain identification documents are required to be submitted along with the admission form. These generally include child's ID as a proof of age and parents' IDs, photograph of applicant, aadhar card or ration card of the parent or guardian, income certificate for weaker section candidates, community certificate for disadvantaged group candidates, disadvantaged group special category certificate, disability certificate (if applicable), caste certificate, certificate of children of HIV-infected parents (if applicable) etc. However, no child can be denied admission in a school for lack of age proof. Further, no school is allowed to charge any capitation fee which refers to any kind of donation or payment for the admission under schools covered under the Act.
- Schools are also prohibited from conducting any screening procedure like any interview of the parents/guardian or any test of interview of the child before admission.

The school should randomly select the children and employ an open lottery method for filling up vacant seats. This can be done in the form of writing the names of the children on paper slips and then randomly picking them out of a container to ensure transparency. Schools may be fined up to Rs. 25,000/- for the first contravention of this provision and may extend to Rs. 50,000/- for any subsequent contraventions.

5. What are the other rights of children under the RTE Act?

- If a child wishes to get enrolled in the after the commencement of the academic term, the schools should not deny admission to the child.
- No child can be subjected to physical punishment or mental harassment in school. Physical harassment could include hitting the child, pulling their hair, slapping, hitting with any object (ruler, chalk), making them stand in sun for several hours etc. Mental harassment includes mocking the child with regard to his/her background, caste, parental occupation or shaming the child to improve their performance.
- No child can be expelled from school until they have completed their elementary education.
- A child who is older than 6 years old and who has never attended school or has dropped out of school can be admitted to an age appropriate class. For example, a 10-year-old child who has never gone to school will be admitted to class 4 or class 5, and not class 1 or 2 and will be allowed to complete elementary education. Additional help would be provided to such children to catch up with other children of their age.
- Students between the ages of six to fourteen years who enroll and attend the school are entitled to one hot cooked meal in Government and Government-aided schools from 2021-22 to 2025-26 at no cost under the **PM POSHAN (Poshan Shakti Nirman) Scheme**, earlier known as Mid-Day Meal Scheme. This is a Centrally-Sponsored Scheme which covers all school children studying in Classes I-VIII in Government, Government-Aided Schools.

6. If parents or children face any difficulty in accessing this right, what can be done?

The parents or children can file a complaint regarding the education being imparted to the child, or for denial of admission, the following authorities may be approached:

- **Local Authorities:** Written Complaints can be made to the local authority - Gram Panchayat or the Block Education Officer. The Block Education officer is in charge of the education of students within their block and also supervises the functioning of the schools. After receiving the complaint the local authority is expected to decide

the matter within a period of three months after affording a reasonable opportunity of being heard to the parties concerned.

- **National/State Commission for Protection of Child Rights:** The National and State Commission for Protection of Child Rights works for the protection of all children till the age of 18 years. If there are any grievances with respect to the exercise of this right, complains can be filed before the National Commission and the commissions set up in each state. Any person aggrieved by the decision of the local authority can file an appeal to the State Commission for Protection for Child Rights in case of grievances. The helpline numbers and email addresses differ from state to state but can be found on their website.
- **Online**

  One can file an online complaint through **www.ebaalnidan.nic.in**

- **Via Phone**

  National Commission for Protection of Child Rights - **011-23478200/250**

  Childline India (Childline is a helpline for offences committed against children)-**1098**

20

Right to Information

1. What is Information?

Information as per the Right to Information Act, 2005 **(RTI Act)** includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, data material, and information relating to any private body that relates to public authority under the law in force.

2. What does 'Right to Information' mean?

Right to Information refers to the right of an Indian citizen to request information from a public authority, seeking records related to particular public department in order to review or inspect or learn about the work carried out/being carried out.

3. What is the purpose of filing an RTI Application?

The purpose behind filing an RTI Application is to enable every citizen to obtain information under the control of the public authorities. It brings transparency and accountability in the working affairs of the government.

4. What is an RTI Application? How to file an RTI Application offline and what is the application fee to be paid?

- An RTI Application is an application requesting information from a particular public authority with regards to a specific subject matter.
- The application form should include basic information with regards to the sender's name and address, information sought for ease of convenience.
- The fee for the RTI Application is INR 10/- rupees and no such fee shall be charged from the persons who are below poverty line.

5. Can an RTI request be made orally?

Yes, an RTI request can be made orally. A citizen can make an oral request for information to the concerned Central Public Information Officer (**CPIO**) or Assistant Public Information Officer (**APIO**), as the case may be, and the concerned officer shall render all reasonable assistance to the person making the request orally to reduce the same in writing.

6. In which language can the RTI Application be filed?

The RTI request shall be made in English or Hindi or in the official/regional language of the area in which the application is being made accompanied by the fee as prescribed.

7. Do you need to provide a reason for requesting information under the RTI Act?

It is not required to state any reason whatsoever for requesting information or any other personal details apart from those details that shall be necessary to send the information back.

8. What are the steps to file RTI Application Offline?

Steps to file a RTI Application offline:

Step 1 Draft an RTI Application in writing on a plain paper (handwritten/printed).

Step 2 Include details of the information that you wish to seek from the public authority under headings such as ***Subject Matter of the Information***, ***The period to which information relates*** and ***Specific Details of Information Required*** section.

Please note that **one application** should be limited to **one particular subject matter only**.

Step 2 Purchase an Indian Postal Order ("**IPO**") (this acts as the Application fee) of INR 10 rupees from the Post Office.

Fill in details of the officer (in the **PAY TO** part) to whom it is being sent and the sender's name & address (**SENDER MAY FILL IN HIS NAME AND ADDRESS**).

Please do not write anything on the **AT THE POST OFFICE AT** part.

Step 3 Tear the small part of the IPO for your own reference (the sender's reference).

Step 4 Attach the IPO along with the application (by stapling or a pin) and courier it to the public authority's office address.

Step 5 Keep the courier receipt and the IPO number in safe custody for future references and wait for the information to reach you.

9. What does public authority mean and are they mandated to provide information?

- Public authority refers to a body or institution established under the Constitution or made by virtue of a law passed by the Parliament or made by virtue of a law passed by the State legislature or made by virtue of a notification and order passed by an appropriate government (Central Government/State government).

- A body owned, controlled or substantially financed by the Government or a non-governmental organisation which is substantially financed or directly or indirectly controlled, or which carries out duties of public importance, is under deep and pervasive state control or enjoys a monopoly status in a particular sector status in a particular sector are all considered as a public authority and will be under the obligation to provide information under the RTI Act.
- Examples of such bodies include: Indian Oil Corporation, ISRO, IIMs, IITs, NLUs, ECI, CBI, Police authorities, Indian Olympic Association, Delhi State Transport Corporation, Gram Panchayat(s), National Parks & Tiger Reserves, amongst others.

All these bodies are mandated to provide information under the RTI Act.

10. What are the kinds of information that can be requested from public authorities?

The kinds of information that can be requested from public authorities are as follows:

- All and any documents, records, data, e-mails, opinions, advices, circulars, orders, reports, memos, data in electronic from that is in the possession of public authorities related to tenders, inspection of work, and ancillary documents.
- Information held by public authorities that is furthering the cause of the larger public interest.

11. What information cannot be disclosed by public authorities or what information cannot be asked from public authorities under the RTI Act?

Information related to the disclosure of the following cannot be disclosed:

- India's sovereignty, integrity, security, strategic, scientific or economic interests, relation with foreign states.
- Records forbidden to be published by a competent court.
- Commercial confidence, trade secrets or intellectual property related to third party.
- Disclosure that would compromise with the life or physical safety of an individual.
- The provisions of this Act will not apply to certain organizations as mentioned in the second schedule of the RTI Act.

12. What is the time frame to obtain information after filing an RTI Application to the concerned authority?

The time frame when an RTI Application is made before a concerned public authority

(**CPIO/APIO**), the concerned good office is mandated to respond within a time frame of 30 (Thirty) days from the receipt of the RTI Application.

However, if the RTI Application concerns the life or liberty of a person, the information must be provided within 48 (Forty-Eight) hours from the time of the receipt of the request.

13. What will happen if an RTI Application is not answered or replied or denied within the 30-days time frame?

- First Appeal is Invoked – When an RTI Application is not replied and/or is denied by the concerned CPIO or APIO within the time period of 30 (Thirty) days, the process of first appeal can be invoked. There are two scenarios which may follow:
  - **Scenario A** – When there is an inaction or no response has been received from the concerned CPIO or APIO.
  - **Scenario B** – When the concerned CPIO or APIO has clearly denied sharing the information that was asked.

In both these cases, the concerned person has a right to appeal before an officer who is senior in rank to the CPIO or APIO within thirty days from the date on which the 30-day period expires, to receive information in case of **Scenario A**. In case of **Scenario B,** the appeal period of 30 (Thirty) days begins from the date on which the denial was received from the concerned CPIO or APIO.

14. What steps can be taken when a concerned PIO has denied information stating that the '*information pertains to third party, involving commercial confidence and trade secret*' knowing that the information should be a public record?

When the concerned PIO has denied information on the above grounds being fully aware that the information must be made public, then while filing the first appeal/second appeal, as the case may be, in the section for 'Grounds for Appeal', the applicant may cite relevant judgments or orders wherein the Courts and Central Information Commission (**CIC**) have made its stand clear that the same may be shared. A few judgments/orders have been provided for reference in **Appendix – A**.

15. What is the procedure, documents and application fee to be complied with in order to file the second appeal under the RTI Act?

A second appeal may be preferred by the applicant if even by filing a first appeal, the information has been rejected or denied. The time period for filing a second appeal against the decision taken during the first appeal is 90 (Ninety) days from the date on which the

decision should have been made or a denial was received. The second appeal may be preferred before the CIC or the State Information Commission as the case may be.

- **Second Appeal** – A list of documents need to be annexed to the second appeal application such as – the copy of the first RTI application submitted to the CPIO, copy of the reply received (if any), copy of the first appeal before the First Appellate authority, a copy of the order received (if any), copies of orders/judgments and other materials relied during this process.
- The second appeal application shall contain particulars of the CPIO, particulars of the First Appellate Authority, date of receipt of the order (if any), brief facts leading to the appeal, prayer or relief sought and the grounds for the prayer.
- Thus, the second appeal application along with the annexed documents needs to be sent to the First Appellate Authority.
- **Note:** While filing the first or the second appeal, **no fee has been prescribed**.

16. What is the time period within which the first appeal must be disposed by the First Appellate Authority?

The first appeal must be disposed of within thirty (30) days from the receipt of the appeal or within a period not extending a total of forty-five (45) days from the date of filing the appeal. However, if the latter is being complied with, the reasons for the same must be recorded in writing.

17. Can an RTI Application be filed online?

Yes, RTI Application can be filed online. For the same, the Department of Personnel and Training, Government of India has created the Online RTI Portal.

The online filing website link can be accessed at https://rtionline.gov.in/request/request.php. The conditions for online RTI application are same as the general RTI application under the RTI Act 2005. Fee for online RTI application is same as the fee for an RTI application filed in offline manner.

However, the above portal caters only to the public authorities under the Central Government. State public authorities are not covered under this portal. Therefore, the only way to file an application to a state public authority is by the offline means as has been elaborated above.

Appendix-A

Right to information in Government Tenders

- **In State of Jharkhand and Ors. v. Navin Kumar Sinhga and Ors. (AIR 2008 Jhar 19) it has been held that –**

  If tenders are invited by the public authority and on the basis of tender documents, the eligibility of a tender or a bidder is decided, ***then those tender documents cannot be kept secret, that too, after the tender is decided and work order is issued on the ground that it will amount to disclosure of trade secret or commercial confidence.***

  Moreover, ***disclosure of information, sought for by the petitioner, cannot and shall not be a trade secret or commercial confidence; rather disclosure of such information shall be in public interest****, inasmuch as it will show the transparency in the activities of the Government.*

  Besides ***a citizen has a right to know the genuineness of a document submitted by the tenderer in the matter of grant of tender for consultancy work or for any other work.***

- **In CIC's order dated 04.11.2009 in CIC/SM/A/2009/000981, it has been held that –**

  The tender process cannot remain a confidential affair after the tender is finalized and the successful bidder selected and appointed. In fact, such information should be *suo moto* placed in the public domain by the Public Authority without having to be told to do so.

- **In CIC's order dated 13.06.2006, in CIC/WB/C/2006/00176, it has been held that –**

  Had it been a case of quotations, bid or tender or any other information prior to the conclusion of a contract, it could be categorized as trade secret, but once concluded the confidentiality of such transactions cannot be claimed. Any public authority claiming exemption must be put to strictest proof that the exemption is justifiably claimed.

21

Right to Legal Aid

1. Do citizens have a Right to Legal Aid in India?

Yes. Under the Constitution, Article 39A mandates that the State is required to provide free legal aid by suitable legislations and schemes. The Legal Services Authorities Act, 1987 has also been formulated by the Parliament to provide citizens from economic and weaker sections of the society with the right to free legal services.

2. What kind of legal services are people entitled to under the Legal Services Authorities Act, 1987?

Legal Services includes rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matters. This also includes:

- Legal consultation/legal advice on a case or any matter;
- Representation by an advocate in a court of law or a tribunal;
- Payment of process fees, translation expenses, fees for summoning of witnesses and other such charges;
- Preparing pleadings, legal documents, drafting of legal documents; and
- Availing certified copies of judgements, orders, decrees etc.

3. Who is entitled to free legal services under the Legal Services Authorities Act, 1987?

Under Section 12 of the Act, the following persons are entitled to free legal services:

- a member of a Scheduled Caste or Scheduled Tribe;
- a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution;
- a woman, irrespective of her income or financial/economic status;
- a child, until the child attains the age of 18 years;
- a mentally ill or otherwise disabled person;

- a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster;
- an industrial workman;
- a person with disability as defined in clause (i) of section 2 of the persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act,1995; and
- a person whose annual income is less than the amount prescribed by the government.

4. How do you know if you fall within the prescribed income bracket to claim free legal aid?

The income ceiling limit prescribed under the law for availing free legal services is determined by each state. To prove that a person is within the prescribed income bracket, the applicant may furnish the **income certificate** or **make an affidavit** as to the income, which is sufficient proof of eligibility. The income ceiling limit for each state is as follows:

Telangana	Rs.1,00,000
Tamil Nadu	Rs. 3,00,000
Tripura	Rs. 1,50,000
Uttar Pradesh	Rs. 1,00,000
Uttarakhand	Rs. 3,00,000
West Bengal	Rs. 1,00,000
A&N Islands	Rs.3,00,000
Chandigarh UT	Rs. 3,00,000
Dadra & Nagar	Rs. 15,000
Daman & Diu	Rs. 1,00,000
Delhi	General–Rs. 1,00,000 Senior citizen- Rs. 2,00,000 Transgender – Rs. 2,00,000
Lakshadweep	Rs. 9,000
Puducherry	Rs. 1,00,000

5. If an applicant is not a person covered under Section 12 of the Act, whom can he/she approach?

If the applicant is not covered under the categories mentioned in section 12, the Legal Service Authority must advise him/her to seek assistance from any other body or person rendering free legal services either voluntarily or under any other scheme.

The Legal Services Authorities shall maintain a list of such agencies, institutions or persons who have expressed willingness to render free legal services so that applicants may approach such agencies/institutions.

6. How can a person avail free legal services under the Legal Services Authorities Act, 1987?

- To avail any legal service, a person entitled under the Act can approach the nearest District Legal Service Authority, Taluk Level Legal Services Committee, State Legal Service Authority or the National Legal Service Authority and make an application in person.
- The application shall be made by filling in Form - I in English or the local language. The summary of the grievances must be provided in a separate sheet. If the applicant is illiterate or unable to give the application on his or her own, the Legal Services Authority may make arrangement for helping the applicant to fill up the application form and to prepare a note of his or her grievances.
- A person may also make an application online either by dropping an e-mail or by using the online facility.
- The application process is an entirely free process. There is no fee chargeable to or cost to be borne by the applicant when making an application for free legal services.

7. How can you file an application online with the National Legal Service Authority?

- Any person who is entitled to free legal services under the Act can submit an application on the Learning Management System Portal of the National Legal Services Authority. The National Legal Services Authority will direct the applicant to the concerned State Legal Services Authority for further action.
- The form for filing the application can be accessed at https://nalsa.gov.in/lsams/nologin/applicationFiling.action?requestLocale=null. Before filling in the above form, applicants must ensure they have a soft copy of a photograph to be uploaded along with other personal details of the applicant and a registered phone number to which all communication regarding the application can be made.

8. What is the procedure to be followed after the application is submitted?

Once an application is submitted to the appropriate authority, the same will be scrutinised by the Member Secretary, Secretary or any other deputed person for further action. The applicant is entitled to receive a decision about the application within a period of 7 days from the date of receipt of the application.

If the application is made in person, the decision of the application will be sent to the correspondence address provided at the time of making the application. If the application has been received from Government Departments / Centralized Public Grievance Redress and Monitoring System (CPGRAM), an email is sent to the applicant. The applicant can also get a scanned copy of the application on the CPGRAM website. Remarks regarding the application are also made on CPGRAM website and the website of the Legal Services Authority. For online applications, applicants can track the same on the LMS portal.

If the application is selected for availing legal aid, the applicant will receive an intimation about the lawyer assigned for the case.

9. How can you track your application once you submit it online via the LMS Portal?

Every applicant who makes an application online via the LMS portal can track their application by entering the registration details on the tracking portal. The status of the application can be tracked at https://nalsa.gov.in/lsams/nologin/applicationTrackingForm.action?requestLocale=null

If there has been no progress with regard to the application submitted, the applicant can send reminders or seek clarifications by providing specific remarks on the portal by clicking the following link: https://nalsa.gov.in/lsams/nologin/reminderClarificationFilling.action?requestLocale=null

10. What recourse does an applicant have if the application for free legal aid has been denied?

In case the concerned authority denies the application, the applicant can file an appeal before the Executive Chairman or the Chairman of that concerned Legal Services Authority.

11. Does the applicant have the right to select a lawyer or have the lawyer replaced?

Yes. The applicant can avail the services of a lawyer of their choice from the panel of lawyers enlisted. The decision-making authority can consider and allow the same if the applicant has expressed his/her choice of a lawyer on the panel.

If the applicant is not satisfied with the assigned lawyer, a formal complaint can be filed in any of the following manners:

- Writing a simple paper application and submitting the same to a Legal Services Authority;
- Writing an email to the appropriate authority or NALSA at nalsa-dla@nic.in
- Accessing the "Grievance Redressal" option on NALSA website or the respective website of the state, district, taluk authority that assigned the lawyer.

22

Rights of Persons with Disabilities

1. Who is defined as a Person with Disability?

A person with a long-term physical, mental, intellectual or sensory impairment, which hinders their full and effective participation in a society, equally with others is defined as a person with disability.

2. What is the objective of the Rights of Persons with Disabilities Act, 2016?

The Act aims to uphold the dignity of every Person with Disability (PwD) in the society and prevent any form of discrimination against them.

3. What kinds of disabilities are recognised under the Act?

- Physical Disabilities of the following nature**:**

Locomotors Disability	Visual Impairment	Hearing Impairment	Speech and Language Disability
Leprosy Cured Person Cerebral Palsy Dwarfism Muscular Dystrophy Acid Attack Victims	Blindness Low Vision	Deaf Hard of Hearing	Multiple Disabilities, i.e. a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.

- **Intellectual Disability** - Specific Learning Disabilities and Autism Spectrum Disorder come within the ambit of intellectual disability.
- **Mental Behaviour (Mental illnesses)**
- **Disability caused due to Chronic Neurological Conditions** such as Multiple Sclerosis or Parkinson's Disease and **due to blood disorder** such as hemophilia, thalassemia and sickle cell disease
- Any other category of disabilities notified by the Central Government.

4. What are the rights & entitlements of Persons with Disabilities under the Act?

i. Right to Equality, Protection & Dignity;

ii. Right to live in a community;

iii. Reproductive Rights;

iv. Voting Rights;

v. Legal Capacity;

vi. Education;

vii. Employment;

viii. Vocational Training & Self-Employment;

ix. Limited Guardianship;

x. Access to Justice;

xi. Social Security, Health, Rehabilitation & Recreation; and

xii. Right to barrier-free access to information & infrastructure.

5. What actions could amount to a violation of the Act?

Some examples of violation under the Act are as follows:

- Discrimination against Persons with Disabilities, on grounds of their disability in matters related to employment. Such discrimination could include denial of promotion due to disability, removal from service/demotion upon acquiring disability;
- An establishment's refusal to create a barrier free, accessible environment for Persons with Disability;
- Making a Person of Disability a subject of research without their free & informed consent and without prior permission of Committee of Research on Disability constituted by the State Government;
- Refusal of authorities under the Act to carry out the functions assigned to them under the Act;
- Fraudulently availing any benefits meant for Persons with Disabilities under the Act; and
- Perpetrating atrocities against Persons with Disabilities, including public humiliation, intimidation, assault, sexual exploitation, inflicting injuries, coercion to undergo medical procedures such as abortion, etc.

6. Who is the appropriate authority under the Act?

The appropriate authorities under the Act are:

- **Grievance Redressal Officers & District Level Committee** – Responsible for redressal of grievances in every Government Establishment.
- **Appropriate Governments -** which is the Central Government for the functions at the Central Level and State Governments at the State level. They are in charge of implementation of the Act, and taking measures for securing the various rights of Persons of Disabilities, as given under the Act.
- **Chief and State Commissioners** - Responsible for identifying the gaps in the Act and schemes made under it, and making recommendations to rectify them. They are also responsible for redressal of grievances.
- **Central and State Advisory Boards**: Responsible for advising the Government regarding the policies made under the Act, as well as reviewing and co-ordinating activities of different Government Departments.

7. What are the punishments prescribed under the Act?

- The violation of any provisions of the Act, or the Rules made under it invites a fine upto Rs. 10,000. A subsequent violation would invite a fine between Rs. 50,000 to Rs. 5 lakhs.
- Any person fraudulently availing the benefits meant for persons with benchmark disabilities would be punished with imprisonment for upto 2 years or a fine upto Rs. 1 lakh.
- A person shall be subject to imprisonment between 6 months to 5 years and a fine, if they are found to be:
  - Insulting or intimidating a person of disability, intentionally in public view;
  - Assaulting a person with disability or outraging the modesty of a woman with disability;
  - Denying food or water to a person with disability, whom they have charge or control over;
  - Sexually exploiting a child or woman with disability; and
  - Performing or directing to be performed, an abortion of a woman with disability, without her express consent (except in cases where abortion is carried out in severe cases of disability);

8. What is the procedure for obtaining certificate of disability under the Act?

- A person with specified disability who seeks to avail benefits available to a Person with Disability has to submit certificate of disability. Such individual may apply for a Disability Certificate through Form IV and submit the application to:
  - A medical authority or other competent authority in the district where the applicant lives (according to the proof of residence in their application); or
  - The concerned medical authority in a government hospital where they are undergoing or have undergone treatment for their disability;
  - Along with the application, the applicant must submit their proof of residence, two recent passport sized photographs and Aadhar number.
- A legal guardian or a concerned registered organization can make the application on behalf of the applicant if the applicant is a minor, or is suffering from intellectual disability or any other disability due to which he is unable to make the application himself.

9. What is a Unique Disability ID (UDID), and how can you obtain one?

A Unique Disability ID (UDID) or a **Swavalamban Card** contains all essential details for the identification & verification of a Person with Disability in a single document, enabling them to avail several benefits. One can apply for a UDID at: https://www.swavlambancard.gov.in/pwd/application. Further, one can also use this portal to apply for the disability certificate, renewal of UDID, to apply for a lost UDID and downloading e-disability certificate & e-UDID card.

How to apply?

If you do not have a disability certificate - Fill the online application at https://www.swavlambancard.gov.in/pwd/application and attach the scanned copies of documents required. Select the option 'No' to 'Have Disability Certificate?' under the 'Disability Details' tab, and submit the application.

If you have a disability certificate - If your **details have been transferred to the UDID portal**, click on the 'Already have Disability Certificate' option (at the top right corner of the application form), mention Beneficiary ID/Aadhar No. (if linked), State & District Details, fill application and submit. If your details have **not been transferred to the UDID portal**, fill a fresh application and click on 'Yes' option to question 'Have Disability Certificate?' under the 'Disability Details' tab, fill other details and submit.

10. Who can be approached for redressal of grievances or violation of the Act?

- Every Government establishment is mandated to appoint a Grievance Redressal Officer (GRO) for dealing with complaints from a Person with Disabilities. The Grievance Redressal Officer needs to investigate the complaints within two weeks, and maintain a register for all such complaints.
- A complainant may approach the District Level Committee on Disability, if their complaint is not resolved satisfactorily by the Grievance Redressal Officer.
- Further, in matters of abuse, violence and exploitation, complaint can be made to Executive Magistrate of the District or a Police Officer. Such complaint may be made by the victim, any other person or any registered organization.
- An aggrieved person may also make a complaint (along with Certificate of Disability) to the Chief Commissioner/ State Commissioner and send it either through registered post or email. The complaint should contain:
  - the name, description and the address of the complainant;
  - the name, description and the address of the opposite party;
  - the facts relating to complaint and when and where it arose;
  - documents in support of the allegations in the complaint; and
  - the relief claimed by complainant.
- Any grievances against the Department of Empowerment of Persons with Disabilities can be filed on the Centralised Public Grievances Redress & Monitoring System (CPGRAMS) by registering on the portal which can be accessed at https://pgportal.gov.in/Signin

Contact Details of State Commissioners of Certain States:

States	Latest contact details available at:
Chief Commissioner (Ministry of Social Justice & Empowerment)	https://disabilityaffairs.gov.in/content/page/chief-commissioner-for-persons-with-disabilities.php
Haryana	https://socialjusticehry.gov.in/commissioner-for-persons-with-disabilities/
Karnataka	https://scd.karnataka.gov.in/page/Contact/Office+of+the+State+Commissioner+forDisabilities+Act/en
Odisha	https://ssepd.gov.in/index.php?route=catalog/whoiswho
West Bengal	http://wbcommissionerdisabilities.gov.in/User/contact

Nagaland	https://scpd.nagaland.gov.in/contact/
Tripura	https://socialwelfare.tripura.gov.in/whoiswho
Maharashtra	https://sjsa.maharashtra.gov.in/en/commissioner-persons-disability
Rajasthan	https://dsap.rajasthan.gov.in/commission.aspx
Gujarat	https://sje.gujarat.gov.in/disability/contact-us?lang=English
Kerala	http://www.scpwd.kerala.gov.in/index.php/contact
Other States	https://www.niepid.nic.in/images/Chief%20&%20state%20commisioners%20office_s_%20for%20disabilities.pdf

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Rights of Workers

1. Who is a Worker?

The Labour Codes of 2020 provides a consistent definition of worker as any person engaged in any manual, unskilled, skilled, technical, operational, clerical, or supervisory work in an establishment or industry. Such a person is paid remuneration, and irrespective of the terms of agreement being expressed or implied, is considered to be a worker. However, the Codes indicate that a person who is mainly employed for the purposes of management or administration shall not be considered as a worker.

2. What are the Labour Codes?

In India, there were many overlapping labour laws which made it difficult for the workers to raise a claim under them. To bring overall simplicity and clarity to the labour law regime, the Central Government amalgamated 29 labour laws into 4 Labour Codes. These Codes are as follows:

a. Wage Code - 4 existing laws have been amalgamated into this code. It deals with all issues related to wages and bonus to workers. It targets at ensuring minimum wage guarantee to workers in both organized and unorganized sectors.

b. Social Security Code - 9 laws have been amalgamated to provide a comprehensive framework to secure the rights of insurance, pension, gratuity, maternity benefit, etc. to the workers in both organized and unorganized sector.

c. Occupational Safety, Health and Working Conditions Code - Under this Code, 13 existing Labour Laws were amalgamated to create a safe working environment for workers. This Code pays special emphasis on the working conditions of workers involved in factories, mines, transport sector, bidi and cigar workers, and contract and migrant workers.

d. Industrial Relations Code - With the aim to streamline the compliance process and make it more efficient, the Code has unified 3 laws- the Industrial Disputes Act 1947, the Industrial Employment (Standing Orders) Act 1946, and the Trade Unions Act 1926.

There are tremendous benefits attached to this new regime of Labour Code. For instance, the benefits under these Codes would be given to workers in both organized and unorganized sector. The amalgamation is expected to improve India's ranking in the Ease of Doing Business. Moreover, consolidation of laws has led to a uniform set of definitions, and has done away with discrepancies amongst different laws.

3. What are the rights guaranteed to the workers under the Wage Code?

- Right to Minimum Wage - Under this code, the government fixes the minimum wage which is to be given to the workers. The Minimum Wages, as set by the Ministry of Labour & Employment, for different workers involved in agriculture, construction, mining, etc. can be found here- https://clc.gov.in/clc/node/690. Further, the Code provides a periodic review of the minimum wages in every 5 years.
- The Central Government would decide on the floor wage, which would be based on the living standards of the workers. The minimum wage would be more than the floor wage.
- The workers have been guaranteed timely payment of wages.
- The Code ensures equal payment to males and females.
- Central and State Governments would appoint Advisory Boards under the Code. The predominant task of the Advisory Boards would be to fix the minimum wages, and strategize opportunities to increase women employment. These Boards would have members representing the employers and employees. Further, one-third of the Board would be reserved for women.

4. What are the rights guaranteed to the Workers under the Social Security Code?

- Under the Social Security Code, the following statutes have been consolidated -
  - The Employees' Compensation Act, 1923;
  - The Employees' State Insurance Act, 1948;
  - The Employees' Provident Funds and Miscellaneous Provisions Act, 1952;
  - The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959; the Maternity Benefit Act, 1961;
  - The Payment of Gratuity Act, 1972;
  - The Cine Workers Welfare Fund Act, 1981;
  - The Building and Other Construction Workers Welfare Cess Act, 1996; and
  - The Unorganized Workers' Social Security Act, 2008.

- **Employees' Provident Fund** - Under the Code, the employer has to contribute 10% of the wages payable to the employee to the Fund, and the same amount has to be matched by the employee. Further, the Code also provides for voluntary registration under the Employee State Insurance Scheme.
- **Gratuity** - The Code provides for the payment of gratuity to the employee upon retirement or resignation, death or accident of the employee, or termination of the contract. It is necessary for the employee to have rendered continuous service for a period of five years to be eligible to claim gratuity. However, such a condition is not necessary upon the death or accident of the employee.
- **Maternity Benefit** - The Code aims to consolidate the maternity benefits available to the women workers.
  - Women workers are exempted from work for 6 weeks following the delivery of the child. It even extends to the situations of miscarriage and medical termination of pregnancy.
  - Further, the pregnant worker can make a request to the employer to not assign her work, which would involve long hours of standing, or work which would have any impact on her pregnancy, six weeks before her expected delivery.
  - Women workers are entitled to payment of their average daily wage during their absence immediately preceding and for the duration post after the delivery of the child.
  - The Code also empowers women workers to receive Rs. 35,000/- from their employer in case the employer did not provide any pre-natal confinement and post-natal care free of cost.
- **Employees' Compensation** - If any injury is caused to the worker due to any accident or occupational disease arising out of the course of employment, the employer would have to compensate the worker. The Code provides for the compensation that has to be paid by the employer in the event death or permanent total disablement has been caused to the worker owing to the injury at the workplace.
- **Social Security extended to the Building and Other Construction Workers** - The Code prescribes for a mandatory cess, between 1% to 2% of the cost of construction, to be paid by the employers for the purposes of social security and welfare of the building workers.
- **Social Security for unorganized and gig workers** - The Act recognizes that the Central Government would draft schemes from time to time, to provide for life and

disability cover, health and maternity benefits, education, old age protection, and other such securities to the unorganized workers, gig workers, and platform workers.

5. What are the rights available under the Occupational Safety, Health and Working Conditions Code?

- The Code confers responsibility on the employer to make sure that the workplace is free from hazards which could lead to injuries or occupational diseases to the employees. Further, the employer is responsible for the hygiene and cleanliness of the working environment, and making available potable drinking water, adequate lighting, and latrines-urinals for the workers.
- National Occupational Safety and Health Advisory Board has been set up under the Code to lay down the standards, rules and regulations for the purposes of ensuring the safety of the workers.
- The workers are entitled to mandatory free annual health check-up at the cost borne by the employers.
- The number of working hours have been limited to 8 hours a day for the workers in order to prevent their exploitation. Further, the workers cannot be made to work more than 6 days a week in an establishment. The Code also provides for annual paid leaves for workers.
- In the event of overtime work, the Code makes the workers eligible for the payment of wages at twice the rate of wages.
- Women workers have the right to work at night upon their consent. Further, the employers would be responsible to make sure that there exist adequate arrangements to ensure safety of the women workers at night.
- In lieu of the Code, the Central Government has also conferred workers with the right to register themselves as Inter-State Migrant Workers on the national portal. Earlier, the workers who were appointed by the contractor could be recognized as Inter-State Migrant Workers. Thus, by enabling independent registrations by the workers, legal identification has been extended to the workers, thereby making them eligible for benefits under all social security schemes.
- Inter-state Migrant workers have been entitled to journey allowance to travel to and fro their native places under the Code. The employer is bound to pay a lump sum amount for the same to the workers.

- The Code further provides for conditions that the employers have to follow in employments related to mines, factories, bidi workers, plantation, and building or other construction workers.

6. What are the rights available under the Industrial Relations Code?

- The Code indicates that prior permission from the government is required in instances of closure, lay-offs, and retrenchment. Such permission should be sought by establishments with more than 300 workers.
- Under the Code, in the event of multiple trade unions, the trade union with 51% of the workforce would be declared as the sole negotiating union. If all the trade unions fail to meet this requirement, then the employer is required to form a Negotiation Council with representatives from all the trade unions having at least 20% of the workforce.
- The Code mandates establishment of Grievance Redressal Committees by the employers in all establishments which have employed 20 or more workers.

7. Are there any NGOs working for the rights of the labour force in India?

- **Nirmana -** This NGO specifically works for recognizing social security and dignified livelihoods of the workers employed in the unorganized sector.

  Address: C-484, Millennium Apts, Sector-18, Rohini, New Delhi 110085
  Contact Number: 011-49409546
  Email address: info@nirmana.org
  Website: https://nirmana.org/

- **Society for Labour and Development -** It is an organization working for the recognition of labour rights in the country.

  Address: A 24, Gulmohar Park, New Delhi, India- 110049
  Contact Number: (+91) 11-46179959
  Email address: info@sld-india.org
  Website: https://www.sld-india.org/

- **Cividep -** This organization specifically works towards recognizing the rights of the workers in export sectors such as garments, and plantations.

  Address: 12, 1st Cross Rd, Venkataramiah Layout, Banaswadi, Bengaluru, Karnataka 560043

Email address: info@cividep.org

Website: https://cividep.org/

- **Jan Sahas Social Development Society** - This organization works towards eliminating forced labour, and making the social securities accessible to the migrant workers.

  Address: 40/2, Civil line, Dewas, Madhya Pradesh, India, 455001

  Contact Number: +917272254490

  Email id: info@jansahasindia.org

  Website: https://jansahas.org/

8. Are there any Central Government schemes for the labor force in India?

Some of the important schemes implemented by the Central Government include:

- **National Child Labour Project Scheme:** To suitably rehabilitate the child withdrawn from employment, thereby reducing the incidence of child labour in the areas of known concentration of child labour.
- **Aam Aadmi Beema Yojana:** Scheme for the workers from unorganised sector to meet the frequent incidences of illness, poverty, risks of hazardous work culture etc.
- **Grant in Aid for Child and Women Labour:** Under this Scheme, Voluntary Organizations/NGOs were being provided funds by way of grants-in-aid to take up action-oriented projects for the benefit of women and child labour. The focus of the Scheme is awareness generation among women labour, in the area of wages, like minimum wages, equal remuneration, etc. to disseminate information on various schemes of Central/State Government Agencies available for the benefit of women labour.
- **Pradhan Mantri Shram Yogi Maandhan Yojana:** Government scheme meant for old age protection and social security of unorganised workers.

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Senior Citizens Rights

1. Who is Elderly/Senior Citizen?

Under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the term "senior citizen" has been defined as a person who is the citizen of India and has attained sixty (60) years of age and above.

2. How does the Indian Constitution safeguard the interest of Senior Citizens?

Article 41 and Article 46 of the Indian Constitution, falling under the purview of Directive Principles of the State Policy (DPSP), speaks about rights offered to the senior citizens. Article 41 of the Indian Constitution secures the right of senior citizens to employment, education and public assistance. It also ensures that the State upholds these rights in cases of disability, old age or sickness. On the other hand, Article 46 puts an accent on educational and economic rights of the elders that must be protected by the State.

It is pertinent to note here that DPSP embodied in part IV, is a non-justiciable part of the Constitution as it fails to create a justiciable right approving of a particular individual. It means that a person cannot enforce them in the Court of Law. However, it imposes a positive obligation on the State and are regarded as rudimentary principles in maintaining good governance. The State must make sure that DPSP is not violated and is unreservedly applied while drafting laws.

3. What is the legislative support provided to Senior Citizens in terms of maintenance?

The special objective behind providing senior citizens with such legal rights is to attain a social purpose and to put an end to homelessness that inflicts mental anguish, by ensuring them speedy and inexpensive redressal mechanisms.

- **Hindu Personal Law -** Under the Hindu Adoption and Maintenance Act, 1956, the senior citizens are vested with a legal right to ask for maintenance from their children. Section 20(3) of the Act emphasizes upon "moral and legal obligation" of children to take care of their parents. In pursuance of the same, section 23(2) of the given Act mandates the courts to consider specific particulars while ascertaining the amount of maintenance to be granted. However, the courts have their own discretion

in modifying the amount of maintenance if it is convinced that the decided amount would not suffice the needs of senior citizens.

It is to be noted that the provisions are applicable only to the senior citizens falling under the purview of Hindu law. The adoptive parents can claim for maintenance from their adopted children given that they do not have their own children. The latter would be held responsible because once the adoption order gets issued by the court, the adopted child holds status of a lawful child and is manifested with the similar rights, duties and responsibilities of a biological child.

- **Code of Criminal procedure** - In the year 1973, under Section 125 of the Criminal Procedure Code, doors were opened for senior citizens to reach out to courts for seeking maintenance for their sustainable well-being. It is a legal mandate for children having sufficient means to provide their parents with appropriate financial assistance and that there is no means to escape from the consigned commitment.

  If the maintenance is refused by children, the Magistrate of First class, may, upon the presented evidence of such refusal, issue an order against that person, making it compulsory for him to arrange for a monthly allowance for his parents, at a rate the Magistrate may consider appropriate.

  The Section, which is secular in nature, provides benefit to "senior citizens from every religion" in quest of maintenance. It even holds married daughters responsible for taking care of her parents.

  This Act makes it mandatory for the adult son/daughter to take care of his/her biological/adoptive/step parents, parents-in-law or grand-parents who face difficulty in maintaining himself/herself. Other than this, this Section of the Act also makes it mandatory for legal heirs of the childless senior citizens to extend their financial support, provided that he/she is already in possession of property of that senior citizen or he/she is likely to attain it in the future.

4. How to claim maintenance under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007?

- In case of inability on part of senior citizens to seek maintenance, a **formal application** can be drafted either by a relative, or any other person or an organization approved by them.
- Maintenance Tribunal should give its acceptance within a **time frame of one-hundred and twenty (120) days** from the date of service of notice to children/legal heir.

- In case of non-compliance with the order passed by the Magistrate, **children/legal heir can even be charged with imprisonment upto one month.**
- If the tribunal has fixed a rate for monthly allowance, their children/legal heir would be required to fulfil the obligation.
- **Maximum limit for maintenance: Rs. 10,000/-**
- Maintenance here would include availability of food, housing, medical facilities including regular check-ups, security and safety of senior citizens to have a dignified standard of living**.**

5. Is there any nation-wide helpline dedicated to Senior Citizens wherein they can seek support in times of disturbance?

The Union Ministry of Social Justice and Empowerment, India, launched a toll-free PAN India helpline number **14567** for senior citizens called the "Elder Line" in the year 2017 to ring in a hope for senior citizens. National Stock Exchange Foundation and Tata Trusts had jointly given their significant contribution to the government in the process of starting it. The Ministry has set up a National Implementing Agency which is presently hosting the elder line in collaboration with National Institute of Social Defence, state departments and agencies, NGOs, voluntary and senior citizen groups etc.

- **Name and no. of States that have already opened Elder Line**: Six states including Telangana, Tamil Nadu, Madhya Pradesh, Rajasthan, Karnataka and Uttar Pradesh have already started providing socio-legal services to the senior citizens through Elder Line. The ones left are in the process of implementing it;
- **Time slot**: You can call the helpline number **anytime between 8 am and 8 pm; and**
- **Aim of Elder Line**: The primary aim is to take the escalating need to assist the elder population of our country into consideration.
- **Objectives of Elder Line:**
  - To come up with a single platform across the nation for all the senior citizens and fellow citizens;
  - To provide them with necessary information on medical facilities, old age homes and activity centres, legal right to maintenance and pension schemes, available remedies against physical, mental and financial abuse, ways to enhance their well-being etc. They would even intervene, directly or indirectly to address the disputes; and

- To elucidate upon the implications of persisting bias against senior people and give them emotional/psychological support and guidance on the issues that they come across on an everyday basis.

- **Who can contact Elder Line**: All the senior citizens and their well-wishers can contact Elder Line to seek assistance on the aforementioned matters.

6. What is an elder abuse and what steps should be taken by a senior citizen while filing a complaint against elder abuse/assault/violence?

In so far as the elements of elder abuse are concerned:

1. Illegal or improper use of an elder's property, funds or assets;
2. A non-consensual sexual contact with or towards a senior person;
3. The use of physical force that may result in physical pain or impairment;
4. Refusal to fulfil a person's obligations or duties to a senior person; and
5. Mental disturbance, emotional pain, psychological trauma would fall under the purview of elder abuse.

Steps to be followed while filing a complaint against elder abuse/assault/violence:

Step 1: The primary step would be to file a **written complaint** at the nearest police station (falling within its jurisdiction). If a person filing a complaint is facing difficulty in writing, he/she can even orally communicate about the issue to the police officials who will further make a note of factoids and get the complainant's thumbprint on the document. Oral complaints alone would not suffice as it will lead to unwarranted discrepancies in future.

Step 2: In case if there is a physical offence with grievous injury, you can directly file an First Investigation Report (FIR) at the nearest police station. Once it is filed, further investigation will be undertaken by the officers to be cognizant of the authenticity and intensity of the complaint filed.

Step 3: After a thorough investigation if the police officials feel that the filed complaint justifies all the essentials of a valid complaint, it becomes mandatory for the cops to take a senior citizen to a government health care centre for an appropriate check-up. After a thorough evaluation, the wounded citizen will be granted a "certificate" stating the injuries incurred, making it a ready reference and evidence for the officials to file a charge sheet against the offender. **Make sure that a senior citizen is taken to the hospital and granted a "wound certificate".**

Online mode: If nothing works, a senior citizen can always seek assistance from the service providers of "Elders Helpline" in their respective cities without any hesitation. The facilitators will make sure that the petition to report the violence/assault/ abuse gets filed. A special counseling session is also provided to the senior citizens where they disseminate knowledge about redressal mechanisms. After understanding the facts of the case, they can file a written complaint to the offender through the law enforcement officers.

On the online helpline portal, facilitators who are legal experts follow a dispute resolution mechanism wherein they develop a platform for two parties to communicate and amicably resolve the issue, especially in land and property related issues.

7. What are the steps taken by the Government in order to safeguard the interests of Senior Citizens?

The Central Government had adopted the "National Policy for Older Persons" in the year 1999. In so far as the benefits for senior citizens under this policy are concerned:

1. A separate pension fund has been established with an aim to benefit the senior citizens who were a part of unorganized sector;
2. Old age homes and day care centres have been established **in five major** districts of every state. (You can visit the centres, submit the proof of your documents and get yourself enrolled);
3. Concession in various means of transportation has been approved for the senior citizens to travel within and between two areas/cities. **For train (30%) and air lines (50%);**
4. **Geriatric care -** to focus exclusively on their health.

Other policies by the Government:

- Ministry of Social Justice and Empowerment- National Council for older person (Age-well foundation);
- Training programs that sensitise children/ employees at workplace; and
- Under the Income Tax Act, (as per sections 88B, 88D and 88DDB) the tax rate for senior citizens has been marked down.

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Rights of Street Vendors

1. Who is a Street Vendor? Is there any legal definition for this term?

Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, enacted to safeguard the rights of street vendors and modulate street vending, defines the term street vendor as anyone who is a vendor of articles, goods, food and items of daily use or offers service to the general public in public or private areas such as streets, lanes, pavements, footpath, sidewalk etc. The vending of goods and offering of services must be done through temporarily built structures or through modes which can be moved from one place to another. Thus, it includes persons such as hawkers, peddlers and squatters.

2. What subsistence is granted to Street Vendors under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014?

The predominant objective of the Act is to safeguard the rights and liberties of street vendors and extend financial backing to them in order to enable their sustainable living. The preponderant rights accessible to the street vendors under the Act include:

- The street vendor, not having any means of livelihood, shall have a right to undertake the business of street vending himself or through any of his family members, after submitting an undertaking to the town planning committee, who will further issue the 'Certificate of Vending'.
- In case of death or permanent disability, the spouse and in her absence, the dependent child of the street vendor shall have a right to continue with the business till the validity of the Certificate of Vending.
- A stationary vendor, a mobile vendor, or any other vendor specified under the act can be issued the Certificate of Vending.
- In case of relocation, every vendor holding a Certificate of Vending shall be moved into a new site or an area, as prescribed under the Act.
- Preference would be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, Persons with Disabilities, minorities, or such other categories that would fall under the category of marginalized person.
- It shall be the duty of every local authority to promote the vocation of street vendors, once in every five years.

- No street vendor, who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending, shall be prevented from exercising such rights by police officials or any other individual or a regulatory body.
- Demarcation of the hawking zones must be specific. City authorities should provide sufficient spaces, designated as 'vendors markets' in layout plans at locations of such natural markets.
- The vendors shall be permitted in all areas even outside the designated vendor's markets unless designated as a 'no-vending zone' through a participatory process.

3. Is there a Grievance Redress Mechanism for Street Vendors?

- **Appropriate Committees headed by a Chairperson who has been a civil judge**: Street vendors, who have a dispute or grievance, can file a written application to the Chairperson of the committee that is exclusively formulated by the appropriate government to take steps for the redressal of such grievance or resolution of such dispute, within a stipulated period of time.
- **Local Authorities**: After the congruous inquiry and verification, appropriate steps shall be undertaken by the committee in disseminating their judgment. If an individual is aggrieved by the decision of the committee, he can always lodge an appeal to the local authority, who is further, after giving a fair opportunity to the aggrieved individual of being heard, required to dispose of the appeal within a reasonable time period.

4. Is there any organization dedicated to street vendors where they can seek support in times of disturbance?

- **The National Association of Street Vendors of India (NASVI)** a national federation of all the street vendor organizations, is a coalition of Trade Unions, Community Based Organizations (CBOs), Non-Government Organizations (NGOs), and professionals.

  Nationwide helpline number: **9835674364**

  Email address: help@nasvinet.org

  Contact no. of registered office: **0612-2220772, 2220773**

  Contact no. of coordinated office: **+91-011-47553013**

  Website URL: **https://nasvinet.org/**

  Email address of registered office: info@nasvinet.org; singharbind@hotmail.com

  Email address of coordinated office: office@nasvinet.org

5. Under which schemes of the Central Government are the Rights of Street Vendors covered?

- **National Policy for Urban Street Vendors (NPUSV) -** With an overarching objective to upscale a sympathetic and reassuring environment for the sustainable wellbeing of street vendors as well as to set the seal on intensifying the hygiene standards, the Government of India (GOI) had launched National Policy for Urban Street Vendors (NPUSV) in the year 2004. The scheme aims to grant legitimate recognition to street vendors and hawking zones by enacting and implementing the new laws, modifying the existing ones, and repealing the outdated rules and regulations This scheme also provides for regulatory procedures, capacity-building campaigns, compliance and distribution, rehabilitation of child vendors, provision of civic facilities and providing social and financial certainty.
- **Deendayal Antyodaya Yojana - National Urban Livelihood Mission** - The Government of India is also granting support to the urban street vendors through the centrally sponsored Deendayal Antyodaya Yojana - National Urban Livelihood Mission implemented by the Ministry of Housing and Urban Affairs. The motto of this scheme is to address the concerns of individuals falling under the forenamed category by facilitating access to suitable spaces, institutional credit, social security, etc.
- **PM Street Vendor's AtmaNirbhar Nidhi (PM SVANidhi) –** Under this Scheme, working Capital loans up to INR 10,000/- at a subsidized rate of interest of 7% shall be vouchsafed to all the beneficiaries. They have provision for digital transactions (with monthly cash-back). A debit card or QR code will also be provided. The loan amount shall be provided at regular intervals. Funds under this Scheme can be disbursed by Scheduled Commercial Banks, Regional Rural Banks, Small Finance Banks, Cooperative Banks, Non-Banking Financial Companies, Micro-Finance Institutions and SHG Banks The tenure of this scheme has been extended to December 2024. For assistance regarding this scheme, one can reach out to the toll-free helpline number **1800111979**. The toll-free helpline number is active from Monday to Saturday between 09:30 am and 06:00 pm.

  Further information about the scheme can be availed from the Official website of the Ministry accessible at https://pmsvanidhi.mohua.gov.in/

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Succession Certificate

1. What is a Succession Certificate?

As provided in the Indian Succession Act, 1925, a succession certificate is a document to establish the rightful claim of legal heirs when any person dies without a will, viz. intestate. It ensures the transfer of any assets, debts or securities to the legal successor of the deceased person.

2. What are the prerequisites for making an application to obtain a Succession Certificate?

The documents required to obtain a Succession Certificate are:

- Death Certificate signifying time, date and place of death;
- Address of the deceased person at the time of death;
- Complete details of the family and all the legal heirs of the deceased person;
- List of assets, securities and debts of the deceased person; and
- No Objection Certificate from other legal heirs.

3. What is the procedure to be followed to obtain a Succession Certificate?

- The applicant will prepare a petition and submit it in the appropriate court after paying the appropriate court fees;
- The district judge conducts a preliminary hearing followed by a final hearing, if the petition is admitted;
- After hearing all the interested parties, if satisfied, the judge issues a succession certificate to the applicant; and
- The judge may also ask for a bond with one or more sureties so as to make good any possible loss arising out of the use or misuse of such certificate.

4. Who is a 'Nominee'?

A Nominee is merely a trustee to receive the proceeds due to a deceased person on behalf of their legal heirs. In simpler terms, the nominee is a caretaker of the property and not the owner. His/her purpose is to transfer the property or assets to the legal heirs once the court declares them.

5. Can a Succession Certificate be challenged before a Court of Law? If yes, who can challenge the Succession certificate?

A Succession Certificate can be challenged only after filing an application with the courts. All legitimate heirs and family members are sent notices by the courts to file their objects within a certain period.

6. Can a Succession Certificate be revoked?

Yes, Succession Certificate can be revoked in the following cases:

- If the Certificate is obtained in a fraudulent manner by deceiving the court;
- If the procedure followed for the issuance of Certificate is proven defective or incomplete;
- If the claim of succession made by the petitioner is found to be false; and
- The Certificate is no longer useful or operative due to the circumstances.

7. Who is empowered to issue a Succession Certificate?

The Certificate is issued by the concerned District Judge of the living place of the deceased person at the time of his/her death. If no such place is found, jurisdiction is transferred to where assets of the deceased person could be found.

8. What is the difference between a 'Nominee' and a 'Beneficiary'?

Nominee is a person appointed to look after his/her assets, accounts, etc., after his demise. It is the responsibility of the nominee to disburse the proceeds among the legal heirs. A Beneficiary is an individual or an entity who has a financial interest in the person.

The Beneficiary can be either the legal heirs or financial institutions like banks who must have provided a loan to the person.

9. In the absence of a 'Nominee', who acts as the guardian of assets of a deceased person?

In the absence of a Will or Nominee, legal heirs of the deceased would have to submit several documents to banks, insurance companies, etc., to get assets transferred in their name. Legal heirs are required to obtain a succession certificate to collect the assets and disburse it to all legal heirs as per the various laws of succession.

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SURROGACY

1. What is Surrogacy?

Surrogacy is an assisted reproduction method wherein a female (gestational surrogate) carries the child (foetus) of another couple/woman (intending couple/woman) till the birth of the child. In this reproductive technique, the gametes from the mother's egg and father's sperm are artificially fertilized through IVF. The resultant embryo is then placed inside the womb of the surrogate female. This entire process is known as gestational surrogacy. The Surrogacy (Regulation) Act, 2021 (hereinafter the Act) aims to regulate the practice of surrogacy in the country. A surrogate mother does not have any parental right over the surrogate child born. Further, the intending couple/ woman is considered to be the parent(s) of the child born. The surrogate child is treated as the biological child of the intending couple/woman.

2. What kinds of Surrogacy are permitted?

The Act only permits altruistic surrogacy, and bans all forms of commercial surrogacy. Altruistic surrogacy, as the name suggests, does not involve any kind of remuneration or monetary consideration. The surrogate mother does not receive any fees or other monetary incentive, apart from the medical expenses and the insurance coverage. On the other hand, in a commercial surrogacy, the intending couple usually pays some kind of remuneration to the surrogate mother in exchange for her services. Commercial surrogacy may also involve selling or trading of human embryo/ gametes.

To illustrate this further, let us consider an example where, a couple, A (husband) and B (wife) have aimed to opt for surrogacy. The gametes from A and B would be artificially fertilized outside their bodies, and the resultant embryo would be inserted into the surrogate mother, C's womb. Here, A and B would be the intending couple, C would be the surrogate mother, and the child born, D, would be the surrogate child.

- If C does not receive any kind of remuneration from A and/or B, then it would be an altruistic surrogacy, legal in India. However, if C receives any remuneration from A and/or B, then it would amount to commercial surrogacy, which has been banned by the Act.

- C would have no right over the child D. Further C cannot keep the baby after the birth.
- D would be considered as the biological child of A and B.

3. Why commercial surrogacy has been banned?

Commercial surrogacy is strictly prohibited by the Act. No person or organization can undertake or cause to promote any kind of commercial surrogacy. The intention of the legislators behind banning commercial surrogacy was to protect the surrogate mothers from exploitation, and protect the rights of the surrogate child. Further surrogate children born with defects were often abandoned. It was observed that under commercial surrogacy, the surrogate mothers were exploited. The Act also penalizes any person causing exploitation of the surrogate mother or encouraging abandoning of the surrogate child. Instead of making a complete ban on surrogacy as it would interfere with the rights of the infertile couples and widows, the Act has sought to provide for a mechanism to legalize and regulate altruistic surrogacy to uphold the rights of all the parties involved in surrogacy – the couples desiring to have children, the surrogate mothers and surrogate children.

4. Who is eligible to opt for surrogacy?

The Act lays down an exhaustive list of conditions that need to be satisfied for a couple to become eligible for opting in for surrogacy. The conditions are as follows:

- The primary requirement is that intending couple must have a medical condition which would necessitate gestational surrogacy to bear a child. Further, the intending couple or woman requires a certificate of recommendation from the District Medical Board to undergo surrogacy.
- The intending couple must be married.
- The intending female should be within the age of 23 to 50 years, whereas the male should be between 26 to 55 years.
- The intending couple should not have any surviving child, either biological, or through adoption, or through earlier surrogacy. However, if the child of the intending couple is physically/mentally challenged or suffers from a life-threatening disorder which has no cure, then such a couple can opt for surrogacy.
- Intending woman - the Act also permits a single woman to opt for surrogacy, however, certain conditions need to be met, such as-
  - She should either be a widow or a divorcee.
  - She should be between the ages of 35 to 45 years.

For instance, Couple X and Couple Y, both have a child through an earlier surrogacy. However, Couple Y's child suffers from a life-threatening disorder which has no cure, whereas Couple X's child suffers from no such illness. In such a situation, Couple X would not be eligible for another surrogacy but Couple Y would be, subject to meeting other eligibility criteria.

5. Who can be a surrogate?

The Act lays down eligibility conditions for a woman to qualify as a surrogate mother. These eligibility criteria have been laid down keeping in mind the health and other interests of the surrogate mother. The conditions are as follows:

- The willing woman should be married;
- The willing woman should have a child of her own;
- The willing woman should be between the age of 25 to 35 years;
- The woman cannot provide her own gamete to become a surrogate mother;
- A woman cannot be a surrogate mother more than once; and
- Such a willing woman should be certified for medical and psychological fitness for surrogacy by a registered medical practitioner.

6. Where can surrogacy be conducted in India?

The entire process of surrogacy has to be undertaken at a registered surrogacy clinic only. Every clinic which is conducting surrogacy procedures shall within a period of sixty days, from the date of appointment of the appropriate authority, apply for registration of their clinics. Registration shall be renewed after every 3 years. Manner of application for obtaining a certificate of recommendation by the Board has been specified in Form 1 of the Rules framed under the Act.

7. What are the rights of a surrogate mother?

Prior to the enactment of the Act, the surrogate mothers were often exploited in commercial surrogacy. They were often paid a measly amount, and the agents or middlemen would take up the majority of the amount received from the intending couple. Further, the surrogate mother suffered the risk of maternal mortality, and other health risks without any post-natal care. Women were often forced to take up surrogacy owing to the economic pressures. In this context, the Act while penalizing commercial surrogacy, also intends to guarantee a set of rights to the surrogate mother to protect her interests and health. These rights are as follows:

- **Right to be informed** - the surrogate mother has to be explained all the side effects and procedures of surrogacy in a language she understands. Thereafter, written informed consent of the surrogate mother is required to start the process of surrogacy.
- The surrogate mother also has the **right to withdraw such consent** before the embryo has been implanted in her womb.
- **Abortion** - the Act provides that written consent of the surrogate mother is required for abortion. Further, no person or clinic or organization can force the surrogate mother to undergo abortion.
- **Insurance Coverage for 36 months** - the Act provides for a mandatory 36 months insurance coverage for the surrogate mother covering postpartum delivery complications.

8. What are the rights of the surrogate child?

Prior to this Act, there was no regulation coherently defining the rights and protection of the surrogate child. There were several reported instances wherein the surrogate child was abandoned by the intending couple due to certain medical deformities in the child born.

There have been multiple cases such as ***Baby Manji Yamada v. Union of India*** **and** ***Jan Balaz v. Anand Municipality,*** **wherein the Supreme Court upheld** in favour of protecting the rights of the abandoned surrogate children. It has also been observed that the surrogate parents would often indulge in the sex selection of the child.

There were also instances of human trafficking of children born via surrogacy. To regulate such instances, and conclusively protect the rights of the surrogate child, the Act recognizes certain rights of the surrogate children. They are as follows:

- Sex selection of the child, in any form, is prohibited by the Act;
- The surrogate child would be considered as the biological child of the intending couple/woman. Thus, such a child would have all the rights and privileges which a natural child would have;
- The Act strictly prohibits intending couples and women to abandon the surrogate child. Thus, any kind of genetic/birth defect or any other medical condition can be no ground for the intending couple/woman to abandon the child; and
- The Act prohibits sale and trade of human gametes, embryos, and children born via surrogacy.

9. Is there any NGO that works for safeguarding the rights of surrogate mothers and children?

- **UPKAAR -** upliftment of the conditions.

  Address: H-6, Green Park (Main) New Delhi -110016 India

  Phone: +91 - 11 - 40666680, +91 - 95555 44421 / 22

  Skype address: internationalfertilitycentre

  Email: mail@internationalfertilitycentre.com

- **NIDS-SATYA -** It is concerned with protecting the rights of surrogate children.

  Address: 105, Vardhmaan Building, Ajmer Rd, Tagore Nagar, Jaipur, Rajasthan 302021, India

  Phone: +91-9351325672, 9024025966

  Email address: satya_anngo@yahoo.com

  Fax: +91-141-2719066

  Website: http://www.satyaanngo.org/who-we-are/

10. Is there any financial assistance provided by Government for surrogacy?

The Ministry of Health and Family Welfare has issued a **Three-year Health Insurance Scheme** under the Surrogacy (Regulation) Rules, 2022. Intending couples have to purchase a general health insurance cover for the surrogate mother from an insurance company or agent.

This should cover the cost of all complications including pregnancy and post-delivery complications. The number of attempts of any surrogacy procedure on the surrogate mother shall not exceed three times. During the process of surrogacy, the surrogate mother can be allowed to have an abortion as per the Medical Termination of Pregnancy Act.

28

Traffic Rules and Regulations

1. What do traffic rules and regulations mean?

Traffic rules and regulations mean all the officially applicable laws that are in operation with regards to vehicles in general in order to ensure that there is no chaos on the road and drivers/riders and passengers have a safe commute.

2. What all documents should the driver/rider carry as per law?

The driver is expected to carry his/her original driving license, registration certificate (RC), fitness certificate, pollution under control certificate (PUC) of the vehicle and a valid insurance certificate. All these documents should either be in original form or a smart card form. Transport vehicles such as bus, taxi and auto-rickshaws are however required to carry their permit along with the fitness certificate.

3. Is it mandatory to carry original driving licenses and other documents in the physical form?

According to the law in India, it is required for a driver to produce original vehicle documents when asked by the cops. However, with the advent of technology, vehicle owners need not carry the physical version of them anymore.

The **DigiLocker** and **m-Parivahan** are the applications as an alternative to carrying vehicular documents in physical form. **DigiLocker** is an Indian digitization online service provided by Ministry of Electronics and Information Technology, Government of India.

m-Parivahan has been provided by the Ministry of Road Transport & Highways, Government of India. Verified applications like **DigiLocker** and **m-Parivahan** can be used to get the duly certified documents for the purpose of producing the same before the cops. These applications can be downloaded from Google's Play store or Apple's App store.

4. Does showing a photo of your driving license or a photo-copy of the original document before a police officer satisfy the legal obligations?

No, showing a photograph or a photo-copy to a police officer on duty is not going to make any difference. The only alternative are using applications such as DigiLocker and m-Parivahan to show the police officers, verified copies of the required documents.

5. Is it necessary to keep old vehicle documents, like old car insurance and pollution certificates?

No, it is not required to retain old vehicular documents. Once the renewed documents have been received, the old documents need not be stored any longer.

6. What is the rule with respect to seat belts?

The driver and the individual in the front passenger seat are required to wear seat belts while the vehicle is being driven.

7. What are the circumstances under which the traffic authorities are allowed to tow a vehicle?

A vehicle that is abandoned or has been left unattended or has been parked in a parking restricted zone (no parking zone) or has been parked in a manner that is causing inconvenience to other moving vehicles, then the particular vehicle can be towed away. Towing can never be done when an individual is inside the car.

8. What is the punishment for driving under the consumption of any drugs and alcohol?

The punishment for drunken driving or under the consumption of any drugs is 6 months imprisonment and/or INR 10,000/- fine for the first offence. However, if the offence is committed for the second time, the imprisonment increases to 2 years and/or a fine of INR 15,000/-. In addition, the police officer has the right to arrest an individual without a warrant if the individual has been under the influence of a banned drug or alcohol.

9. What is the penalty with regards to rash driving?

The penalty for rash and negligent driving is imprisonment of six (6) months to one (1) year and/or a fine of INR 1,000/- to INR 5,000/- for the first offence.

For the offence being committed for a second time, imprisonment up to 2 years and/or a fine up to INR 10,000 can be levied by the police authorities.

10. Which traffic police officers are authorized to collect fine in case of a traffic violation?

Only the officers listed below are authorized to receive fines against the violation of a traffic rule and issue a receipt:

- Asst. Sub-Inspector (one star);
- Police Sub-Inspector (two star); and

- Police Inspector (three star).

11. Does the police officer have the right to confiscate vehicle keys while trying to stop the vehicle?

The police officer irrespective of his/her rank or authority has no right to confiscate vehicle keys. It is an illegal act for a traffic cop to forcefully take away the vehicle keys.

12. What are your rights as an individual when you are stopped by a traffic police?

A few basic rights as an individual when you are stopped by the traffic police are as follows:

- You can request the traffic police to present their identity. If the traffic police refuses, to present their identity, you can refuse producing your driving licence and other documents as well.
- In case you feel that you were harassed and not treated properly by the traffic police, as an individual you have a right to file an online compliant about the incident or report the matter to the nearest police station, elaborating about the incident.
- A police officer does not have a right to force you to get out of your vehicle (until and unless there is a suspicious activity) or forcefully switch off the ignition of your vehicle.

13. Can the traffic police arrest women for drunken driving at night? What about arresting women at night in the presence of a female officer?

The traffic police/police authorities cannot arrest women at night (i.e. after 6:00 pm and before 6:00 am). This is not only restricted to drunken driving; in general, under any reason a women cannot be arrested in between 6:00 pm and before 6:00 am. In very severe cases, the police authorities can detain her (i.e. restrict the movement) but they cannot arrest her (meaning put her behind lock-up) without a warrant and in the absence of a female officer. However, please note this is the rule, but if required there can definitely be an exception.

29

Roles and Responsibilities of Urban Local Bodies in Waste Management

1. What are the different types of wastes?

The different types of wastes are – Wet waste, Dry Waste, Domestic Hazardous waste, E-waste and Biomedical waste.

- Wet waste consists of organic and kitchen waste which includes vegetable and fruit peels, tea leaves, eggshells, tissues and paper towels, vegetable market , yard waste, etc.
- Dry waste refers to waste other than biodegradable waste which is either recyclable or non-recyclable. It includes papers, glass, rubber, thermocol, fabric, leather, rexine, wood, etc. It can be kept for an extended period without decomposing and used for recycling.
- Domestic Hazardous Waste includes discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level.
- E-waste or electronic waste consists of batteries, computer parts, wires, electrical equipment of any kind, electrical and electronic toys, remotes, watches, cellphones, as well as bulbs, tubelights and CFLs.
- Biomedical waste includes used menstrual clothes, sanitary napkins, disposable diapers, bandages and any material that is contaminated with blood or other body fluids.

2. How should households treat the waste in the house?

The households should perform the process of segregation. The process of segregation involves sorting and separation of solid waste into wet waste, dry waste, domestic hazardous waste and E-waste. The households, after performing segregation, need to store them into different waste bins. Green coloured bins are to be kept for wet waste and bio-degradable waste whereas blue dustbins are for dry waste, disposable plastics and non-biodegradable waste. Red coloured bins are necessary for sanitary waste and black coloured bins are necessary for E-waste.

3. What are the directions issued by Local Authorities to households for disposal of waste?

- It is prohibited to throw, burn or bury the solid wastes on streets, open public spaces, outside the premises, or in the drain or water bodies.
- The sanitary wastes like diapers, sanitary pads etc. are to be disposed by placing them into the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities.
- The households are required to store the horticulture waste and garden waste generated from their premises separately in their own premises and dispose of as per the directions of the local body from time to time.

4. What is to be kept in mind before organising an event of more than one hundred people?

To organise an event or gathering of more than one hundred people, the local body is to be informed at least before three working days. The organizer of such an event shall ensure segregation of waste at source and hand over the segregated waste to waste collector or agency as specified by the local body.

5. What should the street vendors do to manage the waste generated at their stalls?

The street vendors are required to keep suitable containers for storage of waste generated during the course of their activity such as food waste, disposable plates, cups, cans, wrappers, leftover food, etc and deposit such waste at waste storage depot or container or vehicle as notified by the local body.

6. What are the directions for segregation of waste collected from the households?

- The Urban Local Bodies (ULBs) and Panchayats are required to arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises.
- For multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location.
- The ULBs and Panchayats are required to establish waste deposition centers for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town by the Local authorities.

- The ULBs and Panchayats have to separately collect the waste generated from sweeping of streets, lanes and by-lanes and not put the same together with the wastes generated from households and other waste generators.
- The ULBs and Panchayats are required to collect horticulture, parks and garden waste separately and process them in the parks and gardens, as far as possible.

4. How are the wastes collected from streets and drains stored?

The ULBs and Panchayat can set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected should be disposed of at regular intervals as decided by the local body.

5. How can a consumer file a complaint of waste mismanagement?

A complaint can be made to the Urban Local Authorities through the **Swachch Bharat App.**

Citizens can download the mobile application and use it to file complaints. Citizens only need to take a picture of the complaint there on the ground and post it through the Swachh Bharat app.

The app automatically finds the location of the complaint and the complaint gets forwarded to the municipal corporation for action. Citizens can also get regular updates and notifications on the status of their complaint.

30

Victim Compensation Scheme

1. Who is a victim?

The term "victim" has been defined under Section 2(wa) of the Code of Criminal Procedure, 1973 to mean "a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged". The guardian or legal heirs of such person are also included in the definition of the victim.

2. Can a victim of crime get compensation in India?

Yes. A victim of a crime can get compensation in India. However, compensation for a crime cannot be claimed as a matter of right. Rather, it is granted at the discretion of the Court.

3. What are the legal provisions in India that provide for compensation to victims of crime?

The legal provisions governing victim compensation are contained in Sections 357, 357A, 359, of the Code of the Criminal Procedure, 1973. Section 357(1) provides when a court imposes a sentence of fine or a sentence (including a death sentence), when passing judgments, the court may order the whole or any part of the fine recovered to be applied in the payment to any person of compensation for any loss or injury caused by the offence, when compensation is recoverable by such person in a Civil Court. Even if fine is not part of the sentence imposed by the Court, the Court may order the accused person to pay compensation to the person who has suffered any loss or injury by reason of the act of which the accused person has been sentenced under Section 357(3) of the Code.

4. What is Victim Compensation Scheme (VCS)?

Section 357A of the Code of Criminal Procedure, 1973 provides that the State Governments (in coordination with Central Government) have to prepare a scheme for providing funds for the purpose of compensation of the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation. This Scheme is called Victim Compensation Scheme. This compensation payable under Section 357A is in addition to the payment of fine to the victim under Section 326A (voluntarily causing

grievous hurt by use of acid etc.) or Section 376 D (sexual intercourse by hospital staff) of the Indian Penal Code, 1860. Further, the Central Government has also formulated Central Victim Compensation Fund (CVCF) to enable support to victims of cases like rape, acid attacks, human trafficking and women killed or injured in the cross border firing.

5. Who determines the Quantum of Compensation?

As per Section 357A, the quantum of compensation is determined by the District Legal Services Authority or the State Legal Services Authority on the recommendation of the Court.

6. Can compensation be granted even if the accused is acquitted in trial?

Yes. As per Section 357A(3), even if the case ends in acquittal or discharge of the accused and the court, at the conclusion of trial, is satisfied that the victim has to be rehabilitated, it may make recommendation for compensation.

7. Can compensation be granted even if the offender is not identified or traced?

Yes. Section 357A(4), provides that where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to either the DLSA or SLSA for the award of compensation.

8. Can costs of prosecution be recovered from the accused?

Yes. Section 359 of the Code of Criminal Procedure, 1973 make provisions for recovery of costs from the accused in cases of non-cognizable offences. It states that where a court convicts an accused of non-cognizable offence, then in addition to the penalty imposed upon him, the court may also order him to pay to the complainant, the costs incurred by him in the prosecution and such costs may include expenses incurred in respect of process-fees, and witness and pleader's fees. In default of the payment of such costs, the court may impose a simple imprisonment of a maximum of thirty days on the accused.

9. What is the difference between Compensation under Section 357 & Section 357A CrPC?

Under Section 357A CrPC, it the offender who is made to pay the compensation. Under Section 357A, it is the state that pays compensation to the victim in accordance with the State's Victim Compensation Scheme. Under Section 357A the state can also provide interim compensation as listed under the State's VCS regardless of whether the case has resulted in conviction.

10. What is the minimum amount of compensation as per the Central Victim Compensation Fund (CVCF) Scheme?

Under the CVCF Scheme, the Central Government has set the minimum amount of compensation that can be awarded. The minimum amount of compensation is as follows:

S. No.	Description of Injuries/loss	Minimum amount of Compensation
1.	Acid Attack	Rs. 3 Lakhs
2.	Rape	Rs. 3 Lakhs
3.	Physical abuse of minor	Rs. 2 Lakhs
4.	Rehabilitation of victim of Human Trafficking	Rs. 1 Lakh
5.	Sexual Assault (excluding rape)	Rs. 50,000/-
6.	Death	Rs. 2 Lakhs
7.	Permanent Disability (80% or more)	Rs. 2 Lakhs
8.	Partial Disability (40% to 80%)	Rs. 1 Lakh
9.	Burns affecting greater than 25% of the body (excluding Acid Attack Cases)	Rs. 2 Lakh
10.	Loss of Foetus	Rs. 50,000/-
11.	Loss of Fertility	Rs. 1.5 Lakhs
12	Women victims of cross border firing: (a) Death or Permanent Disability (80% or more) (b) Partial Disability (40% to 80%)	 Rs. 2 Lakhs Rs. 1 Lakh

11. What is the procedure for obtaining compensation under the VCS?

As the VCS under Section 357A of the CrPC are framed by the State Governments, there is no standard procedure that is uniformly applicable to all states. Hence, one will have to refer to the Specific Scheme formulated by the respective states to follow the procedure. However, a brief layout of the procedure is as follows:

- Applications for compensation have to be submitted before the DLSA/SLSA.
- The application must be submitted along with a copy of the FIR, medical report & other certificates (such as death certificate if applicable), copy of the judgement (if the application is in pursuance of the court recommendation).
- Application can be made by victims/their dependents or the Station House Officer (SHO) of the area.

- The respective Legal Service Authority will scrutinize the application, and verify its content and based on a plethora of factors, determine the quantum of the compensation that needs to be granted.
- After the amount is ascertained the Legal Services Authority will disburse the amount by deposing the same in a nationalized bank in the joint or single name of victim/ dependent(s).
- 75% of this amount is put in fixed deposit (FD) for a period of 3 years and only 25% is available initially for immediate utilization.
- In case of a minor, 80% is put in FD which can be drawn only on attainment of the age of majority, but not before 3 years for the deposit.

31

Women's Safety

1. What are the steps taken by the Government in order to ensure women's safety and well-being?

Considering the significance of maintaining the safety of women in the country, the Ministry of Women and Child Development (MWCD) and the Ministry of Home Affairs (MHA) of the Government of India have undertaken a number of measures for safeguarding the interest of women.

- The Central Government has set up a corpus **Nirbhaya Fund** for enhancing safety and security of women. MWCD has been implementing numerous schemes under the framework of this Fund.
- Using technology to aid smart policing and safety management, **Safe City Projects** have been sanctioned in the first phase in 8 cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai) under this Fund. MWCD has been administering various **special laws** relating to women, which deal with rape, domestic violence, kidnapping and abduction, torture, dowry, molestation, sexual harassment at workplace, other sexual offences, child marriage, juvenile matters, etc. These laws mandate completion of investigation and trials within the stipulated time period as well as imposition of stringent penalties in all warranting circumstances. MWCD has in fact prepared a **National Policy** with a goal to bring about the advancement, development and empowerment of women.
- MHA, on the other hand, has set up a **Women Safety Division** to strengthen the measures for safety of women in the country and instil greater sense of security in them through speedy and effective administration of justice in a holistic manner and by providing a safer environment for women.
- An online analytic tool called **Investigation Tracking System for Sexual Offences** for police has been launched to monitor and track time-bound investigation in sexual assault cases. **Emergency Response Support System**, which provides a single emergency number **112** based computer aided dispatch of field resources to the location of distress, has been operationalized in several States/ UTs.
- **A Cyber-Crime Portal** has also been launched facilitating reporting of obscene content. Even several States are equipped with **Cyber Crime Forensic Labs** and

thousands of personnel, including Public Prosecutors and Judicial Officers, have been properly trained in identifying, detecting and resolving cyber-crimes against women in this regard.

2. What is the procedure to file an online complaint on National Cyber-crime Reporting Portal?

In order to report anonymously:

- You can visit the website of the portal: **https://cybercrime.gov.in/**
- Without providing any information, a complainant will be registered automatically as an **autonomous complainant.**
- For anonymous complaints, the issue must be in lines with **sexually explicit content**.
- Details like category of the cybercrime, date, time and place of incident, platform used to commit an office etc must be provided along with concrete evidence**.**
- Identity of the suspect including name, address proof, mobile number and PAN card must be uploaded.
- Requirement of uploading other documents and details would depend upon the case. The complainant however can mention in brief about the hurdles faced.

3. Is there any nation-wide helpline dedicated to women wherein they can seek support in times of disturbance or emergency?

- The Ministry of Women & Child Development has launched the **Women Helpline '181'** to provide free, confidential, immediate and 24x7 support and assistance to women in distress and in need of care and protection – both in public and private spaces, to facilitate crisis and non-crisis intervention through referral to appropriate agencies and to provide details about the support services, schemes and programmes available.
- Also, whenever a woman from any part of the country needs urgent help from the police or wants the police to come and rescue her, **she can immediately dial the Police Helpline number '1091', which is majorly useful for requiring help in emergency situations like rape, molestation, eve teasing, domestic violence, kidnapping and such other acts.** As soon as a call is received, it is directed to the respective police station in the district, with the Superintendents of Police and Commissioners of the district being held responsible for cases in their jurisdiction.

- Apart from these, the dedicated helpline number **'7827170170'** of the **National Commission for Women** aims to provide round-the-clock counselling and support services to women affected by violence.

4. What is the procedure to file an online complaint on National Commission for Women portal?

- Visit webpage of the commission. Link: **http://ncwapps.nic.in/**
- There is a button for registering a complaint. Click on the button and move to the other page.
- You are required to fill all the details of complainant.
- You are required to fill all the details of victim.
- You are required to fill all the details of the respondent.
- You are required to fill all the details of the complaint
- You are required to fill complete details of the incident
- Lastly, submit your complaint.

Contact details:

Email address: **complaintcell-ncw@nic.in; chairperson-ncw@nic.in**
Contact no: +91 - 11 - 26944880/83.

5. Which special laws have been framed for the purpose of monitoring women safety and equality?

There are various legal provisions for women safety and empowerment in various special laws that have been enacted for the purpose. Although some of the laws are not gender-specific, the provisions significantly affecting women have been periodically reviewed and amendments have been carried out thereto in order to keep pace with the emerging requirements.

- The **Indian Penal Code, 1860** deals with women related crimes viz. rape; kidnapping and abduction; homicide for dowry, dowry deaths or their attempts; torture – mental and physical; molestation; sexual harassment; importation of girls (upto 21 years of age), etc.
- This spirit also finds place in the **Criminal Procedure Code, 1973** through the provisions relating to maintenance *inter alia* of wives.

- The **Protection of Women from Domestic Violence Act, 2005** has been enacted to protect women from domestic violence, which is primarily meant to provide protection to the wife/ female live-in partner from domestic violence at the hands of the husband/ male live-in partner/ his relatives and which also extends its protection to women living in a household such as sisters, widows or mothers.
- The **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** seeks to protect women from sexual harassment at their place of work – be it in public or private.
- The **Equal Remuneration Act, 1976** has been drawn up to provide for payment of equal remuneration to men and women workers and for prevention of discrimination, on the ground of sex against women in the matter of employment and for matters connected therewith or incidental thereto.
- The provisions of the **Hindu Marriage Act, 1955** and the **Special Marriage Act, 1954** have been amended to make sure that the interest of women is safeguarded and no rave financial or other hardship is caused to them.
- The **Dowry Prohibition Act, 1961** prohibits the request, payment or acceptance of a dowry as consideration for marriage, where 'dowry' is defined as a gift demanded or given as a precondition for a marriage.

6. What is the the procedure of filing a complaint against domestic violence?

It is a general misconception in this connection that domestic violence is only committed by the husband on his wife, which is untrue. A woman can file a complaint against her husband or any of his relatives. A woman who is staying in a live-in relationship with a man can also file a case against him if he commits domestic violence.

- An aggrieved person or any other person on her behalf may present an **application to the Magistrate** under Section 12 of the Protection of Women from Domestic Violence Act, 2005.
- The Magistrate shall thereafter fix the first hearing, which shall not ordinarily be beyond three days from the date of receipt of the application by the Court. A request can also be made to the Magistrate to conduct the proceeding in-camera.
- The Magistrate shall then endeavor to dispose of every application within a period of sixty days from the date of its first hearing. The Court, after conducting the hearings of the case, if satisfied that a genuine case of domestic violence was filed and the accused has actually committed the offence, shall arrive at a verdict, which may consist of a

protection order (restraining the accused to commit the act of domestic violence, residence order), **residence mandate** (preventing the accused from dispossessing the aggrieved from her matrimonial home and/ or disallowing him to enter that area of the household in which the aggrieved person might be residing), **monetary/ compensatory relief** and/ or **custody of the child**.

- If the order of the Court is not passed in the aggrieved person's favour, she can file an **appeal** against the order within thirty days from the date on which the order is passed.

7. What sort of welfare schemes are in place for women in India?

Since the State shall direct its policy towards securing that the citizens – both men and women, equally – have the right to an adequate means of livelihood, various schemes and campaigns have been framed from time to time. Women have the **right to seek benefits** from the recent programmes initiated by the Government like:

- The **Mother and Child Tracking System,** launched in 2009, helps to monitor the health care system to ensure that all mothers and their children have access to a range of services, including pregnancy care, medical care during delivery and immunizations.
- The **Indira Gandhi Matritva Sahyog Yojana**, **Conditional Maternity Benefit** is a scheme having begun in 2020, sponsored by the National Government for pregnant and lactating women aging 19 and over for their first two live births, providing money to help ensure the good health and nutrition of the recipients.
- The **Rajiv Gandhi Scheme for Empowerment of Adolescent Girls – Sabla** is an initiative launched in 2012 that offers a package of benefits and services to girls falling within the age group of 10 to 19 in an attempt to help them become self-reliant, including nutritional supplementation and education, health education and services, and life skills and vocational training.
- The **Rashtriya Mahila Kosh (National Credit Fund for Women)**, created by the Central Government in 1993, aims to deliver women from lower income groups with access to loans to begin small businesses.
- The **Digital Laado - Giving Digital Wings to Daughters** initiative became operational nation-wide with the motive of empowering and strengthening daughters on digital platforms, in which every daughter shall be taught and trained to develop her talent and skills to work from home itself and get connected with the global platform.

Annex 1

HELP LINE NUMBERS GOVERNMENT AND NON-GOVERNMENT ENTITIES			
Legal Issue	**Helpline Number (Government)**	**Helpline Number (Private)**	**Website**
Consumer Protection	**1800-11-4000/14404**		https://edaakhil.nic.in/edaakhil
Cyber Bullying	**1800-180-5522 (**ragging in colleges) **1930 (**cyber bullying**)** **7827170170** (cyber bullying against women)		https://cybercrime.gov.in/
Cruelty to Animals	**112**	People for Animals - **+91 - 11 23719293/94, 23357088**	https://www.peopleforanimalsindia.org/
Dowry Harassment	**1091** **181** **7827170170**	Dhwani Crisis Hotline - **044-43111143, 1800 102 7282** Sayodhya – **18005991811** ShaktiShalini - **01124373737, 9654462722, 7838957810**	http://ncwapps.nic.in/
Farmer's rights		Rythu Swarajya Vedika – contact@rsvonline.org Krushi Vikas Va Gramin Prashikshan Sanstha - **07267-224710** Gramya Resource Center for Women - **040- 42601382**	htpp://rsvonline.org/ https://www.krushivikas.org/ https://gramya.org.in/

Fishermen's rights		South Indian Federation of Fishermen Societies - **0471-2343711, 2343178** National Fish worker's Forum - **04714000292, 8289905239**	http://www.siffs.org/
Labour Rights		Nirmana - **011-49409546** Society for Labour and Development - **(+91) 11-46179959** Jan Sahas Social Development Society - **+917272254490**	
Maternity Benefit	**011-26944880** and **011-26944883**		http://ncw.nic.in/ http://ncwapps.nic.in/onlinecomplaintsv2
Motor accidents	**1073** - Road accident emergency service. **112** - All-purpose emergency number **102** - Ambulance **108** - Medical helpline number		
National Green Tribunal	**01123043528**		https://ngtonline.nic.in/efiling/mainPage.drt
POCSO	**1800115455** **9868235077** **1098.**		https://ncpcr.gov.in/user_complaints.php
Right to Education	**011-23478200/250** **1098**		www.ebaalnidan.nic.in
Right to Information			https://rtionline.gov.in/request/request.php

Right to Legal aid	nalsa-dla@nic.in		https://nalsa.gov.in/lsams/nologin/applicationFiling.action?requestLocale=null.
Rights of Persons with Disabilities			https://disabilityaffairs.gov.in/content/page/chief-commissioner-for-persons-with-disabilities.php
Senior Citizens' Rights	**14567**		
Street Vendor's rights		**9835674364 0612-2220772, 2220773**	https://nasvinet.org/
Surrogacy		Upkaar - **+91-11-40666680, +91 - 95555 44421 / 22** NIDS – SATYA - **+91-9351325672, 9024025966**	



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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY
Centre for Environmental Law, Education, Research and Advocacy (CEERA)
Bengaluru, India







न्याय विभाग
DEPARTMENT OF
JUSTICE

PICTURE BOOK ON LEGAL AWARENESS

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY
AND
DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE
A JOINT INITIATIVE – TOWARDS LEGAL LITERACY

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DEPARTMENT OF JUSTICE

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PREFACE

A picture construes meaning worth a thousand words!

न्याय विभाग
DEPARTMENT OF JUSTICE

Rights are the essence of a civilized society and not just the mere presence of rights, but their interpretation determines the progress & prosperity of a society. It is true that accessing justice can often be a time-consuming and expensive process. Since the costs associated with pursuing legal action include fees for legal representation, court costs, and other expenses related to being able to represent a case before a court of law. Additionally, navigating the legal system can be a complex and time-consuming process. This particularly can be difficult for marginalized communities to access the contours of courts and seek remedy from the competent authorities.

Therefore, in order to bridge this gap CEERA-NLSIU is glad to publish the first one of its kind – a **Picture Book on Legal Awareness (Picture Book)**. This Picture Book is a joint publication of CEERA-NLSIU with the Department of Justice (**DoJ**), Ministry of Law and Justice (**MLJ**), Government of India (**GoI**). The publication is an initiative in furtherance of the mandate undertaken by CEERA to strengthen legal literacy and awareness amongst the nook and corners of the country, by disseminating legal awareness in its most understandable form for the layman.

This Picture Book is a culmination of various government schemes, legislations, and rights of individuals explained by way of simple pictorial posters for the understanding of the common man since laymen often find government laws and schemes difficult to comprehend. With this venture, we strive to ensure that justice is served to every person who faces issues in India through students, volunteers, and local organizations who assist us in taking the legal awareness programme forward. The Picture Book has been carefully crafted as a simple guide to understanding complex legal issues in a lucid manner.

We thank the DoJ, MLJ, GoI and in particular Shri. Niraj Kumar Gayagi, Joint Secretary, MLJ, Shri. Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, DoJ. Ms. Mahima Khera, Dr. Seram Rajesh, and the entire DoJ team for their constant support and cooperation.

We express our sincere regards to Prof. (Dr.) Sudhir Krishnaswamy, Vice-Chancellor – NLISU for his constant support in all our endeavours. Extending our further gratitude to the entire NLSIU administration.

We further deeply appreciate the contributors and the entire CEERA Team for their innovative thinking and in collating this Picture Book, comprising of Mr. Rohith Kamath, Mr. Vikas Gahlot, Ms. Anuja Shah, Ms. Gayathri Gireesh, Ms. Aparna Sojan, Ms. Shilpa Sanjeevan and Mr. Jaibatruka Mohanta. Further, we also extend our heartfelt gratitude to Dr. Madhubanti Sadhya and Ms. Lianne D'Souza who have significantly contributed in this regard.

With this, we hope that this Picture Book will serve the needs of dissemination of justice with all our collective efforts in sharing the issue amongst your circles. Last but not the least, we thank you for your time and support in this innovative legal literacy journey that we have undertaken.

Prof. (Dr.) Sairam Bhat
Professor of Law & Coordinator,
CEERA-NLSIU

POSTER ON
PLASTIC WASTE MANAGEMENT

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, NLSIU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

PLASTIC WASTE MANAGEMENT



Plastic Waste Management Rules 2016 and Amendment 2021





The MoEFCC under the powers conferred by the Environment (Protection) Act, 1986 regulates the collection, storage, re-use, recycling, etc of plastic waste in an environmentally safe manner.

Under these rules, responsibilities and liabilities are imposed on three primary stakeholders:



Responsibilities under PWM Rules

Households

- Responsible for properly collecting and segregating the waste material.

Manufacturers & Importers

- Under Extended Producer Liability (EPR): They are liable to collect the plastic packaging in which their product is sold.
- To discourage the use of single-use plastics and multi layered plastics. Like Tetra pack packaging, etc.

Local Bodies

- Supervision of the enforcement of Waste management Rules and Regulations.
- Channelizing waste for processing.
- Sensitizing people towards waste management.
- To register eligible manufacturers & recyclers



Do You Know?

Majority of Plastic Packaging products get converted into plastic waste!

Disposal of plastic waste is a serious concern

Due to

Improper collection and segregation

Discourage the use of disposal plastics

REDUCE | REUSE | RECYCLE | RECOVER

Source: Swachh Bharat Mission - Urban

LOCATING THE PLASTIC WASTE



Plastic Waste refers to any plastic discarded after use or after their intended use is over.

4R's of Plastic Waste Management

- Reduce
- Reuse
- Recycle
- Recover



Environmental Impacts

Takes millions of years to decompose which leads to soil and water contamination and can pose hazards for land, water and wildlife.

Health and Social Impacts

Consumption of contaminated air and water cause health hazards

Did you know?

An Indian household on an average consumes 11 Kg of plastic per year!



NO TO PLASTIC

I AM ECO - FRIENDLY

KEEP the SEA PLASTIC FREE

MANAGING PLASTIC WASTE

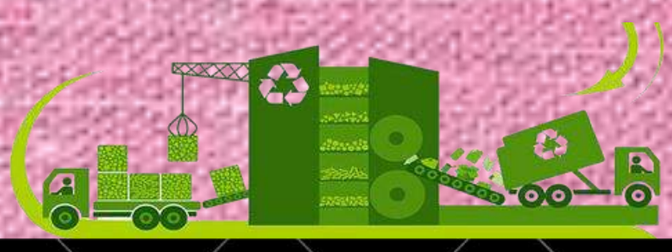
Segregated Waste Collection

Non-recyclable plastic is transported to Plastic Waste Management Units

Storage

Sorting of waste

Recyclable waste sent for recycling



Reusing the processed plastic waste product

Cleaned

Shredded Collection &Mixing with other materials make plastic reusable

Alternatives to Plastics



Some most feasible alternatives to plastics are:

Using other eco-friendly alternatives

Using alternatives like jute bags, paper cups, metal straws, decomposable packaging products, etc.



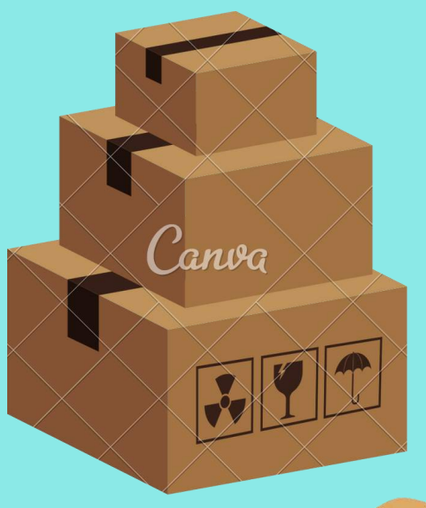
Recyclable Plastics

Plastics like PET and HDPE are easily recycled and cause less environmental damage than non-recyclable plastics.



Compostable Plastics

Compostable Plastics are plastics which are made of eco-friendly resources and are easy to decompose. These plastics produce low to no damaging residue on decomposition.





Helpline Numbers & Websites for Bangalore

Bruhat Bengaluru
Mahanagara Palike

080-22660000

comm@bbmp.gov.in

GO GREEN

The SWACHH BHARAT APP

This nation-wide application can be used to register a complaint regarding Municipal Waste Management.

For iOS Devices

For Android Devices

Poster on Prevention of Cruelty to Animals

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JUSTICE

सत्यमेव जयते

धर्मो रक्षति रक्षितः

Pan India Legal Literacy and Legal Awareness Programme on

PREVENTION OF CRUELTY TO ANIMALS

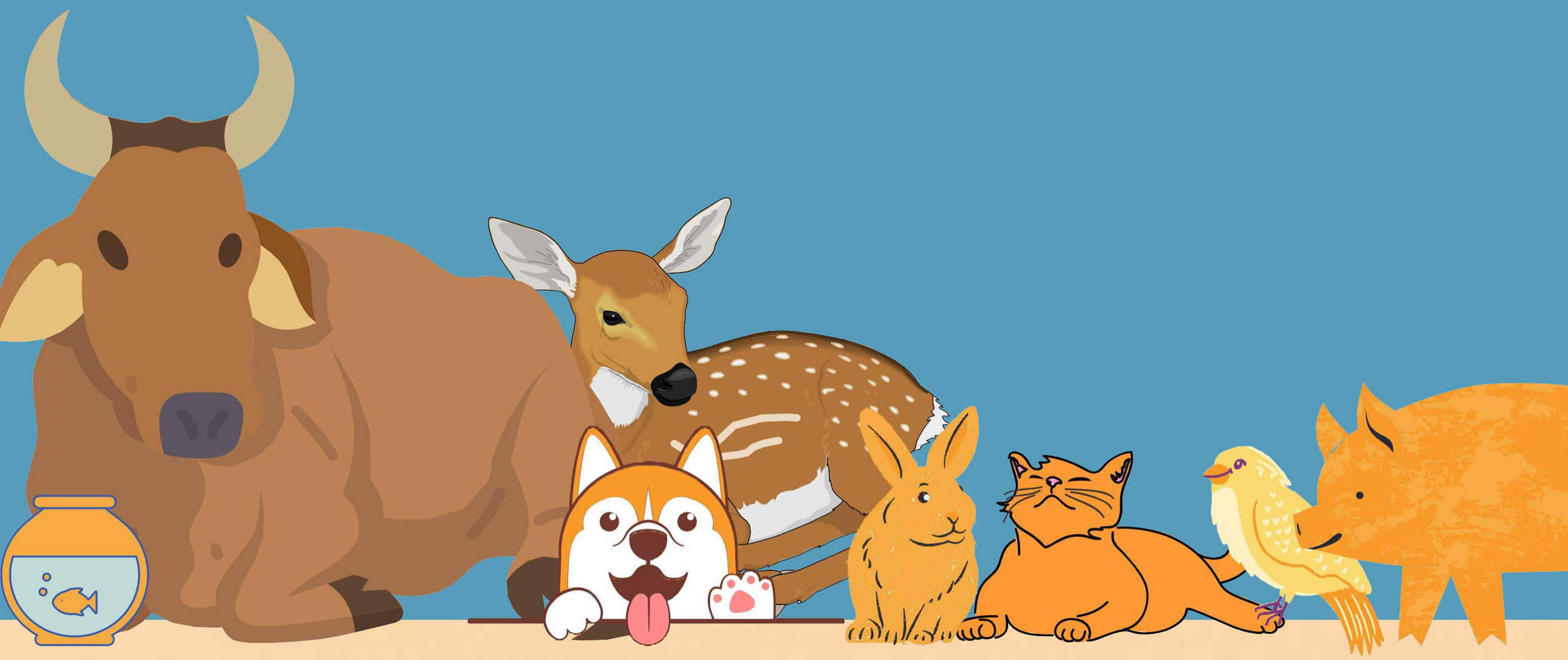
Centre for Environmental Law, Education, Research and Advocacy, NLSIU

&

Department of Justice, Government of India

Contact: ceera@nls.ac.in

CEERA PRO BONO ASSISTANCE NUMBER: +91 9019645266

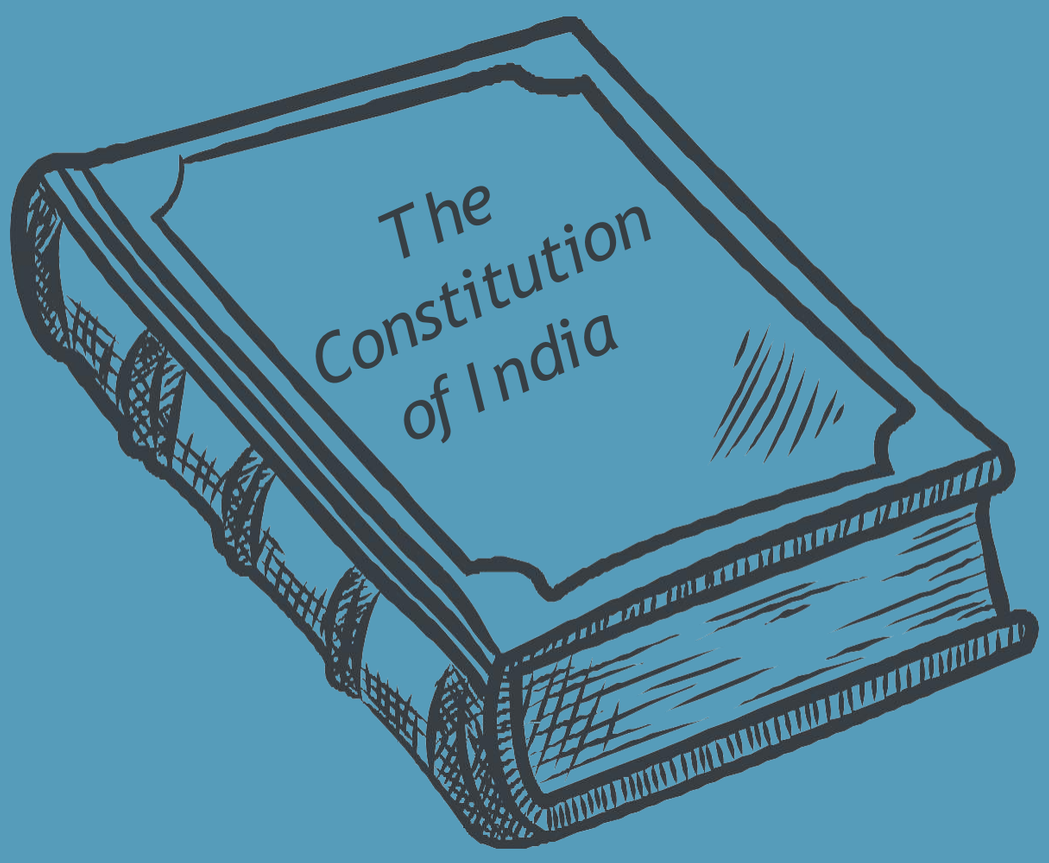


Azadi Ka Amrit Mahotsav

DESIGNING INNOVATIVE SOLUTIONS FOR HOLISTIC ACCESS TO JUSTICE (DISHA)

न्याय विभाग
DEPARTMENT OF
JUSTICE

Are citizens duty bound to prevent cruelty to animals?



Yes. It is the fundamental duty of every citizen under Article 51A to protect, improve and have compassion for living animals.

Article 48 directs that the State should endeavour to improve and preserve the lives of animals.

What amounts to cruelty?

Physically harming an animal
Eg: Kicking, beating, torturing

Administering injurious substances

Subjecting animals to unnecessary pain

Injecting air into milch, doom dev or Phooka

Neglect to provide food, water, etc.

Using animals as bait or inciting them to fight each other

Chaining, restraining animals in cages or other enclosures

Is there any punishment for acts of cruelty?

Under the Prevention of Cruelty to Animals Act, 1960, a person can be punished with a fine or imprisonment or both.

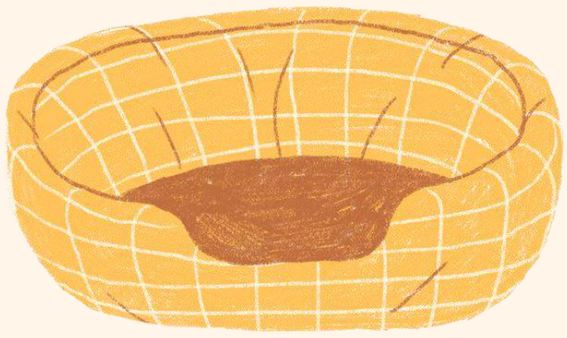


Is there any specific protection available to animals in Pet shops?

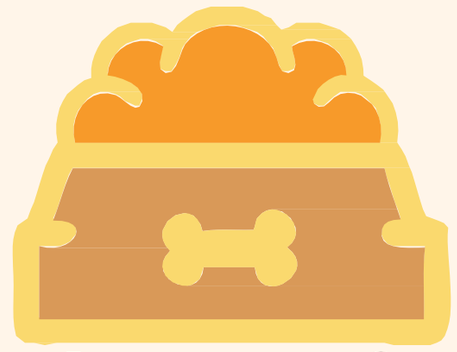
Under the Prevention of Cruelty to Animals (Pet Shop) Rules, 2018, every pet shop owner must



Own and display a license.



Provide adequate bedding to all animals.



Provide adequate food and water to all the animals in clean vessels





Clean the enclosures of all animals daily to reduce the possibility of disease outbreak



Appoint enough attendants for the animals. They should not be left alone at the night

Where do I check a pet shop's license?

Pet Shop owners are required to display their license and make it visible. It can be implemented by the State Animal Welfare Boards and individual Municipality Corporations.

What can I do if I suspect that a kennel or pet shop is conducting illegal breeding or is involved in animal trafficking?

File a complaint!

To the State Animal Welfare Board. In case the animal suspected to be trafficked is a wild animal, a complaint must be filed with the State Board for Wildlife.

GRIEVANCE REDRESSAL

How does one report an incident of cruelty?

Cruelty against animals can be reported by filing a complaint with the State Animal Welfare Board.

DIAL 112.

File a complaint to the police in person by approaching the local police having jurisdiction over the area where cruelty is reported.

DIAL 100.



How do I follow up on complaints?

You could fill an RTI form provided on the Animal Welfare Board of India's page at **http://awbi.in/awbi-pdf/RTI.pdf.**

OR

Contact the nodal officer of the State Board .

What information will the authorities ask for?

When filing a complaint, the complainant can provide the authorities, with pictures or videos of the incident, along with the location and contact details. It is essential for this information to be noted down in writing.

OTHER ACTIONS

INDIVIDUALS CAN ALSO CONTACT THE SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS OR OTHER ORGANISATIONS DEDICATED TO ANIMAL WELFARE

CHARLIE'S ANIMAL RESCUE CENTRE (BANGALORE)

Website: https://charlies-care.com/

Phone: 9483911110 / 9035999372

PEOPLE FOR ANIMALS (NATIONWIDE)

Email: gandhim@nic.in

Phone Number:

+91- 11 23719293/94, 23357088

Website:

https://www.peopleforanimalsindia.org/

SANJAY GANDHI ANIMAL CARE CENTRE (DELHI)

Website:

http://www.sanjaygandhianimalcarecentre.org/

Email: sgacc1980@gmail.com

Phone: 011-25337751/25448062

COMPASSION UNLIMITED PLUS ACTION (CUPA) (BANGALORE)

Website:

https://cupabangalore.org/

Email:

cupablr@cupaindia.org

Phone: 080 22947300/301

THE BLUE CROSS OF INDIA (CHENNAI)

Website:

https://bluecrossofindia.org/

Phone: +91 44 46274999 / 44 71819575

Poster on Cyber Bullying

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DEPARTMENT OF JUSTICE

सत्यमेव जयते

आज़ादी का अमृत महोत्सव

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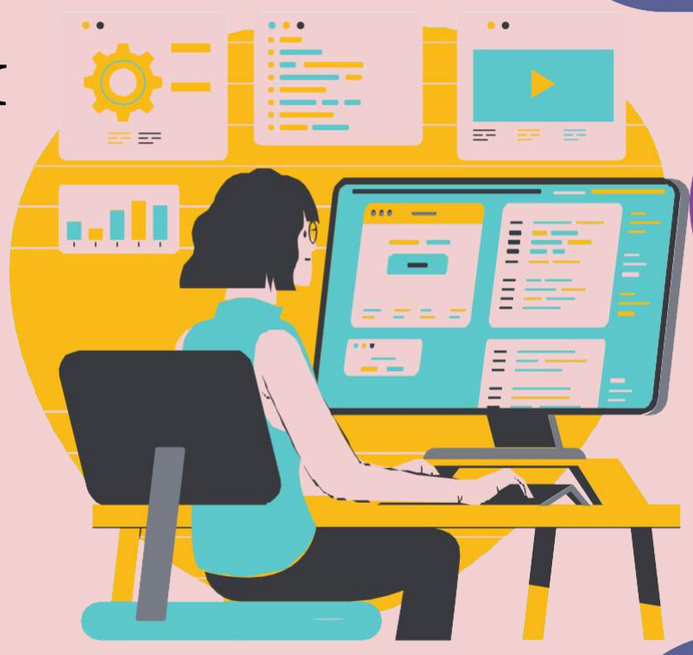
DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA



CYBER BULLYING

CYBER BULLYING & ITS KINDS

Cyber bullying is an act of bullying or harassment of any individual through electronic communication devices & technology like computers, mobiles, messaging, e-mails, social media platforms, etc.

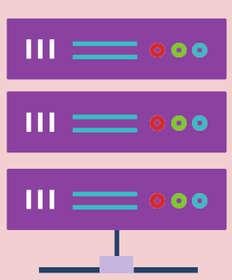


KINDS OF CYBER BULLYING



- Online Harassment

When a person is subjected to hostility, malign behaviour and defamation on an online platform.



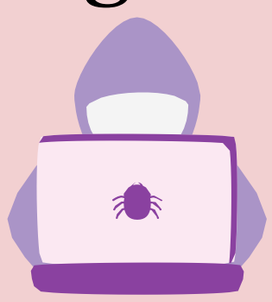
- Cyber Stalking

When online platforms are used to harass and solicit unfavorable sexual favors, sending derogatory emails and blackmail repeatedly



- Cyber Defamation

When false accusations or the publication of defamatory statements are made against a person on electronic media.



- Cyber Hacking

Illegal access to any personal details of the person in order to bully them.

Bullying in Schools & Colleges



Anti-Bullying Committees in Schools

CENTRAL BOARD OF SECONDARY EDUCATION
Committed to Equity and Excellence in Education

According to CBSE Anti-bullying committee Guidelines 2015, each school has to compulsorily set up an Anti-Bullying committee.

This committee is responsible for:

- To create School Anti-Bullying Prevention Plan.
- To take quick and sensitive response to complaints of bullying.
- To create an effective and confidential mechanism to report bullying.
- Provide Counselling to school students as per their age requirements.
- Spread awareness about bullying among school children and staff members.

Anti-Ragging & Bullying measures in Universities

विश्वविद्यालय अनुदान आयोग
University Grants Commission
quality higher education for all

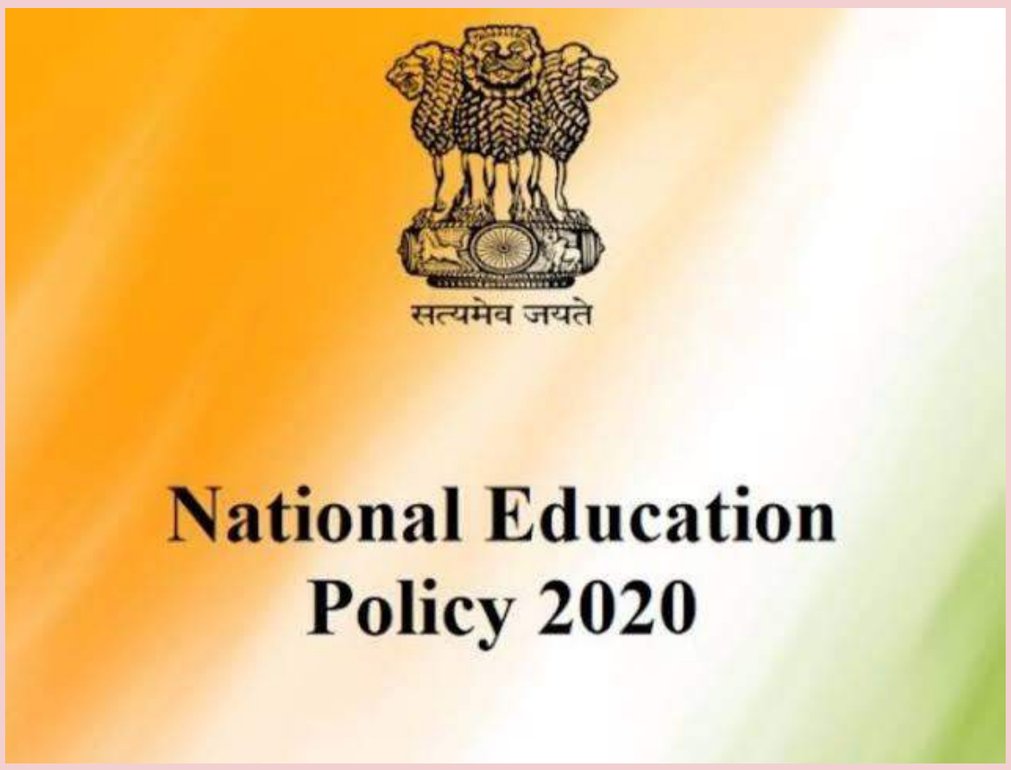
According to UGC Anti-ragging guidelines, 2009, ragging in higher educational institutions is made punishable. Under these guidelines institutions have to take following measures to curb ragging:



- University brochures and advertisements should clearly specify that ragging is punishable and totally banned within university premises.
- Parents and students should be sensitized about the menace of ragging and bullying.
- Admission form should mandatorily have undertaking signed by students regarding the consequences of ragging.
- Institutions should organize various events and publications sensitizing students against ragging & bullying within institution.

स्कूल शिक्षा और साक्षरता विभाग
Department of School Education & Literacy

Guidelines on School Safety and Security



- Every school should have a clear mandate on access to, usage of internet and its security checks, while the child is within the school premises. [http://cbseacademic.nic.in/web_material/Manuals/Cyber_Safety_Manual.pdf]
- Schools should follow the advisories issued by Ministry of Electronics & IT (MeitY) from time to time e.g., National Cyber Security Policy (2013) of MeitY [https://www.meity.gov.in/writereaddata/files/gazette_NCSP_2013.pdf]

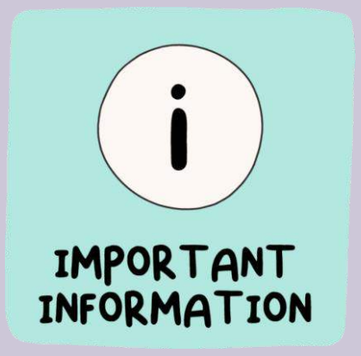


Laws dealing with Bullying in India

In India, bullying is a punishable offence and stands penalized under various provisions of the Indian Penal Code, 1860 and Information Technology Act, 2000.



Laws criminalizing bullying





Indian Penal Code

- **Section 304-** Culpable Homicide
- **Section 306-** Abetment to suicide
- **Section 323 to 326-** Punishment for hurt & grievous hurt
- **Section 354 A:** Sexual Harassment
- **Sec 354 D**: Stalking
- **Section 499:** Defamation
- **Section 506 & 507-** Punishment for criminal intimidation
- **Section 509:** Insulting the modesty of women

Information Technology Act, 2000

- **Section 66D-** Cheating by Personation
- **Section 66E-** Punishment for violation of Privacy
- **Section 67-** Punishment for publishing & transmitting obscene materials.





Initiatives by Indian Government to prevent Cyber Crimes

Cyber Crime Prevention against Women and Children

It is a national mission launched to protect children & women from cyber crimes by:

- Facilitating online , speedy & efficacious complaint mechanism for cyber crimes.
- Provides for anonymous reporting of cybercrimes as per the directions of the Supreme Court of India.

Online Cyber Crime Reporting (OCCR) Unit

- It is a central citizen portal of the CCTNS project (Crime and Criminal Tracking Network System) which enables complainant to file an online cyber-crime complaint of the cyber-crime. The portal is central repository for all such cybercrimes.

National Commission of Women (NCW)

- NCW can request police investigation to be commenced in matters of cyber crimes committed against women.
- Has power to appoint investigative committee in cases of serious violation of women & children rights.
- NCW can avail centralized cybercrime reporting
- Portal

Helplines to Report Cyber Crimes in Karnataka

KARNATAKA STATE POLICE · CRIMINAL INVESTIGATION DEPARTMENT · C.I.D

CYBERCRIME DIVISION

CRIMINAL INVESTIGATION DEPARTMENT, KARNATAKA

"Keep everyone safe by spreading education and awareness about the cyber world"



IMPORTANT INFORMATION

Cyber Crime Reporting Portal: Dial 1930

https://cybercrime.gov.in/

Cyber Police Bangalore: https://www.cyberpolicebangalore.nic.in/contactus.html

National Emergency Number: Dial 112

National Police Helpline: Dial 100

National Women Helpline: Dial 1090

National Women Helpline (24x7): 7827170170



Poster on Welfare Schemes for Rural and Urban Poor

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, NLSIU

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DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

WELFARE SCHEMES FOR RURAL AND URBAN POOR





WHAT ARE SOME CONSTITUTIONAL PROVISIONS ON POVERTY?



RELEVANT FUNDAMENTAL RIGHTS

Article 16(1): There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

Article 17: Abolition of Untouchability

Article 21: Protection of Life and Personal Liberty **Article 24**: Right against Exploitation

DIRECTIVE PRINCIPLES OF STATE POLICY

Art. 39(a): The state shall direct its policy towards securing adequate means of livelihood to man and woman;

Art. 39 (A): Promotion of justice, equal opportunities, and free legal aid;

Art. 41: Security of work, to education, and to public assistance in several cases;

Art. 42: Security of just and humane conditions of work;

Art. 45: Free and compulsory education to every child till the age of 14 years, etc.

WHAT ARE RURAL AND URBAN AREAS?



The term **urban** means those regions or areas which are heavily populated and have the characteristics of man-made surroundings.

The term **rural** area means a region located on the outskirts. It can also be defined as a small settlement that is outside the boundaries of a city, commercial or industrial area.

HOW IS AN AREA CLASSIFIED AS URBAN OR RURAL IN INDIA?

The following criteria were adopted for treating a place as urban for 1981 census:

a) All statutory towns, i.e., all places with a municipal corporation, municipal board, cantonment board or notified town area etc.

b) All other places which satisfy the following criteria:

   (i) A minimum population of 5,000;

   (ii) 75% of the male working population engaged in non-agricultural and allied activity; and

   (iii) A density of population of at least 400 per sq. km. (or 1,000 per sq. mile).

A town with a population of one hundred thousand and above was treated as a city.
Hence, the areas that do not come under the definition of urban shall be considered as rural areas.

SCHEMES LAUNCHED FOR THE RURAL POOR



1. Deen Dayal Antyodaya Yojana
2. Mission Antyodya
3. National Rurban Mission (NRuM)
4. National Social Assistance Programme
5. Pradhan Mantri Awas Yojana (Gramin)
6. Pradhan Mantri Gram Sadak Yojana
7. Prime Minister's Rural Development Fellowship
8. Rural Self Employment Training Institute

SOME OF THE SCHEMES LAUNCHED FOR THE URBAN POOR

1. Atal Mission for Rejuvenation and Urban Transformation
2. Deendayal Antyodaya Yojana (National Urban Livelihoods Mission)
3. Jal Jeevan Mission Urban
4. Light House Projects
5. Members of Parliament Local Area Development Scheme
6. Pradhan Mantri Awas Yojana (Housing for All - Urban)
7. Scheme to Augment City Buses & Urban Green Mobility
8. Self-Employment Programme of Urban Poor
9. Towns of Export Excellence

Poster on Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA)

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW EDUCATION, RESEARCH AND ADVOCACY

&

DEPARTMENT OF JUSTICE,

GOVERNMENT OF INDIA

PAN INDIA LEGAL LITERACY

&

LEGAL AWARENESS PROGRAMME

MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2005



न्याय विभाग

DEPARTMENT OF JUSTICE

सत्यमेव जयते

An Act guaranteeing 100 days of unskilled manual work with wages to every rural household

WHAT RIGHT DOES THE ACT GUARANTEE?

Every household in rural area notified by the Central Government is guaranteed **a minimum of 100 days of employment**. Any person above the age of 18 is eligible to apply for the same.

WHAT KIND OF WORK IS GUARANTEED?

- The Act guarantees employment in **'Unskilled manual work'** that is, physical work capable of being done by an **adult person without any skill or special training.**
- **Suitable individuals** from households may be chosen for skilled labour as **engineers and social auditors.**

WHO IS ELIGIBLE TO BE EMPLOYED UNDER THE ACT?

Any **Indian citizen**, who is:

- aged **18 years or above**; and
- is **willing to render unskilled manual work** at the prescribed wages.

is eligible to apply under the Act.

WHAT ARE THE SECTORS UNDER WHICH A PERSON MAYBE EMPLOYED?

Agricultural & allied activities (including Livestock), Watershed, Irrigation, Flood Management works, Fisheries, Rural Water & Sanitation related projects, etc. are some sectors under which a person may be employed under the Act. All such work must to the best extent possible be within 5 km of the village in which the applicant resides



HOW CAN I BE A BENEFICIARY UNDER MGNREGA?

1. Apply for a **'job card'** by submitting Proof of name, age and address (**Ration card, PAN Card, Voter ID Card, bank account details and Aadhar Card**) to the village **Gram Panchayat**

2. Download proforma for job card under MGNREGA (available on state websites) and **submit duly filled application** to the government office/equivalent office of your area

3. The village Gram Panchayat will issue a job card **15 days from the date of receipt of application. The card is valid for 5 years.**

4. Individuals with names appearing in the job card will be entitled to apply for unskilled manual work. **Job cards can be downloaded from https://sarkarilist.in/mgnrega-job-card/**

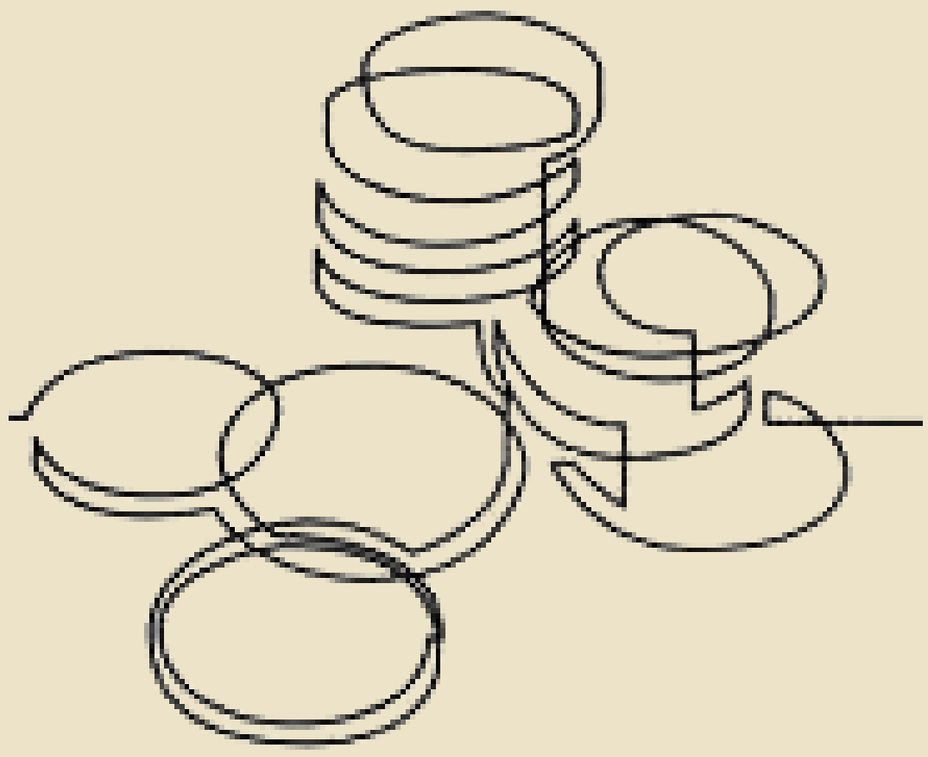
5. To seek work under the Act, an application may be made:
   - To the **Gram Panchayat, Ward Member, Programme Officer**, or any other officer deputed by the State government;
   - **By calling the MGNREGA number** designated by the State Government.
   - Through **any other means** designated by the State Government.



WORKERS' RIGHTS ON THE WORKSITE

1. **Maximum 12 hours of work** each day, with periods of rest
2. **Safe Drinking Water & First Aid Box** to cater for minor injuries connected with work
3. **Free medical treatmen**t for injuries by accidents in the course of employment
4. **Accomodation, treatment and medicines in case of hospitalisation**, along with **daily allowance** which is at least half the wage rate
5. **Ex-gratia payments under Pradhan Mantri Suraksha Bima Yojana**, to workers or their legal heirs **upon death or permanent disablement** by an accident in the course of employment





WHAT IS THE SCHEME FOR WAGES?

1. **A minimum rate of Rs. 60 per day**, or the minimum wage set by the State government for agricultural labourers
2. Paid through worker's **individual savings accounts** in relevant banks and post offices
3. Cash payment - **directly to the worker** and in the **presence of an independent person**
4. Extra **10% wages will be given** to those who are **assigned work outside a 5-kilometer radius of their village**, to meet transport and living costs
5. Disbursed on a **weekly basis** and **within 2 weeks** of the date of performing the work, otherwise workers are entitled to **compensation @ 0.05% of unpaid wages**

WHAT SHOULD ONE DO IF RIGHTS UNDER THE ACT ARE DENIED OR IF THERE ARE OTHER COMPLAINTS?

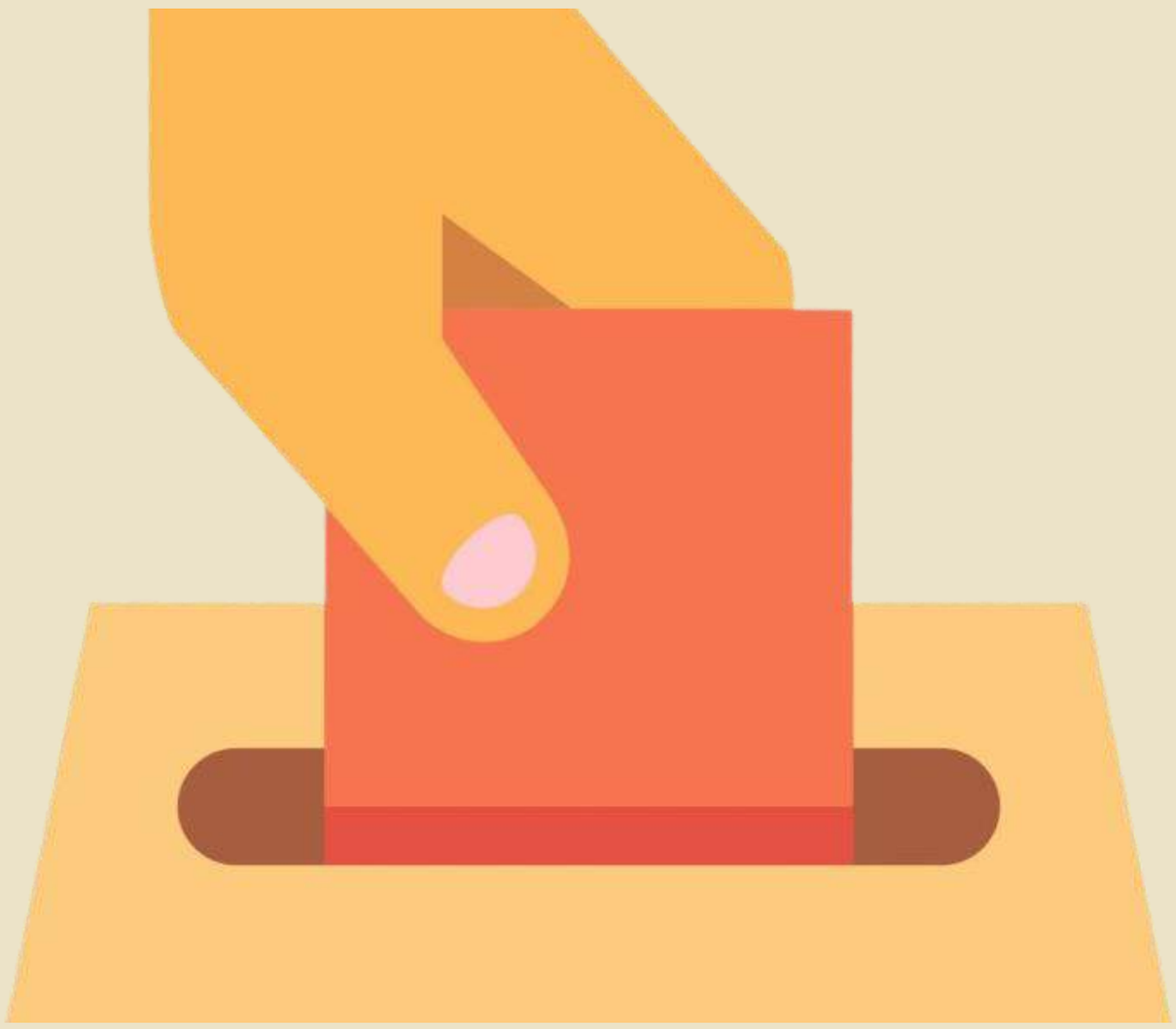
1. Submit **a written or oral complaint to relevant authorities** at Ward/ Gram Panchayat / Block or District levels

2. An **online complaint** can also be made through **https://nrega.nic.in/Netnrega/redersal/redersal.aspx?eb=&state_code=01**
(*Note: The location of the complainant is Andaman & Nicobar Islands by default, and the State code in the URL needs to be changed in order to change the State as well.)*

3. **Via phone – Grievance Redressal hotline: 1077**

4. Complainant can also **approach the ombudsperson** appointed by each state, who receives grievances, enquires upon the grievance addressed, and passes awards

5. Orders passed by the authorities for grievance redressal can be appealed against, within **45 days of their issuance**, and these appeals shall be disposed off **within a month**



MORE ABOUT THE MGNREGA!

Priority Groups under the Act

- Separate schedule of wage rates for **Women, the elderly, people with disabilities and debilitating ailments** so as to improve their participation through productive work

- At least **one-third of the beneficiaries will be women who have requested and registered for work**

- One **labour-intensive public work** would be reserved for Particularly Vulnerable Tribal Groups, as well as the elderly and specially–abled people

- Women employed to look after children on worksite will **be among the most marginalised in the locality, women in exploitative conditions or those in bonded labour, or liberated manual scavengers**

Role of the Gram/ Village Panchayats

- **Receiving applications for registration**
- **Verifying registration applications**
- **Registering households**
- **Issuing Job Cards**
- **Receiving applications for work**
- **Issuing dated receipts for these applications for work**
- **Conducting periodical surveys to assess demand for work**
- **Identification and planning of works,**
- **Awareness generation and social mobilization., etc.**

Appeals

- **All orders by the authorities can be** appealed **within 45 days**, and will be **disposed within 1 month**

- Appeals shall lie:

  - For order of Gram Panchayat – **before the Programme Officer;**
  - For order of Programme Officer – **before the District Programme Coordinator;**
  - For the District Programme Coordinator – **before the State Commissioner (NREGS), Divisional Commissioner (NREGS) and State Grievance Redressal Officer**

Non–allotment of work

If work is not allotted **within 15 days** of application/seeking of work, applicant is entitled to :

- **daily unemployment allowance** at rate notified by the State Government. (minimum **1/4th of wage rate** for first 30 days, and **one-half of wage rate for rest**)

Unemployment allowance to stop when:

- **work is allotted**; or
- if the household members **have not turned up for work**; or
- if they **have received 100 days of work**; or
- if they have **earned unemployment allowance as is equal to 100 days of wages.**

Who to approach?

- **District Programme Coordinator**: For implementation of the scheme & redressing grievances at the district level

- **Programme Officer:** For complaints at the Block level

Poster on Noise Pollution and Use of Loudspeakers

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PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A JOINT INITIATIVE OF CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, (CEERA) – NLSIU, BENGALURU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

NOISE POLLUTION AND USE OF LOUDSPEAKERS



Contact: ceera@nls.ac.in
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Our Websites: enlaw.nls.ac.in | ceerapub.nls.ac.in | abs.nls.ac.in

Azadi Ka Amrit Mahotsav

Designing Innovative Solutions for Holistic Access to Justice [DISHA]

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Do we have the Fundamental Right to use loudspeakers for any activity?

No, we don't. The Constitution of India does not guarantee this right.



FUNDAMENTAL RIGHT



DO YOU REQUIRE PERMISSION TO USE LOUDSPEAKERS OR PUBLIC ADDRESS SYSTEM?

Yes, you must obtain **PRIOR PERMISSION** to use loudspeakers in public.

FROM WHOM?

Written permission from the concerned authorities is required.



- District Magistrate
- Police Commissioner
- Any Police Officer not below the rank of a Deputy Superintendent of Police

WHAT IS THE RESTRICTED TIME OF USE?

No sound-producing instrument should be used at night time, between **10 p.m. and 6 a.m.** However, this is not applicable when it is used in closed premises like auditoria, conference rooms, community halls, banquets halls or during public emergency.







ARE THERE ANY EXCEPTIONS FOR THE USE OF LOUDSPEAKERS FOR RELIGIOUS AND CULTURAL ACTIVITIES?

The State Government can permit the use of loudspeakers between **10 p.m. and 12.00 a.m.** for a limited number of days. However, such exempted days shall not exceed a total of **15 days** in a year and these days have to be notified in advance.



WHAT IS THE PERMISSIBLE NOISE LEVEL FOR THE USE OF LOUDPSEAKERS?

The Noise Pollution (Regulation and Control) Rules, 2000 has categorised areas into 4 zones with different permissible noise levels.



Category/Area of Zone	Limits in dB Level	
	Day Time (06:00 am – 10:00 pm)	Night Time (10:00 pm – 06:00 am)
Industrial Area	75	70
Commercial Area	65	55
Residential Area	55	45
Silence Zone	50	40

TO WHAT EXTENT CAN ONE EXCEED THE PRESCRIBED LIMITS?

It shall not exceed 5dB beyond the prescribed limits for that area or 75dB totally, whichever is lower.

ARE THERE ANY LOCATIONS WHERE THE USE OF LOUDSPEAKERS/ PUBLIC ADDRESS SYSTEMS ARE COMPLETELY BANNED?

Yes. They are called the Silence Zones.

WHAT IS A SILENCE ZONE?

It is an area that is within **100 metres** of the boundary of the following places:



HOSPITALS



SCHOOLS



COLLEGES



COURTS



RELIGIOUS PLACES

ARE THERE ANY RESTRICTIONS ON THE NOISE LEVEL FROM PRIVATE SOUND SYSTEMS OR SPEAKERS?

Yes. As per the Noise Pollution (Regulation and Control) Rules, 2000, you must obtain a **WRITTEN PERMISSION** from the concerned authorities to use loudspeakers beyond the prescribed limits. However, such extension shall not be more than 5dB beyond the prescribed ambient sound limit.

WRITTEN PERMISSION FROM WHOM?

District Magistrate, Police Commissioner, or any other officer who is not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards.



ARE THERE ANY RESTRICTIONS ON THE USE OF LOUDSPEAKERS BY STREET VENDORS?

Yes, there are. Street vendors or hawkers are not allowed to use loudspeakers or megaphones without prior permission from the concerned authorities.

WHAT ARE THE RESTRICTIONS ON VEHICLES?

1. Blaring loud music in vehicles and honking indiscriminately or using additional fittings with the silencer to cause noise amounts to **PUBLIC NUISANCE under Section 268 of Indian Penal Code**, punishable as a crime and invites hefty penalties as per the various state laws.
2. Honking in Silent Zones is strictly prohibited under the **Noise Pollution (Control and Regulation) Rules, 2000.**
3. As per **Section 190 (2) of Motor Vehicle Act, 1988,** a person who drives a motor vehicle in a public place in violation of the prescribed standards in relation to the road safety, control of noise and air pollution, shall be punished with imprisonment up to three months, or with a fine of ten thousand, or with both (first offence), similarly for the imprisonment up to six months, or with a fine of ten thousand, or with both (second and subsequent offence).



WHAT WILL HAPPEN IF YOU VIOLATE THE RULES REGARDING THE USE OF LOUDSPEAKERS?

The use of loudspeakers or megaphones above the decibel specifications amounts to PUBLIC NUISANCE attracting punishment under the Indian Penal Code, 1860 and Section 15 of the Environment (Protection) Act, 1986.

WHAT IS THE PUNISHMENT FOR VIOLATION?

Imprisonment upto 5 years + Fine upto Rs. 1 Lakh
For further violation, a **Fine of Rs. 5000** for every such contravening day.
Furthermore, the noise producing equipment can be **seized** if found to cause nuisance.







KNOW YOUR RIGHTS

WHOM TO APPROACH TO MAKE A COMPLAINT?

1. Local Police Station
2. District Magistrate
3. Police Commissioner
4. Any Police Officer not below the rank of a Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise

WHAT ARE YOUR REMEDIES AGAINST VIOLATORS?

1. You can file a complaint at the Police Station or Call on 100
2. Approach the State Pollution Control Board

If the authorities are satisfied about the existence of nuisance or disturbance, they shall take action to prohibit the continuance of the disturbance.

HELPLINE NUMBERS

DELHI
Delhi Police Control Room Number:155270/155271
Online Complaints- https://ngms.delhi.gov.in/

MUMBAI
Contact Number: 100/ 22625020/22633333/22621855

UTTAR PRADESH
Contact Number: 112

THIRUVANANTHAPURAM
Contact Number: 0471 6062606

You can also register your complaint on your respective State Pollution Control Board's Website.

KARNATAKA
http://210.212.204.93/kspcb-complaint/complaint-form-kspcb.php

KERALA
https://www.keralapcbonline.com/pcb/welcome

BIHAR
Email your greivance at grievance@bspcb.in

Contact: ceera@nls.ac.in. | Ceera Probono Assistance Number: +91 9019645266

POSTER ON
CONSUMER PROTECTION RIGHTS

CONSUMER PROTECTION RIGHTS

WHO IS A CONSUMER?

Consumer is a person who buys any goods or hires or avails any services for a consideration. Calso includes a person who uses such goods or is a beneficiary of service with the approval of purchaser. However, Consumer does not include a person who buys goods or services for any commercial purpose. Commercial purpose does not include use of goods bought and used by a person exclusively for the purpose of earning his livelihood, by means of self-employment. It includes both offline and online transactions. The term consumer has been defined under Section 2(7) of the Act.

RIGHTS OF A CONSUMER



- Right of Protection
- Right to Information
- Right of Assurance
- Right to be Heard
- Right to seek Redressal
- Right to Awareness

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CONSUMER PROTECTION RIGHTS

WHO CAN FILE A COMPLAINT UNDER THE CONSUMER PROTECTION ACT?

- A consumer
- Any voluntary consumer association registered under any law for the time being in force
- The Central Government or any State Government;
- The Central Authority i.e. the Central Consumer Protection Authority.
- One or more consumers, where there are numerous consumers having the same interest;
- Legal heir or legal representative, in case of death of a consumer;
- Parent or legal guardian, in case the consumer is a minor

WHAT CAN BE COMPLAINED UNDER THE ACT?

- Unfair Contract or trade practice
- Defective Goods
- Deficiency of Services
- Excessive Price
- Hazardous Goods
- Hazardous Services
- Product Liability



WHERE CAN THE COMPLAINT BE FILED?

- DISTRICT CONSUMER DISPUTE REDRESSALCOMMISSION
- STATE CONSUMER DISPUTE REDRESSAL COMMISSION
- NATIONAL CONSUMER DISPUTE REDRESSAL COMMISSION

POSTER ON PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO ACT, 2012)

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धर्मो रक्षति रक्षितः

A JOINT INITIATIVE OF CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY & DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO ACT, 2012)

Every Child in India has the Constitutional and statutory right to be protected from sexual offences.



Who is protected under the Act?



- any child - any person below the age of 18 years
- protects children of any gender or sexual orientation
- Children of any country if the offence has taken place in India

What kind of offences are punishable?

Any kind of abuse, assault or harassment of a child.
This includes:

Sexual assault against a child

Stalking

Disclosure of child's identity

Forcing the children to exhibit their body

Attempt to commit or abet the commission of

Any word or sound or gesture

Exposing a child to pornographic content

Phsyical contact of sexual nature or with sexual intent

Use of child for pornographic purposes

Who can file a complaint?

The child

The parent

Any person who has an apprehension, has witnessed or has knowledge of an offence

How to file a Complaint?

Information provided over call or in person



↓

Complaint to be recorded in writing and read over to the complainant



↓

Free copy of FIR to be given to the complainant



Grievance Redressal

Mandatory Reporting

Any person who has knowledge of an offence under the Act and does not report it can be punished with imprisonment upto 6 months or with a fine

To whom can a complaint be filed?



It can be reported to the local police or the special juvenile police unit

Alternative ways to report an offence under the Act

- Online on the POCSO e-box : https://ncpcr.gov.in/user_complaints.php
- National Commission for Protection of Child Rights: 1800115455 (Toll free) or 9868235077
- Child Helpline: 1098
- Postal address: NCPCR, 5th Floor, Chanderlok Building,36 Janpath, New Delhi-110001

Suraksha... POCSO e-box... a click away



A child-friendly e-initiative of NCPCR at www.ncpcr.gov.in to report crimes committed against children

HELPLINE NO: 9868235077

What rights are available to the child under the POCSO Act?



1. Right to be represented by a lawyer

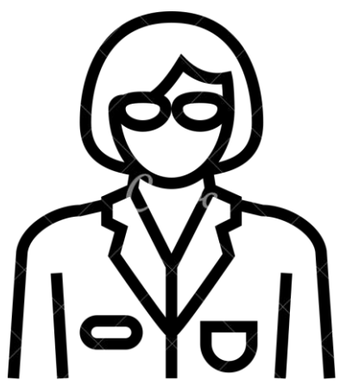
2. Right to anonymity.





3. Right to police protection

4. Right to have a social worker and interpreter / translator present during any investigation





5. Right to urgent medical and psychological treatment





6. Right of girl child to be examined by a female doctor

7. Right to protection for any false complaint given by the child



8. Right to special compensatory relief such as food, clothes, transport

Protection available to the child while reporting a complaint

1. The statement of the child must be recorded at their residence or place of their choice

2. Statement must be taken by a woman police officer not below rank of sub inspector

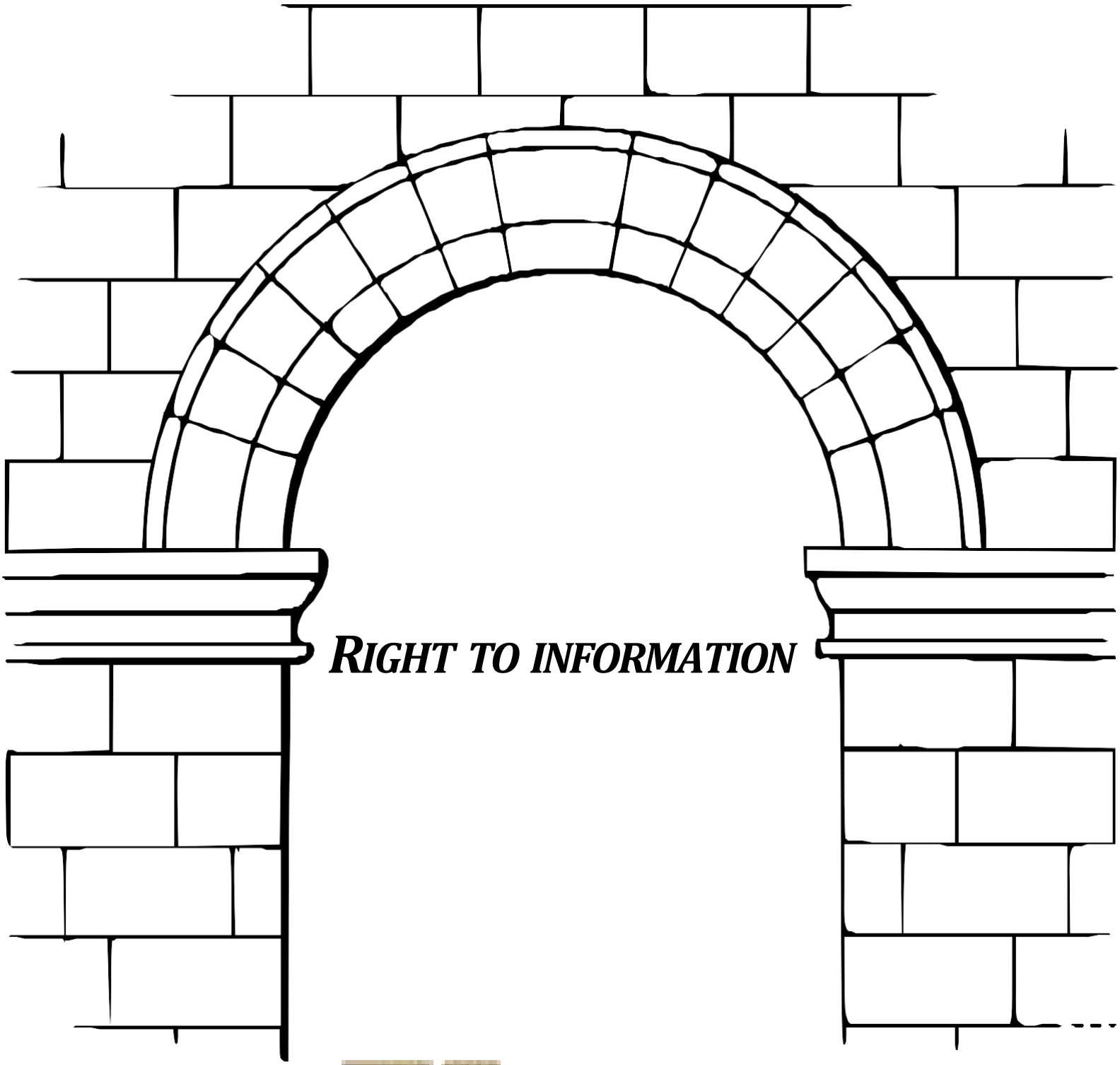
3. Police officer should not be in uniform

4. Statement must be recorded and read over to the child in simple language that they understand

5. Child has the right to have a social worker present when recording the statement

6. Child cannot be forced to go to the police station and cannot be detained in the station at night

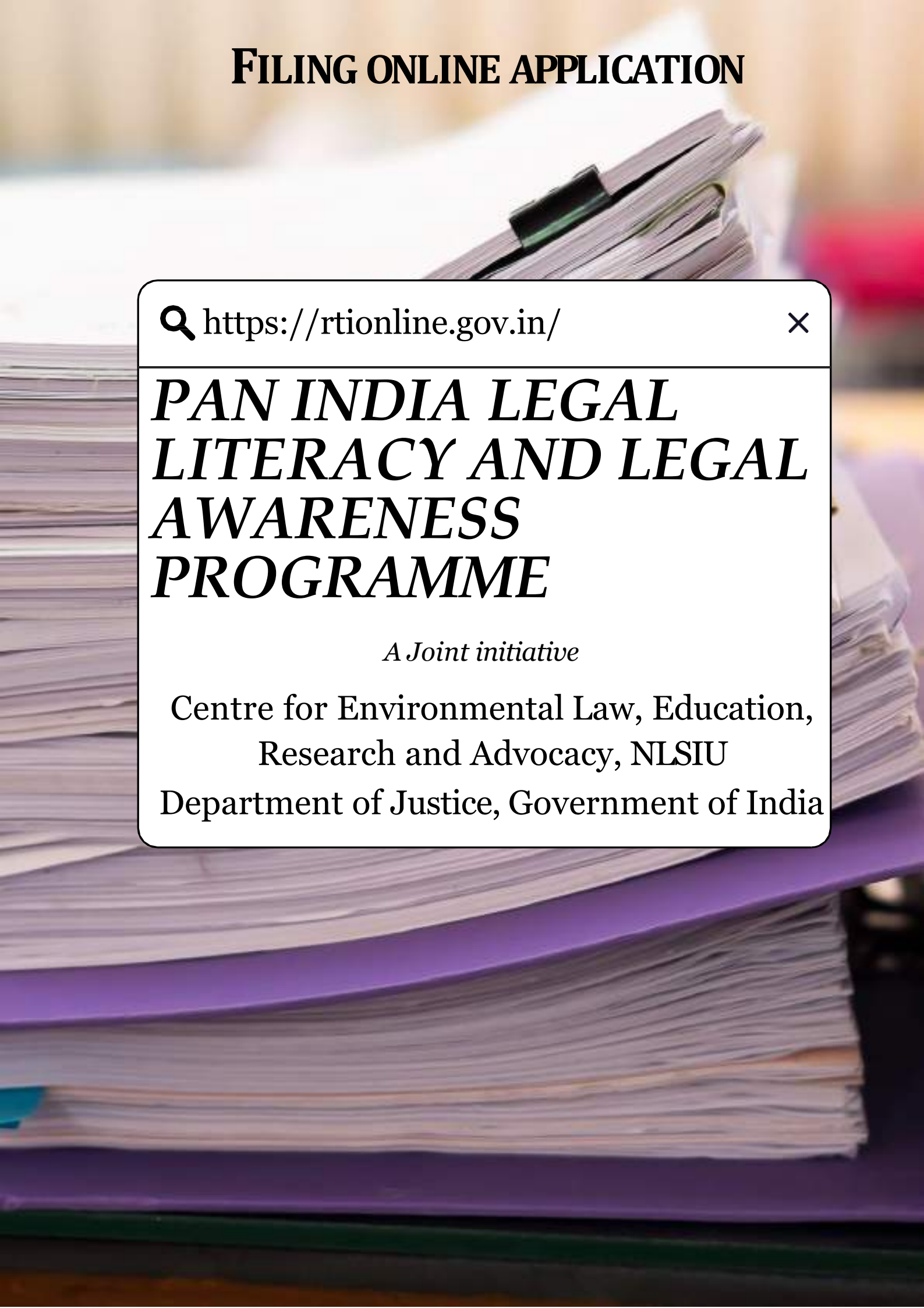
Poster on Right to Information



RIGHT TO INFORMATION

Azadi Ka Amrit Mahotsav

FILING ONLINE APPLICATION



https://rtionline.gov.in/

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A Joint initiative

Centre for Environmental Law, Education, Research and Advocacy, NLSIU

Department of Justice, Government of India

How to exercise the right?

- Visit the official RTI portal https://rtionline.gov.in.
- Select Ministry or Department for which you want to file an RTI from Select Ministry/Department/Apex body dropdown.
- You will receive SMS alerts in case you provide a mobile number. The fields marked * are mandatory while the others are optional.
- On submission of the application, a unique registration number would be issued. Make a note of the number for reference in the future.

WHY RTI?

To obtain timely responses to requests for government information, promote transparency and accountability, contain corruption, and make the democracy work for the people in real sense.

The Central Information Commission has been constituted under the RTI Act 2005.

(cic.gov.in)

सत्यमेव जयते

केन्द्रीय सूचना आयोग

Central Information Commission

सूचना के अधिकार का सुदृढ़ीकरण

WHAT IS AN ONLINE RTI PORTAL?

- It was initiated by the Department of Personnal and Training (DOPT) to facilitate the filing of RTI applications and appeals online.
- Central RTI Portal at https://rtionline.gov.in.

WHO CAN FILE IT?

Any Indian Citizen who wants to obtain any information under the RTI Act from the list of Public Authorities mentioned in the website can make a request through the web portal by clicking "Online RTI Request Form.

Every state has its particular portal



RTI Karnataka: https://rtionline.karnataka.gov.in/

What is the fee?

- The service is free of cost for any Indian citizen who is below poverty line as per RTI Rules, 2012.
- Everyone else has to make a payment of Rs 10.
- You can pay through Internet Banking, Credit or Debit Card / RuPay Card, UPI.
- You will get an email and SMS alert on the submission of the application.



RIGHT TO INFORMATION



Advantages

You can file an RTI to seek information from 2,463 Public Authorities and the Ministries. It is a transparent method to hold the government accountable.

What is a Unique Registration Number?

- It is given on the submission of the application.
- A unique registration number would be issued, which should be used for all future references from the concerned Department or the Ministry.
- The applicant will get an email and SMS alert (if mobile no. provided) on submission of application.

Poster on Right of Children to Free and Compulsory Education Act, 2009

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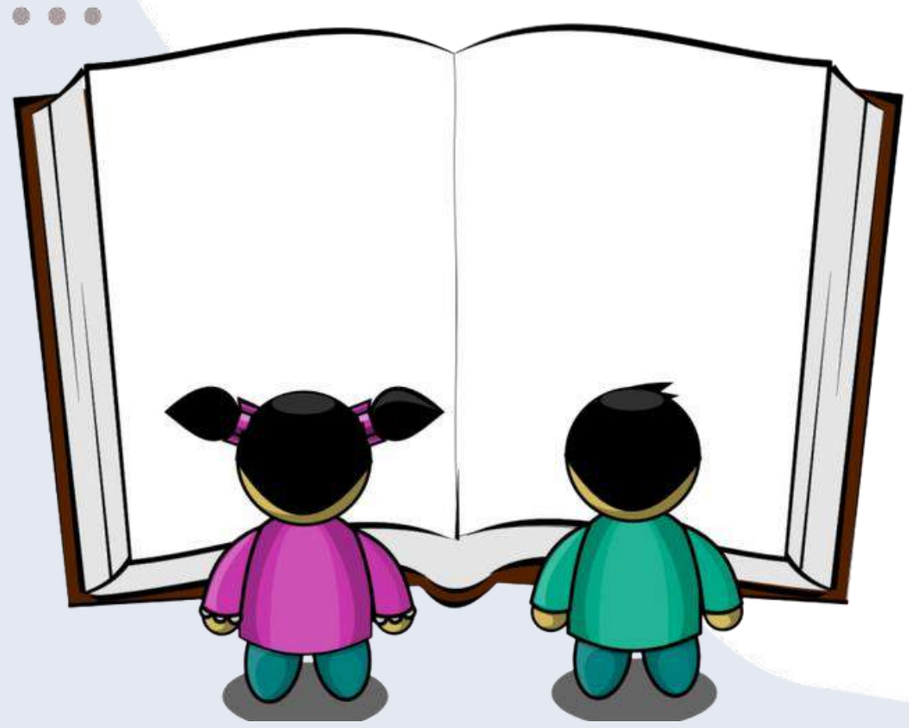
RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009



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Every child of the age of six to fourteen years, including a disadvantaged child and a child from the weaker section of society has the right to free and compulsory elementary education from classes 1 to 8

WHAT IS YOUR RIGHT?



1. Free elementary education in government schools, and in private schools (to the extent of at least 25% of the strength in each class)

2. No fees is required to be paid and the child cannot not be failed until 8th standard

3. The child also has the right to transfer to other government or private schools identified under the law

4. Free lunch, milk, uniforms and stationary will be provided

5. No child will be subjected to physical punishment or mental harassment in schools. Further, no child can be expelled from the school until the completion of their elementary education

6. A child who who is older than 6 years old and who has never attended/has dropped out of school can be admitted to an age appropriate class

WHAT KIND OF SCHOOLS CAN THE CHILD BE ADMITTED TO?

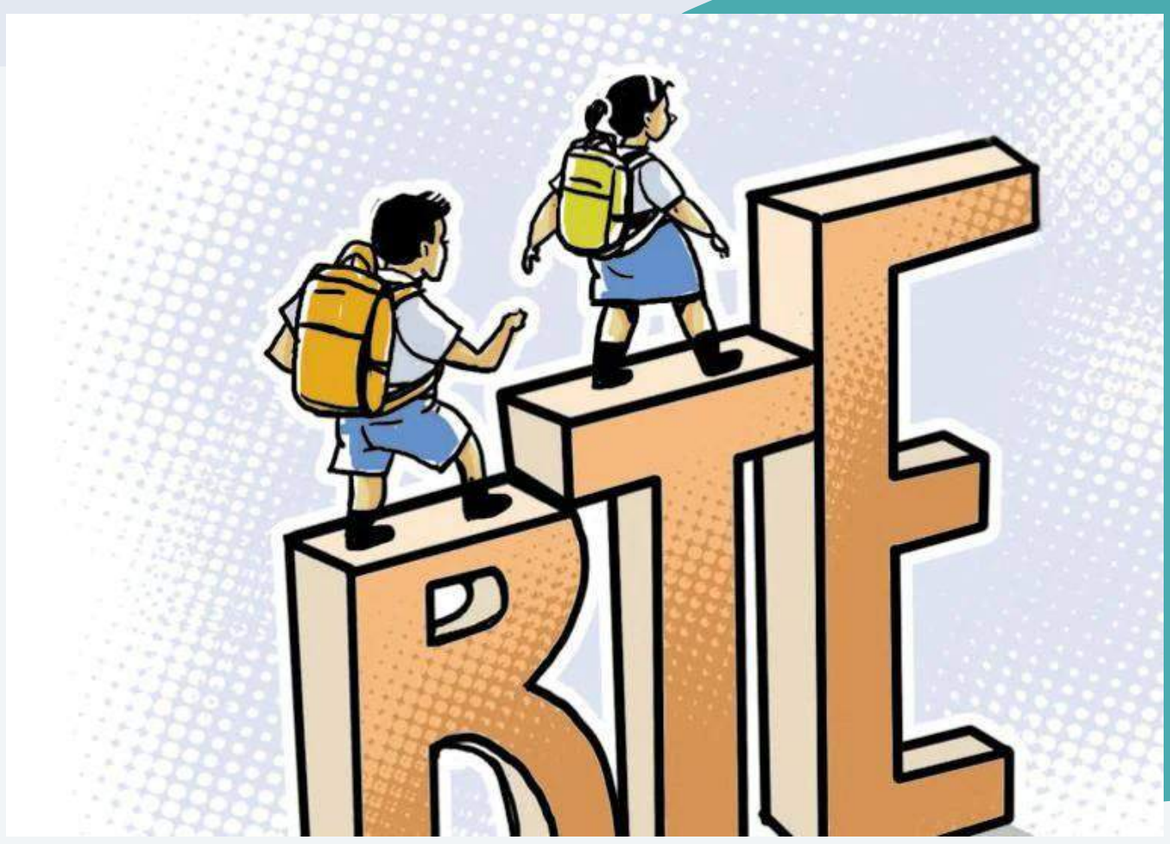
Under the act, a child can receive free & compulsory education from

- Schools established, owned controlled or substantially funded by the government or a local authority. (e.g. state established schools like Kendriya Vidyalaya, Navodaya Vidyalaya, Aarohi schools in Haryana etc.)

- Schools which are unaided, like private schools also have to admit eligible children to the extent of at least 25% of the class strength, and permit them to complete elementary education till class 8th.



HOW TO SECURE ADMISSION TO SCHOOLS & ACCESS YOUR RIGHT?





1 Fill out the form for admission, as available on your State's Government website. You can also approach your neighborhood school (preferably between within 1-3 kms), for the same

2 Submit certain documents for identification, such as Child's & Parents' IDs (for child, it may include Aadhar Card, Anganwadi record, birth certificate etc. which shall act as proof of age), Income Certificate, Disability Certificate etc.

3 The child or parents/guardians do not have to undergo any admission test or admission interview, or make any donation/payment for admission.

4 Schools cannot deny admission to any child, even in the absence of a proof of age

5 The school shall select the students randomly and fill vacancies through an open lottery system. Further, late admissions (i.e. admissions after the beginning of the academic term) will not be denied

WHO CAN CLAIM THE RIGHT TO FREE & COMPULSORY EDUCATION?

This right can be exercised by every child between the age of 6 & 14 years, who belongs to:

1 **A DISADVANTAGED GROUP**

(i.e. a child with disability, or a child belonging to Scheduled Caste, Scheduled Tribes, educationally backward classes, or other gro·ups with social / cultural / economic / geographical / linguistic disadvantages, etc.)

2 **WEAKER SECTIONS**

(i.e. a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.)

DO YOU KNOW?

The criteria for categorizing children into those belonging to disadvantaged groups or weaker sections is decided by each state, independently.

For example:

- In Bihar, children belonging to disadvantaged groups are those with parents/guardians having an annual income of up to 1 lakh rupees, whereas children belonging to weaker sections include children whose parents/guardians have an annual income of up to 2 lakh rupees.
- In Odisha, a child belonging to a weaker section means a child of such parents/guardians who are BPL card holders and a child belonging to disadvantaged groups means a child belonging to SC/ST/ other social or economically backward class or a homeless child or one found begging in the street or a working child.
- Pursuant to a Supreme Court directive some states including Karnataka have included children with HIV under disadvantaged groups.

WHAT ARE THE DUTIES OF VARIOUS STAKEHOLDERS IN ENSURING A CHILD'S EDUCATION?

LOCAL AUTHORITIES

"Local authority" means a Municipal Corporation/ Municipal Council/ Zila Parishad/ Nagar Panchayat/ Panchayat" or anybody having administrative control over the school.

What is their role?

- Ensure availability of neighborhood school
- Ensure no discrimination against children from the disadvantaged group or weaker sections
- Monitor admission, attendance and completion of elementary education Provide infrastructure, and more.

PARENTS & GUARDIANS

It is the duty of every parent or guardian to ensure that their child/ward is admitted to elementary education in nearby schools.

ROLE OF TEACHERS

- Maintain Regularity and Punctuality in school
- Complete curriculum on time, and a prescribed manner
- Hold regular meetings with parents and inform them about the child's regularity in attendance, ability to learn, progress made in learning, etc.
- Assess the learning abilities of each child and provide supplementary lessons, if needed., etc.

SCHOOL MANAGEMENT COMMITTEE

- Monitoring the school's functioning
- Preparing & recommending school development plans
- Supervising the teachers
- Monitoring the use of grants from the Government, Local authorities, etc.
- Perform other functions, etc.

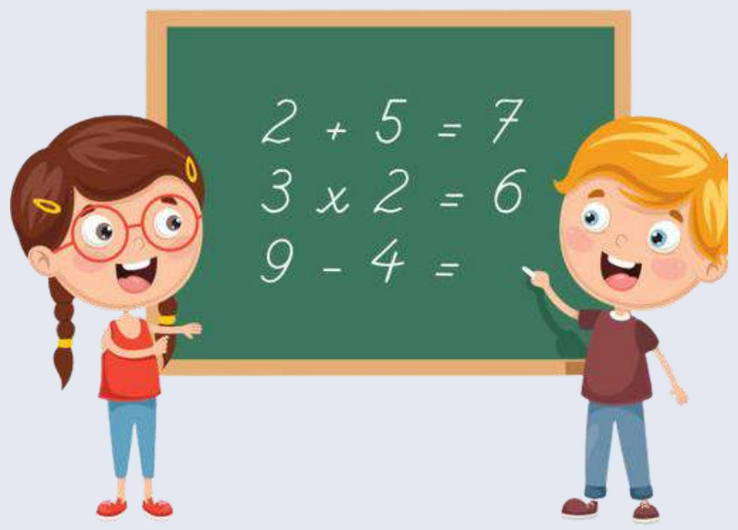
APPROPRIATE GOVERNMENT

Appropriate Government' refers to the Central & State Governments, depending on whose administration/control the school lies under.

It has the following obligations:

- To establish schools in neighborhoods, where no school exists.
- To provide infrastructure including school building, teaching staff
- Providing special training facilities for Teachers.
- Perform any duty to ensure that each child gets the elementary education they deserve.

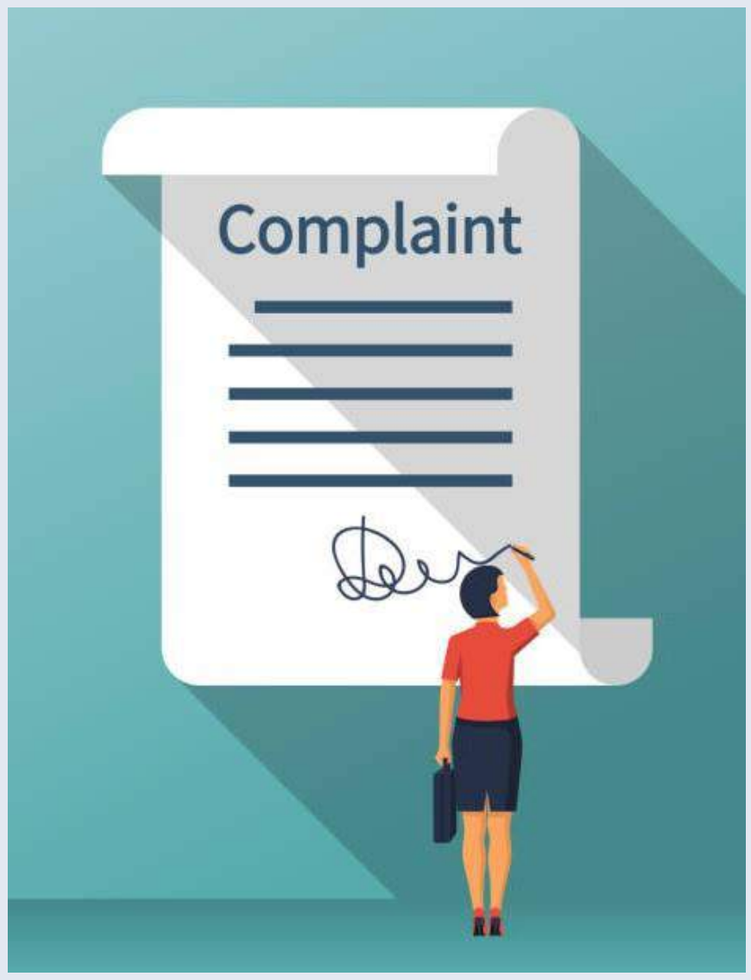




WHAT ARE THE GRIEVANCES UNDER THE ACT? HOW TO REDRESS THEM?

WHAT ARE THE KIND OF VIOLATIONS THAT CAN OCCUR UNDER THE ACT?

- Instances of Physical punishment and Mental Harassment
- Denial of Admission for lack of proof of age. Refusal to consider late admissions Collection of Donation fees, or subjecting the RTE eligible child to admission tests, etc.



WHO ARE THE RIGHT PEOPLE TO APPROACH, AND HOW?

- A written complaint can be made to the Local Authority, i.e. the Gram Panchayat or the Block Education Officer

- Complaints can also be made to the National/State Commission for Protection of Child Rights, in the following ways:

1. Via Post *at: National Commission for Protection of Child Rights 5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110001*

2. Via Phone *at:*

   National Commission for Protection of Child Rights- 011-23478200/250

   Childline India (Childline is a helpline for offences committed against children)- 1098

3 . Online, at: *www.ebaalnidan.nic.in*

4. Besides the above, even Teachers can be held accountable for redressing grievances.

POSTER ON
RIGHT TO LEGAL AID IN INDIA

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A JOINT INITIATIVE OF CENTRE FOR ENVIRONMENTAL LAW EDUCATION, RESEARCH AND ADVOCACY, NLSIU, BENGALURU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

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THE RIGHT TO LEGAL AID IN INDIA

THE RIGHT TO FREE LEGAL SERVICES TO THE WEAKER AND DISADVANTAGED SECTIONS OF SOCIETY TO ENSURE EQUAL OPPORTUNITIES FOR SECURING JUSTICE

Contact: ceera@nls.ac.in
CEERA PROBONO ASSISTANCE NUMBER: +91 90 19645266
Our Websites: enlaw.nls.ac.in | ceerapub.nls.ac.in | abs.nls.ac.in

DO CITIZENS HAVE A RIGHT TO LEGAL AID IN INDIA ?

Article 39(A) mandates that the State is required to provided **free legal aid** to all citizens by suitable legislations and schemes

The Parliament has enacted the **Legal Services Authorities Act, 1987** to provide **citizens from economically and socially weaker sections of the society** the right to free legal services

WHAT DO WE MEAN BY LEGAL AID/LEGAL SERVICES?

Legal Services includes **rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matters**. This also includes:

- Legal consultation/legal advice on any matter.
- Representation by an advocate in a court of law or a tribunal.
- Payment of process fees, translation expenses, fees for summoning of witnesses and other such charges
- Preparing and drafting of pleadings, legal documents,
- Availing certified copies of judgements, orders, decrees etc.



WHO IS ENTITLED TO FREE LEGAL SERVICES ?

1. **A MEMBER OF A SCHEDULED CASTE OR SCHEDULED TRIBE**

2. **A VICTIM OF TRAFFICKING IN HUMAN BEINGS OR *BEGAR***

3. **A WOMAN, IRRESPECTIVE OF HER INCOME OR FINANCIAL/ECONOMIC STATUS**

4. **A CHILD, UNTIL THE CHILD ATTAINS THE AGE OF 18 YEARS**

5. **A MENTALLY ILL, OR OTHERWISE DISABLED PERSON**

6. **A PERSON UNDER CIRCUMSTANCES OF UNDESERVED WANT**
   (*victims of mass disasters, ethnic violence, caste atrocities, flood, drought, earthquake or industrial disaster, an so on)*

7. **AN INDUSTRIAL WORKMAN**

8. **A PERSON WITH DISABILITY**
   (a person with long term physical, mental, intellectual or. sensory impairment which, in interaction with barriers, hinders his full and effective participation in.)

9. **A PERSON IN CUSTODY OR A PROTECTIVE HOME**
   (A victim of immoral trafficking, a child in need of care and protection or a child found to be in conflict with law under the Juvenile Justice Act, 2015, victim of child sexual abuse or a person in a mental health facility.)

10. **A PERSON WHOSE ANNUAL INCOME IS LESS THAN THE AMOUNT PRESCRIBED BY THE GOVERNMENT**
    (The annual income ceiling limit for availing free legal aid is set by each state. This limit ranges between 1,00,000 to 3,00,000 rupees across states. In some Union Territories the income ceiling limit has been set as low as 9000 rupees)

WHO CAN AN APPLICANT APPROACH, IF THEY ARE NOT ENTITLED TO LEGAL AID UNDER THE ACT?

Under the Legal Services Authorities Act, Legal Service Authorities are required to maintain a list of agencies, institutions or persons who have expressed their willingness to render free legal services to citizens. Thus, the authorities have am obligation to advise citizens (who are not entitled to legal aid under the act), to seek assistance from such persons or institutions

HOW CAN AN APPLICANT PROVE THAT THEY FALL UNDER THE PRESCRIBED INCOME BRACKET TO CLAIM FREE LEGAL AID?

To prove that a person falls within the prescribed income bracket to avail legal aid, they may furnish the **income certificate** or make an affidavit as to income.

Each State determines its own income ceiling for availing legal aid services. Persons with annual income less than the income ceiling limit would be eligible to access free legal aid.

The prescribed income ceilings in certain states are as follows:

- **Andhra Pradesh, Assam, Goa, Haryana, Himachal Pradesh and Jharkhand** provide legal aid to those with an annual income of **Rs. 3 Lakh**
- For **Bihar, Rajasthan & Tripura**, this ceiling lies at **Rs. 1.5 lakh**
- For most **other States/U.Ts**., the income bracket has been capped at **Rs. 1 lakh per annum**







WHAT IS THE PROCEDURE TO AVAIL FREE LEGAL AID?

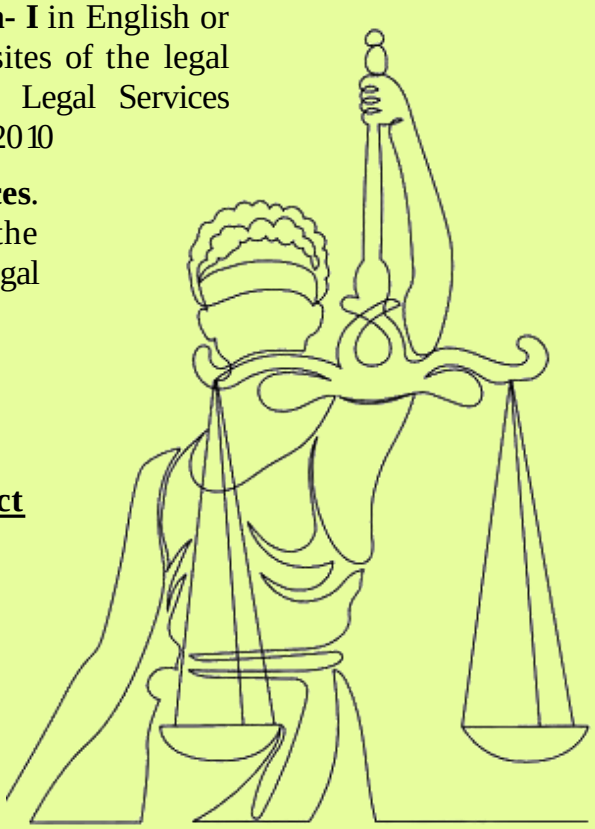
1. Approach the **nearest District/State/National Legal Service Authority, or the Taluk Level Legal Services Committee**, and fill **Form- I** in English or the local language. Form - I can be found from the websites of the legal services authorities and is appended to the National Legal Services Authority(Free and Competent Legal Services) Regulations, 2010

2. In a separate sheet, prepare a **Summary of grievances**. Applicants who are illiterate and unable to give the application on their own can seek assistance of the Legal Services Authority for this purpose

3. Applicants can also apply **through email** at **nalsa-dla@nic.in** , or the on-line facility, i.e. The **Legal Services Management System Portal of NALSA (https://nalsa.gov.in/lsams/nologin/applicationFiling.action?requestLocale=null)**

4. Application process is entirely free . No cost is to be borne by the applicant

5. Application can be tracked online by entering the registration details on the tracking portal: **https://nalsa.gov.in/lsams/nologin/applicationTrackingForm.action?requestLocale=null**



WHAT IS THE PROCEDURE TO BE FOLLOWED AFTER SUBMITTING THE APPLICATION?



1. The application will be **scrutinised by the Member Secretary/ Secretary/any other deputed person**, for further action. Applicant is entitled to **receive decision within 7 days** from the date of receipt of application

2. If the application has been received from Government Departments / through CPGRAM, an email is sent to the applicant. The applicant can also **view remarks made, and get a scanned copy of the application on the CPGRAM website**

3. Applicant can **send reminders or seek clarifications** by providing specific remarks on the portal at: **https://nalsa.gov.in/lsams/nologin/reminderClarificationFilling.action?requestLocale=null**

4. If the **application for Legal Aid has been rejected,** The applicant can file an **appeal before the Executive Chairman or the Chairman** of that concerned Legal Services Authority.

DO I HAVE THE RIGHT TO SELECT MY LAWYER/ GET MY LAWYER REPLACED?

1. Yes. The applicant can avail the services of a lawyer of their choice from the panel of lawyers enlisted. The decision-making authority can consider and allow the same if the applicant has expressed his/her choice of a lawyer on the panel

2. If the applicant is not satisfied with the assigned lawyer, a formal complaint can be filed in any of the following ways:

   - Writing an application and submitting the same to a Legal Services Authority
   - Writing an email to the appropriate authority or NALSA, at: nalsa-dla@nic.in
   - Accessing the "Grievance Redressal" option on NALSA website or the respective website of the state, district, taluk authority that assigned the lawyer



Poster on Senior Citizen Rights

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAM

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA), NLSIU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

SENIOR CITIZEN RIGHTS



CONTACT CEERA AT: CEERA@NLS.AC.IN

CEERA PROBONO ASSISTANCE NUMBER: +91 9019645266

Our Websites: enlaw.nls.ac.in | ceerapub.nls.ac.in | abs.nls.ac.in

A SENIOR CITIZEN'S

MAINTENANCE RIGHTS

UNDER

HINDU PERSONAL LAW

LEGAL RIGHT TO MAINTENANCE

Children have the legal and moral obligation to maintain their parents





UNDER

THE CODE OF CRIMINAL PROCEDURE

PROVISION OF MONTHLY ALLOWANCE

Children have a compulsory obligation to provide a monthly allowance for parents

It is secular and applies to senior citizens from every religion

Holds even married daughters responsible for taking care of her parents

UNDER

MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT

NON-BIOLOGICAL PARENTS ALSO INCLUDED

Even adoptive/step parents, are liable to ask for maintenance

Legal heirs of the childless senior citizens also have to financial support them



WHAT IS

ELDER ABUSE?



ILLEGAL OR IMPROPER USE OF AN ELDER'S PROPERTY, FUNDS OR ASSETS



A NON-CONSENSUAL SEXUAL CONTACT WITH OR TOWARDS A SENIOR PERSON

THE USE OF PHYSICAL FORCE THAT MAY RESULT IN PHYSICAL PAIN OR IMPAIRMENT





REFUSAL TO FULFIL A PERSON'S OBLIGATIONS OR DUTIES TO A SENIOR PERSON

MENTAL DISTURBANCE, EMOTIONAL PAIN, PSYCHOLOGICAL TRAUMA



WHAT ARE

SENIOR CITIZEN BENEFITS?

PENSION

A separate pension fund has been established under the National Policy for Older Persons with an aim to benefit the senior citizens who are a part of the unorganized sector.





OLD AGE HOMES

Old age homes and day care centres have been established in five major districts of every state.

CONCESSIONS

Concession in various means of transportation has been approved for senior citizens to travel within and between two areas/cities(30 % for trains and 50 % for air lines)





GERIATRIC CARE

The National Policy for Older persons aims to provide preventive, curative, rehabilitative healthcare for all age groups above 60

WHAT IS THE

ELDER LINE

The Union Ministry of Social Justice and Empowerment, India, launched a toll-free PAN India helpline number or senior citizens called the "Elder Line" in the year 2017 to ring in a hope for senior citizens.







DIAL

1 4 5 6 7

To inquire about necessary information on medical facilities, old age homes and activity centres, legal right to maintenance and pension schemes, available remedies against physical, mental and financial abuse,etc.

Intervention might also be provided in case of abuse and to address disputes. Homeless elderly can also ask to be rescued.

You can call the helpline number anytime between 8 am and 8 pm.





POSTER ON
RIGHTS OF STREET VENDORS

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014



RIGHTS OF STREET VENDORS

A JOINT INITIATIVE OF
CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, NLSIU
DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

सत्यमेव जयते
न्याय विभाग
DEPARTMENT OF JUSTICE







WHO IS A STREET VENDOR?

Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, defines Street vendors as "Someone who offers services to the general public in a street, public park or any other public or private area and is engaged in the **vending of articles, goods including food items, wares or merchandise of everyday use".**





‘Certificate of Vending’

- The street vendor shall have a right to undertake the business of street vending himself or through any of his family members (in case of death or disability)

- **How to get the certificate?** The town vending committee will issue the **‘certificate of vending’** after the vendor submits an undertaking and when it conducts the survey and identifies vendors

- In case of relocation, every vendor holding a certificate of vending shall be moved into a new site or an area, as prescribed under the act.

- Police or other officials cant stop persons with the certificate from carrying on their business



Article 19(1)(g) - an equal opportunity for the citizens to practice any profession or carry on any occupation, trade, or business.





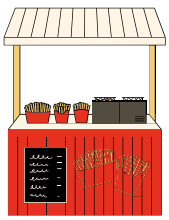


Grievance Redressal Mechanism

1. Street vendors, who have a dispute or grievance, can file a written application to the **Chairperson of the committee that is exclusively formulated by the appropriate government**
2. If an individual is aggrieved by the decision of the committee, he can always **lodge an appeal to the local authority**









The National Association of Street Vendors of India (NASVI)

NASVI is a national federation of all the street vendor organizations. At present, the federation has more than **900 organizations** from **26 different states of India.**

CONTACT DETAILS

Other Contact Details of NASVI

- **Contact no. of registered office: 0612-2220772, 2220773**
- **Contact no. of coordinated office: +91-011-47553013**
- **Website URL: https://nasvinet.org/**

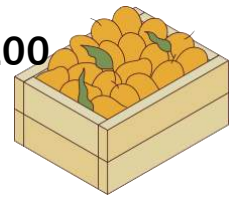
Direct Contact
Nationwide helpline number:
9835674364
Email-id: help@nasvinet.org

National Policy for Urban Street Vendors (NPUSV)

The scheme **aims to grant legitimate recognition to street vendors** and hawking zones

Government of India is granting support to the urban street vendors under **"Deendayal Antyodaya Yojana- National Urban Livelihood Mission"**

For more information, please visit:
https://prsindia.org/files/bills_acts/bills_parliament/2005/bill82_2006123082_National_Policy_for_Urban_Street_Vendors.pdf



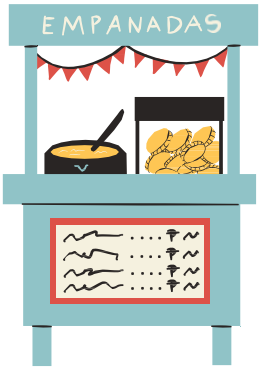


PM Street Vendor's AtmaNirbhar Nidhi (PM SVANidhi)

Working Capital **loans up to INR 10,000/-** at a subsidized rate of interest (i.e. 7%)

Where can you avail this loan?
Scheduled Commercial Banks, Regional Rural Banks, Small Finance Banks, Cooperative Banks, Non-Banking Financial Companies, Micro-Finance Institutions and SHG Banks
Application and all the details are available on the official website of the ministry

CONTACT DETAILS



Toll Free Number : 1800 11 1979
Monday to Saturday **9: 30 a.m to 6 p.m**
Official website of the Ministry:
https://pmsvanidhi.mohua.gov.in/

POSTER ON RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAM

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW EDUCATION, RESEARCH AND ADVOCACY, NLSIU, BENGALURU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

An Act to uphold the dignity of every Person with Disability in the society and prevent any form of discrimination against them



WHO IS DEFINED AS A 'PERSON WITH DISABILITY'?

A person with **long-term physical, mental, intellectual or sensory impairment, which hinders their full and effective participation in a society**, equally with others, is said to be a 'Person with Disability.'



A few examples of disabilities covered under the Act include:

- Locomotor disability such as, Leprosy Cured Person a person with Cerebral Palsy, Dwarfism, Muscular Dystrophy, Acid Attack Victims
- Visual impairment such as blindness or low vision
- Hearing Impairment
- Speech and Language disability
- Intellectual disability such as specific learning disabilities or autism spectrum disorder
- Mental disorder
- Chronic neurological conditions or blood disorders

The Act also covers **persons with benchmark disabilities** (a person with at least 40% of a specified disability) and **PwDs with high support needs**

WHAT ARE THE RIGHTS AND ENTITLEMENTS OF PERSONS WITH DISABILITIES?



Right to Equality, Protection & Dignity

(Freedom from Discrimination, Protection from Cruel & Inhuman treatment, and Equal Protection & Safety in situations of risk, armed conflict, humanitarian emergencies, etc.)

Right to Community Living

(Access to diverse in-house, residential and other community support services, includin.g personal assistance, and Right of Children with Disabilities to not be separated from their Parents).



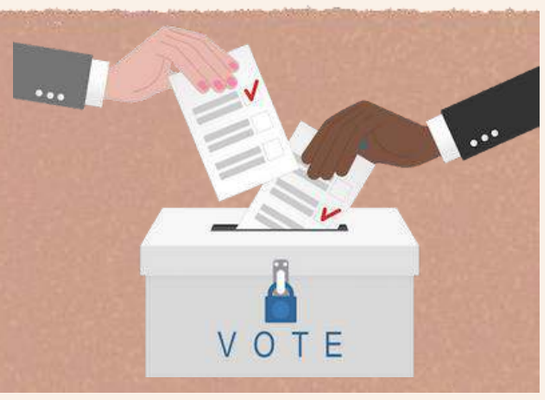


Reproductive Rights

(Right to access important and appropriate information about reproductive and family planning, and Protection from infertility-inducing medical treatments, without free & informed consent)

Voting Rights

(All polling stations and items related to the electoral process must be accessible to Persons with Disabilities)





Legal Capacity

(Equal right to own/inherit property, exercise control on their financial affairs and access bank loans, mortgages, etc, as others. Legal capacity and recognition equal to others in all aspects of life)

Education

(Right to free and accessible education to students with benchmark disabilities in schools & Government Institutions of Higher Education, and higher participation of PWDs in adult education programmes)



WHAT ARE THE RIGHTS AND ENTITLEMENTS OF PERSONS WITH DISABILITIES?

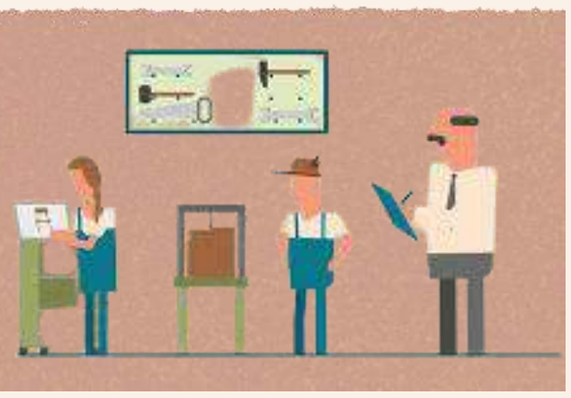


Employment

(Freedom from discrimination in matters of employment, reasonable accommodation, equal opportunity & barrier-free environment in workplaces, and reservation of 4% in each group of posts in Government establishments.

Vocational Training & Self Employment

(Obligation of the appropriate Government to make schemes for facilitating & supporting Vocational Trianing & Self Employment of PwDs)





Limited Guardianship

(Support of the Limited Guardian, when individual with disability is unable to take decisions for themselves. Decisions will be taken on the basis of mutual understanding & trust between the two)

Access to Justice

(Right to access any court, tribunal, authority, commission or other such authorities, without being discriminated against on the grounds of their disability)





Social Security, Health, Rehabilitation & Recreation

(Obligation of the Government to make welfare schemes for PWDs, with respect to health, sanitation, community living, recreational avenues, rehabilitation etc)

Access to Information & Barrier-free Infrastructure

(Obligation of the Government to make welfare schemes for PWDs, with respect to health, sanitation, community living, recreational avenues, rehabilitation etc)



WHAT ARE THE EXAMPLES OF VIOLATIONS UNDER THE ACT?

- Discrimination against PwDs on grounds of their disability, in employment
- Refusal of an establishment to create a barrier free environment for PwDs
- Using a PwD as a subject of Research without their free & informed consent.
- Refusal of authorities under the Act to carry out the functions assigned to them
- Fraudulently availing any benefits meant for PwDs
- Perpetrating atrocities against PwDs, including public humiliation, intimidation, assault, sexual exploitation, inflicting injuries, coercion to undergo medical procedures such as abortion, and so on.

HOW WOULD DEFAULTERS BE PUNISHED?

- Any violation under the act is charged with a fine upto Rs 10,000
- Subsequent violations invite a fine between Rs. 50,000 and Rs. 5 lakhs
- Fraudulently availing the benefits meant for persons with benchmark disabilities - Imprisonment upto 2 years or a fine upto Rs. 2 lakh
- Imprisonment between 6 months to 5 years and a fine, if a person is found committing offences such as: Insulting or intimidating a PwD publicly, assaulting them, outraging the modesty of a woman with disability, and so on.

WHO ARE THE RIGHT PEOPLE TO APPROACH TO REDRESS GRIEVANCES?

For employment related Grievances, the aggrieved PwD may approach the Grievance Redressal Officer (GRO) appointed in every Government establishment

If complaint is not satisfactorily addressed by GRO, one may approach the District Level Committee

In matters of abuse, violence, exploitation, one can approach the Executive Magistrate of the District, or a Police Officer

A complaint can also be to the Chief Commissioner / State Commissioner, through registered post or email.





CURIOUS FOR MORE ?

HOW CAN I OBTAIN A CERTIFICATE OF DISABILITY?

A person with specified disability who seeks to **avail benefits available to a Person with Disability** must **submit a certificate of disability**

To obtain one, you can fill **Form IV** and submit the application to:

- **A medical authority or other competent authority in the district where the applicant lives**; or
- **The concerned medical authority in a government hospital where they are undergoing or have undergone treatment** for their disability

Along with the application, the applicant must submit:

- **proof of residence**
- **two recent passport sized photographs; and**
- **aadhar number/aadhar enrollment number**

If applicant is minor, or suffering from intellectual disability/ any disability rendering them incapable of making application, a legal guardian or a concerned registered organization can make the application on their behalf

WHAT IS A UNIQUE DISABILITY CARD? HOW DO I GET ONE?

A Unique Disability ID (UDID) contains all essential details for the identification & verification of a Person with Disability in a single document.

You can apply for a UDID at:
https://www.swavlambancard.gov.in/pwd/application.

You can also apply for **disability certificate, renewal of UDID, to apply for a lost UDID and downloading e-disability certificate & e-UDID card, on the same portal.**

COMPLAINTS?

For grievances related to employment in Government Establishments, approach the **Grievance Redressal Officer (G.R.O.)** appointed under the Act, who shall act on the complaint **within 2 weeks**

If complaint is not resolved satisfactorily, approach the **District Level Committee**

In matters of **abuse, violence and exploitation**, complaint can be made to **Executive Magistrate of the District or a Police Officer**

An aggrieved person may also approach the **Chief/State Commissioner** (along with Certificate of Disability) and **send the complaint to either through registered post or email**

The complaint should contain:

- the **name, description and the address** of the **complainant**
- The **name, description and the address** of the **opposite party**
- The **facts** relating to complaint and when and where it arose
- **Documents** in support of the allegations in the complaint; and
- The **relief** claimed by complainant

How to apply for a UDiD?

If you do not have a disability certificate:

- **Fill the online application at https://www.swavlambancard.gov.in/pwd/application and attach the scanned copies of documents required**
- **Select the option 'No' to 'Have Disability Certificate?' under the 'Disability Details' tab, and submit the application**

If you have a disability certificate:

- **If your details have been transferred to the UDID portal, click on the 'Already have Disability Certificate' option, mention Beneficiary ID/Aadhar No. (if linked), State & District Details, fill application and submit**
- **If your details have not been transferred to the UDID portal, fill a fresh application and click on 'Yes' to question 'Have Disability Certificate?' under the 'Disability Details' tab, fill other details and submit**



Poster on Women's Safety and Helpline Numbers

A JOINT INITIATIVE OF
CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY, NLSIU
&
DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

न्याय विभाग
DEPARTMENT OF JUSTICE
सत्यमेव जयते

धर्मो रक्षति रक्षितः

WOMEN'S SAFETY & HELPLINE NUMBERS



Contact CEERA at: ceera@nls.ac.in |
CEERA ProBono Assistance Number: +91 9019645266
Our Websites: enlaw.nls.ac.in |ceerapub.nls.ac.in |abs.nls.ac.in

Constitutional Provisions for Women

Women have been given rights that are equal to men to enable them to take part effectively in the administration of the country. The Constitution also empowers the States to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio-economic, educational and political disadvantages faced by them.



Equality

Article 14 embodies the general principles of equality before the law and equal protection of laws.



Livelihood

Article 39(a) requires the State to direct its policy towards equally securing the right to an adequate means of livelihood for both for men and women



Equal Pay

Article 39(d) talks about equal pay for equal work for both men and women.



Just and humane work conditions & maternity relief

Article 42 directs the State to make provisions for securing justice and humane conditions of work and also provides for maternity relief.



Dignity

Article 51A(e) enjoins upon every citizen to renounce practices derogatory to the dignity of women.



Reservation

Articles 243D and **243T** provide for reservation of certain section of the total number of seats for women in specified bodies.

SPECIAL LAWS FOR WOMEN

(THE VARIOUS LAWS THAT HAVE BEEN PASSED TO ENSURE THE SAFETY AND UPLIFTMENT OF WOMEN)



The **Indian Penal Code** deals with women related crimes viz. rape; kidnapping and abduction; homicide for dowry, dowry deaths or their attempts; torture – mental and physical; molestation; sexual harassment; importation of girls (upto 21 years of age), etc.

This spirit also finds place in the **Criminal Procedure Code, 1973** through the provisions relating to maintenance *inter alia* of wives.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 seeks to protect women from sexual harassment at their place of work – be it in public or private.

The Equal Remuneration Act, 1976 has been drawn up to provide for payment of equal remuneration to men and women workers and for prevention of discrimination, on the ground of sex against women in the matter of employment and for matters connected therewith or incidental thereto.

The provisions of the **Hindu Marriage Act, 1955** and the **Special Marriage Act, 1954** have been amended to make sure that the interest of women is safeguarded and no rave financial or other hardship is caused to them.

The Dowry Prohibition Act, 1961 prohibits the request, payment or acceptance of a dowry as consideration for marriage, where 'dowry' is defined as a gift demanded or given as a precondition for a marriage



WELFARE SCHEMES FOR WOMEN



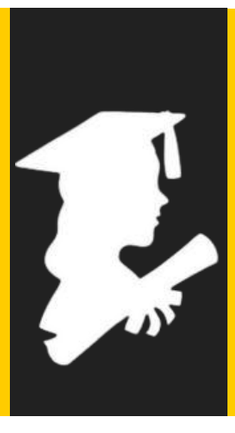
THE MOTHER AND CHILD TRACKING SYSTEM

Helps to monitor the healthcare system to ensure that all mothers and their children have access to a range of services, including **pregnancy care, medical care during delivery and immunizations.**



PRADHAN MANTRI MATRU VANDANA YOJANA

A scheme for **pregnant and lactating women** for their **first live child** in the family. It provides a sum of **₹5000** in three instalments to help ensure the good health and nutrition of the recipients. The instalments are paid within 150 days of pregnancy, after 180 days of pregnancy, and after child birth.



RAJIV GANDHI SCHEME FOR EMPOWERMENT OF ADOLESCENT GIRLS

Offers a package of benefits and services to girls falling within the age group of **10 to 19** including **nutritional supplementation** and **education, health education and services, life skills** and **vocational training.**



THE RASHTRIYA MAHILA KOSH

National credit fund for women that aims to deliver women from lower income groups with **access to loans** to begin small businesses.



THE DIGITAL LAADO - GIVING DIGITAL WINGS TO DAUGHTERS

A nation-wide initiative with the motive of empowering and strengthening daughters on digital platforms, in which every daughter shall be **taught** and **trained** to **develop her talent and skills** to **work from home** itself and get connected with the global platform.



EMERGENCY HELPLINES FOR WOMEN

DIAL

1098

TO ACCESS INDIA'S FIRST 24-HOUR, FREE, EMERGENCY PHONE SERVICE FOR CHILDREN IN NEED OF AID AND ASSISTANCE

DIAL

181

FOR FREE, CONFIDENTIAL, IMMEDIATE AND 24X7 SUPPORT AND ASSISTANCE TO WOMEN IN DISTRESS

DIAL

1091

TO CALL THE POLICE FOR HELP IN EMERGENCY SITUATIONS LIKE RAPE, MOLESTATION, EVE TEASING, DOMESTIC VIOLENCE, KIDNAPPING AND OTHER SUCH ACTS.

CONTACT THE NATIONAL COMMISSION FOR WOMEN HELPLINE AT:

7827170170

for round-the-clock counselling and support services to women affected by violence.

File an aonymous online complaint on the National Commission for Women portal at:

http://ncwapps.nic.in

File an online complaint on the national cyber-crime reporting portal at:

http://cybercrime.gov.in

Poster on Role and Responsibilities of ULBs in Waste Management

न्याय विभाग
DEPARTMENT OF JUSTICE

Pan India Legal Literacy and Legal Awareness Programme

A Joint initiative of

Centre for Environmental Law, Education, Research and Advocacy, NLSIU

&

Department of Justice, Government of India

ROLES AND RESPONSIBILITIES OF ULBS IN WASTE MANAGEMENT

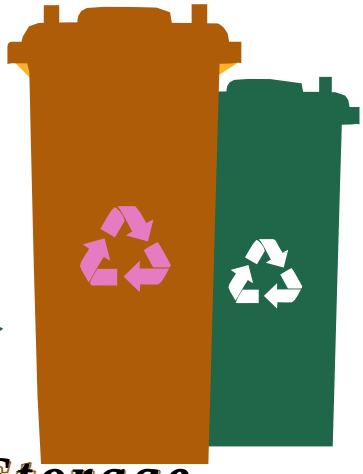


CONTACT CEERA AT: CEERA@NLS.AC.IN
CEERA PROBONO ASSISTANCE NUMBER: +91 9019645266
Our Websites: enlaw.nls.ac.in | ceerapub.nls.ac.in | abs.nls.ac.in

THE PROCESS OF WASTE MANAGEMNT



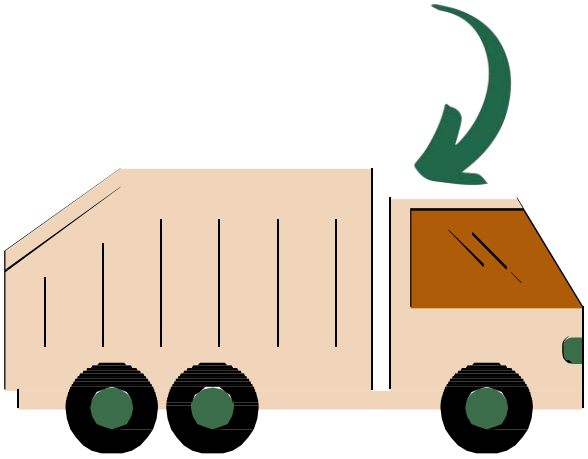
Collection **- systematic, regulated and reliable**



Storage



Disposal - non hazardous



Transport **- conveniently located transfer stations**



Reuse **- sorting facilities separate, screen and prepare reusable material**



Recycle **- Residual waste undergoes energy recovery**

TYPES OF WASTE

IMPORTANT INFORMATION



WET WASTE (COLLECTED IN GREEN COLOURED BINS)

- Kitchen waste
- Organic market waste such as fruit and vegetable peels, rotten and/or spoilt vegetables and fruits
- Meat and bones
- Garden and leaf litter, including
- Flowers Garden & Horticulture waste



DRY WASTE (COLLECTED IN BLUE COLOURED BINS)

- Newspapers, books and magazines
- Plastic Items
- Aluminum cans
- Rexene & Rubber Items
- Packaging
- Fabrics/ Clothes
- Styrofoam & Thermocol



SANITARY WASTE (COLLECTED IN RED COLOURED BINS)

- Diapers/Sanitary napkins tampoons
- Bandages
- Condoms
- Nails
- Medicines
- Swept dust
- Razors and blades
- Used syringes
- Injection vials



DOMESTIC HAZARDOUS WASTE

- Aerosol cans
- Batteries, oil filters and car care products and consumables
- Bleaches, household kitchen and drain cleaning agents
- Oils, Chemicals and solvents and their empty containers
- Cosmetic items, chemical-based Insecticides and their empty containers
- Medicines including expired medicines, Pesticides and herbicides and their empty containers
- Paints, oils, lubricants, glues, thinners, and their empty containers
- Photographic chemicals
- Soft foam packaging
- Thermometers and mercury-containing products



E-WASTE



BLACK COLOURED BINS FOR E- WASTE



- Bengaluru produces two lakh tonnes of e-waste annually.
- 90% of this goes to landfills or scrap dealers
- All the Bangalore One Centres have an E-WASTE collection facility set up by the BBMP.

- PHONES
- ELECTRONIC WIRES
- LAPTOPS
- DESKTOPS
- KEYBOARDS
- PRINTERS
- CIRCUITBOARDS
- CLOCKS
- LAMPS
- FLASHLIGHTS
- CABLES

THRUST AREAS OF WASTE MANAGEMENT



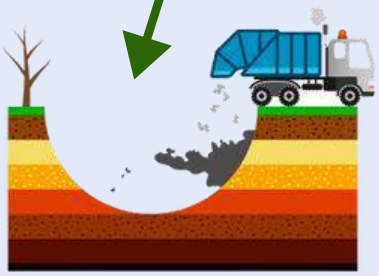
Continuous R&D Activities



Estimation of Waste generation



Municipal Solid C&D Waste



Landfills



Adverse Impact on Environment



Initiatives to Promote Recycling

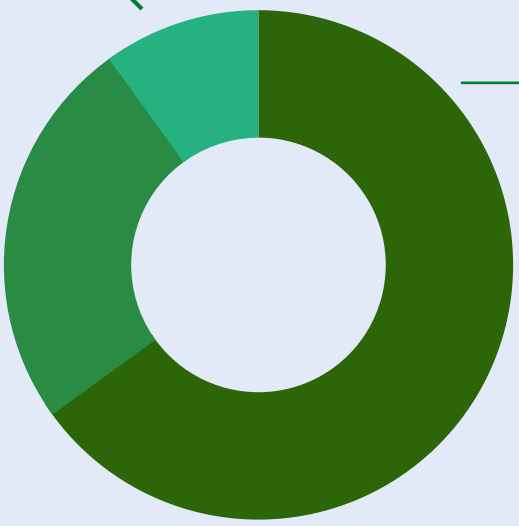
ULB BUDGETARY SPENDING

DISPOSAL

- Only **10%** of the budget is spent on treatment and final disposal.
- It shows that it is done in an unscientific manner.

TRANSPORTATION

- **20 – 30%** of the budget is spent on transportation.
- It shows that the distance between the sites of waste collection, segregation and disposal is important.



WASTE COLLECTION

- **60-70%** of the budget is spent on waste collection.
- It is employee intensive.
- This process needs to be more efficient.

IMPORTANT
Information

B B M P

BRUHAT BENGALURU MAHANAGARA PALIKE

THEY CAN BE CONTACTED FOR:

Lodging a complaint about any service provided by BBMP or its contractors.

Reporting Illegal dumping or burning of waste.

Writing or speaking to respective ward officials.

TO CONTACT
DIAL HELPLINE

080-22660000

THE SWACHCH BHARAT APP

This nation-wide app can be used to register a complaint regarding Municipal Waste Management

For iOS Devices

For Android Devices

Poster on Adoption under the Juvenile Justice (Care and Protection of Children) Act, 2015

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

A JOINT INITIATIVE OF

CENTRE FOR ENVIRONMENTAL LAW EDUCATION, RESEARCH AND ADVOCACY, NLSIU, BENGALURU

&

DEPARTMENT OF JUSTICE, GOVERNMENT OF INDIA

Adoption under the Juvenile Justice (Care and Protection of Children) Act, 2015



What is Adoption?

Adoption" is a process through which a child is **permanently separated from their biological parents and becomes the lawful child of their adoptive parents** with all the rights, privileges and responsibilities that are attached to a biological child.

Who can be adopted?

As per the Juvenile Justice Act, 2015, the following children can be adopted:

- **Orphaned, Abandoned or Surrendered**, and who have been declared legally free to be adopted by the Child Welfare Committee
- **A child of a relative**
- **A child or children of spouse from a previous marriage**, if they have been surrendered by the biological parent(s) for adoption by the step-parent



WHO IS ELIGIBLE TO ADOPT?

A Prospective Adoptive Parent (PAP) is eligible to adopt if:

- They are physically, emotionally, and mentally stable, financially capable, and do not have any life-threatening medical conditions.
- The minimum age difference between the child and the PAP is more than 25 years.

For a married couple, in addition to the above, the following are

- Required: They must have had at least 2 years of a stable marital.
- Relationship: Both spouses must consent to the adoption.
- Their composite age (i.e. sum of the spouses' age) should not be more than 110 years.

Single persons, with or without adoptive children must take care of the following, in addition to the general conditions specified above:

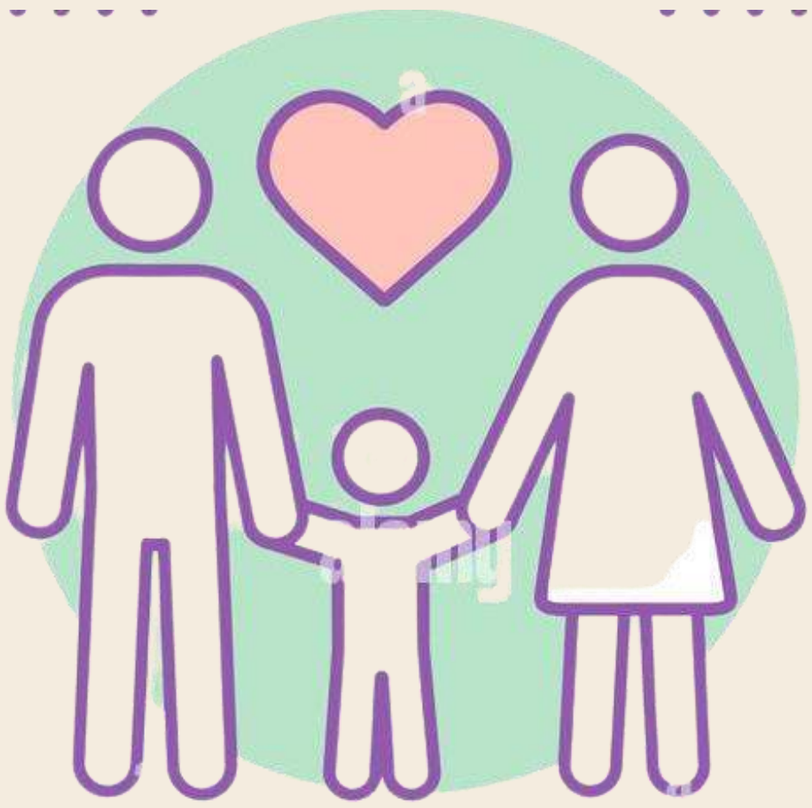
- A single female can adopt a child of any.
- Gender - A single male cannot adopt a girl child.
- The age of the single parent must not be more than 55 years.

They must have less than 3 children unless they are adopting a child with special needs, a hard-to-place child, a relative's child, or a step-child.



WHAT IS THE PROCEDURE FOR ADOPTION WITHIN INDIA?







GETTING STARTED

- PAPs register online for adopting a child and upload their documents in Child Adoption Resource Information & Guidance System (CARINGS)
- Home Study is conducted by a social worker of Specialised Adoption Agency (SAA) & uploaded on CARINGS



ADOPTION PROCESS

- PAPs, based on choice & eligibility, are referred the profile of legally free children
- Child is reserved by PAPs within 48 hours
- Matching of PAPs with the child is done by the Adoption Committee within 20 days
- The child is then accepted by the PAPs, and taken into Pre-Adoption Foster Care
- Application is filed by SAA with PAPs as co-petitioners, before District Magistrate within 10 days of acceptance
- Case is disposed off within 60 days of the filing of application before DM

POST- ADOPTION FOLLOW UP

- Application and Issuance of the birth certificate of child within 8 working days
- Post adoption follow up till 2 yearsfrom the date of placement with the adoptive family



WHAT IS THE PROCEDURE FOR INTER COUNTRY ADOPTION?







Application

- PAPS living in a Hague Adoption Convention Signatory Country can contact an authorised Foreign Adoption Agency or the Central Authority concerned, for registration in CARINGS and the preparation of Home Study Report
- In case there is no such authority present, PAPs can contact the relevant Government department or Indian diplomatic mission in that country
- After completion of the home study, the concernedauthority would get the application registered on the CARINGS
- The Home Study report would be forwarded to the Specialised Adoption Agency

Referral

- The PAPs are then shown the profile of two children, based on their preference and seniority
- They must reserve one child within 96 hours. Further, they must also accept the child by signing on the Child Study Report and Medical Examination Report, within thirty days of the reservation
- PAPs can visit the SAA to meet the child once adoption application is approved by Central Authority. They can also get the child's medical examination report reviewed by a medical practitioner of choice

Pre adoption Foster Care & Final Custody

- Issuance of a No-objection Certificate by the Authority, within 10 days of receiving information about acceptance of child by PAPs. A copy of this NOC will be endorsed to all concerned parties and posted in the CARINGS Portal
- PAPs may now take the child in pre-adoption foster care within India by furnishing an undertaking to the SAA, in the prescribed format
- The PAPs will receive Final custody of the child from SAA as soon as the passport and visa are issued to the child, after an adoption order from the District Magistrate

CAN YOU ADOPT YOUR RELATIVES' CHILDREN? HOW?

- Register on the CARINGS Portal with all required documents
- The consent of biological parents, or the permission of Child Welfare Committee (CWC) along with the consent of the child (aged 5 and above) become mandatory to obtain in cases of adoption by relatives
- File an application for adoption with the District Magistrate. This application must be accompanied by consent letter of the biological parents, along with other required documents as prescribed in the Act
- Finally, obtain a certified copy of the adoption order from the District Magistrate, and provide a copy of the same to the District Child Protection Unit for online submission to the Authority (CARA)

KNOW MORE!

WHAT IS THE ROLE OF CARA IN THE ADOPTION PROCESS?

Central Adoption Resource Authority (CARA) is an autonomous body under the Government of India's Ministry of Women & Child Development. It monitors both, in-country, and inter-country adoptions.

It can assist the PAPs during the adoption process by:

- Receiving and Processing applications for adoption from NRIs /Foreigners/OCIs
- Issuing No Objection & Conformity Certificates in inter-country adoptions
- Informing the immigration authorities of India and the receiving country of the child about the inter-country adoption cases, and so on

DOCUMENTS YOU MUST SUBMIT AT CARINGS PORTAL

- **Current photograph** of person/family adopting the adopted child
- **PAN Card**
- **Birth certificate/Proof of date of birth**
- **Proof of residence** (Aadhar card/ voter card/ passport/current electricity bill/telephone bill
- **Proof of income of last year** (salary slip/income certificate issued by Govt. department/income tax return)
- **Medical Certificate from a medical practitioner** certifying that the PAPs do not suffer from any chronic, contagious or fatal disease and they are fit to adopt
- **Marriage certificate**
- **Divorce Decree/Declaration /Death certificate** of spouse in case of single PAPs (if applicable).
- **Two reference letters** from acquaintances or relatives in support of adoption
- **Consent of the older child/children** in the adoptive family (if more than 5 years)

COMPLAINTS & QUESTIONS?

For Queries related to Adoption

- Contact the following Toll Free numbers: **1800-11-1311 / 011-26760471 / 011-26760472 / 011-26760473 (**Available between 9:00AM to 5:30PM on all working days (Monday - Friday)
- Or drop an e-mail at: **carahdesk[dot]wcd[at]nic[dot]in**

For Redressal of Grievances

- A complaint can be lodged at the **Grievance Redressal Portal of CARA** at: **https://carings.nic.in/Grievance/Grievance.aspx**
- All grievances or queries shall be responded to within 3 working days
- Further, any Public Grievance can also be posted via mail. It must be addressed to
- **Central Public Grievance Officer Central Adoption Resource Authority (CARA), West Block –VIII, Wing –II, 2nd Floor, R.K. Puram, New Delhi-110066.**
  Tel. No: 26712713, 26106725,
  Toll Free No. 180011311
  Email ID: carahdesk.wcd@nic.in
- If the grievance is not addressed, the same can be taken up with: the **CEO, Central Adoption Resource Authority, Ministry of Women and Child Development, West Block 8, Wing 2, 1st Floor, R.K. Puram, New Delhi-11006.**
- In addition to this, a grievance against the Ministry of Women & Child Development can also be filed through the **CPGRAMS Portal**
  (Link: https://pgportal.gov.in/Signin)

POSTER ON
NATIONAL GREEN TRIBUNAL

न्याय विभाग
DEPARTMENT OF
JUSTICE



Sustainable development

Polluter pays principle

Precautionary principle

Priciples of Natural Justice

National Green Tribunal

SEAT OF NGT

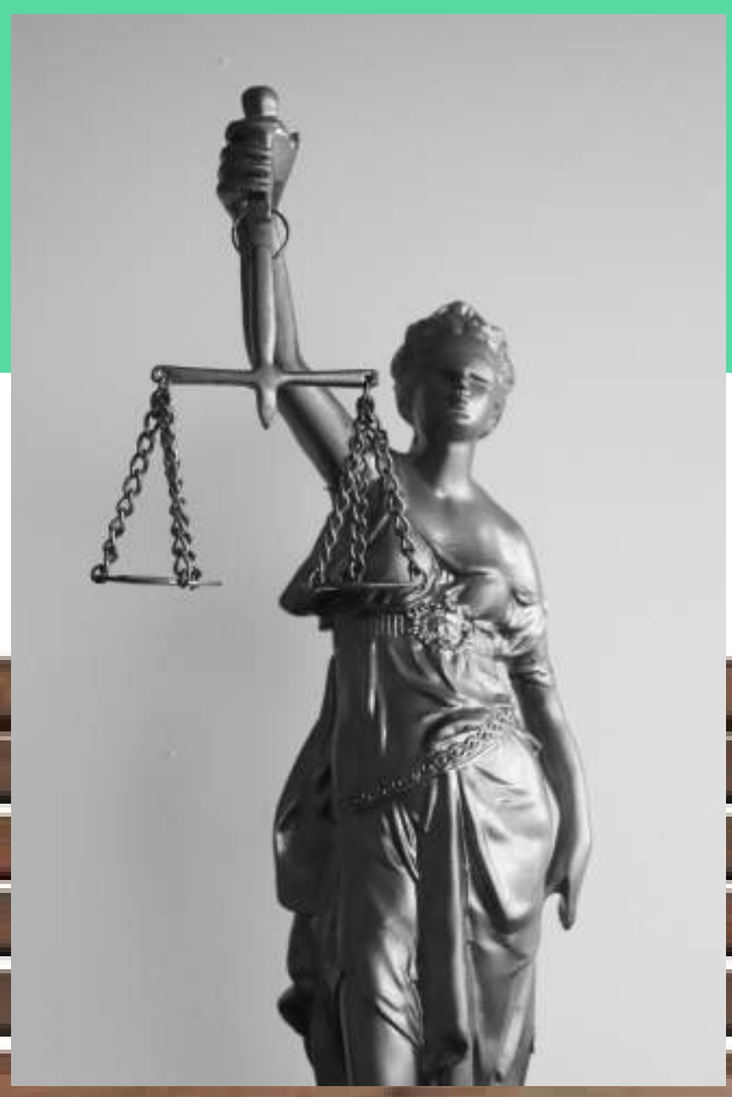
Delhi

Kolkata

Bhopal

Chennai







NATIONAL GREEN TRIBUNAL

18th October 2010

NGT Act of 2010

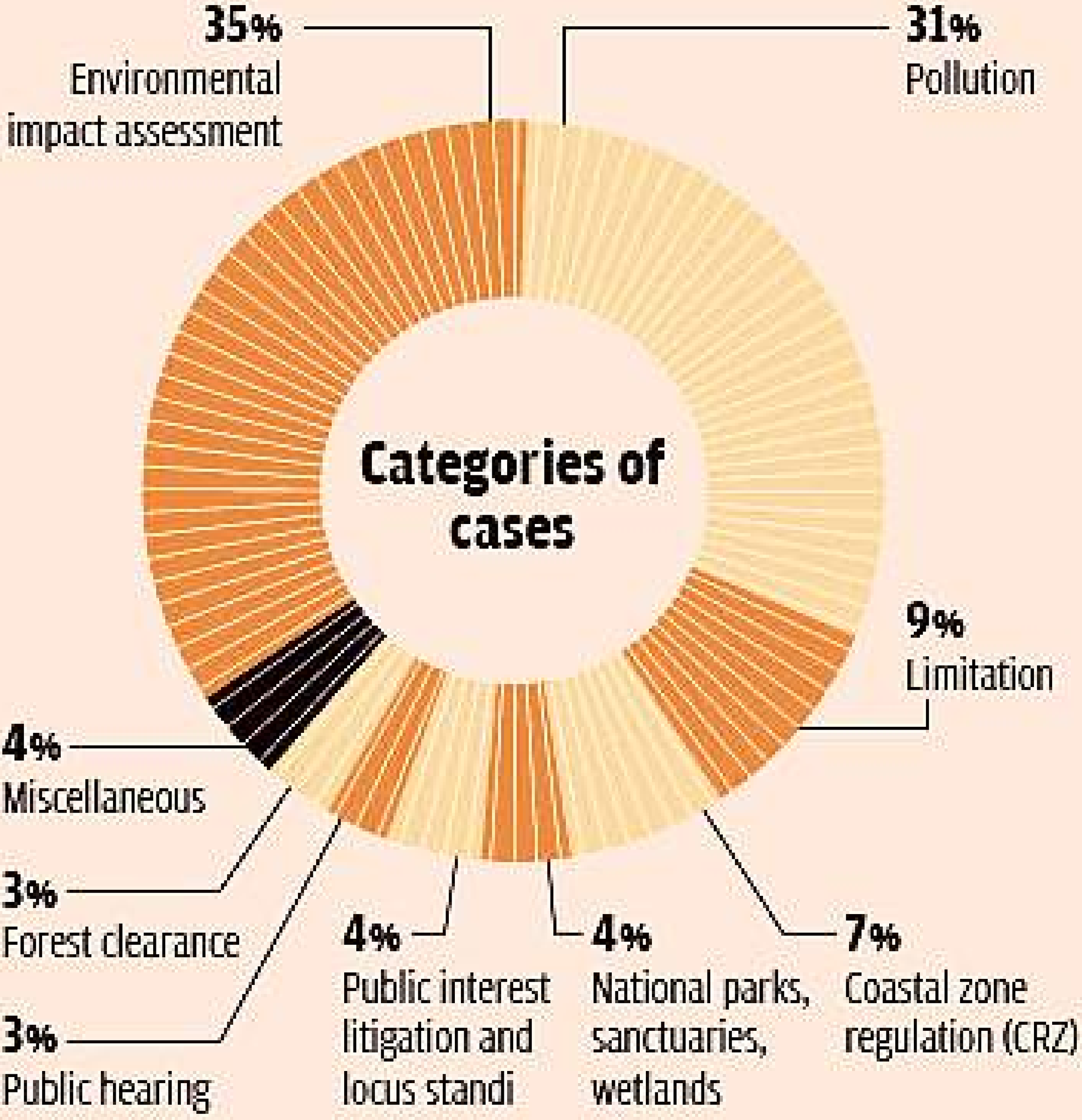
Human development

Environment protection



Types of cases NGT handles

Two-thirds of cases handled by NGT relate to environmental impact assessments and pollution



Source: National Green Tribunal

STATUTES



The Water (Prevention and Control of Pollution) Act, 1974

The Forest (Conservation) Act, 1980

The Water (Prevention and Control of Pollution) Cess Act, 1977

The Public Liability Insurance Act, 1991

The Air (Prevention and Control of Pollution) Act, 1981

The Biological Diversity Act, 2002.

The Environment (Protection) Act, 1986

DO YOU KNOW

Any person seeking relief and compensation for environmental damage involving subjects in the legislations mentioned in Schedule I of the National Green Tribunal Act, 2010 may approach the Tribunal.

Tribunal has powers to review its own decisions

Decision can be challenged before the Supreme Court within ninety days

Decisions of the Tribunal are binding

The Tribunal is an open court and its proceedings can be attended in person

Poster on
The Karnataka State People's Biodiversity Register

न्याय विभाग
DEPARTMENT OF
JUSTICE

THE KARNATAKA STATE PEOPLES BIO-DIVERSITY REGISTER



BIO DIVERSITY MANAGEMENT COMMITTEE

Management and sustainable utilization of bio resources

maintain data about the local vaidyas and practitioners using the biological resources

collection of fees for accessing/collecting bio-resources for commercial purpose

Maintain register giving information about the details of access of biological resources and traditional knowledge

Management and use of Biodiversity Fund as per guidelines of National Biodiversity Authority and Karnataka Biodiversity Board

The Biodiversity Management Committee will also be involved in documentation of biodiversity and associated traditional knowledge.

THE REGISTER CONTAINS

Habitat and Topography description

Flora (Trees, Shrubs, Herbs, Tubers, Grasses, Climbers)

Peoplescape

Fauna (Mammal, Birds, Reptile, Amphibians, Insects and others

Forest land

Climate,Rainfall, Temperature

Aquatic floral Diversity

Aquatic faunal diversity

Medicinal Plants

Details of Crops

Soil type

Waterscape

PEOPLES BIODIVERSITY REGISTER

May 22
International day on
Bio Diversity

The Biological
Diversity Act, 2002
& Rules, 2004

National Biodiversity Authority
(NBA)

State Biodiversity Board (SBB)

TECHNICAL SUPPORT GROUP (TSG)

Documentation of
Traditional Knowledge
Access and Benefit Sharing
(ABS)

important

The Indian Roller is the state bird of Karnataka



State Butterfly of Karnataka



The Southern Bird Wing



10% of the Tiger Population in India is in Karnataka

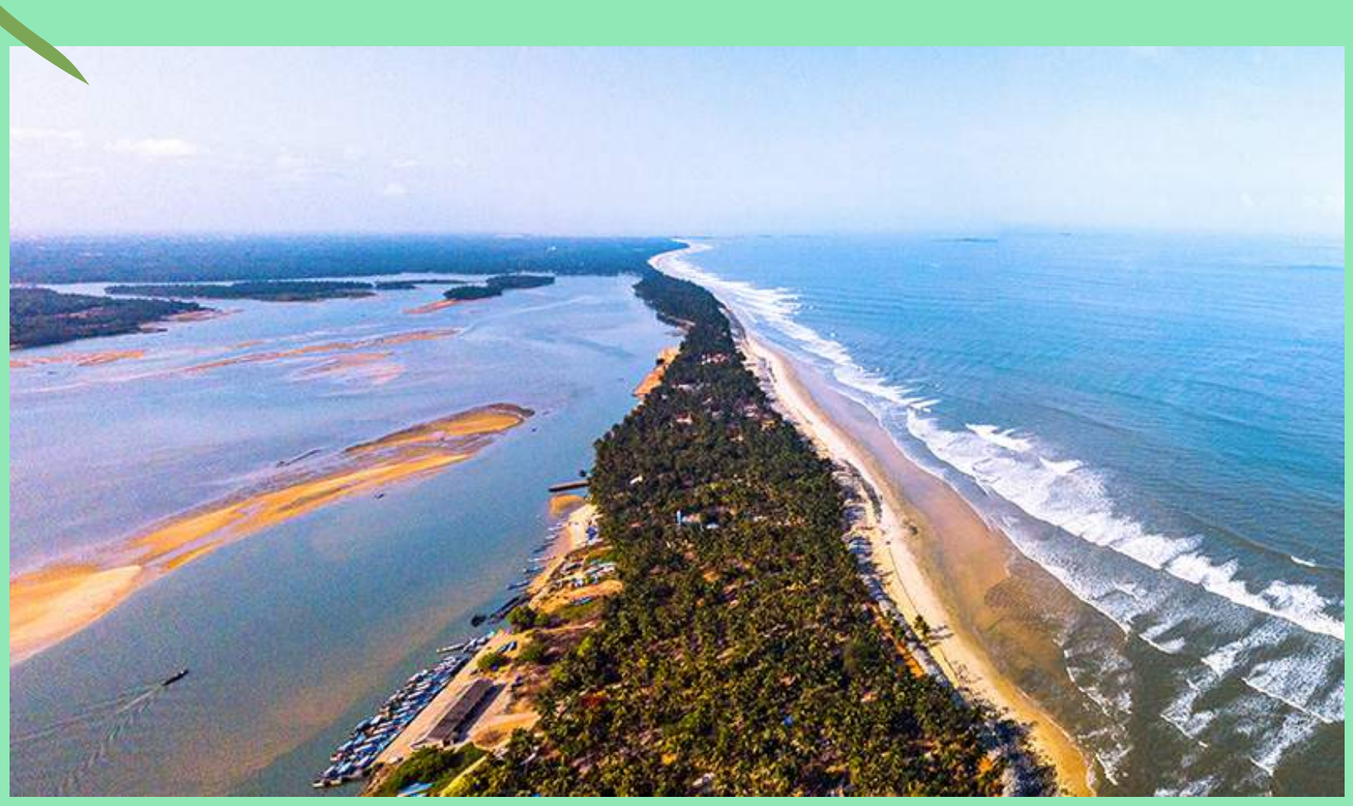








KARNATAKA TOPOGRAPHY AND BIO- DIVERSITY







KARNATAKA STATE
BIO DIVERSITY BOARD

(Department of Forest, Ecology and Environment)
Ground Floor, Vanavikas, 18th Cross, Malleshwaram,
Bengaluru-560003
Ph: 080 23448783, 080 23448784
Fax: 080 23440535
E-mail: kbb-ka@nic.in and kbb.ka.ms@gmail.com
Website: www.karnataka.gov.in/kbb





CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

NLSIU,
BENGALURU

PUBLICATIONS

Publications are seminal for any successful research centre and keeping that in focus, the Centre brings out regular publications in the form of Books. Journals and Magazines in an annually and/or bi-annually. Some of the Publications of the Centre are:

Books:

The National Law School of India University: Book Series:

- Contracts, Agreements and Public Policy in India (Edited by Dr. Sairam Bhat)
- Energy Law and Policy in India (Edited by Dr. Sairam Bhat)
- Right to Information and Good Governance (Edited by Dr. Sairam Bhat)
- A Primer on Legal Practice (Edited by Dr. N.R. Madhava Menon)
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JOURNALS:

- Journal on Environmental Law Policy and Development (JELPD) (Annual Journal) – 2014 – 2021 (Vol. I – VII, Forthcoming Vol. IX)
- Journal of Law and Public Policy (JLPP) (Annual Journal) – 2014 – 2021 (Vol. I – VI, Forthcoming Vol. VIII)

MAGAZINES:

- IN LAW Magazine (Quarterly Magazine) – 2015 – 2023 (Vol. I – VIII, Forthcoming Vol. IX)
- CEERA March of the Environmental Law – (Annual Magazine) – 2014 – 2021 (Issue. I - XI)

HANDBOOKS:

- A Primer on Biological Diversity and Access and Benefit Sharing
- Handbook on Biodiversity Laws, Access and Benefit Sharing
- Handbook on Chemical Hazardous Waste Management and Handling in India
- A Primer on Agricultural Water use Law in India
- Chemical & Hazardous Waste in India: A Sectoral Analysis
- Legal Aid Handbook, Vol. 1, 2022

All books/issues are priced at Rs. 500/- each. You may place an order by sending an email to susheela@nls.ac.in or ceera@nls.ac.in





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Legal Aid to Legal Rights

2024

न्याय विभाग
DEPARTMENT OF JUSTICE

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROJECT

LEGAL AID TO LEGAL RIGHTS

2024

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DEPARTMENT OF
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CENTRE FOR ENVIRONMENTAL LAW,
EDUCATION, RESEARCH AND ADVOCACY

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CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA),

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

VISION STATEMENT

The vision of CEERA on Legal Literacy and Legal Awareness encapsulates:

I. To progressively raise awareness of the duties of the Indian citizens under the Constitution and the legal system.

II. To empower, sensitize and assist citizens to recognise a problem or a conflict as a legal dispute and to analyse the legal solutions available.

III. To strengthen and support access to legal aid and pro bono lawyering.

IV. To facilitate access to legal information and legal learning in a simplistic and holistic manner.

V. To bridge asymmetry in access to legal information, knowledge, and legal assistance.

VI. To raise faith in the justice delivery mechanism and to encourage participation in the legal system.

VII. To develop the capacity for utilisation of preventive, promotive, and rehabilitative legal measures to protect the violation of rights.

VIII. To create opportunities for revitalising legal aid clinics in order to raise their level of engagement with the public.

IX. To strengthen legal aid clinics by entrusting law students with the responsibility of raising legal awareness.

X. To accommodate paralegals in the system of rendering legal justice.

XI. To spread constitutional values and ethos of respecting diversity, promoting inclusion, brotherhood, and social responsibility by innovative engagement.

XII. To improve availability and accessibility of information by building an innovative and interactive repository of legal literacy material.

Preface

The complexities of the legal system often pose challenges for individuals seeking justice despite the Right to Legal Aid being a fundamental right under the Constitution of India. The complex and intricate web of procedures and compliance mechanisms also hinders the ease of doing business. In the words of our Prime Minister, Shri. Narendra Modi, "*Like ease of doing business and ease of living, ease of justice is equally important in Amrit Yatra of the country.*" Justice P.N. Bhagwati has also emphasized *the need to create legal awareness for the poor since in India most of the people reside in rural areas, are illiterates and are not aware of the rights conferred upon them by law.* Realizing the need for strengthening legal literacy and legal awareness in the country, the Department of Justice (DoJ), Ministry of Law and Justice, has formulated the Pan India Legal Literacy and Legal Awareness Programme, under the DISHA Scheme.

In this backdrop, The *Legal Aid to Legal Rights – 2024*, published jointly by the Department of Justice, Ministry of Law and Justice, Government of India, and CEERA-NLSIU, is yet another significant step towards realizing our vision of a society where legal knowledge is not only comprehensive but also accessible to every citizen. This Handbook aims to serve dual objectives, firstly, it intends to democratize legal knowledge across the diverse landscape of India, by handholding the readers of this issue, like its previous Volume. Secondly, it aims to be a ready reckoner for Legal Aid Trainers and Para Legal Volunteers to disseminate legal literacy.

It is imperative to mention that this edition goes beyond the textual explanations by incorporating pictorial representations for an easy understanding to its readers. This innovative approach aims to demystify legal concepts and facilitate the right understanding of the law. This Handbook delves into a wide range of thematic areas relevant to the common man such as the Protection of Rights, Gender-based Violence, Environmental concerns & Ease of Doing Business. The topics covered include the Procedure to file an FIR, Rights of Accused Persons, Bail provisions, Domestic Violence, Medical Negligence, POSH Act, Pollution Control, Waste Management, Forest Conservation, MSMEs, ODI, FDI, Start-ups, amongst others.

Further, I am grateful to the Department of Justice, Ministry of Law and Justice (DoJ-MLJ) that it has extended the "Pan-India Legal Literacy and Legal Awareness Programme" with the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University, Bengaluru (NLSIU). In the past two years, CEERA has worked with the DoJ-MLJ to disseminate and impart legal literacy to the last mile possible, utilising technology and social media platforms to access content that would increase legal awareness among the various sections of our diverse society.

We at CEERA, have found it to be extremely effortless and pleasurable to work alongside DoJ-MLJ and wish to foster this continued partnership. The continued patronage of DoJ-MLJ to CEERA is humbly acknowledged and appreciated.

To fulfil our goal of providing legal awareness and legal literacy, CEERA has partnered up with institutions and other organisations. The success of both editions of the Prof. V. S. Mallar Memorial Legal Aid Competitions, where legal aid clinics and legal aid centres of different law institutions all over the country competed against each other in imparting legal awareness and promoting engagement among the student-led legal aid clinics as they interacted with the general public. There were 48 participating legal aid clinics in the first edition of the competition (2022) and 49 legal aid clinics participating in the second edition (2023) of the competition, consisting of 10 members in each team. The Competition spanned over a period of four months. The idea behind such a programme has been to inculcate a sense of community and the attitude of service within the next generation of lawyers, who are the flag-bearers of legal literacy and legal awareness and build up on the noble concept of Legal Social Responsibility (LSR).

CEERA has also conducted various workshops in the far-fetched areas of Karnataka, Odisha, and West-Bengal amongst other states to spread legal knowledge. These workshops were conducted to ensure that citizens get a practical view of the theme at hand and find ways to apply the gained knowledge in their lives, whenever they need maybe.

Our virtual footprint has been crossing benchmarks with steady growth over various social media platforms such as Instagram, YouTube, Facebook and LinkedIn, which are being utilised by CEERA to disseminate legal online content. Our YouTube channel, "CEERA-NLSIU-DoJ", has videos made by experts from different fields of law, where the law and its usage are narrated in such a way that the common man would be able to comprehend it.

The new podcast series named "Ought Initiative" is also uploaded on the YouTube channel, where each episode delves into a particular aspect of the common man's life and the legal rights and remedies, if necessary, following it. Our Instagram page, "@ceera_nlsiu", contains short posts and reels on various aspects of law and life, being uploaded regularly. Our Facebook page, "Centre for Environmental Law, Education, Research and Advocacy – CEERA", and LinkedIn "Centre for Environmental Law Education Research & Advocacy (CEERA), NLSIU, Bengaluru", are also being regularly updated with details of our workshops, publications and other activities.

In this light, I present to all the readers the Legal Aid to Legal Rights - 2024 as a dynamic toolkit designed to fulfill two key objectives. Firstly, it is intended to act as a guide for the common man in navigating the complexities of the legal landscape. Secondly, it aims to serve as a ready reckoner for Legal Aid Clinics, Legal Aid Lawyers, Pro Bono Clubs and Para Legal Volunteers in order to assist them in their roles and discharge of their duties. Meticulously curated by drawing upon the feedback on our previous two publications, the present edition of the handbook integrates the Frequently Asked Question (FAQs) approach adopted in Volume I and the Infographics format adopted in the Picture Book. This combination aims to transcend the barriers to understanding complex legal topics.

Lastly, I express my profound gratitude to the Department of Justice, Ministry of Law and Justice, Government of India and in particular Shri. Ashutosh Srivastava, Programme Manager, Legal Literacy Programme, Department of Justice. A Special thanks to Dr. Sangeetha Sriraam and her students at the Department of Law, Central University of Tamil Nadu for their valuable contributions to the Gender Based Violence section of this book. Further, I would also like to thank the entire CEERA Team comprising of Mr. Rohith Kamath, Ms. Gayathri KK, Ms. Gayathri Gireesh, Mr. Vikas Gahlot, Ms. Susheela Suresh and Mr. Jaibatruka Mohanta, all of whom have placed in sincere dedication in bringing out this particular edition. A notable thanks to Ms. Diya Jayaraj (4th year BA LLB) student at KLE Law College, Bengaluru for her efforts. Lastly, a note of appreciation to all our interns for their relentless support in this entire process.

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न्याय विभाग
DEPARTMENT OF
JUSTICE



LODGING AN FIR



What is an FIR and who can lodge an FIR?

FIR stands for First Information Report. It is filed before a police officer at a police station, about the commission of a cognizable offense. In effect, it amounts to setting the criminal law into motion by giving information relating to the commission of a cognizable offense to an officer in charge of a police station. It shall be reduced into writing and read over to the informant and shall be signed by the person giving such information. It is mandatory to give a copy of the FIR (as recorded by police) to the complainant or informant free of cost.

What is the importance of an FIR in the legal process?

The significance of an FIR in the legal process is paramount.

- It signifies the initiation of the criminal law into motion, enabling law enforcement agencies to take measures against those accused.
- It serves as the catalyst for criminal investigations, acts as the fundamental document of the incident, and assists in the accumulation of evidence.



How to lodge an FIR?

The informant/complainant should go to the police station having jurisdiction over the area (where the offense is committed) and report to the officer in-charge/ station house officer (SHO) about the commission of a cognizable offense. In case information is given on the telephone, the informant/complainant should subsequently go to the police station to register the FIR and get a copy of the same.

What is a Criminal offence?

According to the Indian Penal Code, 1860 (IPC)/ Bharatiya Nyaya Sanhita, 2023 (BNS) offence means an act punishable under the IPC/BNS. Thus, a criminal offence is an act harmful not only to some individual or individuals but also to a community, society, or the state.

What are the types of offences in the Indian Criminal system?

Criminal offences are divided into categories by the Criminal Procedure Code, 1973 (Cr.P.C)/Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) (effective from July 01, 2024) which are *cognizable*, *non-cognizable*, *bailable*, and *non-bailable offences*.

- A cognizable offence means an offence in which a police officer may, in accordance with the First Schedule of the Cr.P.C/BNSS or under any other law for the time being in force, arrest without a warrant. These offences are mostly serious in nature.
- A non-cognizable offence means an offence in which a police officer has no authority to arrest without a warrant. These offences are less serious in nature. For example: assault, simple hurt, etc.
- Non-bailable offences are serious in nature, just like cognizable offences, and the accused usually does not get bail.
- Whereas a Bailable offence is less serious and the accused is entitled to bail. For instance – wrongful confinement, unlawful compulsory labour, amongst others.

How do you lodge a complaint related to the commission of a Non-cognizable offence?

The disclosure of information regarding such offences is to be given in a similar manner as filing an FIR.

- The officer would put the complaint in writing (concerning a non-cognizable offence) and provide a complimentary copy to the complainant free of cost.
- No police officer may investigate a non-cognizable case without first receiving approval from a magistrate with the authority to try such cases.

What is meant by a 'complaint'?

Complaint means any allegation that someone has committed a crime, whether known or unknown, stated verbally or in writing to a magistrate with the intention of him taking cognizance under Section 190, Cr.P.C/(Section 210 BNSS) is a complaint.

What if the police refuse to file an FIR?

If the police decline to register an FIR for a cognizable offense,

- The complainant can directly approach the senior police officers (Superintendent of Police - SP) with the same grievance stating that the local police authorities have declined to register the FIR.
- Alternatively, the complainant can approach the local magistrate to ensure that the FIR is duly recorded if the senior police officer does not record the FIR.

Is there a time limit for filing an FIR?

In India, there is no fixed time constraint for registering an FIR in cases of cognizable offenses; it can be lodged at any point following the occurrence of the crime.

However, it is recommended to file the FIR at the earliest possible instance in order to facilitate a swift and thorough investigation.

What is Zero FIR?

A Zero FIR is a type of FIR that is registered by the police for a cognizable offence regardless of the jurisdiction in which the incident has occurred.

- It allows for the immediate registration of the FIR and later it is transferred to the police station having the requisite jurisdiction.
- A Zero FIR ensures that the complaint is not delayed due to jurisdictional issues.

What information should be included in an FIR?

The FIR should encompass critical particulars like the incident's date, time, place of occurrence, a comprehensive account of the crime (incident), descriptions and identities of involved individuals, and any other relevant information or evidence pertinent to the case. The FIR's thoroughness and accuracy are imperative to enable a comprehensive investigation.

Can you file an FIR if you don't know all the details of the incident?

Yes, even if an individual doesn't know the details of the incident, a person can still file an FIR. The police, thereafter, might conduct additional investigations to acquire more information if the crime or occurrence is reported as soon as feasible.

- It is advised to provide all the information a person can when filing the F.I.R.
- It is important to keep in mind that while a person can register an FIR with insufficient information, however knowingly providing incorrect information can have legal repercussions.
- Therefore, it is advisable to cooperate and be truthful with the authorities to aid in the investigation.

What happens after filing an FIR?

After filing an FIR, the police authorities initiate an investigation.

- They gather evidence, interview individuals who know about the incident, question witnesses, and take appropriate actions based on the nature of the crime.
- The outcome may involve arrests, further inquiries, or court proceedings, depending on the findings of the investigation.



Can a person be arrested solely based on an FIR?

Yes, an individual can be arrested solely based on an FIR, provided that the FIR

CASE STUDY

A model by profession, Tanya Molly, a model by profession, was shot dead in her apartment at old Delhi. The neighbours called the police and informed them about the crime. They also informed the police that the maid of Tanya Molly – Amita Rani, tried to run away fearing a police investigation. The neighbours caught her and locked her up in the club-house of the apartment complex.

However, the Police refused to file the First Information Report (FIR) until the family members of Tanya Molly reached the spot of the crime.

Further, the telecommunications were considered as information first received by the police to reach the spot of the crime and to file the FIR. Therefore, the Police authorities asked the neighbours to draft a complaint so that the contents of the same could be taken into the FIR like a 'complaint' and also similar to a police report.

On the other side, Amita Rani, who was confined in the club-house, insisted on filing a complaint at the police station against unknown persons for wrongful confinement and assault. The Police did not record the FIR since they wanted to pay more attention to the death of Tanya Molly's case.

In the above case study, the Police have not acted in accordance with the Criminal Procedure Code, 1973 (Bharatiya Nagarik Suraksha Sanhita) especially in following the procedure of filing an FIR and may be liable for action.

reports a cognizable offense.

- In such instances, the police possess the power to arrest without the necessity of a warrant.
- However, the arrest should adhere to the established legal protocols and criteria.

What should you do if you are not satisfied with the police investigation?

If the complainant is not satisfied with the investigation done by the police authorities, he / she can approach the second-class magistrate or the corresponding magistrate, who, in accordance with Sections 156 (3) and 190 (2), of the Cr.P.C, (Section 175 and 210 BNSS) respectively, monitor the duties and acts carried out by police.

- If the magistrate discovers that the police did not act appropriately even after filing the FIR, the magistrate has the authority to order the police to take strict action and to monitor it as well.
- The officer must immediately submit a charge sheet to the magistrate upon the conclusion of the inquiry. Even after the case's final report has been submitted, a magistrate has the authority to compel the case to be reopened.



Can a person named in FIR seek anticipatory bail and what is the legal provision for the same?

Yes, a person named in an FIR can seek anticipatory bail in India.

- The legal provision for this is under Section 438 of the Cr.P.C, (Section 482 BNSS) which allows an individual to seek anticipatory bail to prevent arrest in cases where they apprehend imminent arrest due to an FIR filed against them.
- The court may grant bail with certain conditions to ensure the person cooperates with the investigation.

Can FIR be filed online, i.e., an e-FIR?

An e-FIR is an electronic version of this report, which means it can be filed online or through electronic means. While Complainants preferably cannot file FIRs online and must lodge them at police stations. However, in a



few states in India, certain offences can be filed online. For instance:

- **Delhi:** Property Theft Case, Motor Vehicle (MV) Theft Case
- **Gujarat:** Mobile Theft, Vehicle Theft
- **Karnataka:** Reporting of Stolen Vehicles
- **Madhya Pradesh:** In cases of vehicle theft up to 15 lakh or general theft up to one lakh.
- **Odisha**: Citizens can lodge FIR electronically for certain kinds of Motor Vehicle Theft cases.
- **Rajasthan:** Vehicle theft
- **Uttar Pradesh**: For unknown accused cases
- **Uttarakhand:** For unknown accused cases

Can you withdraw an FIR after it's filed?

FIR once lodged/filed before the Police authorities cannot be withdrawn by the Informant/complainant.

- The police station or any other Senior Police officer also cannot cancel an FIR at the request of the Informant/complainant.
- Most cognizable offenses are deemed serious and are presumed to have been committed not just against the individual victim, but also against the State. Therefore, the option to withdraw the same has not been provided under the law.

Is there a legal time limit for the investigation of cases after filing an FIR?

There is no statutory timeline that has been provided under law to conclude an investigation after filing the filing of FIR.

- The investigation period can fluctuate widely based on the intricacy of the case, the accessibility of evidence, and diverse influencing factors.
- Therefore, there has been no stipulation for the same. However, the police authorities must complete the investigation and file a charge sheet at the earliest possible time frame.



What can you do if you fear retaliation from the accused after filing an FIR?

Filing an FIR can occasionally be dangerous since there are situations in which both the complainant and the witnesses experience threats directed at them or their families by the people they have witnessed or reported.

- After filing the FIR, the complainant has the option of informing the Station House Officer (SHO) of the police station where the FIR was lodged if they believe they are in danger.
- If the SHO does not take action, the complainant may go to the local magistrate who is in charge of handling the FIR and request protection.

Can the contents of an FIR be used as evidence in courts?

Yes, the information contained within an FIR is admissible as evidence in legal proceedings.

- The FIR acts as the preliminary evidence in the initiation of legal proceedings.
- The FIR is primarily used for corroborating or contradicting the informant in a Court of law.

RIGHT TO BAIL



What is bail?

Bail is the temporary release of a person accused of a crime in exchange for a monetary pledge guaranteeing the accused's appearance in court when the time comes.

- The word Bail comes from the French word 'Bailer', which means 'to give or deliver'.
- In essence, bail is an instrument for procuring the release of a person from legal custody.

What is the right to bail?

The right to bail is a legal principle that allows individuals arrested or charged with a crime to be released from custody before their trial, under certain conditions, prescribed by the court.

- It is based on the presumption of innocence, ensuring individuals are not held indefinitely in pretrial detention.
- The bail amount acts as a security, ensuring the accused will appear in court for all proceedings.
- However, bail is a matter of right in bailable cases and a matter of privilege in non-bailable cases.

What are the grounds for granting bail? What factors does a judge consider when deciding whether to grant bail?

The grounds considered while granting or non-granting of a bail are as follows-

- The medical condition, health, age, and sex of the accused;
- The danger of the accused absconding, if there is a past incidence;
- The character, conduct, means, position, circumstances, and standing of the accused;
- The nature and gravity of the charge;
- The welfare of the society;
- The severity of the punishment in the event of conviction;
- The likelihood of the offence being repeated.

Is bail different for different types of crimes?

Yes, bail can vary significantly for different types of crimes.

- The bail amount and conditions are determined based on various factors, and the seriousness of the crime is one of the most significant factors taken into consideration.

What are the types of bail?

There are 4 types of bail, they are: Regular bail, Anticipatory bail, Interim bail and Default bail.

- **Regular bail**

It can be granted to a person who has already been arrested and kept in police custody. A person can file a bail application for regular bail under Sections 437 and 439 of the Cr.P.C. Regular Bail is divided into two parts, regular bail for bailable offences and regular bail for non-bailable offences. (Sections 478 - 496 BNSS)

- **Anticipatory Bail**

Under Section 438 of Cr.P.C, (Section 482 (4)) any individual who apprehends that he may be tried for a non-bailable offence can apply for an anticipatory or advance bail application. The application shall be made to the High Court or Sessions Court, within the jurisdiction, where the crime is alleged to be committed. A bail under this section is bail before the arrest, and the police cannot arrest an individual if the Court has granted anticipatory Bail. According to Sushila Agarwal and others v. State (NCT of Delhi), the Supreme Court of India clarified that anticipatory bail once granted; ordinarily subsists during the entire duration of the trial.

- **Interim Bail**



As the name suggests, this type of bail is granted temporarily. The interim bail is granted to the accused before the hearing for a regular or anticipatory bail grant. This is primarily because furnishing documents from the lower courts to

the High Court takes time. However, the interim bail is concluded during the bail hearing.

- **Default Bail**

This kind of bail procedure differs from the bail granted under the sections mentioned above. Default bail is granted on the default of the police or investigating agency to file its report/complaint within the prescribed period.

- For an offense where an arrest can be made without a warrant, Section 57 of the Cr.P.C commands that the police officer shall not detain the accused for more than 24 hours. (Section 58 BNSS)
- If the investigation is not concluded and the charge sheet is not filed within these 24 hours, section 167 Cr.P.C grants the accused the right to a statutory or default bail. (Section 187 BNSS)

What are bailable offences?

A bailable offence is one in which a grant of bail is a matter of right. In such cases, bail is a right and the arrested person must be released after adhering to the bail conditions. It can be granted either by the police officer who has custody of the accused or the Court.



What are non bailable offences?

Non-bailable offences are those which are more heinous in nature and in such offences bail is not a matter of right.

- If the accused wants bail, he has to apply to the court and it is the court's discretion whether to grant bail.
- In non-bailable cases, bail is a matter of privilege to be granted by the Courts.

What are the sections/provisions in Cr.P.C regarding Bail?

The term 'Bail' has not been defined under the Criminal Procedure Code, 1973.

- Only the terms 'bailable offence' and 'non- bailable offence' has been defined under Section 2(a), Cr.P.C./ Section 2(1)(c) BNSS.
- The provisions relating to bail and bail bonds are mentioned under Section 436-450 of the Cr.P.C./ Sections 478 – 496 BNSS.

Is the right to bail a legal right or a fundamental right?

Bail is the legal right of a person who has been accused for the commission of an offence, which is bailable in nature.

- This right to bail is not absolute, however, it can only be restricted by a procedure established by law.

Can bail be revoked? When can bail be revoked?

Yes, bail can be revoked under certain circumstances. As per Sections 437(5) (Section 481 BNSS) and 439(2) of Cr.P.C, (Section 483 BNSS) any court that has released a person on bail can cancel the bail order and direct the person to be arrested and committed to custody.

In *Dolat Ram* v. State *of Haryana*, the Supreme Court has held that once bail has been granted, it can only be cancelled based on "cogent and overwhelming circumstances."

Bail granted to an accused can be cancelled only if the accused:

- misuses his liberty by indulging in similar criminal activity;
- interferes with the course of investigation;
- attempts to tamper with the evidence of witnesses;
- threatens the witnesses or indulges in similar activities which would hamper the smooth investigation;
- attempts to flee to another country;
- attempts to make himself scarce by going underground or becoming unavailable to the investigating agency;
- attempts to place himself beyond the reach of his surety, etc.

What are the Landmark cases in Bail as a rule?

A landmark case relating to bail is – the **State of Rajasthan v. Balchand** wherein it held that 'bail is the rule, and jail is an exception'.

- In **Satender Kumar Antil v. Central Bureau of Investigation**, the Hon'ble Supreme Court held in detail the procedure under which bail can be granted to an accused, its principles, and relevant guidelines.

Is the right to bail guaranteed for all criminal offences?

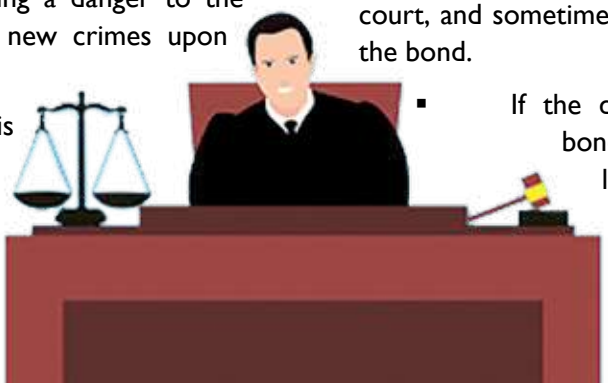
The right to bail is not a universal or guaranteed right for all criminal offenses, as the availability and conditions vary depending on the jurisdiction and the nature of the offense.

- Some offences, like theft or non-violent crimes, are routinely granted bail, while serious offenses like capital crimes, or if the accused is a significant flight risk, may require bail to ensure court appearances and public safety.
- Ultimately, the right to bail and the conditions under which it may be granted or denied are determined by the laws and legal practices of each jurisdiction.
- In essence, bail is not a universal or absolute right across all criminal offenses.

Can a person be denied bail? Under what circumstances?

Bail might not be granted in cases where the accused faces charges punishable by life imprisonment or the death penalty, or if they have a previous conviction for such offenses.

- However, the court retains the authority to grant bail in these situations if the accused is a woman, under sixteen years old, or is ill.
- Bail can also be denied if there is a significant risk of the accused fleeing, posing a danger to the community, or committing new crimes upon release.
- Additionally, if there is evidence or suspicion that the accused might intimidate witnesses or tamper with evidence, bail may be denied to prevent such actions.



How is the bail amount determined?

- In Indian courts, the determination of bail amount is based on specific criteria. Judges consider the brutality of the crime and their judicial mind. They refer to previous cases as precedents to decide both the bail amount and the accompanying conditions. When deciding these factors, judges focus on various aspects:
- The gravity of the offense.
- The likelihood of the accused fleeing.
- For serious offenses punishable by 5 or 7 years imprisonment and the chance of the accused committing another serious offense while on bail.

What happens if someone cannot afford the bail amount set by the court?

- If an accused cannot afford the bail amount set by the court in India, they can seek legal assistance, file a bail application (requesting a lower bail amount or seeking release on personal recognizance (PR) or on surety bonds if the accused is unable to pay the bail amount).
- They approach family and friends for financial help, apply for legal aid, consider charitable organizations and NGOs for assistance, hire bail bondsmen, and advocate for bail reform.
- The specific procedures and options may vary based on the jurisdiction, so consulting an Advocate is crucial.

What is a bail bondsman, and how do they work in the bail proceedings?

- A bail bondsman is a person or company that provides bail money on behalf of a defendant in court when they cannot afford the full bail amount set by the court.
- They work by paying a non-refundable percentage of the total bail amount, securing a bond with the court, and sometimes requiring collateral to secure the bond.
- If the defendant fails to appear, the bondsman becomes financially liable for the full bail amount.



What should someone do if they believe their right to bail has been violated?

If a bail application is rejected by the Magistrate, a second regular bail application can be filed before Sessions Court (at district level).

- If the second regular bail is also rejected, a third regular bail application can be filed before the High Court (at the state level).
- While each court possesses concurrent jurisdiction over bail issues, it is advisable to seek recourse through a hierarchical approach.

Can bail be granted at the police station?

If a person is arrested for a bailable offence, he is entitled to be released forthwith on bail at the police station itself as a matter of right on furnishing a bail bond of reasonable amount as determined by the police authorities.

- However, in case of a non-bailable, offence the police cannot grant bail. The decision for bail needs to be taken by a Judicial Magistrate only.

What is the procedure for granting of bail?

Step 1 – Application of Bail: The person accused or their lawyer must file a bail application before the relevant court. The application should contain the grounds on which bail is sought and any relevant information, such as the accused person's background, character, and ties to the community.

Step 2 – Decision of the court: The court will then consider the bail application and decide whether to grant bail or not. In making this decision, the court will consider factors such as the nature and severity of the offence, the likelihood of the accused person fleeing or tampering with evidence, and the strength of the prosecution's case.

Step 3 – Bail bond: If bail is granted, the accused person will be released from custody upon the payment of a sum of money known as a "**bail bond**." This bond is intended to serve as a guarantee that the accused person will appear in court as required. If the accused person fails to appear in court, the bond may be forfeited and the accused person may be re-arrested and brought back into custody.

CASE STUDY

As part of the Legal Aid training, Vineet, a 5th year student at Government Law College Bengaluru, made an application with the necessary documents to the Bangalore Central Jail authorities to visit and speak to an inmate in the prison; Chinnaswamy. The Jail authorities granted Vineet about 30 minutes to speak to Chinnaswamy. Vineet gathers information that Chinnaswamy has already served the jail term of 10 years, pending appeal in the High Court.

Vineet has read the Sonadhar v. State of Chhattisgarh SLP Cr. No 529/2021, where the Supreme Court has laid down the rule on the right to bail, especially for convicts who have completed ten years of the sentence, pending an appeal of their conviction. In this case, the Supreme Court has held that such convict has the right to bail. To know more about the bail application status in the country, Vineet visited 'ePrison', a prison portal developed by the National Informatics Centre to link up prison personnel, courts, and District and State Legal Service Authorities.

This portal has been used since 2018 and has covered around 1300 jails across the country. Vineet approached the District Legal Services Authority (DLSA) to appoint a lawyer for the case of Chinnaswamy. The DLSA appointed a lawyer and his bail application was granted, pending appeal status in the High Court.

The right to bail has been emphasized by the Supreme Court in many of its judgements. Supreme Court emphasized freedom and bail for those jailed for over 10 years. In Re Policy Strategy for Grant of Bail (Guidelines Issued) on January 31, 2023, the Court held that bail applications should be disposed of at the earliest. The lack of awareness and legal literacy is one of the major constraints for convicts serving the sentence. Legal mechanisms for bail and conditions to be fulfilled for bail to be granted require legal awareness from the Legal Services Authority.

Justice V R Krishna Iyer had once said that Bail is a rule and Jail is an exception. The criminal justice system must be more justiciable with such mechanisms to make this fundamental right to liberty and freedom.

LAND ACQUISITION & LAND DISPUTES

What is Land Acquisition?



Land acquisition is the process by which the government (Centre or State) acquires private property for public purposes, or acquires land for setting up private companies or for any public-private undertaking.

- It is thus different from a land purchase, in which the sale is made by a seller out of his own free will.
- In return, the government pays suitable compensation to the land owner and would be responsible for the rehabilitation and resettlement of the affected land owners.

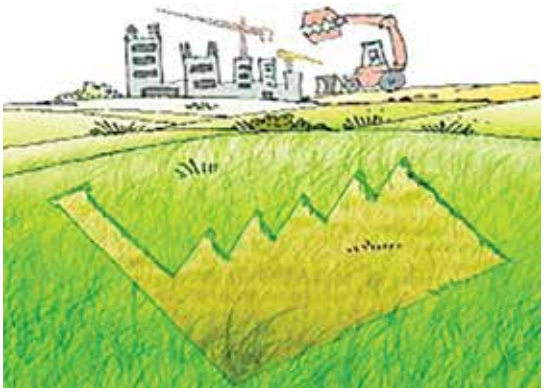
Who can acquire land?

Land acquisition can be carried out by a range of entities, which may encompass government agencies, private corporations, and individuals.

- The eligibility to acquire land is contingent upon the specific purpose of the acquisition and the prevailing land acquisition regulations in that particular state.

What is a Land Dispute?

A land dispute is a disagreement over land rights between two or more parties that is concentrated on a particular piece of land and that can be settled within the confines of the law. The ownership, possession, and control of the piece of land are the legal rights of the owner.



What is the legal process that governs compensation in land acquisition?

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 (LARR), regulates and governs the entire process of land acquisition.

- The Act carves out the provision for providing fair remuneration to the land owners and it also exhaustively deals with the R&R (Resettlement and Rehabilitation) of the affected people.

What is the main purpose of the Land Acquisition Act?

The primary objective of the Land Acquisition Act, 1894 is to establish a legal structure for the acquisition of land by government or authorized entities for purposes of public development.

- This framework ensures that landowners are fairly compensated for their property and that their rights are protected throughout the acquisition process.
- The act outlines the necessary procedures, mechanisms for determining compensation, and due process requirements, with the overarching goal of striking a balance between the imperative of infrastructure development and the preservation of property rights.

Why do we require the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 (LARR)?

We require such a legislation to ensure a transparent land acquisition process, in conjunction with all interested parties and local governing bodies, and minimal eviction of the current population that owns or resides on the land.

- This legislation makes suitable provisions for the affected families' rehabilitation and resettlement as well as equitable compensation for those families who are adversely affected by land acquisition, whose land has been acquired, or whose livelihood has been impacted.

What is the impact of the LARR Act of 2013 on the Land Acquisition Act of 1894?

Section 24 of the LARR Act provides for certain conditions in which the land acquisition proceedings initiated under the Land Acquisition Act, 1894 will lapse.

- The state enjoys the power of eminent domain and if possession of land has not taken over or the landowner has not received compensation then the proceedings initiated under the Land Acquisition Act, 1894 will be assumed to lapse, and afresh proceedings will be initiated.
- In the case of *Indore Development Authority v. Manohar Lal*, (2020) 8 SCC 129 it was held that if the state had unconditionally offered payment or tendered the compensation, land acquisition procedures would not be lapsed. The bench explained that a person cannot claim that an acquisition has lapsed because compensation was not paid or deposited if they were offered compensation but declined to accept it.

Where is the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act) applicable?

This Act applies to the Government, which can acquire land for its use and control, including for Public Sector Undertakings and public purposes. The provisions of this Act state that government can acquire the land for strategic purposes relating to Central Armed Forces, and Infrastructure projects.

- The provisions relating to rehabilitation and resettlement under this Act also apply to private companies who purchase land, which is equal to or more than limits prescribed by the Government, through private negotiations with the owner of the land.
- It also gives protection to Landowners whose property is being acquired by the government or private company.



What is the role of consent in the LARR Act?

Section 2 of the Act provides that the consent of the landowners is not required when the government buys land for public purposes and directly manages the land.

- However, the approval of at least 80% of the affected families is required when the land is bought for the establishment of private businesses.
- 70% of the impacted families must approve the land acquisition procedure if the project is carried out through a public-private partnership.

What is Social Impact Assessment under the LARR Act?

As per section 4, the Government conducts a social impact assessment on the identified land in conjunction with Gram Panchayat, Municipality, or Municipal Corporation to determine the social impact of the acquisition, its cost, and how it shall be resolved or compensated before deciding whether the land shall be purchased or not.

- The selected land is only requested to be acquired after acquiring a favorable Social Impact study indicating that prospective benefits outweigh the social impact of the Project.
- In the *Nandi Gram Land Grab Case,* it was held that the LARR Act 2013 integrates the Social Impact Assessment, which looks at the projects to see if they are serving the purported public purpose.
- A social impact was defined as a significant increase or decrease in people's well-being or a significant alteration in a factor of community concern.

What is the Preliminary survey of land and power of officers to carry out such a survey?

As per section 12, Preliminary Survey of the land includes:

- right to enter upon, survey and take levels of any land in such locality;
- to dig or bore into the sub-soil;
- to do all other acts necessary to ascertain whether the land is adapted for such purpose;



- to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon; and
- to mark such levels, boundaries and line by placing marks and cutting trenches and where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle.

- However, no action pertaining to land under sections (a) to (e) may be taken in the absence of the landowner or a representative duly authorized by the owner in writing.
- The survey may be carried out without the owner's presence if the owner has been given a reasonable opportunity to be present and has received at least sixty days' notice.

Are there any special provisions for acquiring land from persons of Scheduled Castes and Scheduled Tribes?

Section 41 of the LARR Act states that only under exceptional circumstances and with the prior approval of the Gram Sabha committee, an authority may take land from SC/STs.

- It must be ensured that no harm to their way of life, development must begin within five years.
- The law also makes sure that all rights provided by acts like the Forest Rights Act of 2006 and the Panchayat (Extension to Scheduled Areas) Act of 1996 are upheld.

What are the Rights of Landowners during Land Acquisition?

During the process of land acquisition, landowners possess a range of rights.

- These rights encompass the entitlement to receive just and equitable compensation for their property, and the ability to legally contest the acquisition in a court of law should they perceive any infringements on their rights,
- They possess the right to full disclosure regarding the acquisition procedure, which includes public hearings and negotiation processes.
- These rights are fundamental in safeguarding the interests of landowners impacted by the acquisition.

What is the role of Public Consultation in Land Acquisition?

Public consultation in land acquisition serves the purpose of ensuring openness, collecting input, and resolving issues raised by impacted communities and stakeholders.

- It facilitates a democratic approach where the viewpoints and feedback of the public are considered, potentially resulting in adjustments to project plans or the introduction of measures to reduce adverse consequences.
- The primary goal of public consultation is to encourage community engagement, establish trust, and enhance the accountability of the land acquisition process towards those it impacts.

What are the alternatives to Land Acquisition?

Alternatives to land acquisition involve investigating alternative project sites with reduced or no land procurement needs, contemplating land exchanges or cooperative land-sharing arrangements, and utilizing innovative urban planning and design methods to limit the necessity for extensive land acquisition.

- These alternative approaches seek to mitigate the social, environmental, and economic repercussions linked to conventional land acquisition procedures while still accomplishing the project's goals.

How is Land Acquisition Cost calculated ?



The calculation of land acquisition costs involves the assessment of various elements, such as the present market value of the land, any existing improvements or structures on the property, expenses related to relocating displaced residents or businesses, legal charges, surveying expenses, and administrative costs.



- The precise approach to determining compensation may fluctuate in accordance with local regulations, but it frequently incorporates evaluations conducted by qualified experts to gauge the property's fair market value.
- Section 26 of the LARR Act provides the process to determine the compensation for landowners. It describes the suggested minimum compensation, which is calculated using multiples of market value (as established by the typical sale price for similar types of land located in the closest village or nearby area).
- For land purchased in rural or urban regions, the market value is typically multiplied by a factor given in Schedule I of the act.
- If the land is purchased for private businesses or projects involving public-private partnerships, the compensation may also be an agreed-upon sum.
- Furthermore, negotiations with landowners and those impacted by the acquisition are integral in reaching a mutually agreeable compensation sum.

What is the minimum compensation under this Act? Who pays compensation for Land Acquisition?

The minimum compensation specified in land acquisition laws is typically contingent on the specific legal provisions and regulations in a given jurisdiction, which can differ significantly.

- In most instances, the compensation must not fall below the land's fair market value, and additional sums may be allocated for enhancements, rehabilitation, and resettlement in accordance with legal mandates.
- Payment of compensation is generally the responsibility of the entity or organization that is acquiring the land, whether it be a government agency, private corporation, or another duly authorized entity, as outlined in the established procedures and legal framework for land acquisition.

How does the government pay for Land Acquisition?

The government typically finances land acquisition by utilizing funds set aside within the national or local budget.

- These funds may be obtained through diverse means, including government-generated revenues, borrowing through loans, receiving grants from international organizations or development agencies, or employing a mix of these financial sources.
- The precise funding strategy can differ depending on the state and the specific project, but the government ensures that it secures the requisite resources to compensate landowners and meet related expenses during the land acquisition process.

What is the difference between Public and Private Land Acquisition?

The primary difference between public and private land acquisition pertains to the entities involved.

- Public land acquisition involves government agencies or authorities acquiring land for public needs like infrastructure projects, while private land acquisition entails private companies or individuals obtaining land for commercial or private development, such as industrial or real estate projects.
- The regulations, procedures, and compensation methods can differ notably between these two categories of acquisition, with public acquisitions often subject to more rigorous oversight to safeguard public interests.

What are the redressal mechanisms that need to be followed in case land is acquired illegally?



If any land is acquired bypassing the procedure established under this act or the acquired land does not come under the criteria established under Section 2, then such order can be challenged in front of the Land Acquisition, Rehabilitation and Resettlement Authority established under this act.

- The Authority, for its functions under this Act, has the same powers as are vested in a civil court.
- As per Section 63 of the Act, civil courts (other than High Court under article 226 or article 227 of the Constitution or the Supreme Court) are barred from entertaining any dispute relating to land acquisition.



- The aggrieved party may appeal the judgment of authority under section 74 to the High Court.
- Articles 300A (Right to Property), 226 (Writ Jurisdiction of the High Court), 136 (Special Leave Petition), 32 (Writ Jurisdiction of the Supreme Court) of the Constitution of India provides for a constitutional remedy to the person aggrieved.

Which are the bodies involved in the land acquisition process?

Entities participating in the land acquisition process generally encompass government bodies overseeing project planning and implementation, such as those related to infrastructure and public development.

- Additionally, authorized officials, land acquisition officers, surveyors, legal experts, and appraisers contribute to the process by evaluating land values and ensuring compliance.
- Affected landowners and local communities also play a role, and at times, non-governmental organizations (NGOs) or advocacy groups become involved through public consultations and legal procedures, aiming to uphold transparency, equitable compensation, and adherence to governing laws.

What is adverse possession?

Taking possession of a property intentionally but peacefully is known as adverse possession.

- It is accepted and widely used in India.
- A person is given ownership rights to a piece of property under the Limitation Law, 1963, if any person remains in possession of a private land for 12 years without the owner's permission and due to the owner's lack of action, it amounts to taking over such property through adverse possession.

How can owners establish their ownership?

The owner can establish their right over the land with the help of the following essential documents:

- Sale agreements
- Conveyance deeds
- Power of attorney
- Will
- Property returns
- Khata
- Title deeds

For agriculture land the owner can prove their ownership by Record of Rights (RoR), Tenancy and cultivation agreement, through the relevant extract from the mutation register at the Tehsil office and Akarbandh.

How to file a criminal complaint against unlawful land acquisition by any person?

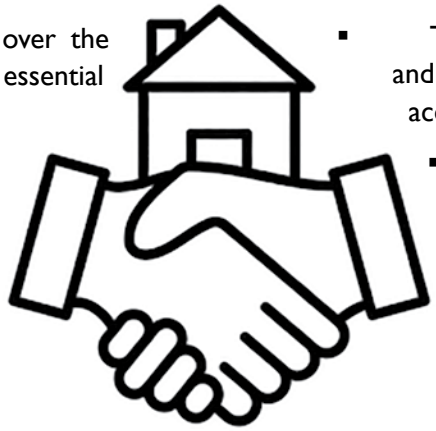
A person may make a police complaint based on Section 441 (Criminal Trespass) and Section 442 (House trespass) of the Indian Penal Code, 1860.

- In states with Land Grabbing Prohibition legislation, the complaint will be submitted following the guidelines of that particular statute.
- The aggrieved party can lodge a complaint against the offending party by going to the local police station.
- In the complaint, issues must be outlined thoroughly and all relevant information must be mentioned.
- Having the land information, property documents, and tax receipts on hand would help demonstrate the ownership.
- After that, the issue can be presented to the local sub-divisional office.
- A copy of the complaint must be sent to the Superintendent of Police and the Jurisdictional Magistrate.

How to take civil action against unlawful land acquisition by any person?

In line with the Code of Civil Procedure, 1908 (CPC), one may bring a civil lawsuit in a civil court under Section 5 of the Specific Relief Act, 1963 (SRA) to recover a specific piece of land.

- If one believes that they have been unfairly evicted from a property, they have six months from the date of eviction to initiate a civil lawsuit under Section 6 of the SRA.



- They can pray for both a temporary and permanent injunction against the land acquisition.
- Temporary injunctions are in effect while the case is pending, whereas permanent injunctions are awarded upon the case's conclusion.

CASE STUDY

The Housing Society, registered under the Karnataka Real Estate Regulatory Authority was in the business of constructing the apartments for the owners of the land. For such construction activity, the few land-owners had approached the society and had made a contract for the same. The land was adjacent to the Outer Ring Road. The State Government of Karnataka made an order for land acquisition for the purpose of building a township having hospitals and educational institutions.

The Government notice for the land acquisitions was sent to the land-owners who had made a contract with the Housing Society along with the proposed township plan. Based on the plan, the landowners approached the High Court of Karnataka stating that although the residential houses were constructed by the State Government, the construction of educational institutions and hospitals was from the private companies.

The land-owners challenged the land acquisition order of the State Government. The High Court of Karnataka upon accepting the petition said that notification of the state government was illegal as per the Land Acquisition Act, 2013

The Land Acquisition Act of 2013 particularly states that the Act does not include the acquisition of land for private hospitals and private educational institutions.

RIGHTS OF PRISONERS

Who is a Prisoner?

A prisoner is someone who is kept in jail or prison under custody because he or she has committed any act which is prohibited by the law of the land.

What are the various types of Prisoners?

- **Criminal Prisoner**:According to *Section 3 (2) of the Prisons Act, 1894*, a criminal prisoner is any prisoner who has been lawfully committed to custody under the writ, warrant, or order of a Court or authority exercising criminal jurisdiction, or by the order of a Court martial.
- **Convicted Criminal Prisoner**: As per *Section 3 (3) of the Prisons Act, 1894*, a "convicted criminal prisoner" refers to any criminal prisoner who is serving a sentence imposed by a Court or Court-martial.
- **Civil Prisoner**: *Section 3(4) of the Prisons Act, 1894*, defines a "civil prisoner" as any prisoner who is not categorized as a criminal prisoner.
- **Convict**: In accordance with the *Model Prison Manual 2016,* a "convict" is a person who has been adjudged guilty by the court of a criminal offence and has been sentenced to imprisonment.
- **Under-trial Prisoners**: *The Model Prison Manual 2016* defines an "under-trial prisoner" as a person who is in prison pending completion of their trial.

What are the different types of prisons in India and their functions?

The different types of Prisons are –

- **Central Jail:** Prisoners sentenced to imprisonment for a long period (more than two years) are confined in the Central Jails.
- **District Prison**: District jails serve as the main prisons in states and union territories where there are no Central Jails.
- **Sub-jail**: Sub jails are smaller institutions situated at a sub-divisional level in the States.
- **Open Prison**: Open jails are minimum security prisons. Only convicted prisoners with good behaviour satisfying certain norms prescribed in the prison rules are admitted in open jails.
- **Policy Lockup**: It is a type of temporary detention which is used to hold people for a short period of time, usually less than 24 hours, for questioning or to await further legal proceedings.
- **Special Prison**: Special jails are maximum security prisons for the confinement of a particular class or particular classes of prisoners.
- **Women's prisons**: Women's jails are prisons that exclusively house female prisoners.
- **Juvenile prisons**: To keep juvenile inmates, i.e., inmates who are under the age of eighteen years.
- **Mental prisons:** To house inmates who have been diagnosed with a mental illness.

What are the rights of prisoners?

In India, Prisoners have the following basic rights -

- The right to accommodation. *(Section 4 of Prisons Act, 1894)*
- Basic fundamental rights enshrined in *Article 14, 19 and 21 of the Indian Constitution.* In the case of *T.V. Vatheeswaran v. State of Tamil Nadu, 1983,* the Court held that "delay exceeding two years in the execution of a sentence of death should be considered sufficient to entitle the person under sentence of death to invoke Article 21 and demand the quashing of the sentence of death."



- The right against custodial violence and death in police lock ups held in the case of *Sunil Batra v. Delhi Administration, 1980.*
- The right to shelter and safe custody of the excess number of prisoners who cannot be kept in any prisons. *(Section 7 of Prisons Act, 1894)*

- The right to examination of prisoners by qualified Medical Officer. *(Section 24 and 26 of Prisons Act, 1894)*
- The right to legal aid and right to legal representation. *(Article 39A* and *Article 22(1) of the Indian Constitution)*
- The right to supply clothing and bedding to civil prisoners and undertrials. *(Section 33(1) of Prisons Act, 1894)*
- The right to care for sick prisoners. *(Section 37 of Prisons Act, 1894)*
- The right to speedy trial. *(Section 309(1) of CrPC.*
- Right to Reasonable Wages in Prison.
- Right to Receive Books and Magazines Inside the Jail.
- Right of the Prisoner to Be Informed of Arrest and Bail.
- Right to Meaningful and Gainful Employment.

Are Prisoners allowed to be in touch with their families?

In the *Sunil Batra v. Delhi Administration case*, the Supreme Court upheld prisoner's rights to visitation from friends and family.

The Supreme Court upheld the right of death row inmates to consult with their families, attorneys, and mental health specialists, guaranteeing the full protection of their rights at every turn of their detention.

Under what circumstances is parole granted to a Prisoner?

Some common circumstances under which parole may be granted include:

- Good Behaviour
- Medical Reasons
- Family Emergency
- Rehabilitation Programs
- Overcrowding in prisons
- Judicial Discretion

Do Prisoners have the right to be produced before a magistrate?

Article 22(2) of the Constitution of India guarantees that every person arrested and detained shall be produced before the nearest magistrate within 24 hours of such arrest, excluding the time necessary for the journey from the place of arrest to the court. This constitutional safeguard applies to all persons, including prisoners.



- Similar provisions have also been incorporated through statutes, as in Section 167 of CrPC. (Section 187 BNSS).It can also be traced through the judgments of the Supreme Court in the case of *Sheela Barse v. State of Maharashtra* as well as in *D.K. Basu v. State of West Bengal*, wherein the Court stated that the production of an arrested person must be made before a magistrate within 24 hours of arrest, and failure to comply with this rule renders the custody illegal and violates Article 21.

Does a Prisoner have the right to post-conviction bail?

The Supreme Court has held in the case of Sonadhar v. State of Chhattisgarh that all convicts who have served 10 years of their sentence and whose appeals are not likely to be heard in the near future, without any extenuating factors, should be released on bail.

- Furthermore, the Court has also held that cases must be identified where individuals have completed 14 years of custody, following which their matters can be referred to the government authorities for consideration of premature release within a stipulated time frame, regardless of whether appeals against conviction are pending or not.

Do Prisoners have a right to privacy?

Right to Privacy have also been made applicable to the prisoners and convicts.

- In *Rahmath Nisha v.Additional Director General of Prisons and Others*, the accused, granted 10 days' leave to visit his hospitalized wife, faced refusal from police escort to visit her in the hospital, citing permission for home visit only. The Madras Court ruled in favour of the prisoner, affirming his right to hospital visitation and ordering that their meeting remain unmonitored. The court stressed the importance of preserving prisoners' privacy and dignity.

Do Prisoners retain their Fundamental Rights after being convicted?

The Constitution of India safeguards the fundamental rights of all prisoners.

- The Supreme Court, in the case of *State of A.P. v. Challa Ramkrishna Reddy & Ors.*, affirmed that a prisoner, whether a convict or an undertrial, does not lose their status as a human being and retains their fundamental rights.

Do Prisoners have a right to good medical facilities?

The jail administration is responsible for making sure that medical care is accessible to prisoners. Treatment decisions, such as drug prescriptions, diagnostic exams, or hospital admission, fall under the purview of the medical officer.

- If there is a pathology lab in the prison, diagnostic testing is performed there. Pharmaceuticals are provided at no cost.
- The jail warden or the court, through their attorney, can provide authorization for inmates to receive specialised care; alternatively, the medical officer may suggest a nearby facility. This guarantees that prisoners receive quality healthcare both inside and outside of the institution.

What are the conditions for granting Parole to Prisoners?

Though the process and rules to get parole in different states are different from one another, here are a few conditions to get parole in India.

- A convict must have served at least one year in jail, excluding any time spent in remission.
- The prisoner's behaviour has to be uniformly good.
- The criminal should not have committed any crimes during the period of parole if it was granted previously.
- The convict should not have broken any of the terms and restrictions of his or her previous release.
- A minimum of six months should have passed since the previous parole was terminated.



Are Prisoners allowed to pursue their studies while being lodged in a jail?

A prisoner can continue or begin their studies while in prison. They are also permitted to appear for any examination. Prisoners undergoing educational courses are permitted to receive books and writing material from their family or friends, and may also be provided with books by the state or be permitted to purchase on their own.

- Some jails have special programmes under Indira Gandhi National Open University (IGNOU), Adult Literacy Programmes and even Information Technology (IT) courses at computer centres. Prisoners must apply to the prison authorities to seek permission to pursue their studies.
- The court stressed that every individual has a fundamental right to education in the case of *Muhammad Giasuddin v. State of AP*.

During incarcerations, do Prisoners have a right to publish books and articles?

The Right of Convicts to publish books and essays while they are incarcerated has been upheld by the Supreme Court in a number of decisions.

- In *State of Maharashtra v. Prabhakar Pandurang Sanzgir*, it was decided that it was against Article 21 to deny a person in custody permission to publish a book.
- In a similar vein, the court in *Rajgopal v. State of Tamil Nadu* decided that inmates might write autobiographies. Thus, inmates are still entitled to this, subject to certain legal restrictions.

Do Prisoners earn wages while being lodged in jail?

Prisoners can earn wages while in jail under Section 53 of the Indian Penal Code, which allows those sentenced to rigorous imprisonment to work without mandating unpaid labour.

However, if the remuneration falls below the minimum wage, it constitutes "forced labour" under Article 23 of the Constitution, as established in *People's Union for Democratic Rights v. Union of India.* The Supreme Court has stressed the importance of paying prisoners reasonable wages, as seen in *Mohammad Giasuddin v. State of Andhra Pradesh*, directing states to ensure wages are not trivial or below minimum.

When are Prisoners shifted from one jail to another jail?

Prisoners may be transferred from one prison to another for various reasons:

- medical reasons;
- for attendance in court for the purpose of standing trial or giving evidence;
- to be closer to their home district;
- on grounds of security, expediency, etc.;
- on humanitarian grounds, in the interest of their rehabilitation.

What is the procedure for the transfer of prisoners?

The procedure for the transfer of prisoners involves two main scenarios:

Transfer within the state:

- The State Government or the Inspector General, may issue orders for the transfer of any inmate.
- The Superintendent of the receiving prison is responsible for receiving and detaining the transferred person according to the court's requirements until lawfully discharged or removed.

Transfer to and from other states:

- The Transfer of Prisoners Act, 1950 applies when transferring prisoners between States or Union Territories.
- The authority for granting suspension, remission, and commutation of sentence, as well as for granting state remission, remains with the appropriate Government as defined in section 2 of the Transfer of Prisoners Act, 1950.

Can prisoners follow their religious practices while in prison?

A prisoner has the freedom to follow their religion. However, they may not be permitted to carry or use articles that fall under the prohibited category, such as Kirpan, normally carried by Sikhs. Rituals obstructing prison routine or rules are also not permitted. Prisoners may request the officer-in-charge for special considerations such as a separate space or special diet in accordance with their religious beliefs.

What if a prisoner cannot afford to engage a lawyer?

All prisoners are entitled to free state-sponsored legal aid services as per section 12(g) of the Legal Services Authorities Act 1987. The concerned legal services authority is responsible to provide a lawyer who will defend the prisoner free of cost at the time of production and during trial proceedings.

CASE STUDY



Santhosh Kumar aged 30 years was accused of an offence of theft and the trial was pending before the court. The Court had ordered him to judicial custody and was in jail for the same. During his stay in the jail, his parents visited him and it came to the notice of his father that he was kept in the same room with the inmate who was convicted of murder and serving lifetime imprisonment. His father approached the District Legal Services Authority (DLSA) requesting their assistance stating the condition of his son in Jail. The DLSA stated that it would make a petition to the Jail Authorities stating that a convict and an under trial cannot be kept in the same room as per the Prison manual and various court decisions.

The Prison Manual of 2016 states that an undertrial prisoner shall not be treated in the same manner as a convict. This is necessary because of the various conditions and circumstances the undertrial prisoners have to face while being with the convicts.

JUVENILE JUSTICE ACT, 2015



Who is a Juvenile?

A Juvenile is an adolescent or a child who has been convicted or has been found guilty for an offence that is punishable by law.

- Section 2(35) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) defines a juvenile as a child who is below the age of eighteen years.
- This juvenile is also known as a "Child in Conflict with Law" (CCL).

What is Juvenile Justice?

Juvenile Justice is a system of law, policies and procedures introduced by the legislature, intended to regulate the conduct of a CCL & child offenders for violating the law, provide legal remedies, and protect the interests in situations of conflict or neglect with authorities.

What are the legislations that govern Juvenile Justice in India?

- The JJ Act is the primary legislation for governing Juvenile Justice in India.
- The Indian Penal Code, 1860 (IPC) states the punishment of a child on the basis of age.
  - Section 82 of the IPC (Section 20 BNSS) states that no act is an offence that is committed by a child under seven years old.
  - Section 83 (Section 21 BNSS) states that an act committed by a child between the ages of seven and twelve is not an offence if they have not attained sufficient maturity to understand the consequences of their actions.
- Section 27 of the Code of Criminal Procedure, 1973 (Cr.P.C) states that if a Juvenile offender (who appears or is under the age of sixteen years, when brought before the Court) can be tried by the Chief Judicial Magistrate, or by any specially empowered Court (under the Children Act, 1960). It also conforms with restorative justice – by looking into – the treatment, training & rehabilitation of youthful offenders.
- Section 437 of the Cr.P.C states that a child who is convicted of any crime can request or demand anticipatory bail which is maintainable in the High Court and the Court of Sessions.

When does a child come under the purview of the Juvenile Justice (Care and Protection of Children) Act, 2015?

The JJ Act describes the following people who come under the purview of this Act:

- According to Section 2(12), a "child" is a person who has not completed eighteen years of age.
- Sub-clause (13) of Section 2 has mentioned "Child in conflict with Law", (CCL) which is a child who is alleged or found to have committed an offence and who has not completed eighteen years on the date of commission of such offence.
- The Act creates a class of "child" which is "child in need of care and protection", under Section 2(14) meaning a child –

a. whose guardians or parents are/were unfit or uninterested in taking care of the child.

b. without any home or settled place of abode or means of sustenance.

c. who is/was found guilty of performing works that are in contravention to the labour laws or begging in the streets.

d. who is residing with a person who has injured, exploited, abused or threatened to do or killed, abused, neglected or exploited some other child.

e. whose parents/ guardians are mentally or physically ill to support him.

f. who is an orphaned, abandoned or surrendered child.

g. who is a missing or runway child.

h. who is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts.

i. who is a victim of armed conflict, civil unrest or natural calamity.



j. who has an imminent threat of marriage before attaining the specified lawful age.

What is the procedure to deal with a Child in conflict of law?

- Section 4 of the JJ Act mentions the constitution of the Juvenile Justice Board (JJ Board), which is a judicial body or any other concerned authority whose main objective is to deal with Children in conflict with the Law.
- It is a separate court for juveniles accused of crimes, as they cannot be taken into regular court.
- The main responsibility of the JJ Board is to provide care, treatment, protection, developmental needs, inquiry, and final order for the rehabilitation of juveniles under this Act.

What are the classifications of offences under the Act?

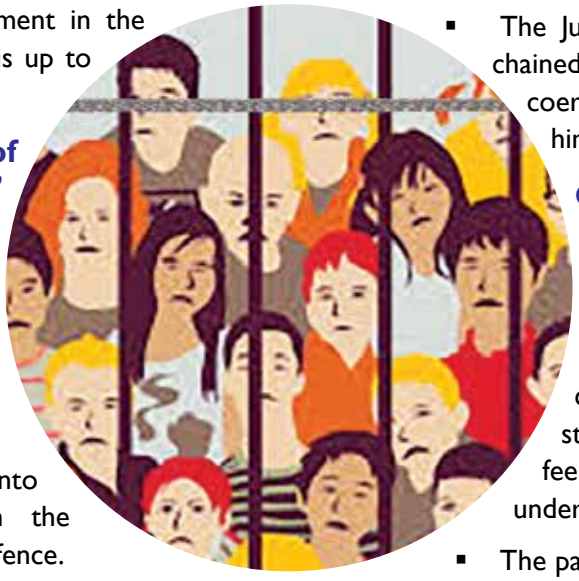
There are three types of offences under the JJ Act: heinous, serious and petty.

- **Heinous Offences** [Section 2(33)] – are offences for which the minimum punishment under the IPC or any other penal law in force at that time is imprisonment for seven years or more or even death sentence.
- **Serious Offences** [Section 2(54)] – are the offences for which the maximum punishment under the IPC or any other penal law in force is between three to seven years of imprisonment.
- **Petty Offences** [Section 2(45)] – are offences for which the maximum punishment in the IPC or any other penal law is up to three years of imprisonment.

What are the functions of the Juvenile Justice Board?

The functions of the JJ Board are:

- They conduct proceedings related to CCLs.
- They decide on matters of Bail.
- They conduct an inquiry into the CCL's involvement in the commission of a particular offence.



- They take decisions regarding the rehabilitation and social-reintegration of CCLs.
- They pass orders for re-admission of CCL in school when his/her name is struck off because of the pending inquiry before the JJ Board.
- They pass orders for continuation of his/her studies, if disallowed due to the inquiry pending before the JJ Board or because of his/her stay at the Observation Homes.
- They conduct monthly inspections of the Observation Home.
- They order police to register FIR for commission of offences against CCLs or on a written complaint received by the Child Welfare Committee.

What are the rights provided to a "child in conflict with law", who is apprehended?

- As soon as a CCL is apprehended by the police, he shall be placed under the charge of Special Juvenile Police Units (SJPU) or Child Protection Welfare Unit (CPWU).
- The Juvenile shall be produced within twenty-four hours before the JJ Board, excluding the necessary time of the journey.
- A CCL shall, under no circumstance, be placed in a police lockup or placed in jail.
- On apprehension, the police shall inform his parent/ guardian and the Probation officer/ CWPO for the preparation and submission of the Social Investigation Report within two weeks to the JJ Board.
- The Juvenile must not be handcuffed, chained or otherwise fettered and no coercion/force must be exerted on him/her.

Can a police officer interrogate a juvenile?

- CCL can be interviewed only by the SJPU or at a child-friendly premise or child-friendly corner in the police station, which does not "give the feel of a police station or of being under custodial interrogation."
- The parent or guardian of the CCL can be present during the interview of the child.
- CCL cannot be compelled to confess the guilt.

Can a child in conflict released on Bail?

Bail is a matter of right for a Child in conflit with law, (CCL) irrespective of whether the offence is bailable or not.

- Section 12(1) states thar a child can be released on bail with or without surety.
- Bail cannot be denied based on the gravity of the offence.

Bail can be denied only if there are reasonable grounds to believe that –

- The release will bring the persons in association with any known criminal, or
- Expose the person to moral, physical, or psychological danger, or
- The release would defeat the ends of the case.

Can Juvenile Offenders be tried as adults in certain cases?

The Act considers teenagers between the age of 16 and 18, who commits heinous crimes to be adults, but they must be tried in Juvenile Court.

- Also, if the Juvenile Justice Board passes an order that there is a need for the trial of the child as an adult, then it may order the transfer of the case to the Juvenile Court having jurisdiction to try such offences.
- The Children's Court is a designated court that deals with cases transferred by the JJ Board under Section 18 of the JJ Act, 2015.

What are the safeguards in place to protect the rights of Juvenile Offenders during the legal process?

When a juvenile is charged, they are entitled to certain rights to ensure fairness:

- Juvenile records are mostly sealed so that they won't be liable as criminals for a lifetime.
- Most of the juvenile records are erased once they turn 18 years old, if they meet certain criteria.
- They're entitled to a transcript of the trial.
- They have the Right to a consult a lawyer and to present their own evidence.
- They can appeal a decision.
- They can have their parents or guardians present.



- The trials should be fair and speedy.
- Under Section 437 of the Cr.P.C, (Section 480 BNSS) juveniles can seek bail before the High Courts or Courts of Session.

What kind of orders can be passed against a child in conflict with law?

The Juvenile Justice Board, following a preliminary evaluation as outlined in Section 15 of the Act, can decide to handle the case. They follow the procedure as in summons cases under the Cr.P.C/BNSS. Section 18 of the Act provides various options for the Board, including:

- Recommending counselling for the juvenile and their parents or guardian, either individually or in a group.
- Assigning community service under supervision.
- Imposing a penalty, to be paid by the juvenile or their parent/guardian.
- Releasing the child on probation, under the supervision of a parent/guardian or another individual, for up to three years.
- Directing placement in a special home for education, skill development, counselling, behaviour modification therapy, and psychiatric support for up to three years.
- Further, if, after inquiry, the Board finds that the juvenile hasn't committed an offense, it can order exoneration or refer the case to the Child Welfare Committee.
- If the Board believes a juvenile should be tried as an adult, it transfers the case to a Children's Court, stating the reasons.
- The Act allows the Board to transfer a case to the Children's Court if deemed appropriate.

- Section 19 of the Act outlines the trial procedures for the Children's Court, which may conduct assessments and pass orders under Section 18.
- Appeals from the Board's decisions can be made to the Sessions Court within 30 days, with the option to seek expert advice, excluding those involved in the preliminary assessment.

Is there a provision for legal aid for Juvenile Offenders?

SJPU are duty bound to inform the District Legal Services Authority for free legal aid to be provided to the juvenile if there is a need for it.

- Every JJ Board needs to have their own panel of Legal Aid Counsels available for aid and assistance to the CCLs and their contact details must be made available.

What are the punishments for those who abuse or exploit Juvenile Offenders?

Section 75 of the JJ Act addresses the punishment for cruelty to a child.

- It states that a person in control of a child who intentionally assaults, abandons, neglects, abuses, or exposes them, leading to mental or physical harm, can face imprisonment for up to three years and a fine of up to one lakh rupees, or both.
- The first provision clarifies that if a child is abandoned due to circumstances beyond the control of the biological parents, it won't be considered wilful abandonment under the Act.
- The second provision deals with individuals employed by organizations responsible for a child's care. If they commit any of the mentioned offenses, they can face rigorous imprisonment for up to five years and a fine of up to five lakh rupees.
- The third provision states that if the cruelty results in the child becoming physically disabled, mentally incapable, or at risk of death, the offender may face rigorous imprisonment for three to ten years and a fine of five lakh rupees.

Can a CCL be sentenced to death or life imprisonment?

A juvenile convicted cannot be sentenced to death or life imprisonment without the possibility of release, for any offence provided in the IPC/BNS or any other Penal law.

What are the places where children in conflict of law are kept in protective custody?

The Act provides for different residential facilities for Children in Conflict with Law or Children in Need of Care and Protection.

- The Act provides for Observation Homes (Section 47), special home (Section 48) and place of safety (Section 49) for Children in Conflict with Law.
- For Children in Need of Care and Protection, there are Children's Homes (Section 50) and Specialized Adoption Agency (Section 65).
- There are also provisions for declaring any institution as a fit facility (Section 51) or a person as a fit person (Section 52) for keeping the child in protective custody.
- The Act also provides for foster Care (Section 44) and open Shelters (Section 43).

When can the police and judicial records of a convicted juvenile be destroyed?

The Juvenile Justice Board (JJB) should instruct the police, and the Children's Court should instruct its registry, to erase conviction records once the appeal period ends or after seven years.

- However, records of children found in conflict with law by the Children's Court, following an adult trial, must be kept.
- Only records of children not tried as adults by the Children's Court should be deleted.

What is the role of the District Child Protection Unit?





Government-notified schemes mandate that the District Child Protection Unit should:

- Identify orphaned, abandoned, and surrendered children in the district and facilitate their legal declaration as available for adoption by the Child Welfare Committee, with assistance from Specialised Adoption Agencies or Child Care Institutions as necessary.
- Ensure prompt uploading of Child Study Reports and Medical Examination Reports onto the Child Adoption Resource Information and Guidance System within ten days of a child being declared legally available for adoption.
- Facilitate connections between Child Care Institutions and Specialised Adoption Agencies within the same or different districts to streamline adoption processes.
- Monitor the adoption progress of each legally available child and intervene as needed to expedite the process.
- Track the progress of adoption applications from Prospective Adoptive Parents registered in the system and take necessary steps to accelerate proceedings.
- Maintain a panel of qualified social workers and establish counselling centres, in collaboration with the State Adoption Resource Agency or Authority, to support adoption processes, including preparation of reports and post-adoption counselling.
- Oversee and monitor adoption programs within the district, ensuring accurate and timely data entry into the adoption information system.
- Provide assistance to the State Adoption Resource Agency and Authority on adoption-related matters.
- Support the Child Welfare Committee in efforts to restore children to their families and in the process of legally declaring abandoned children available for adoption, including necessary publication of information and obtaining reports from relevant authorities.
- Upload certificates issued by the Child Welfare Committee declaring children legally available for adoption onto the adoption information system.
- Maintain up-to-date adoption-related information on the adoption information system as specified by the Authority.

What are the helpline numbers for a Child in crisis?

Any child in crisis or a concerned adult can dial the Child helpline number 1098, by the CHILDLINE India Foundation which is a nodal agency of the Union Ministry of Women and Child Development. This number operates at any time of day.

CASE STUDY

Rajdeep was arrested for kidnapping and sexually abusing a girl who was from the same village where he was a resident. During the trial, the defence lawyer stated that as on the date of his arrest he had attained the age of eighteen (18) but on the date of committing the offence he was a minor and he were to tried as per the Juvenile Justice (Care and Protection of Children) Act, 2000. The Juvenile Justice Act states the determination of age is on the date of commencement of offence. The Government prosecutor emphasised that all the witnesses and circumstantial evidence proved that he had committed a heinous crime and he had to undergo the trial as an adult capable of such heinous crimes. The government prosecutor held that the time gap between the commission of the offence and his date of arrest was just five days and as such he shall be treated as an adult. The jurisdictional court held the trial as per the Criminal Law (Amendment Act)2013 and treated him to be an adult for such heinous crimes.

The Juvenile Justice (Care and Protection of Children) Act, 2000 defines the age of juvenile and any offences committed by a minor shall be tried before a Juvenile Justice Board (JJB). But because of the Criminal Law (Amendment Act)2013 for the heinous offences of rape and murder any juvenile between the age of 16 and 18 shall be tried and punished as an adult.

LAW OF ADOPTION

What is meant by child adoption?



Child adoption is the legal process where an individual or couple becomes the permanent legal parent(s) of a child not biologically related to them.

- Adoption provides stable, loving families when biological parents cannot care for the child.
- Adoptions can occur domestically or internationally, with social workers or adoption agencies playing a significant role.
- After the adoption, adoptive parents gain full parental rights, including responsibility for the child's well-being, education, healthcare, and upbringing.

Which authority regulates or monitors the process of adoption in India?

The Central Adoption Resource Authority (CARA), a division of the Ministry of Women and Child Care, oversees and controls the adoption process in India.

- It is the responsibility of CARA, the central agency for adopting Indian children, to oversee and control domestic adoptions.
- In compliance with the terms of the 1993 Hague Convention on Intercountry Adoption, which the Indian government accepted in 2003, CARA is also appointed as the Central Authority to handle adoptions between countries.

Which law in India governs the process of adoption?

There are two legislations that primarily deal with the adoption of a child. These legislations are:

- The Hindu Adoption and Maintenance Act, 1956, (**HAMA Act**) and
- The Juvenile Justice (Care and Protection of Children) Act, 2000 (**JJ Act**).

What are the changes that the recent amendments to the JJ Act has brought into the process of adoption?

Section 61 of the JJ Act now permits adoption orders to be issued by District Magistrates and Additional District Magistrates. A child's adoption is considered complete after the civil court issues an adoption order, as stated earlier in the JJ Act of 2015.

What are the required conditions to be fulfilled by a male person to adopt a child?

A man planning to adopt a child must:

- Be of sound mind.
- The prospective parent shall be physically, mentally, emotionally and financially capable.
- The parent must not have any life-threatening medical condition and they should not have been convicted in criminal act of any nature or accused in any case of child rights violation.
- The prospective adoptive parents, irrespective of their marital status and whether or not they have biological son or daughter, can adopt a child, provided:

a. The consent of both spouses for the adoption shall be required, in the case of a married couple;

b. A single male shall not be eligible to adopt a girl child;

c. No child shall be given in adoption to a couple unless they have at least two years of stable marital relationship except in the cases of relative or step-parent adoption.

d. Has the consent of his wife. Without his wife's consent, the adoption will be considered 'void.'

e. If he has more than one wife. (When permitted by any religious law)

What are the conditions to be fulfilled by a female in order to adopt a child?

A woman willing to adopt a child:

- Must be of sound mind.
- Must be an adult.
- A single female can adopt a child of any gender;
- If she has changed her religion, renounced the world



or her husband is dead, no consent is needed for adoption.

- The points mentioned above shall be relevant if the woman is married.

What are some legal age bars/guidelines with respect to parents, single parents & children that need to be adhered to for the process of adoption?

Adoptive parents cannot adopt a child of any age, unless adhere to some legal age guidelines:[1]

Age of the Child	Maximum Composite Age of Couple (Prospective Parents)	Maximum Age of Single Prospective Parent
Up to 2 Years	85 years	40 years
Above 2 and up to 4 years	90 years	45 years
Above 4 and up to 8 years	100 years	50 years
Above 8 and up to 18 years	110 years	55 years

Provided that the minimum age difference between the child and either of the prospective adoptive

- In case of a couple, the composite age of the prospective adoptive parents shall be counted.
- The age criteria for prospective adoptive parents shall not be applicable in case of relative adoptions and adoption by step-parent.
- The prospective adoptive parents have to revalidate their Home study report after a period of three years.

Can you adopt a child if you already have one?



Yes, adoptive parents are free to choose to adopt another child even if they already have one of their own.

- The HAMA Act, however, states that these parents are only permitted to adopt children who are the opposite gender from their own; that is, if you have a boy, you may only adopt a girl, and vice versa.
- The Guardians and Wards Act, 1890 (**GWA**) and the JJ Act, on the other hand, do not have any comparable adoption provisions.
- In addition, the adopted child's viewpoint will be considered if they are mature enough to do so.

Can a couple adopt a child if they already have two or more children?

Couples with two or more children shall only be considered for special needs children and hard-to-place children unless they are relatives or step-children.

Is it possible to adopt more than one child?

Yes. Parents can adopt more than one child so long as they do not have three or more children.

How does adoption vary across religions?

- **For Hindus, Buddhists, Jains, & Sikhs (under HAMA) –** If a man is of sound mind and is not underage, he may adopt a child. Unless the court finds them to be incompetent to consent.
- **For Muslims –** Although Muslims do not accept adoption, they are allowed to assume custody of a kid under Section 8 of the GWA.
- **For Christians and Parsis –** Although Christians and Parsis do not accept adoption, they are able to maintain a kid in foster care if they obtain a court order under the terms of the GWA.

Can Foreign Nationals adopt a child in India?

A foreigner may apply to adopt a child in India under the provisions of GWA, where the court may appoint the foreigner as the guardian of the child they are adopting. The foreign national may take the child to their country and adopt them as per the laws of their country. They must submit the following supporting documents along with the application:

- Recent family photograph.
- Marriage certificate.

1 Regulation 5: Eligibility criteria for prospective adoptive parents, Central Adoption Development Authority, https://cara.wcd.gov.in/Parents/Eg_living_Abroad.html



- Declaration of the applicants' physical fitness that has been duly certified by a medical doctor.
- Declaration of the applicants' financial status with verifying documents like income tax returns, employment certificate, bank references, and details of properties owned by the applicant.
- Declaration of willingness to adopt the child.
- An undertaking to adopt the child as per their country's laws at the earliest, but not later than two years of the child's arrival in their country.
- A signed power of attorney in favor of a Social or Child Welfare Agency in India – so that they can monitor the case.
- An undertaking assuring to send the Indian agency and Court a progress report and photograph of the child

What are the fundamental principles that governs adoption of children in India?

The following fundamental principles shall govern adoptions of children from India, namely:

- The child's best interest shall be of prime importance while deciding any placement;
- Preference shall be given to place the child in adoption within the country;
- Adoption of children shall be guided by a set procedure and in a time-bound manner;
- No one shall derive any gain, whether financial or otherwise, through adoption.

Who are the persons that can be adopted under the Hindu Adoption and Maintenance Act, 1956?

The Hindu Adoption and Maintenance Act (HAMA) covers everyone residing in India who is not a Christian, Muslim, Parsi, or Jew. Thus children who do not belong to the following communities – Christian, Muslim, Parsi, or Jew can be adopted under the HAMA.

What should be the age difference between a female child and a male person adopting that female child under the Hindu Adoption and Maintenance Act, 1956?

If the adoption is by a male and the person to be adopted is a female, in that case, the adoptive father should be at least twenty-one years older than the person to be adopted.

What should be the age difference between a male child and a female person adopting that male child under the Hindu Adoption and Maintenance Act, 1956?

If the adoption is by a female and the person to be adopted is a male, in that case, the adoptive mother should be at least twenty-one years older than the person to be adopted.

What shall be the duty of individual, hospital or any other institution who finds an abandoned child or orphan child?

Every person, whether an individual or a nursing home or hospital or any other institution who or which finds an abandoned child or an orphan child without family support, has the duty to report the fact immediately either to the officer in charge of the nearest police station or the Child Welfare Committee (CWC) or Childline (Tel 1098) or the Specialised Adoption Agency in that area, as is practicable.

How many children can a couple see before finalizing? Can the preference of the child change from a girl to a boy during this process?

As per CARA guidelines, prospective adoptive parents can be referred to profiles of up to 3 children – one at a time.

- In addition, the prospective parents will not be able to see multiple children. They will have to see a profile and accept the same.
- The prospective parents can change their preference once after registering.

Is there a separate process for adopting an older child or a child with special needs?

The process for adopting an older child or a child with special needs is the same, except that the parents need to mention the same while registering.



- There may be a shorter wait list for parents opting for such children.
- Parents can also register for a child under normal category, but at any time, reserve a child from Immediate Placement or Special Need Category without losing their seniority for the normal category.

How much does adoption cost in India? Is the expense the same for Indian or Foreign parents?

The total adoption cost for Indian residents is Rs. 46,000 including home study, foster care, medical expenses, legal expenses and follow-up costs.

- The comparable figure for foreigners, NRIs or foreign Parents residing in India is around $5000, plus any additional expenses related to adoption in their home country.

How do the prospective parents get the child's birth certificate and other legal documents like passport etc?

The adoption agency shall obtain the birth certificate of the child from the birth certificate issuing authority within ten days from the date of issuance of an adoption order, with the name of adoptive parents, as parents, and date of birth as recorded in the adoption order.

- Similarly, for Inter-Country adoption, the adoption agency shall submit the application to the regional passport officer within three working days from the date of receipt of a certified copy of the adoption order and the regional passport office shall issue passport for the child within ten days from the date of receipt of application.
- For adoption within India, the parents can apply for passport as per procedure outlined by the Regional Passport Office.

Can a couple adopt a child, if one of the partners in against the adoption process?

As per CARA guidelines, consent of both the spouses is a pre-requisite for adoption by a couple and a child can be given into adoption to a couple only after two years of stable marital relationship.

Apart from the legal side, the adoption will also not be in the child's interest if one of the parents is not committed to the cause.

What are the conditions where on adopted child can be surrounded?

A child may be surrendered in case: -

- The child is born as a consequence of non-consensual relationship;
- The child is born of an unwed mother or out of wedlock;
- One of the biological parents of the child is dead and the living parent is incapacitated or unfit to take care;
- The parents of the child are compelled to relinquish him or her due to physical, emotional and social factors beyond their control.

What are the agencies or authorities for Inter-country adoption?

The authorities and agencies involved in Inter-country adoption process are -

- Court of Competent Jurisdiction who can pass Order for Adoption;
- Central Adoption Resource Authority (CARA);
- Central Authority in the receiving Country (CA);
- Indian Diplomatic Missions Abroad;
- Foreign Diplomatic Missions in India;
- Authorised Foreign Adoption Agency (AFAA);
- State Adoption Resource Agency (SARA) or Adoption Coordinating Agency (ACA);
- Recognised Indian Placement Agency (RIPA); and
- Adoption Recommendation Committee (ARC).

Which law governs the Inter-Country Adoption?

The authorities and agencies in inter- state adoption are guided by the procedure laid down for inter-country adoption under the Hague Convention on Inter-country Adoption-1993.



CASE STUDY

Ananth Kumar was not living with his wife as the court had ordered a judicial separation. Having presumed that the judicial separation would lead to divorce Ananth Kumar wanted to adopt a child. He approached a children's home for same and then also approached an advocate to sensitise him regarding the law relating to adoption. His advocate mentioned that he being under the judicial separation, the consent of the spouse is a required procedure to adopt the child. He has to wait for a divorce in order to adopt the child. For his question, of his interest in adopting a girl child, the advocate said that as per Indian law an adult male shall not be given a female child for adoption

The Law on adoption in India is governed by two legislations namely: The Hindu Adoption and Maintenance Act, 1956 and The Juvenile Justice (Care and Protection of Children) Act, 2000.

MENTAL HEALTH CARE

What are the objectives of the Mental Healthcare Act, 2017?

The Mental Healthcare Act, 2017 was enacted to provide healthcare facilities to persons suffering from mental illness and to protect, promote, and fulfill their rights keeping in mind their special needs.

- Mentally ill persons are a vulnerable segment of the population and require special care and support.
- This legislation seeks to improve existing facilities in India for care and support of mentally ill persons to protect their rights and well-being, in accordance with the internationally accepted norms and standards.
- For these purposes, the Act creates various bodies such as the Central Mental Health Authority at the Union level, State Mental Health Authorities at the state level, and Mental Health Review Boards at the local level.

How is mental illness different from unsoundness of mind?

Mental illness is a medical finding, whereas unsoundness of mind is a legal determination of the capability of a person to do certain acts. The Act does much to dispel the confusion surrounding the area.

- It defines mental illness as a '*substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behavior, capacity to recognise reality or ability to meet the ordinary demands of life, mental conditions associated with the abuse of alcohol and drugs…*'
- It excludes mental retardation from the definition, which means incomplete or arrested development of the mind of a person is not covered under it.
- Also, common mental disorders such as depression, anxiety, etc. where judgment, capacity, and ability to meet daily requirements are not affected are not included in the definition.
- Most importantly, a person's mental illness cannot by itself mean that he is of unsound mind.

Under section 3(5) of the Act, a competent court has to declare a person as being of unsound mind to have any legal consequences under the law relating to that of persons with unsound mind.

How can mental illness be diagnosed and determined and who can determine it?

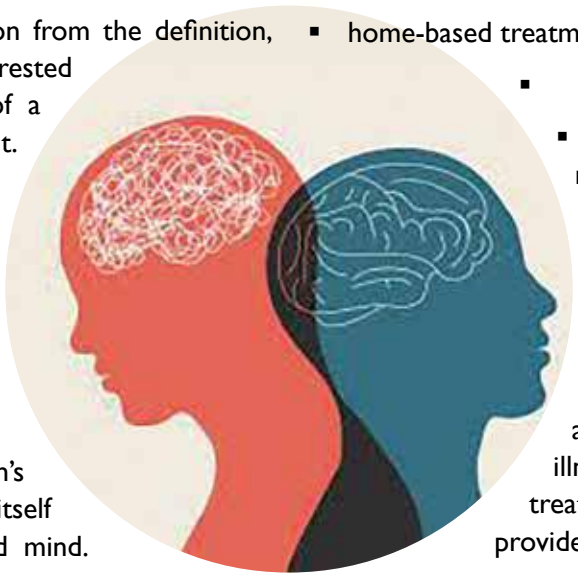
Under section 3(1) of the Act, mental illness has to be determined according to the nationally and internationally accepted medical standards including those published by the World Health Organization.

- Under the Mental Healthcare Act, 2017, only a government-certified medical practitioner or mental health professional can confirm if a person is suffering from mental illness based on tests including CT scans, MRI scans, or EEGs as well as psychological testing like the Wechsler Adult Intelligence Scale (WAIS), Minnesota Multiphasic Personality Inventory (MMPI), and Beck Depression Inventory (BDI).
- Institutes like the National Institute of Mental Health and Neuro Sciences (NIMHANS), Bangalore, or Central Institute of Psychiatry, Ranchi are institutes that specifically cater to patients suffering from mental illness.

What treatments can I avail if I am diagnosed with mental illness?

There are various alternatives available for a person to choose for the treatment of mental illness. These include

- home-based treatment,
- community-based treatment,
- half-way homes for rehabilitation,
- and in extreme cases there are provisions for admission into mental health establishments.
- Every person including a person identified with mental illness has a right to choose the treatment alternative for themselves, provided that they have the requisite



capacity to do the same, including the ability to understand relevant information and the consequences of their decisions.



- A person suffering from mental illness may also contact the 24x7 government helpline KIRAN by dialing the Toll-Free number **1800-599-0019** to seek help.
- After dialing, a welcome message will be heard, after which a language needs to be selected by pressing the appropriate button and then state/UT needs to be selected. Then the call will be directed to the mental health expert for help. This helpline may be called from anywhere in India and is available in thirteen languages. More information regarding this may be sought here.

What is the least restrictive alternative/ environment option?

This means that the treatment given to the person should be such that it fulfills the treatment needs of the person and should impose the least restriction on the person's freedom.

For example, if a person can be appropriately treated with community-based treatment, they should not be confined to mental health establishments that have more restrictive environments.

What are Mental Health Establishments (MHEs)?

Section 2(p) defines MHE as any health establishment, either wholly or partly, meant for the care of persons with mental illness, where persons with mental illness are admitted and reside at, or kept in, for care, treatment, convalescence, and rehabilitation, either temporarily or otherwise and that is established, owned, controlled or maintained either publicly or privately by any entity or person.

- This includes any general hospital or nursing home but excludes family residential places where a person with mental illness resides with his relatives or friends.
- These have a much-restricted environment and admission to these is supposed to be the last resorted option when all other community-based treatments have proven ineffective.
- These are controlled and regulated by State and Central Mental Health Authorities and are required to fulfill standards set by the relevant authority.

How can I get admission to an MHE?

Admissions in an MHE can happen in various ways

- **Independent Admission (Section 86):** This is the most preferred way of admission to an MHE under the Act, where a mentally ill person, who is not a minor, can request the medical officer or in-charge of an MHE for admission in the establishment.
- The application should be made in the manner given in Form-C of Mental Healthcare (Rights of Persons with Mental Illness) Rules, 2018 (2018 Rules).
- The concerned medical officer shall make sure that the person making the request has a mental illness of severity that requires admission to the MHE and such admission will benefit from the same, and understands the nature and purpose of admission. The request shall be made out of free will and without any duress or coercion. Such a person, if admitted, shall be treated as an independent patient, and can be discharged from the MHE on request made by them without the consent of the concerned medical officer.
- **Supported Admission (section 89):** A mentally ill person, requiring a very high degree of support who is unable to make treatment decisions for themselves, can be admitted in a MHE on application by the Nominated Representative of the person.
- The application should be made in the manner given in Form-E of the 2018 Rules.
- However, the person shall be independently examined by one psychiatrist and the other being a mental health professional or a medical practitioner, and both should independently conclude that the person requires admission to the MHE, and cannot be treated as an independent patient. The advance directive shall be taken into account at this stage before making any decision.
- Information of every such admission shall be given to



the concerned board within three days in the case of a woman or minor, and in every other case in seven days.

- **Readmission (section 90):** A person who was admitted on the application of the nominated representative and needs to be readmitted within seven days of discharge shall be readmitted following the conditions of section 90 only.
- An application needs to be made by the nominated representative in the manner provided in Form-F of 2018 Rules for this purpose.
- Two psychiatrists need to independently examine the person and certify that they need to be admitted to the MHE and cannot be admitted as an independent patient. The concerned medical officer needs to inform the board of the readmission within seven days and the board has to permit the same within 21 days from the date of readmission.

For what duration can one stay in MHE?

An independent patient shall be discharged on the request made by them at any time during their stay in the MHE.

- However, they may be required to stay for a period of 24 hours for assessment of whether they can be admitted as supported patient, which is under section 89.

  For example, if a person is admitted as an independent patient in an MHE, and after a few days requests to get discharged, they may be confined and examined by a psychiatrist and a mental health professional and if they both reach a decision that the person is not fit for discharge and is not capable for being admitted as an independent patient, then the person may be admitted as a supported patient under section 89.

- A supported patient under section 89 can be admitted for a maximum period of thirty days. If before that they stop fulfilling the criteria of section 89, that is they may become capable of giving consent as an independent patient, then they shall be discharged or may remain in the MHE as an independent patient. The concerned medical officer shall communicate to the patient their change of status.
- A supported patient may remain in the MHE for more than 30 days but only after following the procedure under section 90 that is after certification by two psychiatrists that person shall be admitted to the MHE after the approval of the concerned medical board within 21 days of last admission.

An application for such continuous admission shall be made by the nominated representative in the manner provided in Form-F of the 2018 Rules.



At first instance, the admission shall not stretch to more than ninety days, then can be subsequently increased by a stretch of 120 days, and then subsequently by the stretch of 180 days. At each time of increasing the person's stay in the MHE, the procedure under the section shall be reconducted.

Can leave be taken from the MHE without getting discharged?

A supported patient or a minor admitted to an MHE may be granted leave of absence by the medical officer or mental health professional in charge such duration as they may deem fit.

An application in the manner provided in Form-I shall be made by the nominated representative for this purpose with the reason for such leave.

How can one be discharged from an MHE?

An independent patient shall be discharged on the request made by them at any time during their stay in the MHE. An application for this shall be made in the manner provided in Form-G of the 2018 Rules. There is no need for the consent of the concerned medical officer for the same. When a minor is admitted to an MHE and attains majority while their stay in the MHE, they are considered as an independent patient and can be discharged on their will.

- A person admitted as a supported patient shall be discharged when they no longer meet the requirements of a supported patient, that is there is no requirement for them to stay in the MHE, *i.e.,* that it is not the least restrictive option available for the treatment, or when they start understanding nature and consequences of their admission and decisions, that is they become capable for independent admission.
- In any case, the stay in the MHE cannot be longer than 30 days, and the patient needs to be discharged

on expiry of this period.

- A supported patient staying for more than 30 days or readmitted under section 90 shall be discharged if they no longer meet the criteria of a supported patient under section 90, or when the Mental Health Review Board refuses the permission for such admission, or when the period for which the person was admitted expires.

Can a decision of an MHE to admit a person be challenged in any way?

A mentally ill person, or their nominated representative, or a representative of a registered non-governmental organization with consent of the person, can apply to the concerned Mental Health Review Board for review of the decision of the MHE to admit a person as a supported patient either for less or more than 30 days.

- The decision to admit a minor can also be challenged by the nominated representative or any other interested person, more specifically representative of a non-governmental organization.
- The information and contact details of the relevant board are displayed at every MHE including the address and telephone number of the board. The MHE shall also provide the person with relevant forms and reasonable facilities to make phone calls to the Board to apply for review. The applications in extreme circumstances can be accepted orally and over the telephone, and there is no fee to apply for review. The proceedings of the Board shall be held at the MHE where the person is admitted and the parties may appear in person or through counsel or any representative of their choice.

What are the rights of a person with mental illness?



The Act provides a set of rights to persons with mental illness and has a whole chapter dedicated to it. The most important rights of a mentally ill person are as follows:

- Right to Access Mental Healthcare
- Right to Community Living
- Right to Protection from Cruel, Inhuman and degrading Treatment
- Right to Equality and Non-discrimination
- Right to Information
- Right to Confidentiality
- Restriction on release of information in respect of mental illness
- Right to Access Medical Records
- Right to Personal Contacts and Communication
- Right to Legal Aid
- Right to make complaints about deficiencies in provision of services
- Prohibition of certain procedures on persons suffering from mental illness
- Restriction on psychosurgery for persons with mental illness
- Right against restraints and Seclusion

If these rights are violated, where can the complaints be made?

Any deficiency in service or treatment can be complained to the person in charge of the MHE and if not satisfied, then to the concerned Medical Health Review Board or State Mental Health Authority.

- Such an application needs to be decided by the Board within a period of ninety days. Further, to enforce any right under this act or any other law, judicial intervention can be sought, that is a person with mental illness may move to court to enforce their rights.
- For this free legal aid can be sought from legal services authority and information regarding that can be found here.

What can be done if a person suffering from mental illness is ill-treated at home and neglected?

If a person suffering from mental illness is ill-treated or neglected at home or in their private residence, this fact should be reported to the police officer in charge of that area, who shall report it to the concerned magistrate having jurisdiction in the area.

- On a report of a police officer or otherwise, if



the magistrate has reason to believe that such ill-treatment is meted out to a mentally ill person, then they may order to produce such person before them.

- On appearance before them, the magistrate may send the person to an MHE for assessment and treatment, and that MHE shall deal with the person in accordance with the provisions of the Act.
- The magistrate may authorize the admission of such a person to the MHE for a maximum period of ten days for assessment and planning of treatment. On completion of such a period a report shall be submitted to the magistrate by the in-charge of the MHE and the person shall be dealt with in accordance with the provisions of the act.

What is an Advance Directive and for what purposes can it be used?

An advance directive is directions given by an adult person regarding how they wish to be treated for their mental illness and to whom they want to appoint as their nominated representatives.

- This shall be specifically made in writing and can be made by any adult person irrespective of their past mental illness history. However, a minor cannot make advance directives.
- The directions given in the advance directive come into effect only when the person making it ceases to have the capacity to make decisions for their own treatment, and it shall be the duty of every medical professional in charge of MHE or the person's mental health treatment to give effect to directions given in the directive.
- The concerned Medical Health Review Boards have to keep an online register of these directives and shall make them available to the mental health professional as and when required.

How can one make an Advance Directive and revoke it?

The advance directive shall be made in writing and in the manner provided in Form A of Mental Healthcare (Central Mental Health Authority) Regulations, 2020, which can be found here.

- This application shall be submitted to the concerned Medical Health Review Board for registration and shall have the signature of two witnesses attesting to the fact that the person making the directive has signed it in their presence.
- If the advance directive contains the name of a person to be appointed as nominated representative, the person's signature shall also be there on the application signifying their willingness to act as nominated representative. This application shall be made and registered free of cost and a copy of the advance directive shall be given to the person making it after registration.
- The advance directive may be altered or revoked in the same manner it is made, that is through an application in writing made in the manner provided in Form-A with the signature of two attesting witnesses. With registration of the new advance directive, the previous one becomes null and void.
- The concerned Medical Health Review Board can also review, alter, modify, or cancel the advance directive on an application made by a mental health professional or a relative or a caregiver of the person making the advance directive if they desire not to follow it while treating the person. The Board within 14 days shall hold the proceedings on such application and thereafter in seven days decide on it.
- The legal guardian can make an advance directive for a minor in writing and all the provisions shall apply to it as they apply to the advance directive of an adult till the minor attains majority.

Who is the Nominated Representative?

- A nominated representative is a person appointed to act on behalf of a mentally ill person and make decisions on their behalf according to the provisions of the Act.
- The nominated representative cannot be a minor and shall have the requisite capacity to make decisions for the mentally ill person and give consent to mental health professionals to fulfill their duties.

How can a Nominated Representative be appointed and revoked?

Every person who is not a minor can appoint a nominated representative, but such appointment shall be made in writing on a plain paper with signature or thumb impression of the person making it.

- If no appointment is made and the need arises for such nominated representative, the following persons shall be deemed as nominated representatives in order of precedence as given here.

- The first is, any person named in the advance directive made by the mentally ill person, if no such direction is there then a relative of the person if no such willing relative is there then a caregiver of the person, if no such willing caregiver is there then a suitable person appointed by the concerned Medical Health Review Board, and if no such willing person is available then Board shall appoint the Director, Department of Social Welfare, or his designated representative, as the nominated representative of the person with mental illness.
- However, till the time such an appointment is made by the concerned Board, a representative of an organization working for mentally ill persons may be temporarily engaged by the mental health professional to discharge the functions of the nominated representative.
- A written application may be made by such a representative of the organization to such a professional to temporarily discharge the functions of the nominated representative, and they shall be accepted as the same.
- The legal guardian of a minor is deemed to be the nominated representative of such minor. The concerned Mental Health Review Board may appoint any other suitable person as the nominated representative of the minor if, on the application presented to it by a mental health professional or any other person acting in the best interest of the minor, the Board is of opinion that the legal guardian is not acting in the best interest of the minor or is otherwise unfit to discharge such functions.
- A person appointing the nominated representative may revoke or alter such appointment in the same manner, that in writing on a plain paper with signature or thumb impression.
- The concerned Medical Health Review Board, if it thinks it is in best interests of the mentally ill person, may revoke the appointment of a person as nominated representative and may appoint someone else to discharge such functions under section 14(7) of the Act or on an application made to it by person with mental illness, or by a relative of such person, or by the psychiatrist responsible for the care of such person, or by the medical officer in charge of the MHE where the individual is admitted or proposed to be admitted under section 16.



What are the duties of a Nominated representative?

A nominated representative has a duty to help and support the mentally ill person to make treatment decisions to the extent they require support.

- Further, they have a duty to seek information on diagnosis and treatment to provide adequate support, access the rehabilitation services on behalf of and for the benefit of mentally ill person,
- They can apply for admission to MHE as supported patient under Sections 89 or 90 or 87 (for admission of a minor to MHE),
- They can apply to the concerned Medical Health Review Board for discharge from the MHE,
- They can apply to the concerned Board for violation of any right of the mentally ill person in the MHE,
- They need to also give consent for treatment given to the supported patients if they are unable to do so under section 89 and 90.
- While fulfilling all these duties the nominated representative shall keep in mind the mentally ill person's current and past wishes, the life history, values, cultural background, and the best interests and try to give effect to their views as far as possible.

Can a person suffering from mental illness have a legal guardian?

- There are no specific provisions for appointment of legal guardian for a person suffering from mental illness in the Act.
- However, one may move to the concerned High Court to be appointed as legal guardian of a mentally ill person, if such person is not sufficiently capable of taking care of himself. The High Court exercising its jurisdiction may appoint a person as legal guardian in law and for management for a mentally ill person's property.

Are there any special provisions for minors and women in the Mental Healthcare Act?

The Act does have special provisions for women and minors taking into



consideration their different needs and circumstances.

- As discussed earlier, a child under three years of age shall not be separated from its mother receiving treatment for mental illness, unless it is absolutely necessary for the safety of the child. This decision to separate the child from the mother shall be reviewed every fifteen days and in the period of separation, the mother shall have access to the child under supervision.
- When a woman or a minor is admitted to an MHE as a supported patient under section 87 or 89 for less than 30 days, this admission shall be reported to the concerned Medical Health Review Board within the period of three days.
- Advance directives for a minor can only be made by their legal guardian and also the legal guardian serves as their nominated representative unless someone else is appointed by the concerned Medical Health Review Board.
- A minor is not capable of being admitted to an MHE as an independent patient and can be admitted to an MHE only under section 87 of the Act.

This requires an application made by the nominated representative of the minor to the in-charge of the MHE in the manner given in Form-D of 2018 Rules. On such an application being made, the minor shall be independently examined by two psychiatrists, or one psychiatrist, and one mental health professional, or one psychiatrist and one medical practitioner.

They both should conclude that it is necessary for the minor to be admitted to the MHE and it is in their best interest and is the least restrictive alternative. On admission minors shall be accommodated separately from the adults in the MHE and the surroundings should be conducive to their developmental needs and of the same quality as provided to a minor.

The nominated representative or an attendant appointed by them shall in all circumstances be with the minor admitted in the MHE for the entire duration and in case the minor is a girl, the nominated representative if not a female, shall appoint a female attendant to fulfill the duties.



Minor shall be treated with the informed consent of their nominated representative and shall be discharged at any time on the request made by such nominated representative. The application for discharge shall be made in the manner given in Form-H of the 2018 Rules.

Further, if a minor is admitted for more than thirty days, the concerned Mental Health Review Board shall be informed immediately and the Board shall review such admission within seven days, and this review shall happen after every period of thirty days if the admission continues.

Moreover, electro-conclusive therapy is prohibited for minors, unless the psychiatrist in charge of a minor's treatment is of the opinion that such therapy is necessary, and then also this shall be conducted with the consent of the guardian and with permission of the concerned Medical Health Review Board.

Can prisoners and persons in custodial institutions also receive mental healthcare?

Any prisoner suffering from mental illness may be transferred to the psychiatric ward of the medical wing of the prison and if there is no such ward then to an MHE with prior permission of the concerned Medical Health Review Board.

- A special report of such prisoners in the MHE shall be prepared and sent to the institution where the prisoner was detained by the in-charge of the MHE regarding the mental and physical health of the prisoner.
- Further, the medical officer of the jail or prison is required to make a quarterly report certifying that no prisoners are suffering from mental illness and send it to the concerned Medical Health Review Board, and the Board has the right to inspect the jail or prison for any such case.
- Mental illness (including any mental illness or disability developed in prison) is also considered as a mitigating factor by courts during awarding of punishments in criminal cases, especially death penalty cases.
- With regards to custodial institutions, if it appears to the person in charge of such State-run institution that any resident has or is likely to have a mental illness, then the resident must be taken to the nearest MHE run or funded by

the government for assessment and treatment and such resident shall be dealt under the provisions of the Act for any procedure undertaken.

What are the duties of a police officer under the Mental Healthcare Act?

Police officers are required to report to the magistrate any ill-treatment meted out to a person with mental illness at their home or private residence within limits of their police station, brought to their notice by any person or otherwise.

- Further, they have duty to take under protection any person wandering at large or posing risk to himself or others by reason of mental illness within limits of their police station and take such person to the nearest MHE for assessment as soon as possible but no later than twenty-four hours, and the person if diagnosed with mental illness shall be dealt under the provisions of the Act.
- The police officer is also required to inform such person or their nominated representative of the reason for taking them into protection.
- If no mental illness is diagnosed, then the police officer is required to take such a person to their home, or in the case of a homeless person to government shelters. The police officer is also required to trace families of such people found wandering.

CASE STUDY

Akhila was doing MBBS and was suffering from stress due to her studies in college. She wanted to meet a psychiatrist to know about her mental condition. Due to late-night studies, she was having sleep disorders. In a moment of high stress and emotion, she attempted suicide by having an overdose of medicine in her room. Her parents who were in the house immediately rushed her to the hospital. Due to timely treatment, the doctors were able to save her life.

The hospital administration approached her parents for more information regarding the attempted suicide. Parents were frightened thinking that an attempt to commit suicide was an offence and her daughter may be arrested.

The hospital authorities comforted and consoled them stating that the Mental Health Care Act 2017 addresses the situation of attempted suicide, and the person shall not be prosecuted or punished. It will be dealt as a medico-legal case providing necessary medical and health care facilities.

The Mental Healthcare Act in a way has decriminalized S.309 of IPC (omitted in BNS) for attempted suicide though it does not repeal the section.This will now be dealt with in a more humane way of care, treatment, and rehabilitation.

DISASTER MANAGEMENT AND DISASTER VICTIMS

What is a Disaster?

Disasters are serious disruptions to the functioning of a community that exceed its capacity to cope using its own resources. They stem from a range of sources, including natural phenomena, human actions, and technological failures, alongside factors affecting a community's exposure and susceptibility.



What is a disaster as per law?

- A disaster is defined under Section 2(d) of the Disaster Management Act, 2005 as any catastrophic event, be it natural or human-induced, that results in extensive loss of human life, significant damage to the natural environment, private property, or public infrastructure.
- These events can manifest suddenly, like earthquakes or industrial accidents, or they can evolve gradually over an extended period, as seen with prolonged health emergencies or climate-related disruptions.

What is the National Disaster Response Fund?

The National Disaster Response Fund (NDRF), constituted under Section 46 of the Disaster Management Act, 2005, supplements the State Disaster Response Fund (SDRF) of a State, in case of a disaster of severe nature, provided adequate funds are not available in SDRF.

What is the SDRF?

- The SDRF, constituted under Section 48 (1) (a) of the Disaster Management Act, 2005, is the primary fund available with State Governments for responses to notified disasters.
- The Central Government contributes 75% of SDRF allocation for general category States/UTs and 90% for special category States/UTs (NE States, Sikkim, Uttarakhand, Himachal Pradesh, Jammu and Kashmir).

What is the National Disaster Management Plan?

The National Disaster Management Plan in India plays a pivotal role in addressing and mitigating the impact of such disasters. This plan was first released in 2016 and updated in 2018. This comprehensive plan:

- outlines strategies and measures for disaster preparedness, response, and recovery,
- emphasizes the importance of a well-coordinated and efficient approach to minimize the human, economic, and environmental costs associated with these events.

*A notable example of a major disaster in India is the **2004 Indian Ocean Tsunami**, which resulted from a massive undersea earthquake off the coast of Sumatra. This catastrophic event led to widespread devastation along the coastal regions of several Indian states, causing loss of life and immense damage to infrastructure and the environment. It serves as a poignant reminder of the necessity for effective disaster management and preparedness in a country prone to a wide range of natural and man-made disasters.*

How does a person protect himself from disasters?

A few steps a person should keep in mind while being indoors:

- DROP down onto your hands and knees before the earthquake knocks you down. This position protects individuals from falling and allows them to still move if necessary.
- COVER your head and neck (and your entire body if possible) underneath a sturdy table or desk. If there is no shelter nearby, get down near an interior wall or next to low-lying furniture that is sturdy, and cover your head and neck with your arms and hands.
- HOLD ON to your shelter (or to your head and neck) until the shaking stops. Be prepared to move with your shelter if the shaking shifts it around.

If you are outdoors in most situations, you can protect yourself if you immediately:

- Move away from buildings, utility wires, sinkholes, fuel and gas lines. The greatest danger from falling debris is just outside doorways and close to the outer walls of buildings.
- Go to an open area away from trees, telephone poles, and buildings.
- Once in the open, get down low and stay there until the shaking stops (for Earthquakes).
- The area near the outside walls of a building is the most dangerous place to be.
- Windows, facades, and architectural details are often the first parts of the building to collapse. Stay away from this danger zone.
- If in a crowded public place, do not rush for the doorways, others will do the same which may result in a stampede.
- Try moving away from falling objects and take cover under a sturdy object to shield your head from falling debris.
- If in a moving vehicle, move your vehicle away from utility poles, wires, and underpasses, turn on the radio for emergency broadcasting park your car in an open area, and wait till it is safe to drive.

Who is a Disaster Victim?

According to the National Disaster Management Authority of India, a disaster victim is any person who is affected by a disaster to the extent of:

- Loss of life or injury.
- Loss of property or damage to property.
- Loss of livelihood or disruption to livelihood.
- Displacement from home or loss of home.
- Any other form of loss or hardship caused by the disaster.

In ***Olpad Taluka Panchayat v. State of Gujarat (2017),*** the court held that the government is liable to compensate victims of natural disasters, even if the disasters are caused by natural forces. The Court also held that the government must ensure that disaster relief funds are used properly and efficiently.



What are some challenges a Disaster victim might face?

Some of the most common challenges disaster victims might face are:

- Disasters can cause loss of life and injury, which can have a devastating impact on families and communities.
- Difficulty accessing government help assistance programs.
- Disasters can also cause damage to or destruction of property and livelihoods, which can make it difficult for people to rebuild their lives.
- Disasters can displace people from their homes and communities, which can be disruptive and stressful.
- Indian Red Cross Society: **1098** can be dialed to seek assistance in such matters.
- Disasters can disrupt access to food, water, and shelter, which can lead to health problems and other challenges.
- Disasters can increase the risk of health problems, such as injuries, infections, and chronic diseases.
- Ministry of Health and Family Welfare toll-free number 1800-180-1104 can be dialed for assistance.
- Disasters can also lead to mental health problems, such as post-traumatic stress disorder (PTSD), anxiety, and depression. Kiran Initiative is a toll-free mental health number the services of which can be availed by dialling **1800-599-0019**
- Disasters can cause economic hardship for individuals and families, due to loss of income, property damage, and increased expenses.
- Disasters can lead to social isolation, as people may be separated from their loved ones or lose their support networks.
- Most of these challenges can be effectively countered by dialing the emergency number **112** and people seeking help can additionally dial the given numbers to seek any additional assistance required.

What are the disaster risks in India?

India faces susceptibility to a wide array of natural and man-made calamities to varying extents.

- Approximately 58.6% of its land is prone to earthquakes ranging from moderate to severe intensity, with over 40 million hectares (12 percent of the land) susceptible to floods and river erosion.
- Moreover, nearly 5,700 kilometers out of its 7,516-kilometer coastline are vulnerable to cyclones and tsunamis, while about 68% of its cultivable land is at risk of drought.
- Additionally, mountainous regions face threats of landslides and avalanches.
- India also confronts potential disasters of Chemical, Biological, Radiological, and Nuclear (CBRN) origin.

What are the objectives of the Disaster Management Act, of 2005?

The Disaster Management Act, 2005 is a comprehensive legislation that provides for the establishment of a national disaster management framework in India. It aims to minimize the loss of life and property due to disasters and to provide for timely and effective response to disasters. The Act provides for the following:

- Establishment of the National Disaster Management Authority (NDMA), the National Executive Committee, the State Disaster Management Authorities, and the District Disaster Management Authorities
- Creation of the National Disaster Response Fund and the State Disaster Response Funds
- Preparation of disaster management plans at the national, state, and district levels
- Capacity building for disaster management at all levels
- Provision of relief and rehabilitation to victims of disasters



Interestingly, the Disaster Management Act, 2005 was invoked to deal with the CoVID-19 pandemic in India. The NDMA issued guidelines for various aspects against the pandemic response, including:

- Lockdown
- Quarantine
- Social distancing
- Testing and contact tracing
- Treatment and hospitalization
- Relief and rehabilitation

Who is responsible for preparing a Disaster Management Plan in India?

- As per Section 37 (1) (a) of the Disaster Management Act, 2005, every Ministry or Department of the Government of India shall prepare a Disaster Management Plan.
- Section 37(1)(c) of the Disaster Management Act, 2005 states that every Ministry / Department of the Government of India shall forward a copy of its Disaster Management Plan to NDMA for its approval.

What are the Disaster Management Authorities in India?

- **National Disaster Management Authority (NDMA) –** The NDMA serves as the apex body for disaster management in India. Its primary function is to formulate policies, plans, and guidelines for disaster management at the national, state, and district levels. NDMA coordinates efforts among various agencies to ensure effective preparedness, response, and recovery during disasters. Contact NDMA at 112.
- **National Executive Committee (NEC) –** The National Executive Committee (NEC) is chaired by the Union Home Secretary and includes secretaries from various government ministries as members. Additionally, secretaries from other ministries and the NDMA secretary are invited to NEC meetings. NEC supports NDMA in its functions and ensures compliance with government directives. It coordinates responses to disaster situations, prepares the National Plan for Disaster Management, and monitors the implementation of NDMA guidelines. Additional functions may be assigned by the Central Government in consultation with the NDMA.
- **Central Water Commission (CWC) –** CWC is a technical organization that provides hydrological

and flood forecasting services. Its key role is to monitor and assess water resources, especially during periods of heavy rainfall, to issue flood forecasts and warnings. CWC contributes vital data and information for early flood detection and response.

- **India Meteorological Department (IMD) –** IMD is a scientific agency responsible for providing meteorological services in India. It plays a crucial role in forecasting weather patterns, issuing warnings for extreme weather events like cyclones, and monitoring meteorological conditions. The information and forecasts from IMD are critical for disaster preparedness and response.
- **Geological Survey of India (GSI) -** GSI is a scientific agency that provides geological services. It conducts geological surveys and research to understand the Earth's structure and the potential risks of geological hazards such as earthquakes and landslides. GSI's data and expertise are essential for assessing and mitigating geological disaster risks.
- **National Disaster Response Force (NDRF) -** NDRF is a specialized force dedicated to disaster response and rescue. Comprising highly trained personnel, NDRF units are strategically located across India to respond swiftly to disasters, including earthquakes, floods, cyclones, and other emergencies. Their role involves search and rescue operations, medical assistance, and evacuation of affected people. In case of a disaster, you can contact NDRF at **1070**.

To apply for disaster assistance in India, you can contact your local emergency management office or visit the following authorities for assistance: -

National Disaster Management Authority: https://ndma.gov.in/ **or 112**

National Disaster Response Force: https://www.ndrf.gov.in/

Note: A specialized force for disaster response in India, with 16 battalions are deployed across the country.

Apart from these, there are several State and District Disaster Management authorities too for disaster management which will vary depending on the state and district but it is to note that each of them would include gov. in url.

In addition to the above, there are also specialized disaster management authorities for specific hazards, such as the:

- **National Cyclone Risk Mitigation Project (NCRMP):** A World Bank-funded project to reduce vulnerability to cyclones and other hydro-meteorological hazards in coastal communities in India.

What are the steps taken by the various Authorities to prevent and mitigate Disasters?

- **Preventing Disasters:** While we cannot stop natural calamities, we can prevent them from becoming disasters through proper mitigation measures and planning.
- **Three-Pronged Approach to Mitigation:**

a. **Integrate Mitigation into Development:** Make sure all development projects include measures to reduce disaster risk.

b. **National-Level Projects:** National Disaster Management Authority (NDMA) should lead projects in high-risk areas, with help from central ministries, departments, and states.

c. **Support State-Level Projects:** States should be encouraged and supported to undertake their own projects following guidelines.

- **Respecting Indigenous Knowledge:** We should value and use the knowledge and techniques for dealing with disasters that various states have developed over time. Special attention should be given to protecting heritage structures.

How can the Indian Community prepare for and mitigate Disasters?

Community-Based Disaster Preparedness:



- Communities are often the first affected by disasters and the first to respond.
- Community involvement ensures local ownership, addresses local needs, and promotes volunteerism.

- States and Union Territories (UTs) should encourage community efforts in disaster preparedness.

Special Attention to Vulnerable Groups:

- Elderly, women, children, and differently abled persons need special attention.
- Women and youth should be encouraged to participate in decision-making and action groups.
- Communities will be trained in various aspects of disaster response, such as first-aid and search and rescue.

Stakeholders' Participation:

- Civil society stakeholders' participation will be coordinated by State Disaster Management Authorities (SDMAs) and District Disaster Management Authorities (DDMAs).
- Organizations like Civil Defence, NCC, NYKS, NSS, and local NGOs will be encouraged to empower communities and raise awareness.

Corporate Social Responsibility (CSR) and Public Private Partnership (PPP):

- Corporate sectors historically support disaster relief, but their involvement in risk reduction is limited.
- Corporations should integrate hazards, risks, and vulnerabilities into their business plans and invest in innovative social initiatives.
- Public-Private Partnerships between the government and private sector should be encouraged for effective disaster management.

Media Partnership:

- The media plays a crucial role in disseminating information during disasters.
- Effective partnerships with the media can enhance community awareness, early warning systems, and education about various disasters.



What is the role of the National Executive Committee (NEC) in immediate response to Disasters?

- NEC coordinates responses in the event of any threatening disaster situation or disaster.
- While disaster-specific guidelines will be formulated by NDMA, NEC may give directions to the concerned Ministries/Departments of the Govt. of India, the State Governments and the State Authorities regarding measures to be taken by them in response to any specific threatening disaster situation or disaster.

What is the National Disaster Response Force (NDRF)?

The NDRF is mandated by the Disaster Management Act, 2005 to establish the NDRF for specialized response to threatening disaster situations, both natural and man-made. They are under general superintendence, direction, and control by NDMA; commanded and supervised by a Director General appointed by the Central Government.

- Currently, NDRF consists of eight battalions with potential for further expansion.
- The battalions are positioned strategically, with four specifically trained to handle Chemical, Biological, Radiological, and Nuclear emergencies.
- They work in close liaison with State Governments for rapid response to serious disaster situations.

Training and Preparedness:

- Para-military forces have established training centers for NDRF personnel and State/UT Disaster Response Forces.
- NDRF units provide basic training to stakeholders identified by State Governments.
- A National Academy is established for training in disaster management.

Pre-positioning of Resources:

- Essential reserves are pre-positioned at crucial locations, including high-altitude areas, based on experience from past major disasters.

- Reserves intended to augment State-level resources.
- Mitigation reserves are provided to NDRF for enhancing emergency response capabilities during disasters.

What are the steps taken by the authorities after the occurrence of a Disaster for relief and rehabilitation?

Relief is now seen as a comprehensive system to help disaster victims rehabilitate and ensure their social safety and security. Relief should be prompt, sufficient, and meet approved standards. The NDMA creates guidelines defining minimum relief standards.

Setting up Temporary Relief Camps:

- DDMAs, especially in areas prone to frequent disasters, will identify locations for temporary camps.
- Necessary supplies will be identified before disasters.
- Relief camps will have provisions for water, sanitation, healthcare, and possibly community kitchens and education facilities.
- Governance systems like entitlement cards will be developed for uniform practices.

Management of Relief Supplies:

- Standard operating procedures (SOPs) will ensure organized procurement, packaging, transportation, storage, and distribution of relief items.
- Affected communities and local authorities will work together to manage relief camps.
- Guidelines will ensure transparency and accountability in managing donations.

Review of Relief Standards:

- Existing relief standards will be reviewed to meet current community needs.
- SDMAs may develop Disaster Management Codes aligning with NDMA guidelines.
- Temporary Livelihood Options and Socio-Economic Rehabilitation:
- After major disasters, temporary livelihood options will be created, considering hazard resistance, durability, sustainability, and cost-efficiency.

Provision of Intermediate Shelters:

- Intermediate shelters will be built in extreme weather conditions or for long-term stays after devastating disasters.
- Shelters will be eco-friendly and culturally appropriate, planned by SDMAs during normal times.

How to report a Disaster?

There are several ways to report a disaster in India. The most common way is to call the emergency number **112**.

- If you do not have access to a phone you can also report a disaster to the local police station or the District Disaster Management Authority (DDMA).

If you are reporting a disaster, it is important to provide as much information as possible, including:

- The type of disaster
- The location of the disaster
- The severity of the disaster
- The number of people affected
- Any other relevant information

If you can, you should also take photos or videos of the disaster. This information can be helpful to the authorities in assessing the damage and providing assistance.

By following these tips, you can help to ensure that your report is received quickly and that assistance is provided to the worst hit at the earliest.

How to secure help for a disaster victim?

- Contact the local police station by dialing **100** or the district disaster management authority (DDMA).
- They will be able to provide you with information on the available assistance and help you to access it. If you do not have the contact for the district disaster management authority then you can ask the same by dialing **112**.
- Call the national helpline number **112**. This helpline is available 24/7 and provides information on disaster relief and rehabilitation.

Visit the website of the National Disaster Management Authority (NDMA): https://ndma.gov.in/. The NDMA





website provides information on disaster preparedness, response, and relief.

What are my Rights as a Disaster Victim?

Here are the following rights available to you as a disaster victim and as held in the much-celebrated case of ***MC Mehta v. Union of India (1986)***

- Right to be treated with immediate medical treatment.
- Right to be informed about the disaster the response and relief measures taken and the assistance available.
- Right to claim compensation for damages.
- Right to access to free food and shelter.

How do I apply for Disaster Compensation?

To apply for disaster compensation in India, you can follow these steps:

- **Contact** the local police station or District Disaster Management Authority (DDMA). They will be able to provide you with information on the available assistance and help you to access it.
- **Fill out an application form**. The application form will ask for information about the disaster, the damage to your property and livelihood, and your household income. You may also need to provide documentation to support your claim for assistance.
- **Submit the application** form to the appropriate authority. This may be the local police station, the DDMA, or the State Disaster Management Authority (SDMA), depending on the type of assistance you are applying for.
- Your application will be reviewed and assessed. The authorities will assess the damage to your property and livelihood and your household income to determine if you are eligible for assistance.

If you are eligible for assistance, you will be notified and the assistance will be provided to you. The type of assistance you receive will depend on your specific needs and the type of disaster that occurred.

Here are some documents that you may need to provide when applying for disaster compensation:

- Proof of identity, such as an **Aadhar Card** or **passport**.
- Proof of residency, such as a **utility bill** or **rental agreement**
- Proof of income, such as **PAN Card** or pay stubs
- Proof of the damage to your property, such as **photos** or **videos**
- Proof of the loss of your livelihood, such as a letter from your employer or a copy of your business license

CASE STUDY

In Meghalaya, a state in northeastern India known for its lush greenery and hilly terrain, a devastating landslide struck a remote village. The unexpected disaster not only caused immense damage to properties but also posed a threat to the lives of the residents, including their livestock.

A family, residing in a small village in between hills of Meghalaya, was caught off guard when heavy rains triggered a massive landslide, engulfing their home and belongings. With their house reduced to rubble and their livestock injured, the family found themselves in a dire situation in the aftermath of the disaster.

Upon receiving news of the landslide, the National Disaster Management Authority (NDMA) swiftly sprang into action. Recognizing the urgency of the situation, they immediately deployed National Disaster Response Force (NDRF) battalions to the affected area to conduct search and rescue operations. Despite the challenging terrain and adverse weather conditions, the NDRF teams worked tirelessly to locate and evacuate the trapped individuals.

In the aftermath of the landslide, the affected family and their livestock were provided with immediate medical assistance and temporary shelter by the NDRF troops. Furthermore, recognizing the need for long-term rehabilitation, the NDMA collaborated with private companies and non-governmental organizations (NGOs) to mobilize resources for reconstruction efforts. Additionally, volunteers from various parts of the country selflessly offered their time and expertise to assist in the reconstruction process. Their collective efforts not only expedited the restoration of the family's property but also instilled a sense of hope and resilience within the community.

Meanwhile, medical practitioners from neighbouring states volunteered to lend their expertise in providing healthcare services to the affected individuals. Setting up makeshift medical camps, they administered medical treatment to the injured and conducted health assessments for the community members, ensuring that their physical and mental well-being was attended to during this trying time.

MEDICAL NEGLIGENCE

What is meant by Medical Negligence?

Medical negligence refers to a breach of duty of care by a medical practitioner or healthcare provider, which results in harm, injury, or death of a patient. It is a legal concept that refers to the failure of a healthcare professional to provide a standard of care that meets the required level of competence and skill. A case of medical negligence can also be filed against a hospital as well.

- Misdiagnosis, incorrect treatment or medication, surgical errors, incorrect administration of anaesthesia failure to obtain informed consent, and inadequate follow-up care could fall under the category of medical negligence. This list is not an exhaustive list, a case of medical negligence or malpractice will have to be judged according to the facts of each case.
- Recently, two doctors and three nurses in Pune were found guilty in a medical negligence case of stillbirth and were punished with imprisonment for up to two years and also with a fine of ₹ 50,000.
- A mother in Delhi has filed a case against a hospital in Delhi alleging that they delayed diagnosis, and treatment and also concealed birth-related injury of her 5-year-old son which has led to physical and mental paralysis.

What are the Essentials of Medical Negligence?

- Duty of care owed by the medical professional to the patient.
- Breach of the said duty by an act or omission.



- The patient has suffered an injury due to such a breach.

What are the Duties owed by Physicians to their Patients?

As per **Chapter 2** of the **Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002** issued by the Medical Council of India by virtue of the powers conferred by the Indian Medical Council Act, 1956, a physician is free to select who he will treat but shall respond to emergency requests requiring his assistance and once he has agreed to undertake a case, he shall not neglect any patient and cannot withdraw from the case without giving adequate notice to the patient and the family.

In ***Samira Kohli v Dr Prabha Manchanda (2008)***, the Supreme Court held that **informed consent** is an essential prerequisite for any medical procedure or surgery and that it implies voluntary and competent consent by the patient after receiving adequate information about the nature, purpose, risks, benefits, alternatives and consequences of such procedure or surgery.

What laws prosecute Medical Negligence?

There is no standalone law or regulation in India dealing with medical negligence, however, the Union Ministry of Health and Family Welfare has replied to an RTI application that such a guideline is under consideration by the Ministry.

Currently, the following provisions are employed in a case of medical negligence.

Indian Penal Code, 1860:

- **Causing Death by Negligence (Section 304A)-** The Punishment for this crime entails imprisonment for up to two years, fine, or both. **(Section 104 of Bharatiya Nyaya Sanhita - BNS)**
- **Causing Hurt by act endangering life (Section 337)-** The maximum punishment for this crime is imprisonment for up to six months, fine up to five hundred rupees, or both. **(Section 123(a) of - BNS)**
- **Causing Grievous Hurt by act endangering life (Section 388)-** A convict of this crime could

get a maximum punishment of two years, fine up to thousand rupees, or both. **(Section 123(b) of - BNS)**

Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002:

- **Punishment and Disciplinary Action (Para 8)-** Any violation of the Regulations stipulated in this Code or any other case of misconduct listed and otherwise can be complained to the appropriate Medical Council for disciplinary action. The Council has the power to prescribe any punishment they deem necessary or cancel a physician's registration for their negligent behavior but it doesn't have the power to adjudicate or provide compensation to the victim. Registration can be cancelled for a temporary period as well as permanently and such deletion from



the Register shall be publicized in local press and the publications of different Medical Associations/ Societies/Bodies.

Revised Dentists (Code of Ethics) Regulations, 2014:

- **Punishment and Disciplinary Action (Para 9)-** Similar to the above punishment, a Dental Council can prescribe any punishment they deem necessary or cancel a physician's registration for their negligent behavior. The removal can be for a temporary period or permanent.

What are the Role of Consumer Protection Act, 2019 in case of Medical Negligence?

In ***Indian Medical Association vs. V.P. Shantha*** **(1995)** the Hon'ble Supreme Court observed that the medical practitioners are covered under the Consumer Protection Act, 1986 and the medical services rendered by them should be treated as services under section 2(1)(o) of the Consumer Protection Act, 1986.

- They continue to fall under the definition of services provided under Section 2(1)(o) of the new Consumer Protection Act of 2019. Section 2(1)(g) of the Act defines 'deficiency', which includes any act of negligence or omission or commission which causes loss or injury to the consumer and deliberate withholding of information to the consumer affecting the consumer.

Where can a Complaint of Medical Negligence be filed?

- **Consumer Forum:**

  District Forum: Claims up to 50 lakh rupees

  State Forum: Claims between 50 lakh to 2 crore rupees

  National Forum: Claims of more than 2 core rupees

- **Criminal Court**: Lowest Grade Competent Court to try it according to the offence.
- **State Medical Council**: It has the power to suspend the license of the doctor.

Filing a consumer complaint in case of medical negligence essentially brings the issue under **civil liability**, and such a case will be determined by applying the test of reasonable care and skill. In a civil case, the court can award compensation.

Criminal liability can be invoked by filing a complaint in a criminal court under the Indian Penal Code as mentioned above. The burden of proof in civil liability is on the balance of probabilities, while the burden of proof in criminal liability is beyond reasonable doubt.

With whom does the Burden of Proof lie in the case of Medical Negligence?

In a case of medical negligence, the burden of proving that the doctor did not exercise reasonable care lies on the patient.

- The patient shall successfully establish all of the essentials of medical negligence such as the existence of the patient-doctor relationship, the duty of care owed by the doctor to the patient, breach of said duty by the doctor and finally an injury caused due to such breach.

However, in cases where medical negligence is apparent on the face of it, for example, if surgery was supposed to be done on the left leg but the doctor operated on the right leg, the burden of proof might shift onto the doctor.



Are there any Defences available for doctors in case of Medical Negligence?

The best defence available to a doctor in a case of medical negligence is that he performed his functions with utmost care and to the best of his abilities. In ***Kusum Sharma & Ors vs. Batra Hospital and Medical Research (2010)***, the Supreme Court held that a case of medical negligence has to be decided on the basis of the facts and circumstances of the case. **An allegation will not lead to the blind presumption that the medical professional has committed negligence.**

- Facts such as the medical institution where the alleged incident took place is a **registered institution** and the accused is a registered practitioner, all point to the credibility of the institution as well as the accused. As mentioned above, it is the patient who alleges who will then have to show the injury caused due to the breach of the duty owed by the medical professional.
- The **Karnataka Private Medical Establishments Act of 2007** makes it mandatory for all private medical establishments in Karnataka where investigation, diagnosis and preventive or curative or rehabilitative medical treatment facilities are provided to the public to get registered adhering to the terms and conditions prescribed.
- The **Mental Healthcare Act, 2017** requires the Central Authority as well as the State Authorities to maintain a register of mental health professionals, nurses and psychiatric social workers and makes it an offence to knowingly serve in an establishment which is not registered under this Act.
- **Contributory negligence:** This is when the patient's own negligence or carelessness contributed to the harm or injury caused by the doctor. ***However, this defence does not absolve the accused from his liability entirely but only reduces it proportionately to the extent of the patient's fault.***
- **Emergency:** This is when the doctor acted in good faith and with due care in an emergency where there was no time to obtain consent or follow standard procedures.
- The Supreme Court in ***Dr. Suresh Gupta vs. Govt. of NCT of Delhi (2004)*** acquitted the doctor who was convicted of causing the death of a patient due to excessive bleeding during a nose surgery, as the prosecution failed to prove that the doctor's act amounted to gross negligence or recklessness.

Further, the following general exceptions provided in the Indian Penal Code can also be used as defences by a doctor:

- **Section 80 -** Accident in doing a lawful act —Nothing is an offence which is done by accident or misfortune and without any criminal intention or knowledge in the doing of a lawful act in a lawful manner by lawful means and with proper care and caution. **(Section 18 of Bharatiya Nyaya Sanhita - BNS)**
- **Section 81-** Act likely to cause harm, but done without criminal intent, and to prevent other harm, is not an offence. **(Section 19 of Bharatiya Nyaya Sanhita - BNS)**
- **Section 88 -** Act not intended to cause death, done by consent in good faith for a person's benefit, is not an offence. **(Section 26 of Bharatiya Nyaya Sanhita - BNS)**
- **Section 92 -** An act done in good faith for the benefit of a person without consent is not an offence. For example, A, a surgeon, sees a child suffer an accident which is likely to prove fatal unless an operation is immediately performed. There is no time to apply to the child's guardian. A operates despite the entreaties of the child, intending, in good faith, the child's benefit. A has committed no offence.

What is the role of an Expert Witness in a Medical Negligence case?

When the alleged negligence is not apparent in the face of it, the courts will seek the opinion of an expert in the field. An expert witness in a medical negligence case could be another qualified and experienced professional in the field.



An expert witness in a medical negligence case has two functions

- Firstly, to explain the technical issues involved in the case in simple terms.
- Secondly, to assist the court in determining whether the alleged medical negligence has taken place or not.

Can a hospital be held vicariously liable in a case of Medical Negligence?

Hospitals can be held vicariously liable for harm caused to patients due to the negligence of their employees. In the recent case of ***Gyan Mishra v. Sahara India Medical Institute Ltd., (2019)*** National Consumer Disputes Redressal Commission, held the hospital vicariously liable for a doctor writing a prescription negligently, and the complainant was entitled to an aggregate of Rs. 30 Lakhs from the Hospital.

In ***Aparna Dutta v. Apollo Hospitals (2002)*** Enterprises Ltd. the Madras High Court held that the hospital is responsible for the medical services it offers, even if the doctors and surgeons are not directly employed by the hospital.

There is a growing instance of violence against Medical Professionals connected with Medical Negligence cases, are there any laws in place protecting them from such violence?

- In 2019, medical professionals in West Bengal went on strike after two junior doctors were attacked by the public. Several such accounts of violence against medical professionals on the allegation of medical negligence have been reported in the State.
- In March 2023, a doctor from Calicut, Kerala was attacked by the family of a pregnant woman alleging that the baby died because there was a delay in her treatment.



These are only some of the incidents reported in the recent past in India. Healthcare professionals have been demanding a comprehensive law protecting them from the growing violence across the country which is mostly associated with allegations of medical negligence. This has not been materialized so far; however, there are other statutes that afford protection to healthcare professionals from violence.

The Epidemic Diseases (Amendment) Act, 2020 ("the Ordinance") [During Epidemic only] have increased punishments for certain crimes related to medical negligence in comparison to the **Indian Penal Code, 1860:**

- **Violence causing Hurt-** Imprisonment between three months and five years, with a fine between fifty-thousand rupees and two lakh rupees is prescribed under the Ordinance. IPC imposes imprisonment up to one year, with a fine up to thousand rupees, or both.
- **Violence causing grievous hurt-** Imprisonment between six months and seven years and a fine between one lakh rupees and five lakh rupees, is given under Ordinance. IPC states that Voluntarily causing grievous hurt is punishable with imprisonment up to seven years and a fine.
- **Damage to property-** The Ordinance states that the punishment for this crime is imprisonment between three months and five years, and a fine between fifty-thousand rupees and two lakh rupees. Under IPC, Loss or damage to the property worth Rs 50 or more is punishable with imprisonment up to two years, or fine, or both.

The **Healthcare Service Personnel and Clinical Establishments (Prohibition of Violence and Damage to Property) Bill, 2019** sought to punish violence against healthcare professionals and damage to property and the punishments ranged from five years to ten years and with a fine from five lakh to ten lakh rupees.

ADVISORY ISSUED BY UNION MINISTRY OF HEALTH & FAMILY WELFARE:

To prevent violence against doctors, the Union Ministry of Health & Family Welfare has advised States and Union Territories to consider the following:

- Security of sensitive hospitals is to be managed by a designated and trained force.
- Installation of CCTV cameras and round-the-clock Quick Reaction Teams with effective communication/ security gadgets particularly at Casualty, Emergency and areas having high footfalls.



- Well-equipped centralized control room for monitoring and quick response, Entry restriction for undesirable persons, Institutional FIR against assaulters.
- Display of legislation protecting doctors in every hospital and police station, Appointment of Nodal Officer to monitor medical negligence.
- Expeditious filling up of vacant posts of doctors and paramedical staff in hospitals/ Primary Health Centres (PHCs) to avoid excessive burden/pressure on doctors and to maintain the global doctor-patient ratio.
- Better infrastructural facilities and medical equipment and provision of extra monetary incentives for the doctors and paramedical staff serving in hard/remote areas as compared to major and metro cities with better career prospects, etc.

What is Professional Indemnity Insurance Policy?

It is an insurance plan to financially safeguard medical practitioners against legal costs and claims for compensation by the patients in case of a legal row.

Mostly, the professional indemnity policy offers cover to the medical practitioner depending on the features of the policy, such as:

- Cost of defending oneself in the court of law.
- Third-party damages.
- The extent of financial damage or loss to the victim which is not a result of willful neglect. Unintentional errors and omissions.
- Out-of-court settlements
- Damages awarded by the court.

What can be done to avoid Medical Negligence?

- The doctor should inform the patient about all the symptoms before commencing treatment.
- The patient must be given access to all medical records and be allowed to ask questions about his/ her health condition without hesitation and must obtain consent either from him or his guardian before proceeding until and unless there is an immediate life threat.
- Laboratory tests should be carried out but they are necessary for a successful diagnosis, and any laboratory test results that are reported back must include an explanation of what those results mean in relation to the illness being treated by the physician or specialist.
- A hospital should have properly trained Staff and Doctors, if he does not have the skill or degree required to treat that disease then he must refer to someone who has it.

CASE STUDY

Nikhita was an adult of 25 years living in Delhi and was an obese person. She aspired to be a model and therefore was on a regular diet. On a routine visit to the hospital, she was informed by her bariatrician (doctor who specialises in obesity-related disorders) that she could undergo bariatric surgery for her weight loss and obesity-related disorders. She was kind of attracted to the benefits of such a surgery and decided to give it a try. After all the required medical evaluation, bariatric surgery was performed on her. She was discharged from the hospital and within a few days she started experiencing complications and increased weight to pre-surgery. This was the side effect of the surgery which she wasn't prepared for. Further, there was no informed consent regarding the same. A case was filed before the Consumer Forum and also before the State Medical Council for negligence.

The complaints of medical negligence can be filed with the Medical Superintendent of the concerned hospital. The complaint can be filed to the state Medical Council and also to the Medical Council of India. The victim can also file a complaint with the Consumer Forum/ Commission, Civil Court and Criminal Court as the case may be, for seeking damages arising out of medical Negligence.

SCHEDULED CASTE AND SCHEDULED TRIBE ACT

Who are Scheduled Caste and Scheduled Tribes?

In India, Scheduled Castes are groups within the Hindu caste system that have historically been deprived, oppressed, and socially isolated owing to historical practices.

- Only marginalised Hindu communities are considered Scheduled Castes in India, as per The Constitution (Scheduled Castes) Order, 1950.
- According to the 2011 Census, there are 16.6 percent Scheduled castes in India which translates into around 166,635,700 individuals.
- Further, as per Article 366(25) of the Constitution of India the Scheduled Tribes is defined as; Such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 of the Constitution to be Scheduled Tribes.

What is the law on Schedule Caste and Scheduled Tribes?

The Constitution of India is rich in provisions that protect the rights of the Scheduled Castes (SCs) and Scheduled Tribes (STs).

- Article 15 prohibits discrimination based on caste, religious, racial or regional discrimination. It also deals with historical segregation and other hardships faced by SCs.



- This guarantees that no person can be discriminated against on the grounds of his/her caste.
- According to Article 46, it shall be the duty of the state to promote with special care the educational and economic interests of the weaker sections of society, particularly SCs and STs.
- SC/STs have been provided reservation in seats for admission in educational institutions as well as in jobs under public sector due to their historical marginalization.
- The Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006 safeguards the rights of tribal people in forest areas, including the right to free and prior informed consent in cases of displacement.
- The Protection of Civil Rights Act, 1955, prohibits the practice of untouchability in any form.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, aims to deter crimes against SCs and STs.
- The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, bans the practice of manual scavenging, recognizing it as dehumanizing.

What is the primary objective of the SC/ST Act?

The primary objective of the SC/ST Act is to deliver justice to the marginalized through proactive efforts, ensuring them a life of dignity, self-esteem, and a life without fear, violence, or suppression from the dominant castes.

The Schedule Caste and Schedule Tribes ? (Prevention of atrocities Act)

The Act defines actions targeting SCs/STs as criminal offenses, with recent amendments introducing new categories of offenses.

- These new offenses include demeaning acts like garlanding with footwear, compelling manual scavenging, using caste-based insults, fostering animosity, and enforcing social boycotts.
- Additionally, assaulting or sexually exploiting SC/ST women, engaging in unwanted physical contact, uttering sexual remarks, or involving them in practices



like dedicating them as devadasis are considered offenses.

- Denying SCs/STs access to common resources or entry into places of worship, educational institutions, or healthcare facilities also constitutes an offense.
- The court is mandated to assume that the accused was aware of the victim's caste unless proven otherwise, particularly if there is a prior relationship between the accused and the victim or their family.
- Penalties are stipulated for public servants who neglect their duties towards SCs/STs, such as failing to register complaints.
- Certain offenses under the Indian Penal Code against SCs/STs, carrying sentences of less than 10 years, have been included as punishable offenses under this Act.
- Special courts and public prosecutors are designated exclusively for the speedy adjudication of cases under the Prevention of Atrocities Act.
- Furthermore, the amendment introduces a chapter on the rights of victims and witnesses, emphasizing the state's responsibility to ensure its enforcement. Courts are empowered to protect witnesses by concealing their identities, swiftly address complaints of harassment, and resolve cases within a two-month timeframe.

What are the atrocities prohibited under the SC/ST Act?

If any member who is not a SC/ST and does the following with any SC/ST, the same is liable to punishment under the SC and ST. They are mentioned below:

- Putting in mouth or forcing to drink or eat any inedible or obnoxious substance
- Dumping waste (such as excreta, sewage) in or at entrance of premises
- Garlands footwears or parades naked or semi-naked
- Any act which is derogatory to human dignity
- Interferes with enjoyment of land, rights, forest rights etc.
- Forcing to do '*begar*' or any other form of bonded labour
- Forcing to do manual scavenging
- Interfering with his exercise of free vote in the election.
- Institute false, malicious or vexatious suit or criminal or other legal proceedings
- Gives false or frivolous information to public servant
- Insults, intimidation, or humiliation
- Promoting feelings of enmity, hatred or ill-will
- Sexually abusing (verbally or physically) any women
- Corrupts or fouls or denies entry to any community resources
- Causing economic and social boycott

Minimum punishments range from 6 months to one year.

What are the provisions on untouchability?

Untouchability is neither defined in the Constitution nor in the Act. It refers to a social practice that looks down upon certain depressed classes solely on account of their birth and makes any discrimination against them on this ground. Their physical touch was considered to pollute others.

- Article 17 of the Constitution of India prohibits untouchability.
- **The Protection of Civil Rights Act of 1955** bans such acts of untouchability and provides for punishment regarding the same.
- It prohibits discrimination in religious institutions such as temples on grounds of untouchability.
- It abhors economic boycotts by providing punishment for refusing to sell goods or render services.

Illustration:

- *Restricting the entry of a Dalit person in the temple on grounds of his birth will amount to untouchability.*
- *Refusing to serve food in a restaurant to a Dalit person because of his caste will amount to untouchability.*



What is required to be done in case any practice of Untouchability is noticed or any atrocities committed against any member of SC/ST Community?

The person affected by the same may approach the Police Station covering the area of such an incidence and register a First Information Report (FIR). As per the Supreme Court guidelines, the registration of FIR by the police is mandatory.

What are the Rights of victims and witnesses as per the SC/ST Act?

In 2016, the Parliament made amendments to the SC/ST (Prevention of Atrocities) Act, introducing **Section 15A** to ensure the protection of victims and witnesses. This section includes several crucial provisions aimed at safeguarding their rights:

- **Protection against Intimidation:** Victims, their dependents, and witnesses must be shielded from intimidation, coercion, violence, or threats by the state.
- **Fair Treatment:** Victims are entitled to fair treatment, respect, and dignity regardless of their age, gender, education, or economic status.
- **Notice of Court Proceedings:** Victims and their dependents have the right to timely notice of court proceedings and the option to request the summoning of parties or the production of documents.
- **Right to be Heard:** Victims have the right to be heard during court proceedings and to submit written statements.
- **Comprehensive Protection:** The Act provides for complete protection, including travel and maintenance expenses, social-economic rehabilitation, and relocation during investigation, inquiry, and trial.
- **Protection of Witnesses:** Measures can be taken to conceal the identities of witnesses, and the Special Court must be informed about the protection provided.
- **Recording of Complaints:** Investigators and police officers are mandated to record complaints of intimidation or violence and provide free copies of First Information Reports.
- **Video Recording of Proceedings:** All proceedings related to offences under this Act must be video recorded.
- **Scheme for Victims' Rights:** The state must specify a scheme to ensure the rights of victims and witnesses, including providing relief, protection, maintenance expenses, legal aid, and information about the case's status and proceedings.



Additionally, the Prevention of Atrocities Amendment Act, 2015, under Section 3(1)(p), safeguards victims against false cases filed by perpetrators, while Section 4 holds public servants, including police officers, accountable for neglecting their duties under the Act.

What relief is provided to a SC/ST person affected by atrocities?

An SC/ST victim of gang rape, murder, or an acid attack is entitled to a minimum compensation of Rs 8.5 lakh from the state government, in what is a significant enhancement of relief for such crimes through an amendment to the rules by the Centre.

- The Centre has amended the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 now specifying as many as **47 categories of offences** in which states will pay compensation ranging from Rs. 1 lakh to Rs. 8.25 lakh to SC/ST victims.
- The enhanced amounts now must be paid by the state within 7 days of the incident being reported, either in full or at various stages of the investigation and trial, as per a schedule.

The compensation for each offence can be checked here - https://ncsc.nic.in/files/PoA%20Amendment%20Rules,%202016.pdf

Are there any helplines to contact in cases of emergency?

The National Helpline with Self-service Portal for prevention of atrocities on members of SCs/STs across the country is – 14566.



- This helpline is accessible every minute in Hindi, English, and other local languages.
- The helpline guarantees that each complaint is registered as a FIR, relief granted, all filed complaints are enquired into and all chargesheets prepared are pursued in courts for verdict within the time schedule specified in the Act.
- All victim related provisions of the POA Act, 1989 & PCR Act, 1955 are monitored and enforced through communications/reminders with State/UT implementing agencies by way of SMS/E-mails.
- This helpline adopts a single window redressal system and has an effective feedback system.

What is an SC/ST certificate?

An SC/ST certificate serves as proof of belonging to a specific caste or community, issued by the state government and recognized nationwide.

- Its purpose is to enable individuals from these groups to access educational and employment reservations.
- The validity of an SC/ST certificate varies from state to state.
- In general, **these certificates are valid for one year from the date of issue**.
- After that, they **need to be renewed**.
- However, in **some states, these certificates are valid for three years**.

What is the procedure to apply for the SC/ST certificate?

The process of applying for an SC/ST certificate consists of these steps which are different in various states.

The process of applying for an SC/ST certificate varies across states, but typically involves these steps:

- **Obtain the application form**: Get the form from the local tehsil, revenue office, or state government website.
- **Fill out the form**: Provide personal details like name, address, date of birth, and caste.
- Attach supporting documents: Include birth certificate, school records, voter ID, ration card, etc.
- **Submit the form**: Take the completed form and documents to the tehsil or revenue office.
- **Verification**: Authorities will verify the information and documents provided.
- **Certificate issuance**: If everything checks out, the SC/ST/OBC certificate will be issued.

Documents required include proof of identity and address (e.g., voter ID, Aadhar card), birth certificate, caste certificate, and a passport-sized photo.

Who are the authorities governing and catering to the welfare of SC/STs in India?

The National Commission for Scheduled Castes (NCSC) is a constitutional body aimed at protecting the interests of scheduled castes in India.

- It works to prevent discrimination and exploitation of the SC community and strives to uplift them.
- Article 338 of the Indian constitution establishes this commission.
- Established by the 89th Amendment Act, 2003, the National Commission for Scheduled Tribes (NCST) is a constitutional body dedicated to the economic development of Scheduled Tribes in India, governed by Article 338.

What is the process to designate a caste/tribe as SC/ST respectively in India?

The criteria to designate a caste/tribe as SC or ST is as follows:

- Criteria for a caste to be classified as SC: They need to have extreme social, economic and educational backwardness due to traditional and customary practices of untouchability.
- Criteria for a tribe to be classified as ST: The community is geographically isolated, they have primitive traits and distinctive culture, shyness of contact with the larger Indian community and backwardness.



Other than the constitutional provisions, the Government has laid down certain Modalities in 1999, which was later amended in 2002 for processing modifications in the SC/ST List.

- It states that only proposals of the concerned State Government or Union Territory Administrations, which are then approved by the Registrar General of India (RGI) and the National Commission of Scheduled Castes [in case of SCs], and the RGI and National Commission of Scheduled Tribes [in case of STs], are further in accordance with the relevant provisions of the Constitution and Legislations, shall be accepted and added to the SC/ST list.

What are the functions of the National Commission for Scheduled Castes?

Its functions include:

- Monitoring and investigating issues related to the constitutional safeguards for SCs.
- Addressing complaints regarding violations of SCs' rights and safeguards.
- Advising central and state governments on the socio-economic development of SCs.
- Providing regular reports to the President on the implementation of these safeguards.
- Recommending measures to enhance the socio-economic development and welfare of SCs.
- Undertaking any other activities aimed at the welfare, protection, development, and advancement of the SC community.

What are the functions of the National Commission for Scheduled Tribes?

The functions of the NCST include:

- Monitoring and investigating matters related to the constitutional safeguards for Scheduled Tribes.
- Addressing specific complaints regarding the deprivation of rights and safeguards for STs.
- Participating in and advising on the planning of socio-economic development for STs and assessing the progress of development activities.
- Submitting annual reports to the President on the implementation of safeguards.
- Providing recommendations to central and state governments on measures needed for the protection, development, and welfare of STs.
- Undertaking various other activities aimed at the welfare, protection, development, and advancement of STs.

CASE STUDY

Adithya, a college student belonging to a Scheduled Tribe, faced relentless bullying and discrimination from his classmates based on his social identity. Despite seeking help from teachers and mentors, he found no relief. His college environment became hostile due to derogatory remarks and mistreatment from his peers. The bullying escalated to physical violence when he refused to succumb to their demands, leaving him emotionally distressed and physically harmed. His parents decided to seek justice through legal means witnessing his suffering and the failure of the educational institution to address the issue.

Upon approaching the police, Adithya and his family found a compassionate Officer in charge, who not only facilitated the filing of an FIR but also provided guidance and support throughout the legal proceedings. Adithya underwent a medical examination to document his injuries which served to be crucial evidence in his case.

The availability of concrete evidence, including video footage captured by a fellow classmate, strengthened Adithya's case. The perpetrators were apprehended, and the evidence presented before the magistrate left no room for doubt regarding their culpability. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, was invoked to ensure justice in accordance with the law. The perpetrators were convicted and sentenced to imprisonment, setting a precedent for accountability in cases of discrimination and violence against marginalized communities.

LOK ADALATS

What is a Lok Adalat?

In India, there is a particular kind of Alternative Dispute Resolution (ADR) process known as a Lok Adalat, which means "People's Court" in Hindi.

- It is a forum where disputes/cases pending in the court of law or at pre-litigation stage are settled/ compromised amicably.
- Lok Adalats are built on the ideas of conciliation and compromise, with the main objective of offering a quick and economical way to settle disputes.
- Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987.

How is a Lok Adalat different from a regular court?

There are several significant ways that a Lok Adalat varies from an ordinary court.

- First, it prioritizes amicable settlements over adversarial litigation and operates upon the conciliation and compromise of the dispute.
- Second, it is a quick and informal process that frequently concludes cases in one or two sitting.
- Third, participation is frequently voluntary, and agreements are made with the parties' consent, making the results legally binding.
- The lack of court fees in Lok Adalats further promotes accessibility and affordability.
- Regular courts, in contrast, contain formal legal processes, longer and frequently more expensive litigation, and rulings are enforced by the judge rather than reached via mutual agreement.

What types of disputes can be resolved through Lok Adalats?

Lok Adalats can resolve a variety of disputes, including those involving civil, criminal (compoundable offences) & family disputes.

- These cases cover a range of topics, including property disputes, marital conflicts, requests for compensation following car accidents, and even criminal cases where the parties are ready to resolve a compoundable dispute outside court.
- The versatility of Lok Adalats makes them a flexible substitute against conventional court proceedings and enables the resolution of both monetary and non-monetary problems.

How do you initiate a case in a Lok Adalat or ADR mechanism?

Initiating a case in a Lok Adalat or ADR mechanism begins when one party or both parties usually indicate their desire to resolve the dispute between themselves.

- The procedure varies depending on the jurisdiction, but in general, parties can approach the relevant authorities and file a request or application for conflict settlement, like the Legal Services authorities in India.
- Once the case is approved, a hearing date will be set, and both parties will be invited to attend.
- A mutually agreeable settlement will be sought through the use of qualified mediators or conciliators who will facilitate the proceedings.

Are the decisions arrived in Lok Adalats legally binding and how are they enforced?

Lok Adalats have been given statutory recognition under the Legal Services Authorities Act, 1987.



- Under the said Act, the award (decision) made by the Lok Adalats is deemed to be a decree of a civil court and is final and binding on all parties, and no appeal against such an award lies before any court of law.
- Lok Adalat' awards are enforceable through the ordinary court system and have legal authority.



- The other party may go to a regular court to request a judgement based on the Lok Adalat or ADR settlement if a party refuses to willingly comply with it.
- In order to assure compliance, this decree may then be enforced like any other court order utilizing a variety of legal remedies, such as the attachment of property or wages.



What are the advantages of approaching Lok Adalat?

The advantages of approaching a Lok Adalat has several benefits.

- **No Court Fee:** There is no court fee payable when a matter is filed in a Lok Adalat. If Court fee has already been paid, the amount will be refunded to the litigants, if their dispute is settled in Lok Adalat according to the rules.
- **Procedural flexibility & Speedy Trial**: The dispute trials are conducted quickly and with procedural flexibility. When evaluating Lok Adalat does not strictly follow the procedural laws. With the help of their counsels, the parties to the case can speak privately with the judge, which is not available in conventional courts of law.
- **Award Binding & Final**: The Lok Adalat's award is binding on the parties and has the legal force of a civil court's judgment, and cannot be appealed, thus it doesn't prolong the final resolution of a dispute.

What are the disadvantages of approaching Lok Adalat?

Although Lok Adalats have many benefits, they also have significant drawbacks.

- **First,** of all, their purview is restricted to certain types of cases and this forum might not be appropriate for resolving complex legal issues.
- **Second,** participation is frequently optional, which implies that both parties must consent to participate and that no one has the authority to compel them to do so.
- **Third,** the decisions do not always follow procedural laws which may raise questions regarding justice and consistency.
- **Fourth,** the location and skill of the conciliators or judges engaged can have an impact on the efficiency of the Lok Adalats' proceedings.
- **Fifth,** personal biases of the conciliators or judges may also define how the relief is given to a person.

How long does it typically take to resolve a dispute through Lok Adalat?

While the length of time it takes to settle a dispute through Lok Adalat can vary, it usually seeks speedy settlement.

- A lot of cases are resolved in one sitting, frequently in a matter of hours.
- Lok Adalat has become a significant key in reducing the burden of the judiciary.
- The functioning of the Lok Adalats incentivized and enhanced the resolution of over 50 lakh matters in 2017 alone.

Can you still approach a regular court if you do not agree with the award of a Lok Adalat?

Yes, if the parties are not satisfied with the award of the Lok Adalat they are free to initiate litigation by approaching the court of appropriate jurisdiction by filing a new case by following the required procedure, in exercise of their right to litigate.

- The parties must file a fresh case since there is no provision for an appeal against an award passed by a Lok Adalat.

Can you approach Lok Adalat when your case is pending in any court?

Yes, parties can approach Lok Adalat when the case is pending before a particular High Court or other Courts.

- The Doctrine of Res-Sub Judice, which prevents the simultaneous filing of the same case in multiple forums, is not applicable on Lok Adalat as it is one of the forums where disputes/cases pending in the

court of law or at pre-litigation stage are settled/ compromised and settled.

Can Lok Adalats handle cases involving multiple parties or complex legal issues?

Lok Adalats are typically best suited for resolving simple and non-complex disputes, and cases involving multiple parties or complex legal issues are typically not within their scope.

- Lok Adalats primarily focus on amicable settlements in matters of a more straightforward nature through mediation and conciliation, making them less appropriate for handling intricate legal disputes or cases with numerous parties, which may require a more comprehensive and formal legal process.

When is ADR mostly used?

Alternative Dispute Resolution (ADR) methods, such as mediation and arbitration, are mostly used when parties involved in a dispute seek a quicker, cost-effective, and confidential means of resolving their differences outside the traditional court system.

- ADR is particularly popular in commercial and business-related disputes, labor and employment matters, family disputes, and civil cases where parties prefer more flexibility and control over the resolution process.

What is the legal framework governing Lok Adalats in India?

Lok Adalats in India are primarily governed by the Legal Services Authorities Act, 1987.

- This act provides the statutory framework for the establishment, organization, and functioning of Lok Adalats, which serve as informal dispute resolution forums for the settlement of legal disputes, particularly those of a civil nature.
- Additionally, the National Legal Services Authority (NALSA) and State Legal Services Authorities play a crucial role in supervising and implementing Lok Adalats across the country.

What happens if the parties to Lok Adalat proceedings are not able to reach a compromise or settlement?

The Supreme Court has opined that once there is no compromise and/or a settlement between the parties before the Lok Adalat, then as per Section 20(5) of the Legal Services Authorities Act, 1987 the matter has to be returned to the Court from where the matter was referred to Lok Adalat, for deciding the matter on merits by the concerned court.

Are the decisions of Lok Adalats subject to appeal in regular courts?

Decisions of Lok Adalats are typically not subject to appeal in regular courts. The Legal Services Authorities Act, 1987, provides for the finality and binding nature of Lok Adalat decisions.

- Parties voluntarily participate in Lok Adalats, and once an amicable settlement is reached and recorded, it is considered a valid and legally binding agreement.
- However, if there are procedural irregularities or if the settlement is based on fraud or coercion, parties may seek redress in regular courts, but the merits of the settlement are not typically subject to appeal.

Can Lok Adalats handle criminal cases involving serious offenses?

Lok Adalats do not handle criminal cases involving serious offenses. They primarily focus on civil disputes and minor criminal cases of a petty or compoundable nature.

- Serious criminal offenses, such as those involving heinous crimes, are dealt with by the regular criminal justice system in India, and not through Lok Adalats.

Are there any fees associated with Lok Adalat proceedings?

In Lok Adalat proceedings, there are typically no court fees or charges associated with the resolution process.

- Lok Adalats are designed to provide an accessible and cost-effective means of dispute resolution and the services are generally provided free of charge to the parties involved.



- This is in line with their objective of promoting access to justice and amicable settlement of disputes, particularly for individuals with limited financial means.

Is ADR legally recognized in all jurisdictions?

Alternative Dispute Resolution (ADR) is generally legally recognized and accepted in many jurisdictions worldwide.

- However, the specific recognition and regulatory framework for ADR can vary from one jurisdiction to another.
- While ADR methods like mediation and arbitration are widely accepted and encouraged in numerous countries, there may be variations in the extent to which they are formally recognized and regulated by law.
- It is essential to consult the laws and regulations of a specific jurisdiction to understand the legal status and requirements of ADR for a particular jurisdiction.



CASE STUDY

Shankar Gowda is a native of village in Mandya. He had purchased five acres of agricultural land to grow crops. After the purchase and registration of the land being made, he submitted the sale deed and relevant document to the competent authority to include his name in the mutation register as per the Karnataka Land Records Act 1958. He received acknowledgment of the receipt application. After a few years, Shankar Gowda wanted to apply to divert a part of his land for non-agricultural purposes and applied to the competent authority under the Karnataka Land Revenue Act 1964. During this time, it came to his notice that the Mutation register did not mention his name as the purchaser of the agricultural land. On an application, the competent authority replied stating certain reasons regarding the mutation register.

Thus, he approached the District Legal Services Authority (DLSA) for his grievances to be addressed. The DLSA mentioned that Lok Adalat shall be conducted by the DLSA and the Mutation Register cases can be referred to the Lok Adalat. Also, any pre litigation matter can also be referred to a Lok Adalat, and therefore DLSA referred Shankar Gowda's matter to the Lok Adalat by giving a notice to the competent authority under the Karnataka Land Records Act 1958.

Lok Adalats have the statutory status under the Legal Services Authorities Act 1987. The land revenue and land records matters constitute the greatest number of cases in the Indian Courts and as such Lok Adalats can be an effective way for speedy justice.

IMPORTANT HELPLINES FOR VICTIMS OF GENDER-BASED VIOLENCE

Ministry of Women & Child – Women Helpline	181
National Commission for Women	7827170170
CEERA-ProBono Number	9019645266
International Foundation for Crime Prevention and Victim Care (PCVC), Chennai Dhwani Crisis Hotline (NGO)	1800 102 7282 (Toll-Free), 9840888882 (WhatsApp), 6383743790 (Admin)
Shakti Shalini (NGO), Delhi	011-24373737, 9654462722 / 7838957810
Centre for Social Research (Non-profit organization, Delhi)	+91 011 46131929
Nationwide Police Helpline	1091
Kerala Police Helpline (Aparajitha)	9497996992
Karnataka Police Helpline	112, 080-22943224
Karnataka Police Helpline (Bangalore)	080-22943225
Mysore Police Helpline	0821-2418400.
Chandigarh Police Helpline	112 Women & Child Helpline No.- 0172-2741174
All India Women's Conference	(011) 23389680
JAGORI (NGO, Delhi)	(011) 41427460/26692700,+918800996640
Joint Women's Programme, Delhi	(011) 24619821

For more helpline, **visit http://www.ncw.nic.in/helplines**

GENDER-BASED VIOLENCE

What is gender-based violence?

Gender-based violence is violence directed against a person on account of their gender. Such violence is deep-rooted in gender inequalities and is a serious violation of human rights. Gender-based violence adversely impacts the physical, mental, emotional, sexual, social, and financial well-being of the victim. In its worst forms, gender-based violence can be a life-threatening issue as well.

- While persons of all genders can be victims of gender-based violence, the majority of the victims are women, girls, and transgender persons.
- This results in the terms "gender-based violence" and "violence against women" being used interchangeably.
- According to the United Nations,[1] "violence against women" is defined as *"any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women including such threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."*

What are the different kinds of violence that a woman faces?

Women may go through different forms of violence in their day-to-day lives. Some of them are:

- **Intimate partner abuse:** Any kind of abuse whether physical, sexual, mental, or financial, from a woman's partner is known as intimate partner abuse. This could include physical aggression, sexual coercion, psychological abuse, and controlling behaviours.
- **Sexual Abuse:** Sexual abuse would also include certain forms like sexual harassment, rape, corrective rape, sexual violence in conflict.
- **Femicide:** Femicide refers to the intentional murder of women or girls on account of theirgender and/or sex.
- **Female Foeticide**:This means the killing of a female foetus. This often stems from societal pressure and cultural norms that protect women and girls as burdensome.
- **Human Trafficking:** A horrific crime that exploits and victimizes individuals often based on their gender. Women, girls, and transgender persons are at a disproportionate risk of being trafficked. Trafficking involves various forms of exploitation, primarily forced labour, sexual slavery, and domestic servitude. The victims are often coerced or deceived through false promises of jobs, education, or a better life, then trapped in cycles of abuse and fear.
- **Female Genital Mutilation:** It is a procedure that involves partial or complete removal of the external genitals of a woman for non-medical reasons.
- **Online or cyber abuse:** The use of computers and the internet to harass, intimidate, threaten, or humiliate women or gender minorities is commonly referred to as cyber abuse. Crimes against women and gender minorities that are committed in the physical world such as stalking, can also be committed online. Additionally, new forms of crimes also emerge in cyberspace. For example, the era of modernisation has contributed to the emergence of issues such as deepfakes, cyberbullying, and non-consensual sexting.
- **Technological abuse:** The use of technology to control a person or to cause physical, sexual, psychological, or economic abuse.

What is the prevalence of gender-based violence in India?

According to the **2022 Report of the National Crime Records Bureau** (NCRB)[2] of India, 31,982 cases of rape; and 6,966 cases of dowry deaths, 182 cases of acid attacks, 17,003 cases of sexual harassment were reported in India.

Given the prevalence and pervasiveness of gender-based violence in India, as well as the lasting impact that violence has on the victims and their families, it is pertinent that urgent steps are taken by all to prevent, report, record the incidences of violence and also rehabilitate the victims and survivors of gender-based violence. An imperative step in this regard is to be aware in case an act of gender-based violence is carried out.

1 Article 1, Declaration on the Elimination of Violence against Women. UNGA/1994/Res/48/104.

2 National Crime Records Bureau, Ministry of Home Affairs, *Crime in India, 2022, Statistics Volume-I,* Table 1.2

ACID ATTACK

What is an Acid attack?



Acid attack is also known as acid throwing or vitriolage and results in severe pain, permanent disfigurement, infection, psychological trauma, and even blindness or loss of limb which makes acid attacks one of the worst and most heinous offences.

According to the National Crime Records Bureau, a total of 560 acid attack cases were registered in India.[3]

The elements of acid attacks are:

- Throwing or using acids in any form,
- Intending or knowing that such an act would
- Cause bodily injuries, burns, disfigurement, disablement, or bodily damage (permanent or partial).

How were the penal provisions related to Acid attacks implemented?



Until 2013, Acid attack was not even considered as a penal offense under The Indian Penal Code (hereinafter IPC) and it was covered under general laws such as punishment for grievous hurt and attempt to murder. But with the Criminal Law (Amendment) Act of 2013 was passed which changed the situation in India regarding acid attack laws.

What is the punishment for an acid attack?

- As per Section **326A of IPC** (**Section 124 of the BNS, 2023**) the minimum punishment for causing grievous hurt using acid is **ten years imprisonment** and the maximum punishment is **life imprisonment** and a **fine can be levied which shall be enough to bear all the medical expenses of the victim.**
- As per **Section 357A of CrPC**, **(Section 396 of BNSS)** the State Government in co-ordination with the Central Government shall establish a **Victim Compensation Scheme** and this compensation (not just for acid attack victims, but others as well) should be in addition to the fine levied for acid attack under the criminal provisions.[4]
- Attempting to throw acid is punishable with a minimum sentence of **five years imprisonment**, which may extend to **seven years**.[5] These offences are Cognizable and non-bailable.

> Cognizable offences are those offences that the police can arrest without an arrest warrant.
>
> In Non-Bailable offences, the accused cannot seek bail as a matter of right. It is the court's discretion whether to grant a bail or not.

Punishment for a Police Officer for failing to record information regarding an Acid attack: Section 166A of IPC (**Section 199 of BNS, 2023**) provides for rigorous imprisonment of six months, extendable to two years along with a fine, for a public servant who fails to record any information given to him under **Section 154(1)** of Code of Criminal Procedure, 1973 (CrPC) (**Section 173(1) of BNSS, 2023**) in relation to an offence of Acid attack.

Provisions on treatment of victims of crime:

As per **Section 357C** of **CrPC** (**Section 397 of BNSS)**, all hospitals (public/private) shall immediately provide medical treatment to Acid attack victims and shall immediately inform the police of such incidents (this provision is available to victims of sexual offense such as rape and gang rape)**.**

The person in charge of such hospitals can be punished with **imprisonment for a term up to one year or with a fine or with both** for violation of Section 375C of CrPC (Section 397 of BNSS).[6]

3 *Ibid.*

4 The Code of Criminal Procedure, 1973, § 375B; The Bharatiya Nagarik Suraksha Sanhita, 2023, § 396(7).

5 The Indian Penal Code, 1860, § 326B; The Bharatiya Nyaya Sanhita, 2023, § 124.

6 The Indian Penal Code, 1860, § 166B; The Bharatiya Nyaya Sanhita, 2023, § 200.



What are the special policies/ provisions available for acid attack victims?

In *Laxmi v. Union of India*,[7] the Supreme Court directed all State Governments and Union Territories to pay ₹ 3 lakhs to victims of acid attacks. The Court directed to pay ₹ 1 lakh within 15 days of the occurrence of the incident or when it comes to the notice of the concerned State or Union Territory for immediate medical expense and the rest of the amount should be paid within two months following this as compensation for aftercare and rehabilitation. Following this judgment, the **Ministry of Home Affairs issued an advisory statement to all States and Union Territories, urging them to be proactive in investigation, trial, treatment, and compensation.**[8]

The **Prime Minister's National Relief Fund (PMNRF)** also provides **financial assistance of ₹ 1 lakh to both female and male victims**. But if the incident had occurred before October 8, 2016 will not be eligible for such assistance, since the policy came into effect from that date.[9]

Several States also provide a **monthly pension** to Acid attack victims such as Haryana and Punjab.

The Rights of Persons with Disability Act, 2016 considers the injury caused by an Acid attack as a locomotor disability and provides for reservation in government jobs.[10]

Is there any regulation related to acid sales in India?

The sale of acid in India is regulated under the **Poisons Possession and Sale Rules** of the **Drugs and Cosmetics Act, 1940.** Additionally, the **Supreme Court of India issued guidelines in 2013 to regulate the sale of acids and curb acid attacks**.

Key points related to the regulation of acid sales in India include:

- **Retail Restrictions:** The sale of acid is restricted to licensed retailers, and individuals are required to provide proper identification and reasons for purchasing acid. Retailers are expected to maintain records of acid sales.
- **Age Verification:** Buyers are often required to be of a certain age, and retailers are instructed to verify the age and identity of the purchaser before selling acid. This is implemented to discourage impulsive or malicious use.



- **Record Keeping:** Licensed retailers are mandated to maintain records of acid sales, including details of the buyers and the purpose of purchase. This intends to create a traceable trail in case of misuse.
- **Quantitative Restrictions:** There are limits on the quantity of acid that could be sold to an individual at one time. This measure aims to prevent large-scale procurement for malicious purposes.
- **Strict Penalties:** Strict penalties, including imprisonment and fines, are specified for non-compliance with the regulations. This is to deter both sellers and buyers from engaging in illegal activities involving acids.
- **Awareness and Training:** The regulations emphasise the need for awareness campaigns and training programs to educate both sellers and the general public about the dangers of acid misuse and the legal consequences of violating the rules.

7 Laxmi v. Union of India, (2014) 4 SCC 427.
8 Ministry of Home Affairs, Government of India, *Advisory on expediting cases of acid attack on women*, 15011/66/2012-SC/ST-W.
9 Grant to Acid Attack Victims, https://pmnrf.gov.in/en/about/grant-to-acid-attack-victims (last visited on Apr. 04, 2024).
10 The Rights of Persons with Disability Act, 2016, § 34.

CASE STUDY



Sridevi, a woman aged 21 years, was waiting at a bus stop as she does every day to reach her college. Sridevi is from a socially backward community and her father is a carpenter. In her college, she often felt lonely and had no friends.

She was often teased by the boys of her college. On one Valentine's Day, she was approached by one boy with flowers. Sridevi refused the flowers. Despite an increase in such gestures from the said boy, Sridevi, not only declined but sternly refused to accept any further advancements. Subsequently, the boy began to stalk her enroute back home. Sridevi did not disclose this harassment to her parents, nor did she complain at her college fearing if it will adversely affect her education.

On the last working day of the college, while she was waiting for the bus at the bus stop, two boys approached her on a bike threw acid at her, aiming for her face. On being injured, she had a panic attack and was rushed to the nearest Government Hospital by the local police.

Acid attack causes physical, social, economic and physiological damage to the victim. Survivors struggle to lead a normal life as the stigma and trauma continues for a long time.

CYBER CRIMES AGAINST WOMEN



What is Cyber Crime?

Cyber Crime is a criminal activity that targets or uses a computer, a computer network or a networked device. With this particular invasion of networks, multiple kinds of crime can be committed. Thus, a computer is used as the medium to further some illegal ends. It could also be called as an attack on individuals, corporations, or governments.

How does cybercrime affect women?

The most common forms of Cybercrime affecting women are Revenge porn, Deepfakes, Cyber blackmail, Defamation, Stalking, and Cyberbullying.

As per the data provided by the National Crime Records Bureau, between 2021 and 2022, 14,072 cybercrimes against women were reported cumulatively in States and 337 cybercrimes against women were reported in Union Territories. including crimes such as cyber blackmailing, publishing obscene materials, morphing, and creating fake profiles.[11]

What are the Cyber-crimes against women under the Information Technology Act, 2000?

- **Identity Theft (Section 66C)** refers to False or Dishonest usage of another person's electronic signature, password, or other distinctive identifying features. Once convicted, the criminal can be punished with an imprisonment up to three years and a fine up to one lakh rupees.
- **Violation of Privacy (Section 66E)** means taking, sharing, or sending a picture of a person's private area without their consent or in a way that violates their privacy. The punishment of this crime includes, imprisonment up to three years, fine up to two lakh rupees, or both.
- **Publishing/Transmitting Obscene Material in electronic form (Section 67)** is also a crime under the Information Technology Act. The punishment in case of first conviction is up to three years of maximum imprisonment and a fine up to five lakh rupees and in the case of Second/ Subsequent conviction, the punishment ranges from imprisonment up to five years and a fine up to ten lakh rupees.
- **Publishing, transmitting, or aiding in the transfer of sexually explicit material in electronic form (Section 67A)** is a Cybercrime punishable with imprisonment of up to five years and a fine levied up to ten lakh rupees. On Second/ Subsequent conviction, the convict is punishable with an imprisonment up to seven years and a fine up to ten lakh rupees.



How to file a Cybercrime complaint in India?

Cyber-crimes may be reported using one of the following three ways:

- File a FIR with the nearest police station,
- Call the **National Cyber Crime Helpline Number** at **1930**, or
- File a complaint on the **National Crime Reporting Portal of India.**

The portal is an initiative of the Government of India to facilitate victims to report cybercrime complaints online. The Cyber Crime Portal[12] classifies crime reporting into three categories:

1. **Reporting of offences against women and children (Allows you to report them anonymously as well)**

11 National Crime Records Bureau, Ministry of Home Affairs, Crime in India, 2022, Statistics Volume-II, Table 9a.10.

12 https://cybercrime.gov.in/



2. Financial Frauds

3. Other Cyber-crimes.

The Portal is user-friendly and accessible. The detailed instructions on how to file complaints under each of these categories is provided in the portal itself.[13]

What is revenge porn?

- Revenge Porn is generally considered to be the sharing of sexually explicit or intimate images/ videos of their former partners without their consent. The videos or images that are circulated must have been obtained by consent by the partner during the relationship but then could further be used as a means of revenge on the partner later.

The District Court of Purba Medinipur delivered the first conviction in India relating to revenge porn in the case of the ***State of West Bengal v. Animesh Boxi.***[14] The District Court held that by uploading nude pictures and videos of the victim, the accused had committed virtual rape against her.

What is Deepfake?

Deepfake uses Artificial Intelligence (AI) to replace the likeness of a person with another in a video or audio. These are deep learning algorithms which teach themselves to solve problems with large sets of data and can be used to create fake content of real people.

Deepfakes are generally used for sextortion and harassment and can also be used to share explicit content of people as pornography on websites.

Few instances where the usage of Deepfake caused harm:

- In 2018, for example, a Belgian political party released a video of Donald Trump giving a speech calling on Belgium to withdraw from the Paris climate agreement. Trump never gave that speech, however – it was a deepfake.
- Recently, several actresses in India have fallen victim to deepfake technology wherein their faces were deep-faked into other women stirring controversy.

How to deal with Revenge porn and Deepfake in India?

Deepfake and Revenge porn, though not identified expressly as a crime in India, can be reported to the departments created by the government to facilitate victims to easily submit their complaints.

- **Section 499 of IPC** (**Section 356, BNS, 2023**) which makes defamation an offence can be used to register a case against deepfake.

Additionally, Information Technology, to invoke **Section 66D** of the **Information Technology Act, 2000** and **Rule 3(1)(b)** of the **IT Rules** can be invoked to social media platforms to remind that they are obligated to remove such content within stipulated timeframes in accordance with the regulations.

CASE STUDY

Latika, as a saleswoman in the regional office of a paper manufacturing company was in a relationship with Suraj, who was the assistant manager of the regional office. The relationship was toxic for Latika as Suraj used to demand her to be sexually intimate with him even though she was not ready to do that.

Due to persistent demands and coercion from Suraj, Latika gives in. Without her knowledge, Suraj made a video recording of Latika in a vulnerable state.

Few months after this incident, unable to stay in the relationship due to the toxicity she was being subjected to, Latika decided to end the relationship. Suraj did not take this well. He threatened Latika that he will leak the explicit video of Latika to her family members and friends from an anonymous account. Because of this, Latika was under immense stress mentally and emotionally.

Here, Suraj has committed the violation of privacy of Latika by taking videos of her in a vulnerable state without her consent which is a Cyber-crime.

13 For more details on how to file a crime against a woman in this portal, refer to: Crimes against Women and Children: User Manual for Reporting Cyber Crime Against Women and Children (CP/RGR)

14 State of West Bengal v. Animesh Boxi, GR/1587/2017.

DOMESTIC VIOLENCE

What are the objectives of the Protection of Women from Domestic Violence Act, 2005?

The Protection of Women from Domestic Violence Act, 2005 (hereinafter, "the Act") was enacted to protect the rights of women suffering from any form of abuse in a domestic setting and to provide a quick and effective remedy against such abuse to the victim. It simplifies the cumbersome legal regime and provides a fast solution in the form of civil remedy for a victim of violence for their protection and enforcement of their rights.

What is the meaning of domestic violence?



Section 3 of the Act defines domestic violence broadly to include not only physical beating, but any act, commission, omission, or conduct by the respondent that harms, injures, or endangers the health, safety, life, limb, or well-being, both mental or physical, of the aggrieved person, or tends to do so. This includes physical abuse, sexual abuse, verbal and emotional abuse, and economic abuse.

Any harm or harassment with a view of coercing the aggrieved person to meet any unlawful demand for valuable property, including that of dowry is also covered. Further, any such harm or threat of such harm to the aggrieved person or any other person related to the aggrieved person is also included.

- **Physical abuse** is any act that may cause harm, pain, or danger to any body part, life, or health and includes, assault, criminal intimidation, or criminal use of force.
- **Sexual abuse** includes any act sexual in nature that humiliates, degrades, or otherwise violates a woman's dignity.
- **Verbal and emotional abuse** includes any insult, ridicule, humiliation, and especially insults about not having a child or a male child.
- **Economic abuse** encompasses depriving the aggrieved person of entitled resources, such as necessities, stridhan, and jointly or separately owned property, including rental housing and maintenance. It extends to the disposal of any property the aggrieved person is entitled to or has an interest in, and includes prohibiting or restricting their use of facilities associated with their domestic relationship, like living in the shared house. **It is further stated that overall facts and circumstances are to be considered while determining whether the act or conduct is domestic violence or not.**

Who all are protected under the Act?

Section 2(a) of the Act defines an aggrieved person as a woman who is or was in a domestic relationship and alleges to be a victim of domestic violence in such relationship. The Act protects women of every age irrespective of their marital status. So, a domestic relationship means a relationship shared by the aggrieved person and respondent who live or at any point in time have lived in a shared household. This includes relationships by marriage such as wife, daughters-in-law, sister-in-law, widow, or any other member of the family, or blood relationships such as mother, sister, daughter, or other domestic relationships such as that by way of adoption, live-in relationships, or a woman illegally married.

The amount of time lived together by the aggrieved person and the respondent is not a factor in recognizing a domestic relationship. Judicial separation also does not change the nature of a domestic relationship. *Hence, a woman judicially separated from her partner can also seek remedy under the Act as an aggrieved person.*

What is the meaning of a shared household?

As per **Section 2(s)**, shared household means where the aggrieved person has lived or lives in a domestic



relationship with the person against whom the complaint is filed, either singly or jointly. **This includes all types of accommodations such as those owned or rented by the respondent, or which are singly or jointly owned or rented by the respondent and the aggrieved person or in which they have any right, interest, or title.** Such accommodation, which is owned by the joint family of which the respondent is a part, is also included in this.

Section 17 gives the aggrieved person the right to reside in a shared household and not to be thrown out without following the procedure which is prescribed by any law in force.

If she is thrown out of such a household, she can enforce her claim and brought back to the accommodation by an order of the Magistrate.[15] To enforce such right, two things need to be proved,

- that she was in a domestic relationship with the respondent and
- that the household in question is a shared household.

Even if the aggrieved person has not entered the shared household and lived there, it will be considered as a shared household if such aggrieved person has a valid right to reside in such household due to her relationship with the respondent or otherwise. Thus, time spent in the shared household is irrelevant.[16]

For example, if a woman is married and, due to custom prevailing in the area, does not go to the house of her husband for the initial period of marriage and lives at her parent's home, and during this period a feud arises between the woman and her husband, this would not preclude the woman from enforcing her right to reside in her husband's house, as that will be considered as a shared household as she has a valid right to live in that house.

Against whom a complaint under the Act may be filed?

Under **Section 2(q)**, a complaint under the Act can be filed against any perpetrator of domestic violence with whom the aggrieved person has lived in a domestic relationship at any point in time and it includes any female or a non-adult person also.[16]

Complaints can also be filed against male or female relatives of the husband or male partner (such as in a live-in relationship).

Who can report an incident of domestic violence?

As per **Section 4**, any person, including an aggrieved person, who has reason to believe that an act of domestic violence was committed, is being committed or is likely to be committed, may give information regarding the same to the concerned Protection Officer. Any such person giving the information in good faith shall incur no liability for the same.

Who is a Protection Officer and what are their duties?

A Protection Officer is appointed by the State Government and acts as a facilitator for an aggrieved person to seek any relief under the Act or protection from domestic violence otherwise.

The duties of the protection officer include:

- As per Section 9 of the Act, the Protection Officer complies a domestic incident report, in the manner given in Form-I of the 2006 Rules, on a complaint of domestic violence and forward such report to the local police station, concerned Magistrate, and local service providers.
- The Protection Officer assists the aggrieved person:

1. in making an application to the Magistrate for any relief under the Act,
2. getting legal aid,
3. getting shelter in a shelter home if required,
4. getting the aggrieved person medically examined,
5. in case bodily injuries are reported; sending such report to the concerned Magistrate and Police station,



15 The Protection of Women from Domestic Violence Act, 2005, § 19(a).
16 Prabha Tyagi v. Kamlesh Devi, AIR 2022 SC 2331.

and

6. ensuring that an order for monetary relief under the Act is carried out.

- The Protection Officer helps the Magistrate in discharging their duties under the Act, which includes service of notice to any party concerned for proceedings under the Act. The Protection Officer shall also maintain the list of all the service providers providing legal aid, counselling, shelter home facilities, and medical facilities.

Who is a service provider and what are their duties?

Any association having the objective of protecting women's rights, that is registered as a society or a company or under any other law can be registered as a service provider with the State Government. **These may include NGOs, companies, and voluntary organizations and they are duty-bound to assist women facing domestic violence such as services of shelter homes, medical and financial assistance, etc.**



It is the duty of the service provider to make a domestic incident report, in the manner given in Form-I of 2006 Rules, on a complaint of domestic violence and forward such report to the concerned Magistrate and Protection Officer. They shall also assist and help the aggrieved person in getting shelter under a shelter home if required and getting medically examined and forward such report to the Protection Officer and police station.

What are the duties of a police officer under the Act?

On receiving information of domestic violence being committed, the police officer is required to inform the aggrieved person about

- their rights and reliefs under the Act,
- services of Protection officers, service providers, and
- their right to free legal aid.

They are also duty-bound to proceed per the law if the information of domestic violence reveals any commission of a cognizable offence under any other law.

The police officers are also required to assist the aggrieved person, provide protection to them, and see that the orders given by the Magistrate under the Act are implemented under **Section 19(5)** of the Act.

Further, they are also required to assist the Protection Officer or the service provider in remedying a situation of emergency where an act of domestic violence is likely to be committed.

What steps can an aggrieved person take to remedy their situation?

An aggrieved person may approach the local police station and lodge a complaint there or may go to any local service provider or Protection Officer or directly approach the concerned magistrate to make a complaint and obtain any relief.

It is the duty of the magistrate, police officer, Protection Officer, or the service provider, who has received the complaint of domestic violence to inform the aggrieved person about the remedies available to them under the Act. They also have the duty to inform the aggrieved person of her right to file a complaint under **Section 498A of IPC (Section 85 of BNS)** for the cruelty inflicted by her husband or his relatives.

Once the domestic incident report has been prepared by the Protection Officer or the service provider, on receiving such a complaint, it shall be forwarded to the magistrate and the local police station.[17]

An application can directly be made to the magistrate under Section 12 of the Act for seeking relief under the Act in the manner given

17 The Protection of Women from Domestic Violence Act, 2005, § 9(b), 10(a).

in Form-II of the Protection of Women from Domestic Violence Rules, 2006 (2006 Rules).

What are the remedies available under the Act to an aggrieved person?

There are various remedies present under the Act that can be availed by an aggrieved person. The table below lists such remedies. These can be sought by making an application to the concerned Magistrate in the manner given in **Form-II** of 2006 Rules. The Magistrate shall try to dispose of such application within sixty days from the first date of hearing.[18]

- **Protection Order (Section 18):** Upon prima facie satisfaction of domestic violence, the Magistrate can issue a protection order, restraining the respondent from committing or aiding such violence. This order may include restrictions on visiting the aggrieved person's workplace, communication, alienation of property, and violence against dependents or helpers.
- **Residence Order (Section 19):** The Magistrate can prevent the respondent from disturbing the aggrieved person's possession of the shared household, and may even direct the respondent to vacate it. Alternate accommodation arrangements and rental obligations may also be mandated, with enforcement through police direction.
- **Monetary Relief (Section 20):** Monetary compensation may be awarded to cover losses or expenses due to domestic violence, such as medical bills or loss of earnings. The relief must be reasonable and consistent with the aggrieved person's living standards, provided either as a lump sum or monthly payments.
- **Custody Order (Section 21):** The Magistrate can grant custody of children to the aggrieved person or their representative, with visitation arrangements for the respondent if deemed safe for the children's interests. Visitation may be restricted if it poses harm.
- **Compensation Order (Section 22):** The Magistrate can order the respondent to compensate the aggrieved person for injuries, including mental and emotional distress caused by domestic violence. Interim orders can be issued in the respondent's absence based on the aggrieved person's affidavit.

What if a protection order is violated under the Act?

A breach of a protection order issued by a Magistrate is punishable with imprisonment of either description for a term which may extend to one year, or with a fine which may extend to twenty thousand rupees, or with both.[19]

Is there any relief other than legal remedies present under the Act?

Other than the legal remedies listed above, the aggrieved person and respondent may also, either singly or jointly, avail of counselling services as may be directed by the Magistrate under **Section 14** of the Act. These services are provided by the service provider, and on the report of such counsellor, the court may take appropriate actions.

Further, an aggrieved person, a Protection Officer, or a service provider on their behalf may request shelter home facilities or medical aid from the appropriate institution, and such facilities shall be provided to the aggrieved person on such request.

Which court can hear and dispose of cases under the Act?

Section 27 of the Act provides that a Judicial Magistrate of first class or a Metropolitan Magistrate shall be the competent court to grant relief and try offences under the Act within whose jurisdiction: -

- the person aggrieved permanently or temporarily resides or carries on business or is employed; or
- the respondent resides or carries on business or is employed, or the cause of action has arisen.



18 The Protection of Women from Domestic Violence Act, 2005, § 12(5).
19 The Protection of Women from Domestic Violence Act, 2005, § 31.



CASE STUDY

Miya was being pressurized by her family to get married since she turned 25 years old. Due to the mounting stress of finding a suitor, Miya said yes to a proposal brought by her relatives who claimed that the guy is well-educated, earns handsomely and will take good care of her. Rohan and Miya got married after talking to each other for merely three months.

Soon after the wedding, Rohan and his family started treating Miya horribly. She was always burdened with domestic chores and was never given a break. Whenever she brings up the topic of finding a job to support herself, Rohan and her in-laws would discourage saying that she doesn't need a job as Rohan is managing her expenses. Miya always felt that she is forcefully being made dependent on Rohan when she is perfectly capable of supporting herself through a job.

Around six months into the marriage, Rohan and his mother started to beat and hurl abuses Miya whenever she tried to bring up any concern.

Here, Miya is an unfortunate victim of domestic violence by her husband and the in-laws. She is being abused mentally, emotionally, economically, physically, and verbally. This is unfortunately the story of many women in India. There is a prevalent social conditioning that domestic violence is part of marriages in India and that the wife will have to silently endure such abuses without complaining. However, such abuses are wrong morally and legally.



DOWRY HARASSMENT



What is Dowry?

Section 2 of the **Dowry Prohibition Act, 1961**, defines the term 'dowry' as property or valuable security shelled out or agreed to be bestowed, by the parents of one party to a marriage to the parents of the other party. It is pertinent to note that this Act is applicable to people from all religions. However, 'Dower or Mahr', governed by Muslim Personal Law is usually given as financial security for the women and shall not be covered under the sweep of this definition. Even *Stridhan* is not analogous to dowry.

The fundamental distinction between dowry and *stridhan* is that dowry possesses an element of 'coercion' where there is either a demand for dowry with an element of threat or it is made conditional to the marriage whereas *stridhan* is provided voluntarily. *Stridhan* also includes the bride's inherited or self-acquired property, as well as monetary or in-kind gifts from her husband's family. Another distinction is that dowry is regulated by the Dowry Prohibition Act of 1961, whereas *stridhan* is governed by the Hindu Succession Act of 1956.

Is receiving or giving dowry illegal in India?

Yes, according to the Dowry Prohibition Act, 1961, receiving, sending, demanding, or abetting the giving or receiving of dowry is strictly prohibited. Even the agreements concerning dowry shall be considered *void ab initio* (such agreements will be treated as they are void from the beginning; as if they never existed).



Punishments under the Dowry Prohibition Act:

- **Giving/taking dowry (Section 3)-** Imprisonment for at least 5 years or a fine not less than Rs. 15,000/the dowry amount.
- **Urging/demanding dowry (Section 4)-** Imprisonment for at least 6 months which can go up to 2 years or fine of Rs. 10,000/-.
- **Advertising an offer of dowry as a consideration for the marriage of their son or daughter, through any form of media (Section 4A)-** Imprisonment for a minimum term of 6 months and a maximum term of 2 years.

All the offences falling within the ambit of the Dowry Prohibition Act shall be considered non-bailable. Under this Act, people can be arrested without a warrant in such dowry-related cases. Wedding presents are often drawn up as dowry.

A wedding present is not illegal given that it is received without any demand and it falls under the list maintained in accordance with the rules made under the Dowry Prohibition Act, 1961. Even if the present is made on the bride's behalf, it must be customary in nature and its value should not be excessive in relation to the financial status of the person by whom, or on whose behalf, the present was given.

What special laws have been framed for the purpose of preventing harassment in relation to dowry?

- **Section 498A** of the **IPC (Section 85 of BNS)** penalises the brutal and cruel treatment given by the husband or the relative of the husband of a woman by punishing them with imprisonment for up to three years and a fine.
- Even, the **Protection of Women from Domestic Violence Act** has multifaceted provisions that can be passed down to put a stop to dowry-related violence so long as dowry is a reason for domestic violence.



- In addition to the aforementioned provisions, there are also laws relating to dowry death to deter people from engaging in cruelty towards women.

What is Dowry Death?

The death of a woman shall be contemplated as a dowry death falling within the purview of **Section 304B** of **IPC (Section 80 of BNS),** if:

- the death of a woman is caused by physical assault, unwarranted bruises, burns, or any other non-typical circumstances,
- within seven years of her marriage, and
- it can be shown that prior to her death she was exposed to savagery, inhumanity or violence by her intimate partner or the family members of her partner with respect to any demand for dowry.

Furthermore, **Section 113B** of the **Evidence Act (Section 118 of BSA)**, states that if it is proved that a person subjected a woman to cruelty in relation to dowry before her death, then the court presumes that the woman's death was a dowry death.

Similarly, if it is shown that a woman committed suicide within seven years from the date of her marriage and that her husband or a relative of her husband had subjected her to cruelty, the court may presume that such suicide had been abetted by her husband or by the relative of her husband.

CASE STUDY

Raj's family has been looking for a bride for her. They found Usha through mutual relatives and her family was also thrilled to have their daughter married to Raj not just because he was well-settled but also because his family did not ask for any dowry.



However, around three months after the wedding, Raj asked Usha all her gold jewelry to be kept as a security for some loan. Following this, Raj asked Usha to ask her father for 3 lakh rupees for some urgent renovation of his house. He convinced her that since it is her house as well now, this money is not asked as dowry. Usha's father gave the amount as asked. Soon enough, his family also started demanding Usha to bring money from her house for various needs. After a couple of demands, they started threatening her and to physically abuse whenever she was unable to meet their demands.

Their torture grew harsh each day and on an unfortunate day, Usha was found dead in her room. The police found a suicide note, however, the autopsy revealed that she had bodily injury all over her body and she had succumbed to those injuries inflicted by her in-laws, and they had fabricated the suicide note.

HONOUR KILLING



What is Honour Killing?

Honour killing refers to an umbrella of heinous crimes that involve the death of a family member at the hands or the behest of another family member.

- These killings are generally carried out in retaliation for the perceived shame or dishonour that has been brought to the family by the acts of the victim, typically by marrying or being in love with a person of another caste, religion, etc.
- Another circumstance where honour killings are prevalently seen is where the persons belonging to the same *gotra* choose to marry.
- It must be noted that *sagotra* marriages, inter-caste marriages, and inter-religious marriages are legal and protected by law.

While persons of all genders can be victims of honour killings, women and transgender persons are particularly vulnerable.

The patriarchal beliefs and underpinnings in Indian society have conditioned many to think that the honour and prestige of the family are vested in the women in the family. When women exercise their autonomy and choose a partner from a different community or against the will of the family, it is considered so dishonourable that they would rather have the woman dead. Transgender persons, on the other hand, are killed because their gender identity is seen as dishonourable to the image of the family.

Honour killings, though illegal in India, continue to be reported in various parts of the country. It's important to note that the reporting of honour killings can be challenging due to underreporting, social stigma, and the clandestine nature of such acts.

- **Uttar Pradesh (2023)**: A reported case of honour killing where a girl was axed to death by her father and two brothers for an alleged affair.
- **Haryana (2023)**: A young couple was brutally murdered by the girl's family for marrying outside their caste.

These cases highlight the persistent challenge of honour killings in India, despite legal provisions aimed at preventing such acts. The Indian government and various NGOs continue to work towards raising awareness, enforcing laws, and providing support for victims to combat the deeply ingrained societal norms that contribute to honour killings. Additionally, there have been efforts to sensitise law enforcement agencies and the judiciary to take strict action against perpetrators of honour killings.

What are the laws against honour killing in India?

The right to choose a partner/spouse of one's choice and the right to express one's self, including their gender identity, is an intrinsic aspect of dignity and is protected by **Articles 19 and 21** of the **Constitution of India**. Any crime committed in retaliation to transgression of customs, or cultural, religious or other social norms is liable to be punished.

Statutory provisions regarding Honor Killings:



- There is no provision of law per se on honour killings, however, they can be punished under **Sections 299, 300 and 302** of **the IPC (Sections 100, 101 and 103 of BNS)** which deals with murder.
- Attempt to commit honour killings is punishable under **Section 307 of IPC (Section 109 of BNS)**.
- Moreover, if a victim of the honour killing is a member of the Schedule Caste (SC) or Schedule Tribe (ST) and the perpetrator(s) is/are not a member(s) of the SC or ST, the perpetrator(s) may be tried under the **Scheduled Castes and Scheduled Tribes**

Note: Any offense carrying a ten-year imprisonment penalty shall incur a life imprisonment sentence if the victim belongs to the SC/ST community. [Section 3 SC/ST Act]



(Prevention of Atrocities) Act, 1989 (SC/ST Act) as well.

- Where the victim is a woman, honour killing and its attempt are also covered under the Protection of Women from Domestic Violence Act, 2005.

Who can be punished for honour killing?

Any person who is directly or indirectly responsible for killing or attempting to kill another person in the name of honour may be charged with the provisions provided above. This includes family members or anyone else involved in the planning, abetment, preparation, attempt, or execution of such killings.

An informal institution that advocates and aggravates the issue of honour killings in India is the ***Khap* Panchayat**. *Khap* panchayats are caste and class-based institutions wherein elder, upper-caste men regulate and control the functioning of the '*khap*' or clan formed of people believed to belong to the same lineage or 'gotra'. These institutions have no legal sanctity but are powerful in terms of social influence, as they have emerged as kangaroo courts that pronounce harsh punishments based on age-old customs and traditions.

The most visible issue with *khap* panchayats emerges when persons belonging to the same gotra or persons belonging to different castes choose to marry. Though these marriages are legal, *khap* panchayats, due to archaic customs, do not permit such unions. *Khap* Panchayats dish out punishments ranging from fines, and ex-communication, to the killing of the persons involved.

The Supreme Court has held *Khap* Panchayats' interference in marriages illegal.[20] Where members of the *khap* panchayat cause, encourage, promote, abet, attempt, or carry out honour killings, they may be charged with the same offences listed above.

What is the punishment prescribed in law against acts of honour killing?

The murder of persons in the name of honour may be punished with imprisonment for life or even death. Attempt to commit honour killings may be punished with a jail sentence of three years up to ten years or life imprisonment.



CASE STUDY

Raju and Geetha were in love and decided to get married defying societal norms, particularly regarding their caste. They got married on 12-01-2010 and fled from their hometown. The families sought the intervention of the Khap Panchayat, which condemned the marriage and imposed fines on anyone who dared to support the couple. However, the families' determination to uphold their honour led to the abduction and brutal murder of Raju and Geetha by their own relatives, including Geetha's grandfather, who was a prominent figure in the Khap panchayat.

Further, a case was registered with the local police and the matter was referred to the Hathras Sessions Court, by the cousin brother of Raju. The Court upon hearing the matter in detail, sentenced five perpetrators (Vijay, Anand, Anshuman, Shamu and Veeru) to life imprisonment, marking a significant departure from lenient punishments typically associated with honour killings. The driver involved in the abduction was sentenced to seven years rigorous imprisonment. The verdict sent a powerful message that caste-based violence and honor killings will not be tolerated, and perpetrators will be held accountable for their actions. The judgment in the case of Raju and Geetha signifies a pivotal moment in the fight against honour killings, highlighting the importance of upholding principles of equality, justice, and individual rights.

Illustrated from – Smt. Chandrapati vs State of Haryana And Others (Crl. Misc. No. M-42311 of 2007 (O&M))

20 Shakti Vahini v. Union of India, AIR 2018 SC 1601.

PREGNANCY-RELATED VIOLENCE

Pregnancy-related violence is a form of gender-based violence that generally occurs during pregnancy, childbirth, and the postpartum period.

What are the offences related to pregnant women under The Indian Penal Code, 1860?

The Indian Penal Code outlines several offences related to the termination of pregnancy, with the intent of protecting the health and well-being of pregnant women and their unborn children and taking into account the gravity and sensitivity of such acts. These offences address both voluntary and involuntary actions. The sections are listed below:

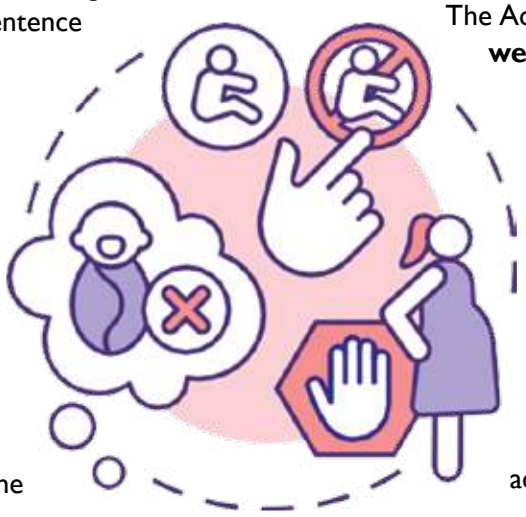
Voluntary Termination:

- **Section 312 of IPC (Section 88 of BNS): Causing Miscarriage:** Both attempting and intentionally causing miscarriage, by the woman herself or another person, carries a potential imprisonment of three years and a fine.
- **Section 313 of IPC (Section 89 of BNS): Causing Miscarriage without Woman's Consent:** Voluntarily inducing miscarriage without the woman's consent is a more serious offence, punishable by up to ten years imprisonment and a fine.
- **Section 314 of IPC (Section 90 of BNS): Causing Death by Inducing Miscarriage:** Intentionally inducing miscarriage with the aim of causing the woman's death constitutes a grave offence, attracting a ten-year sentence and a fine.

Act Affecting Childbirth:

- Section 315 of IPC (Section 91 of BNS): Preventing Child Birth or Causing Death

  After Birth: Attempting to prevent a child from being born alive or causing its death after birth is punishable by up to ten years imprisonment and a fine. However, an act done to protect the life of the pregnant woman is a recognised exception.



Does this mean that abortion is illegal in India?

The need for providing safe medical abortions was put forth in the early 1960s. With this intention, the **Medical Termination of Pregnancy Act, 1971** ("MTP Act") was brought in. The Medical Termination of Pregnancy Act granted immunity to Registered Medical Practitioners [RMP] and those seeking an abortion under specific circumstances.

Is the practice of abortion a constitutional right?

The Right to Abortion has been safeguarded under Article 21 of The Constitution of India. It has been interpreted by the Apex Court that Article 21 expands to the Right of a woman towards her reproductive choices, which includes the right to abortion. Further, it has been recognised that Reproductive rights are part of the woman's liberty rights, and such rights come under the Right to Privacy, Dignity, and Bodily Integrity and, thus, must be respected.[21]

What are the circumstances under which medical termination is allowed?

The conditions under which this termination is allowed laid out in **Section 3** of the **MTP Act** are:

- The abortion must be performed by a registered and authorised medical practitioner (RMP). The Act permitted abortions up to **20 weeks** (on the advice of two RMPs).
- Women can medically terminate their pregnancies before the completion of **20 weeks** of gestation if the pregnancy poses a *"risk to the life of the pregnant woman or of grave injury to her physical or mental health"*. The risk of injury to the health is determined by taking into account the actual or foreseeable

21 Suchita Srivastava v. Chandigarh Administration (2009) 9 SCC 1.



circumstances of the pregnant woman. For example, failure of contraceptive methods constitutes a grave injury to the mental health of pregnant women.

- If prescribed by an RMP, abortions using self-administered abortion pills are also permissible.
- Where there is a substantial risk that the child if born, would *"suffer from any serious physical or mental abnormality"*, medical termination is permitted irrespective of the length of the pregnancy, as long as the same is deemed necessary by a medical board.
- Medical termination of pregnancy is permitted at any time, irrespective of the length of the pregnancy, if there is a likelihood of danger to the life of the pregnant person.
- Medical termination may be carried out by either using self-administered abortion pills under the prescription of a registered medical practitioner or in a legally recognised medical facility.

When can the termination extend up to 24 weeks of gestation?

The Medical Termination of Pregnancy Act, 1971 generally allows for the termination of pregnancy before the completion of 20 weeks of gestation. **However, certain categories of women have the right to terminate their pregnancy before 24 weeks of gestation.**

These categories of women are:

- Survivors of sexual assault, rape, incest,
- Minors,
- Women who undergo a change in marital status during the pregnancy, i.e., widows and divorcees, or whose partner has abandoned them during the pregnancy,
- Women with physical disabilities or mental illnesses,
- Women carrying foetuses with malformation or physical or mental abnormalities,
- Women in humanitarian settings or disasters or emergencies,
- Women who have undergone material alteration in the circumstances of their lives.

Who is a Registered Medical Practitioner under this Act?

A medical practitioner is a person registered under the State Medical Register and qualified to practice under **Section 2(h)** of the **Indian Medical Council Act, 1956**. They must have experience or training in gynaecology and obstetrics.

How many doctors are required to recommend the termination of the pregnancy?

The following points highlight the recommended number:

- 0 to 20 weeks pregnant- One RMP
- 20-24 weeks pregnant- Two RMPs
- Beyond 24 weeks pregnant- A Medical Board will decide whether the termination of pregnancy is viable.

What is sex-selective abortion?

Sex-selective abortion is the practice of **terminating a pregnancy based on the sex of the foetus.** In India, this primarily extends to female foeticide wherein the female foetus is terminated because of the cultural preference of having a son.

What are the laws in India to prevent sex-selective abortions?

In addition to the provisions of the Indian Penal Code mentioned above, the Parliament has enacted the **Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994** to stop female foeticides. Pre-natal diagnostic techniques such as ultrasound machines must only be used to detect genetic abnormalities, metabolic disorders, chromosomal abnormalities, congenital malformations, haemoglobinopathies etc. The mere communication of the sex of the child to the relatives is a crime and the imprisonment can go up to three years.[22]



22 Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994, § 22(3).



CASE STUDY

Radhika is working in a health science-based journal and specialized in women health. She wanted to write an informative article on women undergoing psychological and sexual domestic violence during pregnancies. During the course of her research, she interviewed few community health centre workers in Bangalore rural district. Due to these conditions, they developed high risk pregnancies. Her research also gave her some inputs regarding the availability of health care facilities to treat such conditions. Astonished by such facts, she felt the necessity of establishing a community health centre specially to address the needs of such situations. She wrote in her magazine the existing lacunas in the health care system and said "it's the need of the hour to meet such situations with strong medical facility."

Reading her article in the magazine, a reputed chain of hospitals volunteered to establish and set up a dedicated team of doctors in their hospital premises. They assured round the clock medical and health care facility to the women in need. They also assured to conduct regular awareness programs.

RAPE



What is Rape?

Rape is generally understood as a sexual act that is forced upon one by another.

The Indian Penal Code under **Section 375[23] (Section 63 of BNS)**, defines Rape as:

A man is said to commit "rape" if he—

(a) penetrates his penis, to any extent, into the vagina, mouth, urethra, or anus of a woman or makes her to do so with him or any other person; or

(b) inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of a woman or makes her to do so with him or any other person; or

(c) manipulates any part of the body of a woman so as to cause penetration into the vagina, urethra, anus or any part of body of such woman or makes her to do so with him or any other person; or

(d) applies his mouth to the vagina, anus, urethra of a woman or makes her to do so with him or any other person,

What are the statistics related to Rape cases in India?

According to the National Crime Records Bureau (NCRB) figures for 2022, a staggering 31,982 rape cases were reported between 2021 and 2022,[24] and out of these 2080 were gang rapes.[25]

It must be noted that hundreds of rape cases go unreported in India.

What are the essentials of rape under Section 375 in IPC (Section 63 of BNS)?

If the acts mentioned in **Section 375 of IPC (Section 63 of BNS)** are committed under the following circumstances, the act of that Man would amount to Rape. The circumstances are listed below:

- Against her will.
- Without her consent.
- Consent obtained under threat of death or hurt.
- With her consent but where the man knows he is not her husband but where she believes she lawfully married him.
- Where the woman is of unsound mind or is intoxicated or where he (directly or indirectly administers her any unwholesome substance, as a result of which she is unable to understand the nature and consequences of that to which she gives consent.
- Where she is under eighteen years of age.
- When she is unable to communicate consent.

Is consent an essential component of the offence to rape?

The absence of consent alone is sufficient to qualify as an offence of rape.

Consent has to be unambiguously defined, i.e., the woman must give an explicit, voluntary declaration that she consents to the specific sexual act. When deciding a case of rape, factors like a girl's personality, occupation, social background, sexual history, etc., are irrelevant. Any sexual interaction regardless of whether consent is given, with a boy or a girl under the age of eighteen is considered statutory rape.



Marital Rape

Marital rape is defined as the rape of the wife over eighteen years by the husband. Marital rape is dealt with under the Protection of Women from Domestic Violence Act, 2005. **The Protection of Women from Domestic Violence**

23 Indian Penal Code, 1860, § 375.
24 National Crime Records Bureau, Ministry of Home Affairs, *Crime in India, 2022, Statistics Volume-I*, Table 3a.3.
25 National Crime Records Bureau, Ministry of Home Affairs, *Crime in India, 2022, Statistics Volume-I*, Table 3a.11.

Act defines domestic violence in the broadest terms (**Section 3**). Any act or commission could constitute domestic violence if it causes sexual abuse. Sexual abuse includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of a woman, and would include marital rape. Wives suffering from marital rape can approach the protection officer appointed under this Act or the police and obtain protection orders, residence orders and monetary compensation for the violence suffered.

- It must be noted that sexual intercourse by a husband with his wife who is aged below eighteen years is viewed as rape and is punishable under the Indian Penal Code, 1860 and the Protection of Children from Sexual Offences Act, 2012.
- Further, sexual intercourse by a man with his wife, who is living separately, whether under a judicial decree or otherwise, is rape, and may be punished with imprisonment up to seven years.[26]
- Marital rape is also a ground for divorce and judicial separation. Marital rape amounts to cruelty and therefore a valid ground for seeking matrimonial reliefs.
- Cruelty is a ground for divorce under **Section 13(1)(ia)** of the **Hindu Marriage Act, 1955**, **Section 27(1)(d)** of the **Special Marriage Act, 1954**, **Sec 10(1)(x)** of the **Divorce Act, 1869**, **Section 32(dd)** of the **Parsi Marriage and Divorce Act, 1936**, **Section 2(viii)** of the **Dissolution of Muslim Marriage Act, 1939**.
- Judicial separation on the grounds of cruelty is likewise dealt with in **Section 10** read with **13(1)(ia)** of the **Hindu Marriage Act, 1955**, **Section 23** of the **Special Marriage Act, 1954**, **Section 22** of the **Divorce Act, 1869**, and **Section 34** of the **Parsi Marriage and Divorce Act, 1936**.



CASE STUDY

In the fall of 2023, Meera, became a victim of sexual assault at the hands of her professor.

Meera, a 20-year-old college student, had been struggling academically in one of her courses. Her professor teaching that course, Professor Jacob, taking advantage of her vulnerability, exploited her academic concerns by promising better grades in exchange for dinner. She agreed for the invitation, not realising his true intentions. During dinner, Mr. Jacob spiked her drink, rendering her unconscious. He then transported her to his residence where the assault occurred. The victim, incapacitated and unaware of the events that transpired, woke up disoriented near her home the following morning. The trauma she endured was compounded by the threat of expulsion if she dared to speak out.

Upon returning home Meera confided in her parents of the event that transpired the previous night. Despite the fear instilled by her professor, her parents stood by her, providing unwavering support and encouragement. Together, they made the brave decision to seek justice, despite the initial reluctance of the victim to involve law enforcement.

With the assistance of a compassionate female police officer, Meera was able to recount her experience in a safe and supportive environment. The legal process, including medical examinations and testimonies, was meticulously followed to ensure the perpetrator was held accountable. The Magistrate found Mr. Jacob guilty under Section 375 of the IPC (Section 63 of BNS), and he was convicted for life imprisonment. The Magistrate also fined the convict five lakh rupees, which was then given as a part of the Victim Compensation Scheme to Meera.

26 The Indian Penal Code, 1860, § 376D; The Bharatiya Nyaya Sanhita, 2023, § 67.

VIOLENCE AGAINST TRANSGENDER PERSONS

Who is a transgender person according to Indian law?

While gender identity falls within the precincts of one's self-identity, the law has laid down a definition for legal purposes.

The Transgender Persons (Protection of Rights) Act, 2019 in **Section 2(k)**[27] defines the term "transgender person" as

"a person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), person with intersex variations, genderqueer and person having such socio-cultural identities as kinner, hijra, aravani and jogta".

- In 2014, the *NALSA* judgment[28] recognised that transgender persons enjoy the right to equality as enshrined in Article 14 of the Constitution of India.
- However, the Supreme Court also noted that they are subjected to several forms of violence including physical and sexual violence including molestation, rape, forced anal and oral sex, gang rape and stripping, and the state must ensure justice.
- The Court in another case, also acknowledged that transgender persons face abuse and sexual assault, often at the hands of law enforcement officials.[29]



What forms of violence are commonly experienced by transgender individuals in India?

Transgender people in India still have not been completely accepted by Indian society and face widespread violence. Some of the commonly experienced violence are:

- **Molestation/Rape:** There have been many instances of transgender people being molested or raped. There have also been instances of transgender people being inflicted with mental and physical harassment on account of their gender.
- **Sex Trafficking:** Several transgenders have been trafficked into prostitution or being sexually trafficked into different countries under the pretext of jobs or work.
- **Murder:** The societal taboo of transgender individuals often leads to widespread killings either by the families or by individuals who are responsible for their trafficking. Murders could also be for various other factors as well.
- **Prolonged incarceration:** Even though it is a right under **Article 39A** of the Indian Constitution to get **free legal aid,** many transgender people are discriminated even on that basis. They are faced with poor legal representation, which puts them in jail for several years.
- **Discrimination:** Discrimination is one of the most common forms of abuse a transgender person goes through. Not being accepted by society expands to unemployment, and discrimination in respect of any kind of facility that is guaranteed to a citizen of the country.

What are the laws protecting transgender persons from violence in India?

The Transgender Persons (Protection of Rights) Act, 2019 was enacted by the Indian Parliament to protect the rights of transgender persons and also to prevent discrimination and punish violence against them. To this end, the Act makes the following acts as punishable offences:

27 The Transgender Persons (Protection of Rights) Act, 2019, § 2(k).
28 National Legal Service Authority v. Union of India, AIR 2014 SC 186.
29 Navtej Singh Johar v. Union of India, 2018 INSC 790.

- Compelling or forcing a transgender person to do forced or bonded labour other than any compulsory service for public purpose mandated by government **[Section 18(a)]**.
- Denying a transgender person, the right to use a passage to a public place or obstructing them from using or having access to a public place to which a cisgender persons have access or a right to use **[Section 18(b)]**.
- Forcing or causing a transgender person to leave a household, village or other place of residence **[Section 18(c)]**
- Harming or injuring or endangering the life, safety, health or well-being (mental or physical) of a transgender person or tending to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse, and economic abuse **[Section 18(d)]**

What punishments do these offences carry?

As per **Section 18(d)**, any person committing any of the offences listed above can be punished with a **minimum sentence of six months which may extend up to two years with fine.**

Are there any other general protections available to transgender persons under the Act, and the Transgender (Protection of Rights) Rules, 2020?



- The Act prohibits discrimination against transgender persons in all fields, including education, employment, healthcare services, facilities and services for the general public. (Section 3)
- The Act provides for the recognition of transgender identity. (Section 4)
- A transgender person can apply for a certificate of identity to the District Magistrate. (Section 5)
- A minor can apply through their parent or guardian. It, after the issuance of such identity certificate, they have undergone a sex reassignment surgery, they can apply for a revised certificated with the documents mentioned in Section 7.
- Upholds their Right to movement, Right to occupy a residence, Right to hold offices and parity of treatment in government or private establishments under whose custody or care the transgender person is in. (Section 3)
- The Act also prescribes inclusive education and opportunities for sports, recreation and leisure activities to transgender persons without discrimination on an equal basis with cisgender persons. (**Section 13**)
- All employers, public and private are to be an equal opportunity employer. It means that every employer is required to take steps to eliminate discrimination against transgender persons not only in recruitment but also by making employment benefits and promotions equally available to transgender employees. Additionally, employers are expected to make infrastructural adjustments if any required to facilitate a safe and equal work environment for transgender persons. (**Rule 12).**[30]
- The Act ensures that adequate counselling is provided to transgender people after sex reassignment surgery.
- They cannot be discriminated against in access to public transport, participation in public life, and opportunity to contest elections or hold public or private office (**Rule 11(1)**[31])

What other legal protections are available to transgender persons?

All legal protections that are generally available under the IPC (BNS) to cisgender persons are also available to transgender persons. Thus, offences such as,

- Murder (Section 300) (Section 101 of BNS),
- Culpable homicide (Section 299) (Section 100 of BNS),
- Abetment to suicide (Section 306) (Section 108 of BNS),
- Causing hurt (Sections 323 & 324) (Sections 116 & 118 of BNS),

30 The Transgender Persons (Protection of Rights) Rules, 2020, Rule 12(2).
31 The Transgender Persons (Protection of Rights) Rules, 2020, Rule 11(1).

- Grievous hurt (Sections 325-335) (Sections 117-123 of BNS),
- Endangering their life (Sections 336-338), (Section 125 of BNS),
- Wrongful restraint or confinement (Sections 339-348) (Sections 126 & 127 of BNS),
- Assault or use of criminal force (Sections 352) (Section 131 of BNS),
- Kidnapping (Section 363) (Section 137 of BNS) and
- Abduction (Section 362) (Section 138 of BNS),

These are some forms of violence against which the IPC extends protection to transgender persons as well.

In particular, the use of criminal force with the intent of dishonouring a person is an important provision that protects transgender persons from violence **(Section 355 of IPC) (Section 133 of BNS)**. Such an act is punishable with imprisonment up to two years.

Who can be approached in case of instances of violence against transgender persons?

Violence against transgender persons may be taken up with the police through a FIR.

Employers are required to appoint a complaint officer in their establishment who receives complaints against discrimination against transgender persons within the establishment. The **complaint officer** must enquire into the complaint within fifteen days of the receipt of the complaint and submit it to the head of the establishment. The head of the establishment is duty-bound to act on the enquiry report within fifteen days. (**Section 11 of the Act**[32] **and Rule 13, 2020 Rules**).[33]

The other forms of protection for transgender individuals are:

- Constitution of the **National Council for Transgender Persons** which includes representatives from various Ministries/Departments and representatives of Transgender Community.
- Ministry set up 12 pilot shelter homes in 9 States namely Garima Greh: Shelter Home for Transgender Persons to provide basic amenities like food, medical care, and recreational facilities to Transgender Persons.
- The Department of Social Justice and Empowerment launched a **National Portal for Transgender Persons** through which any Transgender Person can avail Certificate of Identity/Identity Card without any physical interface. So far, 18,000+ Certificates and Cards have been issued.[34] This certificate is now acceptable as a supporting document for Aadhaar enrolment.

CASE STUDY



Vishwas is studying in 7th standard and wanted to join a prestigious international school for eighth standard. He wanted to become a doctor. His parents were very supportive of his ambitions. It was at this stage he started developing the traits of being a female, the sex that was different from his birth assigned sex at birth. After joining his 8th standard, his school mates started teasing him. He also faced hate speeches regarding his identity. His parents were amused at his behaviour and visited the school to ascertain any reason for his behavioural changes. His parents approached the school authorities and asked them regarding the facilities available to deal with this kind of situation. The school had a Counselling Psychologist who would talk to the parents and the child facing this situation. They also held special sessions to sensitise the classmates of Vishwas to accept his behavioural patterns as every child has the fundamental right to education.

The landmark NALSA judgement every person has the right to self-identification and lead a dignified life. UGC has committed under its policy that every university will undertake action to acclimatize the transgender students to facilitate his/her education.

32 The Transgender Persons (Protection of Rights) Act, 2019, § 11.
33 The Transgender Persons (Protection of Rights) Rules, 2020, Rule 13.
34 National Portal for Transgender Persons, https://transgender.dosje.gov.in/ (last visited on Apr. 6, 2024).

WORKPLACE SEXUAL HARASSMENT



What are the objectives of the Protection of Women from Sexual Harassment Act, 2013?

The **Protection of Women from Sexual Harassment Act, 2013** (POSH Act) provides for protection against sexual harassment of women in the workplace and the prevention and redressal of such complaints. It ensures upholding fundamental rights of women by ensuring the right to equality enshrined under **Articles 14** and **15** of the Constitution and their right to life and to live with dignity under **Article 21** of the Constitution and right to practice any profession. under Article 19(1) (g).

Who are aggrieved women as per the Act?

The Act recognizes the right of every woman to a safe and secure workplace environment irrespective of her age or employment/work status.

All women working or visiting a workplace are protected under this Act. This could indeed a woman working or visiting any workplace whether in the capacity of

- Regular worker,
- Temporary worker,
- working on a daily wage basis,
- working in a dwelling place or house,
- ad hoc worker,
- a co-worker,
- a contract worker,
- worker engaged directly through an agent (including a contractor, with or without the knowledge of the principal employer)
- a trainee,
- a probationer,
- an apprentice or
- called by any other name.

They may be working for remuneration, on a voluntary basis or otherwise. Their terms of employment can be expressed or implied.

What is the scope of this Act?

The Act aims to prevent sexual harassment in the 'workplace'. As per **Section 2(o)[35] of the POSH Act**, workplace includes but is not limited to any department, organization, or enterprise under any appropriate government.

- The definition of workplace is broad enough to include private sector organizations including hospitals, nursing homes and sports institutes.
- It goes one step further by recognizing dwelling places or houses also as workplaces.
- Notably transportation during the course of employment is also included in the workplace.
- In relation to a dwelling place or house, a woman who is employed in such place can file such a complaint under the Act *(for eg: a domestic worker)*.

It is important to note that this definition is not exhaustive and includes only some of the aspects of the workplace. By giving broad meaning to the workplace, it aims to secure the best interest of women in furtherance of constitutional mandate.

In the case of ***Saurabh Kumar Mallick v. Comptroller & Auditor General of India,***[36] the Delhi High Court held that the official mess, where the employee reported being sexually harassed, fell under the definition of a workplace under POSH.

35 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 2(o).
36 Saurabh Kumar Mallick v. The Comptroller and Auditor General of India, WP(C) No. 8649/2007.

In another landmark judgement of ***Jahid Ali v. Union of India***,[37] the Delhi High Court has made clear that sending messages is by no means less susceptible to consideration in assessing a colleague´s harassment.

What constitutes sexual harassment as per the Act?

Section 2(n)[38] of POSH Act broadly covers five instances which amount to sexual harassment. It includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:—

- physical contact and advances; or
- a demand or request for sexual favours; or
- making sexually coloured remarks; or
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal conduct of a sexual nature;

Other circumstances in relation to above-mentioned act or behaviour such as a promise of preferential treatment



in her employment or threat of detrimental treatment in employment or creating a hostile work environment will also amount to sexual harassment under the POSH act.

In the case of ***Shanta Kumar v. Council of Scientific and Industrial Research***,[39] the Delhi High Court held that all physical contact cannot be termed as sexual harassment and only physical contact or advances which are in the nature of an *"unwelcome sexually determined behaviour"* would amount to sexual harassment.

In the case of ***Albert Davit Limited v. Anuradha Chowdhury***[40] Calcutta High Court held that harassment may be verbal or non-verbal conduct. Hence, a mere statement in a case where the plaintiff requested the defendant to instruct the attendants to switch off the A.C. Machine, but in reply, the defendant said *"... come close to me, you will start feeling hot"*, can also be construed to be sexual harassment.

What are some examples of sexual harassment?

Some examples of behaviour that constitutes sexual harassment at the workplace:

- Making sexually suggestive remarks or innuendos.
- Offensive comments or jokes.
- Inappropriate questions, suggestions or remarks about a person's sex life.
- Intimidation, threats, blackmail around sexual favours.
- Stalking an individual.

Some examples of behaviour that may indicate underlying workplace sexual harassment and merit inquiry:

- Exclusion from group activities or assignments without a valid reason.
- Removing areas of responsibility, unjustifiably.
- Constantly overruling authority without just cause.
- Arbitrarily taking disciplinary action against an employee.
- Blaming an individual constantly for errors without just cause.

Where to report cases of sexual harassment?

The Act provides for the obligation of the employer of a workplace to constitute an **'Internal Complaints Committee'** at all administrative units or offices and a **'Local Complaints Committee'** to be established at the district level by the government.

Any woman can file a complaint of sexual harassment to the 'internal committee' however in case the same is not constituted or the complaint is against the employer itself, the woman can proceed to file a complaint at

37 Jahid Ali v. Union of India, WP(C) 11182/2015.
38 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 2(n).
39 Shanta Kumar v. Council of Scientific and Industrial Research, WP(C) 8149/2010.
40 Albert Davit Limited v. Anuradha Chowdhury, F.M.A.T No. 2770 of 2003.

the 'local committee'. The aggrieved person also has an obligation to file the complaint within a period of three months of the incident of sexual harassment.

The Committees first shall provide the option to an aggrieved woman to take steps to settle the matter through conciliation however in cases where the conciliation is not reached then the Committees can proceed to inquire into the complaint filed by the aggrieved woman.

Are there any reliefs available to an aggrieved woman during the pendency of the inquiry?

The Internal Complaints Committee (ICC) or Local Complaints Committee (LCC) on **written request** by the aggrieved woman can recommend the employer to transfer the aggrieved woman or the accused to another workplace or grant leave to the aggrieved woman for up to a period of three months which shall be in addition to leave she would otherwise be entitled and lastly, it provides broad scope to the committee to grant any other relief as may be prescribed.[41]

What are the reliefs available after the completion of the inquiry?

If the ICC or LCC arrives at the conclusion that the allegation against the accused has been proven, then it shall recommend the employer or the District Officer (DO) to take the necessary action as per service rules or to deduct the salary or wages of the concerned person to be paid to the aggrieved women as compensation. Compensation is to be determined based on various factors such as mental trauma, pain, suffering, loss of a career opportunity, medical expenses if incurred etc.

Can the recommendations of the inquiry report be appealed?

Any person aggrieved by the recommendations after the inquiry or non-implementation of the recommendations can appeal to the court or tribunal as per **Section 18**[42] of the POSH Act. The appeal has to be filed within a period of 90 days of the recommendation.

What is the time period prescribed for this process?

- Submission of Complaint **(Section 9)** - Within 3 months of the last incident.
- Providing a copy of the complaint report to the Respondent **(Section 11 read with Rule 7(2) of the POSH Rules, 2013) -** Within 7 days of receipt of the complaint.
- Completion of Inquiry **(Section 11)** - Within 90 days.
- Submission of Report by ICC/LCC to Employer/DO **(Section 13)** - Within 10 days of completion of the inquiry.
- Implementation of Recommendations **(Section 13)** - Within 60 days.
- Appeal **(Section 18)** - Within 90 days of the recommendations.

What are the rights and duties of various stakeholders?



The contents of complaints, the identity and addressees of aggrieved women, accused and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee, and action taken by the employer or District officer shall not be published, communicated or made known to public, press and media in any manner. Any person who contravenes this by disclosing such details shall be liable for penalty. **(Sections 16 & 17)**

Section 19[43] of the POSH Act imposes various duties on the employer to ensure a safe environment at the workplace. The employer has to display at conspicuous places the penal consequences of sexual harassment, organize regular workshops for sensitizing employees,

41 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 12(a).
42 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 18.
43 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 19.

assist the internal committee and local committee and provide assistance to women if they choose to file a complaint under IPC.

What protection is available in the Act against a false complaint of sexual harassment?

Section 14[44] of the Act deals with punishment for false or malicious complaints and false evidence. In such a case, the committee "may recommend" to the employer to take action against the woman or the person who has made the complaint, in *"accordance with the provisions of the service rules"*. The Act, however, makes it clear that action cannot be taken for *"mere inability to "substantiate the complaint or provide adequate proof"*.

Are there any other laws in India which cover cases of Sexual Harassment?

Yes, the **Indecent Representation of Women (Prohibition) Act, 1987** prohibits indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto. **If an individual harasses another with books, photographs, paintings, films, pamphlets, packages, etc. containing 'indecent representation of women' they are liable for a sentence of up to two years under Section 6**[45] **of the Act.** According to this Act, "indecent representation of women" means the depiction in any manner of the figure of a woman; her form or body or any part thereof in such way as to have the effect of being indecent, or derogatory to, or denigrating women, or is likely to deprave, corrupt or injure the public morality or morals.

Further as per **Section 354(A)** of **IPC (Section 75 of BNS)**, a man committing any physical contact, advances involving unwelcome and explicit sexual overtures; demanding or requesting sexual favours or showing pornography against the will of a woman; or making sexually coloured remarks, shall be guilty of the offence of sexual harassment. It entails a punishment of rigorous imprisonment for a term which may extend to three years.

Harassment at the workplace can also involve verbal harassment, cyberbullying, psychological harassment and physical harassment. Verbal harassment consists of demeaning remarks, offensive gestures and unreasonable criticism which can threaten health and career. Cyberbullying refers to bullying or harassment on media platforms to harass, humiliate, threaten, embarrass or target any person. Online threats, aggression, rude and vulgar messages, and threatening to post such photographs videos or messages as to embarrass or hurt the reputation, character and feelings of a person is known as cyberbullying. Psychological harassment is similar to verbal harassment, but it is more covert and consists of exclusionary tactics, like withholding information or gaslighting which are intended to mentally break down the victim, chip away at their self-esteem and undermine them. Physical harassment in the workplace can vary in degrees which can include simple unwanted gestures, like touching an employee's clothing, hair, face or skin, and more severe gestures, like physical assault, threats of violence and damage to personal property.

CASE STUDY

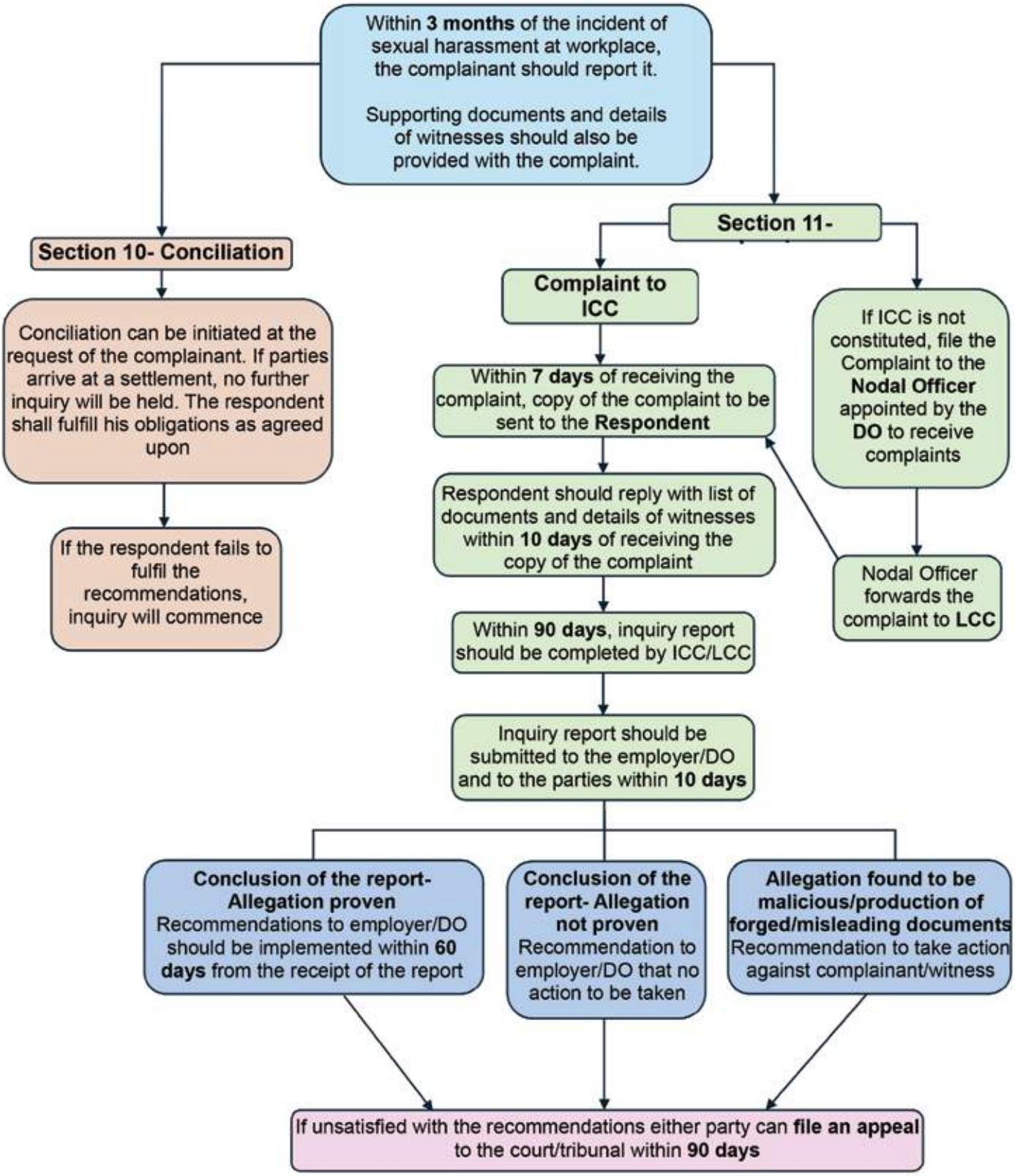


Neha, a recent hire at a company, found herself under the guidance of Milind, her immediate supervisor. Initially appreciative of his hands-on approach and willingness to assist, Neha soon became uncomfortable with his behaviour. Milind's actions crossed professional boundaries as he began complimenting Neha's appearance and personal grooming choices. His behaviour escalated to invading her personal space, including sniffing her hair and leaving inappropriate gifts on her desk.

Feeling harassed and uncomfortable, Neha took the step of filing a complaint with the Internal Complaints Committee at her workplace, within the following week. The committee conducted a thorough inquiry as per Section 11, adhering to legal protocols, and found Milind guilty of harassment. As a result, he was terminated from his position, ensuring a safer work environment for Neha and her colleagues.

44 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 14.
45 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 6.

INQUIRY PROCESS UNDER THE POSH ACT



WOMEN COMMISSION & HELPLINES

What are Women Commissions?

Women commissions are institutions that aim to safeguard rights as well as interests of women at the state and national levels. At national and state levels women commissions have been constituted to ensure that there is a redressal mechanism available to each and every woman in the society.

What is the role of the National Commission for Women?

The National Commission for Women (NCW) was set up under the National Commission for Women Act, 1990. It aims to achieve the constitutional mandate of equality and dignity for all women by reviewing the status of women, suggesting remedial legislative measures, conducting promotional and educational research activities, promoting legal awareness etc.

Every offence pertaining to women is generally handled by the NCW. NCW receives complaints on various issues and responds through appropriate interventions. These complaints are handled by the **Complaint and Investigation Cell**.

The NCW enjoys all the powers of a civil court including that to summon a person from any part of India; to require the production of documents; require evidence on affidavits; access to public records and the power of issuing commissions for the examination of witnesses and documents.

Thus, the main functions of NCW are:

- To investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws.



- To regulate and review the constitutional as well as the legal aspects related to women
- Call for special studies or investigation into atrocities against women.
- Facilitate redressal of grievances
- Advise the government in all matters pertaining to policy affecting women.



Why are Women Commissions important?

Every State in this country has commissions set up for women to ensure their safety and well-being. This, Commission acts as a redressal for every woman who might face gender-based abuse in some form or the other. Thus, setting up these institutions makes it easier for women to know the specific bodies that are particularly governed for their safety and protection of their rights.

A number of enquiry commissions have been established by the commission under **Section 8 (1)** of the Act to look into the matters of law, political empowerment, custodial justice for women, social security, panchayat raj, women and media, development of scheduled tribe woman, development of women of weaker sections, development of women of minority communities, transfer of technology and agriculture for development of women. This helps to create a safe space for women and ensures that their rights and interests are protected.

Complaints may be filed by writing to **The Complaint and Investigation Cell, National Commission for Women, Plot no. 21 Jasola Institutional Area, New Delhi – 110025** or using the portal: https://ncwapps.nic.in/onlinecomplaintsv2/. Details of the complainant, victim, respondent (opposite party), the incident shall be required to register a complaint. Please note that anyone else on the behalf or for the victim can register a complain through this portal.

Contact numbers for complaint-related queries: 011-26944880, 26944883. Contact details: Email address: complaintcell-ncw@nic.in

What is the role of the National Legal Services Authority?

The National Legal Services Authority is an organisation that aims to provide competent legal services to the weaker sections of society. Thus, every marginalised person who cannot afford lawyers for a legal proceeding or a case before any authority is provided with this service free of cost.

Persons with disability, women, persons belonging to Scheduled Tribes or Castes and children are given priority under these services. The requests for legal aid can also be filed online using the link below:

https://nalsa.gov.in/lsams/nologin/applicationFiling.action;jses-sionid=7424F7DBD549A8EBEF691B8C72D09D60?requestLocale=null

What are the steps taken by the Government in order to ensure women's safety and well-being?

Considering the significance of maintaining the safety of women in the country, the **Ministry of Women and Child Development (MWCD)** and the **Ministry of Home Affairs (MHA)** of the Government of India have undertaken a number of measures for safeguarding the interests of women.

- The Central Government has set up a corpus called the **Nirbhaya Fund** to enhance the safety and security of women. MWCD has been implementing numerous schemes under the framework of this Fund.
- Using technology to aid smart policing and safety management, **Safe City Projects** have been sanctioned in the first phase in 8 cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai) under this Fund. Several Acts mentioned in this Section has been administering by MWCD. MWCD has also prepared a **National Policy in 2001** with a goal to bring about the advancement, development and empowerment of women.
- MHA, on the other hand, has set up a **Women Safety Division** to strengthen the measures for safety of women in the country and instil greater sense of security in them through speedy and effective administration of justice in a holistic manner and by providing a safer environment for women.
- An online analytic tool called **Investigation Tracking System for Sexual Offences (ITSSO)** for police has been launched to monitor and track time-bound investigations in sexual assault cases.
- MHA has also launched a '**National Database of Sexual Offender'** which is used by police to identify repeat offenders.
- **Emergency Response Support System**, which provides a **single emergency number 112** based computer-aided dispatch of field resources to the location of distress, has been operationalized in several States/ UTs.
- Several states are equipped with **Cyber Crime Forensic Labs** and thousands of personnel, including Public Prosecutors and Judicial Officers, have been properly trained in identifying, detecting and resolving cyber-crimes against women in this regard.

What is the procedure to file an online complaint on the National Cyber Crime Reporting Portal?

- You can visit the website of the portal: https://cybercrime.gov.in/
- File under women/child related crime as this portal also deals with financial fraud and other cybercrimes.
- A complaint can be registered as an anonymous complaint as well.
- Before registering, if the complainant or any other person requires any clarification, they can refer to the FAQ available in this link: https://cybercrime.gov.in/Webform/FAQ.aspx
- Details such as category of the cybercrime, date, time and place of incident, reasons for delay in reporting, and other relevant information as asked for must be provided.
- Requirement of uploading other documents and details would depend upon the case. The complainant however can mention in brief the hurdles faced.

For more details on how to file the complaint, refer Crimes against Women and Children: User Manual for Reporting Cyber Crime Against Women and Children (CP/RGR)

The Cyber Crime Helpline is **1930**.



What sort of welfare schemes are in place for women in India?

Since the State shall direct its policy towards ensuring that the citizens – both men and women, equally– have the right to an adequate means of livelihood, various schemes and campaigns have been framed from time to time. Women have the right to seek benefits from programmes initiated by the Government, they are:

- **The Mother and Child Tracking System,** helps to monitor the health care system to ensure that all mothers and their children have access to a range of services, including pregnancy care, medical care during delivery and immunizations.
- **The Indira Gandhi Matritva Sahyog Yojana (Conditional Maternity Benefit**) introduced in 2010 is a scheme for pregnant and lactating women aged 19 and over for their first two live births, providing money to help ensure good health and nutrition of the recipients.
- **The Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (SABLA)** is an initiative launched in 2011 that offers a package benefits and services to girls falling within the age group of 11 to 18 in an attempt to help them become self-reliant, including nutritional supplementation and education, health education and services, and life skills and vocational training.
- **The Rashtriya Mahila Kosh (National Credit Fund for Women)**, created by the Central Government in 1993, aims to deliver women from lower income groups with access to loans to begin small businesses.
- **The Digital Laado - Giving Digital Wings** to Daughters initiative became operational nationwide with the motive of empowering and strengthening daughters on digital platforms, in which every daughter shall be taught and trained to develop her talent and skills to work from home and get connected with the global platform.

Is there any NGO or department of police that assists and counsels the victims of violence or abuse?

There are a few NGOs in different states of the country that have been putting efforts into making a socially equitable society. Similarly, there are several police helplines in this regard:

- The **Ministry of Women & Child** Development has launched the **Women Helpline '181'** to provide free, confidential, immediate and 24x7 support and assistance to women in distress and in need of care and protection– both in public and private spaces, to facilitate crisis and non-crisis intervention through referral to appropriate agencies and to provide details about the support services, schemes and programmes available.
- Also, whenever a woman from any part of the country needs urgent help from the police or wants the police to come and rescue her, she can immediately dial the **Police Helpline** number '**1091**', which is majorly useful for requiring help in emergency situations. As soon as a call is received, it is directed to the respective police station in the district, with the Superintendents of Police and Commissioners of the district being held responsible for cases in their jurisdiction.
- **Dhwani Crisis Hotline (NGO)** - The International Foundation for Crime Prevention and Victim Care (PCVC) runs the toll-free number **1800 102 7282** or one can reach call their WhatsApp number **984088882**. This NGO provides prompt and timely assistance to the survivors of physical assault, violence and burn injuries from their intimate partners or their family members.
- **Sayodhya (NGO)** - Based out of Hyderabad, Andhra Pradesh, this NGO provides temporary accommodation to victims of violence/abuse and an online emergency response through its 24-hour telephone helpline.
  - The services include free of cost medical kit, legal, psychological and emotional counselling sessions, bed covers and blankets, sanitation facilities and clothing.
  - They also help victims reintegrate with their families if they wish to do so. Furthermore, they motivate women to take charge of legal justice by taking them to the women's protection cells where they elucidate upon the procedure to be followed by the aggrieved party to file a case against the offender.
  - The shelter home shares a close nexus with police officials and judicial bodies to make certain that absolute protection is guaranteed. They can be reached at **+91 40 29330114.**

- **Shakti Shalini (NGO)** – This NGO, based out of Delhi, provides assistance to the survivors of gender and physical/mental/sexual abuse. Their helpline numbers are: **011-24373737**, or Call/WhatsApp-**9654462722/7838957810**.
- **Police helplines:** Various states have also set up police helplines that help against gender-based crimes such as dowry and domestic abuse.
- **Kerala** has launched a 24-hour police helpline for women that can be accessed by calling **9497996992**.
- Similarly, Women in **Karnataka** can call **112, 080-22943224**, to access free counselling and police assistance.
- In **Karnataka**, there is a separate helpline for women in **Bangalore- 080-22943225**.
- Women in Mysore can call **0821-2418400**.
- There is a women's helpline run by **Chandigarh Police** which can be contacted at **0172-2741174**.

CASE STUDY

Shruthi was selected for a job in a software company in Pune. Since she was a native of Bangalore, she had to find a place for accommodation nearby her workplace. She approached a local agent for a house and gave her details to contact her. She joined the work place and also got the house for rent with the help of an agent named Ramesh. Few days after she joined the work the agent started stalking her using her number. She often received unsolicited messages from him to her phone number and messages on Facebook, Instagram and X (Twitter) accounts. She was being physically stalked in her workplace and also near her house. When she requested him to stop stalking her, he confronted her with foul language, outraging her modesty. The HR manager of the company and Shruthi went to the local police station to register a complaint. The Officer-in-charge brushed off the incident stating that these are common incidents and told her not to worry about it.

She then approached the National Women's Commission (NCW), registered an online complaint, and received acknowledgment along with the complaint number, login ID, and password from the National Commission for Women. In her complaint, Shruthi had also mentioned the apathy of the police officer. The commission sent a notice to the concerned police station and directed them to take the complaint and initiate legal action against the accused.

Outraging the modesty of women is a serious offence under Section 354 of the IPC (Section 74 BNS) and is a punishable offence with a minimum impression of one year and extending up to 5 years.



MICRO, SMALL AND MEDIUM ENTERPRISES

What is an MSME?

MSME stands for Micro, Small and Medium Enterprise. It is a classification used to categorize businesses based on their size, investment, and turnover.

- Capital and Investment is the lifeline of any business which allows the business to scale opportunities.
- The Government has time and again created needful policies that support the businesses to raise capital and investment.
- The law and policy on Micro, Small, and Medium Enterprises is one such area where the Government has been focusing predominantly.

What are the different categories of MSMEs in India?

In India, MSMEs are categorized into three types based on their investment in plant and machinery or equipment and their Turnover, as provided herein below:

- **Micro Enterprise**, where the investment in Plant and Machinery or Equipment does not exceed **one crore** rupees and turnover does not exceed **five crore** rupees;
- **Small Enterprise**, where the investment in Plant and Machinery or Equipment does not exceed **ten crore** rupees and turnover does not exceed **fifty crore** rupees;
- **Medium Enterprise**, where the investment in Plant and Machinery or Equipment does not exceed **fifty crore** rupees and turnover does not exceed **two hundred and fifty crore** rupees.

How can a business register as an MSME?

The Micro, Small and Medium Enterprises Development Act, 2006 (MSMED Act) was enacted to facilitate the growth of small businesses by providing various benefits and support mechanisms.

- The MSMED Act applies to all entities engaged in the manufacture or production of goods and providing or rendering services and are in the size of micro, small, and medium enterprises.

In India, businesses can register as an MSME through the **Udyam Registration** portal [https://udyamregistration.gov.in/Government-India/Ministry-MSME-registration.htm], which is an online registration process.

The entities need to provide their Aadhaar number and other relevant details of the Owner.

What are the advantages of being classified as an MSME?

MSMEs enjoy various benefits, including easier access to credit, government subsidies, priority lending, and exemptions under certain laws and regulations.

- Furthermore, companies are required to disclose their transactions with MSMEs in their annual financial statements, including the amount due and the amount paid beyond the agreed terms, as a requirement of compliance.
- The Companies are also required to file half-yearly returns with the Registrar of Companies (RoC) in a Form MSME I, that provide details of outstanding payments to MSMEs beyond the agreed-upon terms.
- Each Company has been mandated to appoint a designated Nodal Officer to oversee and monitor compliance with the provisions of the MSMED Act, including ensuring timely payments to MSMEs.



Can MSMEs avail themselves of government schemes and incentives without registering under the Act?

While registration is not mandatory, it is recommended as it provides easier access to various government



schemes, incentives, and benefits designed for MSMEs.

For instance, several schemes are particularly designed to facilitate the registered entities alone, as enlisted herein below:



Along with the Udyam Registration, enterprises may register themselves on GeM (Government e Market place, portal to address issues relating to delay in payments) and simultaneously MSMEs can also onboard themselves on the TReDS Platform, (the invoices of receivables are traded on this platform) through three available platforms, namely, 1. www.invoicemart.com; 2. www.m1xchange.com; 3. www.rxil.in.

Udyam Registered Entity becomes eligible for priority sector lending from the Bank: MSMEs are recognised under the guidelines issued by RBI on Priority Sector Lending.

Are there any specific benefits for women entrepreneurs in MSMEs?

There are various schemes and incentives to encourage women entrepreneurs in MSMEs, including lower interest rates on loans and special training programs. A few of the programmes that entail special privileges to Women Entrepreneurs are as follows:

- **Annapurna Scheme**

  Women Entrepreneurs engaged in the food business, can borrow up to ₹50,000 to buy the kitchen gear required for your business. This scheme comes with a repayment tenure of up to 3 years.

- **Stree Shakti Package**

  This is one of the best government schemes for developing women entrepreneurs who run small businesses who own up to 50% of the business, and can enjoy a lower rate of interest with this loan package.

- **Bharatiya Mahila Bank Business Loan**

  This bank focuses on empowering women entrepreneurs. They provide MSME loans for women, training, and guidance to help your business thrive. They have special loan options to suit your needs.

- **Mahila Udyam Nidhi Scheme** offers a financial boost to businesswomen in small-scale businesses and may avail a loan of up to ₹10 lakhs to start or expand your venture. You get a tenure of up to 10 years to repay this MSME loan for women.

- **Trade-Related Entrepreneurship Assistance and Development (TREAD) Scheme**

  This women entrepreneur scheme in India brings training, credit, and backing to women in rural regions. The government lends financial support to non-government organisations (NGOs) that train and mentor women entrepreneurs.

- **Stand-Up India Scheme** supports businesswomen from scheduled castes (SC), scheduled tribes (ST), and women borrowers, who may avail an MSME loan ranging from ₹10 lakhs to ₹1 crore to kick-start a new business.



What is the Credit Guarantee Fund Trust for Micro and Small Enterprises (CGTMSE)?

CGTMSE is a scheme launched by the Indian government to provide credit guarantees to financial institutions, encouraging them to lend to MSMEs without requiring collateral or third-party guarantees.

- The CGTMSE scheme extends a cover for loans up to INR 5 Crore, that is received from any participating lending institution.
- To avail the benefit, the Micro and Small Enterprises are required to pay a one time guarantee fee and an annual service fee to avail CGTMSE coverage through the participating lending institution.



What is the role of the National Board for Micro, Small, and Medium Enterprises (NBMSME)?

The NBMSME, established under the Act, advises the government on policy matters related to MSMEs, recommends measures for their promotion and development, and monitors their implementation.

What are the provisions related to delayed payments under the MSMED Act?

The Act stipulates that buyers who avail goods or services from MSMEs must make payments to the MSME suppliers within **45 [Forty-Five] days**, failing which they are liable to pay compound interest. MSMEs can file complaints for delayed payments.

Are there any penalties for non-compliance with the MSMED Act?

Yes, non-compliance with the provisions of the Act can result in penalties, including fines.

For instance, the interest paid to MSMEs for delayed payments, shall not be allowed as a Deduction under the Income Tax Act, 1961.

Whether a Contractual Clause can provide for payment of a lower interest rate to the MSME?

The Interest payment under the MSME Act is a statutory protection granted to MSMEs, and given the purpose of the legislation, and as such no party can enforce a contractual clause that agrees for a payment of a lower interest rate to the MSME.

CASE STUDY

The proprietor of Arun Enterprises, an electric wires manufacturing company wanted to register his business as MSME under the MSME Act. His company had an annual turnover of Rs. 150 crores. He approached the State Bank of India (SBI) for details regarding the loan availability to MSME companies. The bank gave him the details as per the Master Direction Lending to Micro, Small & Medium Enterprises (MSME) Sector (Updated as of July 29, 2022). The Bank official advised him to look into the details for lending of loans applicable to his business. They also advised him to get his business registered under the Udyog Adhar to avail of more benefits in terms of loans to build his industry. He also understood that rates of interest for MSMEs are lower than the other industries

The Government in an attempt to promote MSMEs has made all new industrial units having MSME Registration and expansion of business exempt from payment of Stamp Duty and Registration fees and Direct Tax Exemption in their initial year of business.





COMPULSORY LICENSING



What is compulsory licensing in Indian law?

A compulsory license is an authorization granted by the Government to someone else under **Section 84** of the **Patent Act, 1970.**

- Under this Section, a third party is authorized to produce a patented product without the consent of the patent owner who has been taking undue advantage of exclusive rights granted by a patent.
- Hence, compulsory licensing tries to eliminate misuse of patent rights by a patent holder in view of public health or anti-competitive practices which would result in restricting trade or hindering technology transfer.

Under what circumstances can compulsory licensing be granted in India?

There exists various theories as to why compulsory license can be issued.

- **The adequacy of supply theory**

When the demand for the product is so great that the producer may not be able to supply and meet demand.

- **The public interest theory**

Compulsory licenses are considered vital to the public on account of certain factors like public health issues, high prices, etc.

- **The 'worked in the country' theory**

To set up a manufacturing base and to use the patented product in the country.

- **Interdependence of patents theory**

Earlier patent may be required for another patent to be exploited and the State allows for such use through a compulsory license.

A compulsory license may also be granted for:-

- For exports in certain exceptional circumstances **[Section 92 A].**
- In case of national emergency, extreme urgency of public non-commercial use by notification of the Central Government in the official gazette **[Section 92 A].**
- To countries with insufficient or no pharmaceutical sector manufacturing capacity to address public health problems [Section 92 A (1)].

The Indian Patent Office might also grant a compulsory license only if the use of the patented product does not satisfy public requirements, or the patented product is not accessible to the public at a reasonable price, or the patentee has not worked on the patented product in India.

- In other words, compulsory licenses will only be imposed when an innovation which could be greatly beneficial to the public interest is not being used or at least not sufficiently by the patent owner.

Who can apply for a compulsory license in India?

Any person interested can apply for a compulsory license in India. This can include individuals, companies, or organizations that meet the criteria set out in the law.

What is the procedure for obtaining a compulsory license in India?

Before applying for a compulsory license under Section 84, the applicant should attempt to obtain a voluntary license from the patent proprietor in order to make use, sell or import the patent proprietor's invention.



- If the patent holder refuses to give consent and grants a voluntary license on reasonable terms and conditions resulting in applicants failing to obtain a voluntary license, the interested person may apply for a compulsory license under Section 84(1) before the patent controller.
- Then the controller will examine the initial application for



the compulsory license to determine whether the application actually reveals sufficient facts and incidents that can support the raised reasonable grounds.

- The patentee's desire to oppose the application may, within such time as may be prescribed (two months) or within such further time as the Controller may on application (made either before or after the expiration of the prescribed time) allow, give to the Controller notice of opposition.
- Here both the applicant and patentee have the opportunity to be heard before deciding the case.
- Section 84 of the Patents Act allows for the application of a compulsory license by 'any person interested.'
- The definition of 'person interested' can be found in Section 2(t) of the Patent Act of 1970, which includes individuals engaged in or promoting research in the same field as the relevant invention.
- Section 84(2) expands upon this definition, specifying that a person who is a licensee under the patent is not automatically disqualified from applying for a compulsory license.
- In the case of *Neo-Pharma Industries v. Park Davis and Co*, of citation infringement by the applicant was considered evidence of being a 'person interested.'
- Being a 'person interested' alone does not guarantee the grant of a compulsory license. Several conditions must be met to be eligible for such a license.
- Section 84(3) outlines that an application for a compulsory license under Section 84(1) must include a statement describing the 'nature of the applicant's interest' along with prescribed particulars and the underlying facts supporting the application.

What are the factors to be taken into consideration by the Controller while granting a compulsory license?

The Controller shall take into account factors set out in Section 84(6), Patents Act, 1970:

- The nature of the invention, the time which has elapsed since the sealing of the patent and the measures already taken by the patentee or licensee to make full use of the invention.
- The ability of the patentee to work the patent.
- The capacity of the applicant to undertake the risk in providing capital and working the invention if the application is granted.
- Whether the applicant has made efforts to obtain license from the patentee on reasonable terms and conditions and such efforts have not been successful within a reasonable period as the Controller may deem fit.

Exception

These are not applicable in case of national emergency or other cases of extreme urgency, or public non-commercial use, or anti-competitive practices by the patentee.

Can a patent holder object to the grant of a compulsory license?

On application by the patentee or any person interested the compulsory license so granted under Section 84 can be terminated if conditions no longer exist.

- In such cases of termination on application by the patentee, the holder of a compulsory license shall have a right to object to such termination.

Is there a provision for royalties in compulsory licensing agreements in India?

Section 102 of the Patent Act, 1970, The Central Government is responsible for compensating the applicant or patentee and any other relevant parties who have an interest in the patent.

- The compensation can be determined through mutual agreement between the Central Government and the affected parties.
- In case an agreement cannot be reached, the matter can be referred to the High Court for a fair determination of compensation.
- The compensation is based on various factors, including the costs incurred in developing the invention, the remaining term of the patent, the manner in which the invention has been utilized, and any profits generated by the patentee or their licensees during its operation.

Under what circumstances can compulsory license be terminated in India?

The termination can be initiated by the patent holder or anyone else who has a legitimate interest in the patent.

- To terminate the compulsory license, the Controller (a regulatory authority) must determine that the



circumstances that led to the grant of the license no longer exist and are unlikely to happen again.

- The holder of the compulsory license has the right to object to its termination.
- When considering the termination, the Controller should ensure that the interests of the previous license holder are not unfairly harmed.

A compulsory patent license under Section 84 can be terminated if the Controller, upon receiving an application (Form 21) with evidence from the patent holder or someone with a legal interest, determines that the circumstances justifying the license no longer exist.

- The applicant must notify the Controller and serve the application and evidence to the license holder.
- The license holder can object within one month by submitting their own evidence to the Controller and serving a copy of the objection and evidence to the applicant.
- A hearing is scheduled by the Controller to evaluate the facts and make a decision.
- If the Controller decides to terminate the compulsory license, an order outlining any associated terms and conditions is issued to both parties.

What is the duration of a compulsory license in India?

The term of a compulsory license is usually determined by the Controller of Patents and can vary based on the circumstances of the case. It is typically granted on a case-by-case basis.

What are the case laws related to Compulsory License in India?

- Novartis AG v. Union of India, (2013) 6 SCC 1
- Bayer Healthcare LLC v. NATCO Pharma Ltd., 2023 SCC OnLine Del 3921
- Bristol-Myers Squibb Holdings Ireland UnLtd. Co. v. BDR Pharmaceuticals International (P) Ltd., 2020 SCC OnLine Del 1700
- Lee Pharma v. AstraZeneca AB (CLA No. 1 of 2015)

Are there any safeguards to prevent misuse of compulsory licenses in India?

Yes, there are safeguards in place to prevent the misuse of compulsory licenses. Compulsory licenses are granted under very strict conditions to ensure that the rights of patent holders are respected.

Has India entered into any international treaties or agreements concerning compulsory licenses?

Yes, India has entered into the Trade-Related Aspects of Intellectual Property Rights (TRIPS) on 26 March 2007.

Which section/article of the TRIPS agreement discusses compulsory licenses?

Article 31(f) of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement says products made under compulsory licensing must be "predominantly for the supply of the domestic market". This applies to countries that can manufacture drugs and it limits the amount they can export when the drug is made under compulsory license.

CASE STUDY

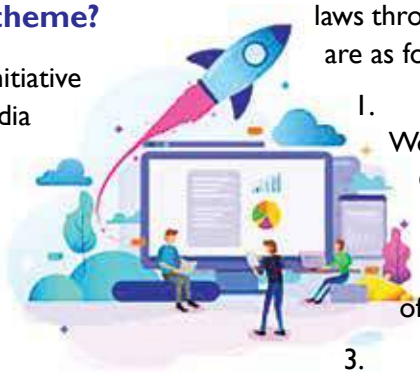
Smith's Company based in Delhi manufactured a drug for treating Type-II Diabetes Mellitus and got patented in India. The drug costs around Rs 3500 for 10 tablets. A pharma company, Avinash Pharma, based in Hyderabad made an application under Section 84(1) of the Patent Act for compulsory licensing of that drug stating that it was highly priced and not available to the public at a reasonably affordable price because Type II diabetes is quite high in India, around 77 million people suffering from it.

For a grant of Compulsory licensing, the applicant has to show that the drug is exorbitantly priced, not affordable and the quantitative requirements of the drug are high. The application will be rejected or accepted considering whether any prima facie case had been made concerning the price affordability, availability of similar drugs, and market requirement of the patented drug, under section 84 (1) of the Indian Patent Act.



START-UP INDIA SCHEME

What is the Start Up India Scheme?



The Start Up India Scheme is an initiative launched by the Government of India in 2016 to promote and support entrepreneurship and innovation by facilitating the creation of startups and providing them with various benefits and incentives.

Who is eligible to apply for the Start Up India Scheme?

Any Indian citizen with an innovative business idea or an existing business that meets the definition of a startup can apply for the scheme.

- Startups must be registered as legal entities (e.g., Private Limited, LLP, or Partnership) and meet certain criteria, such as being **less than 10 years old** and having an annual turnover below **INR 100 Crore**.
- A Sole-Proprietorship and Unregistered Partnership cannot be eligible for registration under the scheme.
- It is also necessary that the entity must be an original entity and should not have been formed by splitting up or reconstructing an already existing business.

What are the benefits of registering under the Start Up India Scheme?

Benefits of registering under the scheme include access to various government schemes and incentives, tax benefits, funding opportunities, intellectual property support, and easier compliance with regulations.

- In the case of labour laws, no inspections will be conducted for a period of 5 years.
- Startups may be inspected only on receipt of credible and verifiable complaint of violation, filed in writing and approved by at least one level senior to the inspecting officer.
- In the case of environmental laws, startups which fall under the 'white category' (as defined by the Central Pollution Control Board (CPCB)) would be able to self-certify compliance and only random checks would be carried out in such cases.
- For instance, Startups are allowed to self-certify compliance for 6 labour Laws and 3 environmental laws through a simple online procedure. These Laws are as follows:

1. The Building and Other Constructions Workers' (Regulation of Employment & Conditions of Service) Act, 1996;
2. The Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979;
3. The Payment of Gratuity Act, 1972;
4. The Contract Labour (Regulation and Abolition) Act, 1970;
5. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952;
6. The Employees' State Insurance Act, 1948 and
7. 3 Environmental Laws
   a. The Water (Prevention & Control of Pollution) Act, 1974;
   b. The Water (Prevention & Control of Pollution) Cess (Amendment) Act, 2003;
   c. The Air (Prevention & Control of Pollution) Act, 1981.

How can I register my startup under the Start Up India Scheme?

Startups can register online through the official Start Up India website, viz the *Shram Suvidha* Portal available at shramsuvidha.gov.in/registerAgency.

The registration process typically involves providing basic information about the business, its founders, and its innovative nature.

What is the recognition and registration process for startups?

Startups can self-certify their eligibility through a simple online form. Once certified, they can access the benefits of the scheme. There is no formal approval process for recognition.

Is there financial assistance available under the Start Up India Scheme?

While the scheme does not directly provide financial assistance, it helps startups by facilitating access to

various government funding programs, venture capital, and angel investors.



What are some of the important funding schemes for Startups?

- The **Seed Fund Scheme** is a part of the Startup India initiative, which provides financial assistance to startups through the Department of Science and Technology. It provides up to ₹25 lakhs as seed funding to startups for product development, testing, and market entry.
- The **Fund of Funds for Startups** (FFS) is a ₹10,000 crore fund created by the Indian government to provide funding support to startups through alternate investment funds (AIFs) registered with SEBI.
- The **Startup India Hub** is an online platform launched by the Indian government to provide comprehensive information, resources, and networking opportunities for startups. It serves as a single point of contact for startups to connect with investors, incubators, mentors, and other stakeholders. You can visit this platform using this link- investindia.gov.in/startup-india-hub

Are there any tax benefits for startups under the scheme?

Yes, startups registered under the scheme may be eligible for income tax exemptions for a specific period. Additionally, there may be exemptions on capital gains tax and a reduction in the tax rate on profits.

- For instance, Private Limited Companies incorporated after April 1, 2016 are exempted from paying income tax for 3 consecutive financial years out of their first ten years since incorporation.
- Furthermore, investments into eligible startups by listed companies with a net worth of more than INR 100 Crore or turnover more than INR 250 Crore shall be exempt under Section 56 (2) VIIB of Income Tax Act, 1961

Does the scheme provide support for intellectual property protection?

The scheme offers fast-track examination and an 80% rebate on patent filing fees for eligible startups to encourage intellectual property protection. Further the following benefits are entailed for a Registered Start Up:

- Fast-tracking of Startup Patent Applications: Patent applications filed by startups shall be fast-tracked for examination so that their value can be realised sooner.
- Panel of facilitators to assist in filing of IP applications: For effective implementation of the scheme, a panel of "facilitators" shall be empanelled by the Controller General of Patents, Designs and Trademarks (CGPDTM), who shall also regulate their conduct and functions. Facilitators will be responsible for providing general advisory on different intellectually property as well as information on protecting and promoting intellectual property in other countries.
- Government to bear facilitation cost: Under this scheme, the Central Government shall bear the entire fees of the facilitators for any number of patents, trademarks or designs that a Startup may file, and the Startups shall bear the cost of only the statutory fees payable.
- Rebate on filing of application: Startups shall be provided an 80% rebate in filing of patents vis-a-vis other companies. This will help them pare costs in the crucial formative years

Are there any incubation and mentorship opportunities for startups?

Yes, the scheme promotes the establishment of incubators and accelerators to provide mentorship, guidance, and infrastructure support to startups.

How does the scheme facilitate ease of doing business for startups?

The scheme aims to reduce regulatory burdens on startups by simplifying compliance procedures and offering self-certification options for various statutory requirements.

Further, startups with simple debt structures, or those meeting certain income specified criteria can be wound up within 90 days of filing an application for insolvency, in accordance with the Insolvency and Bankruptcy Code, 2016.



Is the Start Up India Scheme limited to technology-based startups only?

No, the scheme is open to startups across various sectors, including technology, manufacturing, agriculture, healthcare, and more.

Is the Start Up India Scheme applicable only to new startups, or can existing businesses also benefit?

Existing businesses not older than 10 years that meet the eligibility criteria and are working on innovative solutions can also register and benefit from the scheme.

Are there any protective participatory measures in Public Procurement for Start-Ups?

- **Opportunity to list the product of Start Ups on Government e-Marketplace:** Government e Marketplace (GeM) is an online procurement platform and the largest marketplace for Government Departments to procure products and services. DPIIT Recognized Startups can register on GeM as sellers and sell their products and services directly to Government entities. This is a great opportunity for startups to work on trial orders with the Government.



- **Exemption from Prior Experience/Turnover:** In order to promote startups, the Government shall exempt Startups in the manufacturing sector from the criteria of "prior experience/ turnover" without any compromise on the stated quality standards or technical parameters. The Startups will also have to demonstrate requisite capability to execute the project as per the requirements and should have their own manufacturing facility in India.
- **EMD Exemption:** DPIIT recognised startups have been exempted from submitting Earnest Money Deposit (EMD) or bid security while filling government tenders.

CASE STUDY

Two Engineers from Bangalore developed and commercialised a product that would help the water supply board to make the drinking water supply more efficient and reduce water wastage during long-distance water supply. It could also monitor the groundwater level.

They applied for a patent for the product and started commercialisation of this product with a few water supply boards getting this product on a trial basis as part of their Public Procurement Policy. The engineers registered it as a partnership company and have been running the business for more than 5 years. To make this product more commercially viable and have a scalable business model, the engineers decided to apply for the Start-Up India Scheme.

GeM is the government e-market online procurement platform for government ministries and departments. It is the most commonly used channel for government procurement. The Start-Ups can register for government recognition and procurement to sell their products. GeM Start-Up Runway is a new initiative launched for Start-Up companies.

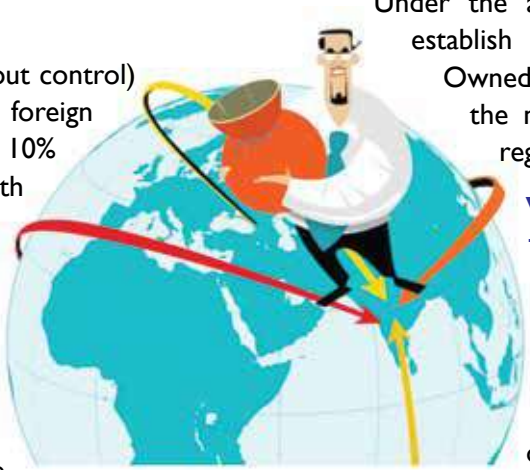


OVERSEAS DIRECT INVESTMENT

What does the term "Overseas Direct Investment" refer to?

Overseas Direct Investment (ODI) means investment in equity of an unlisted foreign company, subscription as a part of the memorandum of association of a foreign entity.

Investment of 10% or more (without control) of the paid-up equity in a listed foreign entity and Investment of less than 10% of the paid-up equity capital, with control, of a listed foreign entity.



*Explanation – Where an investment by an Indian resident in the equity capital of a foreign entity is classified as ODI, such investment shall continue to be treated as ODI even if the investment falls to a level below 10 per cent of the paid-up equity capital or such person loses control in the foreign entity.

Who meets the eligibility criteria for undertaking overseas investment?

Resident corporate entities and partnership firms registered under the Indian Partnership Act, 1932 are eligible to make investment abroad in Joint Ventures/ Wholly Owned Subsidiaries.

Is it possible for an individual to make investments in a foreign entity?

Resident individuals can invest without any restrictions in overseas portfolio investments in listed foreign companies, provided that these foreign companies hold at least a 10% share in an Indian company listed on a recognized stock exchange in India as of January 1st of the investment year.

Can overseas investment (OI) be made in any activity?

In accordance with OI Rules, Overseas Direct Investment (ODI) is prohibited in Foreign Entities (FE) **engaged** in the following activities:

a. Real estate operations,

b. Any form of gambling, and

c. Dealing with financial products linked to the Indian rupee, unless explicit approval from the Reserve Bank of India (RBI) is obtained.

What is the automatic route?

Under the automatic route, a company can establish a Joint Venture (JV) or Wholly Owned Subsidiary (WOS) abroad without the need for prior approval from the regulatory authority.

What is the maximum limit for Financial Commitment (FC)?

The total FC made by Indian Entity (IE) in all the Foreign Entities (FE) taken together at the time of undertaking such FC shall not exceed 400% of the net worth of IE as on the date of the last audited

What do you mean by Financial Commitment?

Financial Commitment includes the following:

a. Investment made by Persons Resident in India by way of ODI,

b. Debt other than Overseas Portfolio Investment in a foreign entity or entities in which the ODI is made,

c. Non-fund-based facilities extended by Persons Resident in India to or on behalf of such foreign entity or entities.

Is approval from RBI necessary for initiating Overseas Investments?

Investments exceeding USD 1 billion (or its equivalent) in a financial year require prior approval from the Reserve Bank, even if the total financial commitment is within the eligible limit under the automatic route.

Under what circumstances is approval required from the Central Government (CG)?

Below are the specific situations where CG approval is mandatory:



a. When seeking to exceed the prescribed limits, which are typically 400% of the net worth, in strategic sectors or specific geographical regions.

b. When intending to make overseas investments or financial commitments in countries such as Pakistan or any other jurisdiction as directed by the Central Government.

How should applications for overseas investments under the approval route be submitted?

The applicant who is intending to make FC shall file Form FC. Applications for overseas investments under the approval route should be submitted to the (RBI) through the designated Authorised Dealer (AD) bank in physical/electronic form along with specified documents.

What are the key documents to be submitted with an investment proposal under the approval route?

Key documents include background details, reasons for seeking approval, observations, and recommendations of the designated AD bank, a board resolution confirming the proposed transaction, diagrammatic representation of the organisational structure indicating all the subsidiaries of the Indian entity horizontally and vertically with their stake (direct and indirect) and status (whether operating company or Special Purpose Vehicle), valuation certificate for the foreign entity (if applicable) and other relevant documents properly numbered, indexed and flagged.

Can a Resident Individual acquire foreign securities by way of gift?

Indian resident can acquire foreign securities without any limit, by way of gift from another Indian resident who is a relative and holding such securities in accordance with the provisions of Foreign Exchange Management Act, 1999 (FEMA).

What entities can residents in India invest in overseas under this permission?

Residents in India can invest in foreign entities engaged in bona fide business activities, directly or through Special Purpose Vehicles (SPVs).

What are the prerequisites for making financial commitments in start-ups for overseas investors?

Financial commitments in start-ups should not be made out of funds borrowed from others, and a certificate



from statutory auditors/chartered accountants is required certifying the same.

How is the acquisition or transfer by way of deferred payment regulated?

Deferred payment transactions should have defined periods, and the part of the payment deferred is treated as non-fund based financial commitment. Subsequent payments towards deferred consideration shall be reported in Form FC as conversion of non-fund based financial commitment to equity.

What are the restrictions on the mode of payment for overseas investments?

Cash payments are not permitted for overseas investments, and a person resident in India shall not make any payment on behalf of any foreign entity other than by way of financial commitment as permitted under the OI Rules/Regulations.

Can overseas lenders be from any country for creating a pledge/charge?

No, overseas lenders must be from countries where financial commitment is permissible under the OI Rules.

Are there any exceptions to what counts towards the financial commitment limit?

Balances in the Exchange Earner's Foreign Currency Account, American Depositary Receipts / Global Depositary Receipts issuances, and stock-swap for financial commitment do count unless the financial commitment is made through such resources prior to the date of notification of the Overseas Investment Rules/Regulations.

What happens when External Commercial Borrowings (ECB) are used for financial commitment?

Only the part of the ECB exceeding the amount of the corresponding pledge or charge already counted is



reckoned towards the limit.

Can resident individuals transfer overseas investments by way of gift to someone outside India?

No, resident individuals are not permitted to transfer overseas investments as gifts to non-residents.

What are the rules for acquisition or transfer of Immovable Property outside India?

Any acquisition or transfer of immovable property outside India shall be governed by the provisions contained in Rule 21 of OI Rules. The following is further provided:

An AD bank may allow an Indian entity having an overseas office to acquire immovable property outside India for the business and residential purposes of its staff, provided total remittances do not exceed the following limits as laid down for initial and recurring expenses, respectively:

- 15 percent of the average annual sales/income or turnover of the Indian entity during the last two financial years or up to 25 percent of the net worth, whichever is higher;
- 10 percent of the average annual sales/ income or turnover during the last two financial years.

What is the difference between Overseas Direct Investment and Foreign Direct Investment (FDI)?

Overseas Direct Investment refers to investments made by Indian individuals or entities in foreign entities, while Foreign Direct Investment (FDI) refers to investments made by foreign individuals or entities in Indian companies.

Are there any limits on the amount of overseas investment that can be made?

Yes, there are limits on the amount of overseas investment that can be made. The maximum limit for financial commitment (FC) is determined by the Reserve Bank of India (RBI) and may vary based on the type of investor and the nature of the investment.

Are there any restrictions on the mode of payment for overseas investments?

Yes, there are restrictions on the mode of payment for overseas investments. Payments can only be made through banking channels, such as wire transfers or foreign currency accounts.

Can an individual transfer their overseas investment to someone outside India as a gift?

Yes, resident individuals can transfer their overseas investments to someone outside India as a gift, subject to compliance with the Foreign Exchange Management Act and other applicable laws.



CASE STUDY

An Indian Start Up in Pharmaceuticals wanted to invest in Joint Venture Pharma company in US. The need for certain drugs for the treatment of Juvenile Diabetes (Type I) in India is very crucial for the Indian Market access and therefore the Start Up applied for the RBI approval to invest ODI in the US. This ODI investment would help in getting the required knowledge and drugs at the rationalised prices which is crucial element of investment. The Director of the Start-up approached the Authorised Dealer (Bank) for getting details regrading the investment. The bank official informed him that all the Overseas Direct Investment are regulated by RBI under ***Foreign Exchange Management (Overseas Investment) Regulations, 2022 and therefore the compliances are very important.***

Form FC needs to be submitted to the authorised Dealer Bank. The form has the complete details of the investor, foreign entity, and investment Form APR (Annual Property Returns) which contains the financial details of the foreign entity, needs to be submitted to the Authorized Dealer Bank before the end of the calendar year.

An Indian Resident who has made an Overseas Direct Investment will be required to adhere to ODI compliances. This will entail the submission of Form FC and the annual filing of Form APR. Form FC needs to be submitted to the Authorised Dealer (Bank) before making the investment.



FOREIGN DIRECT INVESTMENT

What is Foreign Direct Investment (FDI)?

FDI refers to the investment made by an individual residing outside India in an unlisted Indian company using equity instruments, or in 10% or more of the fully diluted post-issue paid-up equity capital of a listed Indian company.

If a person residing outside India has previously invested in equity instruments of a listed Indian company, and their investment falls below the 10% threshold of the fully diluted post-issue paid-up equity capital, it will still be considered as FDI. "Fully diluted basis" signifies the total number of shares that would be outstanding if all possible conversion sources were exercised.

What are the Permissible FDI Routes in India?

There are three permissible FDI routes in India:

Category I- Automatic Route: FDI under the automatic route does not require prior approval from the government or the RBI. Investors can invest in sectors and activities permitted under this route without seeking specific approval, but they are required to notify the RBI within a specified timeframe after the investment is made.

Category II- Government Approval Route: Certain sectors or activities necessitate prior approval from the government. Investors must seek approval from the relevant government department or ministry, as well as from the RBI, before making investments in these sectors. The approval process involves a case-by-case assessment of the proposal.



Category III- In these sectors, foreign investors can invest up to a certain limit under the automatic route, but any investment beyond that limit will require prior approval from the government.

Which sectors are prohibited from receiving FDI?

Investment by a person resident outside India is prohibited in the following sectors:

- Lottery Business including Government/ private lottery, and online lotteries.
- Gambling and betting including casinos.
- Chit funds
- Nidhi Company
- Trading in Transferable Development Rights (TDRs).
- Real Estate Business or Construction of farm houses.
- However, please note that "Real estate business" does not include development of townships, construction of residential or commercial premises, roads or bridges and Real Estate Investment Trusts (REITs) registered and regulated under the SEBI (REITs) Regulations, 2014.
- Manufacturing of cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes.
- Activities/sectors not open to private sector investment viz., (i) Atomic energy and (ii) Railway operations
- Foreign technology collaboration in any form including licensing for franchise, trademark, brand name, management contract is also prohibited for lottery business and gambling and betting activities.

Can a non-resident acquire shares listed on an Indian stock exchange?

Besides portfolio investors, non-residents can acquire or purchase shares listed on the stock exchange through a registered broker, as long as they have previously acquired the shares and retained their ownership.



Are the investments and profits obtained through FDI eligible for repatriation?

Yes, investments and profits earned under FDI in India are generally repatriable, except when they are made on a non-returnable basis, subject to certain conditions and regulations set by the RBI and the Central Government (CG).



What types of securities can Indian companies issue while receiving FDI?

An Indian company is permitted to receive foreign investment by issuing equity instruments to the investor. The equity instruments are equity shares, compulsorily convertible debentures, preference shares and share warrants issued by the Indian company.

- Equity shares: Equity shares are those issued in accordance with the provisions of the Companies Act, 2013 and will include equity shares that have been partly paid.
- Partly paid shares: Partly paid shares issued on or after July 8, 2014, will be considered as equity instruments.

What are the regulations concerning Foreign Portfolio Investment (FPI) in Indian companies, and when does government approval become necessary?

FPI in Indian companies can be up to forty-nine percent (49%) of the paid-up capital on a fully diluted basis or the sectoral or statutory cap, whichever is lower, without requiring government approval or sectoral condition compliance, as long as it doesn't lead to the transfer of ownership and control from resident Indian citizens to persons residing outside India.

However, for other investments made by individuals residing outside India, they must adhere to the conditions specified by the government and comply with sectoral conditions outlined in Schedule I of the NDI Rules, necessitating government approval.

What are the rules for transferring equity instruments of an Indian company or units by a person residing outside India, and when is Government approval required?

A person not classified as a non-resident Indian, overseas citizen of India, or overseas corporate body can transfer equity instruments of an Indian company or units to another person outside India, by sale or gift.

- This also applies to transfers resulting from mergers, demergers, or amalgamations involving entities registered outside India.
- Government approval is necessary for such transfers if the Indian company operates in a sector that requires it.
- If a Foreign Portfolio Investor (FPI) breaches investment limits during acquisition, they must sell excess equity instruments to an eligible Indian resident within five trading days after settlement, without incurring a violation, subject to SEBI's guidelines.

What is the approved mode of payment for the transfer of equity instruments between residents in India and residents outside India?

The consideration amount for transferring equity instruments between a person residing in India and a person residing outside India must be received from abroad or remitted from India through authorized banking channels in India. Alternatively, it can be paid from or received in NRE (Non-Resident External), FCNR(B) (Foreign Currency Non-Resident - Banks), or Escrow accounts in accordance with the Foreign Exchange Management (Deposit) Regulations, 2016.

If the investment is held on a non-repatriation basis, in addition to the above, the consideration amount for the transfer can also be paid from or received in an **NRO (Non-Resident Ordinary)** account as per the Foreign Exchange Management (Deposit) Regulations, 2016.



What are the options for transferring equity instruments of an Indian company held by another Indian company that has foreign investment and is not owned or controlled by resident Indian citizens or persons residing outside India?

Following are the exit options available:

- These equity instruments can be transferred to a person outside India, with the requirement to report the transfer using Form FCTRS ("FCTRS" stands for "Foreign Currency Transfer of Shares." RBI has specified Form FCTRS for making reporting of Transfer of Capital Instruments between a person resident in India and a person resident outside India). Pricing guidelines do not apply in this case.
- They can be transferred to a person in India, but the transfer must adhere to pricing guidelines.
- Alternatively, they can be transferred to an Indian company with foreign investment, provided that the recipient company is not owned or controlled by resident Indian citizens or persons residing outside India. In this scenario, neither pricing nor reporting guidelines apply.

What are the conditions for Non-resident Indians or Overseas Citizens of India to purchase or sell equity instruments of a listed Indian company on a repatriation basis on a recognized Indian stock exchange?

NRIs and OCIs can buy or sell equity instruments of a listed Indian company on a repatriation basis, subject to these conditions:

- The transactions must be conducted through a designated authorized dealer branch.
- The individual NRI or OCI's total holdings should not exceed five percent (5%) of the total paid-up equity capital on a fully diluted basis or the paid-up value of each series of debentures, preference shares, or warrants issued by the Indian company. The combined holdings of all NRIs and OCIs should not exceed ten percent under the same criteria.
- The aggregate ceiling of ten percent (10%) can be increased to twenty-four percent if the General Body of the Indian company passes a special resolution to that effect.



What are the provisions for deferred payment consideration in the transfer of equity instruments between residents in India and residents outside India?

In the case of transferring equity instruments between a person residing in India and a person residing outside India, up to twenty-five percent (25%) of the total consideration can be handled as follows:

- The buyer can make the payment on a deferred basis within a period not exceeding eighteen months from the date of the transfer agreement; or
- The payment can be settled through an escrow arrangement between the buyer and the seller for a period not exceeding eighteen months from the date of the transfer agreement; or
- The seller can provide indemnification for a period not exceeding eighteen months from the date of full consideration payment by the buyer, if the total consideration has already been paid by the buyer to the seller.

It is crucial to note that the total consideration ultimately paid for the shares must comply with the applicable pricing guidelines.

What are the provisions for opening an Escrow account in the transfer of equity instruments between residents in India and residents outside India?

When transferring equity instruments between a resident in India and a person residing outside India, the person residing outside India is allowed to open an Escrow account as per the Foreign Exchange Management (Deposit) Regulations, 2016.

This Escrow account can be funded through inward



remittances via banking channels or by a guarantee issued by an authorized dealer bank, following the terms and conditions outlined in the Foreign Exchange Management (Guarantees) Regulations, 2000.

If the transaction falls under SEBI guidelines/regulations, the operation of the Escrow accounts for securities must comply with the relevant SEBI regulations, if applicable.

How can a foreign investor set up business operations in India through a company?

Foreign investors can set up business operations in India by incorporating a company under the Companies Act, 2013 and operate through various forms such as Joint Venture/Wholly Owned Subsidiary/Holding Company in compliance of the entry route/sectoral cap and other conditions under the FDI Policy and Foreign Exchange Management (Non-Debt Instruments) Rules, 2019.

What is downstream investment?

Downstream investment refers to an investment made by an Indian entity that already has foreign investment, or by an Investment Vehicle, in the capital instruments or capital of another Indian entity.

Who is required to make reporting of downstream investment?

When an Indian company with foreign investment uses that investment to invest in another Indian company, it's known as indirect foreign investment or downstream investment. In such cases, the investor company must report this using Form DI for downstream investment.

Which regulations govern downstream investment under the Foreign Exchange Management Act (FEMA)?

Downstream investment under Foreign Exchange Management Act, 1999 (FEMA) is regulated by the Foreign Exchange Management (Transfer or Issue of Security by a Person Resident Outside India) Regulations, 2017.

What is the time limit for an Indian entity to file Form DI for reporting downstream investment?

The Indian entity making a downstream investment in another Indian company (falling under the category of indirect foreign investment for the investee company) must submit the reporting in Form DI (Downstream Investment) within 30 days from the date of the investment. This reporting requirement remains the same even if the investee company has not yet allocated the capital instruments.

What are the consequences of late filing of Form DI for reporting downstream investment in India?

If a company fails to report its downstream investment after 30 days from the date of the investment, it may be subject to late submission fees determined by the RBI in consultation with the Central Government.

CASE STUDY

A Real Estate company wanted to build a state-of-the-art storage and warehousing facility for agriculture-based industrial products. Their company had an FDI investment of 100%, under an automatic route for storage and warehousing including warehousing of agriculture products with refrigeration (cold storage). All the directors of the Warehousing company are NRIs (Non-resident Indians).They had made a business plan to buy 50 acres of agricultural land in the vicinity of Mysore and hold them as a land bank to build a warehouse for agricultural or farm products. The company wanted to buy directly from the farmers but it was held that according to the Karnataka Land Reforms Act 2020 an Indian citizen or resident can own agricultural land in Karnataka. Also, it was held that as per the FDI Consolidated Policy, 2020, FDI investment can be directed for specific agricultural purposes (for eg:- Horticulture) and not to buy farmland in India.



FINANCIAL FRAUDS

What is meant by financial fraud?

Financial fraud refers to deceptive activities carried out by individuals or organizations with the intention of obtaining money or assets illegally. It typically involves misrepresentation, manipulation, or theft of funds, assets, or other sensitive information from an individual.

What is electronic financial fraud?

Electronic financial fraud refers to any fraudulent activity that involves the use of electronic or online channels or apps to deceive individuals for monetary gain.

How does electronic financial fraud occur?

Electronic financial fraud can occur through various means, such as emails pretending to be from legitimate sources asking for personal or banking details, SMS, WhatsApp or other messages with links to lottery prices, pre-approved loans, vouchers or coupons etc.

Some of the common types of electronic financial fraud are:

- **Phishing scams:** Fraudsters send deceptive emails or messages with links to trick individuals with offers, discounts, and rewards to trick users into revealing sensitive information.
- **UPI Scams:** Unauthorised UPI payment requests by fraudsters via calls or messages or QR scans to enter UPI PIN/OTP for receiving money.
- **Credit/Debit card skimming:** In ATMs, fraudsters attach an external keyboard/card reader/pinhole camera above the keypad which is camouflaged with the ATM device to steal the user's card details.
- **Contactless NFC cards:** Lost/stolen or transaction limitless cards are very vulnerable to fraud, especially a credit card which usually does not require a pin, or tap and pay.
- **SIM Swapping/Cloning:** Fraudsters employ various methods such as offering free-of-cost data recharge or SIM upgradation to make a clone of the user's SIM and gain access to personal or banking details. Unauthorized/non-licensed repair stores may also commit the same.
- **Credit/Debit card fraud:** Fraudsters try to get your card information via vishing calls (phone calls pretending to be from a bank or a wallet service, telecom providers), fake apps, websites, ads, pop-ups, advertisements, SMS, and WhatsApp message links to steal money from your bank account.
- **Online shopping fraud:** Scammers set up fake online stores offering branded items at low cost to collect payments for products or services that they never deliver.
- **Fake/Counterfeit Apps:** Fraudsters can remotely access the user's device through fraudulent apps and extract information like account details, OTP, card details etc.
- **Juice Jacking:** Fraudsters target public USB ports meant for charging purposes to insert malware/bugs into the user's mobile to steal sensitive information. This can also be done by external gadgets from unauthorized stores or manufacturers or street vendors or train vendors using gadgets like power banks.
- **Identity Theft:** Stealing someone's personal information to make unauthorized transactions or open new accounts in their name and request medical or emergency monetary help on the user's friends list.

Some Instances of online financial frauds in India

- In May 2023, a woman in Nagpur lost over five lakh rupees as she was deceived into clicking a fraudulent link as part of a supposed job recruitment process.
- Another man from Nagpur lost six lakh sixteen thousand rupees by a fraudster who asked him to click on the link and verify some details through WhatsApp.



- A Mumbai resident lost twenty thousand rupees after clicking on a malicious link. A message, posing as a genuine message from the bank warned him



that his net-banking facility will be discontinued unless he updates his KYC information and asked him to click on a link to update his PAN Card.

- Recently there were reports on scammers cloning or obtaining biometric data such as fingerprints of Aadhaar users to withdraw money misusing the Aadhaar Enabled Payment System (AePS) as this does not require OTP to withdraw cash, biometric data alone suffices.

How can I protect myself from electronic financial fraud?

- Be cautious of unsolicited emails or messages asking for personal information.
- Never share your Bank account details, login credentials, ATM or UPI PINs, OTPs, or Debit/ Credit card details with any strangers, and never write your PIN on the card.
- Use strong, unique passwords for your online accounts and enable two-factor authentication/ biometrics where available.
- Regularly review your financial statements and account activity to detect any suspicious transactions.
- Avoid clicking on links, pop-ups, ads or downloading attachments from unknown or suspicious sources.
- Set transaction limits on your NFC credit/debit card. If you lost the card block or freeze immediately. If the credit card is lost, then block the card or freeze the card immediately.
- Verify the security of websites before entering sensitive information by checking for "https" in the URL and a padlock icon and double verify the website address and its genuineness.
- Educate yourself about common scams and stay informed about new fraud techniques.

What is the role of the Reserve Bank of India in curbing financial fraud?



The Reserve Bank of India (RBI) has notified all commercial, small finance and payments banks to strengthen their security systems to make electronic transactions safer.

- Banks are obliged to put in place risk mitigation systems to identify existing risks in their digital infrastructure and also efficient fraud detection and prevention mechanisms among others.
- As per RBI mandates, banks will have to ensure that customers have registered for SMS alerts mandatorily. Customers can also opt for e-mail alerts. Banks shall also maintain 24x7 mechanisms for the customer to report unauthorised electronic banking transactions.
- RBI has also issued a list of safe digital practices that can be exercised by users to stay safe from falling victim to financial fraud.

Under which laws are the punishments prescribed for financial fraud?

The Indian Penal Code, 1860 Bhartiya Nyaya Sanhita, 2023 and the Information Technology Act of 2002 largely defines and prescribes punishment for an array of financial frauds.

How to Report a Financial Fraud?

If a person has fallen victim to financial fraud, inform your bank immediately about the fraud. For more details, one can give a missed call to 14440.

Victims of such frauds can also call the cyber crime helpline number at 1930.

What is the National Cyber Crime Recording Portal (NCCRP)?

NCCRP is a centralized portal aimed to facilitate online reporting of all kinds of cyber-crimes including mobile crimes and financial frauds such as phishing, vishing, SIM card swapping, identity theft, and debit/credit card fraud.

A victim of online financial fraud can visit the NCCRP website (https://cybercrime.gov.in/). The detailed steps for reporting a complaint can be accessed in their website.

- Once a complaint is filed, the selected State/UT will further deal with the complaint and the user can time track the status of the complaint and can also withdraw the complaint before it is converted into an FIR.



- This service can be availed by citizens and non-citizens alike.

What is the customer's liability in case of financial fraud?

Zero Liability



- A customer has no liability if an unauthorised transaction has happened because of contributory fraud/negligence/deficiency on the part of the bank.
- If it happened because of a third-party breach where neither the bank nor the customer is at fault.
- Than, the customer will have to report the incident to the bank within three working days to avoid liability.

Limited Liability

- A customer is partially liable if the unauthorised transaction happened because he divulged personal/ banking information albeit being deceived to do so. If the fraudulent transaction continues even after informing the bank, the bank will have to be accountable for such losses.
- If the deficiency lies with neither the bank nor the customer but there is a delay of 4-7 working days in reporting the fraud to the bank, the customer's liability will be capped at 5,000/-, 10,000/- and 25,000/- depending upon the type of account.
- If there is a delay of more than 7 working days in reporting, the liability of the customer is determined as per the bank's Board approved policy.

Is there Insurance coverage available for Online Financial Fraud?

Cyber Insurance policy for protection from cybercrimes is available for individuals in India. In 2021, the Insurance Regulatory and Development Authority of India (IRDAI), released a Guidance Document to the insurers on how to design a cyber-insurance policy. The document can be accessed in their website.

- Further, several banks themselves offer fraud coverage insurance such as the HDFC ERGO Cyber Sachet, Kotak Cyber Secure, SBI Cyber VaultEdge amongst others.

I lost my mobile, or got stolen, what should I do now?

Since mobile phones contain sensitive personal, banking or other information it is always advisable to secure your phone with a pattern/passcode/fingerprint/face ID lock. If your phone is lost or stolen, it is best advised to:

- Use Find My Device for Android or Find My iPhone for IoS to locate or lock the phone or erase data from it.
- Request your telecom service provider to block the SIM card as SIM cards also store sensitive information in them.
- File an FIR at the nearest police station or cyber police station.
- File a request for blocking the lost/stolen phone in the Central Equipment Identity Register (CEIR) Portal. For this:
- Obtain a new SIM card from Telecom Service Provider (TSP) which is necessary for OTP verification and carry identity proof of the user, invoice of the lost/ stolen device (optional) along with the Complaint Number of such FIR. Alternatively, you can also submit the number of Lost Article Report.

Go to https://ceir.gov.in and follow the steps for registering a request for blocking as provided in detail here.





Once the device is found, the user can request to unblock the same.

What to do in case of inaction from the side of the Bank in case of a Financial Fraud?

If someone has withdrawn money from your account and the same has been notified to your bank, the bank will have to resolve your complaint within 90 days from the date of receipt.

You may approach the Banking Ombudsman or the appropriate Consumer Forum, if your bank has not taken any action after a financial fraud was duly reported. Complaints to the Banking Ombudsman can be made either online through the portal that can be accessed using this link: https://cms.rbi.org.in/ or can be sent via post.

CASE STUDY

Sanjay is an engineering student in Bangalore and had opened a savings bank account recently. He applied for a student loan for which he was given a Prepaid Card for making payments. He received a message regarding the payment made from his student card. He was from a village nearby Bangalore and wasn't much aware of digital transactions. Thus, he approached his bank and enquired about the message he received on his phone. The Bank official was able to trace the transaction made and enquired if Sanjay had shared his student card login ID and password. He said that he had written the details in his book, for safety purposes, in case he forgets the bank details.

The bank official explained to him the importance of digital transactions and precautions to be followed. They explained him what are types of digital transactions and he should be more aware of online payment systems, importance of passwords, One Time passwords (OTP) for online payment. The increase in digital transactions and online banking has led to many financial fraud cases. The RBI and Banks have been regularly spreading awareness about the preventive measures to be followed like, regular updation of one's bank statements, and other relevant information like Aadhaar Number, login ID etc.

Thus, Sanjay realised the importance of digital transactions and also learnt that he must not write bank details in books / copies that can be accessed by others.



TRADEMARKS

What is a trademark?

A trademark is a word, phrase, symbol, design, or combination thereof that identifies and distinguishes the source of the goods or services of one party from those of others. Trademarks can be used on a variety of products and services, including physical goods, digital goods, and services.

A trademark can be designated by the following symbols: TM - ™, R - ® and C - ©

What types of things can be trademarked in India?

Under the Trade Marks Act, 1999, a wide range of things can be registered as trademarks, including:

- **Word marks:** These include words, slogans, names, or combinations of words used to identify and distinguish goods or services.
- **Device marks:** These are logos, symbols, designs, or graphical representations used as trademarks.
- **Shape marks:** The shape or packaging of goods can be registered as a trademark if it is distinctive.
- **Colour marks:** Specific colours or colour combinations can be trademarked for goods or services if they are distinctive and not functional.
- **Sound marks:** Unique sounds, jingles, or musical tunes can be registered as trademarks.
- **Scent marks:** Distinct and non-functional scents can be trademarked for certain goods or services.
- **Hologram marks:** Three-dimensional holograms can be registered as trademarks.
- **Collective marks:** These are trademarks owned by an association, society, or other collective body for use by its members.
- **Certification marks**: These are used to certify the geographical origin, material, mode of manufacture, quality, or other characteristics of goods or services.
- **Well known marks:** These marks are accorded a greater degree of recognition and are protected across all categories.

What does TM and R signify, when can we use them?



The symbol "TM" stands for "Trademark" whereas the symbol "SM" stands for "Service Mark" it indicates that the mark has been filed with the Trademark Office for registration. Its usage signifies the owner's claim over the mark, even before it is officially registered.

On the other hand, the symbol "®" represents a "Registered Trademark." This symbol can only be used once the trademark has successfully completed the registration process and has been officially validated and registered by the Trademark Office for the specific goods or services.

What are the rules and regulations governing trademarks?

Trademarks in India are governed by the Trade Marks Act, 1999 along with the Trade Marks Rules 2017. This comprehensive law covers various aspects related to trademark registration, protection, and enforcement. Furthermore, certain international agreements such as the Paris Convention and the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights) ensure harmonization of trademark laws globally.

What is the purpose of a trademark?

The primary purpose of a trademark is to protect the goodwill and reputation of a business. A trademark can help consumers to identify and purchase the goods or services of the business that they trust.

- Trademarks can also help businesses to differentiate their goods or services from those of their competitors.
- In **ITC Ltd. v. British American Tobacco (India) (2004),** the Supreme Court of India held that a trademark is a valuable asset of a business and its protection is essential to the promotion of fair competition.



What are the rights and benefits of trademark registration?



A registered trademark gives the owner the exclusive right to use the trademark in relation to the goods or services for which it is registered. This means that the owner can prevent others from using the trademark without their permission.

- If a third party uses the trademark without permission, the owner can sue for trademark infringement. **Section 29 of the Trade Marks Act, 1999** states that the owner of a registered trademark has the exclusive right to use the trademark in relation to the goods or services for which it is registered.

What can be and what cannot be registered as a trademark?

To be eligible for registration in India, a trademark must be:

- Capable of being represented graphically
- Distinctive meaning that it must be able to distinguish the goods or services of one person from those of others
- Not prohibited from registration under the Trade Marks Act, 1999

Section 9 of the Trade Marks Act, 1999 states that the following types of marks cannot be registered as trademarks:

- Devoid of any distinctive character
- Descriptive of the goods or services in respect of which it is sought to be registered
- Identical or deceptively similar to an earlier registered trademark for the same or similar goods or services
- Contrary to public order or morality

What is the validity period of a registered trademark in India?

A trademark registration in India remains valid for a period of 10 years from the date of filing the application. However, the validity of the trademark is not limited to this initial 10-year term. The registration can be renewed indefinitely by paying the prescribed renewal fees every 10 years. To renew the registration, the trademark owner must file a renewal request, using the prescribed FORM TM-R, within one year before the expiration of the current 10-year validity period.

How many classes are there in the trademark classification system?

There are 45 classes in the Nice Classification system. Classes 1 to 34 cover various goods, while classes 35 to 45 cover services.

For instance, Class 9 includes computer software, scientific instruments, and glasses. Class 35 covers advertising, business management, and retail services.

Who can apply for a trademark, and how?

Any person claiming to be the proprietor of a trademark, used or proposed to be used by them can apply. The application must be in writing and it must contain the trademark, the goods/services, name and address of the applicant, and, if applicable, the agent with a power of attorney.

What's the difference between a trademark, copyright, and patent?

- Trademarks are words, phrases, symbols, or designs that identify the source of goods or services and distinguish them from those of other traders. Trademarks can be registered with the government to give the owner exclusive rights to use the mark in relation to the goods or services for which it is registered. **The Nike swoosh** is a trademark that identifies athletic goods as coming from Nike.







- Copyrights protect original works of authorship, such as books, movies, music, and software. Copyrights arise automatically when a work is created and do not need to be registered. Copyright holders have the exclusive right to reproduce, distribute, display, and perform their copyrighted works. The copyright for the Bollywood film "**Dangal**" belongs to **Aamir Khan Productions**, which means that they have the exclusive right to reproduce, distribute, display, and perform the film.
- Patents protect new and useful inventions, such as machines, processes, and compositions of matter. Patents are granted by the government for a period of 20 years. The Patent holders have the exclusive right to make, use, and sell their patented inventions. The patent for the **Indian Railways'** indigenously developed **Train 18** which belongs to the Indian government, this means that the government has the exclusive right to make, use, and sell the **"Train 18"**.

How does one choose a strong and effective trademark?

A strong and effective trademark should be:

- ***Distinctive*:** It should be able to distinguish the goods or services of one person from those of others.
- ***Memorable*:** It should be easy for consumers to remember and pronounce.
- ***Available*:** It should not already be registered as a trademark for the same or similar goods or services.

What is the process for registering a trademark? Is a lawyer needed to register?

- ***Choose a trademark*:** The trademark should be distinctive and not descriptive of the goods or services for which it is sought to be registered. It should also not be identical or deceptively similar to an earlier registered trademark for the same or similar goods or services.
- ***Conduct a trademark search*:** This is to ensure that the trademark is available for registration and is not already in use by someone else.

***File a trademark application with the Registrar of Trademarks*:** Applicants can file trademark applications in India through two methods: physical submission or online filing. Applications can be filed online through the e-filing gateway available on the official website "www.ipindia.nic.in". The application must include the following information like: The name and address of the applicant, the trademark and a list of the goods or services for which the trademark is sought to be registered with the prescribed fee

***Examination of the application*:** The Registrar will examine the application to determine whether it meets the requirements for registration. If the application is approved, the trademark will be published in the "Trade Marks Journal" for a period for opposition.

- ***Opposition*:** If anyone files an opposition within the specified period, the Registrar will hear the opposition and decide whether to register the trademark.
- ***Registration:*** If no opposition is filed or the opposition is unsuccessful, the trademark will be registered.

Whether a lawyer is required to register a trade mark?

A lawyer is not required to register a trademark, but it is advisable to consult with a trademark attorney to ensure that the application is properly filed and to avoid any potential problems.

What happens after applying for a trademark? What rights are given?

Once a trademark is registered, the owner has the exclusive right to use the trademark in relation to the goods or services for which it is registered. This means that the owner can prevent others from using the trademark without their permission.

Registered trademark owners also have the right to:

- Use the ® symbol next to their trademark.
- Sue for trademark infringement, if someone else uses their trademark without permission.
- License their trademark to others.

The registered proprietor of the trademark has the exclusive right to sue for infringement of the trademark as per section 28(1) of the Trade Marks Act, 1999. Whereas, as per Section 27 (1) of the Trade Marks



Act, 1999, no person shall have the right to sue for the infringement of an unregistered trademark.



Can one file an International Trademark Application?

Yes, trademarks can be used internationally. There are two main ways to protect a trademark internationally:

- Filing an international trademark application with the World Intellectual Property Organization (WIPO): This allows the applicant to file a single application for trademark protection in multiple countries.
- Filing trademark applications in each country where the trademark is to be used: This is the most common way to protect a trademark internationally.
- It is important to note that trademark rights are territorial, meaning that trademark protection in one country does not automatically extend to other countries.

What if someone else is using a similar trademark?

If someone else is using a similar trademark, the trademark owner may have a claim for trademark infringement. To succeed in a trademark infringement claim, the trademark owner must prove that the other person's use of the trademark is likely to cause confusion among consumers as to the source of the goods or services. If the trademark owner is successful in their claim for trademark infringement, they may be awarded damages, an injunction to prevent the other person from continuing to use the trademark, or both. **Section 29 of the Trade Marks Act, 1999** states that the owner of a registered trademark has the exclusive right to use the trademark in relation to the goods or services for which it is registered.

Is it possible to sell or transfer a trademark?

Yes, it is possible to sell or transfer a trademark. Trademark registrations are transferable assets and can be sold or transferred/assigned to another person or entity. To transfer a trademark registration, the trademark owner must file a transfer application with the Registrar of Trademarks. (**Section 37 of the Trade Marks Act, 1999)**

How does one renew their trademark registration?

Section 25 of the Trade Marks Act, 1999 states that a trademark registration lasts for 10 years and can be renewed for an **additional 10 years indefinitely**. To renew a trademark registration, the trademark owner must file a renewal application with the Registrar of Trademarks **within 6 months before the expiration** date of the registration.

Is it possible to remove a registered trade mark due to lack of use?

Yes, under Section 47 of the Indian Trade Marks Act of 1999, a registered trademark can be removed on the grounds of non-use in the following circumstances:

- If it is proven that the trademark was registered without a genuine intention to use it, and it remained unused until three months before the application for removal was filed; or
- If the trademark has not been put into continuous use for a period of five years from the date of registration, and the application for removal is made after the expiry of three months following the completion of the five-year period of non-use.

Is it possible to change the trademark after it is registered?

Yes, it is possible to change a trademark after it is registered. However, there are some restrictions on what changes can be made. For example, the trademark cannot be changed to a trademark that is identical or deceptively similar to an earlier registered trademark for the same or similar goods or services. **(Section 22 of the Trademarks Act, 1999)**

In the event that a single application, as referred to in sub-section (2) of section 18, is amended by dividing it into two or more separate applications, the date of filing the initial application shall be considered as the date of filing for the divided applications resulting from such division.

What is Trademark Infringement?

If a trademark is used without permission, the trademark owner may have a claim for trademark infringement.



To succeed in a trademark infringement claim, the trademark owner must prove that the other person's use of the trademark is likely to cause confusion or is deceptively similar among consumers as to the source of the goods or services.

What if the Trademark is used without permission?

Section 29 of the Trade Marks Act, 1999 sets out the remedies available to the owner of a registered trademark in the event of infringement, some of which are as follows:

- ***An injunction*:** This is a court order that prevents the infringer from continuing to use the trademark.
- ***Damages*:** This is monetary compensation awarded to the trademark owner for the losses they have suffered as a result of the infringement.
- ***An account of profits*:** This is an order requiring the infringer to account for and pay over to the trademark owner the profits they have made from using the trademark without permission.
- ***Delivery up*:** This is an order requiring the infringer to deliver up to the trademark owner all goods and materials bearing the trademark.
- ***Destruction or erasure*:** This is an order requiring the infringer to destroy or erase all goods and materials bearing the trademark.

The Amul Trademark Infringement case 2007: In this case, the Gujarat High Court ruled that if a trademark is registered, no one else can use it, even if they're selling different products. This case came up when Amul Dairy and GCMMF filed trademark infringement cases against two local shops, Amul Chasmaghar and Amul Cut Piece Stores. The court decided that using the Amul trademark by these shops was not allowed, even though they were selling different things. The decision reinforces the rights of registered trademark owners to protect their brand name.

What benefits will a startup get by registering a trademark for its service or product?

- Registering a trademark provides a startup with exclusive rights to use the mark for its goods/ services, preventing consumer confusion.
- It offers legal protection against infringement, allowing the startup to take action and claim damages.
- A trademark helps build brand identity, recognition, and customer loyalty. It deters counterfeiting by establishing clear ownership rights.
- Moreover, a registered trademark is a valuable intellectual property asset that can increase the startup's overall value and attractiveness to investors and partners.

CASE STUDY

Ashok had recently joined a fitness club that trained people to run for marathons. He was advised to buy a sports shoe which is used by professional trainers. He visited a reputed sports company showroom. He then approached the store manager and said his requirements for the shoes for the marathon. Upon looking into different varieties of shoes, Ashok felt that the logo of the same brand differed. He felt that this might be duplicate shoes having a similar trademark logo. He then asked the manager about the matter. Then the store manager explained to him that this wasn't a deceptive trademark or duplicate shoes. Both logos are owned by the same company and they have a different purpose

Logos can be designed as per their requirements and use. For eg: - The mountain emblem for Adidas is designed for professional athletes. The three-striped design of the Adidas is used for the casual apparel and shoes.



GOODS AND SERVICES TAX (GST) LAW IN INDIA



What is GST?

Goods and Services Tax (GST) is a comprehensive indirect tax levied on the supply of goods and services in India, replacing various indirect taxes levied by the central and state governments.

What are the different types of GST?

GST in India is categorized into Central Goods and Services Tax (CGST), State Goods and Services Tax (SGST), Integrated Goods and Services Tax (IGST), and Union Territory Goods and Services Tax (UTGST).

What is IGST?

Integrated Goods and Services Tax (IGST) is a tax levied on the inter-state supply of goods and services. It is collected by the central government and shared with the respective states.

Who is liable to pay GST?

- Any person or entity involved in the supply of goods and services, exceeding the prescribed turnover threshold, is liable to register for and pay GST. The threshold limit for GST refers to the maximum limit of aggregate turnover in a financial year, beyond which a person is required to register for GST.
- Any business with Aggregate Turnover of Rs. 40 Lakhs (for goods) and Rs.20 lakhs (for services) shall register under the GST regime.
- Businesses with a yearly turnover of less than the threshold may choose to register for GST voluntarily. This is beneficial for businesses as it enables them to avail of input tax credit and other benefits.

What is Aggregate Turnover?

Aggregate turnover comprises all taxable supplies, exempt supplies, exports, and interstate supplies. However, it excludes inward supplies under reverse charge and the central tax, state tax, union territory tax, integrated tax, and cess.

What is the GST Council?

The GST Council is a constitutional body comprising representatives from the central and state governments. It is responsible for making recommendations on GST rates, exemptions, and other related matters.

How are GST rates determined?

GST rates are determined by the GST Council based on the nature of goods and services. The rates are usually categorized as "5%, 12%, 18%, or 28%", with certain items attracting a Nil rate or Special rates.

Is there a composition scheme for small businesses?

Yes, the Composition Scheme is available for small businesses with an annual turnover below a specified limit. They can pay GST at a fixed rate and file simplified returns. However, a significant disadvantage of the composition scheme is that they cannot charge GST from the purchasers, and also not avail Input Tax Credit.

Service providers, except restaurants/caterers, are not eligible for composition schemes.

The following three classes of persons, are not eligible for benefit of composition scheme, namely:

- Ice cream and other edible ice, whether or not containing cocoa.
- Pan masala
- All goods, i.e. Tobacco and manufactured tobacco substitutes.

What is Reverse Charge Mechanism (RCM) in GST?

Under RCM, the recipient of goods or services is liable to pay GST instead of the supplier. This mechanism is





applicable in specific cases outlined in the GST law.

Can input tax credit be claimed under GST?

Yes, registered businesses can claim input tax credit on GST paid on purchases of goods and services that are used for furtherance of business.

Can we get Input Tax Credit for capital expenditures like vehicles, solar panels etc for company use?

Input Tax Credit on capital goods is generally available if they are used in the course or furtherance of business. Examples - Credit is not available on cars, unless you are in a business of imparting driving training, or supplying such cars. A list of items on which ITC is not available is provided in Section 17 of the CGST Act, 2017.

What is the time limit for filing GST returns?

The time limit for filing GST returns varies based on the type of return. Generally, returns are filed monthly, quarterly, or annually.

How does GST impact exports and imports?

Exports are considered as zero-rated supplies, and GST paid on inputs used for exports is refundable. Imports attract IGST, and input tax credit can be claimed on the same.

Is GST applicable to online transactions and e-commerce?

Yes, GST is applicable to online transactions and e-commerce supplies. E-commerce operators may also be liable to collect and deposit TCS (Tax Collected at Source) under certain conditions.

Are there any exemptions under GST?

Certain goods and services, such as essential commodities and specific health services, are exempted from GST. The GST Council periodically revises the list of exempted items.

What are the different types of GST Returns?

There are several types of GST returns that taxpayers need to file, including:

- GSTR-1 (Outward Supplies)
- GSTR-3B (Monthly Summary Return)
- GSTR-4 (Quarterly Return for Composition Dealers)
- GSTR-5 (Non-Resident Taxable Persons)
- GSTR-6 (Input Service Distributor)
- GSTR-7 (Tax Deductor at Source)
- GSTR-8 (E-Commerce Operator)
- GSTR-9 (Annual Return)
- GSTR-10 (Final Return)

Are there any other types of GST Return?

Yes, GSTR-2A is an auto-populated return, but taxpayers do not need to file it separately. It is automatically generated and is made available in the taxpayer's GST portal. It is based on the information furnished by suppliers in their respective GSTR-1 returns. It contains details of all the inward supplies made to a registered taxpayer.

Can GST registration be cancelled?

Yes, GST registration can be cancelled voluntarily by the taxpayer or by the tax authorities in case of non-compliance or other specified reasons.





How can one get assistance for GST-related queries?

Taxpayers can seek assistance from the GST helpdesk or consult with tax professionals, or refer to official GST publications and notifications for clarifications on GST-related matters.

How long can one wait to register for the GST?

An unregistered person has 30 days to complete its registration formalities from its date of liability to obtain registration.

Whether salary received by an employee or a partner is taxable under the GST regime?

Although Partners are not employees of the firm, Salary paid to a Partner will not be leviable of GST. Any salary paid to an employee is under employer-employee transactions. Hence, not liable for GST.

When does registration in more than one state required? Will giving service from one location to a location in another state require registration in another state?

If services are being provided from one location, then registration is required to be taken only to the State where your place of business is and IGST to be paid on inter-state supplies.

On opening of a Branch Office or Outlet in another state, registration in the other state becomes mandatory.

Can tax paid in one state be used as ITC by the same firm in another state?

No, if a service provider is registered in more than one state, then each such registration will be treated as a separate registered person. Cross utilization of credit available with two different registered persons is not allowed.

Whether an advocate providing interstate supply chargeable under Reverse Charge liable for registration?

Exemption from registration has been provided to such suppliers who are making only those supplies on which the recipient is liable to discharge GST under Reverse Charge Mechanism.

CASE STUDY

Sri Guru Hair Care Company, in the state of Telangana, was a registered company exclusively for hair care products including hair oil and shampoos, having ayurvedic ingredients. It had obtained the AYUSH license for preparing Ayurvedic hair care products. It recently launched a new shampoo product for frizzy hair with ayurvedic ingredients which also promoted hair growth. During the filing for GST, the shampoos were rated at 18% GST. The Company had appealed to the GST commissioner that it should be rated 12% for ayurvedic products. The GST commissioner in his order on appeal stated that the shampoos which contained spirits (distilled form of Alcohol) are rated at 18% (HS Codes 33051010) and Ayurvedic shampoos are rated at 12%.



INSURANCE

Who can apply for an Insurance Contract?

Any person who has risks associated with business, professional or legal liabilities, threat of damage to automobiles, damage / destruction/ theft of movable property, fear of Untimely Death or disability, or damage/destruction of immovable property, may apply for an Insurance Contract, for the protection of the economic value of such risk.



Except in the case of Life Insurance, the economic value of the property or asset, is determined based on the market value.

Can any individual/firm carry the business of Insurance?

No, only an entity which is registered under the company's act and who is granted a **'Certificate of Registration'** by Insurance Regulatory and Development Authority (IRDA) can carry the business of insurance.

What are insurance contracts?

Insurance contracts are contracts of indemnity. Indemnity means making good of the loss by reimbursing the exact monetary loss. It aims at keeping the insured in the same position he was before the loss occurred and thus prevent him from making profit from insurance policy.

What is the principle behind Insurance Contracts?

Insurance Contracts are risk-bearing contracts where the Insurance Company agrees to bear the large risk for a small reward, viz. premium. As such the Insurance Contracts are governed by the 'principle of Utmost good faith' which requires the buyer/insured to disclose all the material facts.

It is necessary that the material facts must be disclosed to the insurer at the time of entering into the contract, and that all the information given in the proposal form should be true and complete.

What is insurance risk?

Insurance risk refers to the potential for financial loss or adverse outcomes that insurance companies face due to factors such as claim payments, market fluctuations, and unforeseen events.

How is insurance risk assessed?

Insurance companies assess risk through evaluating the risk profile. Factors such as age, health, lifestyle, and occupation are considered for life and health insurance, while factors like location, driving history, and property value are assessed for property and other insurance.

How do insurance companies manage risk?

Insurance companies manage risk through various strategies, including diversification of portfolios, setting appropriate premium levels, reinsurance (transferring risk to other insurers), and maintaining sufficient capital reserves.

Can insurance companies refuse coverage?

Yes, insurance companies have the right to refuse coverage based on risk assessment. Factors such as a high likelihood of claims, non-disclosure of relevant information, or a history of fraudulent activities may lead to the denial of coverage.

What is an Insurance Proposal Form?

A proposal form is one that is filled by any purchaser of a policy in written or electronic form, where all material information in respect of a risk is sought by the Insurance Company, in order to decide whether to grant an Insurance Contract.

What are the different forms of insurance contract?

An insurance contract may be in the form of an insurance policy or a cover note or a Certificate of Insurance or any other form as approved by the Insurance Regulatory and Development Authority of India (IRDAI) to evidence / verify / authenticate the existence of an insurance contract.





Who regulates insurance in India?

The Insurance Sector is one of the highly regulated sectors in India. The Insurance Regulatory and Development Authority of India (IRDAI) is the regulatory body responsible for overseeing and regulating the insurance industry in India. It operates under the provisions of the Insurance Act, 1938.

Are there any specific rules and regulations that protect the purchaser of an Insurance Policy?

The Insurance Regulatory and Development Authority of India (Protection of Policyholders' Interests) Regulations, 2017. These regulations have been formulated to ensure that the:

- Interests of insurance policyholders are protected.
- Insurers, distribution channels and other regulated entities fulfill their obligations towards policyholders and have in place standard procedures and best practices in sale and service of insurance policies.
- Policyholder-centric governance by insurers with emphasis on grievance redressal.

Can a purchaser cancel an Insurance Contract after purchasing the Insurance Policy?

Yes, but only in case of a Life Insurance Policy. **"Free Look Cancellation"** right is given to the purchaser of a Life Insurance Policy Cover, where the Purchaser has a free look period of 15 days from the date of receipt of the policy document and period of 30 days in case of electronic policies and policies obtained through distance mode.

What is the refund amount in case of cancellation during the Free Look Period?

The 'Free Look Period' ranges between 15-30 days depending on the mode in which the Policy was purchased. An Insurer is bound to provide a refund of the premium paid within a period of 15 days from the date of receipt of request for cancellation, subject to the deduction of a proportionate risk premium for the period of cover and the expenses incurred by the insurer on medical examination of the proposer and stamp duty charges.

Can I convert my existing paper polices into electronic policies?

Yes, it is possible to convert the existing paper policies into electronic form. A service request may be made to the Insurance Repository or Insurance Company or the Approved person for the conversion.

What is the role of an insurance agent or broker in India?

Insurance agents and brokers act as intermediaries between the insurance company and the policyholder. Their role is to educate customers about insurance products, assist in policy selection and purchase, and help with claims processing. They are also regulated by the IRDAI.

What is the difference between an individual insurance policy and a group insurance policy?

- An individual insurance policy is purchased by an individual to provide coverage for themselves or their family members. The policyholder is responsible for paying the premiums and is the sole beneficiary of the policy. These policies are tailored to meet the specific needs and requirements of the individual policyholder.
- On the other hand, a group insurance policy is taken out by an organization, such as an employer, trade union, or association, to provide coverage for a group of individuals who are members or employees of that organization. The organization acts as the master policyholder and pays the premiums for the entire group, which can sometimes be subsidized or fully paid by the organization.



Is it mandatory to purchase an Insurance Policy?

- Any person who owns a motor vehicle should compulsorily have third-party (TP) insurance as per Section 146 of the Motor Vehicles Act,



1988. The Third-Party Insurance is also known as 'act only' or 'liability only' cover.

- Any person found driving a vehicle without this mandatory insurance cover, would be liable to a penalty of Rs 2,000 and/or imprisonment of up to three months.
- If a person is found driving a vehicle without such insurance a second time, s/he will be liable for a fine of Rs 4,000 and/or imprisonment of up to three months.

Who is a Third Party in case of a Motor Vehicle Insurance?

As per **National Insurance Co. Ltd. v. Fakir Chand**, "third party" should include everyone (other than the contracting parties to the insurance policy), be it a person traveling in another vehicle, one walking on the road or a passenger in the vehicle itself which is the subject matter of insurance policy.

What is a valid KYC Document for purchasing an Insurance Policy?

The following serve as valid KYC documents:

- Identity Proof:
  - PAN card
  - UID
- Address Proof:
  - Ration Card
  - Passport
  - Aadhar letter
  - Voter ID Card
  - Driving license
  - Bank Passbook (not more than 6 months old)
  - Registered Lease and License agreement / Agreement for sale.
  - Self-declaration by High Court and Supreme Court judges, giving the new address in respect of their own accounts.
  - Identity card/document with address, issued by Central/State Government and its Departments, Statutory/Regulatory Authorities, Public Sector Undertakings, Scheduled Commercial Banks, Public Financial Institutions, Colleges affiliated to Universities; and Professional Bodies such as ICAI, ICWAI, Bar Council etc. to their members.

CASE STUDY

On reading a newspaper report, that as per the new e-Insurance Rules, it is now mandatory for insurance companies to issue only digital policies in line with the IRDA Protection of Policy holder's interests. A retired bank official wanted to know the status of his existing physical policies. He approached the bank for more details, as he had SBI Life Insurance Policy. The HR manager of the bank appraised him with the following details. He assured that there is a provision that all the existing policies can be converted to E - insurance policies in the demat form. The HR manager gave him a Policy Conversion Form to be filled including details like the policyholder's name, policy number, e-insurance account number, and insurance company name. He then submitted the Policy Conversion Form along with the e-Insurance Account Opening Form to the nearest insurance company branch. The insurance company person stated that after the completion of the conversion process, individuals will receive an SMS and email notifications confirming the credit of the policy to their e-Insurance Account.

LAKE GOVERNANCE

What are Lakes and what is Lake Governance?

According to the National Lake Conservation Programme (NLCP), standing water bodies which have a minimum water depth of three metres, generally cover a water spread of more than ten hectares and have no or very little aquatic vegetation are termed as Lakes.

- Environmental governance regimes are often made of various pivotal Social-Ecological Systems (SES).
- One such SES is Lake Governance, which is the process of overseeing and controlling operations pertaining to the utilization, preservation, and protection of lakes and the ecosystems they support.
- It entails a system of laws, regulations, organizations, and customs designed to guarantee the sustainable management of lakes, which are vital natural resources that offer a range of ecological, economic, and recreational advantages.

Why do we need Lake Governance and why is it necessary to preserve lakes?

Lakes serve as crucial habitats for flora and wildlife and serve as significant freshwater reservoirs, aquifer recharge zones, and purifiers of terrestrial wastes. We need Lake Governance to tackle the major problems affecting the optimum utilization and conservation of lake waters from eutrophication (aging processes), chemical and biological poisoning, and decrease in water volumes. We need to conserve urban lakes more than ever because of the current dire water situation in Indian cities.

What are the different classifications of Lakes in India?

Lakes are classified on the basis of a) Origin, b) Trophic levels, c) Mixing of water, d) Nature of Inflow-outflow. The following are the major types of lakes:

- **Natural Lakes:** Formed through geological processes over time, such as tectonic activity, glacial erosion, or volcanic activity. Ex- Wular Lake (Jammu and Kashmir)
- **Glacial Lakes:** Formed by the movement and melting of glaciers, often leaving behind U-shaped valleys that fill with water. Ex-Roopkund Lake (Uttarakhand)
- **Volcanic Lakes:** Created within volcanic craters or calderas, either through rainfall, groundwater accumulation, or direct volcanic activity. Ex - Lonar Lake (Maharashtra)
- **Tectonic Lakes**: Result from geological movements, such as faults, rift zones, or tectonic plate boundaries. Ex-Chilika Lake (Odisha)
- **Oxbow Lakes:** Formed when a meandering river changes its course, leaving behind a curved or horseshoe-shaped body of water. Ex- Nalsarovar Lake (Gujarat)
- **Saltwater Lakes:** Saltwater lakes, also known as saline or salt lakes, have a high concentration of dissolved salts in their water. They are formed through various processes, including evaporation, geological processes, or the presence of underground salt deposits. Ex- Chilka Lake (Odisha).

Is there a difference between lakes and wetlands?

The Ramsar Convention (1971) defines 'Wetlands' as "areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters."

- **Lakes** are defined by the National Lake Conservation Program (NLCP) as "standing water bodies with a minimum water depth of 3 m, a water spread of more than ten hectares, and no or very little aquatic vegetation," as mentioned above.



- However, there are no particular criteria which differentiate between lakes and wetlands as their definition overlaps; However, both of these bodies are visibly distinguishable.
- Therefore, many lakes in India get protected under

Ramsar convention because of India's commitment at international level to protect wetlands and lakes.

What is the National Lake Conservation Programme (NLCF)?

The Ministry of Environment & Forests (MoEF), Government of India, launched the National Lake Conservation Plan (NLCP), a Centrally Sponsored Scheme exclusively aimed at restoring the water quality and ecology of the lakes in different parts of the country including urban and semi-urban areas.

- The NLCP aims at comprehensive conservation and restoration of lakes and wetlands for attaining desired water quality enhancement in addition to improvement in biodiversity and ecosystem.
- Funding pattern under NLCP has 70:30 costs sharing between the Central and the concerned State Government.
- In order to achieve sustainable management and preserve Lakes, this scheme supports and encourages state governments.
- This scheme also instructs the local or state government to take the proper steps to designate the lake's limit.
- To ensure that there are no encroachments in the lake boundary or submergence area, the local authority or body must take all necessary steps.

What is Eutrophication and how is Eutrophication of a Lake controlled?

Eutrophication is the process in which a water body becomes overly enriched with nutrients, leading to the plentiful growth of simple plant life. Biological methods, such as removing fish that eat zooplankton, and introducing phosphorus sorption agents like aluminum are the most often used strategies to stop Eutrophication.





How can we ensure the sustainable use of water from Lake?

- Since lakes are the primary supply of drinking water in terrain areas and it is a very important resource for society, we must prioritize their sustainable use in urban areas.
- We shouldn't build drains or discharge waste into natural drainage systems in order to use lakes responsibly.
- Water pollution must be stopped, chemicals, industrial waste must be handled before being released into lakes or other bodies of water.
- Informing local authorities, when witnessing someone pouring chemicals into a river or lake, hearing about such an incident, or both. Speedy removal of encroachment of dry land of lakes.
- Lake rejuvenation methods must be utilized to have sustainable use of lake water without harming it.

What are the difference Statutes for the Protection of Lakes?

- **The Water (Prevention & Control of Pollution) Act, 1974** as amended, deals comprehensively with water issues. It empowers the Government to maintain the wholesomeness of National Water Bodies. The Act also provides for prohibition on use of streams (including inland water whether natural & artificial) or wells for disposal of polluting matter etc.
- **The Environment (Protection) Act, 1986** defines the power of the Central Government to take measures to protect and improve the environment which includes water, air, land and the relationship which exists among and between water, air and land and human beings, other living creatures, plants, micro-organisms and property.
- **The National Environment Policy (NEP), 2006**, recognises the ecological services rendered by the water bodies like lakes & wetlands. However,

only a few states in India have passed and implemented bills specifically targeted to the conservation of water bodies. These include Assam, West Bengal, Andhra Pradesh and Keralam.



What are the consequences of lake destruction or degradation in terms of biodiversity loss and ecosystem services?

The most valuable natural resource on Earth is freshwater. Changes in water levels as a result of climate change could exacerbate or alleviate shoreline modification because higher water levels often will results in the hardening of shorelines, ultimately resulting in loss of lakes.

Lakes offer four basic types of ecosystem services to the local human populations as well as populations at larger regional and global scales:

- providing,
- regulating,
- sustaining, and
- cultural services.
- Millions of people receive their drinking water from large lakes, which is essential given that the drinking water insecurity experienced by many populations may be made worse by an increase in drought as a result of climate change.
- Fish, invertebrates like crayfish, and aquatic plants are among the culturally and economically significant foods that can be gathered from huge lakes.
- Large lakes can be important dietary staples in underdeveloped nations, especially for indigenous people.
- Loss of lakes could result in cascading consequences at species, population, and community levels, hampering human life culturally and economically which would result in an increase of burden on government.

What are the benefits of Lakes monitoring?

For the purpose of the restoration of the lakes, they are monitored during pre and post treatment stages.

- Similarly, after restoration the lake is monitored with usual intervals (long-term monitoring of restoration projects).
- This results in collection of data for an adequate period of time and sufficient details of before and after restoration.
- These details are sent for rigorous analysis and interpretation. After such analysis, results come whether the lake is restored or not or the administration needs to change the policy.

What are the factors influencing public participation in Lake Governance?

Public participation in Lake Governance is shaped by several key elements. These include:

- public awareness and understanding of lake-related matters,
- the availability of easily accessible information,
- the presence of accommodating institutional frameworks,
- local socio-economic conditions,
- environmental concerns,
- various legal policies,
- effective leadership and advocacy initiatives,
- and the degree of trust placed in stakeholders.

Therefore, these factors collectively provide both the scope and character of the public's participation in the decision-making procedures linked to lake management.

How can the cultural heritage of a particular region contribute to Lake Governance?

The cultural heritage of a particular area can play a significant role in Lake Governance by nurturing a sense of belonging, attachment, and accountability within the local populace.

- Cultural norms and traditions often highlight the significance of safeguarding natural assets such as lakes, influencing the community's shared values and actions regarding conservation.
- Furthermore, the ancestral practices passed through generations can provide valuable insights into

sustainable methods for managing lakes, thereby shaping the decision-making procedures and resource utilization practices.

- In essence, cultural heritage serves as a potent catalyst for encouraging community participation and supervision in Lake Governance endeavors.

What are the major challenges related to lake water governance?

The major challenges related to lake water governance include:

- **Pollution**: Water quality in lakes are compromised by pollutants from various origins, including runoff from agriculture, discharges from industries, and untreated sewage. These contaminants, which may include chemicals and heavy metals, pose risks to both aquatic ecosystems and human health.
- **Eutrophication**: The excessive inflow of nutrients, often stemming from sources like agricultural runoff and urban drainage, can trigger eutrophication. This phenomenon encourages the rapid growth of algae, resulting in oxygen depletion in the water, fish mortality, and the formation of unsightly and harmful algal blooms.
- **Invasive Species**: The introduction of non-native species into lakes can lead to disruptions in local ecosystems, endangering native species and impacting biodiversity and fisheries. Managing and mitigating the spread of these invasive species is an ongoing challenge within Lake Governance.
- **Water Scarcity**: Escalating water demands driven by agriculture, industry, and urban area developments, coupled with the influence of climate change, can contribute to water scarcity in many regions. Competing interests for limited water resources often result in disputes over water allocation and utilization.
- **Climate Change Effects**: Climate change can bring about alterations in precipitation patterns, temperatures, and weather conditions, affecting aspects such as lake water levels, water quality, and the dynamics of ecosystems. Strategies for adaptation are necessary to address these evolving challenges.



What is the importance of the International Agreement on transboundary Lake Governance?

The significance of the **International Agreement on transboundary Lake Governance** enables collaborative management of lakes that cross international boundaries.

- It encourages neighboring nations to work together to tackle shared issues like water quality, resource allocation, and environmental preservation, ultimately ensuring the sustainable and fair utilization of these crucial freshwater bodies.
- By doing so, this agreement helps avert conflicts, advance biodiversity protection, and contribute to the enduring prosperity of communities that depend on transboundary lakes for drinking water, agriculture, industry, and recreational activities.

How does Lake Governance contribute to the economic benefits of the country?

Lake Governance plays a crucial role in strengthening country's economic advantages through various means.

- It involves the efficient administration and preservation of lakes, which in turn can promote income generation and job opportunities from fisheries, tourism, and recreational activities.
- Moreover, ensuring the availability of clean and dependable lake water serves as a vital asset for agriculture, industry, and municipal water supply, thereby enhancing economic productivity and growth.
- Sustainable Lake Governance additionally contributes to the safeguarding of ecosystems and biodiversity, with long-term economic benefits by preserving natural resources and supporting industries like ecotourism.

Therefore, well-maintained lakes are an indispensable element of a country's economic prosperity.

How can we set a balance between sustainability and governance of the lake?

Balancing sustainability and Lake Governance involves establishing effective regulations and management practices that prioritize



long-term ecological health while considering the needs of communities and industries reliant on the lake.

- This can be achieved by implementing science-based monitoring, setting sustainable resource allocation policies, and promoting stakeholder engagement.
- Adaptive management approaches, which allow for adjustments based on changing conditions and feedback, are vital.
- Striking this balance requires transparent decision-making, interdisciplinary collaboration, and a commitment to addressing both environmental and socioeconomic aspects, ensuring the lake's resilience and continued benefits for all stakeholders.

Who has the responsibility of Lake Governance?

Lake Governance is a shared responsibility involving multiple stakeholders, including government authorities, local communities, non-governmental organizations (NGOs), and industry representatives.

- Government agencies at various levels often play a central role in setting policies, regulations, and management frameworks.
- However, effective Lake Governance requires collaborative efforts among all stakeholders, with a focus on transparency, accountability, and inclusive decision-making processes to address the complex environmental and socioeconomic issues associated with lakes.

What are the strategies by which we can enhance Lake Governance?

Enhancing Lake Governance involves implementing strategies such as:

- **Engaging Stakeholders**: Actively involving local communities, government entities, non-governmental organizations (NGOs), and industries in decision-making processes to ensure a variety of perspectives and shared responsibility.
- **Implementing Effective Regulations:** Establishing and enforcing clear, science-based rules to oversee water quality, prevent pollution, and manage invasive species.
- **Ensuring Equitable Resource Allocation**: Enacting policies that fairly distribute water resources among different users, while also considering ecological needs and long-term sustainability.
- **Enhancing Data and Monitoring**: Investing in robust monitoring systems to oversee water quality, the health of the lake, and changes in the ecosystem, offering timely information for decision-makers.
- **Embracing Adaptive Management:** Adopting approaches to management that allow for flexibility and adjustments in response to evolving environmental conditions and feedback from stakeholders.
- **Promoting Education and Outreach**: Increasing public awareness and knowledge about the significance of lakes and the importance of their sustainable management, encouraging a sense of responsibility.
- **Encouraging Cross-Disciplinary Collaboration**: Fostering cooperation among scientists, policymakers, and stakeholders to develop comprehensive solutions that address both environmental and socioeconomic dimensions.
- **Ensuring Transparency**: Guaranteeing that decision-making processes are transparent and accountable, thereby building trust among stakeholders and advancing good governance practices.

What are the major factors affecting the Lake Governance due to climate change?

The major factors impacting Lake Governance as a result of climate change includes:

- changes in rainfall patterns and water availability,
- shifts in lake water temperatures and stratification,
- a heightened occurrence of extreme weather events, and
- transformations in lake ecosystems and water quality.

These climate-driven challenges have the potential to disrupt established management approaches, demanding adaptive measures and revised regulations to tackle

emerging issues in Lake Governance and ensure the enduring well-being and sustainability of lakes.

What kind of human and animal activities are permitted in a lake?

- Permitted human activities in a lake typically includes recreational pursuits such as swimming, boating, fishing, and picnicking, depending on local regulations.
- Additionally, some lakes may allow activities like water sports, kayaking, and birdwatching. Animal activities primarily involve aquatic life and wildlife.
- Fish inhabit lakes, and the ecosystem supports a variety of animal species for drinking, nesting, and foraging.

The specifics of allowable activities can vary significantly based on local laws, conservation efforts, and lake management policies.

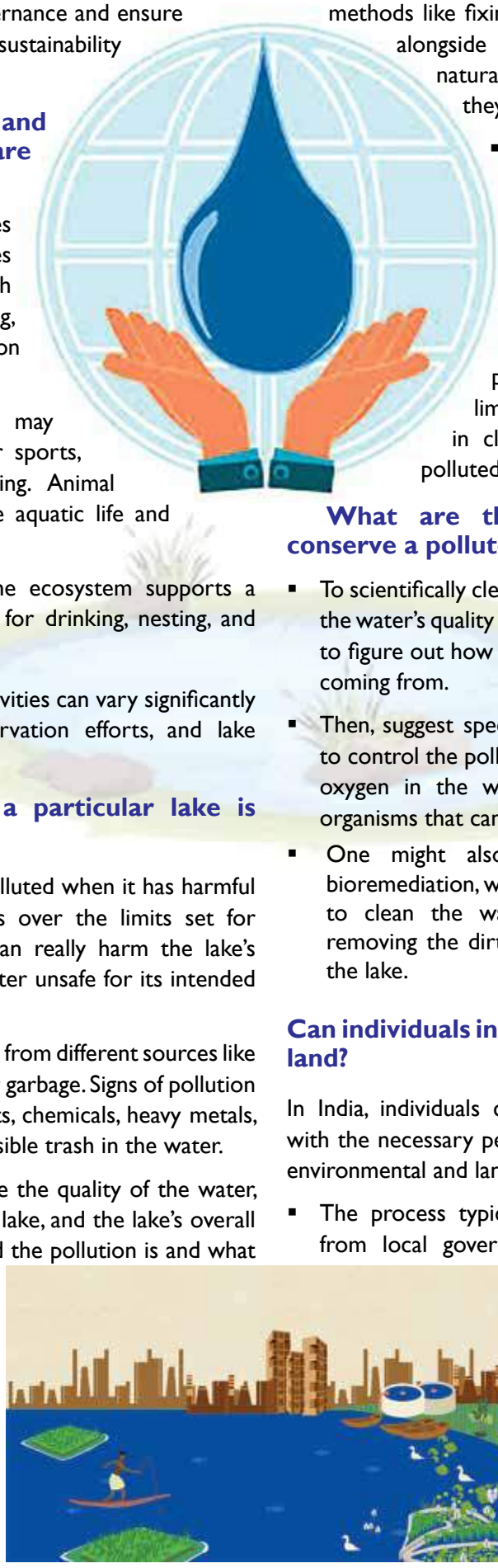
When is it said that a particular lake is polluted?

A lake is considered to be polluted when it has harmful contaminants in it that goes over the limits set for clean water, and this stuff can really harm the lake's environment or make the water unsafe for its intended uses.

- Pollution in lakes can come from different sources like factories, farms, sewage, or garbage. Signs of pollution include too many nutrients, chemicals, heavy metals, bad microorganisms, or visible trash in the water.
- This pollution can degrade the quality of the water, the creatures living in the lake, and the lake's overall health. To identify how bad the pollution is and what to do about it, people regularly check and assess the lake's condition.

What is the natural procedure to conserve a polluted lake?

To naturally clean up a polluted lake, we can use methods like fixing wetlands and areas with plants alongside the lake. These plants act like natural filters, catching pollutants before they get into the water.



- We can also plant native trees and plants, prevent soil from washing away, and add helpful tiny organisms or creatures that eat harmful algae.
- Making sure the land around the lake is used responsibly, like preventing too much runoff and limiting extra nutrients, is important in cleaning up and taking care of a polluted lake using nature's ways.

What are the scientific methods to conserve a polluted lake?

- To scientifically clean up a polluted lake, first examine the water's quality and use data and computer models to figure out how bad the pollution is and where it's coming from.
- Then, suggest specific actions like adding chemicals to control the pollution, using machines to put more oxygen in the water, or introducing helpful tiny organisms that can break down the bad stuff.
- One might also use advanced methods like bioremediation, which involves using living creatures to clean the water, or dredging, which means removing the dirty sediments from the bottom of the lake.

Can individuals in India build a lake on private land?

In India, individuals can build a lake on private land with the necessary permissions and adherence to local environmental and land-use regulations.

- The process typically involves obtaining approvals from local government authorities, including the district collector's office and the state's revenue and water resources departments.
- These approvals are essential to ensure that the lake construction complies with legal and environmental requirements, doesn't harm neighboring lands or water



bodies, and adheres to any water rights or irrigation laws in place.

- Individuals should also consider consulting with experts to ensure that their lake construction aligns with ecological and sustainability considerations.

What are the advantages of preserving and rejuvenating lakes?

- Lakes act as a natural reservoir and increases storage of water.
- Lakes make up a crucial part of the natural biodiversity, by optimising the quality of water, temperature and atmosphere.
- They increase the ground water level.
- It controls erosion of soil and reduces risks of floods.
- Lakes are homes to a variety of eco-systems which needs to be preserved.

What are the benefits of having a lake in community-specific areas?

Having a lake in a community area offers many advantages.

- It provides clean water for drinking and farming, and people can enjoy activities like boating and fishing there.
- Lakes make the place look beautiful and green, support local animals and nature, and can even attract tourists, which can help the community make money.
- Plus, they can help prevent floods and store extra water when it's dry, making the area stronger and more sustainable for the people who live there.

Do lakes have a direct impact on the bearing temperate in the surrounding areas?

Lakes can indeed affect the nearby temperature. They act like natural temperature regulators. When it's hot outside, lakes can make the area cooler, and in cold weather, they can help keep it warmer. This balancing act makes the local climate more comfortable and steadier, which is good for farming and the people who live there.

CASE STUDY

Ramveer Tanwar is a 29-year-old mechanical engineering graduate from Greater Noida, Delhi. His love for water bodies sparked a mission to save them from disappearing due to urbanization. During his college days, Tanwar launched the 'Jal Chaupal' campaign with his friends. Together, they rallied together local communities to revive water bodies, mostly ponds, in Uttar Pradesh. This revival project started in 2015, has now grown to cover water bodies in Uttar Pradesh, Madhya Pradesh, Uttarakhand, Delhi, Haryana and Karnataka. This led to the establishment of "Say Earth" in 2018, a group dedicated to conserving water and planting trees.

Through "Say Earth", Tanwar has restored over 80 water bodies and planted urban forests in six states. His projects are funded by companies, and he uses eco-friendly methods like Constructed Wetlands and Floating Islands to clean water. He also follows the Miyawaki method to grow forests quickly, planting lots of trees close together. This helps wildlife and provides a green escape in cities. He believes in farming practices that help the environment, like making biodiesel from plants.

Tanwar's work has brought real benefits to communities, improving farming and reducing sickness. His efforts haven't gone unnoticed; he's earned the nickname "Pondman of India" and even got praise from Prime Minister Narendra Modi.

FUNCTIONS OF THE POLLUTION CONTROL BOARDS

What is the primary statutory authority responsible for regulating and controlling pollution in India?

The primary statutory authority responsible for regulating and controlling pollution in India is the Central Pollution Control Board (CPCB) at the national level and State Pollution Control Boards (SPCBs) at the state level. As per Sections 3&4 of The Water (Prevention and Control of Pollution) Act 1974 and Sections 3&4 of The *Air* (Prevention and Control of Pollution) *Act*, 1981, there shall be a board appointed by appropriate government.

What are the key objectives and functions of Pollution Control Boards in India?

Objectives of the Pollution Control Boards in India:

- Provide incentives for manufacturers and importers to reduce adverse environmental impact of products.
- Reward genuine initiatives by companies to reduce adverse environmental impact of their products.
- Assist consumers in becoming environmentally responsible by providing information for eco-friendly purchase decisions.
- Encourage citizens to purchase products with less harmful environmental impacts.
- Improve the quality of the environment and encourage sustainable management of resources.

Functions of the Pollution Control Boards in India:

- Advise the Central Government on matters concerning the prevention and control of water and air pollution, and air quality improvement.
- Research, Plan and Execute nationwide programs for the prevention, control, or abatement of water and air pollution.
- Coordinate activities among State Pollution Control Boards SPCBs and resolve disputes among them.
- Provide technical assistance and guidance to State Pollution Control Boards (SPCB) to conduct research and investigate related to pollution issues.
- Plan and organize training programs for individuals engaged in pollution prevention, control, or abatement.
- Organize mass awareness programs through mass media regarding the prevention, control, or abatement of water and air pollution.
- Collect, compile, and publish technical and statistical data related to water and air pollution and measures for prevention, control, or abatement.
- Lay down, modify, or annul standards for water quality, air quality, and other relevant parameters after consulting the State Governments and SPCBs.
- Prepare manuals, codes, and guidelines for the treatment and disposal of sewage, effluents, and air pollution control devices.
- Perform any other function as prescribed by the Government of India.

What is the Composition of Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCB)?

Members of Pollution Control Boards are appointed by the appropriate governments with the Central Government appointing CPCB members and State Governments appointing SPCB members. The Chairman, nominated by the government, requires special knowledge in environmental protection or administration. Members include officials from the government, nominees from



state/local boards, and non-officials representing varied interests or government-owned corporations. The appointments are typically made based on qualifications and experience in areas related to environmental science, engineering, law, or management.

What powers do Pollution Control Boards have in terms of granting or revoking environmental clearances for industrial projects?

Pollution Control Boards in India, empowered by the Water Act of 1974, hold significant powers regarding the granting and revoking of environmental clearances for industrial projects.

According to Section 25(4) of the Act, the Boards can grant consent for the establishment of industries, operations, or treatment systems, imposing conditions for compliance.

- The consent allows the Boards to sample effluents for assessment.
- Clearances are contingent upon adherence to these conditions, and the Boards reserve the right to refuse or withdraw consent if specified norms are not met.
- Under Sections 25 and 26, the Boards have the authority to review imposed conditions, serving notices for reasonable variations or revocations. This includes the power to review the grant or refusal of consent and issue orders as deemed fit.

The comprehensive regulatory framework ensures that Pollution Control Boards can effectively assess and monitor potential environmental impacts, ensuring industrial projects align with prescribed environmental norms and promoting sustainable development practices.



What are the penalties and legal consequences for non-compliance with pollution control regulations enforced by Pollution Control Boards?

The types of non-compliances and their penalties and legal consequences are listed below:

- **Violating air quality limits:** After informing the respective Pollution Control Boards, the costs of corrective actions borne are to be reimburse by the violator. The Court will pass an order to restrain emissions. The violator must reimburse the expenses with interest.
- **Operating industrial plant without permissions or equipment:** The punishment for this violation is imprisonment for 1.5 to 6 years and levy of fine. A daily fine of Rs. 5,000 will be levied on persistent violations. If there is extended non-compliance for 1 year, the punishment is 2-7 years imprisonment with a fine.
- **Driving vehicles violating noise/air pollution standards:** If it is a first offense, a fine of Rs. 1,000 will be levied. If the person is a second- time offender, a fine of Rs. 2,000 will be levied. If the offender is not carrying a valid Pollution Under Control (PUC) Certificate, then a fine of Rs. 10,000 will be collected.
- **Violating any provisions in Environmental Protection Act, 1986 (air, water, or land pollution):** An offender will be imprisoned for a period up to 5 years and fined up to Rs. 1,00,000. For continued non-compliance, a daily fine of Rs. 5,000 will be levied on the violator.
- **Releasing harmful pollutants constituting public nuisance:** The violator has to pay a fine up to Rs. 5,000.
- **Engaging in activities harmful to community health:** The Magistrate may pass an order to cease such activity.

Can a citizen report instances of pollution or environmental violations to the Pollution Control Boards?

Yes, citizens can report instances of pollution or environmental violations to the Pollution Control Boards.

- Visit Official Website
- Check for Complaints Section

- Use Online Complaint Portal (if available)
- Provide Supporting Evidence (Include photographs or videos, if possible, to strengthen your case and provide solid evidence.)
- If No Online Portal, Find Contact Details (phone numbers or email addresses.)
- Report Violation Directly via Phone or Email
- Follow Up on Complaint



Every State Pollution Control Boards have established public grievance redressal systems. Through helplines, integrated grievance management systems, official websites, and social media platforms, citizens can lodge complaints related to environmental problems, including air pollution. (visit site: https://cpcb.nic.in/uploads/SPCB_Directory)

What measures and initiatives have been taken by Pollution Control Boards to control air pollution?

- **National Clean Air Programme (NCAP):** Long-term strategy aiming for a 20-30% reduction in PM10 and PM2.5 concentrations by 2024.
- **Comprehensive Action Plan (CAP) for Delhi-NCR:** Specific guidelines for Delhi-NCR based on air quality categories.
- **Graded Response Action Plan (GRAP):** Guidelines with actions based on air quality categories.
- **SAMEER App:** Real-time air quality information and a platform for lodging complaints.
- **National Green Corps (NGC):** Promoting environmental education and awareness.
- **BS-VI norms for fuel and vehicles:** Adoption of this helps for Implementation of stricter emission standards for vehicles.
- **Promotion of public transport:** State Road transport corporations, metro, railways, expressways etc.
- **Industrial Emissions Control:** For all toxic chemicals and gases.
- **Regulations on firecracker usage:** Emphasis on adherence to regulations during festivals.

What measures and initiatives have been taken by Pollution Control Boards to control water pollution?

- **National River Conservation Programme (NRCP):** Initiative for the conservation of rivers.
- **National Lake Conservation Programme (NLCP):** Program focused on the conservation of lakes.
- **Atal Mission for Rejuvenation and Urban Transformation (AMRUT):** Urban transformation program with a focus on water conservation.
- **Jal Jeevan Mission (2019):** Aims to provide drinkable tap water to every rural home in India by 2024.
- **Wastewater Treatment and Bio-chemical Oxygen Demand (BOD):** Emphasizes the importance of treating wastewater before discharge.
- **Identification of Polluted Stretches:** Studied by CPCB, identifies 351 polluted stretches on 323 rivers based on Bio-chemical Oxygen Demand (BOD) levels.
- **Groundwater Quality Monitoring Program:** Monitored pollutants like fluoride, arsenic, nitrate, iron, and heavy metals.

Can citizens file any legal actions against polluting industries with the support of Pollution Control Boards?

Citizens of India can file legal actions against polluting industries with the support of Pollution Control Boards.

- Public interest litigations and Citizen suits are the judicial methods through which individuals can seek legal remedies for environmental issues.
- Pollution Control Boards possess the authority to take legal actions, including issuing directives for compliance, conducting inspections, and ordering the closure of non-compliant establishments. Citizens can make appeals to the PCBs for resolving these environmental issues

Can citizens file any legal actions against the Pollution Control Boards, in case of failure on the part of the PCB?

Citizens of India possess the right to initiate legal actions against PCBs, if they believe that they are not performing adequately in their response to instances of environmental harm and violations. In India, citizens can legally challenge Pollution Control Boards (PCBs) for inadequate responses to pollution under the Water Act of 1974. The PCB has to remain transparent in their functioning, but a 6-month notice period is required to be given to them to reveal the information.

- The concerned citizens may write their complaints to PCBs directly or file suits in the court through PILs or Citizen Suits for violations, like illegal pollution.
- Public hearings during Environmental Impact Assessment helps in the prevention of environmental violations. There is no necessity for public consultations during these assessments, which can pose a challenge.
- Right to Information (RTI) enable citizens to obtain information of the measures taken by the PCBs for pollution control and allocation of public funds.
- The National Green Tribunal (NGT) expedites environmental cases.

Despite legal avenues, the complexity, cost, and procedural intricacies underscore the needs for continued reforms for effective environmental governance and citizen empowerment.

What role do Pollution Control Boards play in regulating the discharge of industrial effluents into water bodies and ensuring the quality of water sources?

The role of PCBs in regulating the discharge of industrial effluents is:

- They issue and regulate permits for the discharge of industrial effluents into water bodies and conserve the quality of water sources in India.
- The Industrial (Prevention and Control of Pollution) Act, 1974 lists the measures for industrial organisations to reduce water pollution and enhance the quality of water.
- The Act gives powers to the CPCB and SPCBs to collect information and conduct surveys regarding industrial effluents, set effluent standards, conduct regular monitoring and penalise the violators.
- Section 24 of the Act specifically prohibits the discharge of the effluents into lands, streams and wells, with additional restrictions on newly established industries which are likely to discharge waste and effluents.
- The industries have to take consent from the SPCBs for waste management. The board can then decide whether to grant complete/partial clearance and suggest remedial measures. Violation of these guidelines may result in a Suit filed by the SPCB.

What role do Pollution Control Boards play in regulating air pollution and emissions?

PCBs in India regulate, oversee and manage air pollution and emissions in India.

- They formulate and enforce emission standards for industries as per the Air (Prevention and Control of Pollution) Act, 1981. This ensures that gaseous emission levels, which lead to air pollution, remain within permissible limits.
- The National Air Quality Monitoring Programme (NAMP) is an initiative taken by the PCBS with the main objective being to monitor and evaluate the air quality across various regions.
- PCBs provide recommendations to the government on implementing measures to prevent and control air pollution.
- They conduct regular inspections of industrial organisations to ensure compliance with the regulations which are formulated to minimise environmental impact.
- They designate certain areas to be "Air Pollution Control Zones", where additional measures are enforced to curb pollution.
- They conduct scientific research and combine that with National Environmental Goals to send strict standards for air quality and emissions.





- They set compliance standards with the provisions of the Act. PCBs organise and conduct public awareness campaigns to educate the people about air pollution and environmental conservation.
- They also conduct public outreach programmes and community initiative programmes to encourage individuals of the wider community and other organisations to adopt sustainable practices and reduce carbon footprint.

How do Pollution Control Boards monitor and regulate waste management and disposal in India?

Pollution Control Boards monitor hazardous waste management through regulations and guidelines. They issue authorizations, inspect facilities, and ensure proper disposal methods to prevent adverse environmental impacts. In The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, it contains

- **Authorization and Registration**: Industries generating hazardous waste are required to obtain authorization from the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) based on the type and quantity of waste generated. The authorization ensures compliance with rules and standards.
- **Manifest System:** A manifest system is in place to track the movement of hazardous waste from the point of generation to the disposal facility. The generator, transporter, and operator of the disposal facility are all required to sign the manifest, providing transparency and accountability.
- **Transportation:** Strict regulations govern the transportation of hazardous waste. Only authorized transporters with valid licenses are permitted to carry hazardous waste. The waste must be appropriately packaged, labelled, and accompanied by the manifest during transportation.
- **Treatment, Storage, and Disposal Facilities (TSDFs):** Hazardous waste must be sent to authorized Treatment, Storage, and Disposal Facilities (TSDFs) for proper management. These facilities undergo scrutiny and approval by the PCBs to ensure they meet prescribed standards for safe handling and disposal.
- **Inspections and Audits:** PCBs conduct regular inspections and audits of industries, TSDFs, and other facilities involved in hazardous waste management. These inspections ensure compliance with rules, proper documentation, and the implementation of safety measures.
- **Surveillance and Monitoring:** PCBs engage in continuous surveillance and monitoring of hazardous waste management practices to identify potential violations and take corrective actions promptly.
- **Penalties and Enforcement:** Non-compliance with hazardous waste management rules can result in penalties and legal actions. PCBs have the authority to take stringent measures, including closure of non-compliant facilities and legal proceedings against violators.

How are the decisions and actions of Pollution Control Boards transparent, and how can the public access information about their regulatory processes?

- The PCBs are held accountable regarding their powers and duties by the citizens through various executive and legal procedures, the most important one being the Right to Information Act (RTI), 2005. The RTI Act helps citizens to access information related to the regulatory processes of PCBs. Under this act, individuals have the right to request specific details about central enactments, rules, notifications, and other pertinent information concerning pollution control.
- To further enhance transparency, PCBs publish comprehensive information on their official websites, including details about regulatory frameworks, enforcement actions, and environmental monitoring reports.
- Additionally, PCBs conduct public hearings which provide a platform for citizens to discuss, express concerns, and gather insights into the regulatory decisions of the PCB. The PCBs further maintain transparency in their functioning by publishing the laws, rules, and notifications in the Gazette of India, which is accessible to everyone.

Through these practices, PCBs ensures that the public stays well-informed about regulatory processes, holds the PCBs accountable, and participates in environmental governance.

What initiatives have Pollution Control Boards taken to address emerging environmental challenges such as plastic pollution and electronic waste?

The PCBs play a very important role when it comes to Plastic and e-Waste management. They set the standards and formulate regulations to manage and dispose these wastes so that they do not cause more harm to the environment.

Initiatives taken for Plastic Pollution:

- Enforcement of Plastic Waste Management Rules
- Extended Producer Responsibility (EPR)
- Centralized EPR Portals
- Contribution to Swachh Bharat Mission
- Awareness Campaigns

Initiatives taken for e-Waste Management:

- Regulations for E-waste Management
- Awareness Programs
- Regular Monitoring and Enforcement
- Research and Development Initiatives
- Gandhian E-Waste Management System

How does the Pollution Control Board ensure the involvement of local communities and stakeholders in decision-making processes related to environmental protection?

The Pollution Control Boards (PCBs) in India ensure active involvement of local communities and stakeholders in environmental decision-making processes through various mechanisms dictated by environmental laws.

Governed by acts like the Water (Prevention and Control of Pollution) Act, 1974, the Water (Prevention and Control of Pollution) Cess Act, 1977, and the Air (Prevention and Control of Pollution) Act, 1981, PCBs implement advisory roles, advising the Central Government and coordinating activities among State Pollution Control Boards.

- They actively collect and publish technical data on pollution, organize mass awareness programs through mass media, and engage in public consultations.
- The legal framework emphasizes the importance of setting and modifying standards in consultation with State Governments, considering regional variations.
- Mandated inspections of pollution control equipment and industrial plants involve local stakeholders in monitoring and enforcing environmental standards.

While the legal framework acknowledges the need for transparency and public access to information, challenges remain, indicating the ongoing efforts needed for improved community participation in environmental governance.

What measures are in place to monitor and control noise pollution, and how does the Pollution Control Board regulate noise levels in different areas?

The regulation of noise pollution is governed by the Noise Pollution (Regulation and Control) Rules, 2000 (S.O. 123(E)), which outlines a comprehensive framework. State Governments play a pivotal role in categorizing areas and enforcing noise standards, overseen by various authorities like District Magistrates and Police Commissioners. The Pollution Control Board, as a regulatory body, likely implements these rules, empowered by specific sections of the Environment (Protection) Act, 1986 – sections 3(2)(ii), 6(1), 6(2)(b), and 25. Designated authorities actively monitor and assess noise levels, ensuring compliance with ambient air quality standards.

- The rules cover the use of loudspeakers, requiring written permission and imposing time restrictions (10:00 p.m. to 6:00 a.m.), with exceptions for cultural or religious events.
- Designated silence zones around hospitals, schools, and courts carry penalties for violations under the Environment (Protection) Act, 1986.
- Individuals can actively participate in enforcement through a complaint mechanism, triggering investigations and actions by authorities when noise levels exceed standards by 10 dB (A) or more.

The governing body, with the authority to issue written orders, reg ng a balanced ap



CASE STUDY

A Bakery is in the process of making products and planning for a cloud kitchen near a village near Hyderabad. Without seeking Consent from the Pollution Control Board [PCB], the Bakery was discharging the untreated kitchen wastewater to the nearby pond. For their day-to-day activities, the pond water was used by local villagers for their livestock. Discharge of untreated wastewater to lakes and ponds contaminates the surface and groundwater. This is an offence under the Water Act, of 1974. Further, all industrial and trade activities must seek Consent to Establish and Consent to Operate from the respective Pollution Control Boards. The villagers with the help of an NGO approached the State Pollution Control Board and submitted a written complaint. The Pollution Control Board sent a notice to the Bakery seeking information on their pollution-causing activities. The Bakery replied arguing that the PCB cannot act on the complaint of the villagers or the NGO and can only act through the court order. The PCB relying on its powers u/s 20(3) of the Water Act, responded that it had the power to obtain information from industries or trade activities, especially if it results in pollution of water.

The State Pollution Control Boards have been established under the Water Act and Air Act, with a mandate for prevention, control, and abatement of pollution, and have powers to regularly inspect the effluent treatment plants and set standards for emission of effluents.



FOREST RIGHTS ACT

What are the Salient Features of Forest Rights Act (FRA)?

The key policies and provisions of the Forest Rights Act include:

- **Recognition of Rights**: The Forest Rights Act provides for the recognition and vesting of rights over forest lands that have been traditionally occupied and used by forest dwellers for their livelihoods.
- **No Eviction without Consent**: The Act explicitly prohibits the eviction or forced relocation of forest dwellers from their traditional forest lands without their consent.
- **Role of Gram Sabha**: The Gram Sabha, which is the village assembly, plays a crucial role in the process of recognizing and verifying forest rights. It verifies and approves the claims for individual and community rights, ensuring local participation in the decision-making process.
- **Community Forest Rights:** The Forest Rights Act recognizes and grants community forest rights, allowing forest-dwelling communities to manage and protect the community forest resources collectively.
- **Grievance Redressal:** The Act establishes a grievance redressal mechanism for addressing disputes and conflicts arising from the recognition and vesting of forest rights, providing recourse for forest dwellers if they face any violations of their rights.

Who are Forest Dwellers under the FRA?

According to Forest Rights Act, 2006 **Forest Dwellers**, also known as **"Scheduled Tribes"** or **"Other Traditional Forest Dwellers"**, are individuals or communities who have been residing in forests or forested areas for generations and depend on the forests for their livelihoods, culture, and sustenance.



What are the requirements for a Forest Dwelling Scheduled Tribe (FDST) to claim rights under FRA?

As per Section 2 (c) of FRA, in order to qualify as FDST and be eligible for recognition of rights under FRA, an applicant must satisfy two requirements under the Act. Such applicant/s may be individual members or community. The requirements are:

- The applicant must be a Scheduled Tribe in the area where the right is claimed; and
- The applicant must depend on forest or forests land for *bonafide livelihood needs* and includes pastoralist communities.

What are the requirements for Other Traditional Forest Dweller (OTFD) to claim rights under FRA?

- The applicant has *primarily resided in*[1] forest or forests land for three generations (75 years) prior to 13th December 2005; and
- The applicant must depend on the forest or forests land for bonafide livelihood needs.

The requirement under Section 2 (o) of the FRA is that they should be forest dwellers for 75 years. There is no requirement that such forest dwellers must reside in the same village for 75 years. The same can be proved as a community and not every individual claimant needs to prove it.

What are the rights conferred by the FRA?

Forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands are entitled to the following rights under the Act:

- Right to hold and live in the forest land either for habitation or cultivation for livelihood;
- Community rights such as *'Nistar'*, and other community rights regarding use of resources;

1 In a Circular dates 9.06.2008, the Ministry of Tribal Affairs clarified the meaning of the phrase 'primarily resided in' as: "such Scheduled tribes and other traditional forest dwellers who are not necessarily residing inside the forest but are depending on the forest for their bona fide livelihood needs would be covered under the definition of 'forest dwelling Scheduled Tribes' and 'other traditional forest dweller' as given in Sections 2 (c) and 2(o) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

- Right of ownership, access to collect, use and dispose of minor forest produce;
- Rights in or over disputes lands, i.e, lands in any State where claims over such land is disputed;
- Rights for conversion of leases or grants issued by any local authority on any forest land;
- Any other such rights that are recognized under any State law, District Council, Regional Council, or any traditional or customary law governing the concerned tribes;
- Right to be rehabilitated in the original land or any alternative land in cases of illegal eviction or displacement without receiving the legal entitlement to rehabilitation prior to December 2005.

Are these rights transferable?

No, these rights are non-transferable right and non-alienable. It is exclusively available to those who are living in forests traditionally and it passes on to their biological heirs.

What are the authorities and due procedures for Recognition of Forest Dwellers Rights under FRA 2006?

- **Gram Sabha**

  Within its jurisdiction, the Gram Sabha has the ability to begin the process of deciding the kind and extent of individual or communal forest rights, or both, that may be granted to forest living scheduled tribes and other traditional forest inhabitants. Receiving claims, consolidating and verifying them, and preparing a map delineating the area of each recommended claim in such a manner as may be prescribed for the exercise of such rights shall be done, and the Gram Sabha shall then pass a resolution to that effect, and a copy of the same shall be forwarded to the Sub-Divisional Level Committee.

- **Sub-Divisional Level Committee**

  Sub-Divisional Level Committee evaluates the Gram Sabha's resolution, prepare a record of forest rights, and transmit it to the District Level Committee for a final determination. Any person who is aggrieved by the Sub-Divisional Level Committee's decision may file a petition with the District Level Committee within sixty days of the Sub-Divisional Level Committee's decision, and the District Level Committee will consider and decide the petition.

- **District Level Committee**

  District Level Committee reviews and ultimately approves the Sub-Divisional Level Committee's Forest rights record. The District Level Committee's judgment on the record of forest rights is to be considered final and binding. The State Government shall establish a State Level Monitoring Committee to oversee the process of forest rights recognition and vesting, as well as to submit any returns or reports requested by the nodal agency.

Can an appeal be filed against the order of the District Level Committee?

Section 6(6) of FRA clearly states that the decision of the DLC is final and binding. Therefore, the statutory process of appeal ends with the DLC.

However, it is also necessary that reasons be supplied to the claimant/s for rejection of application, so that they can take any other legal recourse, such as, activating the writ jurisdiction of the constitutional courts, or any other avenue available in law.

If the decision of the DLC is in contravention of any provision of the FRA or Rules, proceedings under **Section 8** can be initiated by the Gram Sabha with due notice to the State Level Monitoring Committee.

Is there any time limit for the submission of applications for Recognition of Forest Rights under the Act?

As per procedure, the Gram Sabhas must call for claims in relation to any forest land in the area. Such claims must be made within a period of three months from the date of such calling. If necessary, the Gram Sabha may extend such period by recording the reasons for doing so.



Which body may assist the Gram Sabha in the discharge of its functions regarding the Recognition and Vesting of Forest Rights under the FRA?

Under the FRA and FR Rules, it is the Forest Rights Committee that is empowered to assist the Gram Sabha in discharging its functions relating to the recognition and vesting of forest rights. Such functions include receiving, acknowledging and retaining claims and supporting evidence, verifying claims as per procedure provided in the FR Rules, etc.

Only the Forest Rights Committee is entitled to assist the Gram Sabha in such matters. No other Committee or person/s is permitted to be constituted under the provisions of the FRA as well as the FR Rules.

Does the FRA and the Rules extend any protection to Wildlife as a part of forest land?

The Rules provide that one of the functions of the Gram Sabha is to constitute Committees consisting of its own members for the protection of wildlife, forest, and biodiversity in the area. Supporting this, Sub-Divisional Level Committee is bound to provide necessary information and updates about wildlife and forests in the area to the Gram Sabha so that necessary action can be taken by the Gram Sabha.

What are the protections granted to Forest Dwellers against Eviction and Forced Relocation?

The Act allows for modifications or resettlement of those rights if specific conditions are met. Section 4(2) states that the forest rights holders cannot be resettled nor have their rights affected solely for creating wildlife conservation areas, except when the following conditions are fulfilled:

- The process of recognizing and vesting rights, as specified in Section 6 of the Act, is completed in the areas under consideration.
- State Government agencies, using their powers under the Wild Life (Protection) Act of 1972, have confirmed that the activities or presence of rights holders are causing irreversible damage to wildlife species and their habitat, threatening their existence. The State Government has determined that other reasonable options, such as coexistence with wildlife, are not feasible.
- A resettlement or alternative package has been prepared and communicated to provide a secure livelihood for the affected individuals and communities, meeting the requirements of relevant laws and the policy of the Central Government.
- The written, free, and informed consent of the Gram Sabhas (village assemblies) in the concerned areas has been obtained for the proposed resettlement and the package offered.
- Resettlement will not take place until facilities and land allocation at the new location are complete, as per the promised package.
- Moreover, it's important to note that critical wildlife habitats, from which rights holders are relocated for wildlife conservation, cannot be diverted by the State Government, Central Government, or any other entity for other purposes in the future.

Can a committee other than the Forest Rights Committee be formed for assisting the Gram Sabha in discharge of its functions relating to Recognition and Vesting of Forest Rights under FRA?

The FRA and FR Rules do not permit formation of any committee other than the Forest Rights Committee nor do they permit constitution of a committee comprising persons other than the members of the Gram Sabha, for assisting the Gram Sabha in discharge of its functions relating to recognition and vesting of forest rights under the FRA. In fact, any decision/action taken by such a committee would be void.



Does the Civil Court have jurisdiction under FRA, 2006?

The civil court can take the case in hand only if SCDA has responded to the aggrieved within 60 days. Anyways, doors to constitutional courts are always open.

Does the Applicability of FRA extend to Municipal areas?

The Act applies to claimants in respect of forest lands wherever they are located; and this includes municipal areas.

What is Minor Forest Produce (MFP)?

As per Section 2(i) "minor forest produce" includes all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane, tussar, cocoons, honey, wax, lac, tendu or kendu leaves, medicinal plants and herbs, roots, tubers and the like.

Who can exercise MFP rights?

Section 3 (1) of FRA provides that all forest rights that are listed therein can be enforced by an individual, a group of individuals, a user group or a Gram Sabha. Such rights include forest rights to MFP.

What is the Nodal Agency under the FRA?

As per Section 11, the Ministry of the Central Government dealing with Tribal Affairs or any officer or authority authorised by the Central Government in this behalf shall be the nodal agency for the implementation of the provisions of this Act.

How many rights have been granted so far under the FRA?

As of March 2023, out of the 45,44,886 claims (43,64,312 individual and 1,80,574 community claims) made, only 23,07,712 titles have been distributed. This means that **almost half of the claims have been rejected**.

In 2022, it was alleged by a tribal rights group that around 1,50,000 applications for individual rights in Odisha were rejected flouting procedures.

What are the offences envisaged under the Forest Rights Act? Are these offences cognizable?

Under Section 7, a contravention of the provisions of the Forest Rights Act by members or officers of authorities and Committees established under this Act constitutes an offence. It is punishable with fine which may extend to one thousand rupees.

However, as per Section 8, no court may take cognizance of such offence unless a forest dwelling Scheduled Tribe, in the event of a dispute regarding a Gram Sabha resolution or a Gram Sabha resolution against a higher authority, provides a notice of at least sixty days to the State Level Monitoring Committee, and the Committee has not taken action against that authority.

What are the duties of holders of forest rights?

Forest right holders, Gram Sabha, and local institutions in areas covered by this Act have the duty to:

- Safeguard wildlife, forests, and biodiversity.
- Protect neighbouring catchment areas, water sources, and other ecologically sensitive zones.
- Preserve the habitat of forest-dwelling Scheduled Tribes and traditional forest communities from harmful practices that impact their cultural and natural heritage.

Enforce decisions made in the Gram Sabha regarding the control of access to communal forest resources and the cessation of activities harming wildlife, forests, and biodiversity

Can the Government carry out developmental activities in forest areas? If so, what are the procedures to be complied with?

Yes. As envisaged under Section 3(2) of the Act, the Central Government may provide for the diversion of forest land for the following facilities managed by the Government: which includes schools; dispensary or hospital; angan-wadis; fair price shops; electric and telecommunication lines; tanks and other minor water bodies; drinking water supply and water pipelines; water or rain water harvesting structures; minor irrigation canals; non-conventional source of energy; skill upgradation or vocational training centres; roads; and community centres



However, the following procedural requisites must be complied with:

- Such facilities involve felling of trees not exceeding 75 trees per hectare
- Forest land to be diverted is less than one hectare in each case
- It must be recommended by the Gram Sabha

Only when these three conditions are met the facilities can be constructed by diverting forest lands over which forest dwelling communities have rights.

CASE STUDY

An NGO in the state of Chhattisgarh is working for tribal rights in the areas of providing legal assistance and also providing documentation assistance for the ownership of the land which is being cultivated by the tribals and the rights of the dwellers. The traditional dwellers in the forest village approached the NGO with certain documents to be provided to the Gram Sabha and required their help to ascertain their rights to the forest land they had been residing, based on proof of residence and original possession, The Gram Sabha had sent a notice to provide the documents to assess their needs and ownership from the forest lands. The NGO approached the Supreme Court stating that the notice sent by the Gram Sabha is illegal. The SC dismissed the petition stating that representation has to be made to the Gram Sabha because the Gram Sabha is the authority to ascertain the forest rights.

Under the Forest Rights Act 2006, substantial rights have been given to Gram Sabha to initiate the process of determining individual or community forest rights. Any person aggrieved by the resolution of Gram Sabha shall make a petition to the Sub Divisional Level Committee constituted under the Forest Rights Act 2006.

VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980

What is the name of Forest Conservation Act?

The Forest (Conservation) Act, 1980 (FCA) renamed as the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (VSESA).

What is the purpose of VSESA, 1980?

To safeguard India's forest cover from indiscriminate exploitation. It aims to preserve forests and achieve a critical balance between conservation and development especially with regard to diversion of forest land for non-forest purpose.

What kind of forest land are covered under, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (VSESA)?

- Lands which are declared or notified as forests under the Forest Act, 1927 and any other law for the time being in force.
- It will also encompass lands which are characterized as 'forests' in Government records on or after 25th October 1980.
- However, if a land was being utilized for non-forest purpose prior to December 12, 1996, i.e., the date of the T.N. Godavarman judgement, such land will be beyond the scope of the VSESA.
- A catalogue of lands which are exempted from the coverage of VSESA has been enumerated under Section 1A (2) of VSESA. For instance, lands located within a distance of one hundred kilometres from international borders or lands up to 10 hectares proposed to be utilized for developing security infrastructure will not be covered by the definition of forest

Can private individuals be penalized under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

While private individuals can't be directly prosecuted under VSESA, they can be added as abettors of an offence. If private individuals benefit from actions violating the Act, they may be accused of abetting an offence. Kerala High Court in *Angels Nair* directed the State to take action against officials or companies violating the Act, suggesting that private individuals may also be prosecuted as abettor



Is offense under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 a civil wrong or a penal wrong?

The offenses under the (VSESA), Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, are considered penal wrongs rather than civil wrongs. Section 3A highlights Penalty for contravention of the provisions of the Act. Whoever contravenes or abets the contravention or any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.

What are the exemptions under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

- Forest land along government-maintained rail lines or public roads, up to 0.10 hectare.
- Tree plantations on non-forest lands not declared or recorded as forests.
- Forest land within 100 km of international borders/ Line of Control/Line of Actual Control, for strategic national projects and security infrastructure
- Forest land up to 10 hectares for security infrastructure and up to 5 hectares for defence / public utility projects

How is Forest land granted under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

Before the 2023 amendment, VSESA regulated the assignment or lease of forest land, requiring prior approval from the Central Government for assignments or leases to private entities but not for government agencies, creating an imbalance. The amendment now mandates prior approval from the Central Government for state-

owned /controlled /managed agencies as well, removing the exemption previously granted to them. Additionally, the Central Government can now establish terms and conditions to regulate the grants of forest land, ensuring fair treatment.

What is the broad definition of 'non-forest purpose' for the purpose of VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

Section 2 initially defined 'non-forest purpose' as the breaking up or clearing of forest land for certain specified activities, excluding those related to conservation and management of forests and wildlife. However, it broadened the scope by expanding the list of activities that are not considered 'non-forest purpose'. This includes silvicultural operations, establishment of check-posts, wireless communications, construction works, establishment of zoos and safaris, eco-tourism facilities, and other purposes specified by the Central Government. The Amendment Act also empowers the Central Government to lay down terms and conditions for surveys and exploration activities which are not regarded as 'non-forest purpose'.

In *T.N. Godavarman Thirumulpad v. Union of India,* it was held that running of sawmills of any kind including veneer or plywood mills, and mining of any mineral are non-forest purposes and are, therefore, not permissible without prior approval of the Central Government.

Who can be held liable for an offence under the VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

Anyone who contravenes or aids in the contravention of any provision outlined in Section 2 of the VSESA, 1980 can be held liable. The term "whoever" encompasses individuals, companies, firms, associations, etc., potentially extending to vicarious liability as per applicable law.

What restrictions does the Act impose on the de-reservation of forests or the use of forest land for non-forest purposes?

The Act prohibits the de-reservation of forests or the use of forest land for non-forest purposes without prior approval from the Central Government.



Who can file an appeal to the National Green Tribunal under this Act?

Any person aggrieved by an order or decision of the State Government or other authority made under this Act can file an appeal to the National Green Tribunal.

Can the Central Bureau of Investigation inquire into cases concerning violations of VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

The Forest Department, by itself, cannot hand over cases to the CBI. However, at the discretion of the Department a petition before the High Court may be filed for directions, citing necessary grounds.

What is the procedure of prosecution under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is a concise legislation which has no mention of procedural details regarding the prosecution of offences under it. Hence, the relevant procedure laid out in the code of Criminal Procedure will be applicable.

What is the limitation period for initiating prosecution under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

Under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 the punishment is 15 days of simple imprisonment. The limitation period is only one year from the date of commission of the offense.

From where can an appeal be made from the trial court under VSESA, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980?

Appeals can be made to the Court with appellate jurisdiction as per Section 372 of the Code of Criminal Procedure (Section 413 BNSS). Despite this, accused individuals may opt to approach the respective High Courts, invoking the inherent powers.

What are Deemed guilty provisions?

The VSESA (Van (Sanrakshan Evam Samvardhan) Adhiniyam) includes deemed guilty provisions under Section 3B, which establish criminal vicarious liability for heads of government departments or persons in charge of authorities. In cases where



violations of Section 2 occur within their jurisdiction, Section 3B holds them deemed guilty. This provision imposes stringent punishment, stating that when an offense is committed by any government department, its head, or any authority, every person directly in charge of that authority will be deemed guilty. Notably, since VSESA is a special environmental legislation, the requirement of prior sanction under Section 197 Cr.P.C. ((Section 218 BNSS) may be waived for prosecuting government officers for VSESA violations.

Is it permitted for the central bureau of investigation to look into cases relating to VSESA violations?

Central Bureau of Investigation (CBI) may inquire into VSESA offences with certain conditions:

- State Police organizations hold original jurisdiction to investigate any crime.
- CBI can undertake investigations when State Governments transfer particular cases due to their political sensitivity or significant media attention. The transfer should with the consent of the Government of India.
- Constitutional Courts such as the High Courts and the Supreme Court may direct the CBI to initiate fresh investigations or transfer cases from State Police organizations.

The Forest Department alone cannot refer cases to the CBI. Courts consider various factors before deciding, including state government actions. Examples include *T.N. Godavarman Thirumulpad v. Union of India, Obulapuram Mining case, and Samaj Samudaya case.*

What the offences that can be committed under the VSESA?

- Breaking up or clearing of any forest land or portion thereof for,
  i. The cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants.
  ii. Any purpose other than reforestation.
- Mining, including underground mining.
- Boulders, bajri, stone, etc., in the riverbeds located within forest area as would constitute a part of the forest land.
- Raising of commercial plantations of low rotation, including plantation of medicinal plants in the forest land.
- As held by the Supreme Court in *T.N. Godavarman Thirumulpad v. Union of India*, running of sawmills of any kind including veneer or plywood mills, and mining of any mineral.
- Ecotourism activities conducted on a commercial basis, such as camping sites and river rafting beach camps.

CASE STUDY

The Reputed Five Star Hotel situated on the Outer-Ring Road; Bangalore, razed around 100 trees to make the luxurious hotel more visible to the main road. The trees were on the adjacent land and were covering the visibility of the beautifully constructed hotel. Incidentally, the land on which trees were grown belonged to the Reserved Forest and the hotel officials razed around 100 trees without obtaining the permission of the forest department. The trees were native species having very high environmental value. The Conservator of Forest took cognisance of the offence and booked the hotel proprietor for the offences under S.3(A) of the Forest Conservation Act 1980, S.24(e) (g) Karnataka Forest Act 1963, and under S.8 of the Karnataka Tree Preservation Act 1976. The Proprietor of the Hotel in his defence stated that they weren't aware that the land was a reserved forest.

The Conservator of the Forest stated that even though he wasn't aware that the land was forest land, the proprietor should have approached the Tree officer under the Karnataka Tree Preservation Act for any grievances. The Act of clearing trees in the forest area is an offence under the Karnataka Forest Act 1963 and the Forest Conservation Act 1980.

HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) (HOWM) RULES, 2016



What is hazardous waste?

Hazardous waste means any waste which by the characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive, causes danger or is likely to cause danger to health or environment, whether alone or in contact with other wastes.

What is transboundary movement in these rules?

Transboundary movement refers to any movement of hazardous or other wastes from one country to another or through an area not under the jurisdiction of any country, involving at least two countries.

What is the scope of application of these rules?

These rules apply to the management of hazardous and other wastes specified in the Schedules. However, they do not apply to certain categories of waste, including wastewater, exhaust gases, radioactive wastes, biomedical wastes, and municipal solid wastes covered under specific legislation.

Which regulatory provision governs the utilization of hazardous wastes by actual users, and what are the requirements for obtaining authorization for this purpose?

Rule 9 of HOWMA is a provision which facilitate actual users for utilization of hazardous wastes. Any occupier of the facility intends to utilize hazardous waste should obtain authorization from the concerned State Pollution Control Boards (SPCB) or Pollution Control Committees (PCC), based on the Standard Operating Procedure (SOP) or guidelines prepared by Central Pollution Control Board (CPCB).

What are the Storage Requirements for Hazardous Waste?

The occupiers of facilities generating hazardous & other wastes may store for a period of not more than ninety days and a maximum quantity of ten tonnes. The State Pollution Control Board may extend the said period of ninety days.

What is meant by export and import according to these rules?

- Export refers to taking hazardous or other wastes out of India to a location outside India.
- Import involves bringing hazardous or other wastes into India from a location outside India.

What are the Procedures for Importing and Exporting Hazardous and Other Wastes?

Though hazardous waste is banned for import for disposal in the country, however, it is allowed for recycle, reuse, recovery and co-processing purpose. In order to regulate import and export of hazardous and other wastes. The Ministry of Environment, Forests and Climate Change has made provisions in the regulations under Chapter III sub-rules 11, 12, 13, 14 and 15 of HOWM Rules, 2016.

What is Illegal Traffic in the Context of Hazardous Waste?

The export and import of hazardous and other wastes to and from India are illegal under the following circumstances:

- Conducted without permission from the Central Government as per the rules.
- Permission obtained through falsification, misrepresentation, or fraud.

- Failure to adhere to the shipping details provided in the movement documents.
- Involves deliberate disposal of hazardous or other wastes, violating the Basel Convention and international/domestic laws.



What are the responsibilities of an occupier for the management of hazardous and other wastes according to the rules?

The occupier is required to follow specific steps for waste management, including prevention, minimization, reuse, recycling, recovery, utilization, and safe disposal. They are also responsible for ensuring safe and environmentally sound waste management practices.

What is the procedure for obtaining authorization for managing hazardous and other wastes?

Occupiers engaged in waste management activities must apply to the State Pollution Control Board and submit necessary documents. The Board, after inquiry and satisfaction with the facilities, may grant authorization within 120 days. The authorization is valid for five years.

Under what circumstances can the State Pollution Control Board suspend or cancel an authorization?

The Board may suspend or cancel authorization if the holder fails to comply with conditions or provisions of the rules.

Which ministry is responsible for managing the transboundary movement of hazardous and other wastes?

The Ministry of Environment, Forest and Climate Change is the nodal Ministry tasked with dealing with the transboundary movement of hazardous and other wastes

What actions must be taken in the event of an accident involving hazardous or other wastes?

In case of an accident at a facility or during transportation, the occupier, operator, or transporter must immediately inform the State Pollution Control Board and subsequently submit a report in Form 11.

Who is responsible for the identification, design, and operation of treatment, storage, and disposal facilities for hazardous wastes?

The State Government, occupiers, operators of facilities, or any association of occupiers may be individually or jointly responsible for identifying sites and setting up such facilities.

What are the responsibilities of the State Government regarding the environmentally sound management of hazardous and other wastes?

The State Government, through relevant departments or agencies, is tasked with various responsibilities, including earmarking industrial space for waste management activities, ensuring worker recognition and registration, facilitating skill development, and preparing integrated plans for effective implementation.

What is the procedure to dispose off bio-medical waste?

These HOWMA rules are for dealing with hazardous and other types of waste listed in the schedules. However, they don't include biomedical waste, which has its own set of rules called the Bio-Medical Wastes (Management and Handling) Rules, 1998.

The following procedures for the disposal of various types of biomedical wastes are as follows:

- **Incineration:** Incineration is a controlled combustion process in which the waste is completely oxidized and microorganisms, if present are destroyed and denatured at high temperature.
- **Autoclaving:** Autoclaving is a low-heat thermal process in which steam is brought into contact with the waste under pressure for a sufficient duration of time.
- **Microwaving:** Microwave ovens having radiation frequency between 300MHz and 300, 0000 MHz are used for treating waste.



- **Shredding:** In shredding, waste is cut into smaller blocks and disinfected. The shredded material is then stored in landfills.
- **Secure landfills:** A secure landfill is a specially designed pit (of dimension 50x50x 10m3) from which hazardous wastes cannot escape into open air or mix with groundwater. The sides of the pit are lined with an impermeable membrane such as plastic. The solid waste is carefully placed in the pit, spread out and compacted with heavy machinery. The waste is then covered with a layer of compacted soil. The process is repeated till the pit is full. It is then closed by cement concrete.
- **Deep well injection:** Deep well injection is a technology of disposing waste, mostly liquid, in which treated or untreated water is poured through pipes running down several thousand feet from the ground level. The water is injected into highly saline regions under the earth so that the contaminants do not migrate to pollute freshwater aquifers.

What hazardous waste is generated in households? How should the same be handled?

Some of the hazardous waste generated from households include oil paints, nail polish, latex, paints, batteries, cleaning chemicals, e waste, pesticides, chlorinated and non-chlorinated solvents and many more.

To manage Household Hazardous Waste effectively:

- Choose the least toxic products and buy only what you need to avoid waste.
- for household items marked with "caution" or "warning" instead of "danger" to minimize health and environmental risks.
- Opt for non-chemical pest control methods and use organic fertilizers to maintain a healthy yard and garden.
- Take used motor oil to designated recycling centres or automotive service stations to prevent environmental contamination.
- Check with friends, neighbours, or community groups to see if they can use any unused household products that are still safe and usable.
- Dispose of leftover hazardous products through local Household Hazardous Waste (HHW) programs to prevent water contamination and protect sanitation workers.

What are the repercussions of mishandling hazardous waste?

- **Failed Inspections**: Mishandling hazardous waste can lead to failed inspections by regulatory agencies like the EPA and OSHA, resulting in fines, reputation damage, and potential operational shutdowns.
- **Expenses**: Non-compliance can incur fines and long-term expenses.
- **Organizational Inefficiencies**: Mismanagement burdens the EHS department, leading to reactive responses, increased paperwork, and overwhelmed staff.
- **Risks to Employees:** Mishandling poses risks like spills, fires, and exposure to toxic chemicals, endangering employee safety and well-being.
- **Environmental Hazards:**

  Improper handling can lead to pollution, contamination, and environmental damage, harming ecosystems.

What are the responsibilities of hospitals and medical units to treat bio-medical waste?

Hospitals and medical units have specific responsibilities for the treatment of bio-medical waste, as outlined by the Bio-Medical Waste Management Rules, 2016.

These responsibilities include:

- **Segregation:** Hospitals must segregate bio-medical waste at the point of generation into color-coded



bins or bags as per the guidelines provided by the Central Pollution Control Board (CPCB).

- **Collection:** Bio-medical waste should be collected and stored separately from other types of waste in designated storage areas within the healthcare facility.
- **Transportation:** Hospitals are responsible for ensuring safe transportation of bio-medical waste to the treatment facility using authorized vehicles equipped with necessary safety measures.
- **Treatment and Disposal**: Bio-medical waste must be treated and disposed of in compliance with the standards set by the CPCB. Treatment methods may include autoclaving, incineration, or any other approved method to render the waste non-infectious.
- **Record-keeping:** Hospitals are required to maintain accurate records of bio-medical waste generation, collection, transportation, treatment, and disposal, as specified by the Bio-Medical Waste Management Rules.

Industries and their dealing with hazardous waste?

According to the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, industries in India handle hazardous waste. These regulations specify how hazardous waste produced by industries is to be identified, gathered, transported, treated, and disposed of. The Central Pollution Control Board (CPCB), which is in charge of enforcing environmental laws in India, has released the instructions.

What are the permissions required for industrial units in handling hazardous waste?

Generally, authorization from the relevant State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs) is required for industrial facilities managing hazardous waste. The Central Pollution Control Board's (CPCB) Standard Operating Procedure (SOP) or recommendations serve as the basis for obtaining this permit.

What are the permissions required for a hospital in handling hazardous waste?

The Bio-Medical Waste (Management and managing) Rules, 1998 provide that hospitals managing biomedical waste must obtain consent of the State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).

CASE STUDY

In the city of Raipur, the local government had identified 5 acres of land for processing and recycling the hazardous wastes generated in the city of Raipur. The adjacent villages having the farmlands were to be affected because of this. The villagers approached the National Green Tribunal (NGT) stating that they were not consulted for the decision to identify the land for hazardous waste processing plant. They also stated that it was the responsibility of the local governments to create awareness about the implications of such plants being established near the farmland. The NGT on receiving the petition made an order to the local government of Raipur to strictly follow the Hazardous Waste Management Rules 2016 and sought information regarding the waste processing plant. It directed the State Pollution Control Board to monitor the situation.

As per the Hazardous Waste Management Rules 2016, the local governments must mention the total generation of hazardous for a particular time. The Local government shall also make public the information regarding the capacity of processing plants to be set up. It shall also mention the residual wastes generated during the processing.



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PART D

COMPETITIONS

First Prof. V. S. Mallar Memorial Legal Aid Competition, 2022

Witnessed Participation of **45 Teams** from colleges across India | Estimated Outreach – 22,950

Second Prof. V. S. Mallar Memorial Legal Aid Competition, 2023

Witnessed Participation of **48 Teams** from colleges across India | Estimated Outreach – 48,480

Third Prof. V. S. Mallar Memorial Legal Aid Competition, 2024

Witnessed Participation of **59 Teams** from colleges across India | Estimated Outreach – 21,690

The Focus of This edition of the competition was digital outreach (incorporated on Instagram Statistics)

Intellectually Stimulating, Professionally Competent and Socially Relevant Legal Education

To revive and rejuvenate Legal Aid Clinics in India by igniting, infusing and instilling a **competitive spirit**



In honour of Late Prof. V. S. Mallar

Inspired generations of legal experts



01

Reels

600 + Reels made and submitted by Teams



02

Jan Sunwaai

55 + Jan Sunwaai proceedings across the Country



03

Street Play

55 + Street Plays were carried out across India – Videos Recorded



04

Legal Podcasts

165 + Legal Podcasts
165 + FAQs



05

Speed Mentoring

Over 100 + Speed Mentoring Sessions in schools across India



06

Legal Assistance Lab

Over 100 + quality and genuine legal assistance provided across India

Other Competitions

Reel Making Competition on Slum Dwellers, 2022

Failure – Only 3 entries received

Policy Hacathon on Aatma Nirbhar Bharat, 2023

30 Teams – Outreach 90

First National Labour Law Conciliation Competition, 2024

Witnessed Participation of **24 Teams** from law colleges across India. This competition aimed to promote awareness about labour laws and dispute resolution mechanisms through conciliation. In addition to spreading the cause of legal literacy and legal awareness, it provides the students a platform to understand and practice the art of negotiation and conciliation in labour disputes
Outreach - 72







BROCHURE

PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

under the

Pan India Legal Literacy and Legal Awareness Programme

A joint initiative by the Centre for Environmental Law, Education, Research and Advocacy, National Law School of India University, Bengaluru and Department of Justice, Ministry of Law and Justice, Government of India

ABOUT THE DIGITAL LEGAL LITERACY – DISSEMINATION AND ASSESSMENT PROJECT

Access to justice has been recognized as an essential facet of human development, for ensuring democratic governance, in reducing poverty and for the purpose of dispute resolution and prevention. India's judicial and legal system has much strength: excellent constitutional and legal safeguards for access to justice; well-established institutions; independent judiciary, a vibrant voluntary sector and an independent media. The country has progressive laws in many areas such as the recognition of historical injustices, importance of group rights, affirmative actions for vulnerable sections, including for women and children. The governments' priorities in legal and judicial reform include improving the efficiency of the justice delivery system for marginalized groups, who do not have strong lobbies to ensure that their rights are guaranteed.



To meet the aspirations of the Government, the DoJ has formulated a coherent scheme on access to justice titled as "Designing Innovative Solutions and Holistic Access to Justice (DISHA)" for the period of 2021-2026. The Scheme of DISHA aims to amalgamate and merge different Access to Justice components being executed by DoJ to bridge the gaps in justice delivery. It serves three key objectives that include providing quality legal aid through different mechanism of Tele-Law, Nyaya Bandhu - Pro Bono Legal Services and Nyaya Mitra programme to make people Legally Literate, bring positive changes in the mindsets and attitudes.



The Legal Literacy and Legal Awareness programmes through Pan India Action Plan envisages a multi-stakeholder, progressive and

transformative approach that would integrate innovative ideas, tools and simplified methodology to enable vulnerable sections to key information and awareness on legal rights, entitlements and relevant laws. The belief is that improved legal awareness of people would pave the way for speedy and affordable justice delivery. To mainstream legal literacy through forging partnerships with local administration for training and sensitization of existing workforce, grassroots/frontline workers/volunteers on Legal Literacy and Legal Awareness issues. Trained and sensitised functionaries will be expected to initiate community level Legal Literacy and Legal Awareness Programmes. It also includes the implementation of micro-level and field level innovative Legal Literacy and Legal Awareness Programmes/campaigns. The main agenda of implementing this programme is to enable the vulnerable sections of society to have access to information about their legal rights, entitlements and creating better legal awareness so as to make justice delivery system citizen-centric.

As an implementing agency under this programme, the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru has been granted a **Two-Year Project** on **"Digital Legal Literacy – Dissemination and Assessment".** The project focuses on dissemination of legal literacy and is to be implemented in aspiration districts across 6 States of India namely – Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh and Karnataka. The main objectives of the project include the following:

- Dissemination of the legal literacy on mass level
- Creation of an overall communication strategy including digital/social media platforms
- Strategizing effective and sustainable legal awareness campaigns
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the programme
- Conceptualizing and conducting youth connect workshops by planning events in colleges/schools and institutions

ABOUT THE LEGAL AID COMPETITION

Access to legal education is a necessary corollary to the right of free legal aid. With the advance of digital technologies, this right has become all the more accessible. This being stated, limited access to digital technologies may stand as a barrier to the effective enforcement of this right. As a legal literacy dissemination agency, CEERA, NLSIU is endeavouring to ensure the spread of legal literacy and awareness not only through digital platforms but also through engagements with institutions at the ground level to achieve the visionary efforts of the Department of Justice. In this regard, the catalytic efforts of legal aid clinics and legal aid cells are key to ensuring dissemination of legal literacy at a grass-root level.

Legal aid clinics, particularly those functioning under the aegis of educational institutions, play a pivotal role in improving community access to legal information and education and in engaging the youth in mass literacy dissemination efforts. They serve as vital bridges in bridging the information asymmetry between public institutions and the general citizenry, especially with regard to the latter's rights and entitlements. However, the state of affairs in India depicts the need for more impetus to tap into the potential of legal aid cells and clinics. At present, around 907 legal services clinics housed within law schools/ universities exist in India.[1] But the number of such cells and clinics which are functional or are actively involved in dissemination of legal literacy remains dismal. At this juncture, the Prof. V. S. Mallar Legal Aid Competition stands to provide an important platform to encourage active involvement of legal aid clinics with the community at large

The endeavor of the competition is to augment the activities of the legal aid cells across the country to spread essential legal awareness by conducting awareness drives and various other creative initiatives and campaigns to bring to the fore the presence of informational asymmetry contributing directly to the lack of legal awareness. This initiative shall encourage budding lawyers to explore creative means to disseminate legal awareness about the issues that they feel need to be addressed by the mainstream society. The competition is sought to serve as a unique platform for young changemakers to

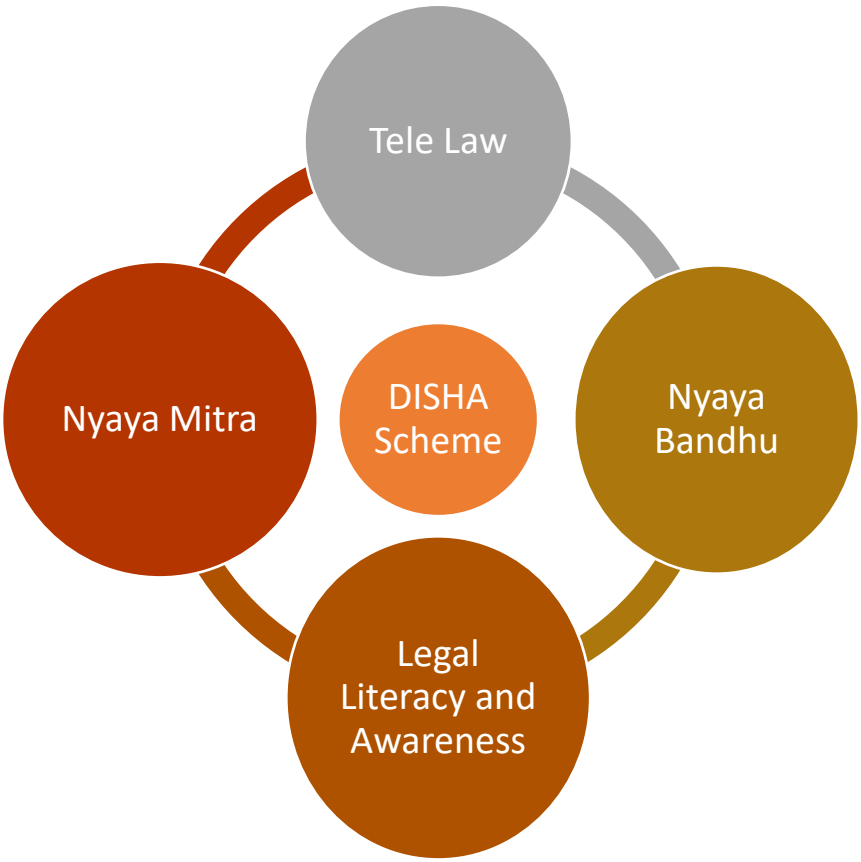
[1] Statistical Information in respect of Legal Service Clinics, December 2021, National Legal Service Authority of India, <https://nalsa.gov.in/statistics/legal-service-clinics-report/legal-service-clinics-april-2021-to-december-2021 >

disseminate legal awareness through innovative means by identifying areas and target groups to ultimately create tangible legal awareness dissemination drives.

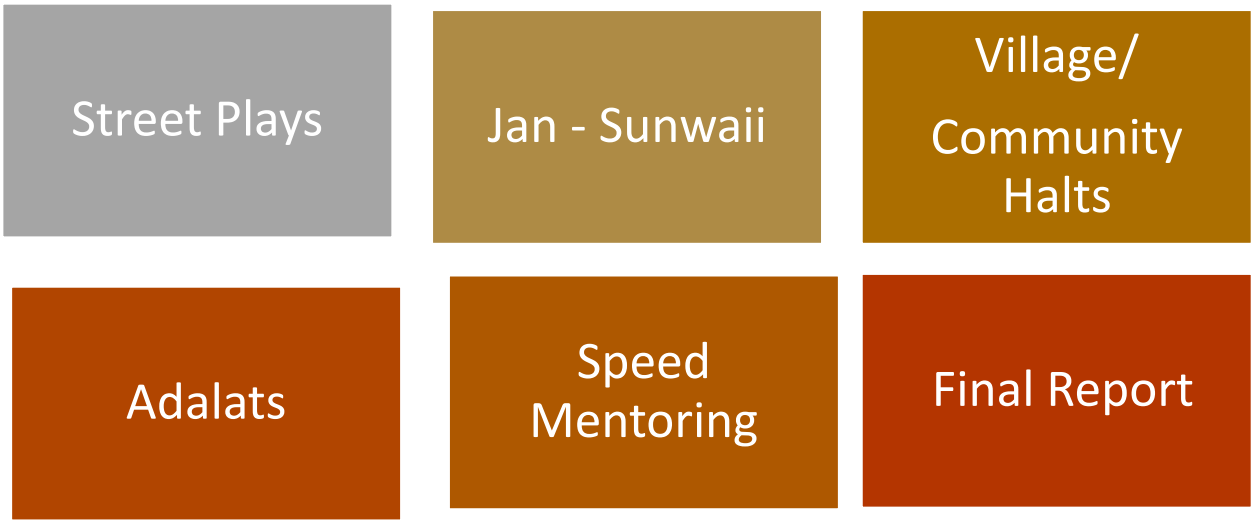
This initiative primarily aims at building on legal literacy across India that translates to spreading knowledge of a primary level in law. This is the need of hour as law students need to take the mantle of disseminating legal awareness and explore innovative ways to spread legal literacy. This endeavor shall culminate in the creation of a nation-wide movement that shall bring out issues that that were non-existent in the pre-pandemic world.

STRUCTURE OF THE COMPETITION

The Legal Aid Competition is envisioned for a long term and will be conducted over a span of 5 months. The key dissemination strategy in the competition should in accordance with the DISHA scheme of the Department of Justice. As the DISHA scheme rolled out by the Department of Justice envisages comprehensive, holistic and systematic solutions to access of justice, the Competition aims at furthering initiatives of the DoJ under its Access to Justice Programmes, which include:



The Competition shall comprise of six core deliverables which will include:



(i) Street Plays:

Each participating team shall conduct 2 street plays in the regional language on the legal landscape of any of the following themes:

- Domestic Violence
- Child Abuse and Child Sexual Harassment
- Right to Education
- Child Marriage
- Rights of the elderly/senior citizens

The street plays shall be conducted in identified villages and shall be made available through video recordings. The objective of conducting street plays is to tap into the creativity of youth in appealing to citizenry through artistic performances. The street plays will be assessed on matrices such as creativity in performance, extent of involvement, issues targeted, impact and reach, range and expanse of legal literacy disseminated.

(ii) Jun Sunwaii (Public Hearings)

The Jun Sunwaii or public hearing shall be conducted for targeted groups/communities. The objective of the Jun Sunwaii is to afford a platform for free and open discussion on the social, political and legal issues and concerns faced by the community and to identify and offer viable solutions that may address these issues.

The Jun Sunwaii shall be tested on the level of mobilization, crowd-sourcing, level of discussions, extent and quality of stakeholders involved, issues targeted, impact of the hearing and solutions provided.

(iii) Village/Community Halts

The Village/Community Halts shall be conducted to spread awareness through spoken media and to gain personalized information of the socio-legal issues pervasive in rural India. This component shall include conducting surveys on the issues faced by the residents of the households in an identified village and the analysis of the legal solutions that may be offered to address the same. The effectiveness of the Village/Community Halts shall be assessed on the quality of empirical survey, the assessment of the same, the reach and expanse of spreading legal awareness and the solutions offered. Each participating team will be required to provide a report on the activities conducted in the course of the Village/Community Halt, along with video recordings of the same.

(iv) Village Adalats

One village level Adalat shall be conducted as a way of offering speedy dispute resolution mechanisms for issues faced by residents of villages, towns or cities identified by the participants. The village adalats may include conducting negotiation or mediation sessions for minor legal issues and will be assessed on the outcome of the solutions offered.

(v) Speed- Mentoring

The speed mentoring program shall be conducted in 3 to 5 schools in identified villages or urban areas and shall be made available through video recordings. The focal point of this activity shall be to disseminate a brief, focused lecture within a given time frame on any of the contemporary socio-legal issues. The speed- mentoring will be assessed on matrices such as the extent of involvement, innovative techniques employed in creating literacy, the number of schools covered, and expanse of legal literacy disseminated. The topics for

legal literacy dissemination shall be in tune with the focus areas identified by the Ministry of Law and Justice, which shall be limited to the following:

- Domestic Violence
- Child Abuse and Child Sexual Harassment
- Right to Education
- Child Marriage
- Rights of the elderly

(vi) Final Report

Each participating team will be required to submit one final report by October 15th, 2022. The report shall include a cover page, table of contents, names of team members, a two-page executive summary and the final report shall not exceed 8,000 words excluding footnotes, annexures, pictures, if any. The hard copy of the report shall be accompanied by a video not exceeding 15 minutes depicting the activities undertaken and the extent of outreach created through these activities. The videos can be prepared in the regional language, but must be provided with English subtitles for assessment. The video and two-page executive summary of the winners and selected participating teams will be published and streamed on the CEERA websites and youtube channel.

The final report shall be submitted in doc/.docx format and pdf formats. The report shall be in Times New Roman font, font size 12 with 1.5 spacing.

The footnotes should be in Times New Roman, the font size 10 with 1.0 line spacing.

The alignment shall be justified with no page borders and a margin of 1 inch on each side.

The final report submitted by each participating team shall comprise of a declaration signed by the Head of the Department/Institution certifying the authenticity and originality of the work.

COMMITTEE OF EVALUATORS

CHAIRPERSONS

- **Shri Shailesh Shrivastava,** Director (Access to Justice and Legal Aid to the Poor), Department of Justice, Government of India
- **Smt. Shanti V. Mallar,** Ex- DGM, Vijaya Bank and Director, Archidply Industries Ltd.
- **Dr. Nigam Nuggehalli,** Registrar, National Law School of India University, Bengaluru.
- **Dr. Nirmal Kanti Chakrabarti,** Vice Chancellor, West Bengal National University of Juridical Sciences
- **Dr. S Shanthakumar,** Director, Gujarat National Law University, Gandhinagar.
- **Dr. K C Sunny,** Vice Chancellor, National University of Advanced Legal Studies, Kochi.
- **Dr. M K Ramesh,** Former IC/VC and Professor of Law, National Law School of India University, Bengaluru.

CO-CHAIRPERSONS AND JURY MEMBERS

- **Dr. M R K Prasad,** Professor of Law, V M Salgaocar College of Law.
- **Dr. Anirban Chakraborty,** Associate Professor of Law, NALSAR University of Law.
- **Dr. Yogesh Pratap Singh,** Professor of Law, National Law University, Odisha.

COMPETITION PANEL COORDINATORS

- **Dr. Gigimon V S,** Associate Professor and Head of the Department (Law) Mar Gregorios College of Law
- **Dr. Sachin Tripathi,** Assistant Professor of Law, Symbiosis Law School, Nagpur
- **Dr. Bishwa Kallyan Dash,** Assistant Professor of Law, KIIT School of Law, Bhubaneshwar, Odisha
- **Dr. Anjali Thanvi,** Assistant Professor of Law, National Law University, Jodhpur
- **Mrs. Uma Ramu Sandhya,** Assistant Professor of Law, SCAB Law College, Raichur
- **Dr. Satyadeep Singh,** Advocate, Patna High Court
- **Mr. Vivek Shukla,** Advocate, Allahabad High Court

REGISTRATION

WHO CAN REGISTER FOR THE COMPETITION?

The Legal Aid Competition is open to all legal aid clinics/committees housed in any educational institute.

Last Date to Register: June 30th, 2022.

TEAM COMPOSITION

The representatives of the participating university for all purposes and for the entire duration of the competition shall comprise of the following:

- 1 Faculty Coordinator/Advisor
- 1 Student Coordinator
- Maximum of 08 other students, who will form the Core Team

REGISTRATION FEE

The registration fee for a team is **INR 4,000 (Rupees Four Thousand Only)**.

Institutions interested in participating in the competition may register by filling in the google form, the link for which is attached below

https://docs.google.com/forms/d/e/1FAIpQLSd8EEm2c3g_pDq3mq-I7LkwfhOtgfc9uF9Ly0oJdnoAYUWU0Q/viewform?usp=sf_link

CLARIFICATIONS AND QUERIES

All registered institutions will be provided with further details of the competition at the launch of the competition. The launch will be conducted via the ZOOM App on **July 1st, 2022**. Registered institutions will be shared with a zoom link to join the launch of the competition, details of which will be shared in due course.

AWARDS AND PRIZES

The following cash prizes along with citation shall be awarded at the end of competition

Winners - Best Legal Aid Clinic – INR 25,000

First Runners Up - Best Legal Aid Clinic – INR 20,000

Second Runners Up - Best Legal Aid Clinic – INR 15,000

Best Rural Legal Aid Clinic – INR 15,000

Best Faculty Coordinator Award – INR 10,000

Best All India Legal Aid Clinic Student Lawyer – INR 10,000

PLAN OF ACTION

May 15th , 2022

Announcement of the Competition

↓

JUNE 30th , 2022

Last date for Registration

↓

July 1st , 2022

Launch of the Competition

↓

October 15th , 2022

Submission of Final Report

↓

November 26th , 2022

Announcement of Awards and Felicitation programme

PAYMENT OF REGISTRATION FEE DETAILS

NEFT Transaction ID:

NEFT Transaction Date:

DD Number and Bank Details:

Amount: INR. 4,000 (Rupees Four Thousand only/-)

Kindly Note: The registration amount may also be paid via Google Pay, by making the payment through Bank Transaction/Transfer to the account details provided herein below. Upon registration., kindly send a screenshot or scanned copy of the transaction details including bank account details, phone number and e-mail address along with a **scanned copy** of the payment details with all details to ceera@nls.ac.in and a carbon copy (marked as CC) of the same shall be sent to **Ms. Susheela Suresh** at **email id:** susheela@nls.ac.in

The **original document (hard copy)** of this Form, if sent with Demand Draft shall be sent via courier/post to:

Ms. Susheela
CEERA, NLSIU
PO Bag 7201, National Law School of India University,
Nagarbhavi, Bengaluru 560 072

BANK ACCOUNT DETAILS

ELECTRONIC CLEARING SERVICE (CREDIT CLEARING) / REAL TIME GROSS SETTLEMENT (RTGS) FACILITY FOR RECEIVING PAYMENTS

DETAILS OF ACCOUNT HOLDER:

NAME OF ACCOUNT HOLDER	DIRECTOR NLSIU SCHEMES AND PROJECTS
COMPLETE CONTACT ADDRESS	NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, P.B.NO.7201, NAGARBHAVI, BANGALORE - 560 072
TELEPHONE NUMBER/FAX/MAIL	23213160, 23160532, 23160533 / Fax 23160534 / registrar@nls.ac.in
PAN	AAAJN0185F

BANK ACCOUNT DETAILS: -

BANK NAME	UNION BANK OF INDIA
BRANCH NAME WITH COMPLETE ADDRESS, TELEPHONE NUMBER	NLSIU BRANCH, NLSIU CAMPUS, NAGARBHAVI, BANGALORE - 560 072, Ph: 080-23218130 & 23218115
IFSC CODE / NEFT CODE / RTGS CODE / BRANCH CODE	UBIN0921441
TYPE OF BANK ACCOUNT (SB/CURRENT/CASH CREDIT)	SAVINGS BANK
COMPLETE BANK ACCOUNT NUMBER (LATEST)	520101045115075
MICR CODE OF BANK	560026119

CONTACT DETAILS

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Phone No: (+91) 72908 07345

Ms. Lianne D'Souza

Email id: lianne@nls.ac.in

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Phone No: (+91) 9019645266

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA), NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

UNDER THE AEGIS OF

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

Organizes

PROF. V.S MALLA MEMORIAL LEGAL AID COMPETITION 2022

COMPETITION REPORT

The Prof. V.S Mallar Memorial Legal Aid Competition, 2022 was conducted from the month of July to November,2022. under the aegis of CEERA-NLSIU and Department of Justice, Ministry of Law and Justice, Government of India. The competition was held in the honour of late Prof. V S Mallar, professor at NLSIU Bengaluru for several years. The objective of the competition was to expand the activities of the legal aid cells across the country with the aim to spread essential legal awareness. This was to be achieved by conducting awareness drives and various other creative initiatives and campaigns to bring to the fore the presence of everything that was directly contributing to the lack of legal awareness.

The competition also aimed to further the initiatives of the Department of Justice under its access to Justice Programmes. Around 50 colleges across the country registered for the particular competition and the competition spanned around 5 months after which the winners of the competition were declared and announced.

STRUCTURE OF THE COMPETITION

The competition was to be conducted over a span of 5 months. The main strategy was that it was supposed to be held in accordance with the DISHA scheme of natural justice. The competition comprised of six core deliverables, namely:

- Street plays
- Jan- Sunwaii
- Village/ Community Halts

- Adalats
- Speed monitoring
- Final Report

STREET PLAYS

Each of the participating teams was supposed to conduct 2 street plays in the regional language on any of the said themes:

- Domestic Violence

- Child Abuse and Child Sexual Harassment

- Right to Education

- Child Marriage

- Rights of the elderly/senior citizens

All of these street plays had to be conducted in identified villages and had to be made available through video recordings. Thus, the objective of this play was to tap into the creativity of youth in appealing to the citizens through their artistic performances. The judging criteria of the said competition were: extent of involvement, issues targeted, impact and reach, range and expanse of legal literacy.

JAN SUNWAII (PUBLIC HEARINGS)

This particular competition was for targeted group or communities. The objective of it was to afford a platform for free and open discussion on the social, political and legal issues and concerns faced by the community and to identify and offer viable solutions that could help in addressing their issue.

The assessment criteria were: level of mobilisation, crowd sourcing, level of discussions, extent and quality of stakeholders involved, issues targeted, impact of the hearing and solutions provided.

VILLAGE/ COMMUNITY HALTS

This had to be conducted with the objective to spread awareness through spoken media and also to gain personalized information of the socio-legal issues pervasive in rural India. These included conducting surveys on the issues faced by the residents of the households in an identified village and then analyze and offer them legal solutions. It was also suggested that the participating institution partner with NSS, NCC and other organizations in this event.

The participating institution had to submit a soft copy of the questionnaire, which contained a total of 20 questions.

VILLAGE ADALATS

The objectives of this competition were to commend and facilitate conciliation measures as a mode of resolution of disputes amicably among the residents of the designated areas where they choose to carry out the village Adalat. There would be two mediators who would bring forth the resolution of the disputes brought before the participating institution. The proceeding had to be over in three sittings with each sitting being one hour each, at such periodic intervals as the mediator deems fit. After the proceeding if the settlement was reached upon then it would be drafted accordingly. The testing criteria for this competition was: the reach and expanse of spreading legal awareness and the solutions offered.

SPEED MENTORING

The speed mentoring program was to be conducted in 3 to 5 schools in identified villages or urban areas and shall be made available through video recordings. The focal point of this activity was to disseminate a brief, focused lecture within a given time frame on any of the contemporary socio-legal issues. The speed- mentoring was assessed on matrices such as the extent of involvement, innovative techniques employed in creating literacy, the number of schools covered, and expanse of legal literacy disseminated.

FINAL REPORT

The last step of the competition was to create a final report by October 15th 2022. The final

report had to include: cover page, table of contents, names of team members, a two-page executive summary and the final report not exceeding 8,000 words excluding footnotes, annexures, pictures, if any. The hard copy of the report was accompanied by a video not exceeding 15 minutes depicting the activities undertaken and the extent of outreach created through these activities.

The final report submitted by each participating team also comprised of a declaration signed by the Head of the Department/Institution certifying the authenticity and originality of the work.

WINNERS OF THE COMPETITION

With all of the submissions assessed and marked following were the colleges that were declared winners of the competition:

PROF. V.S. MALLAR MEMORIAL AWARD FOR BEST LEGAL AID CLINIC: Dr Ram Manohar Lohia College of Law, Bangalore – Dr Sridhar Babu | Aishwarya Suresh, Asha P, Thamizharasi C, Vijaykumar R, Madhu R, Manu S, Mahesh Singh G, Harisaravan KR & Vijayalakshmi

2. MRS. SHANTI MALLAR AWARD FOR BEST RURAL LEGAL AID CLINIC Raja Lakhamgouda Law College, Belagavi – Dr Chetan Kumar T M | Kartik R, Anil G, Sujeet K & Shivanand B

3. PROF. V.S. MALLAR MEMORIAL AWARD FOR FIRST RUNNER- UP LEGAL AID CLINIC National Law University, Jodhpur – Dr Anjali Thanvi | Aarzoo G, Ananya A, Adya G., Rajesh R. & Namrata J.

4. PROF. V.S. MALLAR MEMORIAL AWARD FOR SECOND RUNNER'S UP LEGAL AID CLINIC Symbiosis Law School, Pune – Dr Shirish Kulkarni | Rashi P, Rohit K, Harsh K, Vatsal M, Nikunj A, Sagarika L, Gaurangi P & Yash M

5. PROF. M. K. RAMESH AWARD FOR BEST STUDENT LEGAL AID LAWYERS Department of Law, Vishwakarma University, Pune – Dr Divyanshu Priyadarshi | Isha P, Jay P, Siddhesh M, Shraddha L, Chirag M, Rohan S, Soumyea R & Lalit B

6. PROF. T. V. SUBBA RAO AWARD FOR BEST FACULTY COORDINATOR School of Legal

Studies, Cochin University of Science and Technology Cochin University – Dr Binu Mole K, Dr Harigovind PC, Dr Vani Kesari A & Mrs Jean Vinitha Pete

MEDIA PAGE









CEERA, NLSIU WELCOMES THE REGISTERED TEAMS PARTICIPATING IN THE PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION

LAUNCH OF THE COMPETITION
JULY 1, 2022

1. V.M. SALGAOCAR COLLEGE OF LAW
2. UNIVERSITY OF RAJASTHAN, JAIPUR
3. CHANDERPRABHU JAIN COLLEGE, DELHI
4. ANSUYABEN BALKRISHNA PARIKH LAW COLLEGE, KADI (GUJARAT), INDIA
5. DES SHRI NAVALMAL FIRODIA LAW COLLEGE, PUNE
6. FACULTY OF LAW, JAGRAN LAKECITY UNIVERSITY, BHOPAL
7. VIKASH LAW SCHOOL, BARGARH, ODISHA
8. MAR GREGORIOS COLLEGE OF LAW, THIRUVANANTHAPURAM
9. MAHARASHTRA NATIONAL LAW UNIVERSITY, MUMBAI
10. DHARMASHASTRA NATIONAL LAW UNIVERSITY, JABALPUR
11. ARUNODAYA INSTITUTE OF LEGAL STUDIES, BENGALURU
12. SRI JAGADGURU RENUKACHARYA COLLEGE OF LAW, BENGALURU
13. SCHOOL OF LEGAL STUDIES, COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY, KOCHI
14. CMR UNIVERSITY SCHOOL OF LEGAL STUDIES, BENGALURU
15. RAMAIAH COLLEGE OF LAW, BENGALURU
16. BENNETT UNIVERSITY, NOIDA
17. INSTITUTE OF LAW, NIRMA UNIVERSITY, AHMEDABAD, GUJARAT
18. VIVEKANANDA INSTITUTE OF PROFESSIONAL STUDIES, DELHI
19. K L E SOCIETY'S LAW COLLEGE BENGALURU
20. SCHOOL OF LAW, PRESIDENCY UNIVERSITY, BENGALURU
21. LLOYD LAW COLLEGE, GREATER NOIDA
22. THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES, KOCHI
23. THE NORTHCAP UNIVERSITY, GURUGRAM, HARYANA
24. CENTRAL UNIVERSITY OF PUNJAB, BATHINDA, PUNJAB
25. NMIMS KIRIT P. MEHTA SCHOOL OF LAW, MUMBAI
26. NARAYAN SCHOOL OF LAW, GOPAL NARAYAN SINGH UNIVERSITY , JAMUHAR, BIHAR
27. TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
28. JECRC UNIVERSITY, JAIPUR
29. SYMBIOSIS LAW SCHOOL, PUNE
30. DR.RAM MANOHAR LOHIA COLLEGE OF LAW, BENGALURU.
31. UNIVERSITY LAW COLLEGE AND DEPARTMENT OF STUDIES IN LAW, BANGALORE UNIVERSITY
32. NARSEE MONJEE INSTITUTE OF MANAGEMENT STUDIES (NMIMS)
33. DR. RAM MANOHAR LOHIYA NATIONAL LAW UNIVERSITY, LUCKNOW
34. CHRIST ACADEMY INSTITUTE OF LAW, BENGALURU
35. DEPARTMENT OF LAW, VISHWAKARMA UNIVERSITY, PUNE
36. MANIPAL UNIVERSITY, JAIPUR
37. SCHOOL OF LAW, CHRIST(DEEMED TO BE UNIVERSITY), BENGALURU
38. SAVEETHA SCHOOL OF LAW, CHENNAI
39. IFIM LAW SCHOOL, BENGALURU
40. HAMDARD INSTITUTE OF LEGAL STUDIES AND RESEARCH, THE SCHOOL OF LAW, JAMIA HAMDARD, DELHI
41. JSS LAW COLLEGE, MYSURU
42. SARDAR PATEL SUBHARTI INSTITUTE OF LAW, SVSU, MEERUT
43. UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES, GGSIPU, DELHI
44. HIDAYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR
45. AMITY LAW SCHOOL, KOLKATA

About the Event

The competition is launched under the aegis of a project under the DISHA Scheme granted to Centre for Environmental Law, Education, Research & Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru by Department of Justice, Government of India.

Awards

Best Legal Aid Clinic-Winner	INR 25,000
Best Legal Aid Clinic-First Runners Up	INR 20,000
Best Legal Aid Clinic-Second Runners Up	INR 15,000
Best Rural Legal Aid Clinic	INR 15,000
Best Faculty Coordinator	INR 10,000
Best All India Legal Aid Clinic Student Para-Lawyer	INR 10,000

Meeting ID: 996 8246 4270
Passcode: 803737

DEPARTMENT OF JUSTICE

ANNOUNCEMENT OF RESULTS FOR THE PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

SR. NO.	PRIZE NAME	INSTITUTE, FACULTY & STUDENTS
1.	PROF. V.S. MALLAR MEMORIAL AWARD FOR BEST LEGAL AID CLINIC	**Dr Ram Manohar Lohia College of Law, Bangalore** – *Dr Sridhar Babu | Aishwarya Suresh, Asha P, Thamizharasi C, Vijaykumar R, Madhu R, Manu S, Mahesh Singh G, Harisaravan KR & Vijayalakshmi*
2.	MRS. SHANTI MALLAR AWARD FOR BEST RURAL LEGAL AID CLINIC	**Raja Lakhamgouda Law College, Belagavi** – *Dr Chetan Kumar T M | Kartik R, Anil G, Sujeet K & Shivanand B*
3.	PROF. V.S. MALLAR MEMORIAL AWARD FOR FIRST RUNNER- UP LEGAL AID CLINIC	**National Law University, Jodhpur** – *Dr Anjali Thanvi | Aarzoo G, Ananya A, Adya G., Rajesh R. & Namrata J.*
4.	PROF. V.S. MALLAR MEMORIAL AWARD FOR SECOND RUNNER'S UP LEGAL AID CLINIC	**Symbiosis Law School, Pune** – *Dr Shirish Kulkarni | Rashi P, Rohit K, Harsh K, Vatsal M, Nikunj A, Sagarika L, Gaurangi P & Yash M*
5.	PROF. M. K. RAMESH AWARD FOR BEST STUDENT LEGAL AID LAWYERS	**Department of Law, Vishwakarma University, Pune** – *Dr Divyanshu Priyadarshi | Isha P, Jay P, Siddhesh M, Shraddha L, Chirag M, Rohan S, Soumyea R & Lalit B*
6.	PROF. T. V. SUBBA RAO AWARD FOR BEST FACULTY COORDINATOR	**School of Legal Studies, Cochin University of Science and Technology Cochin University** – *Dr Binu Mole K, Dr Harigovind PC, Dr Vani Kesari A & Mrs Jean Vinitha Peter*

SECOND PROF. V. S. MALLAR MEMORIAL

LEGAL AID COMPETITION 2023

A JOINT INITIATIVE BY

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY,

BENGALURU

AND

DEPARTMENT OF JUSTICE,

MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

LAST DATE FOR REGISTRATION: JUNE 20, 2023

भारत सरकार
विधि और न्याय मंत्रालय
न्याय विभाग
जैसलमेर हाऊस, 26, मानसिंह रोड, नई दिल्ली–110011
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
Jaisalmer House, 26, Mansingh Road, New Delhi-110011

MESSAGE

Right to seek Legal aid is mandated under the Constitution of India and is an essential component of the justice delivery system, particularly for the marginalized and vulnerable sections of society. It is heartening to note that CEERA-NLSIU is launching the Second Edition of the Prof. V.S. Mallar Memorial Legal Aid Competition in association with the Department of Justice, Ministry of Law and Justice, Government of India. The Department of Justice is happy to extend its support for the same.

The inaugural edition of the competition which was held in 2022 was a unique initiative of its kind and played an instrumental role in rejuvenating Legal Aid Clinics of 49 Law Colleges in India. It provided a platform for the participants to build, apply and showcase their skills and knowledge in the area of legal aid, and contributed significantly in creating greater awareness about legal rights and duties and how the common man can avail them.

I would like to commend the Programme Management Team at DOJ, CEERA-NLSIU for their efforts in conducting this competition in the memory of the late Prof. V.S. Mallar who was a distinguished legal luminary in the field of constitutional and administrative law, and a passionate advocate for legal aid. The competition held in his memory is a fitting tribute to his legacy and a testament to the importance of legal aid in India. I am confident that this edition of the competition will further help in enhancing the awareness about legal aid and its significance in our society.

I urge all Law Universities, colleges and institutions to join our hands in strengthening Pan India Legal Literacy and Legal Awareness Programme, access to justice and legal aid in the country. Your contribution to this competition will not only enhance your own knowledge and skill but will also help in promoting legal literacy and legal awareness in the society. Once again, I extend my best wishes to all participants and the organizers for a successful and fruitful competition, and we eagerly look forward to seeing the outcomes of this year's event.

Yours Sincerely,

09/05/2023

(B. Chandra Mohiyar)
Director (Access to Justice and Legal Aid to Poor)
Department of Justice, Government of India

ABOUT THE DIGITAL LEGAL LITERACY – DISSEMINATION AND ASSESSMENT PROJECT

Access to Justice has been recognized as an essential facet of human development. India's judicial and legal system has many strengths: excellent constitutional and legal safeguards for access to justice; well-established institutions; an independent judiciary, a vibrant voluntary sector, and an independent media.

The Centre for Environmental Law, Education, Research and Advocacy (**CEERA**), National Law School of India University (**NLSIU**), Bengaluru has been granted a **Two-Year Project** on **'Digital Legal Literacy – Dissemination and Assessment'.** The project is focusing on the dissemination of legal literacy and is being implemented in aspiration districts across **6 States of India** namely – ***Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh***, *and* ***Karnataka***. The main objectives of the project include the following:

- Dissemination of Legal Literacy on a Mass level.
- Creation of an overall communication strategy including digital/social media platforms.
- Strategizing Effective and Sustainable legal awareness campaigns.
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the program.
- Conceptualizing and conducting Youth Connect Workshops by planning events in colleges/schools and institutions.

ABOUT THE NATIONAL LEVEL LEGAL AID CLINIC COMPETITION

The Legal Aid Clinic Competition shall be a **4 (four) month-pronged** Competition. Further, access to legal education is a necessary corollary to the right of free legal aid. With the advancement of digital technologies, this right has become all the more accessible.

Legal aid clinics, particularly those functioning under the aegis of educational institutions, play a pivotal role in improving community access to legal information and education and in engaging the youth in mass literacy dissemination efforts.

The endeavor of the second edition of this Competition is to further augment and strengthen the activities of the legal aid cells across the country to spread essential legal awareness by conducting awareness drives and various other creative initiatives and campaigns to bring to the fore the presence of informational asymmetry contributing directly to the lack of legal awareness.

AWARDS & PRIZES

WINNERS - BEST LEGAL AID CLINIC	INR 25,000
FIRST RUNNERS UP - BEST LEGAL AID CLINIC	INR 20,000
SECOND RUNNERS UP - BEST LEGAL AID CLINIC	INR 15,000
BEST FACULTY COORDINATOR AWARD	INR 10,000
BEST ALL INDIA LEGAL AID CLINIC STUDENT LAWYERS	INR 10,000

THE COMPETITION SHALL COMPRISE OF SIX CORE DELIVERABLES WHICH SHALL INCLUDE

- ACCESS TO LEGAL AID: PRISON CLINIC
- LOK ADALAT
- ENGAGEMENT WITH STREET VENDORS
- NON-PROFIT PARTNERING
- SPEED MENTORING
- FINAL REPORT

(i) ACCESS TO LEGAL AID: PRISON CLINIC

Each participating University/law school/law college/institution shall seek permission to visit and organize a Prison clinic in their respective districts/regional areas. The Legal Aid Clinic inside the prison must visit the prison and hold a clinic bimonthly. In total, the clinic must visit the prison at least six times [minimum] in the four months on this competition. In addition, they shall also work with the Legal Aid Cell in the Prison, study cases of few convicts/under-trails.

The objective of legal aid and jail visits is to encourage lawyers and students to come together and pursue access to justice for the needy behind bars. While respecting the privacy of the convicts/under-trails, list of cases and persons spoken to, the respective learning and interventions should be documented in the competition final report. **The deadline for the submission of the Report on Prison Clinic is October 15, 2023**.

(ii) LOK ADALAT

The participating institution must seek to work with the National/State/ District Legal Services authority. Assisting the Legal services authority in organizing the activities of the Legal services authority, including but not limited to encouraging students to undertake internship would be evaluated in this part of the competition. Holding and assisting the Legal services authority in a Lok Adalat shall be made a priority. Level of discussions, extent and quality of stakeholders involved, issues targeted, the impact of the hearing, and solutions provided shall be considered as parameters of marking. **The deadline for submission of Report on Lok Adalat is October 15, 2023.**

(iii) ENGAGEMENT WITH STREET VENDORS:

The Engagement with Street Vendors shall be conducted with a view to educate and create awareness among street vendors in the locality and neighboring areas of the Participating Institution. The students would partake to create legal awareness of the rights of Street Vendors and educate them about the various laws, policies and schemes that the government has for them. The effectiveness of this shall be assessed in understanding the challenges faced by them and how they are resolved in the 4 (four) month duration of the Competition. The Participating Institution may assist

them in getting needful registrations, identification cards, etc. **The Deadline for submission of Report on Street Vendor Engagement is August 30, 2023.**

(iv) NON-PROFIT PARTNERING

Each Institution shall be a partner with at least one Registered Non-Governmental Organization offering to create legal awareness and legal aid among the target audience identified by the Non-Profit Organizations.

The partnerships with NGOs may also extend to activities or projects that the NGO is undertaking and may include negotiation or mediation sessions on legal or social issues. Participating institutions must prepare not less than 3 [three] reels as a part of social outreach and medium of legal literacy dissemination. **The deadline for submission of Videos of Non-Profit Partnering is October 15, 2023.**

(v) SPEED- MENTORING

The speed mentoring program shall be conducted in at least 3 to 5 schools in identified villages or urban areas and shall be made available through video recordings. The focal point of this activity shall be to disseminate a brief, focused lecture within a given time frame on any of the contemporary socio-legal issues. The speed- mentoring will be assessed on matrices such as the extent of involvement, innovative techniques employed in creating literacy, the number of schools covered, and the expanse of legal literacy disseminated. **The deadline for submission of videos of Speed Mentoring is August 30, 2023.**

(vi) FINAL REPORT

Each Participating University will be required to submit one final report by **October 30th, 2023**. The report shall include a **Cover page**, **Table of Contents**, **Name of team members**, **two pages of Executive Summary**, and the **final report which does not exceed 8,000 words excluding footnotes, annexures, and pictures, if any**.

The hard copy of the report shall be accompanied by a video not exceeding 15 minutes depicting the activities undertaken during the Competition. The final report submitted by each participating institute shall comprise of a declaration signed by the Head of the Department/Institution certifying the authenticity and originality of the work.

TIMELINE OF THE COMPETITION & IMPORTANT DATES

MAY 22, 2023	**RELEASE OF THE COMPETITION**
JUNE 20, 2023	**LAST DATE FOR REGISTRATION**
JULY 01, 2023	**LAUNCH OF THE COMPETITION**
AUGUST 30, 2023	**SUBMISSION I: SPEED MENTORING VIDEOS & REPORT ON STREET VENDOR ENGAGEMENT**
OCTOBER 15, 2023	**SUBMISSION II: VIDEO RECORDINGS OF NON-PROFIT PARTNERING, REPORT ON LOK ADALAT ENGAGEMENT AND REPORT ON PRISON CLINIC**
JULY –OCTOBER 2023	**FOUR ONLINE LEGAL AID WORKSHOPS**
OCTOBER 30, 2023	**SUBMISSION III: SUBMISSION OF FINAL REPORT**
NOVEMBER 26, 2023	**ANNOUNCEMENT OF AWARDS & FELICITATION CEREMONY**

WHO CAN REGISTER FOR THE COMPETITION?

The Legal Aid Competition is open to all clubs and legal aid Clinics/committees housed in any institute. We encourage Management, Commerce institutions also to partake in this competition. NSS, NCC, Scouts Units are also encouraged to participate in this competition.

TEAM COMPOSITION

The representatives of the participating institutions for all purposes and for the entire duration of the competition shall comprise the following:

- 1 Faculty Coordinator/Advisor/NCC/NSS Officer
- 1 Student Coordinator
- Maximum of 08 other students, who will formulate the Core Team
- Other Students, whose participation may be certified by the Participating Institution

REGISTRATION FEE & REGISTRATION LINK

- The registration fee for a team is **INR 5,000/- (Rupees Five Thousand Only)**.
- Institutions interested in participating in the competition may register by filling in the Google form, the link for which is attached below
- Registration link: https://forms.gle/Bc3AA6267d4kAeCw7

BANK ACCOUNT DETAILS

DETAILS OF ACCOUNT HOLDERS

NAME OF ACCOUNT HOLDER	**DIRECTOR NLSIU SCHEMES AND PROJECTS**
COMPLETE CONTACT ADDRESS	**NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, P.B.NO.7201, NAGARBHAVI, BANGALORE - 560 072**
TELEPHONE NUMBER/FAX/MAIL	**23213160, 23160532, 23160533 / Fax 23160534 / registrar@nls.ac.in**
PAN	**AAAJN0185F**

BANK ACCOUNT DETAILS

BANK NAME	**UNION BANK OF INDIA**
BRANCH NAME WITH COMPLETE ADDRESS, TELEPHONE NUMBER	**NLSIU BRANCH, NLSIU CAMPUS, NAGARBHAVI, BANGALORE - 560 072, Ph: 080-23218130 & 23218115**
IFSC CODE / NEFT CODE / RTGS CODE / BRANCH CODE	**UBIN0921441**
TYPE OF BANK ACCOUNT (SB/CURRENT/CASH CREDIT)	**SAVINGS BANK**
COMPLETE BANK ACCOUNT NUMBER (LATEST)	**520101045115075**
MICR CODE OF BANK	**560026119**

CONTACT DETAILS

Mr. Vikas Gahlot Phone No.: **+91** 72908 07345	**Mr. Jaibatruka Mohanta** Phone No.: **+91 90825 10813**
Note: All Emails to be sent to – **ceera@nls.ac.in**	

GENERAL TERMS AND CONDITIONS OF THIS COMPETITION

1. All Intellectual Property generated under this competition will be jointly held by the participating institutions respectively and the organizers of the Competition-CEERA, NLSIU-DOJ.
2. Prize money in this competition shall be transferred to the respective institution's account only.
3. All participating institutions and its team members shall compulsory attend the entire Legal Aid workshop which shall be organized during the tenure of the competition.
4. Participating institutions and its team members must follow the highest levels of professionalism, have the utmost respect of privacy of individuals, have the highest regards to the sensitivity of issues and towards any disclosure of identity of individuals.
5. Participating institutions must maintain discipline and professionalism in all medium of communications with the respective authorities.
6. CEERA, NLSIU-DOJ shall not be responsible or liable for any breach of discipline or confidentiality or any other breach of UGC and other regulations, if done by any team or participating member during this competition. The Participating institutions must strictly adhere to enforcing disciplinary rules at all times during the visits to the Prison, school, Legal Services authority and at the NGO place.

LIST OF PARTICIPATING TEAMS IN THE INAUGURAL PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2022

1. University Five Year Law College, University of Rajasthan
2. V.M. Salgaocar College of Law, Goa
3. Chanderprabhu Jain College, Delhi
4. Des Shri Navalmal Firodia Law College, Pune
5. School of Law, Presidency University, Bengaluru
6. Vikash Law School, Bargarh, Orissa
7. The National University of Advanced Legal Studies, Kerala
8. Maharashtra National Law University, Mumbai
9. Dharmashastra National Law University, Jabalpur
10. Sri Jagadguru Renukacharya College of Law Bangalore
11. Arunodaya Institute of Legal Studies, Bengaluru
12. School of Legal Studies, CUSAT, Cochin
13. CMR University School of Legal Studies
14. Ramaiah College of Law
15. Bennett University, Noida
16. Institute of Law, Nirma University, Ahmedabad, Gujarat
17. Vivekananda Institute of Professional Studies, Delhi
18. K L E Society's Law College Bengaluru
19. Faculty of Law, Jagran Lakecity University, Bhopal
20. Lloyd Law College, Greater Noida
21. Mar Gregorios College of Law, Kerala
22. Sardar Patel Subharti Institute of Law, SVSU, Meerut
23. Central University of Punjab, Bathinda, Punjab
24. NMIMS Kirit P. Mehta School of Law, Mumbai
25. Narayan school of law, Gopal Narayan Singh University, Bihar
26. Tamil Nadu National Law University, Tiruchirappalli
27. JECRC University, Jaipur
28. University Law College and Department of studies in law, Bangalore University
29. Dr. Ram Manohar Lohia College of Law, Bangalore.
30. Symbiosis Law School, Pune
31. Narsee Monjee Institute of Management Studies (NMIMS), Hyderabad
32. Dr. Ram Manohar Lohiya National Law University, Lucknow
33. Saveetha School of Law, Chennai
34. Department of Law, Vishwakarma University, Pune
35. Manipal University Jaipur
36. JSS Law College, Mysore
37. Christ Academy Institute of Law, Bengaluru
38. IFIM Law School, Bengaluru
39. Hidayatullah National Law University
40. School of Law, CHRIST (Deemed to be University), Bengaluru
41. The North Cap University, Gurugram, Haryana
42. University School of Law and Legal Studies, GGSIPU
43. Hamdard Institute of Legal Studies and Research, The School of Law, Jamia Hamdard
44. Amity Kolkata
45. National Law Institute University, Bhopal
46. Shri Dharmasthala Manjunatheshwara Law College Centre for Post Graduate Studies and Research in Law
47. Renaissance Law College, Indore
48. National Law University, Jodhpur
49. Raja Lakhamgouda Law College, Belagavi

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA), NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

UNDER THE AEGIS OF

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

Organizes

SECOND EDITION PROF. V.S MALLA MEMORIAL LEGAL AID COMPETITION 2023

COMPETITION REPORT

With the success of the First Edition of The Prof. V.S Mallar Memorial Legal Aid Competition in the year, 2022 the second competition of the V.S Mallar Memorial Legal Aid Competition was held in the year 2023 under the aegis of CEERA-NLSIU and Department of Justice, Ministry of Law and Justice, Government of India. With the purpose to carry on the legacy of V.S Mallar the second edition of this legal aid competition was to carry on the same principles of the first edition i.e. to expand the activities of the legal aid cells across the country with the aim to spread essential legal awareness. This was to be achieved by conducting awareness drives and various other creative initiatives and campaigns to bring to the fore the presence of everything that was directly contributing to the lack of legal awareness.

The second edition was unique in its nature with the expansion of the said guidelines of the competition by including different activities as part of the competition so that the participants could expand their skills and knowledge in the legal field.

The competition also aimed to further the initiatives of the Department of Justice under its access to Justice Programmes. Around 50 colleges across the country registered for the particular competition and the competition spanned around 5 months after which the winners of the competition were declared and announced.

INAUGURAL AND COMPETITION LAUNCH

The commencement of the competition was with the inaugural session. The first session was at 2pm with eminent speakers like Madam Shanti Mallar, Prof. T.V Subba Rao, Dr. K Vikraman Nair, Prof. Sairam Bhat, Mr. Ashutosh Srivastava and Ms. Sneha Sharma. For the second half, speakers like Prof. Mohd Salim and Prof. Mallikarjunaiah spoke on the importance of legal aid as a constitutional mandate. Lastly, the briefing of all the activities of the competition was done by the core members of CEERA.

LEGAL AID CONCLAVES

Legal aid conclaves on different days were held according to the mandate set

The second legal aid conclave after the inaugural ceremony was held on 5TH August, 2023. The session started at around 10 am by setting the agenda for the topic :Legal aid and Legal practice by Prof. Ashok R. Patil and Prof. Sairam Bhat. Two technical sessions were held by Prof. BS Patil and Prof, Bismi and Prof. Rangin respectively.

The day ended with doubt clearing session headed by Rohith Kamath and Jaibatruka Mohanta.

The third legal aid conclave was held on the 22nd of September with the same procedures as followed in the previous conclave. The key speakers of this day were Prof. Sairam Bhat who set the agenda by introducing the topic: Introduction to Legal literacy and Legal Awareness project.

Dr. Davis Panadan speaking on the topic: “Litigation free village: Can we achieve it?’’ followed

Prof. Vani Kesari who highlighted on the topic Legal aid and Social justice while Prof. Chirag Balyan and Dr. Kalpeshkumar Gupta spoke on the topic “Undertrial prisoners and legal aid” and “Legal aid, startup and innovation” respectively.

The last leg of the conclave was held on the 27th of October. Prof. Sairam Bhat set the

agenda following which three technical sessions were held by Prof. Suresh Nadagoudar, Prof. Anurag Deep and Dr. Girsih K.C respectively.

STRUCTURE OF THE COMPETION

PRISON CLINIC

This included trying to engage with as many prisoners as possible and trying to put forward measures and communication strategies implanted in collaboration with the local prisoners. The participants also had to collect surveys on awareness of various governmental schemes and also distribute legal aid materials made by them.

ENGAGEMNET WITH STREET VENDORS

The criteria here too included trying to interact with as many street vendors as possible and carrying out services including basic registrations such as Aadhar, PAN, Income Certificates, Udayam Registrations, etc. Also, carrying outreach and roadshows for street vendors regarding the law, rights, public safety and awareness, along with the distribution of legal aid materials.

NON-PROFIT PARTNERING

This included reaching out to local NGOs who are carrying out any government or private funded projects. Assistance was to be rendered to NGOs in implementing any ongoing projects/ schemes granted by the Central or State government.

SPEED MENTORING

The speed mentoring program was to be conducted in 3 to 5 schools in identified villages or urban areas and shall be made available through video recordings. The focal point of this activity was to disseminate a brief, focused lecture within a given time frame on any of the contemporary socio-legal issues. The speed- mentoring was assessed on matrices such as

the extent of involvement, innovative techniques employed in creating literacy, the number of schools covered, and expanse of legal literacy disseminated with the following themes:

- Domestic Violence
- Child Abuse and Child Sexual Harassment
- Right to Education
- Child Marriage
- Rights of the elderly/senior citizens

FINAL REPORT

The last step of the competition was to create a final report by October 30th 2022. The final report had to include: cover page, table of contents, names of team members, a two-page executive summary and the final report not exceeding 8,000 words excluding footnotes, annexures, pictures, if any. The hard copy of the report was accompanied by a video not exceeding 10 minutes depicting the activities undertaken and the extent of outreach created through these activities.

The final report submitted by each participating team also comprised of a declaration signed by the Head of the Department/Institution certifying the authenticity and originality of the work.

WINNERS OF THE COMPETITION

The winners of the competition was declared on the 26th Of November, 2023

With all of the submissions assessed and marked following were the colleges that were declared winners of the competition:

WINNERS – BEST LEGAL AID CLINIC VVM Govind Ramnath Kare College of Law, Margao-Goa – Dr. Shruti M. Nadkarni & Team

2. FIRST RUNNERS UP – BEST LEGAL AID CLINIC Institute of Legal Studies, Ranchi University – Dr. Nishikant Prasad & Team

3. SECOND RUNNERS UP – BEST LEGAL AID CLINIC Government Centre of Legal Education (formerly, Hooghly Mohsin College) – Dr. Chiradeep Basak & Team

4. BEST FACULTY COORDINATOR AWARD National University of Study and Research in Law, Ranchi – Dr. Koushik Bagchi & Team

5. BEST ALL INDIA LEGAL AID CLINIC STUDENT LAWYERS Central University of Punjab, Bhatinda – Dr.. Smriti Rai & Team

6. BEST SOCIAL MEDIA REACH-OUT AWARD Maharaja Agrasen Institute of Management Studies, Delhi – Dr. Purnima Gupta & Team Sonopant Dandekar Shikshan Mandali's Law College, Palghar – Dr. Dipti Naik & Team






পশ্চিমবঙ্গ সরকার
হুগলী জিলা সংশোধনাগার
স্থাপিত - ১৮৯৭


UNIQ


Filing Online form of PM Schem related to Street Vendor's for them.
Feedback from Balgruh Staff Authority Regarding Law Students Legal Aid Work
Pardi, Maharashtra, India
Feedback of Balgruh Children
Pardi, Maharashtra, India
Pardi, Maharashtra, India


CYBER
CRIME
AND
RIGHT TO
PRIVACY
Story Telling
By
Balgruh
Children
Tree Plantation Activity

List of Participating Teams in the Second Edition of the Prof. V.S. Mallar Memorial Legal Aid Competition, 2023

Government Law College, Mumbai	Bharath Institute of Law	ITM University, Gwalior
Department of Legal Studies, LCIT College of Commerce and Science	Chennai Dr. Ambedkar Government Law College, Pudupakkam	Sikkim Government Law College
Faculty of Law, Jagran Lake City University, Bhopal	National University of Advanced Legal Studies	Hamdard Institute of Legal Studies and Research – School of Law Jamia Hamdard
India International University of Legal Education and Research, Goa (IIULER)	Manipal University Jaipur	Saveetha School of Law
Institute of Legal Studies, Ranchi University, Jharkhand	Vellore Institute of Technology, Chennai	Tamil Nadu National Law University, Tiruchirapalli
SRM University, Delhi-NCR, Sonipat	Maharashtra National Law University Mumbai	DES Shri Navalmal Firodia Law College, Pune
KIIT School of Law, Bhubaneswar	Indian Institute of Technology, Rajiv Gandhi School of IP Law	Government Centre of Legal Education, Chinsurah, Hooghly (formerly known as Law Section, Hooghly
Sonopant Dandekar Shikshan Mandali's Law College, Palghar	Maharaja Agrasen Institute of Management Studies, Rohini, sector 22, New Delhi	Bharath Institute of Law, Chennai
Christ Academy Institute of Law	Lloyd Law College	Sikkim Government Law College
Vivekananda Institute of Professional Studies	School of Law, Presidency University, Bengaluru	Hamdard Institute of Legal Studies and Research – School of Law Jamia Hamdard
Amity Law School, Amity University Kolkata.	ILS Law College, Pune	Saveetha School of Law
VVM's Govind Ramnath Kare College of Law, Margao, Goa	Mar Gregorios College of Law, Thiruvananthapuram	Tamilnadu National Law University, Tiruchirapalli
K L E Society's Law College, Bengaluru	K. L. E. Society's G. K. Law College, Hubballl	DES Shri Navalmal Firodia Law College, Pune
University School of Law and Legal Studies, Guru Gobind Singh Indraprastha University, New Delhi	Central University of Punjab	Government Centre of Legal Education, Chinsurah, Hooghly (formerly known as Law Section, Hooghly Mohsin College)
Mar Gregorios College of Law	Symbiosis Law School, Hyderabad	Bharath Institute of Law, Chennai
University Law College (Vinoba Bhave University) Hazaribagh, Jharkhand	The School of Indian Legal Thought, Mahatma Gandhi University, Kerala	Sikkim Government Law College
V. M. Salgaocar College of Law	Maharashtra National Law University, Nagpur	Dharmashastra National Law University, Jabalpur
Alliance University, Bengaluru	National University of Study and Research in Law, Ranchi	Chennai Dr Ambedkar Govt Law College, Pattaraiperumpudur
SVKM'S Narsee Monjee Institute of Management Studies (NMIMS), Indore Campus	Bharath Institute of Law	Gujarat National Law University, Gandhinagar

ANNOUNCEMENT OF RESULTS FOR THE II – PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2023

SR. NO.	PRIZE CATEGORY	INSTITUTE & TEAM
1.	WINNERS – BEST LEGAL AID CLINIC	**VVM Govind Ramnath Kare College of Law, Margao-Goa** – *Dr. Shruti M. Nadkarni & Team*
2.	FIRST RUNNERS UP – BEST LEGAL AID CLINIC	**Institute of Legal Studies, Ranchi University** – *Dr. Nishikant Prasad & Team*
3.	SECOND RUNNERS UP – BEST LEGAL AID CLINIC	**Government Centre of Legal Education (formerly, Hooghly Mohsin College)** – *Dr. Chiradeep Basak & Team*
4.	BEST FACULTY COORDINATOR AWARD	**National University of Study and Research in Law, Ranchi** – *Dr. Koushik Bagchi & Team*
5.	BEST ALL INDIA LEGAL AID CLINIC STUDENT LAWYERS	**Central University of Punjab, Bhatinda** – *Dr.. Smriti Rai & Team*
6.	BEST SOCIAL MEDIA REACH-OUT AWARD	**Maharaja Agrasen Institute of Management Studies, Delhi** – *Dr. Purnima Gupta & Team* **Sonopant Dandekar Shikshan Mandali's Law College, Palghar** – *Dr. Dipti Naik & Team*

☺ *Congratulations to all the Teams & wish Everyone all the very best for Future Endeavours* ☺

THIRD PROF. V. S. MALLAR MEMORIAL

LEGAL AID COMPETITION 2024

A JOINT INITIATIVE BY

SYMBIOSIS LAW SCHOOL, PUNE

AND

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY,

BENGALURU

IN COLLABORATION WITH

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

LAST DATE FOR REGISTRATION: AUGUST 18, 2024

AN ODE TO PROF. V. S. MALLAR



PROFESSOR VARADARAJA SHIVARAYA MALLAR *has made significant contributions to the field of law through his academic, administrative, and professional endeavors. His illustrious career is marked by a series of key positions, extensive international exposure, and a commitment to legal education.*

Prof. Mallar *began his journey in legal academia as the Dean of the Faculty of Law and Chairman of the Board of Studies in Law at Goa University during the years 1986-1988.*

National Law School of India University (NLSIU) - A Legacy of Excellence*: In May 1988, Professor Mallar was selected and appointed as an Assistant Professor of Law (Senior) at the prestigious National Law School of India University (NLSIU), Bangalore. His exemplary teaching and research skills earned him a promotion to Associate Professor of Law in April 1992. By April 1997, he was appointed as Additional Professor, and in December 1997, he ascended to the position of Professor of Law and Registrar, at NLSIU. His tenure at NLSIU is marked by his dedication to nurturing young legal minds and contributing to the institution's growth.*

International Engagements and Academic Contributions: *Professor Mallar's academic prowess extends beyond national boundaries. In 1995, he served as a Visiting Faculty at the University of Warwick, Coventry, U.K., where he shared his expertise and engaged with the global academic community. His international engagements also include attending and delivering lectures at various international conferences in Ireland, Singapore, Sri Lanka, and the United States. Prof. Mallar's teaching and mentorship have inspired countless students to pursue successful careers in law. His academic writings and research have added valuable insights to legal scholarship. Moreover, his involvement in international conferences and lectures has helped bridge the gap between Indian and global legal systems, fostering a better understanding and cooperation among legal scholars worldwide.*

ABOUT THE DIGITAL LEGAL LITERACY – DISSEMINATION AND ASSESSMENT PROJECT

Access to Justice has been recognized as an essential facet of human development. India's judicial and legal system has many strengths: excellent constitutional and legal safeguards for access to justice; well-established institutions; an independent judiciary, a vibrant voluntary sector, and an independent media.

The Centre for Environmental Law, Education, Research and Advocacy (**CEERA**), National Law School of India University (**NLSIU**), Bengaluru has been granted a **Two-Year Project** on **'Digital Legal Literacy – Dissemination and Assessment'.** The project focuses on the dissemination of legal literacy and is being implemented in a few districts across **7 States of India** namely – ***Maharashtra, Odisha, Bihar, Rajasthan, Uttar Pradesh***, ***Tripura,*** *and* ***Karnataka***. The main objectives of the project include the following:

- Dissemination of Legal Literacy on a Mass level.
- Creation of an overall communication strategy including digital/social media platforms.
- Strategizing Effective and Sustainable legal awareness campaigns.
- Conceptualizing and conducting workshops and legal aid competitions event coverage and launches related to the program.
- Conceptualizing and conducting Youth Connect Workshops by planning events in colleges/schools and institutions.

OUR COORDINATORS



PROF. (DR) SHASHIKALA GURPUR
Jean Monnet Chair Professor
Director, Symbiosis Law School, Pune
Dean, Faculty of Law, Symbiosis International University



PROF. (DR) SAIRAM BHAT
Professor of Law
National Law School of India University, Bengaluru

ABOUT THE LEVEL AID COMPETITION, 2024

The Prof. V. S. Mallar Memorial Legal Aid Competition is a distinguished four-month event that aims to elevate holistic legal awareness, provide vital legal assistance, and inspire enthusiastic legal activism among law students throughout India.

The success of this competition's first and second editions serve as a predicament to pave the way for the third edition. This endeavour seeks to empower and enhance the voices of the student bodies nationally to deepen the impact of legal aid and nurture creative campaigns to embark upon yet another memorable journey for empowering all sections of society. In this edition, we introduce yet another significant scope of work, the Legal Assistance Lab – wherein students shall be encouraged to work with Advocates at a first-hand level and aid in the dispute resolution process.

CELEBRATING THE HAMARA SAMVIDHAN HAMARA SAMMAN

HAMARA SAMVIDHAN HAMARA SAMMAN

On January 24, 2024, the Department of Justice launched a pan-India year-long campaign "**HAMARA SAMVIDHAN HAMARA SAMMAN**" to commemorate the **75th Year of India as a Republic**.

This has been launched to enhance awareness about the Constitution, sensitize the citizens on the shared principles of **Panch Pran,** and to educate the citizens about their rights, duties and entitlements and other legal services of the Government and various citizen-centric services provided through Common Service Centres and other partnering agencies of the DoJ.

The Campaign underscores three key themes:

Sabko Nyay-Har Ghar Nyaya – Ensuring justice for all;

Nav Bharat Nav Sankalp – Pledging for a new India, fueled by innovative ideas and renewed commitment; and

Vidhi Jagriti Abhiyaan – Promoting legal literacy and awareness through grassroots initiatives and educational endeavors.

AWARDS & PRIZES

CATEGORY	PRIZE
WINNERS - BEST LEGAL AID CLINIC	INR 25,000
FIRST RUNNERS UP - BEST LEGAL AID CLINIC	INR 20,000
SECOND RUNNERS UP - BEST LEGAL AID CLINIC	INR 15,000
BEST FACULTY COORDINATOR AWARD	INR 10,000
BEST ALL INDIA LEGAL AID CLINIC STUDENT LAWYERS	INR 10,000

THE COMPETITION SHALL COMPRISE SIX CORE DELIVERABLES

- LEGAL PODCAST & FAQS
- SPEED MENTORING
- STREET PLAY & JAN SUNWAII
- REEL MAKING
- LEGAL ASSISTANCE LAB
- FINAL REPORT

I. LEGAL PODCAST AND FAQS

Each participating Team shall prepare an "Access to Legal Aid and Allied Laws Podcast" that aims to spark dynamic conversations and spread crucial information about legal aid and related laws. In this Podcast series, Teams must propel compelling discussions and expert insights, seeking to elevate legal awareness, educate the public on their rights and available resources, and inspire proactive action in seeking legal help. This initiative strives to empower individuals with the knowledge and confidence to navigate the legal system effectively. Each Team must come up with 3 (three) episodes, spanning not more than 15 minutes.

Each Team must prepare 3 (three) full-length detailed Frequently Asked Questions with graphics on the topic chosen for the Podcast as well.

II. SPEED MENTORING

The Speed Mentoring Programme is a crucial aspect of the Competition, aimed at spreading legal awareness on contemporary socio-legal issues in rural and urban schools. The sessions should be tailored to current issues and are designed to be informative and impactful. Practical knowledge will be disseminated throughout these sessions, empowering participants to understand and engage with these legal issues effectively. The speed-mentoring activity will be assessed on matrices such as the extent of involvement, innovative techniques employed in creating literacy, the number of schools covered, and the expanse of legal literacy disseminated. The Teams should conduct Speed Mentoring activities in at least 8 (eight) schools throughout the Competition. 8 (eight) being the minimum, and the maximum number is upon the Teams to decide.

III. STREET PLAY & JAN SUNWAII

Each participating Team shall conduct 2 – Street Plays in the regional language on the Legal landscape to engage and educate the youth and citizens in raising legal awareness, focusing on legal activism and socio-legal issues. This initiative aims to enhance legal literacy, empower citizens, and foster a proactive approach to legal problems in rural/urban involvement, and issues targeted, amongst others. The Teams are free to choose topics of their choice for the Street Play.

- The indicative theme for a campaign under this component – ***Humara Samvidham Humara Samman*** *a campaign by the Department of Justice, Ministry of Law and Justice, Government of India.*

The Jan Sunwaii or Public Hearing shall be conducted for targeted groups/communities. The objective of the Jun Sunwaii is to afford a platform for free and open discussion on the social, political, and legal issues and concerns faced by the community and to identify and offer viable solutions that may address these issues. For instance: Assistance in the generation of Aadhar cards, Street vendor licenses, ration cards, BPL cards, or MSME licenses, amongst others. The Jun Sunwaii shall be evaluated on the level of mobilization,

crowd-sourcing, level of discussions, extent and quality of stakeholders involved, issues targeted & resolved, the impact of the hearing, and solutions provided.

IV. REEL MAKING

The primary objective of this event is to engage youth in raising legal awareness through the creative medium of reels, focusing on digital legal literacy and socio-legal issues. This initiative aims to enhance legal literacy, empower citizens, and foster a proactive approach to legal problems in rural and urban areas. The proposed event will be conducted over three months, with each team required to create reels on assigned topics each month. The duration of each reel can be between 1 minute and 3 minutes. The reels created must be posted on the last day of each month, on your own social media handles, in collaboration with @ceera_nlsiu & @symbiosis_lawschool's Instagram handles.

V. LEGAL ASSISTANCE LAB

The primary objective of the Litigation Assistance Lab is to actively engage law students of participating universities in providing hands-on support for legal cases, focusing on practical litigation skills and real-world legal challenges. Through this program, participants will gain valuable experience while contributing to the community's access to justice. Teams in 4 months – must work with Advocates on a few matters and understand the same. This component shall be assessed on the quality of support provided to the Advocate, which shall be attested by the Advocate's office.

VI. FINAL REPORT

Each Team will be required to submit one final report by **November 14, 2024**. The report shall include a **Cover page**, **Table of Contents**, **Names of Team members**, **two pages of Executive Summary**, and the **Final Report which should not exceed 8,000 words excluding footnotes, annexures, and pictures, if any**.

A video of 15 minutes depicting the activities undertaken during the Competition must be prepared and shared with the Organization Committee. The final report submitted by each participating institute shall comprise a declaration signed by the Head of the Department/Institution certifying the authenticity and originality of the work.

TIMELINE OF THE COMPETITION & IMPORTANT DATES

JULY 31, 2024	RELEASE OF THE COMPETITION
AUGUST 18, 2024	LAST DATE FOR REGISTRATION
AUGUST 22, 2024	LAUNCH OF THE COMPETITION, 3.00 P.M
SEPTEMBER 30, 2023	SUBMISSION I: SPEED MENTORING VIDEOS, STREET PLAY/JAN SUNWAII
1. 30TH AUGUST 2. 30TH SEPTEMBER 3. 30TH OCTOBER	EVERY MONTH REEL SUBMISSION
OCTOBER 30, 2024	SUBMISSION II: LEGAL PODCASTS AND FAQS, LEGAL ASSISTANCE REPORT
JULY – OCTOBER, 2024	FOUR ONLINE LEGAL AID CONCLAVES
NOVEMBER 14, 2024	SUBMISSION III: SUBMISSION OF FINAL REPORT
NOVEMBER 26, 2024	ANNOUNCEMENT OF AWARDS & FELICITATION CEREMONY

WHO CAN REGISTER FOR THE COMPETITION?

The Legal Aid Competition is open to all clubs and legal aid Clinics/committees housed in any institute. We encourage Management, Commerce institutions also to partake in this competition. NSS, NCC, Scouts Units are also encouraged to participate in this competition.

TEAM COMPOSITION

The representatives of the participating institutions for all purposes and for the entire duration of the competition shall comprise the following:

- 1 Faculty Coordinator/Advisor/NCC/NSS Officer
- 1 Student Coordinator
- Maximum of 08 other students, who will formulate the Core Team. Only Core team members will be issued with Certificates
- Other Students, whose participation may be certified by the Participating Institution

REGISTRATION FEE & REGISTRATION LINK

- The registration fee (inclusive GST) for a team is **INR 5,000/- (Rupees Five Thousand Only)**.
- Institutions interested in participating in the competition may register by filling in the Google form, the link for which is attached below
- Registration link: https://forms.gle/vEEvSEQPe77NdutFA

QR CODE

BANK ACCOUNT DETAILS

DETAILS OF ACCOUNT HOLDERS

NAME OF ACCOUNT HOLDER	**SS SIU SLS RECEIPT AC**
COMPLETE CONTACT ADDRESS	**OPP. PUNE INTERNATIONAL AIRPORT, SYMBIOSIS ROAD, VIMANNAGAR, PUNE, MAHARASHTRA, INDIA – 411014**
TELEPHONE NUMBER/FAX/MAIL	
PAN	**AABTS4503R**

BANK ACCOUNT DETAILS

BANK NAME	**BANK OF INDIA**
BRANCH NAME WITH COMPLETE ADDRESS, TELEPHONE NUMBER	**65/1/B ERANDWANE , KARVE ROAD, PUNE – 411004**
IFSC CODE / NEFT CODE / RTGS CODE / BRANCH CODE	**BKID0000503**
TYPE OF BANK ACCOUNT (SB/CURRENT/CASH CREDIT)	**SAVING ACCOUNT**
COMPLETE BANK ACCOUNT NUMBER (LATEST)	**050310210000019**
MICR CODE OF BANK	**411013011**

COMPETITION COORDINATORS

ADV. JAIBATRUKA MOHANTA Phone No.: **+91 90825 10813**	**PROF. KSHITIJ NAIKADE** Phone No.: **+91 88309 34149**
Note: All Emails are to be sent to – **ceera@nls.ac.in**	

GENERAL TERMS AND CONDITIONS OF THIS COMPETITION

1. All Intellectual Property generated under this competition will be jointly held by the participating institutions respectively and the organizers of the Competition-CEERA, NLSIU-DOJ.
2. Prize money in this competition shall be transferred to the respective institution's account only.
3. All participating institutions and its team members shall compulsorily attend the entire Legal Aid workshop which shall be organized during the tenure of the competition.
4. Participating institutions and its team members must follow the highest levels of professionalism, have the utmost respect of the privacy of individuals, and have the highest regard to the sensitivity of issues and towards any disclosure of the identity of individuals.
5. Participating institutions must maintain discipline and professionalism in all mediums of communication with the respective authorities.
6. NLSIU-SLS-DOJ shall not be responsible or liable for any breach of discipline or confidentiality or any other breach of UGC and other regulations if done by any team or participating member during this competition. The Participating institutions must strictly adhere to enforcing disciplinary rules at all times during the visits to the Prison, school, Legal Services authority, and at the NGO place.

LIST OF PARTICIPATING TEAMS IN THE INAUGURAL PROF. V.S. MALLAR MEMORIAL LEGAL AID COMPETITION, 2023

1. University Five Year Law College, University of Rajasthan
2. V.M. Salgaocar College of Law, Goa
3. Chanderprabhu Jain College, Delhi
4. Des Shri Navalmal Firodia Law College, Pune
5. School of Law, Presidency University, Bengaluru
6. Vikash Law School, Bargarh, Orissa
7. The National University of Advanced Legal Studies, Kerala
8. Maharashtra National Law University, Mumbai
9. Dharmashastra National Law University, Jabalpur
10. Sri Jagadguru Renukacharya College of Law Bangalore
11. Arunodaya Institute of Legal Studies, Bengaluru
12. School of Legal Studies, CUSAT, Cochin
13. CMR University School of Legal Studies
14. Ramaiah College of Law
15. Bennett University, Noida
16. Institute of Law, Nirma University, Ahmedabad, Gujarat
17. Vivekananda Institute of Professional Studies, Delhi
18. K L E Society's Law College Bengaluru
19. Faculty of Law, Jagran Lakecity University, Bhopal
20. Lloyd Law College, Greater Noida
21. Mar Gregorios College of Law, Kerala
22. Sardar Patel Subharti Institute of Law, SVSU, Meerut
23. Central University of Punjab, Bathinda, Punjab
24. NMIMS Kirit P. Mehta School of Law, Mumbai
25. Narayan school of law, Gopal Narayan Singh University, Bihar
26. Tamil Nadu National Law University, Tiruchirappalli
27. JECRC University, Jaipur
28. University Law College and Department of studies in law, Bangalore University
29. Dr. Ram Manohar Lohia College of Law, Bangalore.
30. Symbiosis Law School, Pune
31. Narsee Monjee Institute of Management Studies (NMIMS), Hyderabad
32. Dr. Ram Manohar Lohiya National Law University, Lucknow
33. Saveetha School of Law, Chennai
34. Department of Law, Vishwakarma University, Pune
35. Manipal University Jaipur
36. JSS Law College, Mysore
37. Christ Academy Institute of Law, Bengaluru
38. IFIM Law School, Bengaluru
39. Hidayatullah National Law University
40. School of Law, CHRIST (Deemed to be University), Bengaluru
41. The North Cap University, Gurugram, Haryana
42. University School of Law and Legal Studies, GGSIPU
43. Hamdard Institute of Legal Studies and Research, The School of Law, Jamia Hamdard
44. Amity Kolkata
45. National Law Institute University, Bhopal
46. Shri Dharmasthala Manjunatheshwara Law College Centre for Post Graduate Studies and Research in Law
47. Renaissance Law College, Indore
48. National Law University, Jodhpur
49. Raja Lakhamgouda Law College, Belagavi
50. Government Centre of Legal Education, Hooghly Mohsin College

LIST OF PARTICIPATING TEAMS THIRD VMLAC 2024

V.M. SALGAOCAR COLLEGE OF LAW	NMIMS SCHOOL OF LAW, BENGALURU	SYMBIOSIS LAW SCHOOL, NAGPUR	SRM UNIVERSITY DELHI NCR, SONEPAT
SONOPANT DANDEKA SHIKSHAN MANDALI'S LAW COLLEGE, PALGHAR	SIKKIM GOVERNMENT LAW COLLEGE	SYMBIOSIS LAW SCHOOL, HYDERABAD	ICFAI LAW SCHOOL, IFHE, HYDERABAD
SCHOOL OF LAW, FORENSIC JUSTICE & POLICY STUDIES, NATIONAL FORENSIC SCIENCES UNIVERSITY	UNIVERSITY INSTITUTE OF LEGAL STUDIES, PANJAB UNIVERSITY	KARNAVATI UNIVERSITY - UNITEDWORLD SCHOOL OF LAW	HAMDARD INSTITUTE OF LEGAL STUDIES AND RESEARCH, JAMIA HAMDARD, NEW DELHI
SCHOOL OF LAW, FORENSIC JUSTICE & POLICY STUDIES, NATIONAL FORENSIC SCIENCES UNIVERSITY	NATIONAL LAW UNIVERSITY, TRIPURA	NATIONAL FORENSIC SCIENCES UNIVERSITY, DELHI CAMPUS	DES SHRI. NAVALMAL FIRODIA LAW COLLEGE, PUNE
THE LAW SCHOOL, UNIVERSITY OF JAMMU	LLOYD LAW COLLEGE	UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES, GGSIPU	DES SHRI.NAVALMAL FIRODIA LAW COLLEGE, PUNE
SCHOOL OF LEGAL STUDIES, COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY (CUSAT)	GOVERNMENT CENTRE OF LEGAL EDUCATION	MAHARAJA SURAJMAL INSTITUTE	WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES (WBNUJS)
INSTITUTE OF LEGAL STUDIES, RANCHI UNIVERSITY, RANCHI	CENTRAL UNIVERSITY OF PUNJAB	GOVERNMENT LAW COLLEGE THRISSUR	SCHOOL OF LAW, GALGOTIAS UNIVERSITY
GOVIND RAMNATH KARE COLLEGE OF LAW	KLE LAW COLLEGE, BENGALURU	KIIT SCHOOL OF LAW	NMIMS KIRIT P. MEHTA SCHOOL OF LAW, MUMBAI
NATIONAL LAW UNIVERSITY, DELHI	SADANLAL SANWALDAS KHANNA GIRLS' DEGREE COLLEGE, PRAYAGRAJ	INDIA INTERNATIONAL UNIVERSITY OF LEGAL EDUCATION AND RESEARCH	LEGAL AID COMMITTEE, SCHOOL OF LAW, BENNETT UNIVERSITY
NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL	CHANAKYA UNIVERSITY, BENGALURU	VIT SCHOOL OF LAW, VIT CHENNAI	SVKM’S PRAVIN GANDHI COLLEGE OF LAW
MAHARASHTRA NATIONAL LAW UNIVERSITY,AURANGABAD	SYMBIOSIS LAW SCHOOL, PUNE	MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI	RAJIV GANDHI SCHOOL OF INTELLECTUAL PROPERTY LAW (RGSOIPL), IIT KHARAGPUR

JSS LAW COLLEGE (AUTONOMOUS) KUVEMPUNAGARA, MYSURU	SCHOOL OF LAW, DR VISHWANATH KARAD MIT WORLD PEACE UNIVERSITY	BHARATH INSTITUTE OF LAW	BHARATH INSTITUTE OF LAW
VIVEKANANDA INSTITUTE OF PROFESSIONAL STUDIES - TECHNICAL CAMPUS	KLE LAW COLLEGE, BENGALURU	ITM UNIVERSITY, GWALIOR	RAMAIAH COLLEGE OF LAW
BARODA SCHOOL OF LEGAL STUDIES, THE MAHARAJA SAYAJIRAO UNIVERSITY OF BARODA	FACULTY OF LAW JAGRAN, LAKECITY UNIVERSITY BHOPAL	DHARMASHASTRA NATIONAL LAW UNIVERSITY	SASTRA DEEMED UNIVERSITY
CHRIST ACADEMY INSTITUTE OF LAW, BENGALURU	GUJARAT NATIONAL LAW UNIVERSITY	SCHOOL OF LAW, SVKM'S NARSEE MONJEE INSTITUTE OF MANAGEMENT STUDIES, INDORE	MAHARASHTRA NATIONAL LAW UNIVERSITY, NAGPUR

विधि और न्याय मंत्रालय
MINISTRY OF LAW & JUSTICE

CONGRATULATIONS TO THE WINNING TEAMS

SR. NO.	PRIZE CATEGORY	INSTITUTE & TEAM
1.	WINNERS – BEST LEGAL AID CLINIC	SCHOOL OF LEGAL STUDIES, COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY (CUSAT) | *Dr. Harigovind P.C., Haridev Varma & Team*
2.	FIRST RUNNERS UP – BEST LEGAL AID CLINIC	GOVERNMENT LAW COLLEGE, THRISSUR | *Dr. Sonia K Das, Ardra K R & Team*
3.	SECOND RUNNERS UP – BEST LEGAL AID CLINIC	V.M. SALGAOCAR COLLEGE OF LAW | *Dr. Aamod M. Shirali, Nidhi Gawade & Team*
4.	BEST FACULTY COORDINATOR AWARD	NATIONAL LAW UNIVERSITY, DELHI | *Dr. Sophy K J, G S Avane & Team*
5.	BEST ALL INDIA LEGAL AID CLINIC STUDENT LAWYERS	NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL | *Dr. Birpal Singh, Sajal Soni & Team*
6.	BEST EMERGING TEAM IN THE NAME OF PROF. T.V. SUBBA RAO	SCHOOL OF LAW, FORENSIC JUSTICE & POLICY STUDIES, NATIONAL FORENSIC SCIENCES UNIVERSITY, GANDHINAGAR | *Dr. Ripal Gupta, Utsavi Patel & Team*
7.	BEST SOCIAL MEDIA MILESTONE AWARD	RAMAIAH COLLEGE OF LAW | *Mr. Rudragouda M H, Shrinidhi Anil Hallyal & Team* LLOYD LAW COLLEGE | *Dr. Akhil Sankhyan, Nirbhay Aggarwal & Team*

☺ *Congratulations to all the Teams & wish Everyone all the very best for Future Endeavours* ☺

NATIONAL CONFERENCE
HUMAN RIGHTS OF SLUM DWELLERS AND FORCED EVICTION: A LEGAL MANDATE

VIDEO MAKING COMPETITION

LAST DATE FOR SUBMISSION
NOVEMBER 28, 2022

Themes:

- Urban poor, migration and resettlement;
- Impact of health and mental well being of people affected by forced eviction; and
- or any of the themes indicated for paper presentation.

Link for registration:

https://forms.gle/k5UoeSGS9ST6dJo2A

For queries: ceera@nls.ac.in

REPORT

TWO-DAY NATIONAL CONFERENCE

ON

"HUMAN RIGHTS OF SLUM DWELLERS AND FORCED EVICTION: A LEGAL MANDATE"



Organised by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

National Law School of India University (NLSIU), Bengaluru

along with

CMR School of Legal Studies, Bengaluru and

Symbiosis Law School, Pune

UNDER THE AEGIS

OF THE DISHA SCHEME, DEPARTMENT OF JUSTICE, GOVT. OF INDIA

AND

THE CHAIR ON URBAN POOR AND THE LAW

MINISTRY OF HOUSING AND URBAN POVERTY ALLEVIATION

GOVT. OF INDIA

DECEMBER 15 – 16, 2022
Venue: Online – Zoom Platform

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ACKNOWLEDGEMENT

The Centre for Environmental Law, Education, Research and Advocacy (**CEERA**), National Law School of India University (**NLSIU**), extends its sincere gratitude to the **Ministry of Housing and Urban Affairs, Government of India** for its continued support and extended patronage in organizing the Seminar. A special mention to the **Department of Justice, Ministry of Law and Justice, Government of India** for its constant encouragement.

CEERA extends its sincere gratitude to its partner institutions for this conference – **Symbiosis Law School**, Pune and **CMR School of Legal Studies**, Bengaluru.

We are thankful to **Prof. (Dr.) Sudhir Krishnaswamy**, Vice-Chancellor, NLSIU, for his enriching support and the entire NLSIU administration in this regard.

We would also like to thank all our dignitaries & Resource Persons beginning with **Prof. (Dr.) Anurag Deep, Prof. Bismi Gopalakrishnan, Dr. V.J. Praneshwaran, Dr. Anita Yadav, Dr. Rajeev Babu, Dr. Irfan Rasool, Dr. Sini John, Dr. Sangeetha Sriram, Ms. Pavithra R., Dr. Biswa K. Dash, Adv. Raghav Parthasarathy, Ms. Raagya Zadu** for their cooperation, support, and contributions towards making the Conference a success.

We also extend our sincere gratitude to **Prof. Shashikala Gurpur** and **Prof. T.R. Subramanya** for their collaborative support in organizing the Conference. We also extend our sincere gratitude to all the participants who participated in the Conference and contributed to the deliberations

Finally, we would like to thank the CEERA Team - **Mr. Rohith Kamath, Mr. Vikas Gahlot, Ms. Anuja Shah, Ms. Aparna S., Ms. Gayathri Gireesh, Ms. Shilpa Sanjeevan, Mr. Param Shah, Mr. Dhawan G M and Mr. Jaibatruka Mohanta** for their help and support in organising this Conference seamlessly.

- ***Prof. (Dr.) Sairam Bhat –*** *Coordinator – CEERA, Professor of Law, NLSIU*

ABOUT THE CONFERENCE

The National Conference on **'Human Rights of Slum Dwellers and Forced Eviction: A Legal Mandate'** had been organized under the aegis of the Chair on Urban Poor and the Law instituted by a Memorandum of Understanding between the Ministry of Housing and Urban Poverty Alleviation (**MoHUPA**) and NLSIU. The collaborator of the Conference had been the Department of Justice (**DOJ**), Ministry of Law and Justice's Pan-India Scheme for '*Designing Innovative Solutions on Holistic Access to Justice*' (**DISHA**) which aims to address the issues faced by people on account of their disadvantaged positions within the socio-legal scenario in the society. The objective of this Conference had been to sensitize the rights of slum dwellers and deal with the intricacies of forced eviction in pursuance to realize the true meaning of the DISHA scheme under the DOJ's initiative.

The National Conference's Chairs are the following esteemed professors: **Prof. T.R. Subramanya** (Dean – CMR School of Legal Studies, Bengaluru), **Prof. Shashikala Gurpur** (Director – Symbiosis Law School, Pune) and **Prof. Sairam Bhat** (Professor of Law – NLSIU & Centre Co-ordinator CEERA).

The primary focus of the Conference had been to understand the nuances involved in the eviction drives and the aftermath recourse involved, and the needful safeguards to be kept in place for the slum dwellers. The Conference prepared a road map for the human rights of slum dwellers along with a proper legal mandate that comes to the rescue in such scenarios. The Conference was conducted with the intent to inter-mingle academic writings and discussions along with practical case studies and solutions.

Further, slums are informal communities within cities that have subpar housing and unpleasant living circumstances. They frequently have too many people living in a little amount of space. Slums are not a recent phenomena; they have long existed in practically all cities, especially during periods of industrialization and urbanisation. In cities where there is fierce rivalry for land and profits, slums are typically the only sort of settlement that is inexpensive and accessible to the poor. Rapid and exclusive urbanisation trends sparked by rising rural-to-urban migration are the primary cause of slum growth.

Slums display deprivation that goes beyond material poverty. Extreme overcrowding, unhygienic, unhealthy, and dehumanising living circumstances define slum residents in India. They face unstable land tenure, a lack of access to fundamental municipal amenities including clean water to drink, proper sanitation, storm drainage, the disposal of solid waste, internal and approach roads, street lighting, access to education and healthcare, and inadequate housing.

According to the Government of India, the construction sector contributes nearly 9% to India's GDP and employs close to 51 million workers. Interestingly as the dreams of millions are cherished through these homes, the workforce, engaged in this sector live in deplorable conditions with no provision of basic shelter, food, sanitation, safety, adequate housing and health care facilities.

Further, due to arbitrary criteria such as the inability to provide the necessary documentation, the majority of those who have been evicted are not deemed "qualified" for rehabilitation by the state. It is incredibly insufficient and infringes on a number of fundamental human rights for the minority of impacted families who do obtain resettlement. The majority of resettlement sites are found on the outskirts of urban areas and do not offer inhabitants appropriate housing, security, or access to basic amenities. Moving to remote locations causes the majority of families to lose their employment or work, children to be forced out of school, and communities and social networks to disintegrate. Losses of security and safety, as well as loss of livelihood, affect women disproportionately.

On the other hand the aspect of Forced Migration causes people to move to cities in search of work due to the collapse of rural economies, the agricultural crisis, landlessness, and displacement brought on by megaprojects in rural areas. Numerous people are forced to live in appallingly substandard housing circumstances in cities due to the lack of affordable and public housing, frequently without access to basic services. Local administrative authorities are trying more and more to relocate informal settlements from city centres to the city's outskirts due to the increased demand for land in urban regions. Residents' quality of life, health, and education are all negatively impacted by this. The land obtained by these evictions is subsequently put to use for businesses that generate income, such as high-rise office buildings, shopping malls, and entertainment complexes, or for housing colonies for the urban elite.

Therefore, this Conference looked into the following aspects and intended to provide a holistic solution for the same.

ABOUT NLSIU

The National Law School of India University, the Nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a centre of excellence for legal education and research in India. The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS etc. The Projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.

ABOUT CEERA

The Centre for Environmental Law, Education, Research and Advocacy (CEERA), established in 1997 is a benefactor of the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of Karnataka, the Bar, and the Bench in India and abroad. Building an environmental law database, effectively networking among all stakeholders, building up an environmental law community, and policy research in the area of the environment are CEERA's main objectives. To achieve the aforesaid, CEERA has incessantly and successfully been able to build functional and professional linkages with government agencies and non-governmental organisations in India, the south-Asian region and at international levels.

CEERA has also been regularly engaged in capacity building and training of practitioners, government servants, academicians, and scholars on various legal topics. CEERA has been partnering with Central Pollution Control Board in organising Training programs for the officers of various State Pollution Control Boards and other industry professionals for over 9 years. One of the first in India, to successfully be granted a World Bank project and thereafter world bank's steady choice for the Ministry of Environment Forest and Climate Change, CEERA has been entrusted with research projects and workshops to impart training to Forest Officers, Revenue Officers, Officers of the Central Pollution Control Board and also of the Government of Karnataka.

CEERA is proud to have completed a two-year Research Project granted by the United Nations Development Programme (UNDP) under the Global Environment Facility (GEF), and as one of the deliverables, organised, convened, and conducted over twenty workshops at Institutions of national repute creating awareness on the Biodiversity Law and Access and Benefit Sharing (ABS) in less than 2 years. Two research publications on the scanty research area of biodiversity laws were also the outcome of this project.

In 2018, CEERA was granted a Research Project by the Ministry of Law and Justice to conduct research on 'Strengthening Legal Provisions for the Enforcement of Contracts'. This Project had explored all the possible avenues of reformation in the Contractual and Commercial Law to uplift the dire situation of contractual enforcement in India. As one of the deliverables under this project, National Seminar was conducted over the course of two days where 251 participants from various parts of the country had shown enthusiasm and interest.

CEERA had also organised a three-day International Conference on 'Liberalization and Globalization: Changing Legal Paradigm in 2016, with an objective to examine the impact of Liberalization, Privatization and Globalization (LPG) in India - specifically on the various laws enacted and amended subsequent to Liberalization. It was attended by about 150 participants globally and had around 100 paper presentations as well. As an outcome of the conference, a book containing the best research papers, were published by CEERA in NLSIU Book Series-3, which was released to mark 25 Years of Economic Liberalisation and Globalisation.

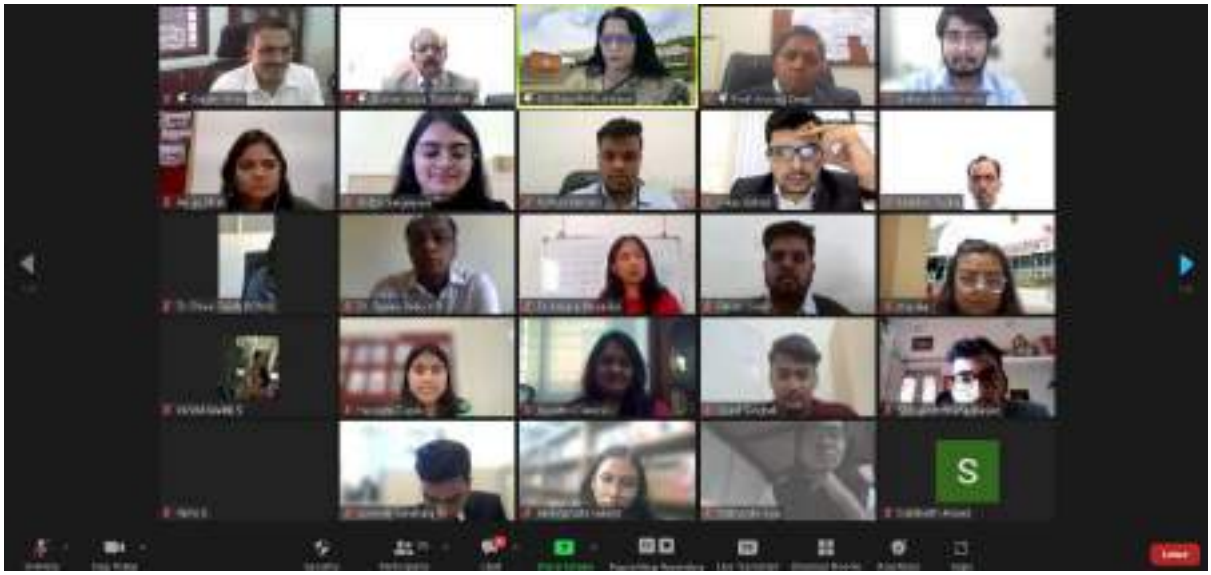
CEERA has made several publications in the area of environmental law, the law and public policy along with Newsletters, CEERA March of the Environmental Law, NLSIU's first e-Journal – Journal on Environmental Law, Policy and Development and manages two websites viz., enlaw.nls.ac.in, wherein the law and policy on Environment is regularly updated, and abs.nls.ac.in, a dedicated portal wherein the law and policy on Biodiversity Access and Benefit Sharing is updated periodically. All our publications are duly updated on our online portal ceerapub.nls.ac.in which is open for subscription to all readers. Currently CEERA is implementing a three-year project for MOEFCC on Chemicals and Waste Related Multilateral Environmental Agreements.

Currently, CEERA is working as an implementation agency on the Two-Year Project on "Digital Legal Literacy – Dissemination and Assessment" granted to it by the Department of Justice, Ministry of Law and Justice. major projects granted to it by Department of Justice, Ministry of Law and Justice. The project focuses on the dissemination of legal literacy and is to be implemented in aspiration districts across 6 states of India. Furthermore, CEERA is also working on the two-year project on "Towards the development of a Robust Legal & Policy Framework in Protection, Promotion and Standardisation of Indian Businesses: Enhancement and Implementation of the AatmaNirbhar Bharat Vision" granted to it by the Indian Council of Social Science Research (ICSSR). The project focuses on proposing a Plan to Promote (Make in India), Protect (Indian enterprises) and Standardize (Indian products) and prepare a Policy on the Promotion, Protection, and Standardization of the Make in India Initiative towards the achievement of AatmaNirbhar Bharat.

SUMMARY OF PROCEEDINGS
INAUGURAL SESSION

PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU
PROF. (DR.) ANURAG DEEP, PROFESSOR OF LAW, INDIAN INSTITUTE OF LAW
PROF. (DR.) SHASHIKALA GURPUR, DEAN AND DIRECTOR OF SYMBIOSIS INTERNATIONAL UNIVERSITY
PROF. (DR.) T.R. SUBRAMANYA, DEAN, CMR SCHOOL OF LEGAL STUDIES

The Two-Day National Conference on Human Rights of Slum Dwellers and Forced Eviction: A Legal Mandate organised by the Centre for Environmental Law Education, Research and Advocacy (**CEERA**), National Law School of India University **(NLSIU)** in collaboration with Symbiosis Law School, Pune and CMR School of Legal Studies, Bengaluru commenced with **Mr Jaibatruka Mohanta, Research Fellow, CEERA,** welcoming all the Dignitaries, Resource Persons, and delegates to the Conference.



PROF. (DR.) SHASHIKALA GURPUR, DEAN & DIRECTOR OF SYMBIOSIS INTERNATIONAL UNIVERSITY, PUNE

The inaugural session commenced with an address by **Prof. (Dr.) Shashikala Gurpur.** She began her session by welcoming all the dignitaries and extending her gratitude to **Prof. Dr. Sairam Bhat** for organizing the event. She also appreciated the presence of **Prof. Anurag Deep** & **Prof. Dr. T. R. Subramanya** by referring to them as the 'walking library of law'. Prof. Gurpur shared with the audience that the gathering paved the way for the celebration of

the diversity of the delegates and the eminent research institutes present at the virtual conference.

She further pointed out that the forum was not only set up for research work and spreading awareness but was also symbolic of the long-term idea of justice. The speaker further expressed her opinion that the environmental law sector should be claimed by women because 'nature is nurture' and all the women in the world are responsible for nurturing their children and turning them into responsible humans, just like 'nature'.

In relation to the core theme of the event i.e., 'Slum Dwellers', the speaker shared her thoughts on how slums stand as a direct contradiction to the skyscrapers and capitalist society in general. Further to put forth the plight of the slum dwellers, Prof. Gurpur posed questions to the audience such as 'where are the dreams of these people? what happens when consent is replaced by unilateral command? and, what are the commercial values of these slums?'

With this, she established the importance of this conference by stating slum dwellers are the foot soldiers of the city entitled to all constitutionally guaranteed rights, especially the right to live with human dignity, right to shelter and livelihood, right to health, clean drinking water, clean environment, pollution-free air, right to be informed and privacy. Following this, she gave a brief of all the topics covered in the conference and concluded by thanking the dignitaries and delegates present in the meeting for being a part of this national conference.

PROF. (DR.) T.R. SUBRAMANYA, DEAN, CMR SCHOOL OF LEGAL STUDIES, BENGALURU

Prof. (Dr.) T.R. Subramanya took over the inaugural session to deliver his address. He commenced his talk by highlighting the significance of environmental law & provisions for the urban poor in general and also brought everyone's attention to the fact that their rights are mostly treated half-heartedly by the Indian legal fraternity. In light of slum dwellers' rights, certain socio-economic rights such as the right to shelter, food and the rights of migrant slum dwellers were also discussed.

During his address, he also brought to light, the plight of migrant workers, especially in the construction industry where they are not even provided with basic amenities like water, food and shelter. To this, the speaker exclaimed that 'a situation of slum dwellers is not less than garbage in India, and their right to livelihoods such as food, medicine, water and other necessary amenities for a prosperous living are being constantly ignored'. In his concluding remarks, he highlighted the principle of reasonable justice and the significance of Article 141 in all these cases.

PROF. (DR.) ANURAG DEEP, PROFESSOR OF LAW, INDIAN INSTITUTE OF LAW, DELHI

Prof. (Dr.) Anurag Deep started the inaugural address by highlighting the uniqueness of the topic and how it is overlooked by everyone. He brought to light crucial data from the United Nations (**UN**) that '1 in every 8 people live in a slum'. He further informed the delegates that in the year 2000, UN had recognised the existence of slums and had started participation in improving slums in 2008.

He further added that an alarming comparison of the entire slum population in India is more than the population of a whole country like Australia.

Following this, he apprised all the delegates, that we collectively must ensure equality of status and opportunity for the slum dwellers. Articles 19(1)(d), 19(1)(e), 21 and the Directive Principles of State Policies were discussed in regard to migrant workers and 'their right to reside and settle in any part of the country, general public restrictions, the responsibility of the state for the welfare of the people, among others'. He deduced the problem of slum dwellers in India and emphasized that the violation of fundamental rights was not due to the lack of legal provisions but because of ignorance in their enforcement.

To deal with the implementation issue, he suggested six ways to enforce a law by discussing certain landmark cases first such as Ajay Maken v. Union of India (260 (2019) DLT 581) (which highlighted the fundamental right envisaged in Article 21 i.e. 'right to city' for the first time), Samar Pal v. Union of India and MC Mehta's case. The six ways as suggested by him, which these laws can be enforced are education; persuasiveness – i.e. by use of social media; incentive way; compulsive way – i.e. by deterrence; coercive way – i.e. by administrative/civil measures and by punitive ways as well.

PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU

The inaugural session concluded with **Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU** expressing his gratitude towards the distinguished guests, acknowledging the Chairs and Co-Chairs of the Conference and the delegates. He mentioned the topic under discussion to be an eminent national issue.

In light of the theme of the Conference, Prof. Bhat drew everyone's attention toward the Dharavi re-development project and the measures circulated owing to it. The migration worker's employment concerns were also discussed.

In his concluding remarks, Prof. Bhat appraised the objective of the conference was to bring together, like minds for successful deliberations and outcomes. Lastly, he thanked all the dignitaries for being part of the event and wished luck to all the delegates presenting their papers.

DAY 1: SESSION – 1
HEALTH, POVERTY AND SOCIAL INCLUSION

CHAIRPERSON: DR. ANITA YADAV, ASSISTANT PROFESSOR OF LAW, DELHI UNIVERSITY
CO-CHAIRPERSON: MS. RAAGYA ZADU, CONSULTANT, CEERA-NLSIU

1. Challenges in Social Inclusion of Slum Dwellers – *P. Vaijayanthi*



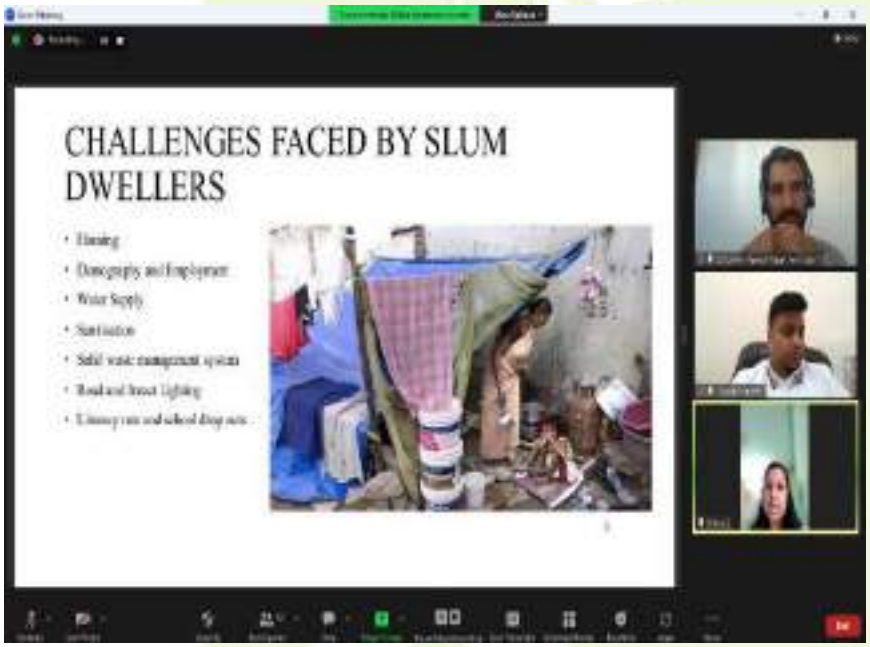
P. Vaijayanthi commenced her presentation by quoting a real-life example from the slums of Telangana. She used this study to focus on the various factors contributing to slum dwellings. Through the use of her example, she highlighted how in slums the problems faced are diverse and grave in nature. She further asserted that it is widely believed that slum dwelling is a menace and went on to shed light on the evolution of slum dwelling in the country. It was informed by the presenter that slum dwelling has been a threat ever since the development of contemporary cities as city living is difficult because of how crowded and unclean the slum neighborhoods are. Many migrant workers, especially semi and unskilled labourers whose earnings are minimal, prefer slum dwellings over expensive and opulent city life, despite the filthy and inhumane conditions. This presentation made an effort to discover reasons other than economic viability that force people into choosing slum housing. The chair complimented P.Vaijayanthi on her practical presentation for using the real-life example of the slums of Telangana.

2. The Right to Education, Health and Social Security of Slum Dwellers – *Dr. Kalindri*

Dr. Kalindri analysed how the Indian Constitution grants its inhabitants the freedom to freely move throughout the territory of India and choose their place of residence. However, the presenter also noted that the geographical disparity is growing in the absence of a

coherent development plan for slums. On this note, the presenter also informed that this division was being widened by the rapidly rising interstate migration. Using the findings of the Economic Survey done by the Government of India (2017), and the World Bank Report, 2018, she substantiated how these slum dwellers merely exist in society without having access to basic human rights. Dr. Kalindri then spoke about landmark cases, like Samar Pal v. Union of India which sheds light on the crude life of slum dwellers and Olga Tellis v. Bombay Municipal Corporation, {1985 SCC (3) 545} which was responsible for expanding the ambit of the right to life to include the right of livelihood. So this paper focussed on their problems and what steps can be taken to improve their situation. The chair appreciated the legal perspective taken on this issue and requested Dr. Kalindri to retrospect on the practicality of each solution.

3. **Slum Dwellers in India: Fulfiling Daily Need a Challenge – *Vaishnavi Jayaram***



Ms. Vaishnavi Jayaram commenced her presentation by reflecting on the reasons for urbanization and emphasizing the interlink between the rural population's attraction towards urban cities and the increase in urbanisation. She stated that when there is growth in the economy of the country, there will be growth in the slum areas and she termed this vicious cycle to be a Poverty Trap. She also significantly noted the housing crisis in India and the poor quality of housing in India. Further, she analysed the reason behind this to be the lack of proper access to the basic needs of these dwellers. During the course of her presentation, she also elaborated on some of the basic challenges faced by slum dwellers and how they constantly face the risk of eviction. Lastly, she concluded her presentation by stating that the solution should not only focus on making government schemes but also on the execution of these schemes.

4. **Slum dwellers and their Fate: A Need to Curb their Livelihood and Healthcare Problems – *Ashish Pathak and Gaurav Kaushik***

Mr. Ashish Pathak began his presentation by noting India's population of over 1.3 billion, or 17.5% of the world's total to be taking up only 2.4% of the planet's total land area and noted slum dwellers to be one of the many diverse social groups that make up the population there. He informed the audience of their plight by emphasizing the health issues they face due to the lack of adequate sanitation facilities and basic medical amenities. The speaker noted that although, the Right to Life, which includes the right to a "meaningful life," is guaranteed by Article 21 of the Indian Constitution, due to the ineffective policies by the government, slum dwellers who move from their villages or homes to cities for work face difficulties. The researchers have made an effort to concentrate on the issues encountered by the Slum Dwellers in India and the conditions that predispose them. Additionally, by formulating workable policies for the government, NGOs, etc., and by reviewing numerous conventions, declarations, regulations, etc., it has been attempted to offer feasible answers for their upliftment. To conclude, he remarked the lack of documentation of the figures of slum dwellers to be a hindrance to finding solutions, and in light of the same, he advocated for proper identification of the slum dwellers in the country. This solution was commended by the chair as a viable solution that can be practically implemented.

5. **The Need for Better Healthcare for the Vulnerable: The Experience of Women and Children in Slum Dwellings at Goa – *Dr. Kim Rocha Couto***



Dr. Kim, Associate Professor at VM Salgaocar College of Law, Miramar, Goa, focused her presentation on the experience of women and children in the *bastis* of Goa. She began by mentioning slums to be overcrowded settlements with a lack of basic municipal services and unfit places for habitation. In simple terms, settlements in social isolation and social exclusion are considered slums. She briefly discussed the current state of health and healthcare in Goa for women and how the southern district and northern district have different but equally problematic issues. She concluded by bringing into the forum, the main issue to be the lack of documents that prevent women slum dwellers from access to public distribution systems such as ration shops. For children this causes the majority of them to drop out. Dr. Kim also analysed the role of legislation in securing the rights of

women and children and arrived at the conclusion that the effective implementation of the laws is in letter and spirit only. To make her final point, she shed light on Goa's experience in bridging the gap through community mobilization and concluded that mobilizing the community in strengthening healthcare and educational measures for vulnerable groups – can effectively help bridge the gap so that women and children in slum dwellings can realize and enjoy their human rights.

6. **Rights and conditions of slum dwellers in Bengaluru: Video presentation – *Bhargav and Team***

Bhargav and Team's video on the Rights and Conditions of Slum Dwellers in Bengaluru showcased the plight of the slum dwellers across the city of Bangalore. This video presentation involved video clippings of direct and physical interactions with the slum dwellers. The objective of their study included exploring the various slums across the city of Bangalore, speaking to the slum dwellers themselves and getting first-hand information on the problems faced by them. The team also briefly spoke about the rights and conditions of slum dwellers in Bangalore. One of the parts of the video displayed the stark contrast between the lives of the rich and the slum dwellers in Bangalore, on either side of a railway track. The video concluded with a quote from Nelson Mandela, i.e., "Overcoming poverty is not a gesture of charity, it is an act of justice. This presentation received great comments as it was truly an out-of-the-box representation of the sorrows of the slum dwellers. The video concluded with one of the team members expressing gratitude to the organizing team for providing them a platform for being the voice of the slum dwellers and for bringing out their lives before others at the national conference.

7. **Impact of Health and Mental Well-Being of People Affected by Forced Eviction: Video presentation – *Rashmi G S***

Rashmi G S approached the topic at hand by making a video of the slum dwellers, their living conditions their daily challenges. For the purpose of the study, she approached the slum dwellers in their habitats, interacted with them and gathered information about their lives intending to suggest solutions. She focused on the migration of the urban poor from rural areas in search of better living conditions and how their migration has been tough. She also gathered insights on the mental and

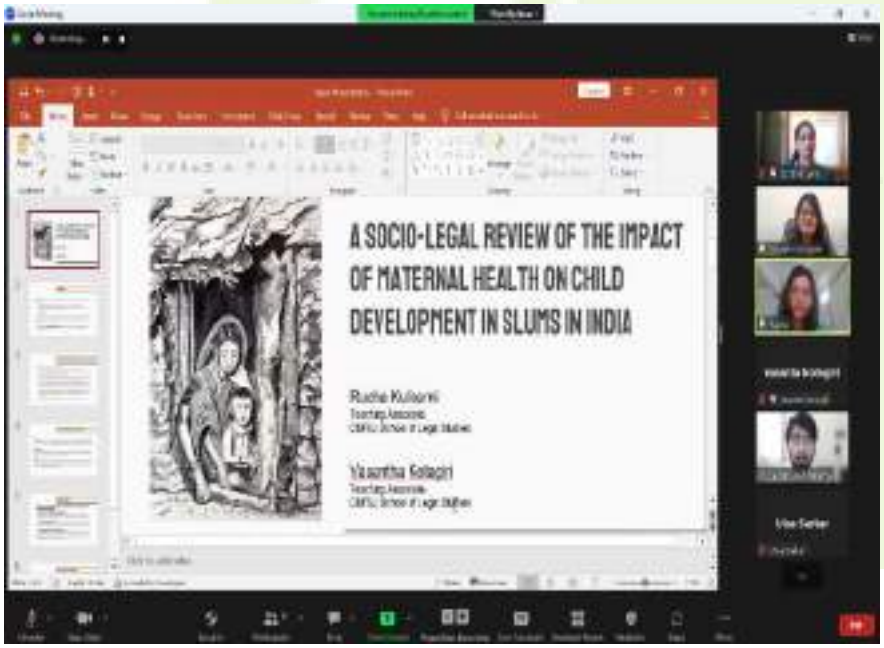


physical toll living in slums has caused. Lastly, she concluded the video by giving suggestions and steps to be taken by both the government and private individuals.

DAY 1: SESSION – 2
LAND, POVERTY AND GOVERNANCE

CHAIRPERSON: DR. RAJEEV BABU, ASSOCIATE PROFESSOR OF LAW, RAMAIAH LAW COLLEGE, BENGALURU
CO-CHAIRPERSON: MS. PAVITHRA R., ASSISTANT PROFESSOR, CHRIST DEEMED TO BE UNIVERSITY, BENGALURU

1. **Right to City: An Impact Assessment of Slum Rehabilitation Schemes for Inter-State Migrant Women in the State of Punjab – *Dr. Ishita Sharma and Dr. Shiva Satish Sharda***



Dr. Ishita Sharma commenced her presentation by laying emphasis on the judgement of Ajay Maken vs Union of India, [260. (2019) DLT 581].

Her presentation majorly highlighted the concept of the right to housing with specific reference to the state of Punjab. Dr. Ishita further made note of the Punjab Slum Dwellers (Proprietary Rights) Act, 2020 which gave the proprietary right to the slum dwellers. She also highlighted the drawbacks of this Act for not giving any cut-off date to slum dwellers for getting proprietary rights. It was further noted that there is no slum dwellers rehabilitation authority in Punjab as compared to other states such as Mumbai. The other part of the presentation was addressed by Dr. Shiva who stated that the COVID-19 pandemic has created an urgent demand for the creation of interstate migrant data. He concluded the presentation by emphasizing the need for the law in Punjab to be workable for slum dwellers and should not be a half-hearted attempt in dealing with this issue.

2. **Land, Property and Governance of Slum Dwellers – *Mathanki Roja S***

Mathanki Roja's presentation majorly focussed on the migration done by men in the search of work and by women owing to marriage. She, later on, analyzed the various state laws which are made for slum dweller rehabilitation namely the Andhra Pradesh Land Revenue Code,1999, Maharashtra Maha Awas Yojna and The Punjab Slum Dwellers (Proprietary Rights) Act, 2020. In her analysis, she found out that there exist various schemes for slum dwellers' rehabilitation but the existence of lacunae, hinders the proper implementation of the same.

3. **Assurance of Property Rights to the Slum Dwellers – A Critique – *Mr. Ashraya S. Chakraborty & Ms. Pria Makanda***



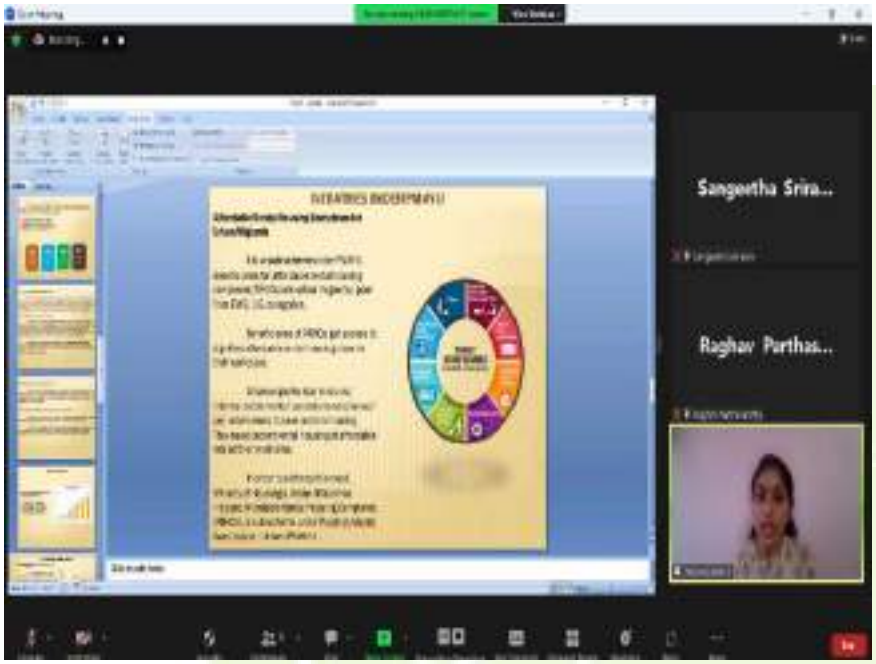
The presenters initially talked about various government initiatives in place for the management of slums like the National Slum Development Programme (NSDP), Integrated Housing & Slum Development Programme (IHSDP) and Valmiki Ambedkar Malina Basti Awas Yojana (VAMBAY). To discuss further, the judgement in PG Gupta v. State of Gujarat and Ors was discussed to stress on property rights of slum dwellers. The court's holding in this case that the "Right to shelter under Art.19(1)(g) when read with Art.19(1)(e), as well as Art-21 of the Constitution of India, comprises "the right to residence as well as to settlement", the court also stated that it is an essential duty of the state to assign those people who are being evicted a permanent housing accommodation, in the scheme of housing. In the end, they concluded by suggesting that both central and state governments must collaboratively make a policy in collaboration for providing property rights to the slum dwellers.

4. **Mere Right to Existence: A Threat to the Human Rights of Slum Dwellers of West Bengal – *Soumik Ash & Reeta Chowdhury***

The presenter's main objective was to shed light on the situation of the slum dwellers especially those residing in Kolkata, West Bengal. Firstly, they highlighted the cause which led to the creation of these slums in the first place as they pointed out that after independence, a huge influx of migrants was seen in West Bengal. The Government of West Bengal failed in giving education, food, shelter and basic amenities to these people.

This situation was further aggravated by the Bangladesh Independence in the year 1971. Thereafter, rehabilitation in the city of Champaran was planned but this idea got failed due to the paucity of land in Champaran, leading the migrants back to Kolkata. The presenters further highlighted that the basic rights of these slum dwellers are violated and the Kolkata board is not properly looking after them. Therefore, they concluded by stating that there is a stark difference between what Kolkata Municipal claims to have done and what has been done in reality.

5. **Incarceration of Rights of Slum Dwellers in India – Tracing Down the New Voiceless – *Shalini & Abhilash Arun Sapre***



Ms. Shalini started her presentation by criticizing the landmark judgement in MC Mehta v. Union of India, which ordered the removal of the slums within a week. This judgement was in stark contradiction to various other Supreme Court judgments of Ajay Makhan v. UoI and Olga Tellis v. Bombay Municipal Corporation. They further highlighted the PM Awas Yojna which aimed at providing pakka house to slum dwellers by 2022 but it is important to note that this goal is still very far away to achieve. Further, the presenters pointed out that Article 25 of UNDHR which talks about the "right to a standard of living adequate" and various other covenants are not followed in India. They concluded by suggesting that an adequate legal framework is required from improving the conditions of people living in slum areas and also urban development planning by municipal corporations must be correctly structured.

6. **The Impact of Health and Mental Well-being of the People Affected by Forced Eviction – *Tripti Bhushan***

The speaker began the presentation by pointing out that forced eviction affects the well-being of humans as it intensifies inequality, social conflict, and segregation and invariably affects the poorest, most socially and economically vulnerable and marginalized sectors of society, especially women, children, minorities and indigenous peoples. Forced evictions also violate the protection of the family and the right to enjoy one's culture (Articles 23 and 27, ICCPR).



Therefore, the speaker recommended the taking of immediate measures towards restitution of human rights of all affected persons by providing adequate compensation, resettlement, and rehabilitation; restoring homes, livelihoods, basic services, and education; ensuring access to places of work, education, and healthcare; and, enabling a return to original sites of residence, where possible and desired.

CHAIR REMARKS

The Chairperson Dr. Rajeev Babu, commenced by commenting that the slum dweller's proprietary right was discussed at great length during the session. He also emphasised the increased reporting of cases of violation of human as well as property rights of slum dwellers.

Further, the Co-Chair Ms. Pavithra R., pointed out that the inter-state migration of women has increased in general due to the complex issue of social security and the COVID-19 pandemic has posed various new challenges for people who are migrating from one place to another in search of housing. She also pointed out that not all the slum dwellers are fully employed and therefore, there is an urgent need for an employment scheme for the slum dwellers.

DAY 2: SESSION – 1
CASE STUDIES RELATED TO EVICTION, MIGRATION AND RESETTLEMENT

CHAIRPERSON: DR. IRFAN RASOOL, ASSOCIATE PROFESSOR OF LAW, CHRIST ACADEMY OF LAW, BENGALURU
CO-CHAIRPERSON: MR. ROHITH KAMATH, ADVOCATE, CONSULTANT, CEERA-NLSIU

1. **A Study on Actions of the Karnataka Slum Development Boards for the Betterment of Slum Dwellers: With Special Reference to Bangalore City – *Pratibha S. Hiremath and Dr. Chandrakanthi L***



The presenters commenced the presentation by laying down the issues and challenges that are faced by slum dwellers to access basic healthcare, education, amenities, etc. Their scope of research was restricted majorly to Bangalore city and they informed the audience that in Karnataka, the Karnataka Slum Clearance Board established by the Karnataka Slum Areas (Improvement and Clearance) Act, 1973 majorly identifies the slums which are facing issues and challenges and also makes aware slum dwellers of their basic rights. The presenters later focused on the 2021-2022 Annual Slum Dweller Report which revealed a big number of people residing in slums with very less income, despite Bangalore being a capital of startups. The presenters concluded by analysing the various Supreme Court cases from Olga Tellis's case to the present Delhi`s Shakarpur Slum Union case and suggested that without proper grants and fair compensation mechanisms, the condition of slum dwellers would not improve as such.

2. **An Omniscient view of Slum Dwellers at Kalaburagi - A Case Study – *Rima S***

The presenter highlighted that the objective of the paper is to address the problems of slum dwellers in Kalaburagi and also to analyze the scheme of Rajiv Awas Yojna for providing accommodation to slum dwellers. She began her presentation by sharing some figures from the city of Kalaburagi, that is; there are at least 60 slums in the city, accounting for 11% of

the city's population. She also emphasised that the scheme of Rajiv Awas Yojna has failed in catering to the needs of slum dwellers of the city of Kalaburagi. At the end of their presentation, she suggested that the local municipal body of Kalaburagi must prepare a road map for the removal of these slums and provide accommodation to slum dwellers at an alternate place in the city of Kalaburagi.

3. **New Delhi against the Urban Slum: Role of DUSIB – *Anushka Datta & Mugdha Pathak***

   The presenters commenced their address by laying emphasis on the failure of the Delhi Municipal Corporation in providing basic amenities to the people residing in slums. They further pointed out that Delhi also has an Urban Shelter Improvement Board established under Delhi Urban Shelter Improvement Board Act, 2010. However, on preliminary research, the presenters observed that the board has not served the purpose for which it came into existence. They suggested that this board in consultation with slum dwellers should make housing schemes. Additionally, they suggested Basti Vikas community also be established. The presenters also called upon for improvement in state policies for slum dwellers which focuses on structural improvement and rehabilitation of slum dwellers. They concluded by highlighting that the board in Delhi should not only rehabilitate the existing slums in Delhi but should also curb the development of new slums. Furthermore, training programmes and skill development for slum dwellers must be done to resolve the issue of employment is sorted.

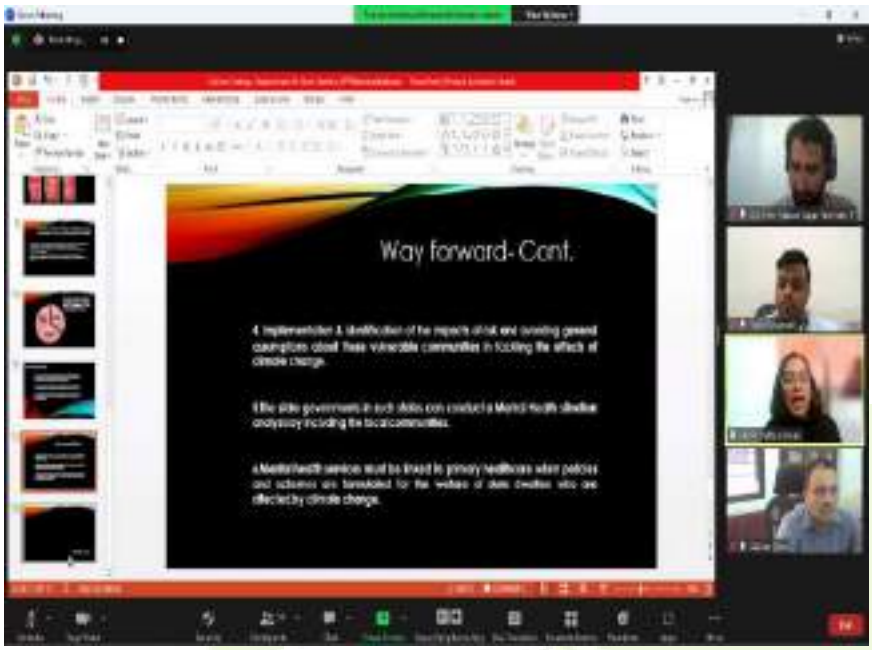
4. **A Socio Policy Analysis on the Effectiveness of Judicial Remedies Available in Cases of Illegal Demolition in India – State policy vis-a-vis Human Rights – *Abhisekh Rodricks & Shibasish Bhattacharjee***

   The presenters firstly highlighted that their presentation is divided into two segments; the initial part involved the analysis of important case laws like Ajay Maken v. Union of India, Olga Tellis & Ors v. Bombay Municipal Corporation and the various provisions of judicial remedies to slum dwellers. In the later part, the presenters suggested policy recommendations to eradicate illegal demolition of slums in India like urban development planning by municipal corporations to be correctly structured and also rehabilitation schemes for the slum dwellers must be implemented with full force.

5. **Study on the role of Self-help Groups in the Development of Rural Families since 2010”- *Mr. Jyotirmoy Banerjee & Ms. Saloni Bahl***

   The presentation explored the purpose of self-help groups with special reference to the effects of the self-help group on rural population communities. Further, they presented that the self-help groups have majorly helped in providing financial assistance to the communities in rural populations, especially to people who want to launch small-scale businesses. They concluded by saying that though that it is seen nowadays that the self-help groups are being supported by the government it is important to note that there is a need to revisit the policy on priority sector lending requirement of the self-help groups.

6. Climate Change, Displacement & Slum Dwellers: Connecting the Dots to Identify 'Mental Health' Concerns of the Slum Dwellers in India – *Abhinandita Biswas*



The major objective of this presentation was to highlight the climate change impact on the mental health of slum dwellers and also to study the role of non-state actors like NGOs or local communities in addressing the mental health concern of slum dwellers. She pointed out that Mental Healthcare Act, 2017 is aspirational legislation but it is majorly seen that the slum dwellers are always neglected from a mental health aspect.

The speaker apprised that as climate change is increasing, it is the need of the hour to address the mental health issues of these communities. To conclude, she suggested that the government must start identification of the impact of the risk of mental health on the slum dwellers and that mental health services must be linked to primary health services.

REMARKS OF THE CHAIR

The chair Dr. Irfan Rasool, Associate Professor of Law, Christ Academy of Law, Bengaluru pointed out that apart from providing case studies related to eviction, migration and resettlement, the presenters must majorly focus on the legal aspect related to it. He informed that in most incidents of forced eviction, affected persons and communities are not provided with the reason for eviction/demolition of their homes; this information is also generally not made public. Further, Mr. Rohith Kamath, Advocate, Consultant, CEERA-NLSIU recommended that government should ensure that evicted, displaced, and homeless/landless families are considered for priority housing and land allotment under all state and central housing and land schemes and also the problems faced by slum dwellers must be solved by the government with the help of long-term solutions.

DAY 2: SESSION – 2
LAND, POVERTY AND GOVERNANCE

CHAIRPERSON: DR. SINI JOHN, ACADEMIC COORDINATOR, CHRIST ACADEMY OF LAW, BENGALURU
CO-CHAIRPERSON: ADV. GAYATHRI GIREESH, CEERA - NLSIU

1. **An Analysis of Slum Dwellers and their Land Rights – *A. Beryl Sugirtham***



This presentation began with a pertinent self-answered question i.e. "What comes to mind when we talk about slums? ...inadequate housing." As per the presenter, her paper revolves around the concept of Article 21, with a special focus on the "right to shelter" and with a primary objective to enforce the rights. The case of PG Gupta v. State of Gujarat which highlighted that the "Right to shelter" compromises "the right to residence as well as to settlement and its essential duty of the state to assign those people who are being evicted permanent housing accommodation, in the scheme of housing" was discussed. Similarly, the presentation also covered some issues regarding the infringement of the right to health and land by taking support of the judgment in Sundama Singh and Ors. v. Government of Delhi and Anr., in which the Court observed that "What every often is overlooked is that when a family living in Jhuggi is evicted forcibly, each member of such family loses a bundle of their rights i.e., right to livelihood, right to shelter which includes right to land, right to education, right to health."

2. **Law relating to Slum Dwellers in India-An Assessment – *Lavanya V & Dr. Jyothi Vishwanath***

Their presentation began their presentation by making statements such as "Slum Dwellers are sine qua non of the city and they are entitled to a quid pro quo." The paper's main focus

was on the rural-urban migration due to the employment opportunity created by the intense construction work being done by the government and private organizations, with an emphasis on the government's failure to provide shelter to the migrant workers under Section 34 of the Building and other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. Distinct legal facets revolving around the slum dwellers such as international human rights, the UN's view on Indian slum dwellers, problems faced by them, different housing schemes etc. were discussed in a nuanced way in this paper. According to the chair, this presentation offered an overall good outlook on the subject matter.

3. **Compensation and rehabilitation rights of Displaced people in India-A Critical Study – *Arunima Goel***



The foundation of the paper is based on the critical analysis of the approach of the judiciary toward the right to property, compensation, rehabilitation and resettlement of displaced people, with a special focus on "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013." It was informed by the presenter that India has the highest rate of displacement due to ostensible development projects i.e. around 70 million people are estimated to have been displaced since *"independence"* with most of the displaced people composing tribal people with distinct traditional values and cultures. The chair appreciated the fact that the deficiency of the relevant laws regarding shelter was intricately discussed by her with the analysis of relevant case laws.

4. **Existential Crisis and Agony of Landless People: Right to Shelter of Slum Dwellers in India – *Utsa Sarkar & Mohammad Saleem***

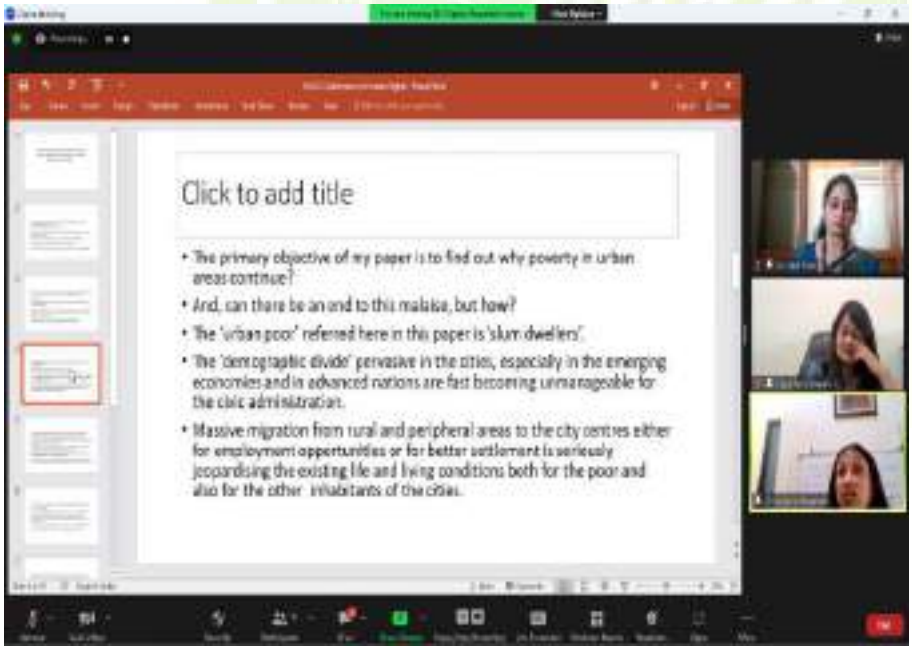
This presentation was set up on the judicial underpinnings regarding housing, with a focus on demolition drives in Mumbai and Delhi. It was highlighted that according to the current legal situation, no person (who is landless) can have the standard of right to life as envisaged in the Article 21 of the Constitution of India. It also focused on certain other

facets as well, such as relocation costs, various schemes and pronouncements set up by the Government of India regarding housing, UN conventions etc. The chair appreciated that this paper had a focus on the UN habitat report and various conventions but also stated that the presenters need to focus more on the deficiency in central and state legislations regarding housing for landless people and their enforcement.

5. **Socio-Legal Review on the Impact of Maternal Health on Child Development in the Slums of India – *Ms. Rucha Kulkarni & Ms. Vasantha Kotagiri***

At the onset, the presenters began by sharing the definition of slums by the UN i.e. "one or a group of individuals living under the same roof in an urban area, lacking in one or more of the following five amenities: 1) Durable housing; 2) Sufficient living area; 3) Access to improved water; 4) Access to improved sanitation facilities; and 5) Secure tenure." Following this, the presenter shifted the focus of the presentation to slum dwellers in general and the current scenario of mothers and child development in slum dweller communities. The chair appreciated this paper as it focuses on an underrated issue in the slum dweller's community i.e. by shedding light on the plight of women and children in the slum dweller community.

6. **Urban Poor and the Violation of their Human Rights: Will There be an End? – *Dr. Anjana Hazarika***



The presentation efficiently surrounded the sociological and anthropological of the urban poor. She began her presentation by reiterating the UDHR Principle, which states that human rights are inherent to every human being i.e. we get these rights from our birth & violation of these rights is a crime i.e. poverty is a violation of human rights and the existence of poverty is an assault on human dignity. She also emphasized that being a signatory of the UDHR, it is the primary obligation of the Government of India to safeguard the human rights of slum dwellers. In this context, the chair informed that it's not only the government's responsibility to take initiative regarding this issue but rather private actors must also work on the same.

DAY 2: SESSION – 3
HEALTH, POVERTY AND SOCIAL INCLUSION

CHAIRPERSON: DR. SANGEETHA SRIRAM, ASSISTANT PROFESSOR OF LAW, CENTRAL UNIVERSITY OF TAMIL NADU
CO-CHAIRPERSON: MR. RAGHAV PARTHASARTHY, ADVOCATE

1. **Pradhan Mantri Awaas Yojana-Gramin: A Critical Impact Assessment – *Siddarth Anand & Fariya Sharaf***



This presentation was aimed at highlighting the important points that lead to the success of this yojana and its overall socio-economic impact on society. They began their presentation by evaluating the impact of programmes that came before the Pradhan Mantri Awaas Yojana, such as the Indira Gandhi Awas Yojana and did a comparative analysis of both yojanas. They highlighted that there was a 7.3% increase in the cement houses due to this project and is considered one of the best projects initiated for the upliftment of the poor. They also shared some of the benefits and impacts that the Indira Gandhi Awas scheme had on Indian society. Following this, they pivoted to how the Indira Gandhi Awas Yojana was restructured into the Pradhan Mantri Awas Yojana. They also shared that the political interference at grass root level in India is immense and corruption by the implementing agencies defeats the purpose of helping those who are in actual need. Lastly, they suggested that there are a plethora of schemes in India and the only thing that is lacking is their implementation. The chair suggested their paper include legal and practical impediments, with solid evidence and asked them to interlink all the topics covered in the paper.

2. **The Socio-Economic Characteristics of Migrant Construction Workers in India: An Overview – *Dr. Anitha M***

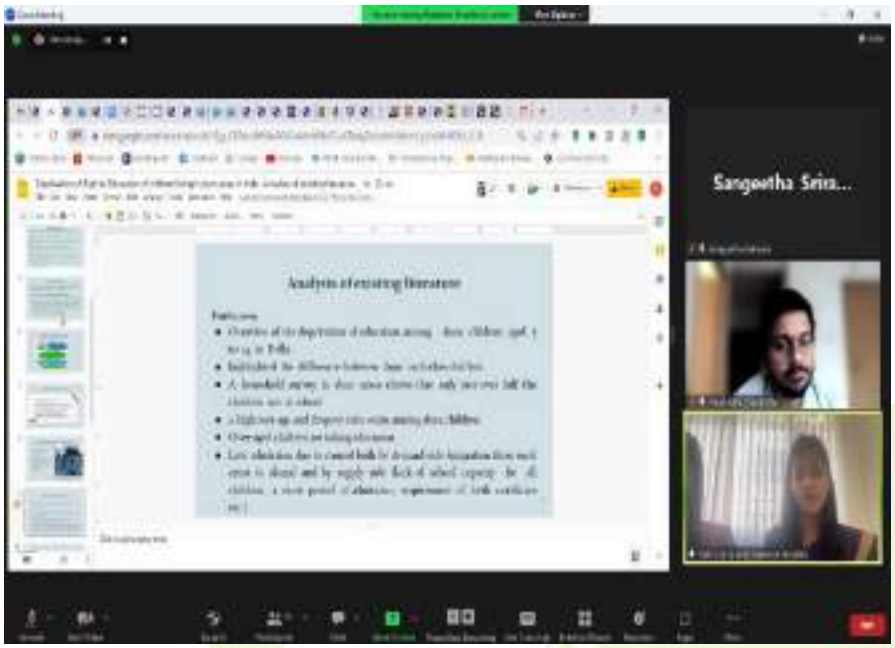
The presenter shared the objective of the presentation to be two-fold, one to highlight the problems faced by migrant construction workers in India as they suffer from lack of legal representation resulting in further human rights violations; and two, to highlight that they are one of the major sectors of our economy owing to their involvement in the building infrastructure. She also addressed the issues such as exclusion and social topography that migrant workers faced during COVID-19. The presenters referred to them as the backbone of our economy and pointed out how they are not provided with any official training and are rather trained by skilled masons. The poor education background, their financial condition and the impact of various legislations on the current economy were also discussed by the speaker. In this context, she also highlighted that women workers are more affected than male workers. It was also suggested that their standard of living needs to be increased and mass communication should be used to get them aware and educated about their rights and liabilities. The chair agreed with the author's view that construction areas are the largest employers in this country and this area needs a lot of focus, it was also suggested that the author should narrow down their research area and be more specific.

3. **Role of Adult Education and Literacy in Social Inclusion: Filling the Generation Gap – *Niraj Kumar Seth & Rekha Seth***



This presentation mainly focussed on illiteracy, linguistic disability, social exclusion, and intergenerational inequality with a special focus on four-fold linguistic disability i.e. illiteracy, mother tongue, English, and digitalization. Along with these intergenerational gaps, gender disparity and loss of economic opportunities were also covered in this paper. They also suggested that there should be adult schools after work hours, back-to-school programmes for adults and mass-level translation of scientific and literary papers. The chair recommended the presenters to explore the ideas where education comes to an adult instead of schemes wanting adults to approach them. The significance of digital education was also highlighted.

4. **Deprivation of Right to Education of Children Living in Slum Areas in India-A Review of Existing Literature – *Ms. Nidhi Saroj & Ms. Rajeshwi Pradhan* -**



As the topic suggests, the main focus of this paper was on analysing the issues related to the violation of the right to education in slum areas. They focused the analysis mainly on the literature review and focused on finding the research gaps. Issues such as overcrowding, unskilled teachers and child labour were also discussed. They reviewed the papers of Naik and Jogdand, 2013; Tsujita, 2009; Rose P 2016 and observed a few of the research gaps such as "lack of ground reality" and "reason for lack of awareness" to be missing. They suggested that to tackle this mass-scale problem, awareness needs to be spread, scholarships for girl children need to be increased, and focus on skill-based education should break the current status quo. The chair suggested following a literature review timeline for the paper.

5. **Pradhan Mantri Awas Yojna – *Yashvardhan Vats & Tanisha Maheshwari***

Their paper on this project was quite nuanced. Micro home solution for slum dwellers, a comparative analysis between different states that have implemented this scheme and between rural and urban areas. It was highlighted that Madhya Pradesh is the state that has done the best utilisation of this scheme and among urban and rural areas, rural areas showed more development. Certain aspects such as space, light, and ventilation that need to be taken into account for the development of housing schemes were also highlighted during the presentation.

6. **Re-examining the Role of the UN in Safeguarding the Rights of the Slum Dwellers – *Dr. Makhan Saikia***

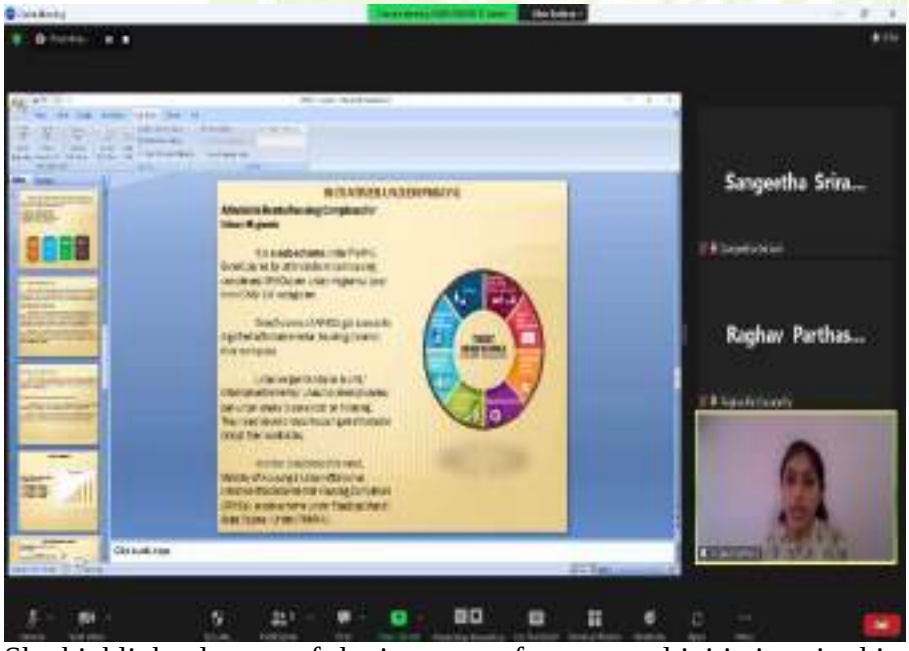
His presentation commenced by highlighting the role of the UN in safeguarding slum dwellers' rights. The key takeaway from the presentation was the observation made by the presenter that the UN should move away from piecemeal slum upgrading and move more towards organized planning for the slums. He recommended that the UN's habitat plan is

not enough to deal with this issue and it was also suggested that instead of demolishing the slums they should be legitimized instead.



The chair was not convinced by his idea that the UN is obligated to protect the rights of slums in India and stated that it primarily falls on the national government to take care of the slums in India.

7. Pradhan Mantri Awaas Yojna – *Ms. Yashaswini S*



She initiated her presentation with a discussion on the UN Human Right Settlement Programme andUN-Habitat Programme. After that, she focussed her presentation on India's biggest housing programme, i.e., Pradhan Mantri Awaas Yojana. She highlighted some of the important features and initiatives in this programme such as in-situ slum redevelopment, credit-linked subsidiary link and affordable housing partnership. The presenter also suggested that denial of basic facilities is a failure of the state and that major issues such as eviction drives need to be confronted upfront. The chair suggested that instead of focusing on describing this well-known scheme, the paper needs to be more focused on the suggestions & recommendations in this context.

8. **Convergence of Housing, Health, Education, Decent Work and Social Security for the Urban Poor; Legal and Policy Perspective – *Rekhil S & Mariya P S***

The speakers focussed their presentation on highlighting the migration of people from rural to urban areas. The rise in urban population, Part III and IV of the Constitution of India, with respect to provisions on the welfare of the people, affordable housing and free primary education were a few of the important highlights of their presentation. In the light of demolition and eviction, case law, such as Samarpal vs UOI was also discussed. Sustainable housing programmes, housing policies for urban poor, UN's programme with the state and newly recognized rights such as the "right to city" were addressed in this paper as well with great emphasis.

DAY 2: SESSION – 4
CASE STUDY RELATING TO EVICTION, MIGRATION AND RESETTLEMENT

CHAIRPERSON: DR. BISHWA K. DASH, ASSISTANT PROFESSOR (SENIOR), NATIONAL FORENSICS SCIENCES UNIVERSITY, GANDHINAGAR
CO-CHAIRPERSON: MR. VIKAS GAHLOT, TEACHING ASSOCIATE, CEERA- NLSIU

1. **Inclusive Urban Planning with respect to Slum Administration: Case study of Pune's Biggest Slum, Janata Vasahat – *Prof. Kshitij Naikade, Dr. Manika Kamthan & Dr. Shashikala Gurpur***

The presenters quoted the definition of slums as a very poor and crowded area, especially of a city, as per the Cambridge dictionary. They furthered the understanding of slums by giving information on the parameters that declare a place a slum. Some of these parameters include- lack of light, water supply, lack of ventilation and overcrowding. The presenters then proceeded to bring everyone's attention to Goal 11 of Sustainable Development Goal which is to make cities and human settlements inclusive, safe, resilient and sustainable- efforts must be redoubled to ensure that all urban inhabitants have access to safe and adequate housing, clean air and basic services, and live in resilient and sustainable communities.

During the presentation, they emphasized how every human being has the unalienable right



to participate in, contribute to, and enjoy economic, social, cultural, and political development, which paves the way for the full realisation of all human rights and fundamental freedoms. It was further informed by the presenters that the main toolkit for urban growth is urban planning. Slum upgrading plays a significant role in urban development because slums are inherently a part of urban habitat. Furthermore, there was a succinct discussion on relevant urban planning schemes in India. To conclude the speakers focused on COVID-19 and its impact on the slums of India and finally the Janata Vasahat Model. Lastly, they also gave some helpful recommendations for the improvement of the situation.

2. **Impact on Health and Mental well-being of Teenagers Affected by Forced Eviction – *Nikhita S & Kritika Jain***

This paper focused on the effects of teenage forced eviction in Bangalore's Urban area slums on their mental health and general well-being. To gather initial data, the writers adopted an empirical research approach. The doctrinal methodology has also been used to gather secondary data from reviews of previous literature, laws, and official circulars and notifications. The authors also paid close attention to how evictions affect teens. The article's main focus is on how teenagers who have been evicted from their homes cope with their daily lives, education, health, and other issues. In the research process, the mental health and well-being of adolescents living in typical households compared to those living in slums who have experienced such evictions were also covered. Lastly, the legislative gaps relating to the slum residents' physical and mental health have also been examined.

3. **Human Rights Violation on Slum-Dwellers in Bangalore, Issues, Regulatory Challenges, Suggestions – *Anuja Paul & Nirmala Harish***

In their presentation, they expressed their concern about the exponential growth of slums in Bangalore, in reference to the findings of the Karnataka Slum Development Board. They

brought to light the findings that out of 2,397 slums in the State of Karnataka, 387 of them are in Bangalore. The study's scope and limitations were restricted to the slums of Bangalore's metropolitan districts Devara Jeevanahalli (DJ Halli), Bellandur, Sarjapura, and Ejipura.



They analysed the major issues in Bangalore's slums including poverty, population growth, hazardous living conditions and societal problems. It was further observed that these slums are a major source of water and air pollution, and impromptu rehabilitation efforts make it more challenging. The crucial problems in Bangalore's slums were also highlighted in this regard. The major goal of this study was to critically evaluate the conclusions of several surveys, studies, notes, and scholarly articles on Bangalore slums, as well as the findings of various authorities and Boards of the Karnataka State government, and to recommend potential solutions.

4. **A Legal Study on Embracing of Town Planning-An End to Atrocities of Slum Dwellers –** ***Mr. Arjit Pandey & Ms. Akanksha Surana***

Their presentation underlined the influx of rural populations into urban areas in search of subsistence, slums are continuing to increase and the quality of housing to decline. As cities grow, so do their slum populations. This was pinpointed by the presenters to be mainly caused by the failure to plan cities in ways that address people's needs. It was further analysed that the displacement of the force from the rural economy has created serious stress on cities and towns. In this regard, they gave the example of Kalaburagi, a second-tier city in Karnataka state. They lastly concluded their presentation by stating that to improve the quality of life in urban areas, it is of critical significance that the housing stock is improved through urban renewal, in situ slum improvement and development of new housing stock in existing cities as well as new townships. The presenters observed that the way the government has dealt with the problem of slums and town replanning shows the

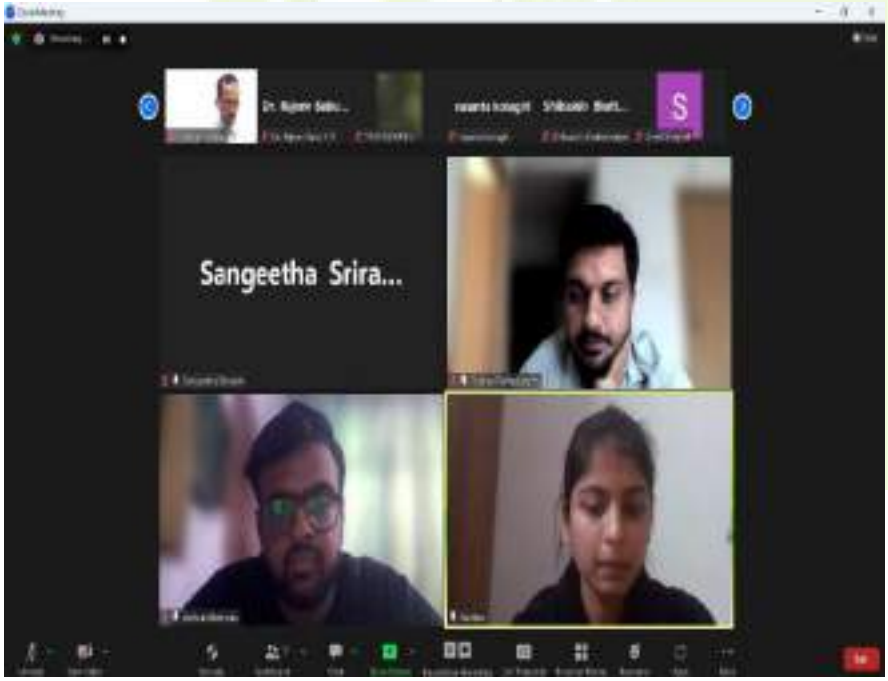
lacuna of addressing the root cause of the problem as it continues aggravating it to a much higher level.

5. **Amelioration of Slums: A Study of Disorganized and Disoriented-Political Dissonance – *Ms. Deveshi Bose & Ms. Aditi Nidhi***

They started their presentation by giving a heuristic definition of slums and slum dwellers. They mentioned their research questions and then proceeded with how they approached each question. The study carried out was primarily empirical in nature. The methods used to collect the data were qualitative. Moving forward, they discussed the case studies of slums in the State of West Bengal and Uttar Pradesh to gain an overview of the structural development of slums in these areas. They ended their presentation with some important solutions that were appreciated by the chairs.

6. **Children in Shelter Homes: Issues and Challenges – *Gaurav Kumar***

The presenter made an attempt to examine several problems faced by children who reside in shelter homes, including security, access to health care, education, and justice as well as violations of human rights.



The speaker informed that the fundamental rights against exploitation and the right to live with human dignity are two essential provisions for the protection and well-being of children that are included in the Indian Constitution. The status and rights of children residing in shelter homes across the nation have drawn the attention of the Supreme Court. The issues and problems faced by youngsters who contracted the COVID-19 virus were also delved into by the presenters. More efforts were made to understand the true causes, both legal and social, so that appropriate treatments and solutions could be found.

7. Using the Indian social security system to advance education rights – *Raju Kumar*

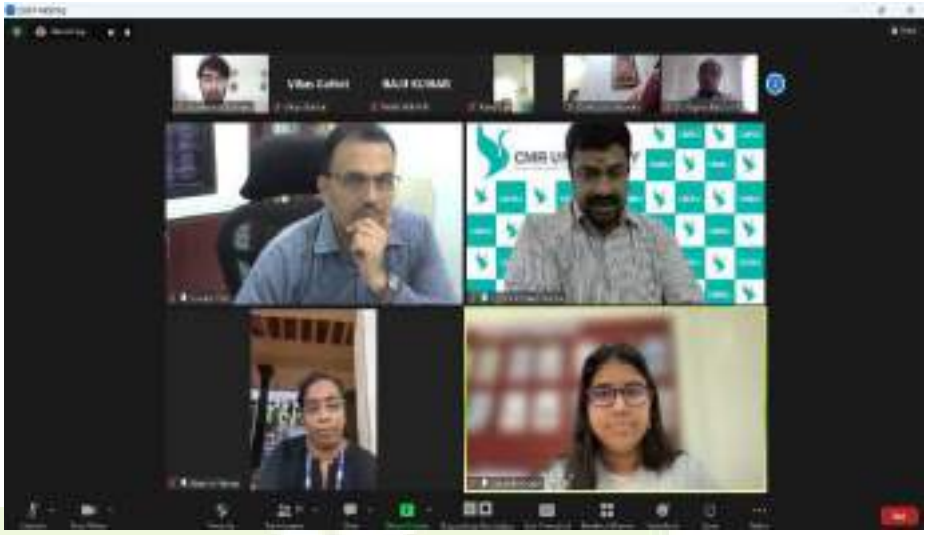
The speaker shed light on the fact that more than 57 million children did not attend school in 2011. Although he noted that in the past few years, basic schooling has been more widely available. It was further informed by the speaker, that the right to education is also a key element of social policy for the government in combating poverty. Another essential social security promise is access to education. In the light of the same, the speaker apprised that without freeing kids from child labour and giving them social safety nets, universal primary education cannot promote the right to education. Studies show that when properly managed through social safety nets, the education sector improves all facets of a country's growth. The speaker further discussed the practical concerns related to India's expansion of the right to education through social protection measures. He also examined the benefits and drawbacks of international standards as well as the social security system in India and offered suggestions on how to strengthen social protection for the right to education.

VALEDICTORY SESSION

PROF. (DR.) BISMI GOPALAKRISHNAN, PROFESSOR AND DEAN, MG UNIVERSITY, FACULTY OF LAW, UNIVERSITY OF KERALA- CHIEF GUEST
PROF. (DR.) SAIRAM BHAT, PROFESSOR OF LAW, NLSIU
DR. V. J. PRANESHWARAN, PROFESSOR AND DIRECTOR, CMR UNIVERSITY, SCHOOL OF LEGAL STUDIES

PROF. (DR.) BISMI GOPALAKRISHNAN, PROFESSOR & DEAN OF MG UNIVERSITY, FACULTY OF LAW, UNIVERSITY OF KERALA

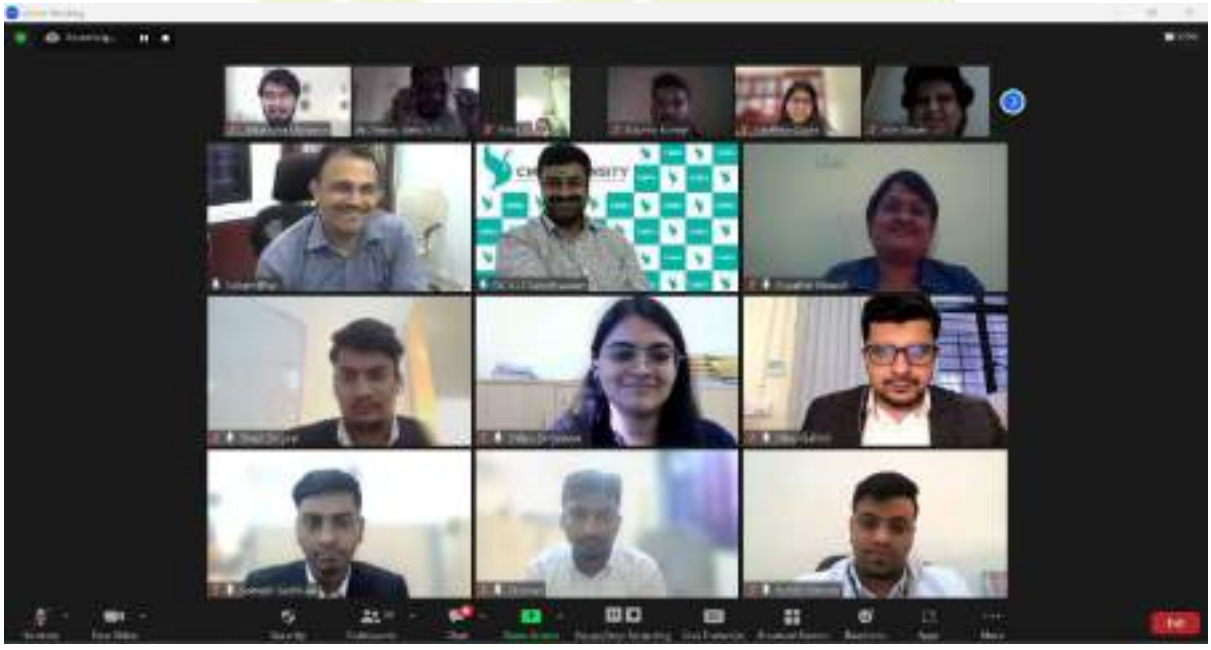
Prof. (Dr.) Bismi Gopalakrishnan emphasised that forced eviction is a very traumatic process for the slum dwellers as it endangers the life of the already venerable slum dwellers. Following this, she highlighted the Delhi High Court judgment wherein the vulnerable livelihood of slum dwellers was discussed as well as the point on the separation of the right to life and right to livelihood.



She also shed light on the issue of livelihood of slum dwellers and suggested the analysis of the same from the perspective of constitutional law and human rights. Lastly, she concluded by suggesting that a unique balanced view must be taken on the aspect of the violation of the human right of slum dwellers.

DR. V. J. PRANESHWARAN, PRINCIPAL CMR LAW SCHOOL, BENGALURU

Dr. V. J. Praneshwaran commenced his valedictory address by giving a very different perspective on the topic which was discussed in the conference and he underscored the existence of a presumption of a violation of human rights. He further called for the rejection of this presumption as human rights issues should be dealt with without any biases or presumptions of violation only. Lastly, he suggested that various alternate accommodations must be provided to slum dwellers through various state and national schemes and concluded his address by mentioning that a human must not take any assumption and presumption of any matter and rather try to take a holistic view of the same.



The conclusion of the national conference on this note lays a crucial aspect for the study of slum dwellers in India. It marks an important milestone in addressing the challenges faced by this vulnerable section of society. The conference would have provided a platform for experts, policymakers, and slum dwellers themselves to share ideas, experiences, and best practices in improving the living conditions of slum communities across the country.

It is hoped that the discussions and recommendations from the conference will inform policies and programs aimed at addressing the root causes of slum living, such as poverty, inadequate housing, and lack of basic services. By working together, it is possible to develop sustainable solutions that promote social inclusion, economic development, and the well-being of all citizens, including those living in slums.

On this note, the Vote of Thanks was proposed by Mr. Jaibatruka Mohanta and Prof. Sairam Bhat provided the final concluding remarks at the virtual Conference.

TWO-DAY NATIONAL CONFERENCE

ON

"HUMAN RIGHTS OF SLUM DWELLERS AND FORCED EVICTION: A LEGAL MANDATE"



BEST PRESENTATION AWARD

TOPIC	NAME OF DELEGATE(S)
The Need for Better Healthcare for the Vulnerable: The Experience of Women and Children in Slum Dwellings at Goa	***Dr. Kim Rocha Couto***
A Socio Policy Analysis on the Effectiveness of Judicial Remedies available in cases of Illegal Demolition in India – State policy vis a vis Human Rights	***Abhishek Rodricks & Shibasish Bhattacharjee***
Rights and Conditions of Slum Dwellers in Bengaluru	***Bhargav & Team***
Urban Poor and the Violation of their Human Rights: Will there be an End?	***Dr. Anjana Hazarika***

Organised by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

National Law School of India University (NLSIU), Bengaluru

along with

CMR School of Legal Studies, Bengaluru and Symbiosis Law School, Pune

UNDER THE AEGIS

OF THE DISHA SCHEME, DEPARTMENT OF JUSTICE, GOVT. OF INDIA

AND

THE CHAIR ON URBAN POOR AND THE LAW

MINISTRY OF HOUSING AND URBAN POVERTY ALLEVIATION, GOVT. OF INDIA

POLICY HACKATHON 2023

A JOINT INITIATIVE BY

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY,

BENGALURU

AND

DEPARTMENT OF JUSTICE,

MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

UNDER A PROJECT GRANTED BY

INDIAN COUNCIL FOR SOCIAL SCIENCE RESEARCH

LAST DATE FOR REGISTRATION: **SEPTEMBER 12TH 2023**

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ABOUT THE POLICY HACKATHON

This event aims to provide a platform for policymakers, innovators, and other interested stakeholders to convene, address and tackle the challenges that the present Aatmanirbhar Bharat scheme entails. We aim that this Competition brings innovative, dynamic and brilliant thinking from diverse backgrounds to tackle the pressing challenges under the Aatmanirbhar Bharat scheme. The Teams are expected to design innovative policy solutions to counter subsisting issues followed by a workshop and roundtable discussion where participants and academicians in the field deliberate on the problem, discuss policy measures, and eventually present a robust framework for the same.

STRUCTURE OF THE POLICY HACKATHON

The Policy Hackathon shall be conducted in three stages. The three stages have been incorporated in order to test the analytical and critical abilities of the Teams. The rounds are as follows:

1. The **First stage** requires all participating teams to draft a policy based on the problem statement given at the end of this brochure.
2. The **Second stage** shall be a round table discussion involving Participating Teams and Panelists deliberating on the aspects of the Aatma Nirbhar Bharat scheme of the Government of India.

   During the second stage discussion round – the Participating Teams shall be open to bringing forth their ideas and have a conclusive discussion with other Team members in light of the Competition.
3. Prior to their submission in the **Third stage** of the Competition – the Teams shall be open to consult experts in this field and finalize their Policy drafts.
4. The third stage shall be a **Final Policy Draft submission**. A Google link for the Final Policy draft submission shall be shared with the Participating Teams.
5. The **Fourth stage** – shall be the **Last stage** wherein, the Top – 4 Teams shall be shortlisted to present their policy and Two Teams shall be adjudged with the Best Policy and Second-Best Policy Award.

DETAILED SUBMISSION GUIDELINES FOR THE FINAL DRAFT (THIRD STAGE)

1. THEME AND FOCUS

- The policy proposal must align with the competition's theme and focus areas, as outlined in the competition announcement or guidelines.
- Submissions unrelated to the specified theme will not be considered.

2. FORMAT AND LENGTH

- Submissions must be in English and should be provided in a clear and concise manner.
- The recommended length for the policy proposal must not exceed **10,000 words.**
- The font must be – Times New Roman or any other standard font at the Team's discretion. The font size must be – 12 and the headings and sub-heading can be accordingly best suited.
- Line spacing must be 1.5
- The alignment must be – justified.
- The Final Policy Draft must comprise of the following:

a. COVER PAGE
b. TABLE OF CONTENTS
c. EXECUTIVE SUMMARY
d. SUMMARY OF THE POLICY PROPOSAL
e. POLICY PROPOSAL CONTENT
f. POLICY OBJECTIVES
g. LITERATURE REVIEW AND BACKGROUND
h. POLICY PROPOSAL
i. POLICY COMPONENTS
j. IMPLEMENTATION PLAN
k. FEASIBILITY AND COST BENEFIT ANALYSIS
l. STAKEHOLDER CONSULTATION/ENGAGEMENT
m. ETHICAL CONSIDERATION
n. PUBLIC SUPPORT AND COMMUNICATION
o. WAY FORWARD/CONCLUSION
p. REFERENCES

3. COVER PAGE

- The cover page must include the following information:

  - Title of the Policy Proposal
  - Team Code of the Policy (to be assigned by the Organizing Committee)
  - Any relevant logo that the Teams would want to include and make the Cover page attractive.

4. EXECUTIVE SUMMARY

- Provide a brief executive summary of the entire policy proposal that concisely outlines the key objectives, approach, and expected impact.

5. POLICY PROPOSAL CONTENT

- The Teams must clearly state the problem or challenge the policy proposal aims to address.
- The Policy must be a well-researched and evidence-based policy solution. Teams are encouraged to support their proposal with data, research findings, and relevant references.
- The policy's scope, potential beneficiaries, and any potential challenges or risks associated with its implementation.
- The policy's expected outcomes and its long-term impact on society, economy, or the environment.

6. FEASIBILITY AND IMPLEMENTATION

- The Teams in the work must demonstrate the feasibility and practicality of their policy proposal. The factors such as budget, resources, and potential obstacles during implementation.

7. INNOVATIVENESS

- The Teams must highlight the innovative aspects of the policy proposal and how it differentiates from existing approaches to addressing similar challenges.

8. ETHICAL CONSIDERATIONS

- The Teams must discuss any ethical implications or considerations related to your policy proposal, especially if it involves sensitive issues or populations.

9. SUPPORTING MATERIALS

- Teams are encouraged to include relevant pictorial representations, including graphs, charts, or visual aids to enhance the clarity and impact of your proposal. They must ensure that all supporting materials are appropriately referenced.

10. ORIGINALITY

- The submission must be an original work. Plagiarized or previously published content will lead to disqualification.
- The policy is required to have a structured framework and detailed, realistic suggestions.

11. FINAL SUBMISSION METHOD

- Submit your policy via the Google Link that shall be provided to Teams – 2 (two) days prior to the submission date.

TEAM TIMELINE OF THE COMPETITION & IMPORTANT DATES

SEPTEMBER 12, 2023	LAST DATE TO REGISTER
SEPTEMBER 30, 2023 05:00 PM IST	FIRST STAGE – SUBMISSION OF OUTLINE /DRAFT TABLE OF CONTENTS SUBMISSION VIA GOOGLE FORM
OCTOBER 05, 2023	SECOND STAGE – ROUND TABLE DISCUSSION
OCTOBER 20, 2023	THIRD STAGE – FINAL POLICY SUBMISSION
OCTOBER 27, 2023	RESULT DECLARATION

WHO CAN REGISTER FOR THE COMPETITION?

The Policy Hackathon is open to all Colleges/Institutions/Policy Makers/Researchers/Faculties across India.

- Students currently pursuing 3-year or 5-year LLB courses
- Students pursuing a Master's degree in law, public policy or any related course
- Public Policy students, Scholars & Researchers
- Management students & Academicians
- Academicians in the field of Public Policy
- Experts in the field

Each participating team shall comprise a maximum of **3 members**.

TEAM COMPOSITION

- **2** members minimum and maximum **3** members.
- **Cross-university/institution** Participation is allowed.
- **Multiple Teams** from one institution are allowed.

REGISTRATION FEE & REGISTRATION LINK

- The registration fee for a team is **INR 3,500/- (Rupees Three Thousand & Five Hundred Only)**.
- Institutions interested in participating in the competition may register by filling in the Google form, the link for which is attached below
- Registration link: https://forms.gle/gWCfKiR75z1FEFcC6
- The Last Date of Registration: **September 12, 2023; 11:59 pm IST.**

AWARDS, PRIZES & ADDITIONAL PERKS

BEST POLICY RECOMMENDATION	**INR 15,000**
SECOND-BEST PO LICY RECOMMENDATION	**INR 10,000**

PERKS: THE BEST POLICY STATEMENT SHALL BE SHARED WITH THE GOVERNMENT OF INDIA, AS A POLICY RECOMMENDATION.

BANK ACCOUNT DETAILS FOR PAYMENT OF REGISTRATION FEES

BANK NAME	**UNION BANK OF INDIA**
BRANCH NAME WITH COMPLETE ADDRESS, TELEPHONE NUMBER	**NLSIU BRANCH, NLSIU CAMPUS, NAGARBHAVI, BANGALORE - 560 072, Ph: 080-23218130 & 23218115**
IFSC CODE / NEFT CODE / RTGS CODE / BRANCH CODE	**UBIN0921441**
TYPE OF BANK ACCOUNT (SB/CURRENT/CASH CREDIT)	**SAVINGS BANK**
COMPLETE BANK ACCOUNT NUMBER (LATEST)	**520101045115075**
MICR CODE OF BANK	**560026119**

CONTACT DETAILS FOR QUERIES & CLARIFICATIONS

Mr. Jaibatruka Mohanta Phone No.: **+91 90825 10813**	**Ms. Gayathri KK** **Phone No.: +91 73561 05964**
Note: All Emails to be sent to – **ceera@nls.ac.in**	

PROBLEM STATEMENT

The increasing interconnectedness and India's position at the heart of the Indian Ocean brings a pressing challenge of achieving self-reliance across various sectors. While globalization has opened a plethora of benefits, it has also revelated vulnerabilities and dependencies, making the nation vulnerable to external economic fluctuation, supply chain disruptions, geopolitical concerns, and tensions amongst nation-states. Further India lacks a manufacturing base and is heavily reliant on imports. There is a vacuum in the ecosystem for innovation & development. The nation lacks a clear policy for the promotion & protection of local goods and indigenous production houses. In furtherance, there is also a lack of incentive to produce, manufacture, and create in India. This should bring the aim of India to become the Second Factory in the manufacturing sector for the world in the changing global order. Therefore, the Atma Nirbhar Bharat Abhiyan must act as a catalyst for sustainable growth that focuses on creating a robust self-reliant framework for India across all sectors.

In light of this context –

The government of India is looking for a policy for the integration of different sectors in order to fulfill a common object and vision of Atma Nirbhar Bharat Abhiyan. In light of the visionary policy – the focal point must be the pivotal principle of non–discrimination. The aspects of fair play among competitors, transparency, accountability, and risk management are key issues for consideration in the policy. Further, the drafters must also focus on the aspect of keeping investments safe in case of disputes between parties, thus domestic, and international agreements and conventions must be kept in light while crafting the policy. The policy must also be drafted keeping in mind the Constitutional Federal Structure of India.

Teams must focus on the Schemes, Policies & the Atma Nirbhar Bharat Abhiyaan's guidelines while drafting the Final Policy.

1. Product Linked Incentive or PLI Scheme
2. Make in India
3. Vocal for Local
4. Start-up India, Invest in India – incentives for Start-ups, the growth of IP
5. Harnessing the most of the – Off Set Policies
6. Emergency Credit Line Guarantee or ECLGS Scheme
7. Technology Development Fund (TDF) Scheme

8. Manufacturing base for semi-conductors and bringing core technologies to India's growing Integrated Device Manufacturing sector
9. Security & Strategic interest

The following indicative key challenges can also be looked into:

1. Economic Diversification, interdependence, and independence
2. Energy independence and sustainability
3. Strengthening Industrial and Technological capacities
4. Reducing Reliance on Imports

In light of the above draft a robust policy for the Aatma Nirbhar Bharat Abhiyan of the government of India.

WINNING TEAMS

CEERA-NLSIU'S - POLICY HACKATHON, 2023

SR. NO.	CATEGORY	INSTITUTION NAME	MEMBERS
1.	**Winners**	School of Law Christ (Deemed to be University), Bengaluru	**1.** Divya Venugopalan **2.** Dhriti Rohatgi **3.** Sonisha Srinivasan
2.	**First Runners Up**	National University of Study and Research in Law, Ranchi	**1.** Ayush Unnikrishnan **2.** Aayush Raj **3.** Aditya Dwivedi
3.	**Second Runners Up**	Narsee Monjee Institute of Management Studies, School of Law, Bengaluru	**1.** Urja Joshi **2.** Ashish Kumar **3.** Mayank Singh

विधि और न्याय मंत्रालय
MINISTRY OF LAW & JUSTICE

KLE Technological University

THE FIRST

NATIONAL LABOUR LAW CONCILIATION COMPETITION, 2024

November 08 & 09, 2024

Last Date for Registration: October 05, 2024
Last Date to seek Clarifications: October 10, 2024
Last Date to send Written Submissions: November 04, 2024





Registration fee
INR 4000/-
(excluding accommodation)
INR 8000/-
(including accommodation)

Venue: KLE Law College, Bengaluru, Karnataka

Scan to Register

For more information
Email: ceera@nls.ac.in

THE FIRST

NATIONAL LABOUR LAW

CONCILIATION COMPETITION, 2024

PROBLEM STATEMENT

A JOINT INITIATIVE BY

KLE LAW COLLEGE, BANGALORE

AND

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY,

BENGALURU

IN COLLABORATION WITH

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

LAST DATE TO REGISTER: SEPT. 25, 2024

PROBLEM STATEMENT

1. Aaram-Karo, a delivery app launched in January 2020 by Aaram Commerce Private Limited (ACPL), has rapidly become a significant player in India's burgeoning gig economy. Based in Bengaluru and led by the charismatic CEO Ms. Dhanya Vad, the company has revolutionized the on-demand delivery sector with its innovative approach and wide-ranging services. From groceries to electronic gadgets, Aaram-Karo promises swift deliveries across urban centres, tapping into the growing consumer demand for convenience in India's fast-paced cities.

2. At the heart of ACPL's business model are its delivery personnel, affectionately termed "Champions" by the company. These Champions, primarily young adults from low-income backgrounds, form the backbone of Aaram-Karo's operations. The company's decision to refer to its delivery staff as Champions was initially seen as a positive, morale-boosting strategy, seemingly elevating the status of what is often considered a low-skilled job.

3. ACPL's fleet of delivery bikes, manned by these Champions, has become a common sight in Bengaluru's bustling streets. They zip between the company's strategically located stock houses to fulfill orders within minutes.

4. Technologically, Aaram-Karo stands out with its advanced app features, including real-time order tracking from confirmation to delivery. This level of transparency and efficiency has been a key factor in the app's popularity among urban consumers, who value the ability to monitor their orders closely. The company's tech-forward approach extends to its internal operations, with sophisticated algorithms managing order allocation and route optimization for its Champions.

5. ACPL's compensation structure for Champions includes a fixed fee, supplemented by performance-based bonuses tied to weekly delivery totals. This model, common in the gig economy, was initially touted by the company as offering flexible earning opportunities for its workforce. The promise of performance bonuses was

particularly attractive to many Champions, who saw it as a pathway to potentially higher earnings based on their effort and efficiency.

6. The company's marketing strategy heavily leveraged social media, where ACPL built a massive following. Central to their narrative was the portrayal of Champions as integral, valued members of the Aaram-Karo family. This messaging resonated with many consumers who were drawn to the idea of supporting a company that seemingly valued its workforce. The Champions were often featured in promotional materials, and their stories of opportunity and success became a cornerstone of ACPL's brand identity.

7. The Champions were also given incentives for various family functions, based on a performance parameter and on an individual request basis. This incentive was a form of extra income over and above their remuneration based on their work.

8. However, labour concerns have been simmering beneath this carefully crafted public image. Various NGOs and social organizations began to question ACPL's treatment of its Champions, alleging that the company's compensation model did not fairly reward the time and effort invested by these workers. Critics pointed out that while Champions were celebrated publicly, their working conditions and job security were far from ideal.

9. The use of the term "Champions" itself came under scrutiny. Labour rights activists argued that this nomenclature was a clever ploy by ACPL to avoid classifying its delivery personnel as employees, thereby sidestepping various labour protections and benefits that would typically be afforded to regular workers.

10. As early as December 2022, a group of Champions attempted to raise their concerns directly with ACPL's management. Their grievances ranged from inadequate compensation to a lack of job security, overtime payment, and limited career growth opportunities within the company. However, these attempts to open a dialogue reportedly went unaddressed, leaving many Champions feeling unheard and undervalued.

11. The situation took a dramatic turn when Mr. Shah Yad, a seasoned Champion known for his dedication and popularity among peers, began to mobilize his fellow workers. Recognizing the need for collective bargaining power, Shah Yad initiated efforts to form a union that could effectively represent the interests of Aaram-Karo's Champions. This move was met with stern opposition from ACPL's management, who allegedly threatened termination for those involved in unionization efforts.

12. Despite these threats, Shah Yad persevered, successfully forming the "Aaram Karo Sabha" trade union with its headquarters in Bengaluru. This development marked a significant milestone in the ongoing struggle between gig workers and platform companies in India, potentially setting a precedent for similar efforts across the sector.

13. The simmering tensions reached a boiling point on June 12, 2024, when CEO Dhanya Vad organized a virtual Zoom meeting with over 120 Champions. The meeting was ostensibly called for "appraisal and team management," leading many Champions to expect positive news or constructive dialogue. Instead, in a shocking turn of events, Mr. Vad announced that due to extreme financial stress, the services of all Champions present on the call were being terminated with immediate effect.

14. These mass terminations' abrupt and impersonal nature sent shockwaves through ACPL's workforce and the broader gig economy sector. Many Champions, who had dedicated years to building Aaram-Karo's success, were suddenly jobless, with no prior warning or severance. This life-altering news's cold, virtual delivery left many feeling betrayed and disposable, starkly contrasting with the company's public rhetoric about valuing its Champions.

15. The incident quickly sparked a massive public backlash and intense media scrutiny. Social media platforms, once a bastion of Aaram-Karo's popularity, became flooded with calls for boycotts of the app. Users shared stories of their favourite Champions and expressed outrage at ACPL's treatment of its workforce. The hashtag

#BoycottAaramKaro began trending, causing significant damage to the company's carefully cultivated image.

16. Labour rights organizations seized upon the incident as a prime example of the vulnerabilities faced by gig workers in India. They condemned ACPL's actions, calling for comprehensive investigations into the company's labour practices and advocating for stronger protections for gig economy workers at a national level. The controversy brought renewed attention to ongoing debates about worker classification, minimum wage guarantees, and social security benefits in the digital economy.

17. In response to the terminations, the Aaram Karo Sabha quickly mobilized its members under Mr. Shah Yad's leadership. They organized a strike at ACPL's stock warehouses, halting the company's operations in several key areas. This direct action put pressure on ACPL and garnered significant media attention, further amplifying the Champions' grievances.

18. Seeking legal recourse, Shah Yad approached the Conciliation Officer; the union sought relief from the termination of services, arguing that the mass layoffs were unethical and potentially illegal under Indian labour laws. The Conciliation Officer, recognizing the gravity of the situation, issued a notice to ACPL to appear for a hearing, setting the stage for a potential landmark legal battle.

KEY ISSUES FOR CONCILIATION

1. Wages and overtime payment
2. Working hours and work conditions
3. Job security & layoffs
4. Grievance redressal mechanisms

ROLE OF THE TEAMS & PARTICIPANTS

The Teams & Participants in this competition will represent either the management of the **Aaram Commerce Private Limited** or the **Aaram Karo Sabha Trade Union**.

Their objective will be to negotiate and reach a conciliation agreement that balances the rights and interests of both parties while ensuring compliance with Indian labour laws and considering the practicalities of the current economic climate.

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List of Participating Institutions Labour Law Competition 2024

1. JSS Law College
2. Presidency University - Bangalore
3. Vel Tech Rangarajan Dr. Sagunthala R&D Institute of Science and Technology
4. KLS’s Raja Lakhamgouda Law College, Belagavi
5. SAGAR GANGOTRI COLLEGE OF LAW, ULLUR, SAGAR, SHIMOGA.
6. BMS College of Law
7. Ramaiah College of Law
8. Manipal University Jaipur
9. Manipal Law School
10. Acharya Bangalore Business School of law
11. Lloyd Law College
12. Sastra Deemed University
13. Vidya vikas institute of legal studies
14. IFIM law School
15. Vinayaka Mission's Law School
16. KLE G K Law College, Hubli
17. VIT Chennai
18. Narsee Monjee Institute of Management Studies, Bengaluru
19. Symbiosis Law School, Hyderabad
20. Christ Academy Institute of Law, Bengaluru
21. Christ Academy Institute of Law, Bengaluru
22. St. Joseph's College of Law
23. PES University
24. K. L. E's B. V. Bellad law college Belagavi

FIRST NATIONAL LABOUR LAW CONCILIATION COMPETITION
NOVEMBER 08 & 09, 2024

LIST OF WINNERS

AWARD	TEAM CODE	INSTITUTION	PARTICIPANTS
Best Conciliating Team	LLC- 060	Christ Academy Institute of Law, Bengaluru	Aatreyi Shukla (Conciliator) Dibyansh Bagaria (Client) Aarya Shrivastava (Counsel)
Runners-up Team	LLC- 054	Narsee Monjee Institute of Management Studies, Bengaluru	Amruta Saranya Cheruvu (Conciliator) Venkata Kishore Sreemallee (Client) Jay Kumar Gupta (Counsel)

AWARD	TEAM CODE	INSTITUTE	NAME
Best Conciliator	LLC- 054	Narsee Monjee Institute of Management Studies, Bengaluru	Amruta Saranya Cheruvu
Best Counsel	LLC- 038	Acharya Bangalore Business School of law	Varun Kumar D
Best Client	LLC- 064	PES University	Shama Bhat

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PART E

MONTHLY REPORTS

PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of January 2022

Date: January 31, 2022

The following is the Report for the month of January 2022 highlighting the activities conducted in the month of January, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of January, 2022:

- In the month of January, we have carried out the following activities under the Project-
  - On December 29, 2021, Mr. Ravindra Pare, Scheme Coordinator, DISHA accompanied by Mr. Neel D'Souza, Project Manager, Tele-Law and Mr. Bhanu Prakash, State Coordinator visited NSLIU. They held a meeting with Registrar, NLSIU and the CEERA Team headed by Prof. (Dr.) Sairam Bhat, Professor of Law, NLSIU. The minutes of the meeting are attached herewith this Report as Annexure – I.
  - In the Month of January, Memorandum of Agreement (MoA) was signed and exchanged between NLSIU and DoJ for carrying out the two-year project "Pan India Legal Literacy and Legal Awareness Programme". NLSIU was appointed

as the National Agency for dissemination of legal literacy in the 6 States of India namely – Bihar, Karnataka, Maharashtra, Odisha, Rajasthan and Uttar Pradesh.

- A revised action plan along with dissemination strategy were submitted to the DoJ along with the MoA.
- A meeting with all the project partners under the DISHA scheme was organized by DoJ on 14th January 2022 through video conferencing mode. Each of the project partners were requested to present on their action plan and deliverables during the meeting. On behalf of CEERA the meeting by attended by Mr. Vikas Gahlot, Teaching Associate, CEERA-NLSIU and Ms. Lianne D'Souza, Research Fellow, CEERA-NLSIU. At the meeting, the project partners were asked to submit and share their monthly action plan and reports with the DoJ.
- Accordingly, starting from February 2022, CEERA will be submitting its monthly action plan and reports with the DoJ.
- CEERA also submitted its presentation for the meeting on the google drive link provided by DoJ.

ANNEXURE – I

MINUTES OF THE MEETING HELD ON 29.12.2021

On 29th December, 2021 Mr. Ravindra Pare, Scheme Coordinator, Designing Innovative Solutions for Access to Justice (DISHA) visited National Law School of India University, (NLSIU), Bengaluru to meet the Registrar, Prof. Nigam Nuggenhali and the CEERA team headed by Prof. (Dr.) Sairam Bhat, Coordinator, CEERA.

During the meeting between Prof. (Dr.) Sairam Bhat & Mr. Ravindra Pare several issues related to the implementation of the Two Year Project on Legal Literacy titled "**Pan India Legal Literacy and Legal Awareness Programme**" under the DISHA Scheme were deliberated upon. The meeting was also attended by Mr. Neel D'Souza, Project Manager, Tele-Law, Mr. Bhanu Prakash, State Coordinator, Tele-Law, Ms. Madhubanti Sadhya, Teaching Associate, CEERA-NLSIU, Mr. Rohith Kamath, CS & Legal Consultant, CEERA-NLSIU and Mr. Vikas Gahlot, Teaching Associate, CEERA-NLSIU. The key takeaways from the meetings are:

1. Regular reporting and updating the Department on the Progress of the Project including monthly reports.
2. The Limitation of Financial Budget for the payment of TA for participants to travel to the Master Training Workshops was discussed. The key takeaway was the need to identify innovative solutions within the budget in order to implement the Legal Literacy Project. A key highlight in this regard was a national level competition for legal aid clinics on legal literacy, proposed by CEERA team in their proposal.
3. Involvement of Legal Aid Clinics of Law Colleges across the country and coordination with Legal Services Authorities at the state and district level to implement the Project. This strategy is based on the idea "Legal Aid Improves Legal Literacy".
4. Involvement of Key Resource Centres under the National Jal Jeevan Mission (NJJM) and State Institute of Rural Development (SIRTs) in the state of Rajasthan, Bihar, UP, Karnataka, Maharashtra and Orissa.
5. Involvement of NCC, NSS, Scouts and other organisation to disseminate legal literacy and coordination with their regional offices.
6. Use of Digital and Social Media for dissemination.
7. Organising a meeting with other selected institutions for content development at the state level and coordination with them for dissemination.
8. Simultaneous development of repository of materials and content for ease of access and dissemination.

Prof. (Dr.) Sairam Bhat
Professor of Law & Coordinator CEERA,
National Law School of India University, Bengaluru

PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of February 2022

Date: February 28, 2022

The following is the Report for the month of February 2022 highlighting the activities conducted in the month of February, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of February, 2022:

- In the month of February, we have carried out the following activities under the Project-
    - Finalizing Partnering Institutions and State Faculty Coordinators for collaboration.
    - Conduction of **First Coordination Workshop with Partnering Institutions for Pan India Legal Literacy and Legal Awareness Programme** on February 19, 2022. The Minutes of the meeting are attached along with this report as Annexure 1.
    - Launching CEERA-NLSIU YouTube channel for dissemination of legal literacy through video recordings. The channel can be accessed at https://www.youtube.com/channel/UCVidM7osqF8uDX3SxuhDu2Q.
    - Seeking collaboration with Akashvaani and All India Radio for dissemination of legal literacy on important international days.

ANNEXURE 1

PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

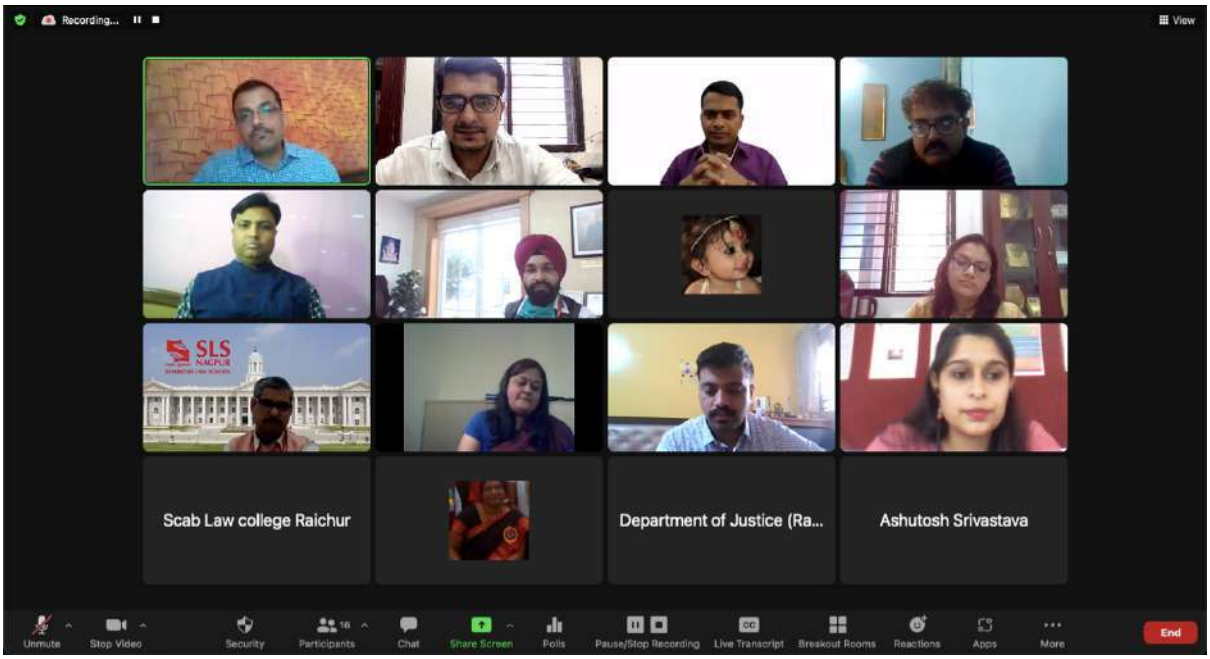
CONDUCTED BY CEERA-NLSIU

MINUTES OF THE MEETING

FIRST COORDINATION WORKSHOP WITH PARTNERING INSTITUTIONS FOR PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Date: February 19, 2022

On 17 February 2022 CEERA-NLSIU organized the "**First Coordination Workshop with Partnering Institutions for Pan Indian Legal Literacy and Legal Awareness Programme**" the project "**Pan India Legal Literacy and Legal Awareness Programme**" granted to CEERA-NLISU by the Department of Justice, Government of India under the "Designing Innovative Solutions for Holistic Access to Justice (DISHA)". The workshop was organized virtually on **Zoom Platform** from **10:00 am** onwards.



LIST OF PARTICIPANTS

The Workshop was attended by the following Participants -

1. Prof. (Dr.) Sairam Bhat, Professor of Law & Coordinator CEERA-NLSIU
2. Prof. Subir K Bhatnagar, Vice Chancellor, RMLNLU, Lucknow
3. Dr. Sukhvinder Singh Dari, Director, Symbiosis Law School, Nagpur
4. Smt. Padma J Jagirdar, Principal SCAB Law College, Raichur
5. Dr. Kumar Askand Pandey, Associate Professor, RMLNLU, Lucknow
6. Dr. Sachin Tripathi, Assistant Professor, Symbiosis Law School, Nagpur
7. Dr. Bishwa Kallyan Dash, Assistant Professor, School of Law, KIIT, Bhubaneswar
8. Dr. Anjali Thanvi, Assistant Professor, NLU Jodhpur
9. Dr. Satyadeep Kumar Singh, Advocate Patna High Court
10. Ms. Uma Ramu Sandhya, Assistant Professor, SCAB Law College, Raichur
11. Mr. Ravindra Pare, Scheme Coordinator, DISHA Scheme, Department of Justice
12. Mr. Ashutosh Srivastava, Programme Manager, DISHA Scheme, Department of Justice
13. Ms. Madhubanti Sadhya, Teaching Associate, CEERA-NLSIU
14. Mr. Rohith Kamath, Consultant, CEERA-NLSIU
15. Mr. Vikas Gahlot, Teaching Associate, CEERA-NLISU
16. Ms. Lianne D'Souza, Research Fellow, CEERA-NLSIU
17. Ms. Gayathri Gireesh, Advocate, Karnataka High Court

SUMMARY OF THE DISCUSSION:

1. Prof. (Dr.) Sairam Bhat welcomed everyone and after a brief round of introduction, he elaborated about the Legal Literacy and Legal Awareness Project and the DISHA Scheme. He also stated that the primary task of CEERA-NLSIU under the project is related to dissemination while other institutions will be responsible for creation of content. He also elaborated on other initiatives of the Department of Justice such as TeleLaw, NyayBandhu etc.
2. Prof. Bhat emphasized that a national level project of this nature cannot be done without the help and collaboration of friends and institutions. He mentioned that the state partnering institutions have been chosen owing to their proximity to the aspirational districts in their respective states.
3. He stated that one Training of the Trainer Workshop will be organized at the partnering institutions once the pandemic is over.
4. In the meanwhile, the partnering institutions and the faculty coordinators are requested to identify laws that are relevant for their respective state as each state may have its own legislative focus.
5. For digital legal literacy, Prof. Bhat proposed a plan for recording of short videos of 15-20 minutes on important legislations and creating a poster on that law. For the first stage, the language of the video can be English, but focus should be given on local language for effective dissemination.
6. Prof. Bhat further expressed that as part of our dissemination strategy we must revive our Legal Aid Clinics. He highlighted that the legal aid clinics are not that effective compared to when they started with. They have now become a check box for NAAC, NIRF etc. He proposed holding a Legal Aid Clinic competition to revive the clinics.
7. He expressed that in these two years of the project we must create something will have a lasting impact. He also stressed that the Department of Justice will hold regular review meetings and will provide suggestions. He stated that we must be open to suggestions and ideas, and should revisit our strategy on the feedback received for course correction. After the Prof. Bhat opened the floor for questions and suggestions. In this regard the following questions were asked by the partnering institutions:
    - What is the expected level of time and engagement of the partnering institutions?

- Some of aspirational districts are located in Maoist infected areas and hence digital legal literacy might not effective in those areas. What should be our strategy for those areas?
- When should we conduct the master trainer workshops?
- What should be the content of the videos?
- What is the level of engagement of Legal Services Authorities?
- How to avoid overlapping of content in the videos?
- What is the deadline for identifying laws, language, and resource person for video recordings and when to start recording?
- Asking people from far flunked areas and take part in the Master Trainer Workshop may prove to be challenge. How should we convince them to come?
- Is there any Tangible or monetary benefit under the project?

8. To the above questions and doubts asked by the participants, Prof. Bhat clarified as follows:
    - A Master Trainer Workshop will be organized at the partnering institution. The state faculty coordinators can identify partners and faculty members that will help us in engaging people from not only law colleges but also from NCC, Scouts, NSS. We can involve local district administration, legal services authorities and NGOs. A dissemination strategy in this regard has been prepared and circulated to the partnering institutions.
    - For Maoist affected areas we can look at legislations such as the Forest Rights Act that may be relevant. The difficulty in reaching out and travelling to these districts have been communicated to the Department of Justice. So far, we have budget for holding one master trainer workshop in each state. But to reach out to more people we require additional funds. One suggestion in this regard is to reach out to local MLAs and take help from MPLAD funds. As digital penetration is very less in these districts we should circulate posters to panchayats and local bodies.
    - The master trainer workshops will be conducted post June 2022. Till then we should identify stakeholders and resource persons for recording of videos and digital legal literacy. We should endeavor to record at least 15-20 videos for the YouTube channel. There is no limit on the number of videos we can record even more based on the feedback.

- The videos should be recorded focusing on three points: (i) Right involved; (ii) Whom to approach to exercise that right; (iii) Where to address the grievance in exercise of that right. Prof. Bhat clarified that these videos are not lectures so philosophical and lecture method should be avoided. They should be recorded in simple language, avoiding jargon and from a common man perspective. For Pan India dissemination, we should use English/Hindi. For effective state level engagement, we should focus on regional language. Hence, faculty or resource persons should be identified for regional language recordings. It was also clarified that we should evolve some evaluation strategy to receive feedback. The number of views and hits on YouTube videos can be one such criteria.
- A project of this kind cannot be done without the engagement of Legal Services Authorities. We should reach out to them and invite their participation and collaboration. We should involve them for master trainer workshop. We should tap the potential of para legal volunteers and associate with them.
- To avoid overlapping of content in the videos, CEERA team will prepare a google form and circulate it with the faculty coordinators and partnering institutions. CEEERA team will also circulate a consent policy to be accepted by the resource person to assign copyrights to the Department of Justice.
- We must endeavor to identify the legislation, language, and resource person by 25th February, 2022. We can start recording in the month of March 2022.
- Asking people from far flunked areas and rural areas without travel allowance is a valid concern and asking poor people to come and attend is not only unfair and unjust. We cannot promise them monetary compensation for the same. We should endeavor to convince them to take part in this nation building exercise.
- Past work experience always matters in getting prestigious projects and that can be a tangible benefit under this project. Though any monetary reward cannot be promised, we can issue them certificates and letters etc. for their involvement in the project, which will help in the future.

9. With this discussion, the Workshop came to conclusion and Prof. Bhat thanked all the participants for taking out valuable time from their busy schedules to attend the workshop.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of March 2022

Date: April 20, 2022

The following is the Report for the month of March 2022 highlighting the activities conducted in the month of March, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of March, 2022:

- In the month of March, we have carried out the following activities under the Project-
    - Recording of videos by Resource Persons for dissemination on Social Media and online platforms. The List of Topics and Resource persons is annexed as Annexure 1.
    - Conduction of **One-Day Workshop on Legal Literacy and Legal Awareness** on 26th March, 2022. The workshop was orgainised at SCAB Law College Raichur and was attended by 299 participants. The Report of the Workshop and the list of participants is attached as Annexure 2.

ANNEXURE 1

Video Recordings for DISHA-LLLAP

S. No.	Partnering Institution	Faculty Coordinator	Speaker	Topic	Language	Status
1.	KIIT School of Law	Dr. Bishwa Kallyan Dash	Mr. Satyanaryan Jena	Forest Rights Act, 2006	Odia	Yet to Recorded
2.	RMLNLU	Dr. Kumar Askand Pandey	Mr. Gurmukh Singh Lamba	Juvenile Justice (Care and Protection of Children) Act, 2015	Hindi	One take done – Need to retake
3.	RMLNLU	Dr. Kumar Askand Pandey	Dr. Samreen Hussain	Hindu Succession Act, 1956	English	One take done – Need to retake
4.	NLSIU	N/A	C N Manjappa	Panchayat Raj Institutions and Environment	Kannada	Recorded
5.	NLU Jodhpur	Dr. Anjali Thanvi	Bhuvnesh Kumar	Silicosis	Marwadi	Recorded
6.	NLU Jodhpur	Dr. Anjali Thanvi	Anil Patel	Opium Doda	Marwadi	Recorded
7.	NLU Jodhpur	Dr. Anjali Thanvi	Pooja Rajawat	Female Foeticide	Marwadi	Recorded
8.	NLU Jodhpur	Dr. Anjali Thanvi	Preeti Badola	Child Marriage	Marwadi	Recorded
9.	NLU Jodhpur	Dr. Anjali Thanvi	Anjali Thanvi	Domestic Violence Act	Marwadi	Recorded
10.	NLU Jodhpur	Dr. Anjali Thanvi	Lavanya Agrawal	Illiteracy in Rajasthan	Marwadi	Recorded
11.	NLSIU	N/A	Dr. Shilpa	Right to Education	Kannada	Yet to Record
12.	NLSIU	Dr. Satyadeep Singh	Dr. Satyadeep Singh	Bihar Mukhymantri Kanya Utthan Yojna	Hindi	Recorded
13.	NLSIU	N/A	Prof. (Dr.) M K Ramesh	Environment Protection and Local Self-Govt	Kannada	Recorded
14.	NLSIU	N/A	Dr. Aruna L	Sexual harassment of Women at workplace	English	Recorded
15.	NLSIU	N/A	Madhubanti Sadhya	Right to Education	English	Recorded
16.	NLSIU	N/A	Prof. (Dr.) Sairam Bhat	DISHA Scheme and LLLAP	English	Recorded

17.	NLSIU	N/A	Rohith Kamath	How to file a criminal complaint	English	Yet to Record
18.	NLISU	N/A	Vikas Gahlot	Consumer Protection Act	English/Hindi	Yet to Record
19.	NLSIU	N/A	Lianne D'Souza	POCSO	English	Yet to Record
20.	NLSIU	N/A	Gayatrhi G	Right to Information	Kannada	Yet to Record
21.	NLSIU	N/A	Anuja Shah	Elderly Citizen Rights	English	Yet to Record
22.	Symbiosis Nagpur	Dr. Sachin Tripathi	Adv. Nahuysh Kubalkar	Right to Information	Marathi	Yet to Record
23.	Symbiosis Nagpur	Dr. Sachin Tripathi	Dr. Aarti kalnawat	Women Rights	Marathi	Yet to Record
24.	NLSIU	N/A	Prof. Satish Gowda	State Legal Services	Kannada	Yet to Record

ANNEXURE 2

ONE-DAY WORKSHOP ON LEGAL LITERACY AND LEGAL AWARENESS

ORGANISED BY

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE, GOVERNMENT OF INDIA

IN ASSOCIATION WITH

SETH CHUNILAL AMARCHAND BOHRA LAW COLLEGE, RAICHUR

AND

CENTRE FOR ENVIRONMENT LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA),
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

Held on: 26 March, 2022

Venue: SCAB Law College Raichur





REPORT

SUMMARY OF THE PROCEEDINGS

The One-Day Workshop on Legal Literacy and Legal Awareness was organised under the aegis of the Department of Justice, Ministry of Law and Justice, Government of India in association with Seth Chunilal Amarchand Bohra Law College, Raichur and Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru on 26th March 2022.

SESSION 1 – INAUGURATION



The Inaugural Speech was delivered by **Prof. (Dr.) Sairam Bhat**, Professor of Law & Coordinator, CEERA-NLSIU. In his Inaugural speech, Prof Bhat emphasised the need and importance of legal literacy and legal awareness campaigns in Raichur which is identified as one of the aspirational district in Karnataka for the Legal Literacy and legal Awareness Program (LLLAP). He highlighted the important social and legal issues such as child marriage, cyber bullying and women safety, social media

responsibility in digital age. Prof. Bhat further underscored the importance of legal awareness and legal literacy dissemination in such districts to involve law students and lawyers in this campaign of nation building and inculcating social responsibility. He discussed the initiatives of CEERA under the Project and the launch of CEERA Pro Bono Assistance helpline number.



The Key note address was delivered by **Sri Mahadevappa G.K.**, In-charge Principal District & Sessions Judge, Raichur. Reiterating Importance of legal education, Sri Mahadevappa stated that it is necessary to train the young minds during the college days and to make best use of legal literacy program during the college days. He highlighted that it is very pertinent to train the students for social cause, practical importance and applied methods of legal principles, court practice and legal implementations.

In his speech, Sri Mahadevappa shared valuable insights on pending cases in courts and underscored the need for speedy disposal of cases. It is well known fact that the number of judges has to be proportional to the population. Hence, there is a pertinent need to increase the ratio of Judges in India. Citing the example of the Court in Raichur, He stated that the First Division Magistrate Court has around 5000 pending cases which includes cases under the POSCO Act, SC/ST atrocities cases, land acquisitions, Arbitration, Motor Vehicles along with civil criminal appeals and session trials. Even though the Special Courts are legally required to take cognizance of case within 30 days, take evidence on a day to day basis, and dispose of the case within a year, that is not the reality. He stated that the reasons for delay in court matters are many. One such being the supporting system from Police Department in evidences. With the online and virtual hearing of evidences gaining prominence the matters can be disposed in a speedy manner. He emphasised that in cases of POCSO and JJ Act, the virtual hearing and recording of evidence is a sensitive matter therefore In camera hearing shall be continued. Legal awareness should be disseminated

regarding the misuse of online virtual hearing, recording through mobile phones which is punishable offence.

He also underscored the significance of NCC, NSS in legal literacy and it can be an important aspect in the student training program. The legal aid campaign needs to be strengthened in order to enable the speedy and efficient disposal of cases.



The next address was delivered by Chief Guest Shri **Maski Nagaraj**, General Secretary, Taranath Shikshana Samsthe, Raichur. He was assertive in his statement that legal literacy campaign should also include training on criminal investigations to present it in the court of law. As an example he said that in the matters of NDPS the investigation is so vital and crucial to the case in the courts and to prove the nexus between the offence and the accused. Legal awareness is very necessary to bring in practical knowledge and experiences. He also the emphasized the social responsibility of lawyers and educating the common people about the practices of child marriage and the need for the compulsory education

SESSION 2 – Technical Session



The Technical Session was taken by **Prof. (Dr.) Sairam Bhat**, Professor of Law & Coordinator, CEERA-NLSIU & **Mr. Vikas Gahlot**, Teaching Associate, CEERA-NLSIU. Prof. Bhat addressed the importance of Raichur as an aspirational district. He also emphasised the need for mass grass root level out-reach through DOJ legal awareness program through the Class room and practical lawyering experimental Lab. He asserted the use of social Identity of a lawyer for societal responsibility.

Next Prof. Bhat discussed the major issues faced by Raichur and North-Karnataka, such as cyber bullying, domestic violence and child marriages. Cyber bullying is becoming rampant on social media platforms there should be legal awareness especially among women regarding the use of social media, and sharing personal photograph in social media platforms. Domestic Violence is an important social and legal aspect between the age group of 25-45 years. The main sociological factors are fear of divorce, impact on child psychology and awareness on behavioural change. The Protection Officers play a crucial role bringing awareness to the sociological and the legal facet of domestic violence. Prof. Sairam Bhat insisted upon the efforts to revive Legal Aid clinics.

Mr. Vikas Gahlot discussed the Consumer Protection Act. He emphasised that it is a key legislation relating to day to day life of every common man and the growth of apps like Swiggy and Zomato and others. He highlighted that Consumer Awareness should be at the forefront in today's technological and legal advancement. Citing an example of online food portals, he asserted the necessity to bring in consumer awareness especially in young generation, who have access to smart phones, regarding food safety standards, kitchen safety standards, plastic packaging and food grade audits in cloud kitchens. There is a prominence of legal awareness in the field of consumer rights in housing sector.

SESSION 3 – Question Answer Session



After the Technical Session a Q&A sessions was held and a healthy discussions ensued between the panellists and participants on the following key points -

• Regarding the strengthening of the Legal Aid Clinics in the colleges and inculcating the attitude of social engineering in the students.

- The major concerns on Internet trolling and cyber bullying and how to be sensitive about the usage of social media platforms
- With plastic waste being so unbridled and a pandemic menace, the discussion was held on how to invoke Sec. 133 and powers of the District magistrate to solve the public nuisance.
- Discussion and deliberations on the child marriage, education to girls and people in general, the role of Child Protection Officers in disseminating the importance of education among girls.

Glimpses of the Workshop







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ANNEXURE – LIST OF PARTICIPANTS

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of April 2022

Date: May 19, 2022

The following is the Report for the month of April 2022 highlighting the activities conducted in the month of April, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of April, 2022:

- In the month of April, we have carried out the following activities under the Project-
    - Recording and editing of videos by Resource Persons for dissemination on Social Media and online platforms.
    - Conduction of **Second State Faculty Coordinators Meeting for DISHA LLLAP** on 12th April 2022.
    - Preparation of Frequently Asked Questions on legal topics.
    - Preparation for the Launch of **Prof. V.S. Mallar Memorial Legal Aid Competition, 2022** in the month of May, 2022
    - Attempted to liaison with Akashvaani for dissemination of Legal Literacy and Legal Awareness through their channel in the State of Karnataka.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of May 2022

Date: June 07, 2022

The following is the Report for the month of May 2022 highlighting the activities conducted in the month of May, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

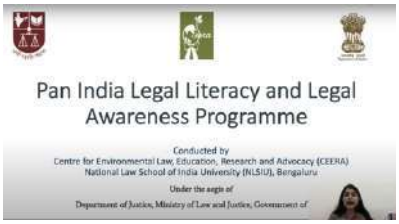
Activities Conducted in the month of May, 2022:

- In the month of May, we have carried out the following activities under the Project-
    - Recording and editing of videos by Resource Persons for dissemination on Social Media and online platforms. The list of recordings edited & published in the month of May 2022 is appended as **Annexure I.**
    - Launch of Prof. V.S. Mallar Memorial Legal Aid Competition. The competition was launched on May 15, 2022. The last date for the registration is **June 15, 2022.**
    - Attended Coordination meeting organized by DoJ with NLSIU & NLIU Bhopal.

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ANNEXURE I

LIST OF VIDEOS RECORDED & PUBLISHED UNDER THE PAN INDIA LEGAL LITERACY & LEGAL AWARENESS PROGRAMME IN MAY 2022

	**अफीम-डोडा क्या होता है? अफीम- डोडा के बारे में कानून** - राजस्थान में अफीम के नशे की गम्भीर समस्या है, जिससे युवा पीढ़ी भी काफी प्रभावित है। वर्तमान समय में परम्परा कुरीति का रूप ले चुकी है, पश्चिमी राजस्थान के कुछ जिले विशेषकर बाड़मेर, बीकानेर व जैसलमेर में अफीम का काफी प्रचलन है। नशीले पदार्थों के सेवन करने, इसे बनाने, खरीद-बिक्री करने के खिलाफ देश में जो कानून है, उसे नारकोटिक ड्रग्स एंड साइकोट्रोपिक सब्सटेंस एक्ट (NDPS Act), 1985 कहते हैं। इस प्रस्तुति के माध्यम से हम जानेंगे की एनडीपीएस (NDPS) कानून के बारे में। https://www.youtube.com/watch?v=t1fwbnraX7U&t=4s
	**POCSO Act, 2012: Rights of the Child and Grievance Redressal Mechanism** - The Prevention of Children from Sexual Offences Act, 2012 (short POCSO Act) is a special law which provides protection to children. It is a gender-neutral legislation and applies to all children of any citizenship if the offence has been committed in India. Through this discussion we will try to understand the applicability of the law, the rights of children, the various offences made punishable under POCSO, the grievance redressal mechanism, and how and where to report an offence under the Act. https://www.youtube.com/watch?v=0njKvwVMZWU&t=1s
	**राष्ट्रीय मानवाधिकार आयोग (National Human Right Commission)** - राष्ट्रीय मानवाधिकार आयोग (NHRC) एक स्वतंत्र वैधानिक संस्था है, जिसकी स्थापना मानव अधिकार संरक्षण अधिनियम, 1993 के प्रावधानों के तहत 12 अक्तूबर, 1993 को की गई थी। इस प्रस्तुति के माध्यम से हम जानेंगे आयोग के कार्य, आयोग की शक्तियाँ और आयोग मे शिकायत दर्ज करने के संबंध में प्रक्रिया के बारे में। https://www.youtube.com/watch?v=fb2PJmpXKI0
	**Protection of Women from Sexual Harassment at Workplace** - Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution of India and right to practice any profession or to carry on any occupation, trade or business with includes a right to

	a safe environment free from sexual harassment. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 - is a statute that aims to protect women from sexual harassment at their place of work. Through this presentation we will learn about History and Origin of Sexual Harassment, Vishakha Guidelines, Prevention of Sexual Harassment, Key provisions of the Act, Functioning of Internal Complaints Committee and Local Committees, and Employer's Liability. https://www.youtube.com/watch?v=flGJT_kKLiI&t=708s
	**Rights of Senior Citizens** - The Hindu Adoption and Maintenance Act, 1956, The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, and the Code of Criminal Procedure, among others are the legislative safeguards which provides benefit to "senior citizens" to ask for maintenance from their children having sufficient means. These rights are even guaranteed and recognised under the Indian constitution. This video will cater to the needs of senior citizens who want to know about their rights, the law that concerns those rights, available grievance redress mechanisms, who can they complain to, and to whom can they contact to seek assistance. https://www.youtube.com/watch?v=dLfjK8gihQ4&t=15s
	**भारत में बाल विवाह कानून** - भारतीय बहुमत अधिनियम, 1875 के अनुसार बहुमत की आयु 18 वर्ष है और पहले नहीं। हालाँकि भारतीय कानून बाल विवाह को एक महिला और एक पुरुष के बीच विवाह के रूप में परिभाषित करता है जो 21 वर्ष से कम आयु के हैं। इस प्रस्तुति के माध्यम से हम जानेंगे - बाल विवाह क्या है, भारत में बाल विवाह कानून, इस दिशा में काम कर रहे कुछ एन.जी.ओ. (N.G.O.), बाल विवाह के लिए सजा के बारे में। https://www.youtube.com/watch?v=V04jtYumPAw&t=2s

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of June 2022

September 01, 2022

The following is the Report for the month of June 2022 highlighting the activities conducted in the month of June, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of June, 2022:

- In the month of June, we have carried out the following activities under the Project-
    - Recording, editing and publishing of videos of Resource Persons for dissemination on Social Media and online platforms.
    - Preparation for Organizing First Legal Aid Conclave on July 01, 2022 i.e. Launch of Prof. V.S. Mallar Memorial Legal Aid Competition, 2022.
    - Preparation of FAQs and Posters for Digital Legal Literacy.

Videos Published in month of June 2022			
S. No.	**Title**	**Link**	**Views**
1.	Pledge World Environment Day	https://www.youtube.com/watch?v=PhZ7XzcdTVM&t=42s	53
2.	Advance Contracts, Tendering & Public Procurement (NPTEL Course Introduction)	https://www.youtube.com/watch?v=Ma3uoinK__Y&t=5s	105
3.	ಉಚಿತ ಮತ್ತು ಕಡ್ಡಾಯ ಶಿಕ್ಷಣ ಹಕ್ಕು	https://www.youtube.com/watch?v=N8tAgg8GnU8&t=68s	53
4.	ಪರಿಸರ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಪಂಚಾಯತ್ ಸಂಸ್ಥೆಗಳು	https://www.youtube.com/watch?v=MypU_cu3uwU&t=130s	63
5.	Right to Information Act, 2005 & Filing RTI Application Online	https://www.youtube.com/watch?v=E0UUajU2YWM&t=2s	68
6.	International Yoga Day 2022	https://www.youtube.com/watch?v=_cOHjxip2yk&t=1s	45
7.	World Refugee Day 2022	https://www.youtube.com/watch?v=oV3Mf1ARH5E&t=1394s	77
8.	Awareness on International Plastic Bag Free Day	https://www.youtube.com/watch?v=UQNu7yyv0Fs&t=35s	114

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of July 2022

Date: August 01, 2022

The following is the Report for the month of July 2022 highlighting the activities conducted in the month of July, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of July, 2022:

- In the month of July, we have carried out the following activities under the Project-
    - Recording and editing of videos by Resource Persons for dissemination on Social Media and online platforms.
    - Organizing First Legal Aid Conclave on July 01, 2022 i.e. Launch of Prof. V.S. Mallar Memorial Legal Aid Competition, 2022.
    - Preparation for Second Legal Conclave to be organized on 19th August, 2022.
    - Preparation for One-Day Webinar on Legal Literacy and Legal Literacy for North-East India in association with NEF Law College, Guwahati on August 06, 2022.
    - Preparation of FAQs and Posters for Digital Legal Literacy.

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PROJECT:
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Report for the month of August 2022

Date: September 01, 2022

The following is the Report for the month of August, 2022 highlighting the activities conducted in the month of August, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of August, 2022:

- In the month of August, we have carried out the following activities under the Project-
    - Conducted "One-Day Webinar on Legal Literacy & Legal Awareness for North East India" on August 06, 2022. The webinar was attended by **586** registered participants.
    - Conducted "Second Legal Aid Conclave" under Prof. V.S. Mallar Memorial Legal Aid Competition, 2022 on August 19, 2022. The exact number of participants for the Legal Aid Conclave will be shared along with the Report of the conclave.
    - Conducted "One Day Legal Literacy and Legal Awareness Workshop in Odisha" in Bhubaneshwar on August 27, 2022. The workshop was attended by **150** registered participants.
    - Preparation for "One Day Legal Literacy and Legal Awareness Workshop" in Lucknow to be held on September 03, 2022.
    - Publication of Videos on CEERA-NLSIU-DoJ YouTube Channel
    - Preparation of FAQs, and Posters for Digital Legal Literacy.

Videos Published in month of August 2022			
S. No.	**Title**	**Link**	**Views**
1.	Matrimonial Rights of Women (महिलाओं के वैवाहिक अधिकार) - Dr. Parikshet Sirohi	https://www.youtube.com/watch?v=HC6Ql5O4SRE	249
2.	Protection of Women from Domestic Violence (Bilingual – English & Kannada) – Girish KC	https://www.youtube.com/watch?v=rBDieCLD4ec&t=44s	54
3.	Concept of Gift & Gift Deed - Shubhalakshmi P	https://www.youtube.com/watch?v=zvm1Apvpukc&t=2s	55
4.	Mediation of Matrimonial Disputes – Geethanjali K.V.	https://www.youtube.com/watch?v=X2uEP4ns9r0	162
5.	Real Estate & Consumer Rights – Rights & Duties of Allotees, Duties of Builders	https://www.youtube.com/watch?v=IrDBvMSq4-g	104
6.	Consumer & The Law in India – by Diana John	https://www.youtube.com/watch?v=FXkCkoLAdRk	74
7.	Contracts, Agreements & Public Policy	https://www.youtube.com/watch?v=OBBnNf3Osus	13

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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of September 2022

Date: September 31, 2022

The following is the Report for the month of September, 2022 highlighting the activities conducted in the month of September, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of September, 2022:

- In the month of September, we have carried out the following activities under the Project-
    - Organized "One Day Legal Literacy and Legal Awareness Workshop" in Lucknow on September 03, 2022 which saw participation from 180 participants.
    - Recording of Videos on CEERA-NLSIU-DoJ YouTube Channel
    - Preparation of FAQs, and Posters for Digital Legal Literacy and preparation for publication of *Legal Aid Handbook Vol. 1*, 2022 which will be a joint publication of Department of Justice & CEERA-NLSIU
    - Organized Third Legal Aid Conclave on September 30, 2022 which saw participation from all the faculty coordinators of the Prof. VS Mallar Memorial Legal Aid Competition, 2022.
    - Reviewing the set of submissions of Street play scripts and questionnaires received from the teams of Prof. VS Mallar Memorial Legal Aid Competition, 2022.

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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of October 2022

Date: November 01, 2022

The following is the Report for the month of October, 2022 highlighting the activities conducted in the month of October, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of October, 2022:

- In the month of October, we have carried out the following activities under the Project-
    - Recording of Videos for publication on CEERA-NLSIU-DoJ Channel
    - Identifying topics for FAQs and Posters.
    - Proofreading of *Legal Aid Handbook Vol. 1, 2022*
    - Preparation for One-Day Legal Literacy and Legal Awareness Workshop in Ghaziabad to held on November 05, 2022.
    - Reviewing submissions for Prof. V. S. Mallar Memorial Legal Aid Competition. The final results will be declared on Nov. 26, 2022.
    - Preparation for Two-Day National Conference on "Human Rights on Slum Dwellers and Forced Eviction: A Legal Mandate" to be held on December 15-16, 2022.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

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NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of November 2022

Date: November 30, 2022

The following is the Report for the month of November, 2022 highlighting the activities conducted in the month of November, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of November, 2022:

- In the month of November 2022, we have carried out the following activities under the Project-
  - Publication of *Legal Aid Handbook Vol. 1, 2022*
  - Organized One-Day Legal Literacy and Legal Awareness Workshop in Ghaziabad on November 05, 2022 which was attended by 235 participants.
  - Declared Results of Prof. V. S. Mallar Memorial Legal Aid Competition and organized a Lecture on Constitution Commemoration Day on Nov. 26, 2022. The event was attended by nearly 120 participants.
  - Preparation for Two-Day National Conference on "Human Rights on Slum Dwellers and Forced Eviction: A Legal Mandate" to be held on December 15-16, 2022.
  - Exploring collaboration with Mayurbhanj Law College, Baripada (Odisha) for conducting One-Day Legal literacy and Legal Awareness Workshop.
  - Exploring collaboration with National Law University, Jodhpur for conducting One-Day Legal Literacy and Legal Awareness Workshop in Rajasthan.
  - Brainstorming ideas to publish and circulate posters prepared under the Project.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of December 2022

Date: January 03, 2023

The following is the Report for the month of December 2022 highlighting the activities conducted in the month of December, 2022 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of December, 2022:

- In the month of December 2022, we have carried out the following activities under the Project-
  - Carrying out the suggested changes in the Legal Aid Handbook Vol. 1, 2022
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Maharashtra in association with NMIMS, Mumbai in the month of January, 2023
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Bangalore in the month of February 2023 in association with Dr. Ram Manohar Lohia College of Law, Bengaluru.
  - Exploring collaboration with Maharaja Sriram Chandra Bhanjadeo Universtiy (North Orissa University), Baripada (Odisha) for conducting One-Day Legal literacy and Legal Awareness Workshop in Odisha in the month of March, 2023
  - Brainstorming ideas to publish and circulate posters prepared under the Project.
  - Brainstorming ideas to organize a Youth Interactive Competition in the year 2023.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of January 2023

Date: February 01, 2023

The following is the Report for the month of January 2023 highlighting the activities conducted in the month of January, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of January, 2023:

- In the month of January 2023, we have carried out the following activities under the Project-
  - Carrying out the suggested changes in the Legal Aid Handbook Vol. 1, 2022
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Maharashtra in association with NMIMS, Mumbai in the month of February, 2023. The workshop is scheduled on February 17, 2023.
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Bangalore in the month of March 2023 in association with Dr. Ram Manohar Lohia College of Law, Bengaluru. The workshop is scheduled on March 11, 2023.
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Nagpur in the month of March 2023. The workshop is scheduled on March 11, 2023.
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Baripada, Odisha in the month of March 2023 in association with North Orissa University. The workshop is scheduled on March 18, 2023.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of February 2023

Date: March 01, 2023

The following is the Report for the month of February 2023 highlighting the activities conducted in the month of February, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of February, 2023:

- In the month of February 2023, we have carried out the following activities under the Project-
  - Organization of One-Day Legal Literacy and Legal Awareness Workshop in Maharashtra in association with NMIMS, Mumbai on February 17, 2023. The Report of the workshop along with the number of participants is being awaited.
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Nagpur in the month of March 2023. The workshop is scheduled on March 24, 2023.
  - Preparation to organize One-Day Legal Literacy and Legal Awareness Workshop in Baripada, Odisha in the month of March 2023 in association with North Orissa University. The workshop is scheduled on March 18, 2023.
  - Attending Annual Review Meeting organized by DoJ in Itanagar.
  - Publication of the Picture book of Posters.
  - Preparation to organize the Second Edition of Prof. V.S. Mallar Memorial Legal Aid Competition, 2023.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of March 2023

Date: March 31, 2023

The following is the Report for the month of March 2023 highlighting the activities conducted in the month of March, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of March, 2023:

- Organization of One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness in Nagpur on March 24, 2023 in association with MNLU Nagpur. The Report of the Workshop along with the list of participants is currently awaited. Approximate number of participants – 200.
- Organization of One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness in Baripada, Odisha on March 18, 2023 in association with North Orissa University. The Report of the Workshop along with the list of participants is currently awaited.
- Preparation to organize One-Day Master Trainer Workshop on Legal Literacy and Legal Awareness in Bihar, Pune & Jodhpur in association with CNLU Patna, Vishwakarma University, Pune & NLU Jodhpur respectively. The date of Pune workshop is confirmed as May 6, 2023.
- Editing and uploading of videos on CEERA-NLSIU-DoJ Youtube channel.
- Preparation to organize the Second Edition of Prof. V.S. Mallar Memorial Legal Aid Competition, 2023.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of April 2023

Date: May 02, 2023

The following is the Report for the month of April 2023 highlighting the activities conducted in the month of April, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of April, 2023:

- Preparation to organize One-Day Youth Training of the Trainers (ToT) Workshop on Legal Literacy and Legal Awareness in Pune in association with Department of Law, Vishwakarma University Pune. The Workshop will be organized on 06 May 2023 in offline mode.
- Launch of CEERA-NLSIU Instagram Page with the username @ceera_nlsiu to disseminate IEC Material for digital legal literacy.
- Preparation of short reels on legal literacy for Instagram page and YouTube channel.
- CEERA-NLSIU has crossed **10,000 viewership** on the YouTube Channel with over 700 subscriptions.
- Preparation to organize the Second Edition of Prof. V.S. Mallar Memorial Legal Aid Competition, 2023.

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PROJECT:
PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, BENGALURU

Report for the month of May 2023

Date: May 31, 2023

The following is the Report for the month of May 2023 highlighting the activities conducted in the month of May, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of May, 2023:

- Organization of One-Day Youth Training of the Trainers (ToT) Workshop on Legal Literacy and Legal Awareness in Pune in association with Department of Law, Vishwakarma University Pune. The Workshop was organized on 06 May 2023 in offline mode. The workshop was attended by over 190 participants.
- Publication of short reels to disseminate IEC Material for digital legal literacy on CEERA-NLSIU Instagram Page with the username @ceera_nlsiu.
- Publication of the Brochure of the Second Edition of Prof. V.S. Mallar Memorial Legal Aid Competition, 2023. The last date for the registration for the Competition is June 20, 2023. The competition will be launched on 1st July 2023.

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PROJECT:

PAN INDIA LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME

Conducted by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA)
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

REPORT FOR THE MONTH OF JUNE 2023

Date: June 30, 2023

The following is the Report for the month of June 2023 highlighting the activities conducted in the month of June, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of June 2023:

- Organization of One-Day Online Workshop on Right to Safe Abortion: Legal, Medical & Ethical Issues on June 16, 2023. Over 1000 participants registered for the Workshop.
- Preparation for the organization of Second Edition of Prof. V.S. Mallar Memorial Legal Aid Competition, 2023. The last date for the registration of the Competition is July 03, 2023. As on 30th June 2023 46 teams have registered for the Competition and the number is expected to increase as the last date for the registration approaches. The Competition launch event will be organized on July 03, 2023, and all the registered institutions, their faculty coordinators, and team members will be taking part in the event.
- Preparation to organize a One-Day Online Workshop on Protecting Citizen's Interest in Financial Frauds on July 14, 2023, on Zoom Platform.
- Recording, Editing, Publication and Circulation of videos to disseminate IEC Material for digital legal literacy on CEERA-NLSIU Instagram Page with the username @ceera_nlsiu and CEERA-NLSIU-DoJ YouTube channel.

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REPORT FOR THE MONTH OF JULY 2023

Date: August 01, 2023

The following is the Report for the month of July 2023 highlighting the activities conducted in the month of July, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of July 2023:

1. Organization of the **First Legal Aid Conclav**e under the Second Prof. VS Mallar Memorial Legal Aid Competition, 2023 on July 03, 2023. The Conclave was attended by the members of the 48 Registered teams under the Competition.





2. Organization of **One-Day Webinar on Protecting Citizens Interests in Financial Frauds** on July 14, 2023, and preparation of FAQs on the same topic. The total number of registered participants for the workshop was 289.





3. Preparation to organize the **Second Legal Aid Conclave on Legal Aid for Legal Practice** under the Second Prof. VS Mallar Memorial Legal Aid Competition, 2023 on August 05, 2023.

4. Preparation to organize **One-Day Youth Training of the Trainers (ToT) workshop on Legal Literacy and Legal Awareness in Patna**, Bihar in association with Chanakya National Law University (CNLU), Patna on August 03, 2023.

5. Preparation to organize workshop on **Doctor Centric Approaches to Medical Negligence and Malpractice** in Bangalore on August 12, 2023, in association with MS Ramaiah Medical College, Bengaluru.

6. Preparation to organize a ToT Legal Literacy and Legal Awareness Workshop in Association with National Law University Jodhpur (NLUJ) in the month of September 2023.

7. Editing, Publication and Circulation of videos to disseminate IEC Material for digital legal literacy on CEERA-NLSIU Instagram Page with the username @ceera_nlsiu and CEERA-NLSIU-DoJ YouTube channel.

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REPORT FOR THE MONTH OF AUGUST 2023

Date: August 31, 2023

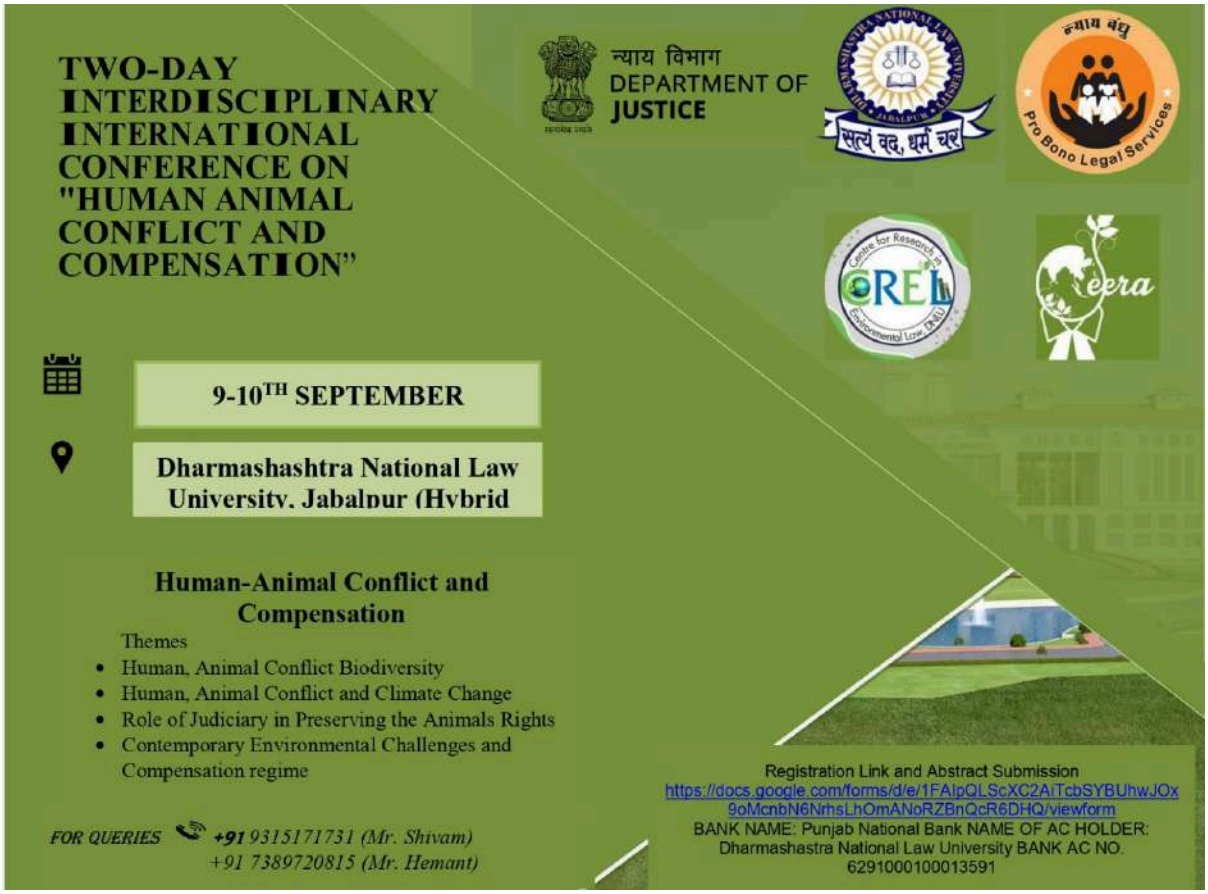
The following is the Report for the month of August 2023 highlighting the activities conducted in the month of August, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of August 2023:

1. Launch of CEERA-NLSIU-DoJ-ICSSR POLICY HACHATHON Competition on Aatma Nirbhar Bharat (ANB). It is a joint competition under the DoJ and ICSSR Banner with the aim of spreading legal literacy and awareness on Aatma Nirbhar Bharat Mission and encouraging young and budding minds to contribute towards framing a National Policy on the same. The last date for registration of the competition is September 12, 2023.



2. Preparation to Organize **Two-Day Interdisciplinary International Conference on "Human Animal Conflict and Compensation"** on 9-10th September 2023. The Conference is being organized in collaboration with Dharamashashtra National Law University (DNLU), Japbalpur and Pro-Bono Club of DNLU, Jabalpur. It will be organized in a hybrid mode (both physical and virtual) and will invite paper presentations on the themes such as: Human, Animal conflict and Biodiversity, Human Animal Conflict and Climate Change, Role of Judiciary in preserving the animal rights, Contemporary environmental challenges and compensation regime, etc.



3. Organization of **One-Day Youth Training of the Trainers (ToT) Workshop on Legal Literacy and Legal Awareness Workshop** in Patna in collaboration with Chanakya National Law University (CNLU) Patna on August 03, 2023.





4. Organization of **Hybrid Workshop on – Doctor Centric Approaches to Medical Negligence & Malpractice** on August 12, 2023, in collaboration with Ramaiah Medical College & Hospital.



6. Preparation to organize a ToT Legal Literacy and Legal Awareness Workshop in Association with National Law University Jodhpur (NLUJ) on 16th September 2023.

7. Preparation and Planning to prepare Legal Handbook Volume II.

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REPORT FOR THE MONTH OF SEPTEMBER 2023

The following is the Report for the month of September 2023 highlighting the activities conducted in the month of September, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of September 2023:

1. Organization of Third Legal Aid Conclave under the Prof. V S Mallar Memorial Legal Aid Competition 2023. The conclave was organized on September 22, 2023 and was attended by representatives of 48 teams participating in the competition.
2. Organization of **Two-Day Interdisciplinary International Conference on "Human Animal Conflict and Compensation"** on 9-10th September 2023. The Conference was organized in collaboration with Dharamashashtra National Law University (DNLU), Japbalpur and Pro-Bono Club of DNLU, Jabalpur. It was organized in a hybrid mode (both physical and virtual) and invited paper presentations on the themes such as: Human, Animal conflict and Biodiversity, Human Animal Conflict and Climate Change, Role of Judiciary in preserving the animal rights, Contemporary environmental challenges and compensation regime, etc. The Conference saw over 100 academic papers being presented by around 150 participants.
3. Organization of **One-Day Webinar on Forest Rights Act** on September 08, 2023. The Webinar was attended by 158 registered participants.
4. Preparation and planning to prepare Legal Handbook Volume II.



REPORT FOR THE MONTH OF OCTOBER 2023

The following is the Report for the month of October 2023 highlighting the activities conducted in the month of October, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of October 2023:

- Fourth Legal Aid Conclave under the Prof. V.S. Mallar Memorial Legal Aid Competition organized on 27th October 2023. The theme of the final conclave was "Legal Aid and its Dimensions". The conclave was attended by representative from all 48 participating teams of the Competition.



MINISTRY OF LAW & JUSTICE

LEGAL AID AND ITS DIMENSIONS

UNDER THE II EDITION OF PROF. V S MALLAR LEGAL AID COMPETITION, 2023

Organized by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH & ADVOCACY (CEERA), NATIONAL LAW SCHOOL OF INDIA UNIVERSITY (NLSIU), BENGALURU

In Association with

DEPARTMENT OF JUSTICE, MINISTRY OF LAW & JUSTICE, GOVERNMENT OF INDIA

FOURTH LEGAL AID CONCLAVE – LEGAL AID FOR LEGAL PRACTICE

Date & Time: October 27, 2023 & 03:00 – 05:00 pm IST Mode: Online Zoom Webinar

WORKSHOP SCHEDULE

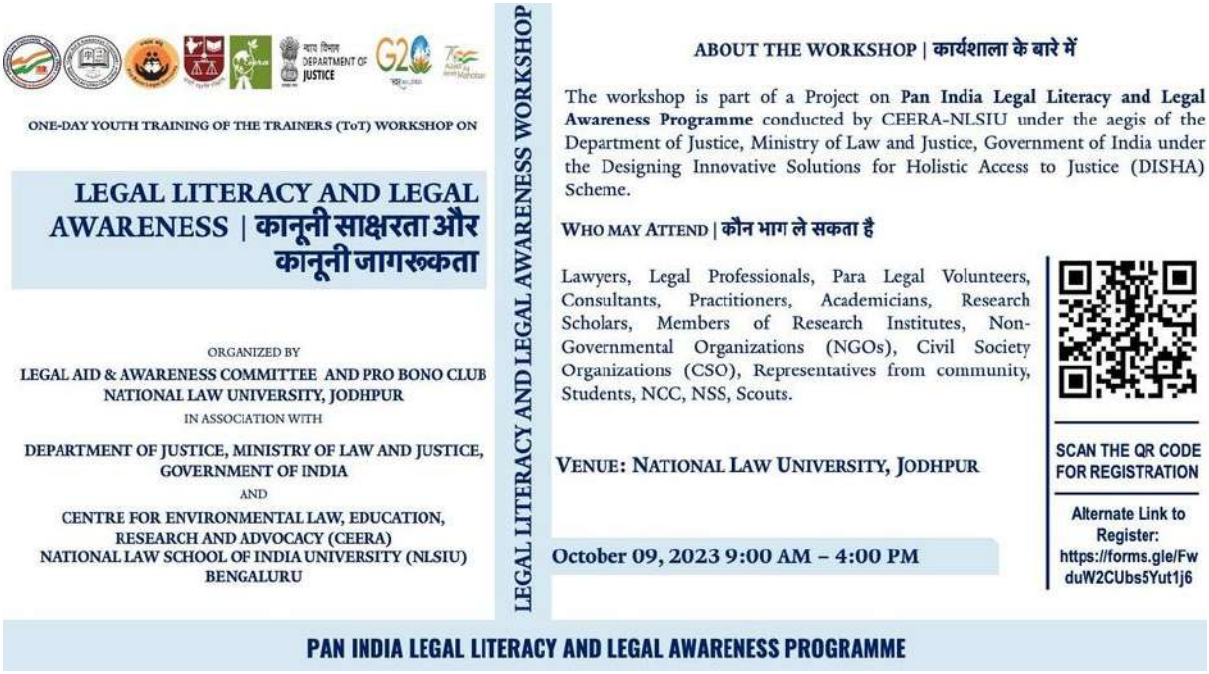
TIME	SESSION	SPEAKERS
03:00 – 03:30 pm	SETTING THE AGENDA FOR LEGAL AID AND LEGAL PRACTICE	PROF. SAIRAM BHAT, Professor of Law, National Law University of India, Bangalore & Centre Coordinator CEERA-NLSIU & PROF. RAVINDRA KUMAR SINGH, Professor of Law, Gujarat National Law University
MODERATOR – VIKAS GAHLOT & GAYATHRI GIREESH, CEERA-NLSIU		
03:30 – 04:00 pm	TECHNICAL SESSION – 1	PROF. DR. SURESH V. NADAGOUDAR, Chairman, Dean & Principal Faculty of Law, University Law College, P.G. Dept. of Studies & Research in Law
04:00 pm – 04:30 pm	TECHNICAL SESSION – 2	PROF. ANURAG DEEP, Professor of Law, Indian Law Institute, Delhi
MODERATOR – GAYATHRI KK, CEERA-NLSIU		
04:30 pm – 05:00 pm	TECHNICAL SESSION – 3	DR. GIRISH K.C., Director I/c, Directorate of Student Welfare, Karnataka State Law University, Hubli
	COMPETITION RELATED QUERIES	ROHITH KAMATH & JAIBATRUIKA MOHANTA, CEERA-NLSIU

Please click the link below to join the webinar: https://nls-ac-in.zoom.us/j/91904072863?pwd=OXhkMVZhcW1lNS91WGtKMXJnTFIrQT09

Meeting ID: 919 0407 2863
Passcode: 225311

© We Look Forward to Your Presence ©

- Organization of **One-Day Youth Training of the Trainer (ToT) Workshop on Legal Literacy and Legal Awareness in Jodhpur"** in association with Department of Justice and National Law University Jodhpur. The Workshop was organized on 9th October 2023 and saw registration on 173 Participants.







- Organization of **Round Table Conference on Atma Nirbhar Bharat** in pursuance of Policy Hackathon Competition 2023. This is a joint collaboration of NLSIU, ICSSR & Department of Justice. The Round Table Conference was attended by 30 Teams participating in the Competition.

न्याय विभाग
DEPARTMENT OF JUSTICE

ROUND TABLE CONFERENCE ON

ATMA NIRBHAR BHARAT

Organised by

Centre for Environmental Law, Education, Research & Advocacy (CEERA),
National Law School of India University (NLSIU) Bengaluru

In Association With

Indian Council of Social Science Research (ICSSR)

and

Department of Justice, Ministry of Law & Justice, Government of India

Day: 5th October, 2023 Timing: 3:00 PM – 5:00 PM

CONFERENCE SCHEDULE

TIME	SESSION	SPEAKER
03:00 PM – 03:40 PM	SESSION 1	PROF. (DR.) SAIRAM BHAT Professor of Law and Coordinator, CEERA-NLSIU SHRI ASHUTOSH SRIVASTAVA Programme Manager, DISHA-LLLAP, Departmentof Justice, Government of India
03:40 PM – 04:20 PM	SESSION 2	MR. VINAY TIWARI Hindustan Aeronautics Limited ADV. ROHITH KAMATH Consultant CEERA & Advocate MR. VIKAS GAHLOT Senior Teaching Associate, CEERA-NLSIU MS. LIANNE D'SOUZA Former Research Fellow, CEERA-NLSIU
04:20 PM – 05:00 PM	SESSION 3	DR. UDAY SHANKAR Professor, IIT Kharapur DR. PARIKSHET SIROHI Assistant Professor (Sr. Scale), Law Faculty, University of Delhi DR. PRAVEEN TRIPATHI Associate Professor, NLU Jabalpur
MODERATORS: JAIBATRUKA MOHANTA & GAYATHRI KK		

ZOOM WEBINAR DETAILS & LINK:

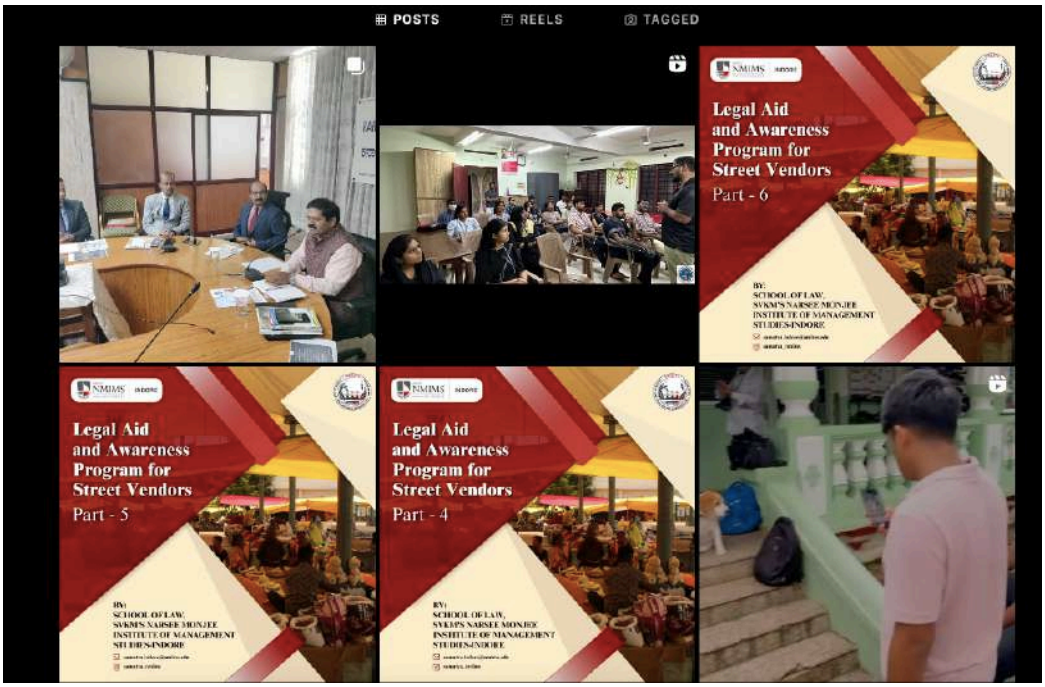
https://nls-ac-in.zoom.us/j/94127827024?pwd=VFQ1Y21FamQrL3ppVjBDWnFFUFBVdz09

Webinar ID: 941 2782 7024

Passcode: 961037

** Looking forward to the Presence of all the Teams **

- Regular Posting and dissemination of legal Literacy material on our social media handles, YouTube, Instagram, LinkedIn and Facebook.



- Preparation and Planning to prepare Legal Handbook Volume II.

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REPORT FOR THE MONTH OF DECEMBER 2023

January 2, 2024

The following is the Report for the month of December 2023 highlighting the activities conducted in the month of December, 2023 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of December 2023:

- Organization of "One-Day State Level Seminar on Gender Based Violence: Legal Protection", as part of Nayi Chetna 2.0 on December 21, 2023 in Raichur, Karnataka. The Seminar was organized in collaboration with SCAB Law College, Raichur. **Number of Participants: 123**.

- Organization of "Online Workshop on Gender Based Violence: Legal Protection" as part of Nayi Chetna 2.0 on December 15, 2023. The Workshop was organized online using zoom video conferencing. **Number of Registered Participants: 1,303.**

- Recording of Video by Dr. Sangeeta Sriram on Gender Based Violence under Nayi Chetna 2.0. The video is being edited and will be uploaded on our YouTube Channel and Social Media handles.

- Preparation of FAQs on Gender Based Violence and Legal Aid Handbook Vol. 2 to be released in 2024.

- Preparation for organization of One-Day Workshop in Delhi in association with Vivekananda School of Law and Legal Studies, GGSIPU, Delhi on Gender Based Violence on February 15, 2024.

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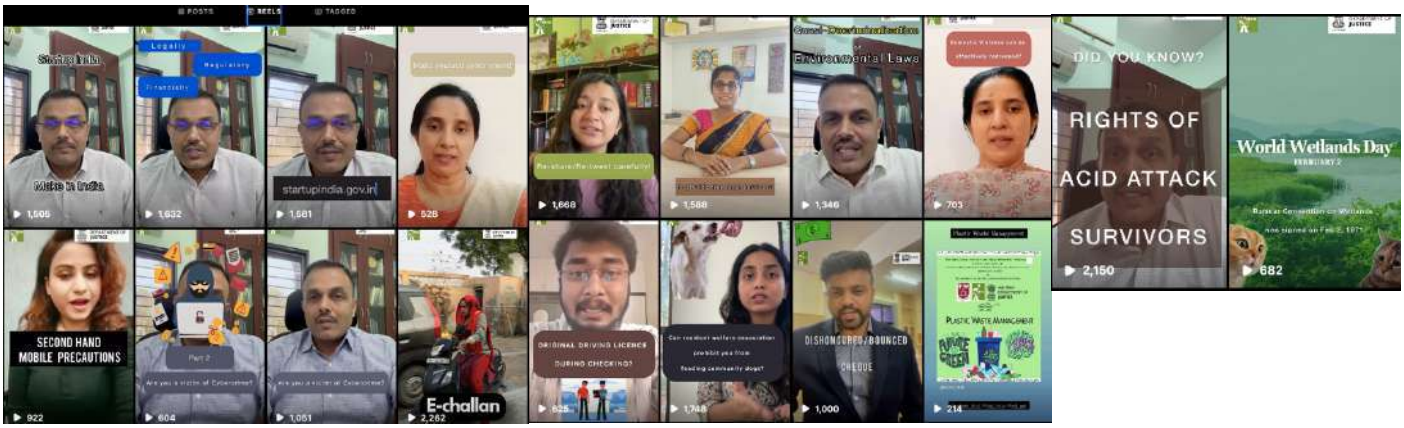
MONTHLY PROGRESS REPORT

February 29, 2024

The following is the Report for the month of February 2024 highlighting the activities conducted in the month of February, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of February 2024:

- Organization of Three-Day Certificate Course on "*Start-ups: Legal, Intellectual and Regulatory Compliance*" on 22-24 February 2024 in association with Department of Justice on NPTEL+ platform. **Number of Participants - 161**
- Organization of One-Day Workshop on "*Gender Based Violence: Legal Protection*" as part of Nayi Chetna 2.0 on February 15, 2024. The Workshop was organized in association with Vivekananda School of Law & Legal Studies (VSLLS), VIPS New Delhi under the aegis of Department of Justice, Ministry of Law & Justice, Government of India and Ministry of Rural Development. **Number of Participants: 100.**
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Reels – 18; Outreach through Instagram: 21,805**



- Proofreading, Review and preparation for publication of Legal Aid Handbook Vol. 2 to be released in 2024.
- Brainstorming the Dissemination Strategy & Roadmap of Activities for the extended period for the year 2024 under the Pan India Legal Literacy & Legal Awareness Project.

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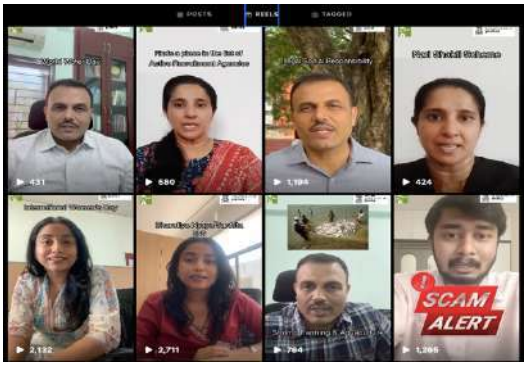
MONTHLY PROGRESS REPORT

April 02, 2024

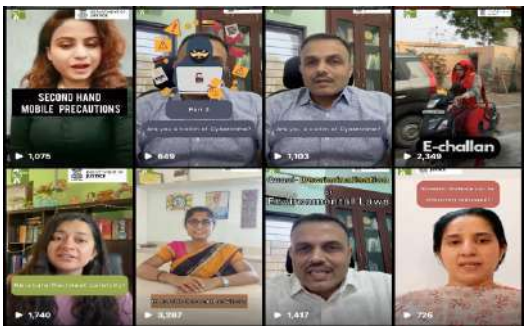
The following is the Report for the month of March 2024 highlighting the activities conducted in the month of March, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

Activities Conducted in the month of March 2024:

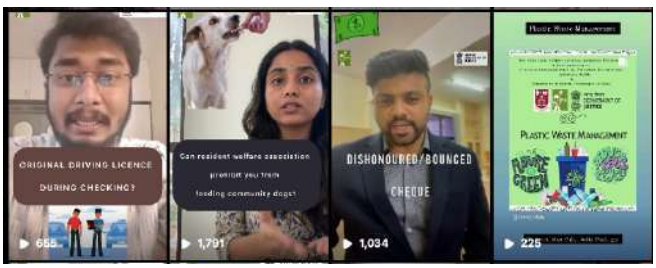
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Reels – 30; Outreach through Instagram: 43,575**











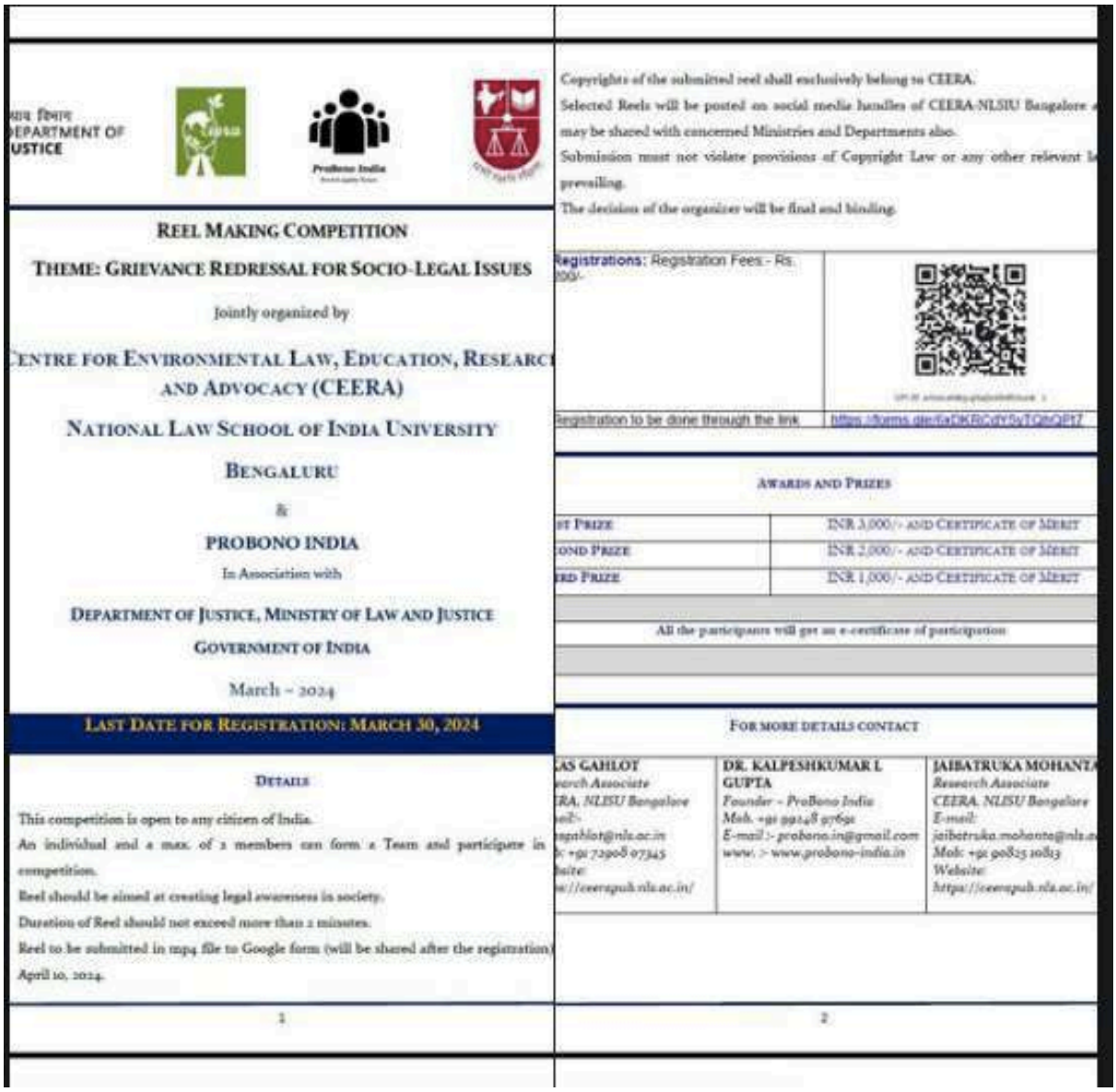
- Organization of **Three -Day Village Halt Campaign in Mayurbhanj District** of Odisha from March 19-21, 2024 in the villages of Bhaluki, Ashanbani, Hinjalgadia and Uparsahi. During the campaign the CEERA Team interacted with the participants and (a) Disseminated information about the different government schemes for Rural India, (b) Interacted with "Asha didis" of the villages – heard and resolved their concerns; (c) disseminated information on topics like child marriage, girl child education, hygiene, rights and duties of villagers towards protecting forests, rights and power of voter. **Approximate Number of participants - 250**



- Organization of **Two-Day Village Halt Campaign in Sundarbans** from March 11-12, 2024. The campaign was organized in the villages of Dulki, Sajenkhali & the Western Side of the Sundarbans National Park. During the campaign, CEERA Team spread legal literacy on various government schemes, heard their problems and concerns and discussed ways to generate revenue to boost growth of the villages. Approximate Number of Participants – 120.



- Launch of Reel Making Competition, 2024. The Reel Making competitions invites teams from various colleges to make reels on various legal issues. Showcase their creativity and expertise in a short video format.



REEL MAKING COMPETITION

THEME: GRIEVANCE REDRESSAL FOR SOCIO-LEGAL ISSUES

Jointly organized by

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY (CEERA)

NATIONAL LAW SCHOOL OF INDIA UNIVERSITY

BENGALURU

&

PROBONO INDIA

In Association with

DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE

GOVERNMENT OF INDIA

March – 2024

LAST DATE FOR REGISTRATION: MARCH 30, 2024

DETAILS

This competition is open to any citizen of India.
An individual and a max. of 2 members can form a Team and participate in competition.
Reel should be aimed at creating legal awareness in society.
Duration of Reel should not exceed more than 2 minutes.
Reel to be submitted in mp4 file to Google form (will be shared after the registration)
April 10, 2024.

1

Copyrights of the submitted reel shall exclusively belong to CEERA.
Selected Reels will be posted on social media handles of CEERA-NLSIU Bangalore
may be shared with concerned Ministries and Departments also.
Submission must not violate provisions of Copyright Law or any other relevant
prevailing.
The decision of the organizer will be final and binding.

Registrations: Registration Fees - Rs.

Registration to be done through the link

AWARDS AND PRIZES

ST PRIZE	INR 3,000/- AND CERTIFICATE OF MERIT
OND PRIZE	INR 2,000/- AND CERTIFICATE OF MERIT
RD PRIZE	INR 1,000/- AND CERTIFICATE OF MERIT

All the participants will get an e-certificate of participation

FOR MORE DETAILS CONTACT

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: +91 72908 07345
bsite:
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Mob: +91 90825 20813
Website:
https://ceeragub.nls.ac.in/

2

- Proofreading, Review and preparation for publication of Legal Aid Handbook Vol. 2 to be released in 2024.

****

MONTHLY PROGRESS REPORT

April 28, 2024

The following is the Report for the month of April 2024 highlighting the activities conducted in the month of April, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

OUTREACH ACHIEVED (FEBRUARY-APRIL 2024):

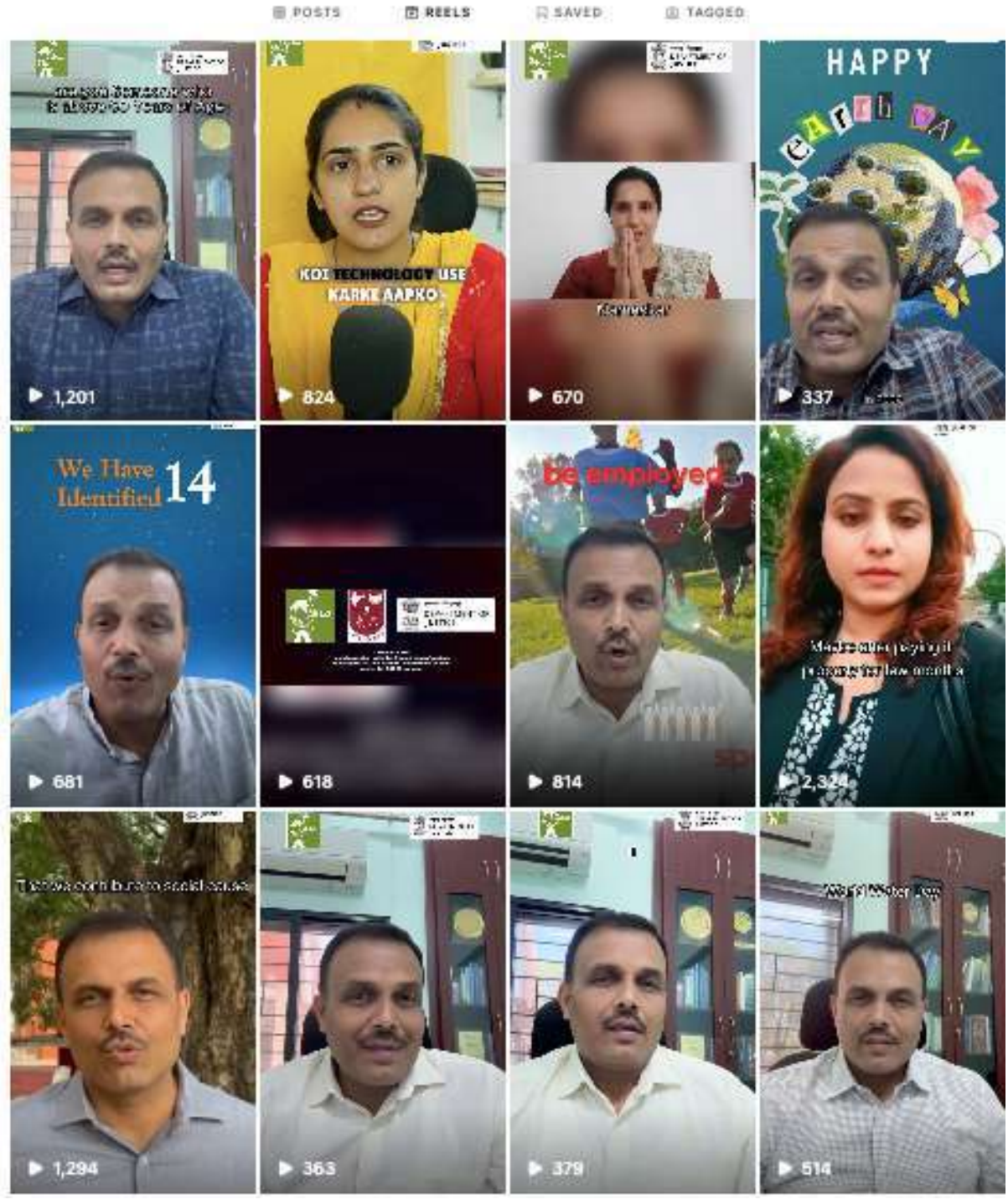
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	64*	58,457
2.	Facebook	27	1,982
3.	YouTube	111**	4,971
4.	LinkedIn	26	34,621
5.	Website (ceerapub.nls.ac.in)	26**	18,790
Total Outreach			1,18,821

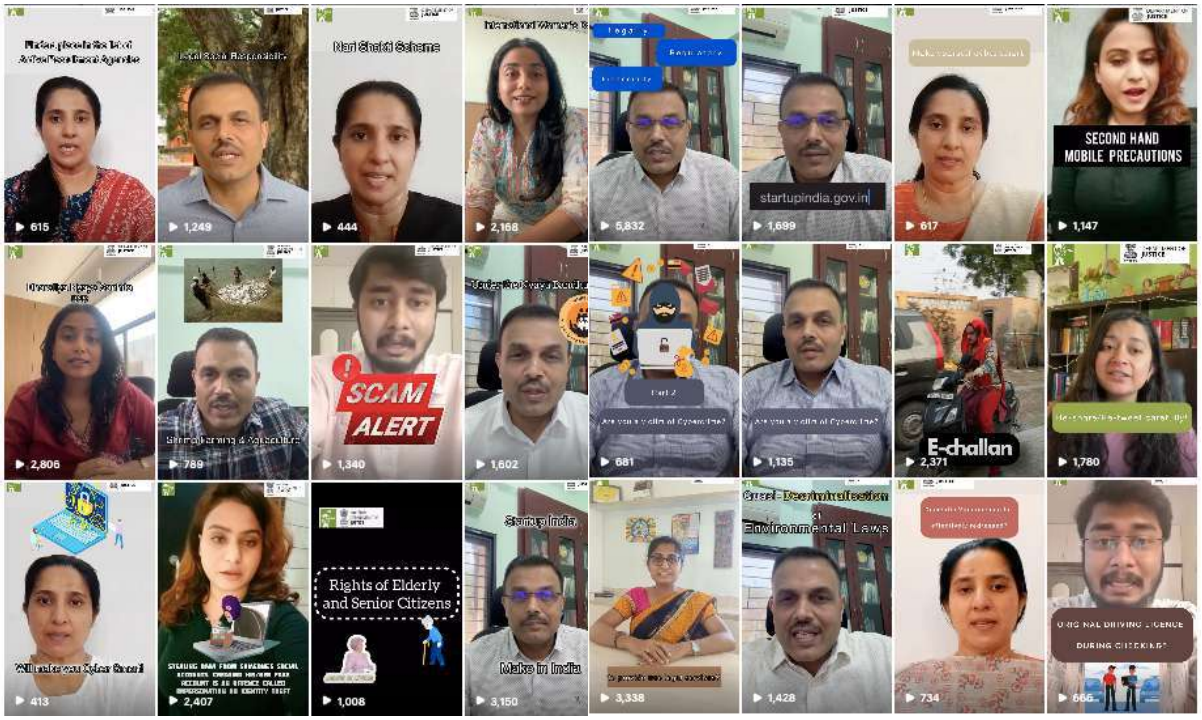
* Reels and posts combined

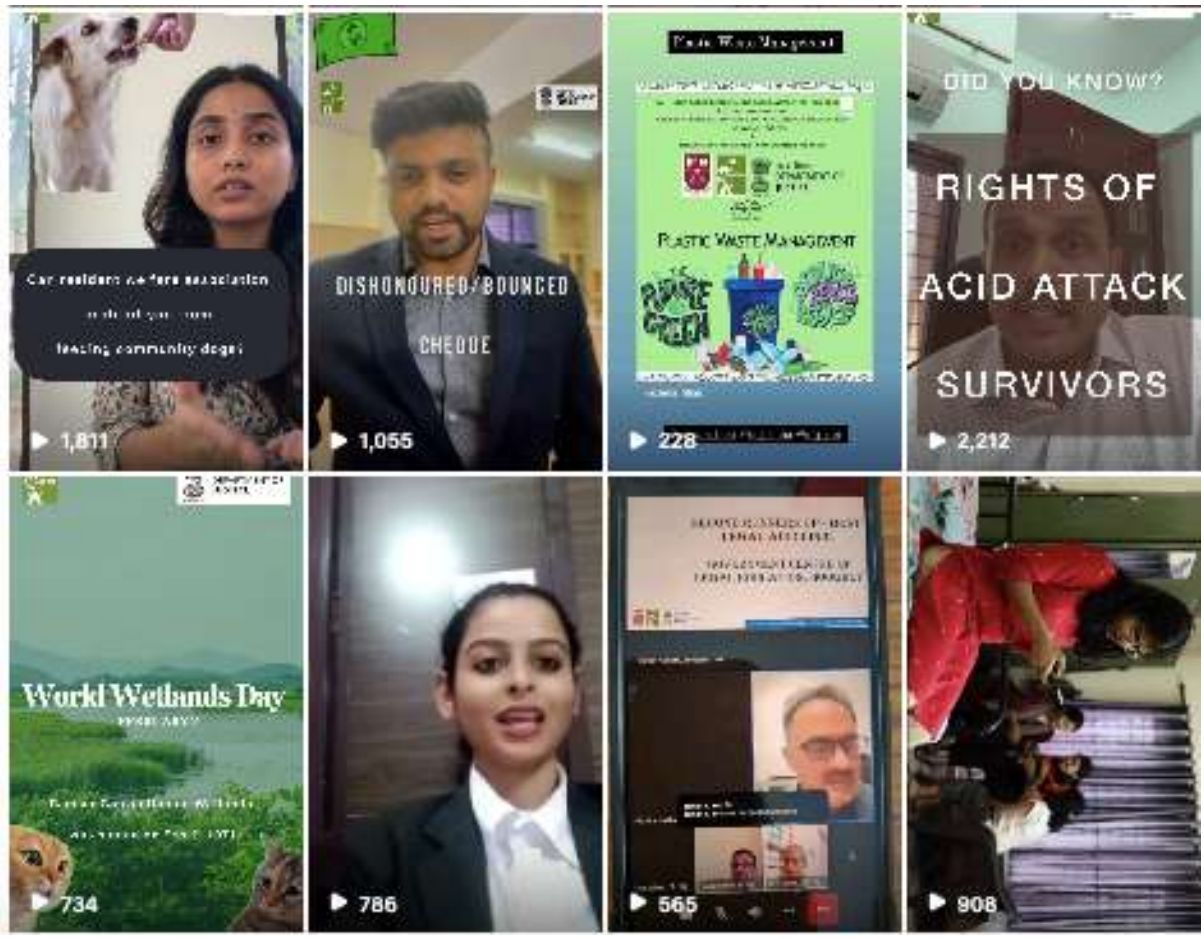
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier. Thus, the outreach shown is only for the period (February to April).

INSTAGRAM PAGE:

- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 64 (Reels 41, other posts – 23); Total Outreach through Instagram: 58,457 (53,375 – reels + 3,082 – other posts).**

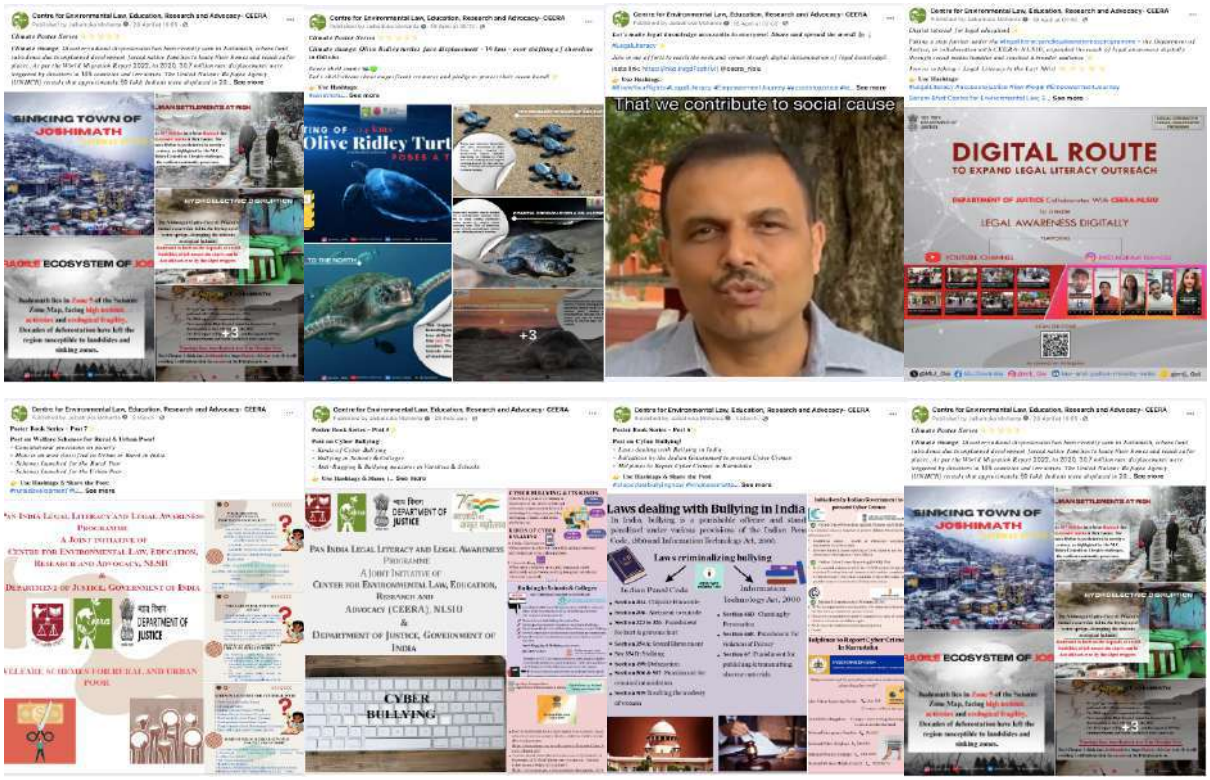



Nari Shakti Scheme
startupindia.gov.in
SECOND HAND MOBILE PRECAUTIONS
SCAM ALERT
E-challan
Rights of Elderly and Senior Citizens
Make in India
Environmental Laws


DISHONOURED/BOUNCED CHEQUE
PLASTIC WASTE MANAGEMENT
DID YOU KNOW?
RIGHTS OF ACID ATTACK SURVIVORS
World Wetlands Day

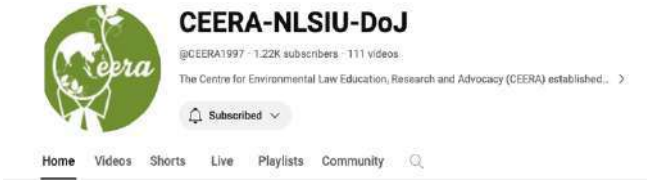
FACEBOOK PAGE:

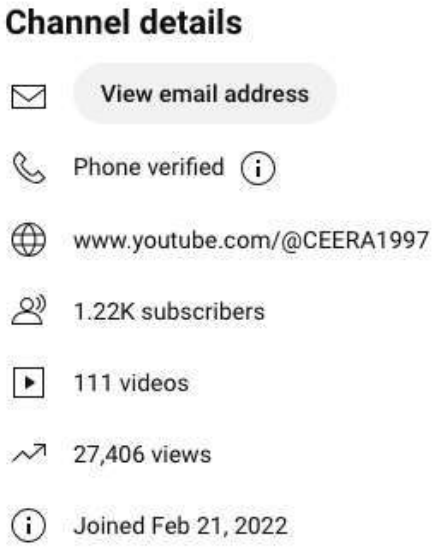
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 27; Outreach through Facebook: 1,982.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

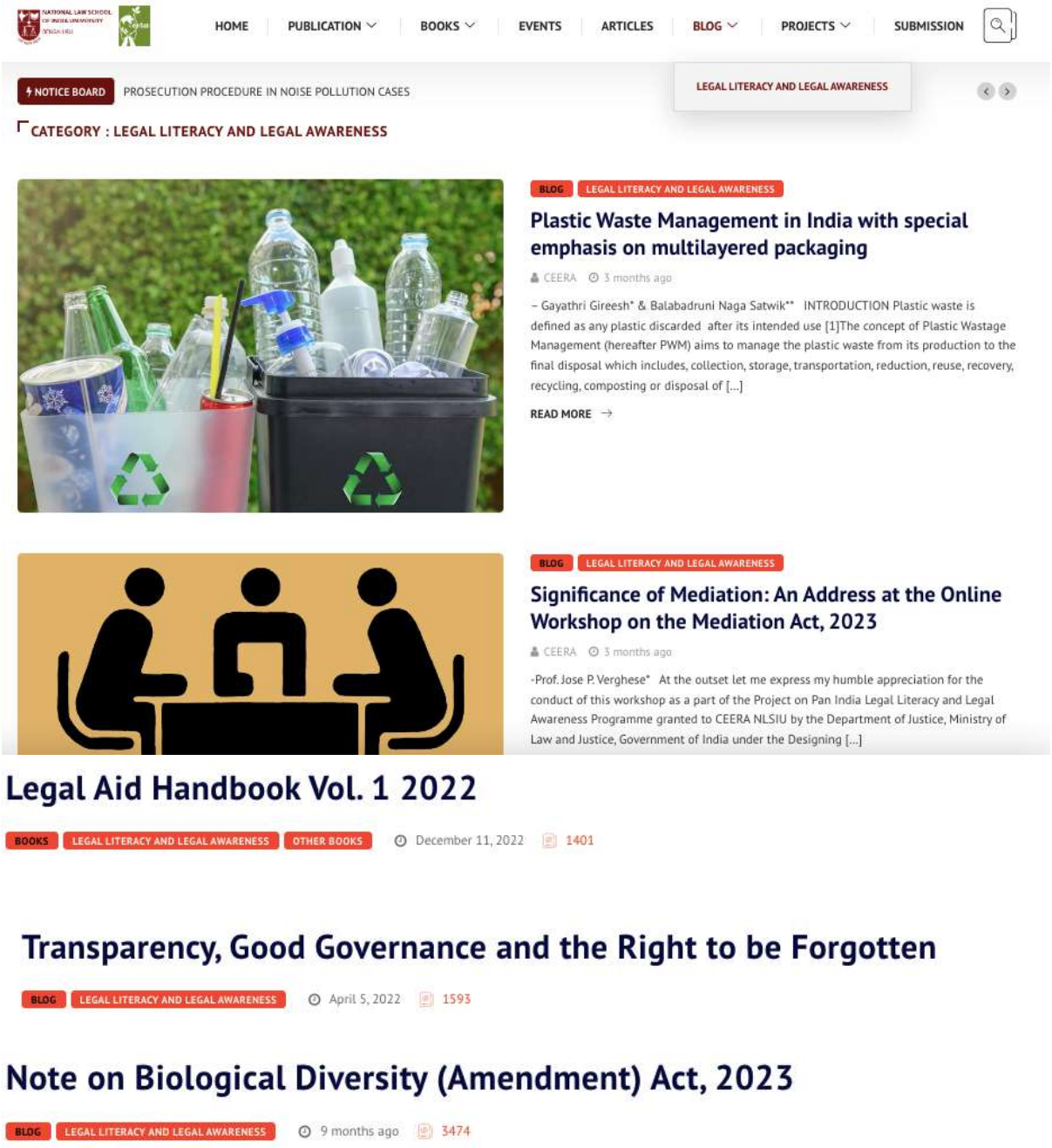
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January, 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was 22,435. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The outreach as on 28th April 2024 is 27,406. Thus, the outreach through YouTube Channel for the period of Feb-April 2024 is **4,971 through 111 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was 26,704. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 28th April 2024 is 45,494 Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-April 2024 is **18,790 through 26 posts.** Some of the posts and their outreach is as below:

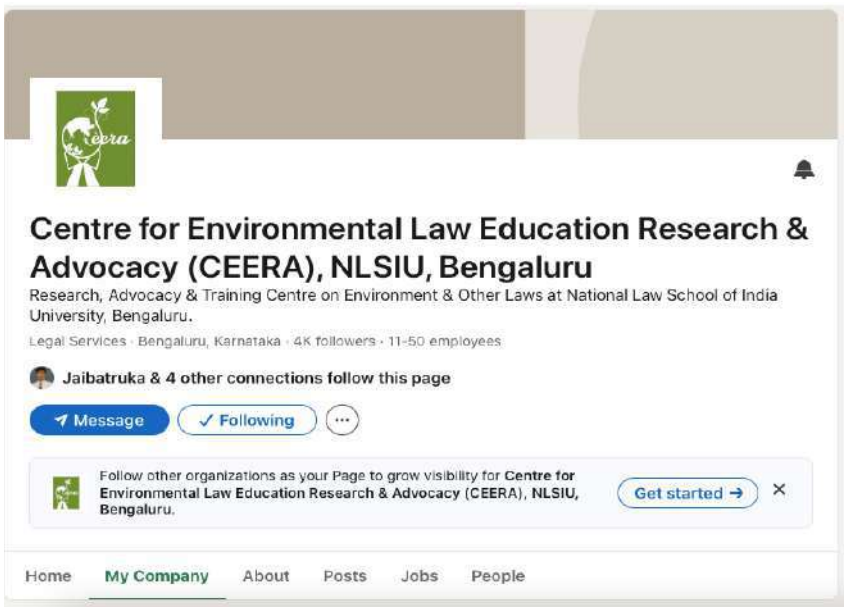


NAVIGATING THE WILDLIFE (PROTECTION) AMENDMENT BILL, 2021 A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | November 2, 2022 | 5381

LINKEDIN:

- CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to April 2024 we have posted **26 posts** related to legal literacy and legal awareness with an outreach of **34,621.**

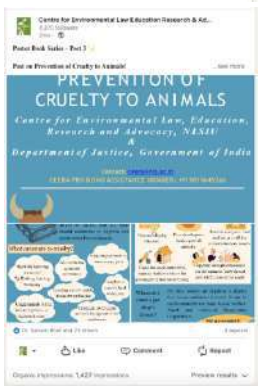












MONTHLY PROGRESS REPORT

June 02, 2024

The following is the Report for the month of May 2024 highlighting the outreach achieved in the month of May, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

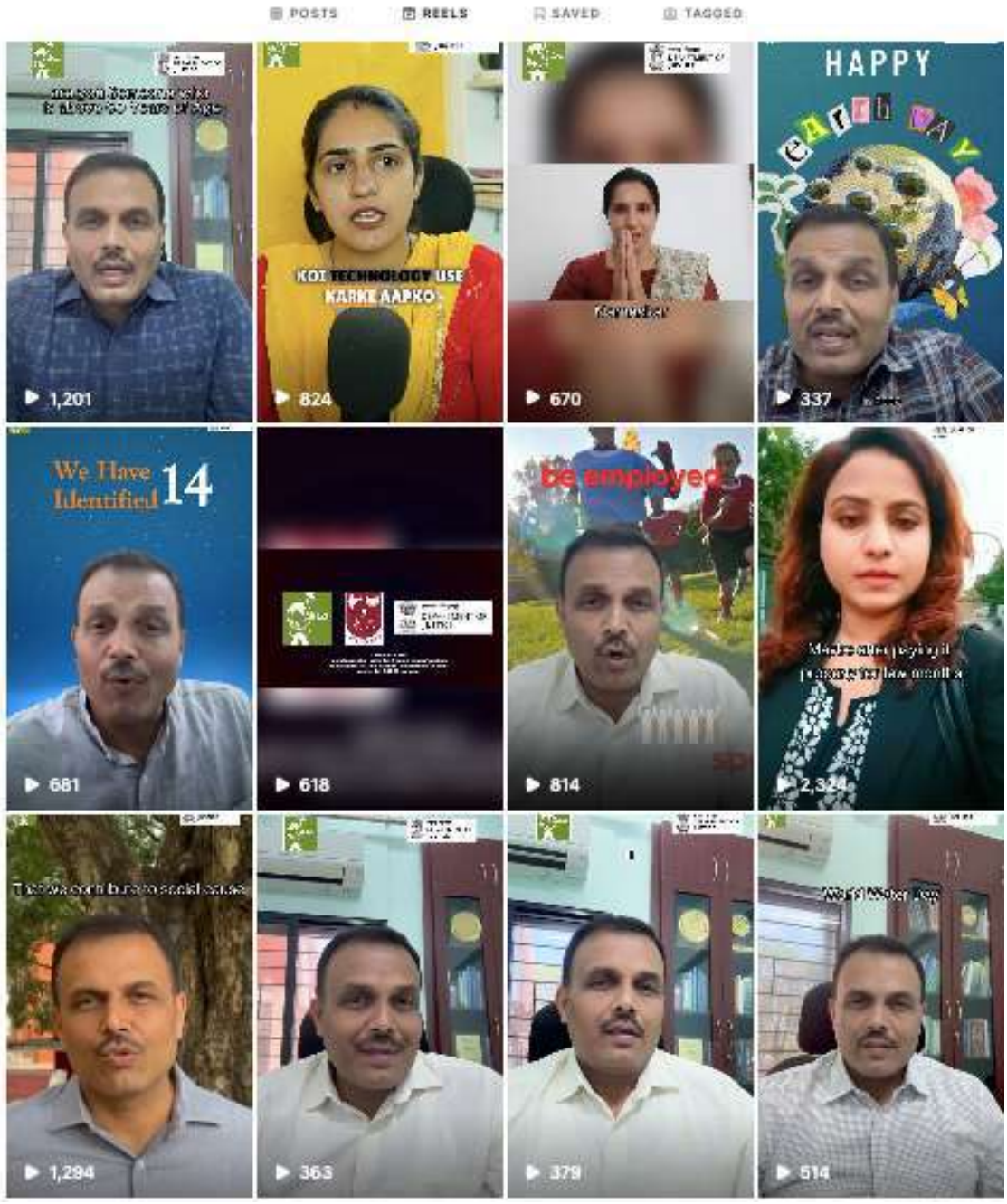
OUTREACH ACHIEVED (FEBRUARY-MAY 2024):

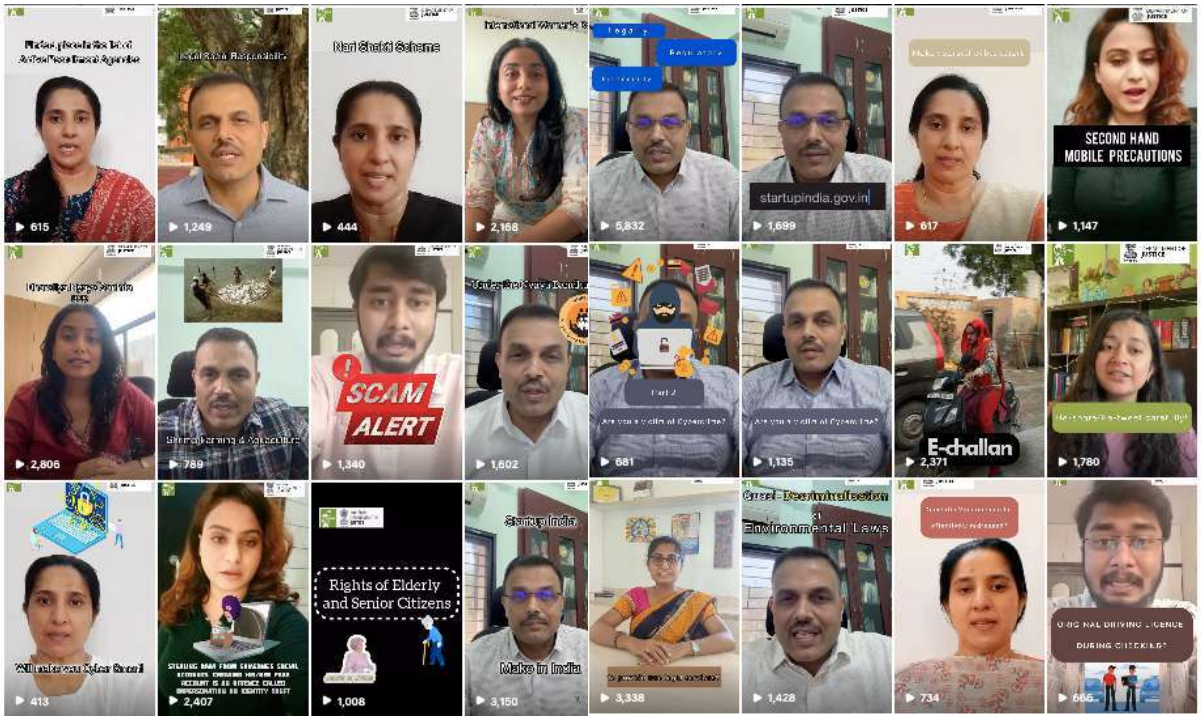
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	73*	64,024
2.	Facebook	30	2,539
3.	YouTube	117**	8,064
4.	LinkedIn	37	51,484
5.	Website (ceerapub.nls.ac.in)	28**	22,537
Total Outreach Feb – May 2024 (A)			1,48,648
Outreach till Feb - April 2024 (B)* **			1,18,8 21
Outreach for May 2024 (A – B)			29,827

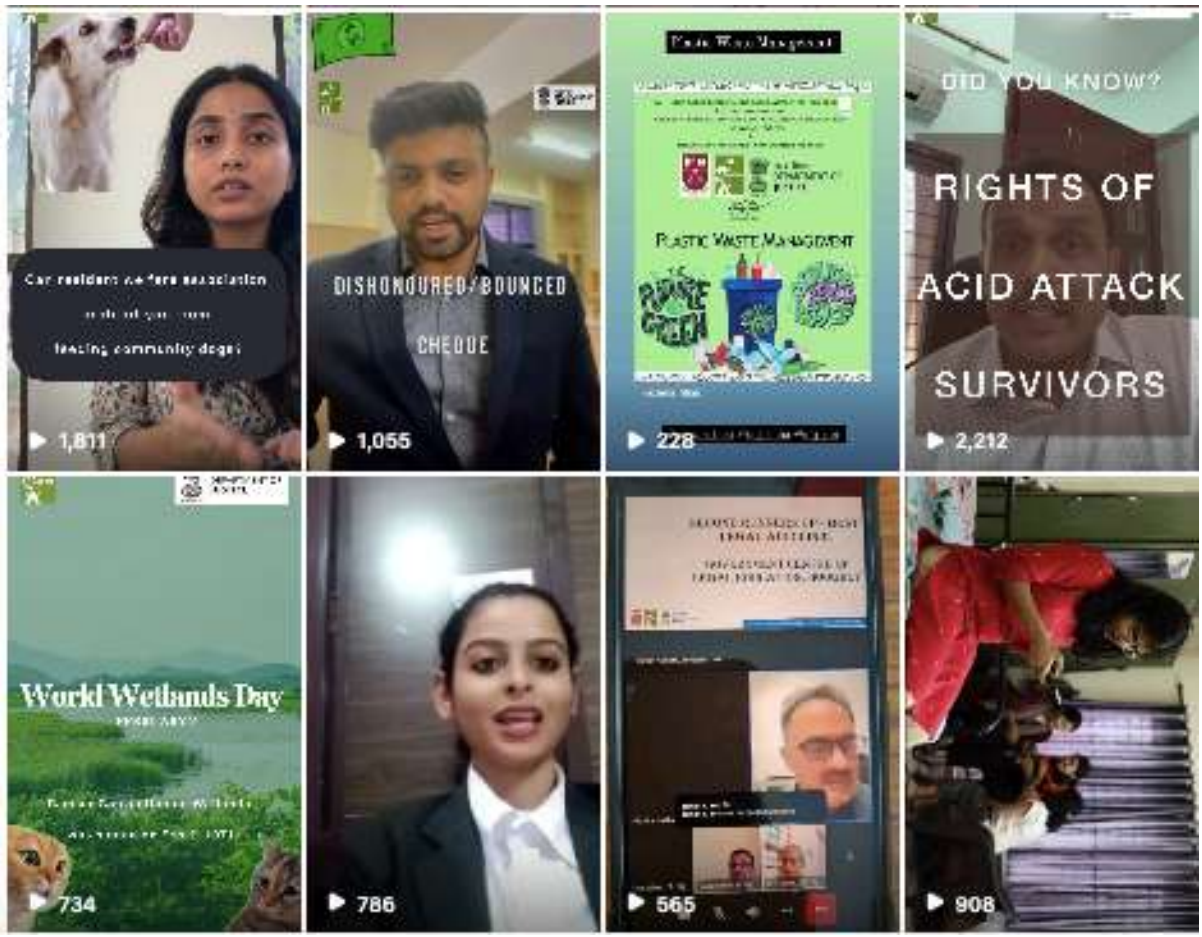
* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to May).
*** Reported in the Monthly Report for the Month of April 2024.

INSTAGRAM PAGE:

- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 73 (Reels 44, other posts – 29); Total Outreach through Instagram: 64,024 (60,303 – reels + 3,721– other posts).** Some of the reels are as follows:

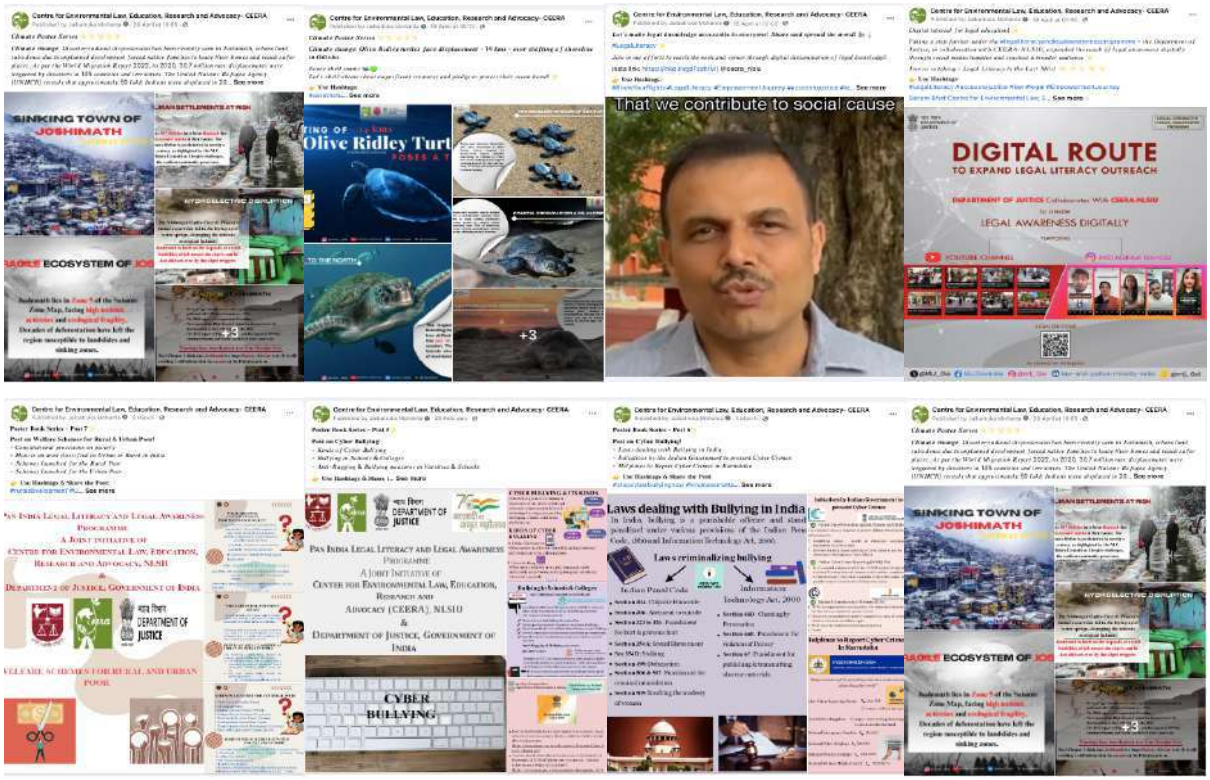



Nari Shakti Scheme
startupindia.gov.in
SECOND HAND MOBILE PRECAUTIONS
SCAM ALERT
E-challan
Rights of Elderly and Senior Citizens
Make in India
Environmental Laws


DISHONOURED/BOUNCED CHEQUE
PLASTIC WASTE MANAGEMENT
DID YOU KNOW?
RIGHTS OF ACID ATTACK SURVIVORS
World Wetlands Day

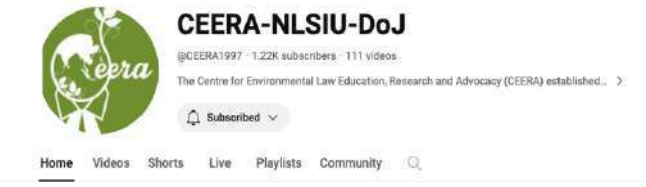
FACEBOOK PAGE:

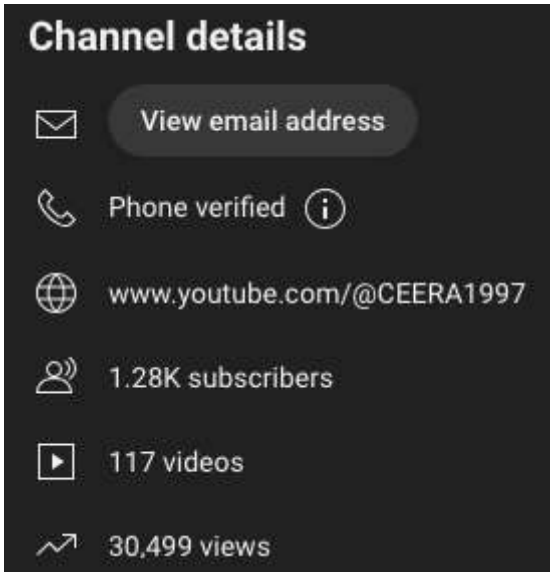
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 30; Outreach through Facebook: 2,539.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

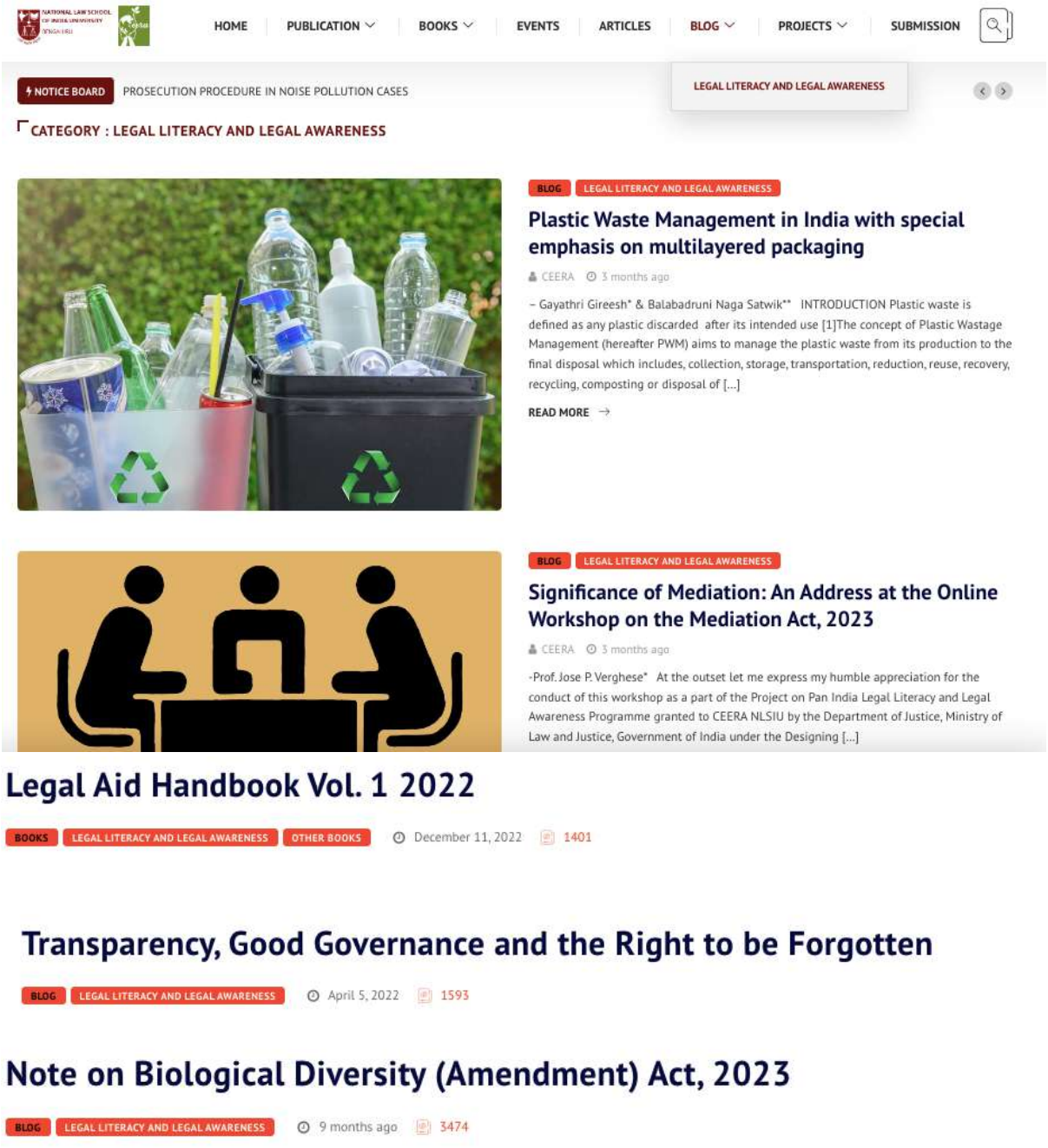
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January, 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was 22,435. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The outreach as on 2nd June 2024 is 30,499 Thus, the outreach through YouTube Channel for the period of Feb-May 2024 is **8,064 through 117 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was 26,704. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 02 May 2024 is 49,241 Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-May 2024 is **22,537 through 28 posts.** Some of the posts and their outreach is as below:

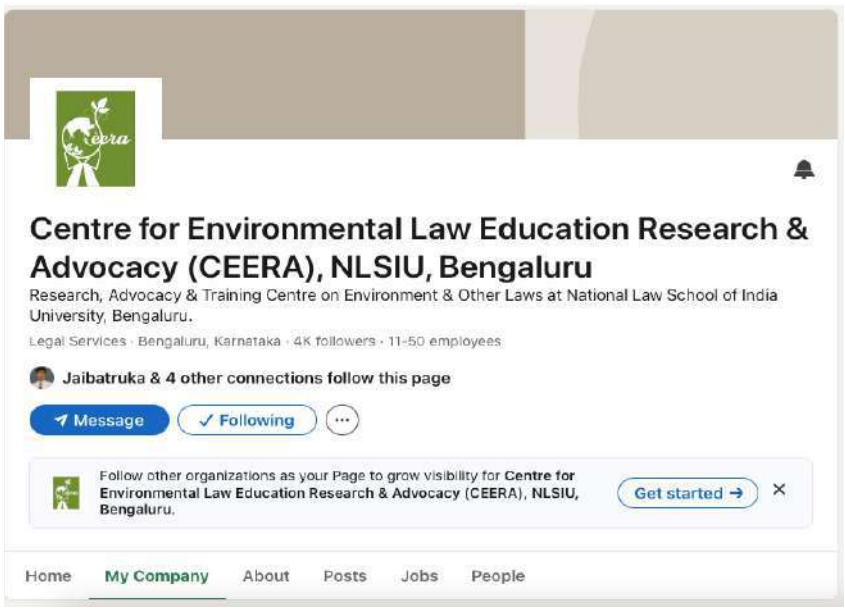


NAVIGATING THE WILDLIFE (PROTECTION) AMENDMENT BILL, 2021 A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | November 2, 2022 | 5381

LINKEDIN:

- CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to April 2024 we have posted **37 posts** related to legal literacy and legal awareness with an outreach of **51,484.**













MONTHLY PROGRESS REPORT

July 03, 2024

The following is the Report for the month of June 2024 highlighting the outreach achieved in the month of June, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" conducted by Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

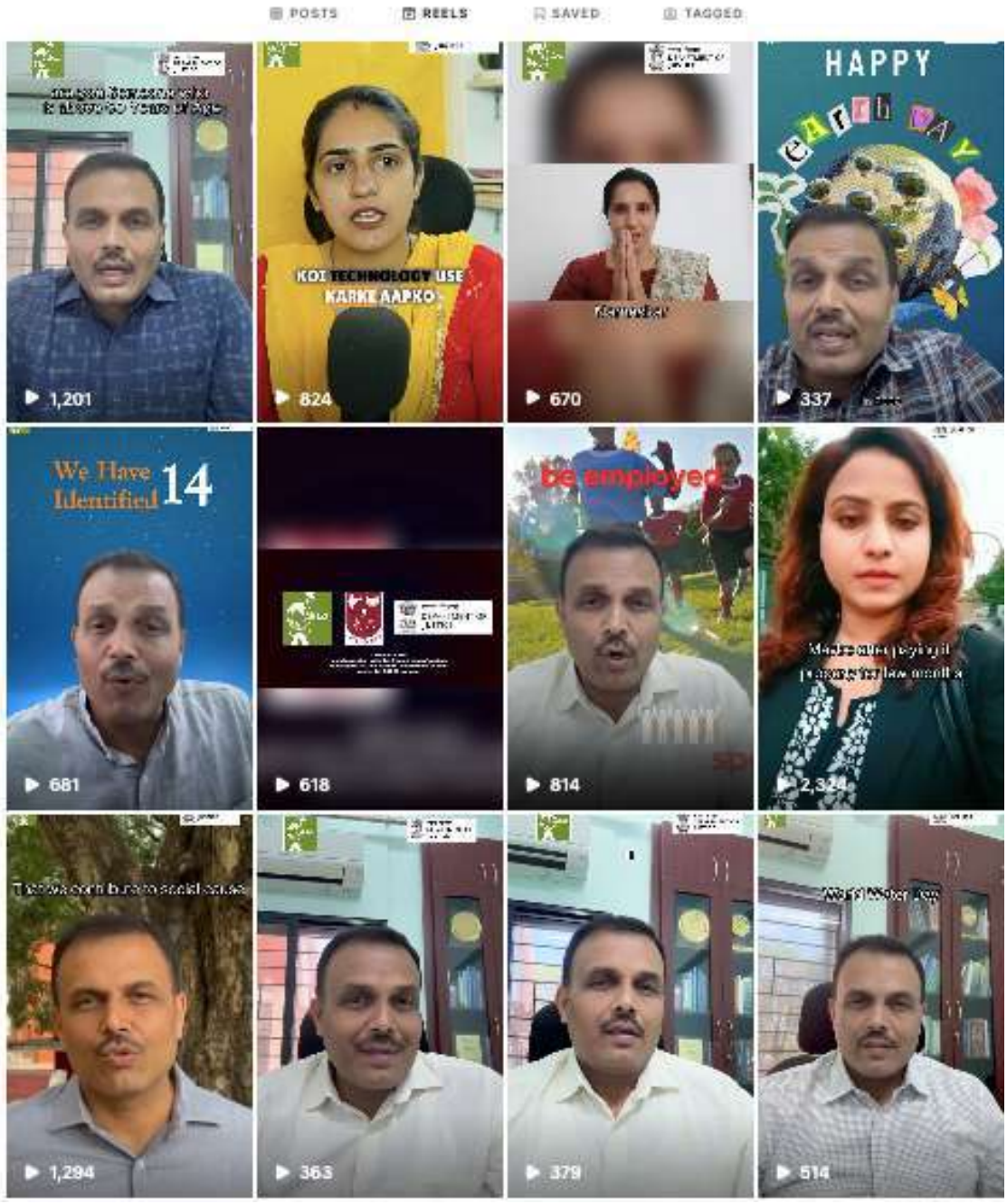
DIGITAL OUTREACH ACHIEVED (FEBRUARY-JUNE 2024):

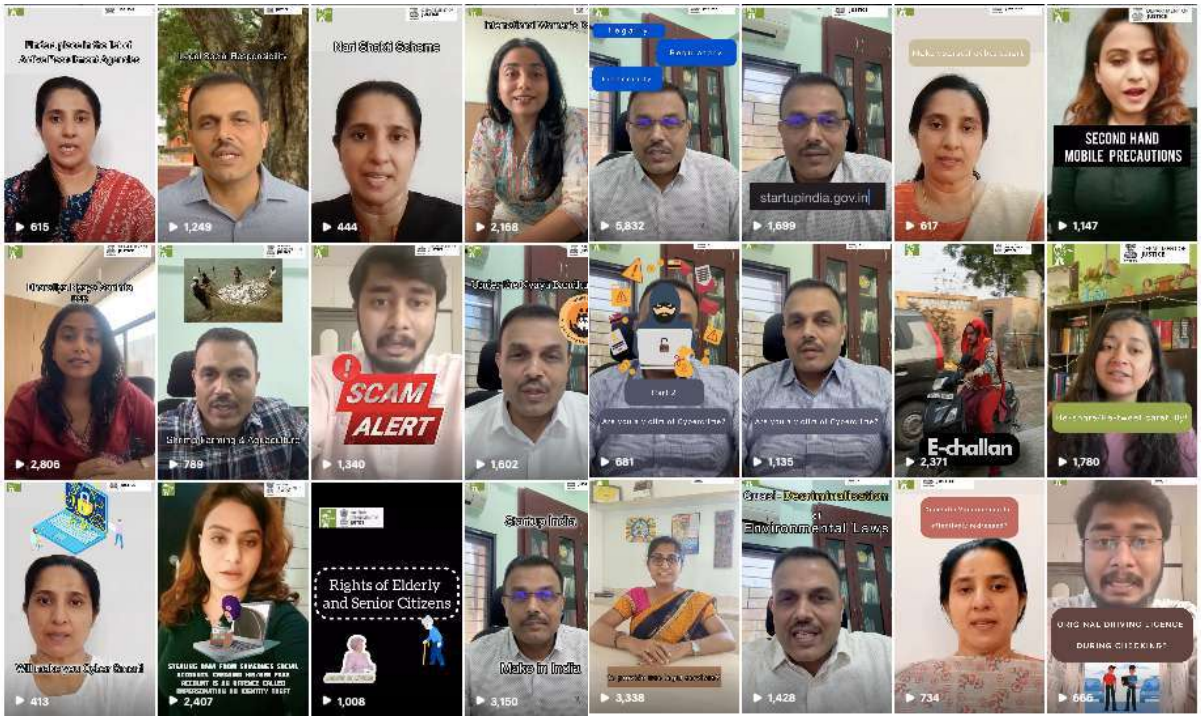
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	86*	68,664
2.	Facebook	50	4,173
3.	YouTube	118**	12,826
4.	LinkedIn	55	85,804
5.	Website (ceerapub.nls.ac.in)	28**	27,046
Total Outreach Feb – June 2024 (A)			1,98,513
Outreach till Feb - May 2024 (B)* **			1,48,648
Outreach for June 2024 (A – B)			49,865

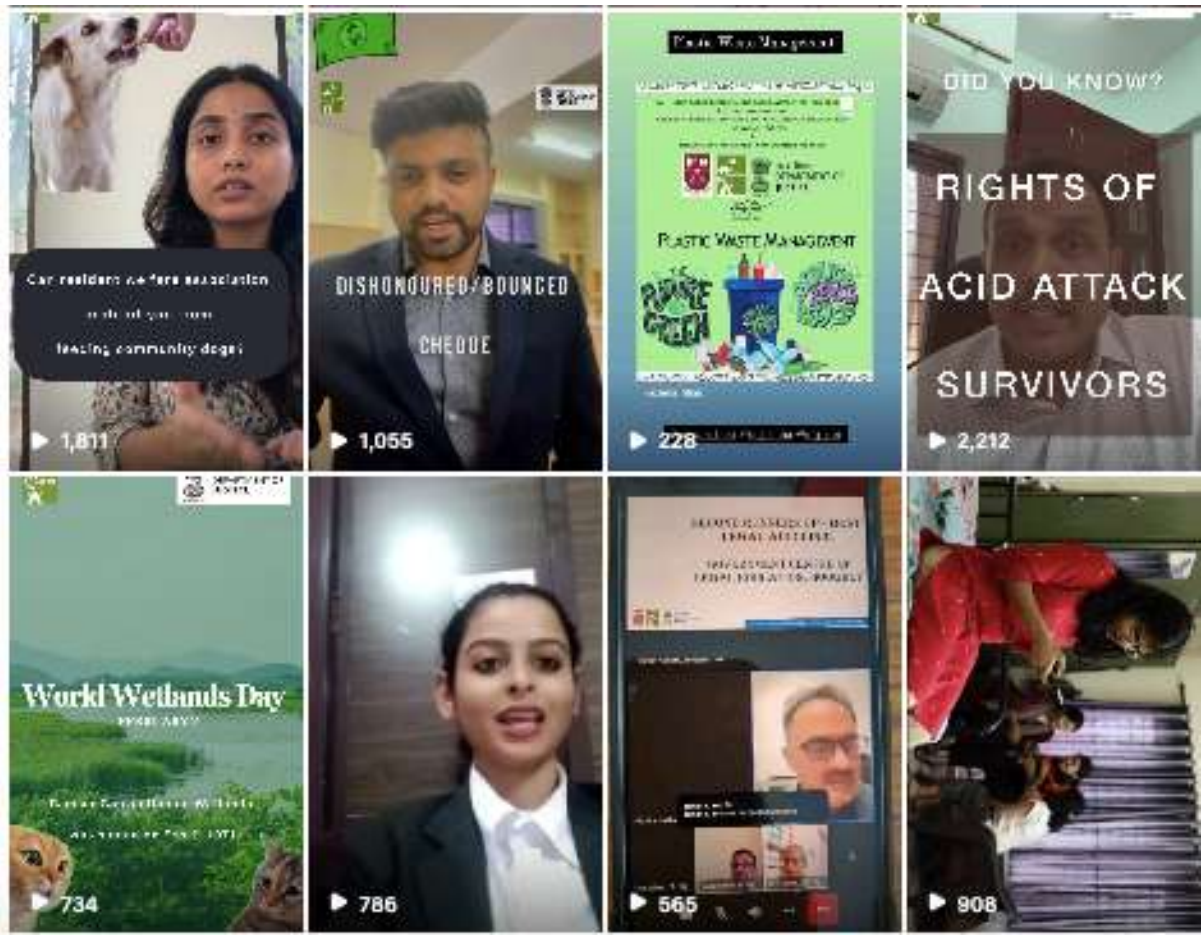
* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to June).
*** Reported in the Monthly Report for the Month of May 2024.

INSTAGRAM PAGE:

- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 86 (Reels 44, other posts – 42); Total Outreach through Instagram: 68,664 (61,969 – reels + 6,695– other posts).** Some of the reels are as follows:




Nari Shakti Scheme
startupindia.gov.in
SECOND HAND MOBILE PRECAUTIONS
SCAM ALERT
E-challan
Rights of Elderly and Senior Citizens
Make in India
Environmental Laws


DISHONOURED/BOUNCED CHEQUE
PLASTIC WASTE MANAGEMENT
DID YOU KNOW?
RIGHTS OF ACID ATTACK SURVIVORS
World Wetlands Day

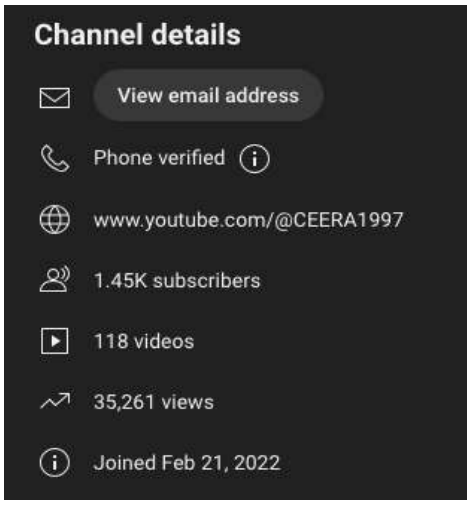
FACEBOOK PAGE:

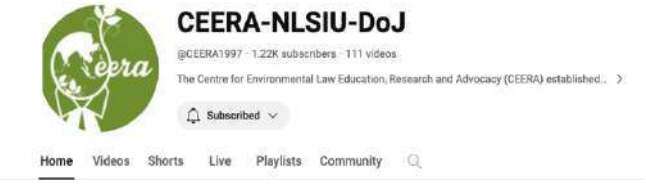
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 50; Outreach through Facebook: 4,173.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

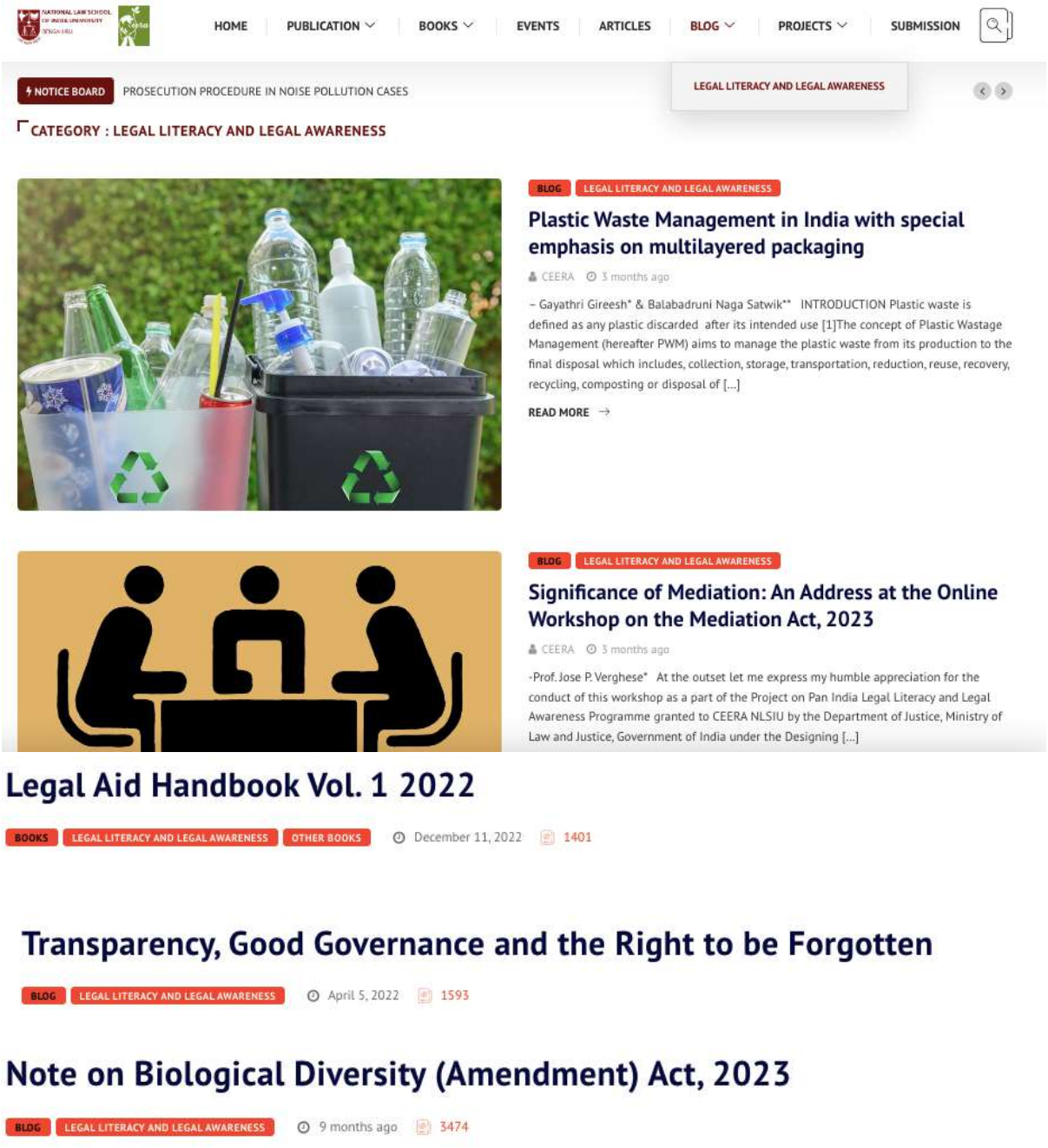
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January, 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was 22,435. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The outreach as on 3rd July 2024 is 35,261 Thus, the outreach through YouTube Channel for the period of Feb-June 2024 is **12,826 through 118 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was 26,704. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 03 July 2024 is 53,750 Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-June 2024 is **27,046 through 28 posts.** Some of the posts and their outreach is as below:



NAVIGATING THE WILDLIFE (PROTECTION) AMENDMENT BILL, 2021 A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection

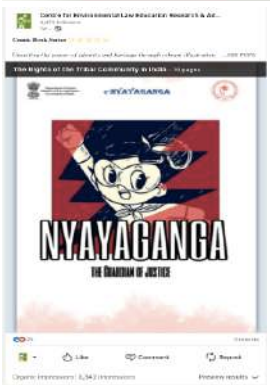
ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | November 2, 2022 | 5381

LINKEDIN:

- CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to June 2024 we have posted **55 posts** related to legal literacy and legal awareness with an outreach of **85,804.**

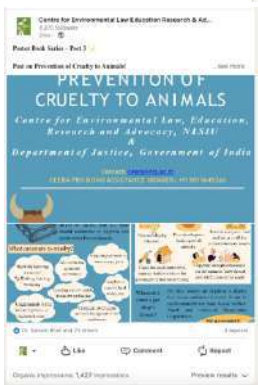












MONTHLY PROGRESS REPORT

August 01, 2024

The following is the Report for the month of July, 2024 highlighting the outreach achieved and activities conducted in the month of July, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice Government of India.

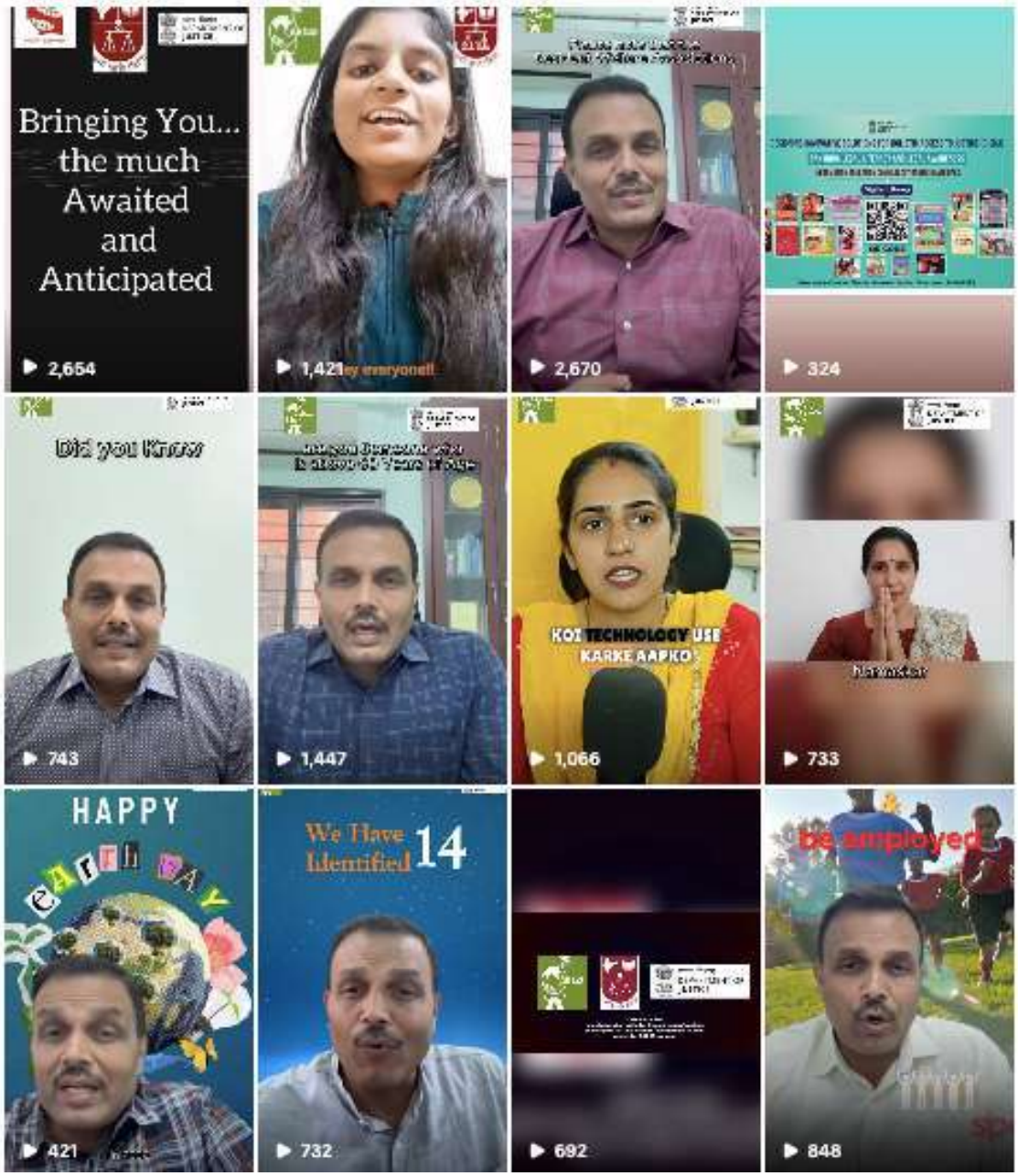
DIGITAL OUTREACH ACHIEVED (FEBRUARY-JULY 2024):

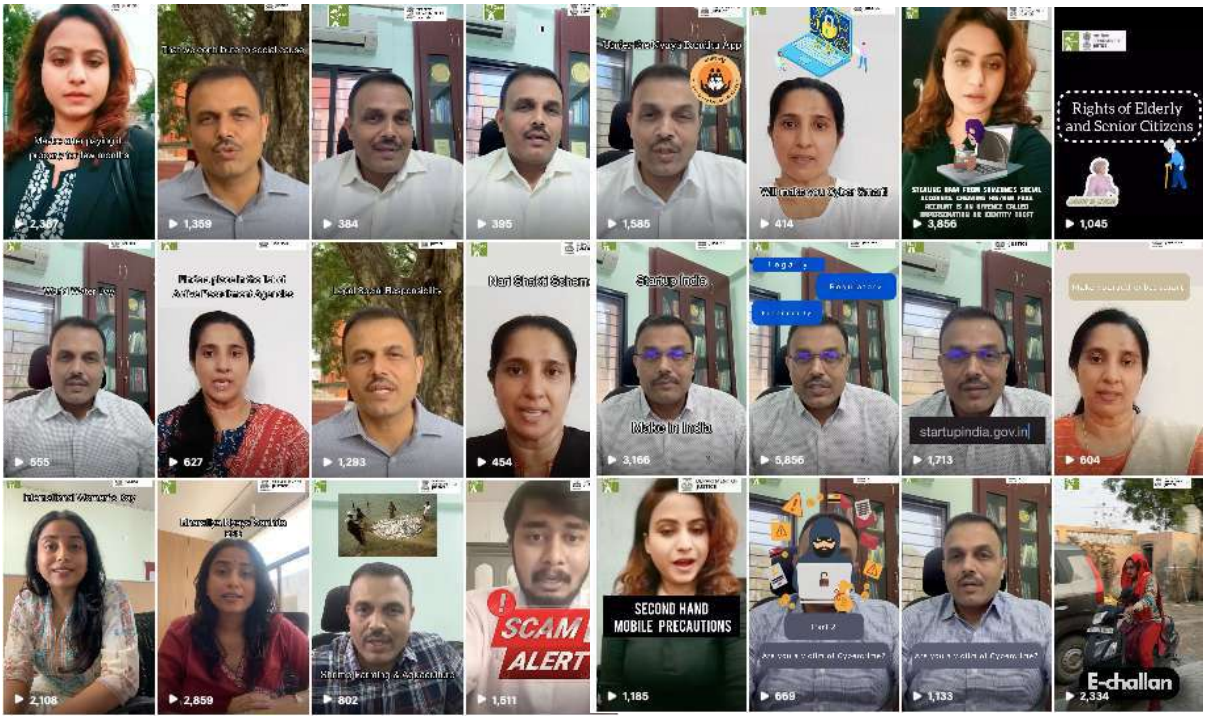
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	97*	79,685
2.	Facebook	61	4,838
3.	YouTube	118**	18,712
4.	LinkedIn	69	1,31,752
5.	Website (ceerapub.nls.ac.in)	30**	31,953
Total Outreach Feb – July 2024 (A)			2,66,940
Outreach till Feb - June 2024 (B)* **			1,98,513
Outreach for July 2024 (A – B)			68,429

* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to July 2024).
*** Reported in the Monthly Report for the Month of June 2024.

INSTAGRAM PAGE:

- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 97 (Reels 46, other posts – 51); Total Outreach through Instagram: 79,685 (66,068 – reels + 13,617– other posts).** Some of the reels are as follows:

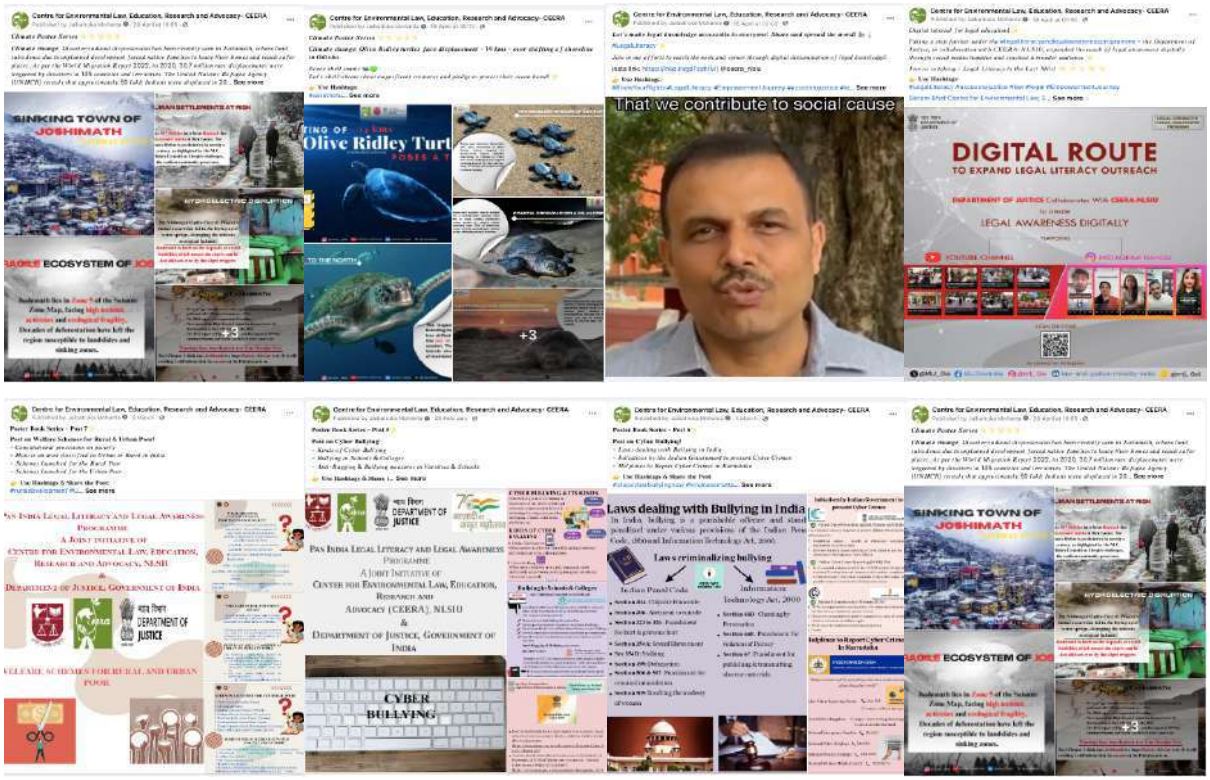



Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SECOND HAND MOBILE PRECAUTIONS
SCAM ALERT
E-challan


Environmental Laws
DISHONOURED/BOUNCED CHEQUE
PLASTIC WASTE MANAGEMENT
DID YOU KNOW?
RIGHTS OF ACID ATTACK SURVIVORS
World Wetlands Day

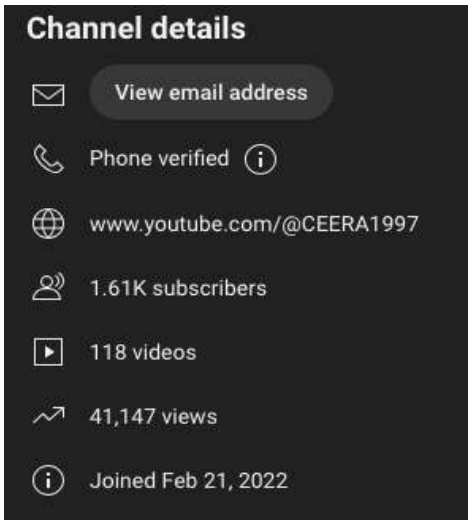
FACEBOOK PAGE:

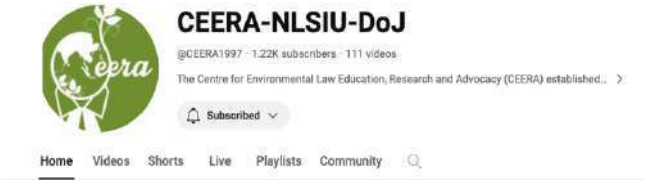
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 61; Outreach through Facebook: 4,838.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

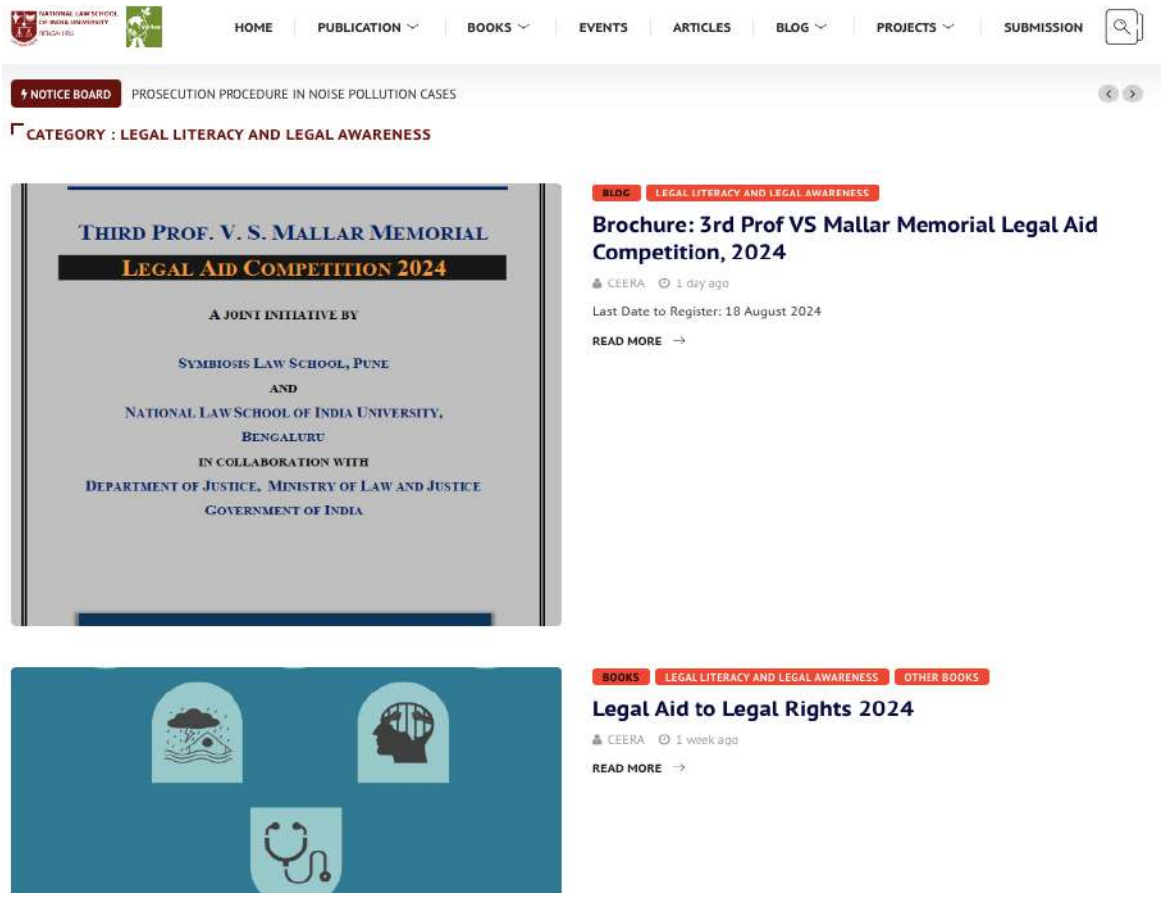
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was **22,435**. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The outreach as on 1st August 2024 is **41,147** Thus, the outreach through YouTube Channel for the period of Feb-July 2024 is **18,712 through 118 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was 26,704. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 1st August 2024 is 58,657. Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-July 2024 is **31,953 through 30 posts.** Some of the posts and their outreach is as below:





NAVIGATING THE WILDLIFE (PROTECTION) AMENDMENT BILL, 2021 A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | November 2, 2022 | 5675

JAN VISHWAS ACT: TRANSITION FROM PUNITIVE REGIME TO TRUST BASED REGIME

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | 10 months ago | 2087

GREEN CREDIT AND CLIMATE ACTION: AN ANALYSIS OF GREEN CREDIT RULES, 2023

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 9 months ago | 3956

REIMAGING FOREST GOVERNANCE – APPRAISAL OF THE FOREST [CONSERVATION] AMENDMENT ACT 2023

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 10 months ago | 3450

Note on Biological Diversity (Amendment) Act, 2023

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | August 2, 2023 | 4535

FOOD WASTAGE, CLIMATE CHANGE, HUNGER: THE NEED FOR ACTION

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | May 8, 2023 | 5337

STRAY DOGS AND CATTLE MANAGEMENT- TOWARDS A HUMANE APPROACH

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 10 months ago | 3213

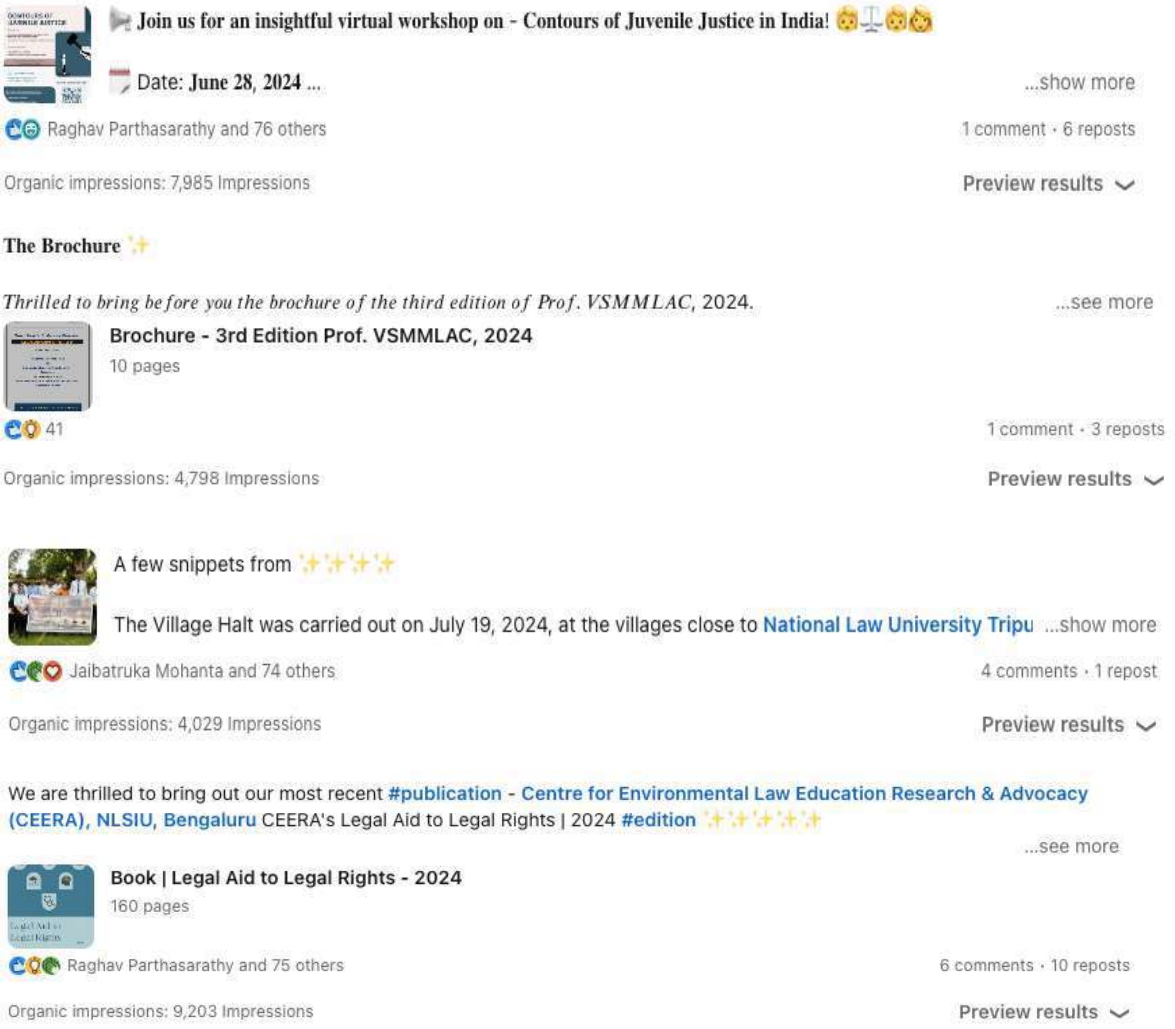
QUASI-DECRIMINALISATION IN ENVIRONMENTAL LAWS IN INDIA: AN EVALUATION

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 10 months ago | 3284

LINKEDIN:

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to July 2024 we have posted **69 posts** related to legal literacy and legal awareness with an outreach of **1,31,752.**





MONTHLY PROGRESS REPORT

August 30, 2024

The following is the Report for the month of August, 2024 highlighting the outreach achieved and activities conducted in the month of August, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

DIGITAL OUTREACH ACHIEVED (FEBRUARY-AUGUST 2024):

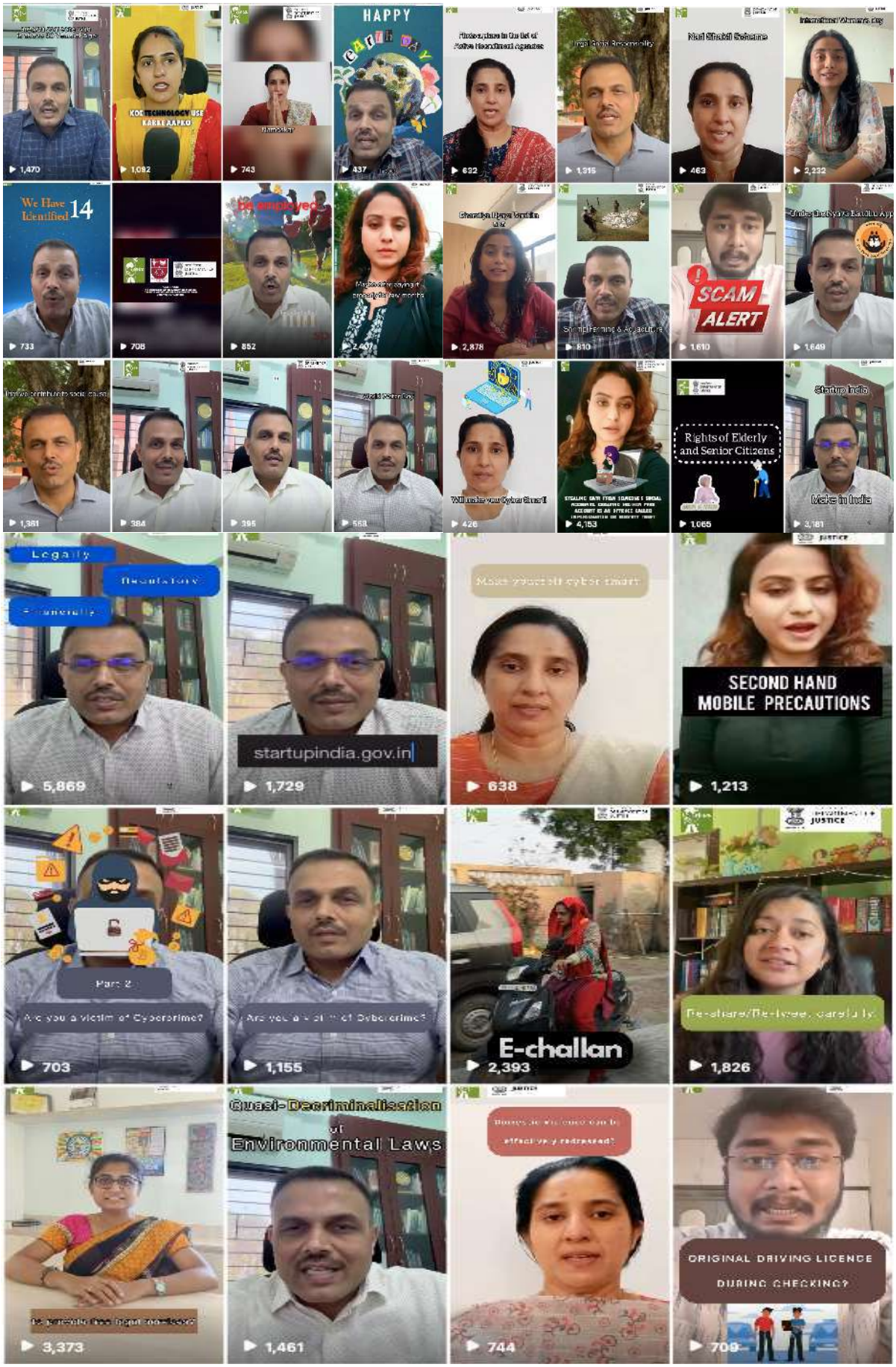
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	110*	98,286
2.	Facebook	69	5,539
3.	YouTube	118**	23,133
4.	LinkedIn	79	1,54,047
5.	Website (ceerapub.nls.ac.in)	33**	38,844
Total Outreach Feb – Aug 2024 (A)			3,19,849
Outreach till Feb - July 2024 (B)* **			2,66,940
Outreach for Aug 2024 (A – B)			52,909

* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to August 2024).
*** Reported in the Monthly Report for the Month of July 2024.

INSTAGRAM PAGE:

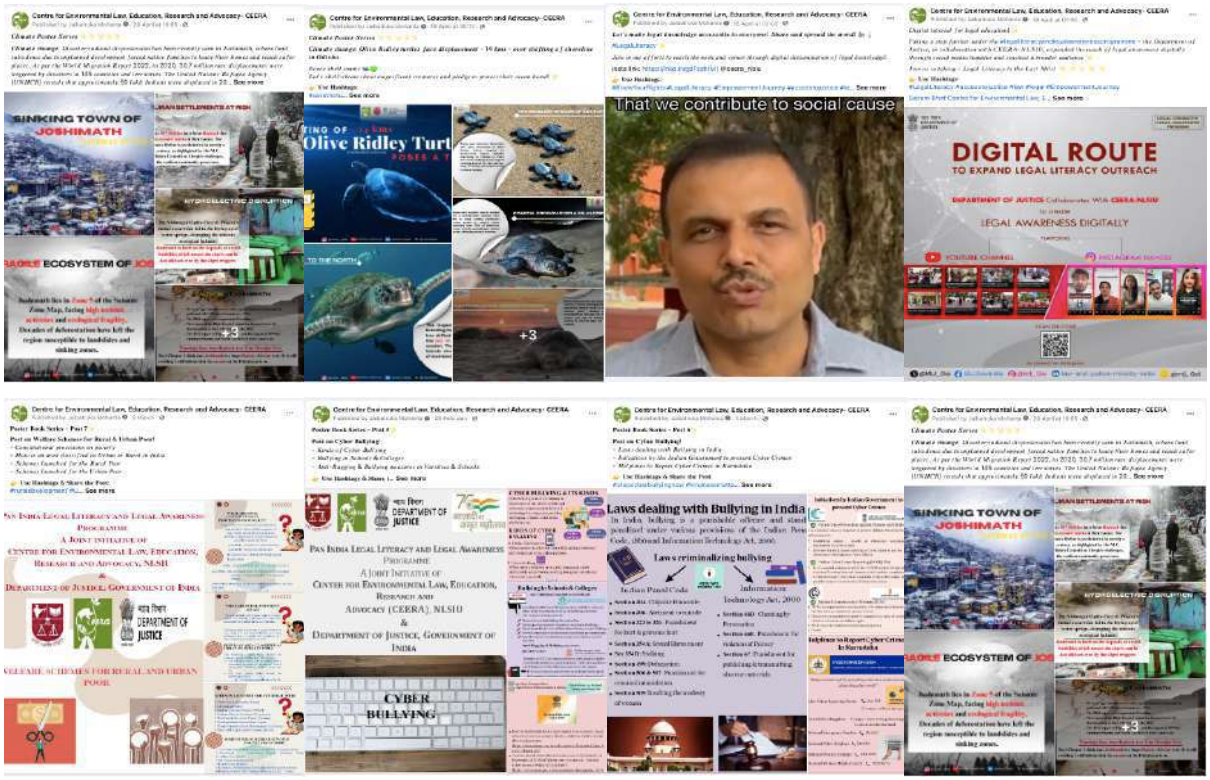
- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 110 (Reels 53, other posts – 57); Total Outreach through Instagram: 98,286 (78,641 – reels + 19,645– other posts).** Some of the reels are as follows:




HAPPY
startupindia.gov.in
SECOND HAND MOBILE PRECAUTIONS
E-challan
Quasi-Decriminalisation
of
Environmental Laws
ORIGINAL DRIVING LICENCE
DURING CHECKING?

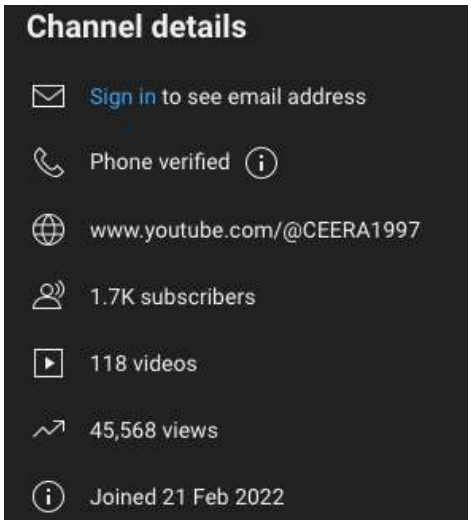
FACEBOOK PAGE:

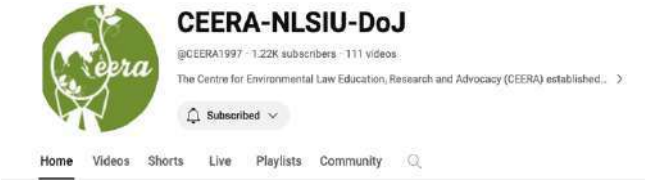
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 69; Outreach through Facebook: 5,539.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was **22,435**. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The outreach as on 30th August 2024 is **45,568** Thus, the outreach through YouTube Channel for the period of Feb-Aug 2024 is **23,133 through 118 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was 26,704. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 30th August 2024 is 65,548. Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-Aug 2024 is **38,844 through 33 posts.** Some of the posts and their outreach is as below:







NAVIGATING THE WILDLIFE (PROTECTION) AMENDMENT BILL, 2021 A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | November 2, 2022 | 5779

JAN VISHWAS ACT: TRANSITION FROM PUNITIVE REGIME TO TRUST BASED REGIME

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | 11 months ago | 2410

GREEN CREDIT AND CLIMATE ACTION

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | July 17, 2023 | 2008

Note on Biological Diversity (Amendment) Act, 2023

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | August 2, 2023 | 4760

REIMAGING FOREST GOVERNANCE – APPRAISAL OF THE FOREST [CONSERVATION] AMENDMENT ACT 2023

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 10 months ago | 3450

FOOD WASTAGE, CLIMATE CHANGE, HUNGER: THE NEED FOR ACTION

BLOG | LEGAL LITERACY AND LEGAL AWARENESS | May 8, 2023 | 5636

STRAY DOGS AND CATTLE MANAGEMENT- TOWARDS A HUMANE APPROACH

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 11 months ago | 3514

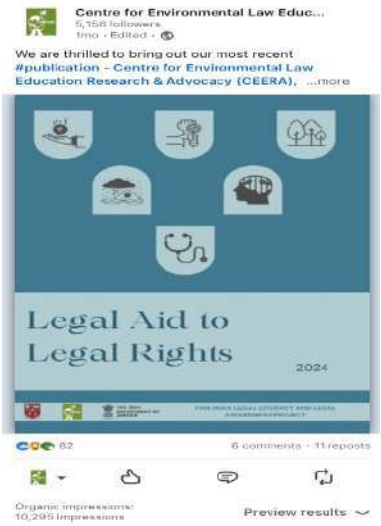
QUASI-DECRIMINALISATION IN ENVIRONMENTAL LAWS IN INDIA: AN EVALUATION

ARTICLES | LEGAL LITERACY AND LEGAL AWARENESS | 11 months ago | 3639

LINKEDIN:

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to August 2024 we have posted **79 posts** related to legal literacy and legal awareness with an outreach of **1,54,047.** Some of our posts on LinkedIn are as follows:







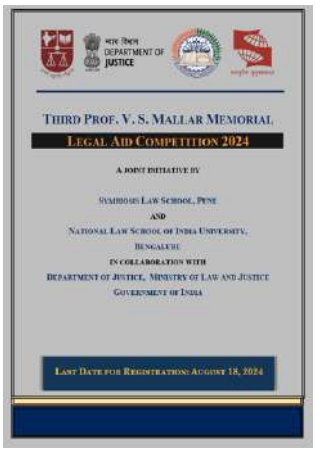








OTHER ACTIVITIES CONDUCTED IN THE MONTH OF JULY 2024:



- Launch of Third Edition of Prof. V. S. Mallar Memorial Legal Aid Competition 2024. The Competition will have 6 Components: (i) Legal Podcast & FAQs; (ii) Speed Mentoring; (iii) Street Play & Jan Sunwaii; (iv) Reel Making; (v) Litigation Assistance Lab; and (vi) Submission of Final Report. This year's edition of the Competition is launched in collaboration with Symbiosis law School Pune. It will also focus on the **Hamara Samvidhan and Hamara Samman** Campaign. As of 30th August 2024, **55 Teams** have registered for the Competition, with a few more teams expected to register in the upcoming days. The Inauguration of the Competition is on 5th September 2024.
- Organization of **Legal Aid Lawyering Workshop** in association with School of legal Studies, CMR University, Bengaluru on 9th August 2024. Legal Education is essential for providing legal aid and ensuring access to justice, both of which are constitutional guarantees. Preparing Law students for practice is crucial, as it equips them with the skills and passion necessary for legal justice. Legal Aid Lawyering focuses on assisting those who cannot afford legal services, promoting equal opportunity for all citizens.



Awareness and support are vital components of service delivery, ensuring trust in the judicial system, upholding democratic values, and empowering citizens. This approach strengthens constitutional principles and contributes to the nation's economic growth by fostering an inclusive and just society. The aim of Legal Aid Lawyering Certificate

Workshop is to inspire a sense of Legal Social Responsibility, providing guidance to legal aid activities in legal aid clinics. These clinics will give students practical experience while helping resolve disputes and providing legal support to farmers, shopkeepers, migrant workers, construction workers, taxi drivers, illiterate women, and others in urgent need of legal aid services. **Outreach: 181 Registered Participants.**

***

MONTHLY PROGRESS REPORT

September 28, 2024

The following is the Report for the month of September, 2024 highlighting the outreach achieved and activities conducted in the month of September, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

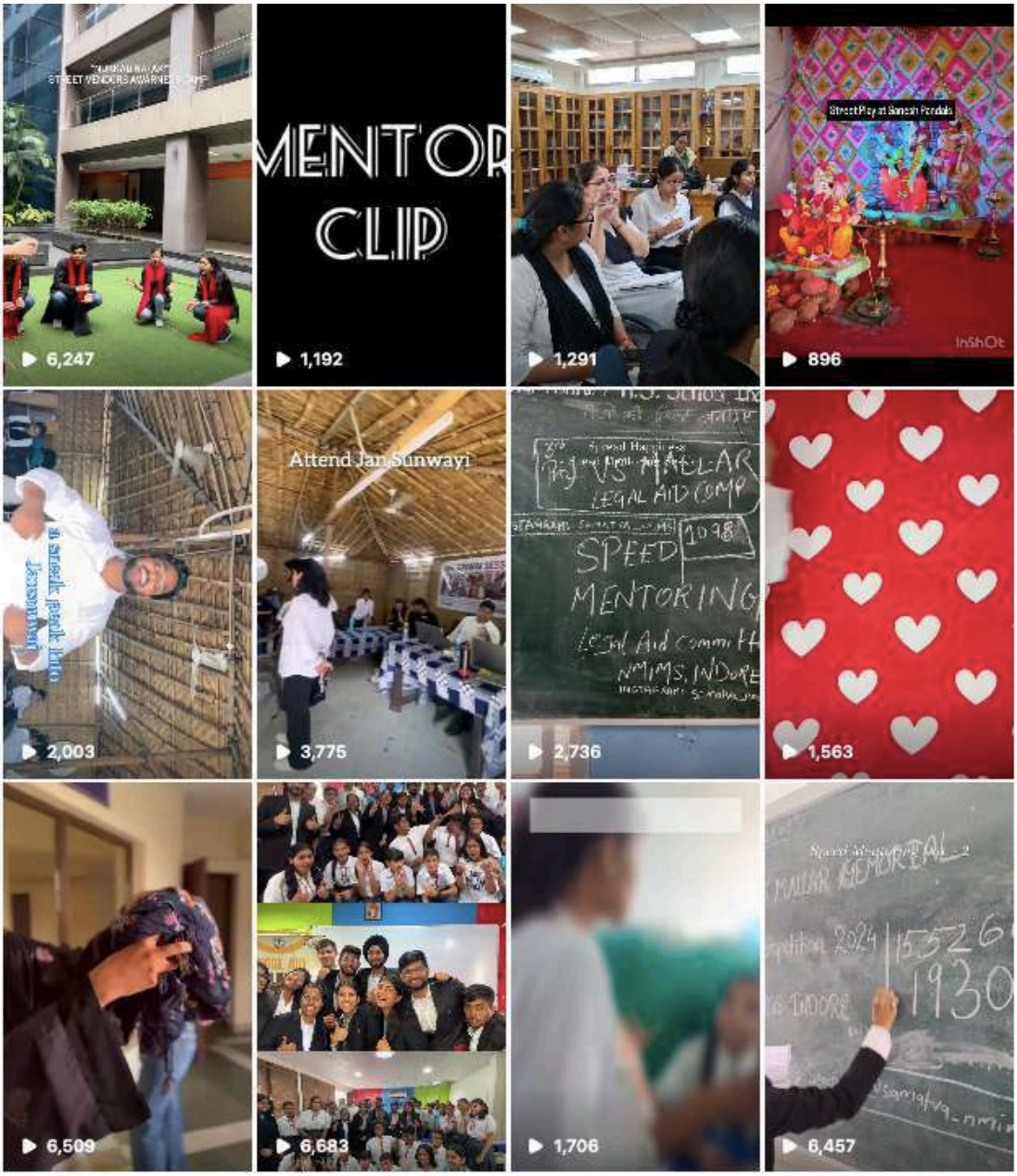
DIGITAL OUTREACH ACHIEVED (FEBRUARY-SEPTEMBER 2024):

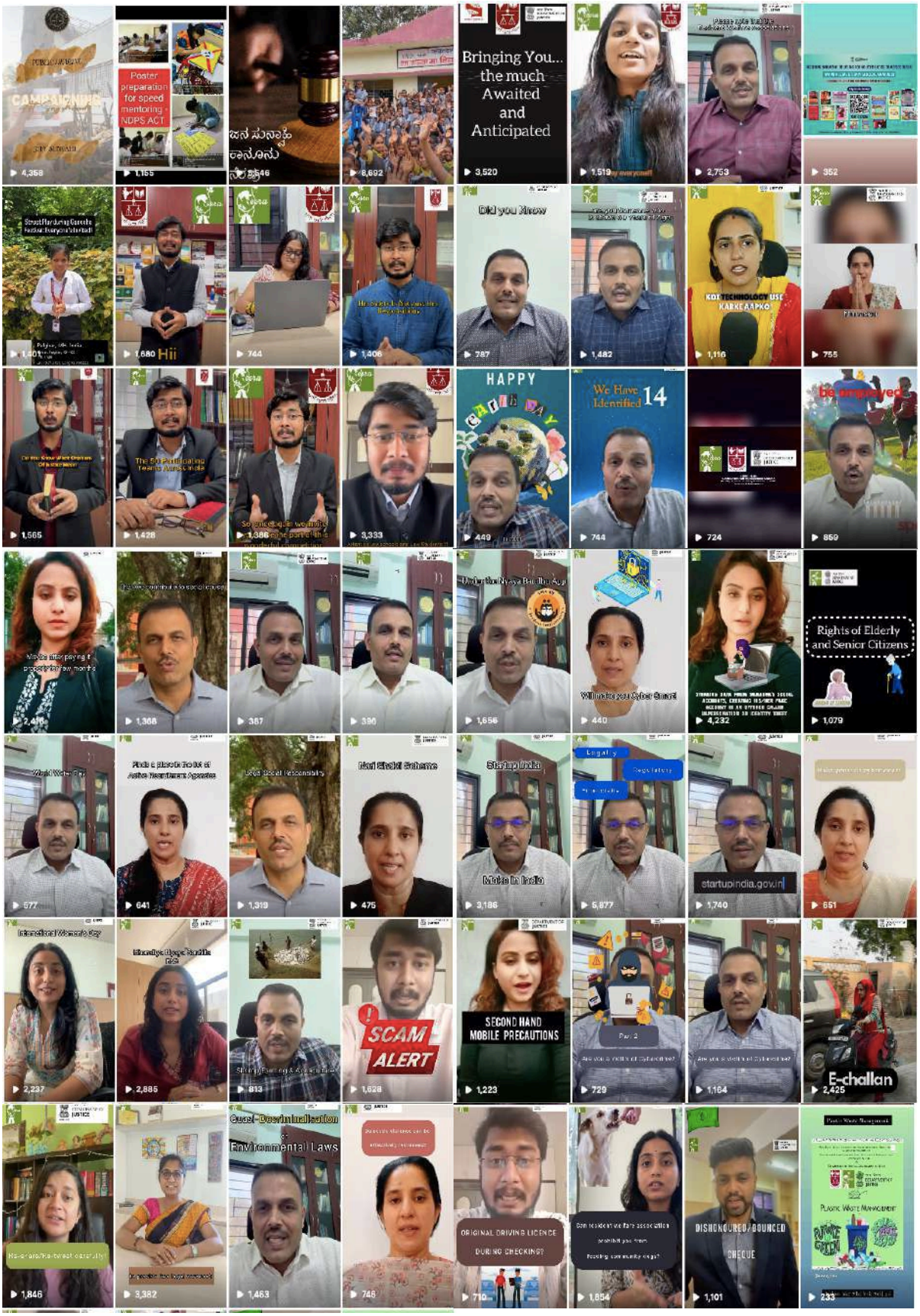
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	137*	1,72,802
2.	Facebook	80	6,119
3.	YouTube	119**	25,590
4.	LinkedIn	91	1,73,126
5.	Website (ceerapub.nls.ac.in)	35**	46,832
Total Outreach Feb – Sept 2024 (A)			4,24,569
Outreach till Feb - Aug 2024 (B)* **			3,19,849
Outreach for Sept 2024 (A – B)			1,04,620

* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to September 2024).
*** Reported in the Monthly Report for the Month of August 2024.

INSTAGRAM PAGE:

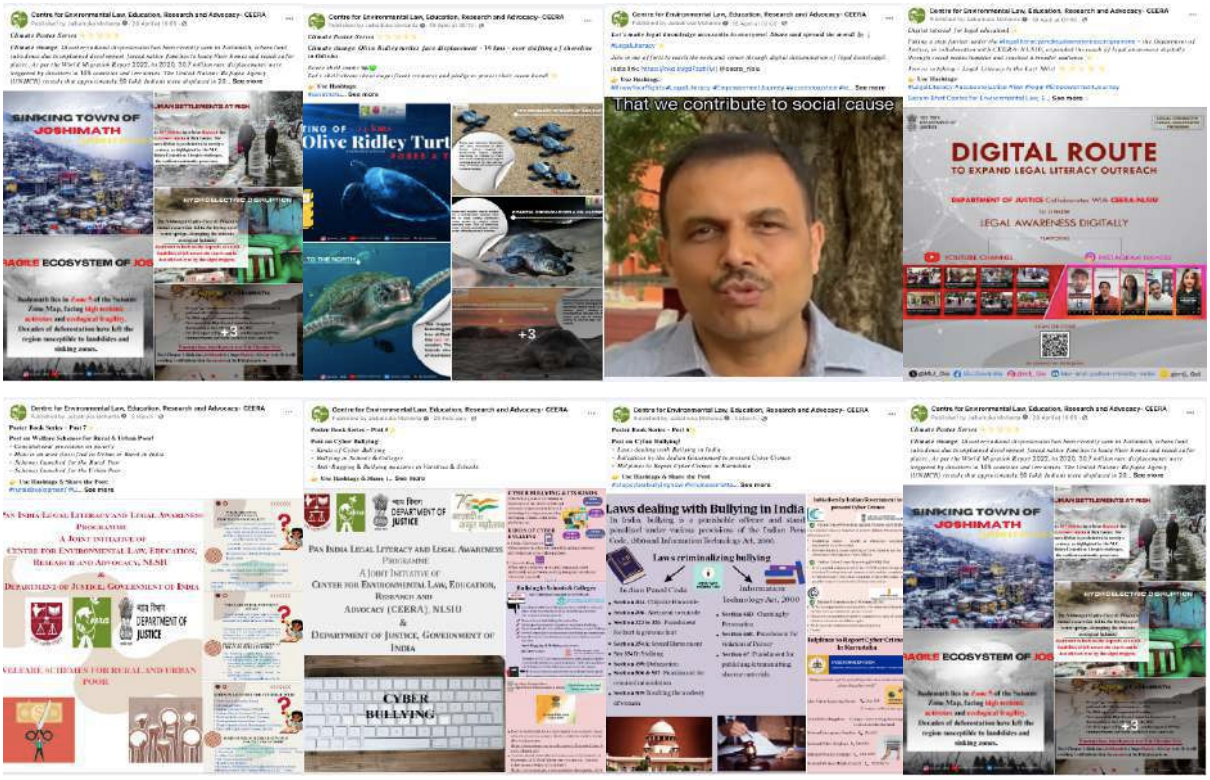
- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 137 (Reels 70, other posts – 67); Total Outreach through Instagram: 1,72,802 (1,42,679 – reels + 30,123– other posts).** Some of the reels are as follows:




Poster preparation for speed mentoring - NDPS ACT
Bringing You... the much Awaited and Anticipated
Did you Know
Hii
HAPPY
We Have Identified 14
Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SCAM ALERT
SECOND HAND MOBILE PRECAUTIONS
E-challan
Environmental Laws
ORIGINAL DRIVING LICENCE DURING CHECKING?
DISHONOURED/BOUNCED CHEQUE

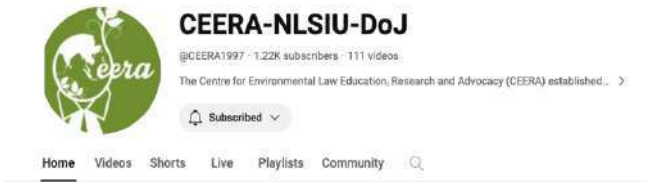
FACEBOOK PAGE:

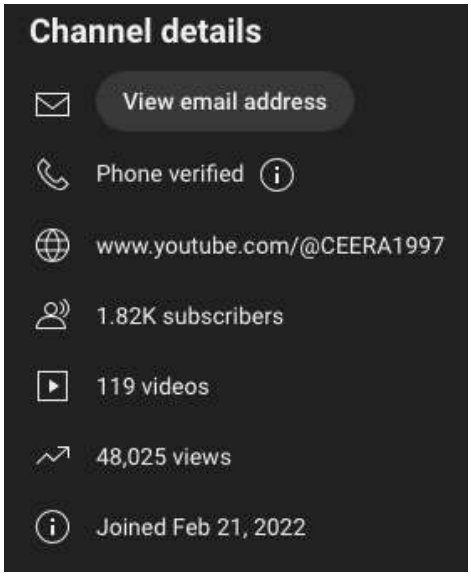
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 80; Outreach through Facebook: 6,119.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was **22,435**. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The Total outreach as on 28th September 2024 is **48,025.** Thus, the outreach through YouTube Channel for the period of Feb-Sept 2024 is **25,590 through 119 videos.**

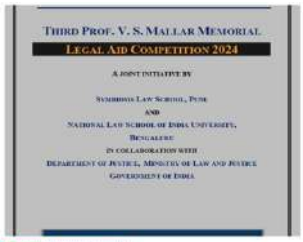




WEBSITE (CEERAPUB.NLS.AC.IN):

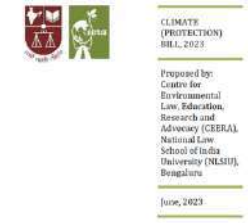
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was **26,704**. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 28 September 2024 is **73,536**. Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-Sept 2024 is **46,832 through 35 posts.** The blog posts in the legal literacy and legal awareness category on our website and their outreach is as follows:

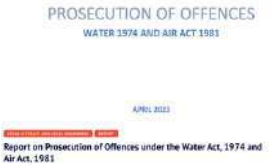
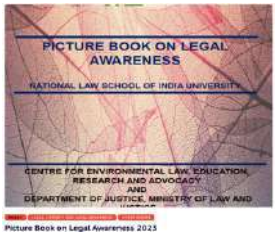
S.No.	Screenshot	Title	Link	Outreach
1.		Problem Statement | First National Labour Law Conciliation Competition 2024	https://ceerapub.nls.ac.in/problem-statement-first-national-labour-law-conciliation-competition-2024/	217
2.		Guarding Green Claims: Indian Approach Towards a Sustainable Future	https://ceerapub.nls.ac.in/guarding-green-claims-indian-approach-towards-a-sustainable-future/	255
3.		Rules, Regulations & Guidelines – Third Edition Prof. V.S. Malar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/rules-regulations-guidelines-third-edition-prof-v-s-mallar-memorial-legal-aid-competition-2024/	283

S.No.	Screenshot	Title	Link	Outreach
4.		Environmental Restorative Justice: An Emerging Paradigm in Environmental Governance	https://ceerapub.nls.ac.in/environmental-restorative-justice-an-emerging-paradigm-in-environmental-governance/	652
5.		Proposed Legal Framework for Climate Induced Disaster Like the Wayanad Landslide	https://ceerapub.nls.ac.in/proposed-legal-framework-for-climate-induced-disaster-like-the-wayanad-landslide/	1589
6.		Brochure: 3rd Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/brochure-3rd-prof-vs-mallar-memorial-legal-aid-competition-2024/	2036
7.		Legal Aid to Legal Rights 2024	https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	1033
8.		The Role of Pollution Control Boards in the Real Estate Sector	https://ceerapub.nls.ac.in/the-role-of-pollution-control-boards-in-the-real-estate-sector/	1313

S.No.	Screenshot	Title	Link	Outreach
9.		Plastic Waste Management in India with Special Emphasis on Multilayered Packaging	https://ceerapub.nls.ac.in/plastic-waste-management-in-india-with-special-emphasis-on-multilayered-packaging/	2741
10.		Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	https://ceerapub.nls.ac.in/significance-of-mediation-an-address-at-the-online-workshop-on-the-mediation-act-2023/	2031
11.		The Policy and Legislative Framework to Regulate the Usage of Non-Personal Data	https://ceerapub.nls.ac.in/the-policy-and-legislative-framework-to-regulate-the-usage-of-non-personal-data/	2187
12.		Green Credit and Climate Action: An Analysis of Green Credit Rules, 2023	https://ceerapub.nls.ac.in/green-credit-and-climate-action-an-analysis-of-green-credit-rules-2023/	4331
13.		Jan Vishwas Act: Transition from Punitive Regime to Trust Based Regime	https://ceerapub.nls.ac.in/jan-vishwas-act-transition-from-punitive-regime-to-trust-based-regime/	2597

S.No.	Screenshot	Title	Link	Outreach
14.		Quasi-Decriminalisation in Environmental Laws in India: An Evaluation	https://ceerapub.nls.ac.in/quasi-decriminalisation-in-environmental-laws-in-india-an-evaluation/	4057
15.		Stray Dogs and Cattle Management – Towards a Humane Approach	https://ceerapub.nls.ac.in/stray-dogs-and-cattle-management-towards-a-humane-approach/	3880
16.		Reimaging Forest Governance – Appraisal of the Forest (Conservation) Amendment Act, 2023	https://ceerapub.nls.ac.in/reimaging-forest-governance-appraisal-of-the-forest-conservation-amendment-act-2023/	3735
17.	 CEERA-NLSIU Policy Hackathon 2023	CEERA-NLSIU Policy Hackathon 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-policy-hackathon-2023/	1907
18.	 Snapshots of Green Budget 2022/23	Snapshots of Green Budget 2022/23	https://ceerapub.nls.ac.in/snapshots-of-green-budget-2022-23/	1306

S.No.	Screenshot	Title	Link	Outreach
19.	 Note on Biological Diversity (Amendment) Act, 2023	Note on Biological Diversity (Amendment) Act, 2023	https://ceerapub.nls.ac.in/note-on-biological-diversity-amendment-act-2023/	5024
20.	 A CRITICAL ANALYSIS OF PRICE VARIATION IN GOVERNMENT CONTRACTS	A Critical Analysis of Price Variation in Government Contracts	https://ceerapub.nls.ac.in/a-critical-analysis-of-price-variation-in-government-contracts/	501
21.	 GREEN CREDIT AND CLIMATE ACTION	Green Credit and Climate Action	https://ceerapub.nls.ac.in/green-credit-and-climate-action/	2065
22.	 Insights Into the New 'High Seas' Treaty	Insights into the New 'High Seas Treaty'	https://ceerapub.nls.ac.in/insights-into-the-new-high-seas-treaty/	1575
23.	 CLIMATE (PROTECTION) BILL, 2023 Proposed by: Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru June, 2023 CEERA-NLSIU Draft Climate Protection Bill 2023	CEERA-NLSIU Draft Climate Protection Bill 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-draft-climate-protection-bill-2023/	620

S.No.	Screenshot	Title	Link	Outreach
24.		Food Wastage, Climate Change, Hunger: The Need for Action	https://ceerapub.nls.ac.in/food-wastage-climate-change-hunger-the-need-for-action/	6136
25.		Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	https://ceerapub.nls.ac.in/project-report-on-affordable-shelters-for-street-women-and-children-a-case-study-of-delhi/	2059
26.		Report on Prosecution of Offences under the Water Act, 1974 and the Air Act, 1981	https://ceerapub.nls.ac.in/report-on-prosecution-of-offences-under-the-water-act-1974-and-air-act-1981/	968
27.		Picture Book on Legal Awareness 2023	https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/	1885
28.		Battery Waste Management Rules, 2022	https://ceerapub.nls.ac.in/battery-waste-management-rules-2022/	1951
29.		Comparative Enforcement Mechanisms and Pinning of Liability in Environmental Crimes in India and Asia Pacific Region	https://ceerapub.nls.ac.in/comparative-enforcement-mechanisms-and-pinning-of-liability-in-environmental-	406

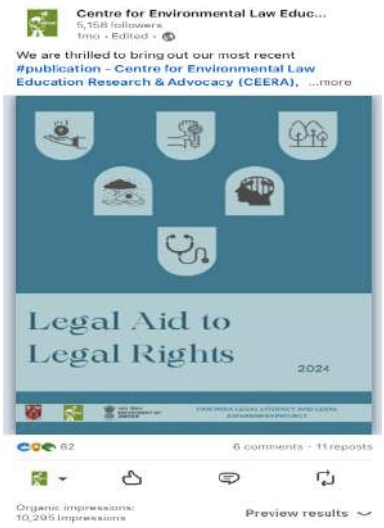
S.No.	Screenshot	Title	Link	Outreach
			crimes-in-india-and-asia-pacific-region/	
30.		Legal Aid Handbook Vol. 1 2022	https://ceerapub.nls.ac.in/legal-aid-handbook-vol-1-2022/	1698
31.		Climate Aid	https://ceerapub.nls.ac.in/climate-aid/	668
32.		Navigating the Wildlife (Protection) Amendment Bill, 2021: A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection	https://ceerapub.nls.ac.in/navigating-the-wildlife-protection-amendment-bill-2021-a-comprehensive-analysis-of-the-need-for-scientific-methods-in-wildlife-protection/	5919
33.		Climate Resilient Cities in India – Assessing the Climate Smart Cities Action Framework	https://ceerapub.nls.ac.in/climate-resilient-cities-in-india-assessing-the-climate-smart-cities-action-framework/	1547
34.		Right to Information: The BCCI Conundrum	https://ceerapub.nls.ac.in/right-to-information-the-bcci-conundrum/	2145

S.No.	Screenshot	Title	Link	Outreach
35.		Transparency, Good Governance and the Right to be Forgotten	https://ceerapub.nls.ac.in/transparency-good-governance-and-the-right-to-be-forgotten/	2219
Total Outreach Through Website **(A)**				73536
Outreach Reported in Consolidated Report (Jan 2024) **(B)**				26,704
Total Outreach through Website | Feb – Sept 2024 (A – B)				**46,832**

LINKEDIN:

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to September 2024 we have posted **91 posts** related to legal literacy and legal awareness with an outreach of **1,73,126.** Some of our posts on LinkedIn are as follows:















OTHER ACTIVITIES CONDUCTED IN THE MONTH OF SEPTEMBER 2024:

- Inaugural Ceremony for the 3rd Edition of the Prof. V. S. Mallar Memorial Legal Aid Competition 2024 was conducted on 5th September 2024 in collaboration with Symbiosis Law School Pune. The purpose of the Inaugural Ceremony was to apprise the participating teams about: (i) the mission and vision of the competition, (ii) the overarching goal of strengthening legal literacy and legal awareness in the country, (iii) the various schemes and programmes of the Department of Justice, and (iv) the Rules and Regulations of the Competition. The Inaugural ceremony was attended by around **220 Participants** from various teams registered for the competition.



- Organization of **Village Halt** on 13th September 2024 in collaboration with JSS Law College, Mysore & DSLA Mysuru in the village of Mosambayanhalli village, Mysuru. During this village halt, **survey of 240 houses** was conducted. Around **200 villagers** present in the session were addressed by the Member Secretary of the DSLA, Mysuru and Shir. Dinesh B. G., Senior Civil Judge, Mysuru. **20 legal disputes** were referred to Legal Aid/ Lok Adalat.



- Organization of One-Day Certificate Workshop on Legal Aid Lawyering – An IQAC Initiative on 14th September 2024 in collaboration with JSS Law College, Mysore. The aim and purpose of the Certificate Workshop is to inspire students to take legal aid activities to boost their legal career and contribute to the mission of legal literacy and legal awareness. The Workshop was attended by **150 Participants**.



- Organization of One-Day Certificate Workshop on Legal Aid Lawyering on 27th September 2024 in collaboration with UPES School of Law Dehradun. The aim and purpose of the Certificate Workshop is to inspire students to take



legal aid activities to boost their legal career and contribute to the mission of legal literacy and legal awareness. The workshop was attended by **220 participants.**

- Launch of **First National Labour Law Conciliation Competition 2024** in collaboration with KLE Society School of Law, Bengaluru. The competition aims to promote awareness about labour laws and dispute resolution mechanisms through conciliation.



***

MONTHLY PROGRESS REPORT – OCTOBER 2024

November 04, 2024

The following is the Report for the month of October 2024 highlighting the outreach achieved and activities conducted in the month of October 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

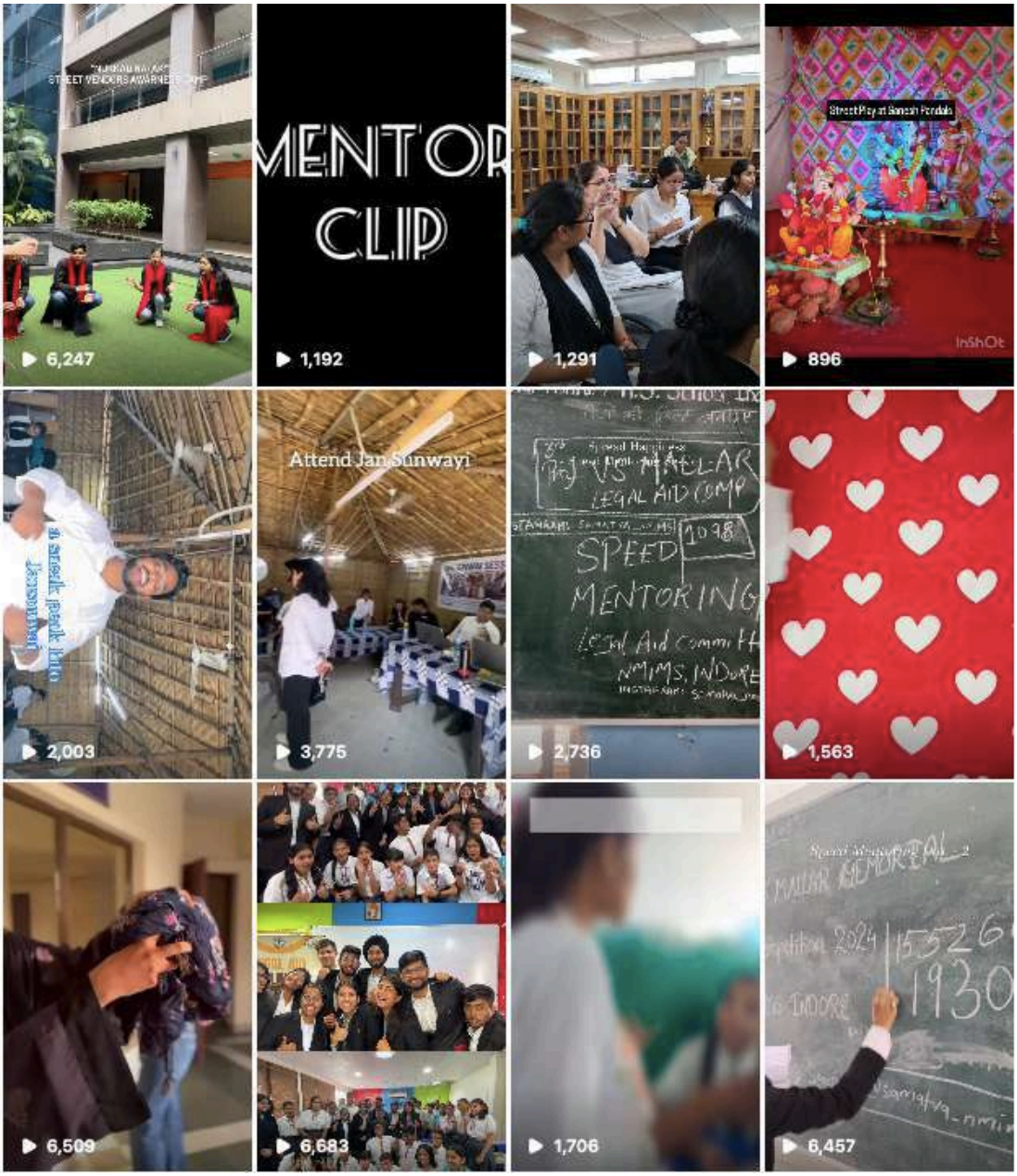
DIGITAL OUTREACH ACHIEVED (FEBRUARY-OCTOBER 2024):

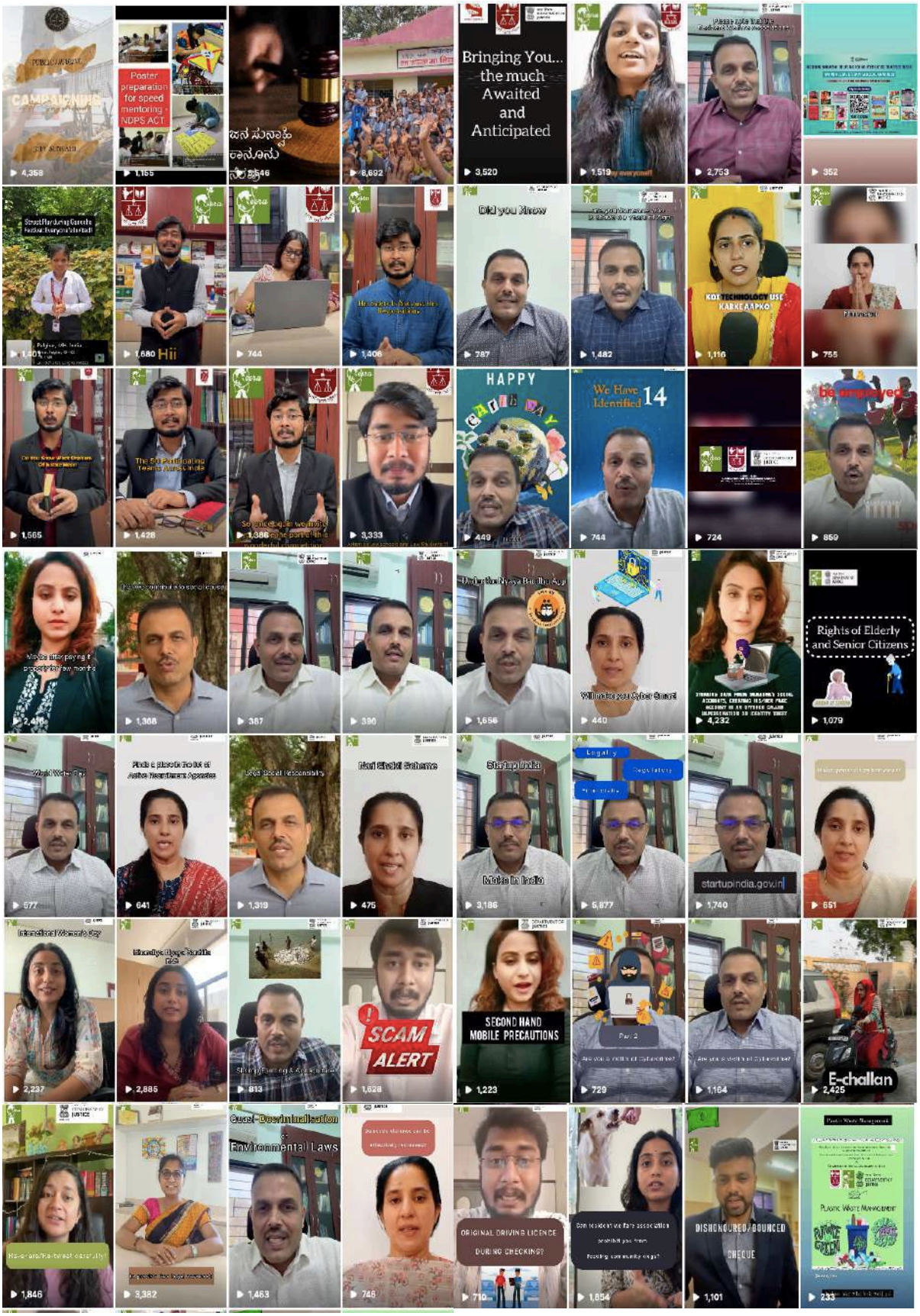
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	137*	1,72,802
2.	Facebook	80	6,119
3.	YouTube	120**	25,590
4.	LinkedIn	91	1,73,126
5.	Website (ceerapub.nls.ac.in)	37**	57,175
Total Outreach Feb – Oct 2024 (A)			4,24,569
Outreach till Feb - Sept 2024 (B)* **			4,24,569
Outreach for Oct 2024 (A – B)			1,04,620

* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to September 2024).
*** Reported in the Monthly Report for the Month of August 2024.

INSTAGRAM PAGE:

- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 137 (Reels 70, other posts – 67); Total Outreach through Instagram: 1,72,802 (1,42,679 – reels + 30,123– other posts).** Some of the reels are as follows:




Poster preparation for speed mentoring - NDPS ACT
Bringing You... the much Awaited and Anticipated
Did you Know
Hii
HAPPY
We Have Identified 14
Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SCAM ALERT
SECOND HAND MOBILE PRECAUTIONS
E-challan
Environmental Laws
ORIGINAL DRIVING LICENCE DURING CHECKING?
DISHONOURED/BOUNCED CHEQUE

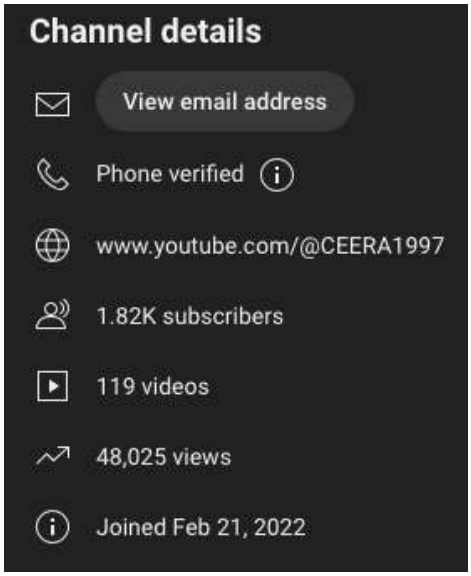
FACEBOOK PAGE:

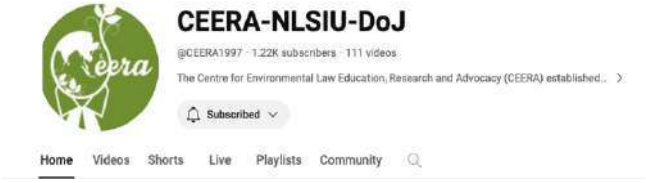
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 80; Outreach through Facebook: 6,119.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

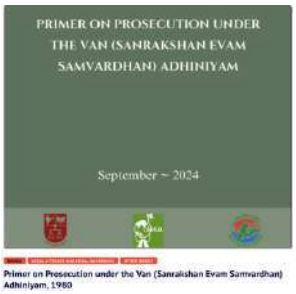
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was **22,435**. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The Total outreach as on 28th September 2024 is **48,025.** Thus, the outreach through YouTube Channel for the period of Feb-Sept 2024 is **25,590 through 119 videos.**

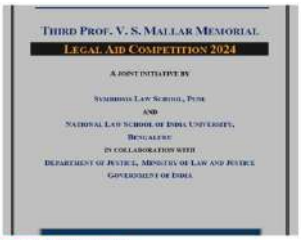




WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was **26,704**. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 28 September 2024 is **73,536**. Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-Sept 2024 is **46,832 through 35 posts.** The blog posts in the legal literacy and legal awareness category on our website and their outreach is as follows:

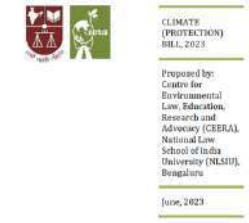
S.No.	Screenshot	Title	Link	Outreach
1.		Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	https://ceerapub.nls.ac.in/examining-the-doctrine-of-veil-piercing-vis-a-vis-environmental-parent-company-liability-in-india/	301
2.		Primer on Prosecution under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	https://ceerapub.nls.ac.in/primer-on-prosecution-under-the-van-sanrakshan-evam-samvardhan-adhiniyam-1980/	451
3.		Problem Statement | First National Labour Law Conciliation Competition 2024	https://ceerapub.nls.ac.in/problem-statement-first-national-labour-law-conciliation-competition-2024/	717

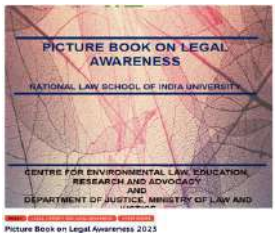
S.No.	Screenshot	Title	Link	Outreach
4.	 GUARDING GREEN CLAIMS: INDIAN APPROACH TOWARDS A SUSTAINABLE FUTURE	Guarding Green Claims: Indian Approach Towards a Sustainable Future	https://ceerapub.nls.ac.in/guarding-green-claims-indian-approach-towards-a-sustainable-future/	1000
5.	 RULES, REGULATIONS & MARKS MATRIX THIRD EDITION PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION 2024 Rules, Regulations & Guidelines – Third Edition Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	Rules, Regulations & Guidelines – Third Edition Prof. V.S. Malar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/rules-regulations-guidelines-third-edition-prof-v-s-mallar-memorial-legal-aid-competition-2024/	560
6.	 ENVIRONMENTAL RESTORATIVE JUSTICE: AN EMERGING PARADIGM IN ENVIRONMENTAL GOVERNANCE	Environmental Restorative Justice: An Emerging Paradigm in Environmental Governance	https://ceerapub.nls.ac.in/environmental-restorative-justice-an-emerging-paradigm-in-environmental-governance/	920
7.	 Proposed Legal Framework for Climate Induced Disaster like the Wayanad Landslide	Proposed Legal Framework for Climate Induced Disaster Like the Wayanad Landslide	https://ceerapub.nls.ac.in/proposed-legal-framework-for-climate-induced-disaster-like-the-wayanad-landslide/	2050
8.	 THIRD PROF. V. S. MALLAR MEMORIAL LEGAL AID COMPETITION 2024 Brochure: 3rd Prof VS Mallar Memorial Legal Aid Competition, 2024	Brochure: 3rd Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/brochure-3rd-prof-vs-mallar-memorial-legal-aid-competition-2024/	2304

S.No.	Screenshot	Title	Link	Outreach
9.		Legal Aid to Legal Rights 2024	https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	1417
10.		The Role of Pollution Control Boards in the Real Estate Sector	https://ceerapub.nls.ac.in/the-role-of-pollution-control-boards-in-the-real-estate-sector/	2002
11.		Plastic Waste Management in India with Special Emphasis on Multilayered Packaging	https://ceerapub.nls.ac.in/plastic-waste-management-in-india-with-special-emphasis-on-multilayered-packaging/	4066
12.		Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	https://ceerapub.nls.ac.in/significance-of-mediation-an-address-at-the-online-workshop-on-the-mediation-act-2023/	2365
13.		The Policy and Legislative Framework to Regulate the Usage of Non-Personal Data	https://ceerapub.nls.ac.in/the-policy-and-legislative-framework-to-regulate-the-usage-of-non-personal-data/	2390

S.No.	Screenshot	Title	Link	Outreach
14.		Green Credit and Climate Action: An Analysis of Green Credit Rules, 2023	https://ceerapub.nls.ac.in/green-credit-and-climate-action-an-analysis-of-green-credit-rules-2023/	4528
15.		Jan Vishwas Act: Transition from Punitive Regime to Trust Based Regime	https://ceerapub.nls.ac.in/jan-vishwas-act-transition-from-punitive-regime-to-trust-based-regime/	2815
16.		Quasi-Decriminalisation in Environmental Laws in India: An Evaluation	https://ceerapub.nls.ac.in/quasi-decriminalisation-in-environmental-laws-in-india-an-evaluation/	4737
17.		Stray Dogs and Cattle Management – Towards a Humane Approach	https://ceerapub.nls.ac.in/stray-dogs-and-cattle-management-towards-a-humane-approach/	4283
18.		Reimaging Forest Governance – Appraisal of the Forest (Conservation) Amendment Act, 2023	https://ceerapub.nls.ac.in/reimaging-forest-governance-appraisal-of-the-forest-conservation-amendment-act-2023/	3940

S.No.	Screenshot	Title	Link	Outreach
19.	 CEERA-NLSIU Policy Hackathon 2023	CEERA-NLSIU Policy Hackathon 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-policy-hackathon-2023/	1941
20.	 Snapshots of Green Budget 2022/23	Snapshots of Green Budget 2022/23	https://ceerapub.nls.ac.in/snapshots-of-green-budget-2022-23/	1337
21.	 Note on Biological Diversity (Amendment) Act, 2023	Note on Biological Diversity (Amendment) Act, 2023	https://ceerapub.nls.ac.in/note-on-biological-diversity-amendment-act-2023/	5369
22.	 A CRITICAL ANALYSIS OF PRICE VARIATION IN GOVERNMENT CONTRACTS	A Critical Analysis of Price Variation in Government Contracts	https://ceerapub.nls.ac.in/a-critical-analysis-of-price-variation-in-government-contracts/	524
23.	 GREEN CREDIT AND CLIMATE ACTION	Green Credit and Climate Action	https://ceerapub.nls.ac.in/green-credit-and-climate-action/	2142

S.No.	Screenshot	Title	Link	Outreach
24.	 Insights Into the New 'High Seas' Treaty	Insights into the New 'High Seas Treaty'	https://ceerapub.nls.ac.in/insights-into-the-new-high-seas-treaty/	1663
25.	 CLIMATE (PROTECTION) BILL, 2023 Proposed by: Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru June, 2023 CEERA-NLSIU Draft Climate Protection Bill 2023	CEERA-NLSIU Draft Climate Protection Bill 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-draft-climate-protection-bill-2023/	678
26.	 FOOD WASTAGE, CLIMATE CHANGE, HUNGER: THE NEED FOR ACTION	Food Wastage, Climate Change, Hunger: The Need for Action	https://ceerapub.nls.ac.in/food-wastage-climate-change-hunger-the-need-for-action/	6822
27.	 Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	https://ceerapub.nls.ac.in/project-report-on-affordable-shelters-for-street-women-and-children-a-case-study-of-delhi/	2093
28.	 PROSECUTION OF OFFENCES WATER 1974 AND AIR ACT 1981 Report on Prosecution of Offences under the Water Act, 1974 and Air Act, 1981	Report on Prosecution of Offences under the Water Act, 1974 and the Air Act, 1981	https://ceerapub.nls.ac.in/report-on-prosecution-of-offences-under-the-water-act-1974-and-air-act-1981/	1039

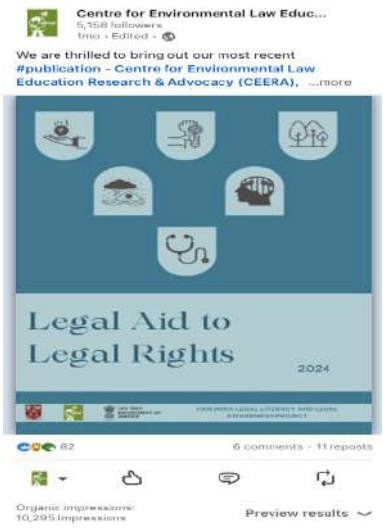
S.No.	Screenshot	Title	Link	Outreach
29.		Picture Book on Legal Awareness 2023	https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/	1964
30.		Battery Waste Management Rules, 2022	https://ceerapub.nls.ac.in/battery-waste-management-rules-2022/	2046
31.		Comparative Enforcement Mechanisms and Pinning of Liability in Environmental Crimes in India and Asia Pacific Region	https://ceerapub.nls.ac.in/comparative-enforcement-mechanisms-and-pinning-of-liability-in-environmental-crimes-in-india-and-asia-pacific-region/	430
32.		Legal Aid Handbook Vol. 1 2022	https://ceerapub.nls.ac.in/legal-aid-handbook-vol-1-2022/	1753
33.		Climate Aid	https://ceerapub.nls.ac.in/climate-aid/	706

S.No.	Screenshot	Title	Link	Outreach
34.		Navigating the Wildlife (Protection) Amendment Bill, 2021: A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection	https://ceerapub.nls.ac.in/navigating-the-wildlife-protection-amendment-bill-2021-a-comprehensive-analysis-of-the-need-for-scientific-methods-in-wildlife-protection/	6070
35.		Climate Resilient Cities in India – Assessing the Climate Smart Cities Action Framework	https://ceerapub.nls.ac.in/climate-resilient-cities-in-india-assessing-the-climate-smart-cities-action-framework/	1617
36.		Right to Information: The BCCI Conundrum	https://ceerapub.nls.ac.in/right-to-information-the-bcci-conundrum/	2410
37.		Transparency, Good Governance and the Right to be Forgotten	https://ceerapub.nls.ac.in/transparency-good-governance-and-the-right-to-be-forgotten/	2429
Total Outreach Through Website **(A)**				83,879
Outreach Reported in Consolidated Report (Jan 2024) **(B)**				26,704
Total Outreach through Website | Feb – Oct 2024 (A – B)				**57,175**

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OTHER ACTIVITIES CONDUCTED IN THE MONTH OF SEPTEMBER 2024:

- Inaugural Ceremony for the 3rd Edition of the Prof. V. S. Mallar Memorial Legal Aid Competition 2024 was conducted on 5th September 2024 in collaboration with Symbiosis Law School Pune. The purpose of the Inaugural Ceremony was to apprise the participating teams about: (i) the mission and vision of the competition, (ii) the overarching goal of strengthening legal literacy and legal awareness in the country, (iii) the various schemes and programmes of the Department of Justice, and (iv) the Rules and Regulations of the Competition. The Inaugural ceremony was attended by around **220 Participants** from various teams registered for the competition.



- Organization of **Village Halt** on 13th September 2024 in collaboration with JSS Law College, Mysore & DSLA Mysuru in the village of Mosambayanhalli village, Mysuru. During this village halt, **survey of 240 houses** was conducted. Around **200 villagers** present in the session were addressed by the Member Secretary of the DSLA, Mysuru and Shir. Dinesh B. G., Senior Civil Judge, Mysuru. **20 legal disputes** were referred to Legal Aid/ Lok Adalat.



- Organization of One-Day Certificate Workshop on Legal Aid Lawyering – An IQAC Initiative on 14th September 2024 in collaboration with JSS Law College, Mysore. The aim and purpose of the Certificate Workshop is to inspire students to take legal aid activities to boost their legal career and contribute to the mission of legal literacy and legal awareness. The Workshop was attended by **150 Participants**.



- Organization of One-Day Certificate Workshop on Legal Aid Lawyering on 27th September 2024 in collaboration with UPES School of Law Dehradun. The aim and purpose of the Certificate Workshop is to inspire students to take



legal aid activities to boost their legal career and contribute to the mission of legal literacy and legal awareness. The workshop was attended by **220 participants.**

- Launch of **First National Labour Law Conciliation Competition 2024** in collaboration with KLE Society School of Law, Bengaluru. The competition aims to promote awareness about labour laws and dispute resolution mechanisms through conciliation.



***

MONTHLY PROGRESS REPORT

December 02, 2024

The following is the Report for the month of October - November, 2024 highlighting the outreach achieved in the month of October - November, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

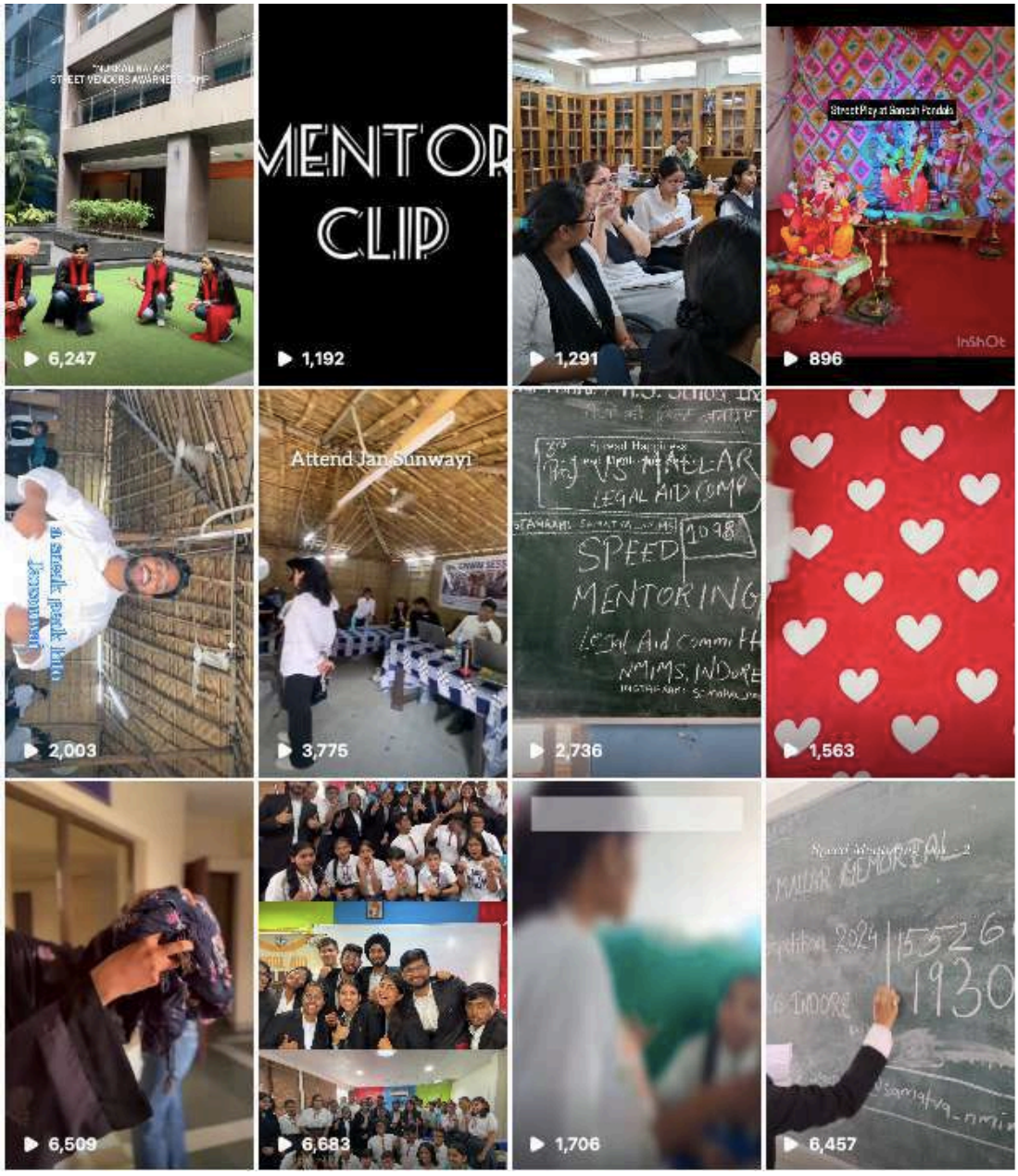
DIGITAL OUTREACH ACHIEVED (FEBRUARY-NOVEMBER 2024):

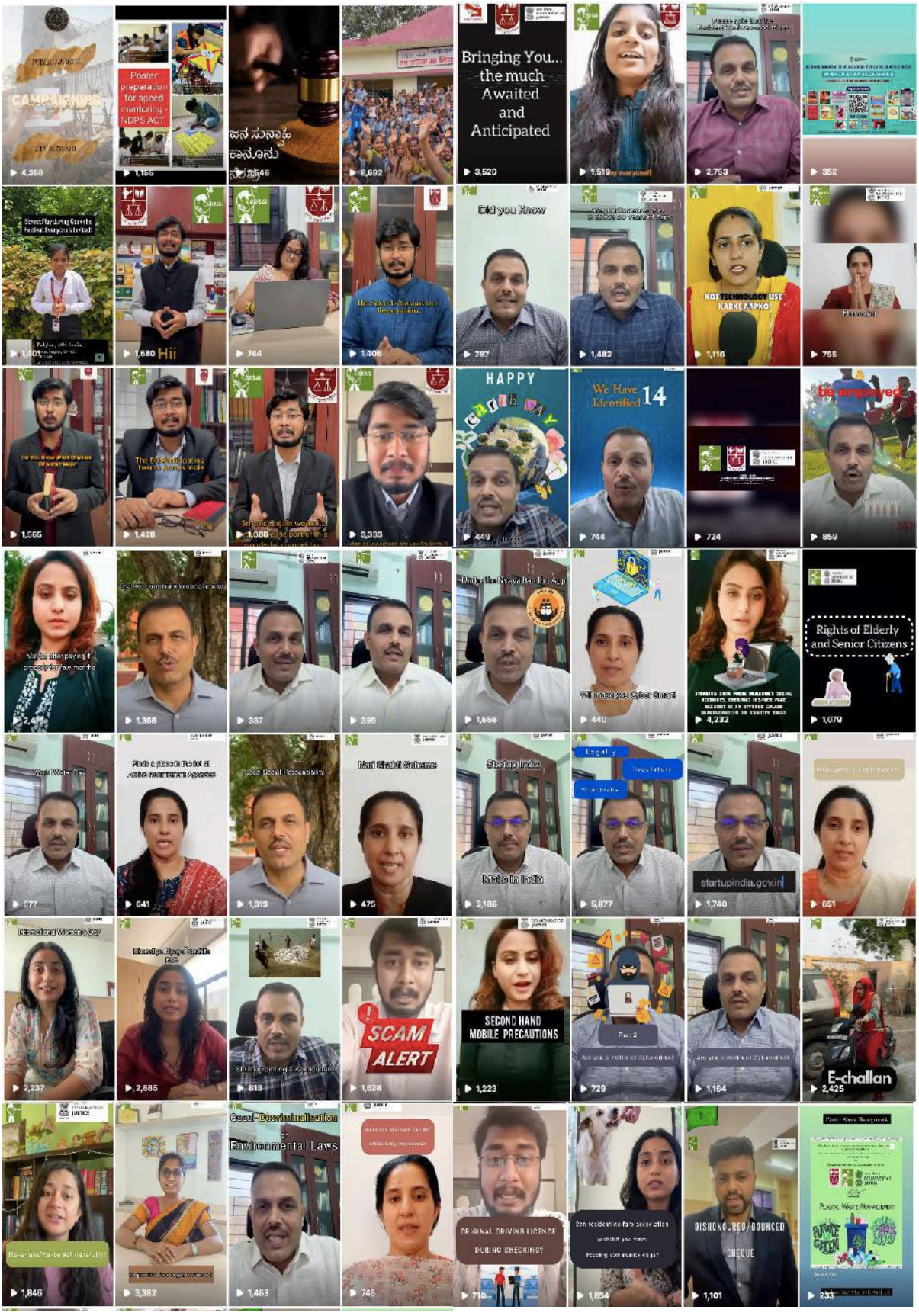
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	328*	7,24,900
2.	Facebook	81	6,850
3.	YouTube	123**	31,157
4.	LinkedIn	103	2,07,373
5.	Website (ceerapub.nls.ac.in)	38**	62,490
Total Outreach Feb – Nov 2024 (A)			10,32,770
Outreach till Feb - Sept 2024 (B)* **			4,24,569
Outreach for Oct-Nov 2024 (A – B)			6,08,201

* Reels and posts combined
** Total number of posts (from the start date of the project) – The outreach has been adjusted accordingly by subtracting the total outreach from the outreach reported earlier in the Consolidated Report. Thus, the outreach shown is only for the period (February to September 2024).
*** Reported in the Monthly Report for the Month of August 2024.

INSTAGRAM PAGE:

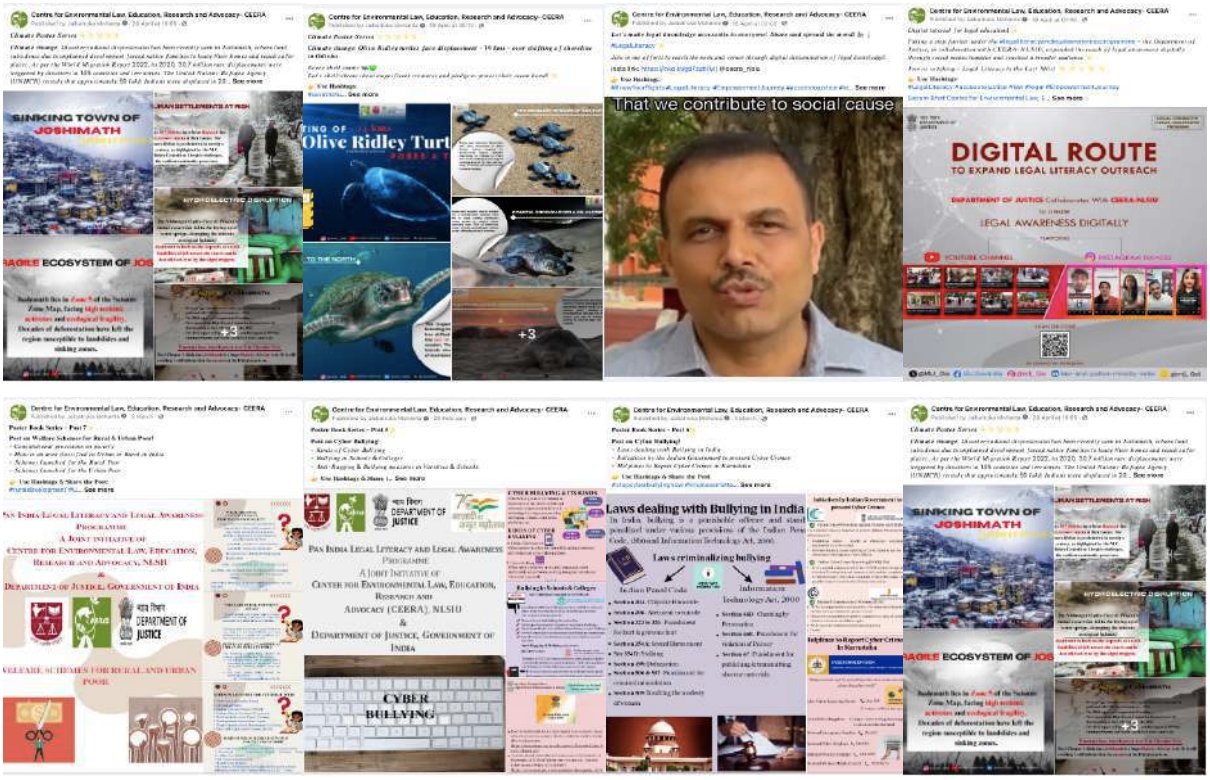
- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 328 (Reels 259, other posts – 69); Total Outreach through Instagram: 7,24,900 (6,87,803 – reels + 37,097– other posts).** Some of the reels are as follows:




Poster preparation for speed mentoring - NDPS ACT
Bringing You... the much Awaited and Anticipated
Did you Know
Hii
HAPPY
We Have Identified 14
Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SCAM ALERT
SECOND HAND MOBILE PRECAUTIONS
E-challan
Environmental Laws
ORIGINAL DRIVING LICENCE DURING CHECKING?
DISHONOURED/BOUNCED CHEQUE

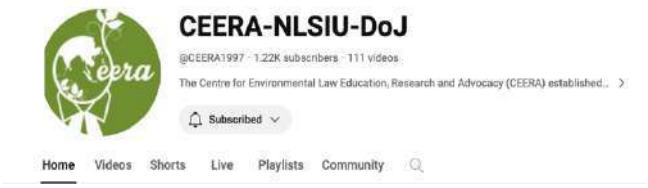
FACEBOOK PAGE:

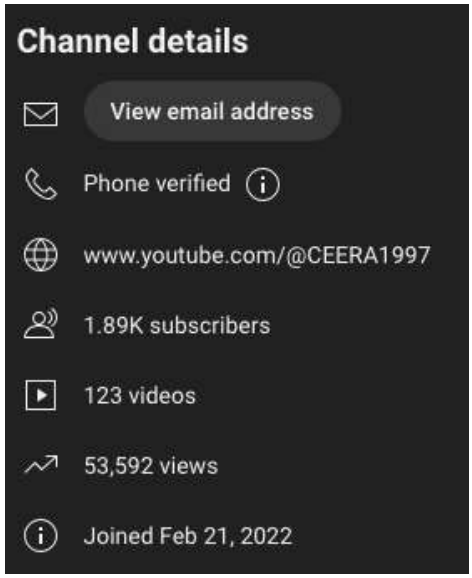
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 81; Outreach through Facebook: 6,850.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

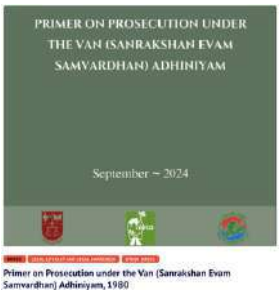
- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through YouTube channel was **22,435**. (This number will be considered as the base figure for reporting the outreach through YouTube Channel). The Total outreach as on 27th November 2024 is **53,592.** Thus, the outreach through YouTube Channel for the period of Feb-Nov 2024 is **31,157 through 123 videos.**





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU had submitted a Digital Media outreach report on 16 January 2024 to the Department of Justice, Ministry of Law & Justice. In that report the outreach reported through the website was **26,704**. (This number will be considered as the base figure for reporting the outreach through our website). The outreach as on 27 November 2024 is **89,194**. Thus, the outreach through our website (ceerapub.nls.ac.in) for the period of Feb-Nov 2024 is **62,490 through 38 posts.** The blog posts in the legal literacy and legal awareness category on our website and their outreach is as follows:

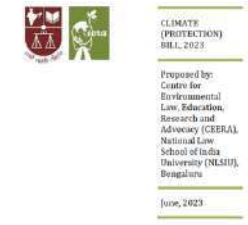
S.No.	Screenshot	Title	Link	Outreach
1.	 Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward	Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward	https://ceerapub.nls.ac.in/analysing-the-draft-liquid-waste-management-rules-2024-salient-features-and-way-forward/	22
2.	 Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	https://ceerapub.nls.ac.in/examining-the-doctrine-of-veil-piercing-vis-a-vis-environmental-parent-company-liability-in-india/	497
3.	 Primer on Prosecution under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	Primer on Prosecution under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	https://ceerapub.nls.ac.in/primer-on-prosecution-under-the-van-sanrakshan-evam-samvardhan-adhiniyam-1980/	516

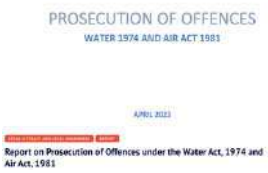
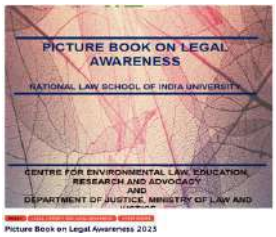
S.No.	Screenshot	Title	Link	Outreach
4.		Problem Statement | First National Labour Law Conciliation Competition 2024	https://ceerapub.nls.ac.in/problem-statement-first-national-labour-law-conciliation-competition-2024/	1011
5.		Guarding Green Claims: Indian Approach Towards a Sustainable Future	https://ceerapub.nls.ac.in/guarding-green-claims-indian-approach-towards-a-sustainable-future/	1380
6.		Rules, Regulations & Guidelines – Third Edition Prof. V.S. Malar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/rules-regulations-guidelines-third-edition-prof-v-s-mallar-memorial-legal-aid-competition-2024/	644
7.		Environmental Restorative Justice: An Emerging Paradigm in Environmental Governance	https://ceerapub.nls.ac.in/environmental-restorative-justice-an-emerging-paradigm-in-environmental-governance/	1004
8.		Proposed Legal Framework for Climate Induced Disaster Like the Wayanad Landslide	https://ceerapub.nls.ac.in/proposed-legal-framework-for-climate-induced-disaster-like-the-wayanad-landslide/	2149

S.No.	Screenshot	Title	Link	Outreach
9.	 Brochure: 3rd Prof VS Mallar Memorial Legal Aid Competition, 2024	Brochure: 3rd Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/brochure-3rd-prof-vs-mallar-memorial-legal-aid-competition-2024/	2408
10.	 Legal Aid to Legal Rights 2024	Legal Aid to Legal Rights 2024	https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	1752
11.	 The Role of Pollution Control Boards in the Real Estate Sector	The Role of Pollution Control Boards in the Real Estate Sector	https://ceerapub.nls.ac.in/the-role-of-pollution-control-boards-in-the-real-estate-sector/	2337
12.	 Plastic Waste Management in India with special emphasis on multilayered packaging	Plastic Waste Management in India with Special Emphasis on Multilayered Packaging	https://ceerapub.nls.ac.in/plastic-waste-management-in-india-with-special-emphasis-on-multilayered-packaging/	4412
13.	 Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	https://ceerapub.nls.ac.in/significance-of-mediation-an-address-at-the-online-workshop-on-the-mediation-act-2023/	2469

S.No.	Screenshot	Title	Link	Outreach
14.		The Policy and Legislative Framework to Regulate the Usage of Non-Personal Data	https://ceerapub.nls.ac.in/the-policy-and-legislative-framework-to-regulate-the-usage-of-non-personal-data/	2472
15.		Green Credit and Climate Action: An Analysis of Green Credit Rules, 2023	https://ceerapub.nls.ac.in/green-credit-and-climate-action-an-analysis-of-green-credit-rules-2023/	4687
16.		Jan Vishwas Act: Transition from Punitive Regime to Trust Based Regime	https://ceerapub.nls.ac.in/jan-vishwas-act-transition-from-punitive-regime-to-trust-based-regime/	2950
17.		Quasi-Decriminalisation in Environmental Laws in India: An Evaluation	https://ceerapub.nls.ac.in/quasi-decriminalisation-in-environmental-laws-in-india-an-evaluation/	5116
18.		Stray Dogs and Cattle Management – Towards a Humane Approach	https://ceerapub.nls.ac.in/stray-dogs-and-cattle-management-towards-a-humane-approach/	4543

S.No.	Screenshot	Title	Link	Outreach
19.	 REIMAGING FOREST GOVERNANCE – APPRAISAL OF THE FOREST (CONSERVATION) AMENDMENT ACT 2023	Reimaging Forest Governance – Appraisal of the Forest (Conservation) Amendment Act, 2023	https://ceerapub.nls.ac.in/reimaging-forest-governance-appraisal-of-the-forest-conservation-amendment-act-2023/	4087
20.	 POLICY HACKATHON 2023 CEERA-NLSIU Policy Hackathon 2023	CEERA-NLSIU Policy Hackathon 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-policy-hackathon-2023/	1980
21.	 Snapshots of Green Budget 2022/23	Snapshots of Green Budget 2022/23	https://ceerapub.nls.ac.in/snapshots-of-green-budget-2022-23/	1358
22.	 Note on Biological Diversity (Amendment) Act, 2023	Note on Biological Diversity (Amendment) Act, 2023	https://ceerapub.nls.ac.in/note-on-biological-diversity-amendment-act-2023/	5597
23.	 A CRITICAL ANALYSIS OF PRICE VARIATION IN GOVERNMENT CONTRACTS	A Critical Analysis of Price Variation in Government Contracts	https://ceerapub.nls.ac.in/a-critical-analysis-of-price-variation-in-government-contracts/	546

S.No.	Screenshot	Title	Link	Outreach
24.	 GREEN CREDIT AND CLIMATE ACTION	Green Credit and Climate Action	https://ceerapub.nls.ac.in/green-credit-and-climate-action/	2185
25.	 Insights Into the New 'High Seas' Treaty	Insights into the New 'High Seas Treaty'	https://ceerapub.nls.ac.in/insights-into-the-new-high-seas-treaty/	1754
26.	 CLIMATE (PROTECTION) BILL, 2023 Proposed by: Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru June, 2023 CEERA-NLSIU Draft Climate Protection Bill 2023	CEERA-NLSIU Draft Climate Protection Bill 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-draft-climate-protection-bill-2023/	709
27.	 FOOD WASTAGE, CLIMATE CHANGE, HUNGER: THE NEED FOR ACTION	Food Wastage, Climate Change, Hunger: The Need for Action	https://ceerapub.nls.ac.in/food-wastage-climate-change-hunger-the-need-for-action/	7264
28.	 Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	https://ceerapub.nls.ac.in/project-report-on-affordable-shelters-for-street-women-and-children-a-case-study-of-delhi/	2112

S.No.	Screenshot	Title	Link	Outreach
29.		Report on Prosecution of Offences under the Water Act, 1974 and the Air Act, 1981	https://ceerapub.nls.ac.in/report-on-prosecution-of-offences-under-the-water-act-1974-and-air-act-1981/	1071
30.		Picture Book on Legal Awareness 2023	https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/	1996
31.		Battery Waste Management Rules, 2022	https://ceerapub.nls.ac.in/battery-waste-management-rules-2022/	2099
32.		Comparative Enforcement Mechanisms and Pinning of Liability in Environmental Crimes in India and Asia Pacific Region	https://ceerapub.nls.ac.in/comparative-enforcement-mechanisms-and-pinning-of-liability-in-environmental-crimes-in-india-and-asia-pacific-region/	441
33.		Legal Aid Handbook Vol. 1 2022	https://ceerapub.nls.ac.in/legal-aid-handbook-vol-1-2022/	1781

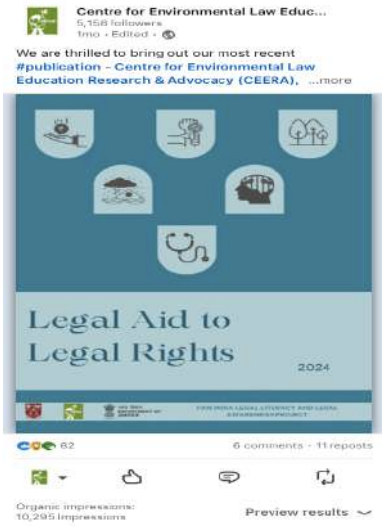
S.No.	Screenshot	Title	Link	Outreach
34.		Climate Aid	https://ceerapub.nls.ac.in/climate-aid/	738
35.		Navigating the Wildlife (Protection) Amendment Bill, 2021: A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection	https://ceerapub.nls.ac.in/navigating-the-wildlife-protection-amendment-bill-2021-a-comprehensive-analysis-of-the-need-for-scientific-methods-in-wildlife-protection/	6184
36.		Climate Resilient Cities in India – Assessing the Climate Smart Cities Action Framework	https://ceerapub.nls.ac.in/climate-resilient-cities-in-india-assessing-the-climate-smart-cities-action-framework/	1693
37.		Right to Information: The BCCI Conundrum	https://ceerapub.nls.ac.in/right-to-information-the-bcci-conundrum/	2651
38.		Transparency, Good Governance and the Right to be Forgotten	https://ceerapub.nls.ac.in/transparency-good-governance-and-the-right-to-be-forgotten/	2579
Total Outreach Through Website **(A)**				89,194
Outreach Reported in Consolidated Report (Jan 2024) **(B)**				26,704
Total Outreach through Website | Feb – Nov 2024 (A – B)				**62,490**

LINKEDIN:

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers.



At the time of submission of Consolidated Report and Social Media Outreach Report, we were not able submit the outreach on LinkedIn due to some technical issues. However, the page is an active page and during the period of February to September 2024 we have posted **103 posts** related to legal literacy and legal awareness with an outreach of **2,07,373.** Some of our posts on LinkedIn are as follows:













MONTHLY PROGRESS REPORT

January 01, 2025

The following is the Report for the month of December, 2024 highlighting the outreach achieved in the month of December, 2024 for the project "**Pan India Legal Literacy and Legal Awareness Programme**" by the Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru under the Scheme "Designing Innovative Solutions for Holistic Access to Justice (DISHA)" under the aegis of Department of Justice, Ministry of Law and Justice, Government of India.

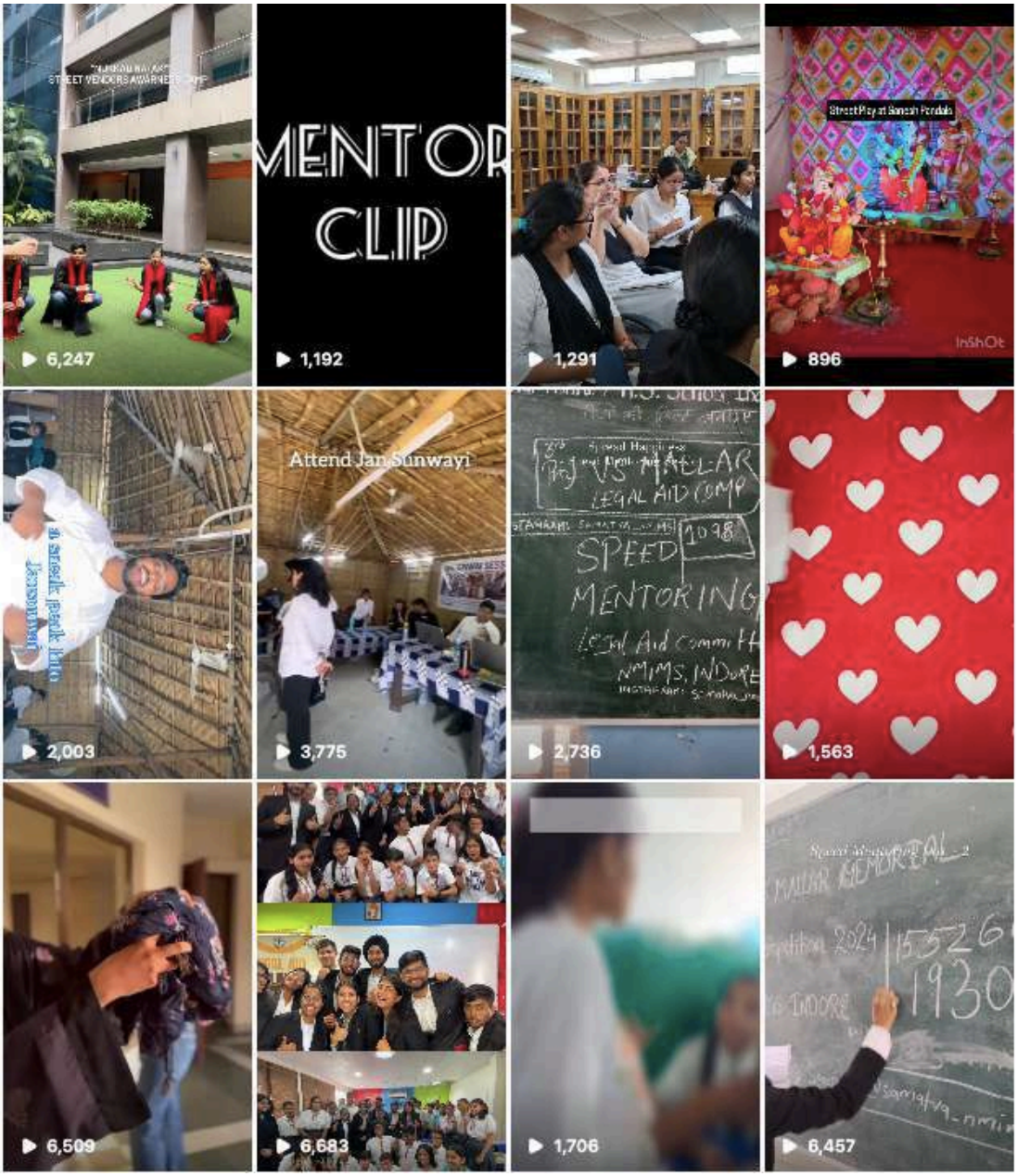
TOTAL OUTREACH ACHIEVED (JANUARY 2022-DECEMBER 2024):

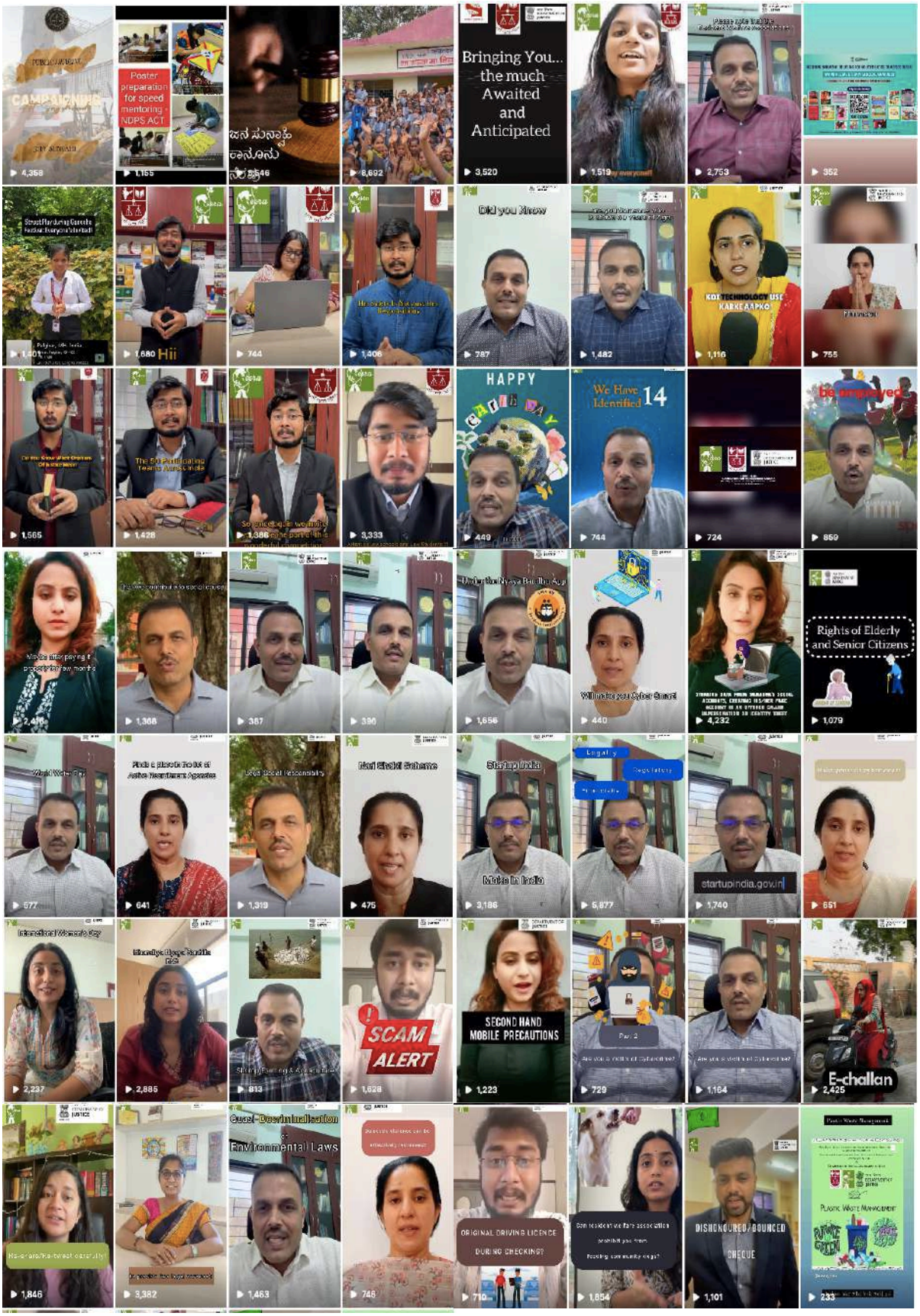
S. No.	Platform	Number of Posts	Outreach
1.	Instagram	847*	11,51,232
2.	Facebook	207	22,186
3.	YouTube	123	62,604
4.	LinkedIn	244	4,73,132
5.	Website (ceerapub.nls.ac.in)	40	99,114
6.	Workshops	32**	8,250
7.	Competitions	6***	93,285
Total Outreach Jan 2022 – Dec 2024 (A)			19,09,803
Outreach till Jan 2022 - Nov 2024 (B)†			17,53,694
Outreach for December 2024 (A – B)			1,56,109

* Reels and posts combined.
** Denotes the Number of Workshops Conducted
*** Denotes the Number of Competitions Organized.
† Reported in the Presentation Prepared for Annual Review Meeting held on 23rd December 2024.

INSTAGRAM PAGE:

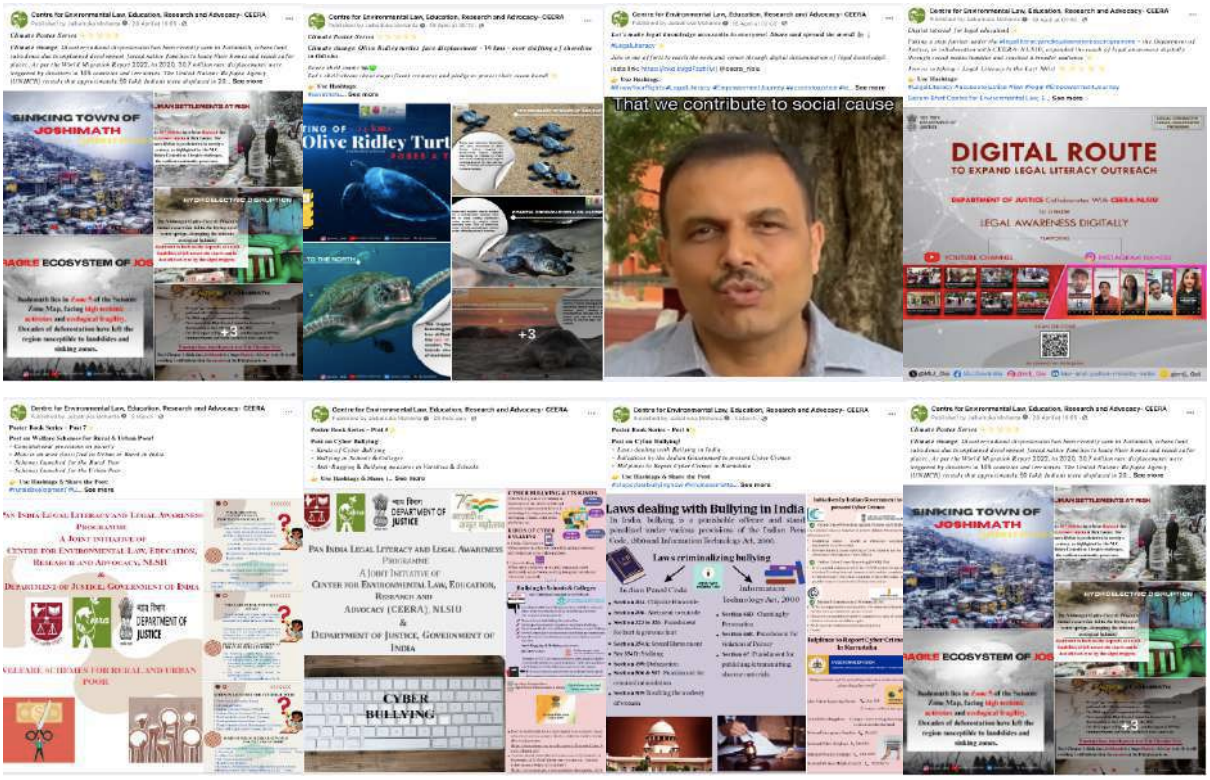
- Instagram Page Link: https://www.instagram.com/ceera_nlsiu/
- Recording, publication & dissemination of IEC Material in the form of Reels on Instagram Channel: **Number of Posts – 847 (Reels 368, other posts – 479); Total Outreach through Instagram: 11,57,223 (8,94,009 – reels + 2,57,223– other posts).** Some of the reels are as follows:




Poster preparation for speed mentoring - NDPS ACT
Bringing You... the much Awaited and Anticipated
Did you Know
Hii
HAPPY
We Have Identified 14
Rights of Elderly and Senior Citizens
Make in India
startupindia.gov.in
SCAM ALERT
SECOND HAND MOBILE PRECAUTIONS
E-challan
Environmental Laws
ORIGINAL DRIVING LICENCE DURING CHECKING?
DISHONOURED/BOUNCED CHEQUE

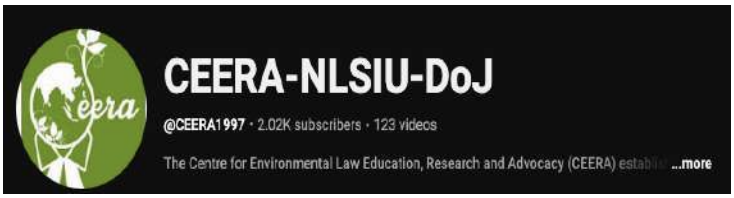
FACEBOOK PAGE:

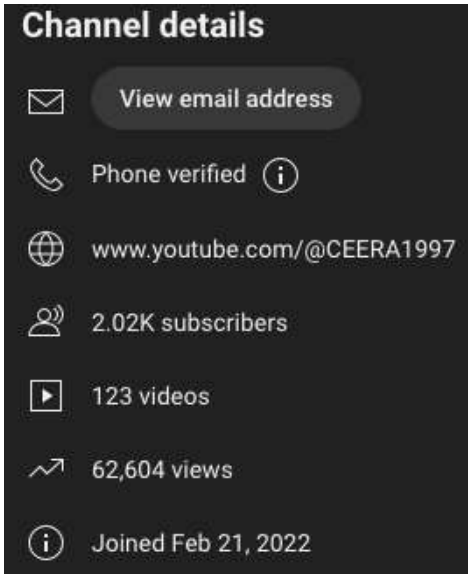
- Publication & dissemination of IEC Material in the form of posts: **Number of posts – 207; Outreach through Facebook: 22,186.** Some of the Facebook Posts are as below:



YOUTUBE CHANNEL:

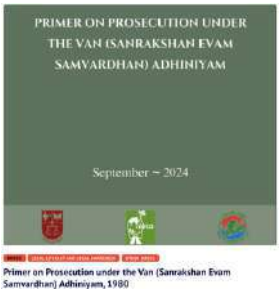
- CEERA-NLSIU has created a YouTube Channel for disseminating IEC materials and legal literacy information. The Channel now has 123 videos on various legal topics in the form of informative lectures, street plays, speed mentoring, podcasts etc. in English, Hindi as well as other regional languages. The Total outreach through our YouTube channel as on 31st December 2024 is **62,604** through **123 videos**.





WEBSITE (CEERAPUB.NLS.AC.IN):

- CEERA-NLSIU has a special tab for disseminating IEC Materials for the Legal Literacy and Legal Awareness Programme on its website www.ceerapub.nls.ac.in. The outreach through our website for the period Jan 2022 to December 2024 is **99,114 through 40 posts.** The blog posts in the legal literacy and legal awareness category on our website and their respective outreach is as follows:

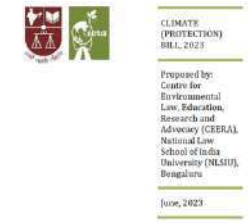
S.No.	Screenshot	Title	Link	Outreach
1.		Analysing the Draft Liquid Waste Management Rules, 2024: Salient Features and Way Forward	https://ceerapub.nls.ac.in/analysing-the-draft-liquid-waste-management-rules-2024-salient-features-and-way-forward/	380
2.		Examining the Doctrine of Veil-Piercing vis-à-vis Environmental Parent Company Liability in India	https://ceerapub.nls.ac.in/examining-the-doctrine-of-veil-piercing-vis-a-vis-environmental-parent-company-liability-in-india/	924
3.		Primer on Prosecution under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	https://ceerapub.nls.ac.in/primer-on-prosecution-under-the-van-sanrakshan-evam-samvardhan-adhiniyam-1980/	658

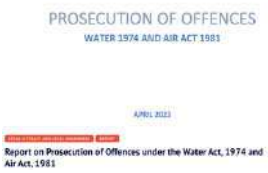
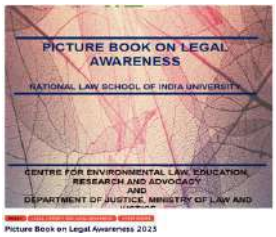
S.No.	Screenshot	Title	Link	Outreach
4.		Problem Statement | First National Labour Law Conciliation Competition 2024	https://ceerapub.nls.ac.in/problem-statement-first-national-labour-law-conciliation-competition-2024/	1109
5.		Guarding Green Claims: Indian Approach Towards a Sustainable Future	https://ceerapub.nls.ac.in/guarding-green-claims-indian-approach-towards-a-sustainable-future/	1750
6.		Rules, Regulations & Guidelines – Third Edition Prof. V.S. Malar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/rules-regulations-guidelines-third-edition-prof-v-s-mallar-memorial-legal-aid-competition-2024/	722
7.		Environmental Restorative Justice: An Emerging Paradigm in Environmental Governance	https://ceerapub.nls.ac.in/environmental-restorative-justice-an-emerging-paradigm-in-environmental-governance/	1107
8.		Proposed Legal Framework for Climate Induced Disaster Like the Wayanad Landslide	https://ceerapub.nls.ac.in/proposed-legal-framework-for-climate-induced-disaster-like-the-wayanad-landslide/	2304

S.No.	Screenshot	Title	Link	Outreach
9.	 Brochure: 3rd Prof VS Mallar Memorial Legal Aid Competition, 2024	Brochure: 3rd Prof. V.S. Mallar Memorial Legal Aid Competition, 2024	https://ceerapub.nls.ac.in/brochure-3rd-prof-vs-mallar-memorial-legal-aid-competition-2024/	2494
10.	 Legal Aid to Legal Rights 2024	Legal Aid to Legal Rights 2024	https://ceerapub.nls.ac.in/legal-aid-to-legal-rights-2024/	1836
11.	 The Role of Pollution Control Boards in the Real Estate Sector	The Role of Pollution Control Boards in the Real Estate Sector	https://ceerapub.nls.ac.in/the-role-of-pollution-control-boards-in-the-real-estate-sector/	2822
12.	 Plastic Waste Management in India with special emphasis on multilayered packaging	Plastic Waste Management in India with Special Emphasis on Multilayered Packaging	https://ceerapub.nls.ac.in/plastic-waste-management-in-india-with-special-emphasis-on-multilayered-packaging/	4753
13.	 Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	Significance of Mediation: An Address at the Online Workshop on the Mediation Act, 2023	https://ceerapub.nls.ac.in/significance-of-mediation-an-address-at-the-online-workshop-on-the-mediation-act-2023/	2610

S.No.	Screenshot	Title	Link	Outreach
14.		The Policy and Legislative Framework to Regulate the Usage of Non-Personal Data	https://ceerapub.nls.ac.in/the-policy-and-legislative-framework-to-regulate-the-usage-of-non-personal-data/	2658
15.		Green Credit and Climate Action: An Analysis of Green Credit Rules, 2023	https://ceerapub.nls.ac.in/green-credit-and-climate-action-an-analysis-of-green-credit-rules-2023/	4922
16.		Jan Vishwas Act: Transition from Punitive Regime to Trust Based Regime	https://ceerapub.nls.ac.in/jan-vishwas-act-transition-from-punitive-regime-to-trust-based-regime/	3177
17.		Quasi-Decriminalisation in Environmental Laws in India: An Evaluation	https://ceerapub.nls.ac.in/quasi-decriminalisation-in-environmental-laws-in-india-an-evaluation/	5608
18.		Stray Dogs and Cattle Management – Towards a Humane Approach	https://ceerapub.nls.ac.in/stray-dogs-and-cattle-management-towards-a-humane-approach/	4963

S.No.	Screenshot	Title	Link	Outreach
19.	 REIMAGING FOREST GOVERNANCE – APPRAISAL OF THE FOREST (CONSERVATION) AMENDMENT ACT 2023	Reimaging Forest Governance – Appraisal of the Forest (Conservation) Amendment Act, 2023	https://ceerapub.nls.ac.in/reimaging-forest-governance-appraisal-of-the-forest-conservation-amendment-act-2023/	4358
20.	 POLICY HACKATHON 2023 CEERA-NLSIU Policy Hackathon 2023	CEERA-NLSIU Policy Hackathon 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-policy-hackathon-2023/	2044
21.	 Snapshots of Green Budget 2022/23	Snapshots of Green Budget 2022/23	https://ceerapub.nls.ac.in/snapshots-of-green-budget-2022-23/	1397
22.	 Note on Biological Diversity (Amendment) Act, 2023	Note on Biological Diversity (Amendment) Act, 2023	https://ceerapub.nls.ac.in/note-on-biological-diversity-amendment-act-2023/	5974
23.	 A CRITICAL ANALYSIS OF PRICE VARIATION IN GOVERNMENT CONTRACTS	A Critical Analysis of Price Variation in Government Contracts	https://ceerapub.nls.ac.in/a-critical-analysis-of-price-variation-in-government-contracts/	581

S.No.	Screenshot	Title	Link	Outreach
24.	 GREEN CREDIT AND CLIMATE ACTION	Green Credit and Climate Action	https://ceerapub.nls.ac.in/green-credit-and-climate-action/	2288
25.	 Insights Into the New 'High Seas' Treaty	Insights into the New 'High Seas Treaty'	https://ceerapub.nls.ac.in/insights-into-the-new-high-seas-treaty/	1840
26.	 CLIMATE (PROTECTION) BILL, 2023 Proposed by: Centre for Environmental Law, Education, Research and Advocacy (CEERA), National Law School of India University (NLSIU), Bengaluru June, 2023 CEERA-NLSIU Draft Climate Protection Bill 2023	CEERA-NLSIU Draft Climate Protection Bill 2023	https://ceerapub.nls.ac.in/ceera-nlsiu-draft-climate-protection-bill-2023/	778
27.	 FOOD WASTAGE, CLIMATE CHANGE, HUNGER: THE NEED FOR ACTION	Food Wastage, Climate Change, Hunger: The Need for Action	https://ceerapub.nls.ac.in/food-wastage-climate-change-hunger-the-need-for-action/	7852
28.	 Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	Project Report on "Affordable Shelters for Street Women and Children: A Case Study of Delhi"	https://ceerapub.nls.ac.in/project-report-on-affordable-shelters-for-street-women-and-children-a-case-study-of-delhi/	2147

S.No.	Screenshot	Title	Link	Outreach
29.		Report on Prosecution of Offences under the Water Act, 1974 and the Air Act, 1981	https://ceerapub.nls.ac.in/report-on-prosecution-of-offences-under-the-water-act-1974-and-air-act-1981/	1131
30.		Picture Book on Legal Awareness 2023	https://ceerapub.nls.ac.in/picture-book-on-legal-awareness-2023/	2057
31.		Battery Waste Management Rules, 2022	https://ceerapub.nls.ac.in/battery-waste-management-rules-2022/	2192
32.		Comparative Enforcement Mechanisms and Pinning of Liability in Environmental Crimes in India and Asia Pacific Region	https://ceerapub.nls.ac.in/comparative-enforcement-mechanisms-and-pinning-of-liability-in-environmental-crimes-in-india-and-asia-pacific-region/	464
33.		Legal Aid Handbook Vol. 1 2022	https://ceerapub.nls.ac.in/legal-aid-handbook-vol-1-2022/	1831

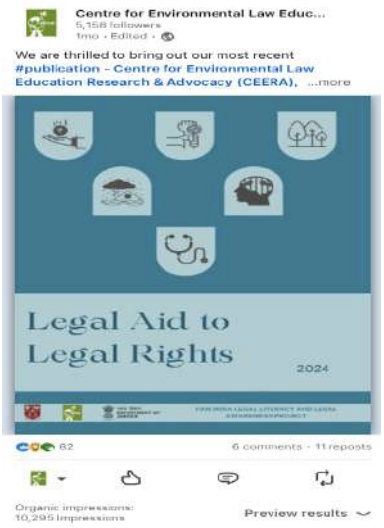
S.No.	Screenshot	Title	Link	Outreach
34.		Climate Aid	https://ceerapub.nls.ac.in/climate-aid/	816
35.		Navigating the Wildlife (Protection) Amendment Bill, 2021: A Comprehensive Analysis of the Need for Scientific Methods in Wildlife Protection	https://ceerapub.nls.ac.in/navigating-the-wildlife-protection-amendment-bill-2021-a-comprehensive-analysis-of-the-need-for-scientific-methods-in-wildlife-protection/	6610
36.		Climate Resilient Cities in India – Assessing the Climate Smart Cities Action Framework	https://ceerapub.nls.ac.in/climate-resilient-cities-in-india-assessing-the-climate-smart-cities-action-framework/	1875
37.		Right to Information: The BCCI Conundrum	https://ceerapub.nls.ac.in/right-to-information-the-bcci-conundrum/	2971
38.		Transparency, Good Governance and the Right to be Forgotten	https://ceerapub.nls.ac.in/transparency-good-governance-and-the-right-to-be-forgotten/	2831

S.No.	Screenshot	Title	Link	Outreach
39.		Comments and Suggestions on the Biological Diversity (Amendment) Bill, 2021 to the Joint Parliamentary Committee	https://ceerapub.nls.ac.in/ceera-submits-comments-and-suggestions-on-the-biological-diversity-amendment-bill-2021-to-the-joint-parliamentary-committee/	597
40.		Aquamation as a form of “Green Cremation”: A short note	https://ceerapub.nls.ac.in/aquamation-as-a-form-of-green-cremation-a-short-note/	1683
Total Outreach Through Website				**99,114**

LINKEDIN:

CEERA-NLSIU also operates a LinkedIn Page. The URL for our LinkedIn page is as follows: https://www.linkedin.com/company/ceera/ The LinkedIn Page has over 4,000 followers. Our LinkedIn Page is a very active page and during the period of January 2022 to December 2024 we have posted **244 posts** related to legal literacy and legal awareness with an outreach of **4,73,132.** Some of our posts on LinkedIn are as follows:



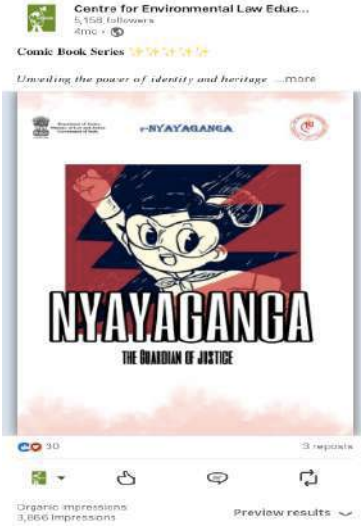












Activities Conducted During the Month of December 2024 –

- Preparation and Presentation for the Review Meeting 2024
- Commencement of Publication of Podcasts, Street Plays, FAQs, and Street Play Scripts received in pursuance of the Prof. V. S. Mallar Memorial Legal Aid Competition 2024 on our YouTube Channel, social media handles, and Website and the dissemination thereof.
- A separate tab and category will be created on our website where the Street Play Scripts and FAQs will be posted for wider access.