

BATCH OF 2007-2012

NALSAR LEGAL AID CELL – GROUP PROJECT DOCUMENTATION REPORT, JULY-OCTOBER 2011

Group Members –

- Abhinaya Prithvi (2007-05)
- Arani Chakrabarty (2007-13)
- Ayushi Mittal (2007-18)
- Disket Angmo (2007-30)
- Gaurav Mukherjee (2007-27)
- Niharika Kumar (2007-41)
- Rohit Venkat V. (2007-55)
- Sunetra Ravindran (2007-69)
- Tarun Kovali (2007-71)
- Arnav Prasad (2007-75)

The group was a part of the Nalsar Legal Aid cell and restricted the mandate to: a) compilation and documentation of legal aid material available in the University, b) create a network of people (including institutions) willing to render help in the case an indigent is directed to them, c) deep involvement in pro-bono and public policy oriented research and the development of partnerships with other organizations, d) mediation and conciliation of disputes between parties in the community and e) creation of awareness of legal rights and the manner of enforcement of these rights. The work done by the group included management of the legal aid office, distributing pamphlets in and around the Shameerpet region to spread awareness about legal rights and the legal aid office, maintaining the complaint box, setting up a new website and the blog for the legal aid cell, Right to Information initiatives, raising environmental concerns regarding Alankrita garbage dumping, tie-up with the District Legal Service Authority, overseeing other groups and managing and handling legal and non-legal complaints.

NALSAR LEGAL AID CELL – GROUP PROJECT DOCUMENTATION REPORT - JANUARY- APRIL 2011

Group Members –

- Abhinaya Prithvi (2007-05)
- Arani Chakrabarty (2007-13)
- Ayushi Mittal (2007-18)
- Disket Angmo (2007-23)
- Gaurav Mukherjee (2007-27)
- Niharika Kumar (2007-41)
- Rohit Venkat V. (2007-55)
- Tarun Kovali (2007-71)
- Arnav Prasad (2007-75)

The group got the Legal Aid Office functional, established a blog and a website. Complainants could come to the office and talk to the group members. They designed pamphlets in Telugu with their contact details (address and telephone numbers) and distributed them in the Shamerpeet village and surrounding areas and went around explaining it to as many people as they could. The group got written permission from the administration, designed preformas in Telugu and English and informed the guards that any person that came for legal aid should be allowed inside the campus and took permission from the Registrar and contacted the project engineer of NALSAR University and placed order for iron boxes which they could place at the Gram Panchayats in Shameerpet and Thumkunta, so that people could drop their complaints, if not come all the way to the campus. The group got into touch with the District Legal Service Authority and held negotiations to hold a mass legal literacy camp and got connected with a pan-Indian network of legal aid clinics across law schools, initiative was titled Infocracy India, had the aim of assimilating an online database on successful legal aid clinics models and putting together an online repository of Right to Information (RTI) applications. The group also ensured active participation within the campus, after consultations with Professor Madabhushi Sridhar and got into touch with two leading Telugu newspapers that had spearheaded the RTI information campaign. They also kept track of what other groups were doing and reported the same to the course instructor.

LEGAL AID CLINIC REPORT (CLINIC II)

Group Members –

- Aakriti Penukonda (2007-01)
- Avni Chari (2007-16)

- Chand Chopra (2007-20)
- Neharika Malik (2007-42)
- Sanjana Muttreja (2007-61)
- Saranya Nimmagadda (2007-62)
- Sarvani Desiraju (2007-63)
- Shweta Das (2007-66)
- Shashwat Ramshankar (2006-58)

The group objective throughout the semester was to establish Consumer Protection Cell in close association with an NGO (The Human Rights and Consumer Protection Cell) and set up of a permanently run Legal Aid Clinic in the Shameerpet Gram Panchayat Office, overseen by the District Legal Services Authority. The group's endeavour was to set up a permanent and self-perpetuating Legal Aid Clinic in a remote part of the city in order to provide free legal aid services and counselling. The group established a close network with Mr. Thakur Rajkumar Singh, General Secretary & Authorised Representative of the Human Rights & Consumer Protection Cell. The work with the Consumer Protection Cell included, consumer complaints with respect to TIMES Coaching centre, consumer complaints with reference to Reliance Mobile Connection, circular requiring anyone initiating a complaint against a company to submit all attested incorporation documents of the company, whether a person soliciting information under the RTI Act on not being provided the requisite information can approach a consumer court for redressal.

LEGAL AID CLINIC REPORT (CLINIC III)

Group Members –

- Aakriti Penukonda (2007-01)
- Avni Chari (2007-16)
- Chand Chopra (2007-20)
- Kriti Sharma (2007-35)
- Neharika Malik (2007-42)
- Sanjana Muttreja (2007-61)
- Saranya Nimmagadda (2007-62)
- Sarvani Desiraju (2007-63)
- Shweta Das (2007-66)

- Shashwat Ramshankar (2006-58)

In pursuit of establishing a permanent Legal Aid Clinic in the Shameerpet Panchayat Building, the initiatives taken by the group were, approaching the Shameerpet Gram Panchayat, discussing the detail of the A.P. Legal Services Authority Circular with Mr. Laxma Reddy and discussing the logistical and infrastructural support to be provided by the panchayat to the legal aid clinics, securing a permanent room for the Legal Aid Clinic within the premises of the panchayat building to commence operations, approaching the A.P. Legal Services Authority for an order to set up the student run Legal Aid Clinic, with direction to the Ranga Reddy District State Legal Services Authority, the group was engaged in a two-day long deliberation as to the appointment of lawyers and their funding and appealed for financial support and logistical support through the supply of lawyers and para-legals as per their responsibilities providing details in the circulars.

LEGAL AID REPORT – LAND LAWS AND LAND RIGHTS

Group Members –

- Abhay Raj Varma (2007-02)
- Aly Basith (2007-07)
- Amiya Bhaskar (2007-08)
- Chimi Dorji (2007-22)
- Palash Meena (2007-45)
- Shrikar AJ (2007-65)
- Varun Singhvi (2007-72)
- Vishnu Mohan (2007-73)
- Nitin Kumar (2007-80)
- Amit Rangari (2004-07)

The group contacted Mr. Sunil Reddy, an associate with RDI and assisted him with any work relating to the land rights in the state of Andhra Pradesh. The group prepared a research document comprising of Land Rights relating to Tribal and SC/ST communities looking at various problems faced by these communities in fighting for their legal rights which continue to be violated on a daily basis due to loopholes in the legislations and weak enforcement mechanism relating to Land Rights. The group was assigned to the task of setting up the land

rights cell on campus and make it a functional body. The group worked on seven complaints received and helped the people in solving their disputes legally.

LEGAL AID REPORT – LOK ADALAT AND LEGAL COUNSELLING

Group Members –

- Abhay Raj Varma (2007-02)
- Aly Basith (2007-07)
- Amiya Bhaskar (2007-08)
- Chimi Dorji (2007-22)
- Palash Meena (2007-45)
- Shrikar A J (2007-65)
- Varun Singhvi (2007-73)
- Nitin Kumar (2007-80)

The group undertook visits to the Lok Adalat held at Nampally and observed proceedings at great length and gained insights into the working of Lok Adalats.

IMPLEMENTATION OF GOVERNMENT WELFARE SCHEME

Group Members -

- Bhargavi Kannan (2007-19)
- Harshita Singh Parmar (2007-28)
- Karishma Dodeja (2007-30)
- Mandavi Singh (2007-38)
- Nupur Datta (2007-44)
- Phuntsho Wangmo (2007-49)
- S Sreemeena (2007-57)
- Prabhat Kumar (2007-77)
- Divij Kishore (2007-78)

This group analyzed the implementation of the Rajiv Aarogyasri Health Insurance Scheme, whose purpose is to improve access of BPL families to quality medical care for the treatment of diseases involving hospitalization and surgery/therapy through an identified network of health care providers.

The group conducted field surveys in Shameerpet and surrounding areas (such as Trimulgherry, Alwal, Medchal, Bolarum, Lothkunta and Thumkunta) to understand both the practical application of the scheme by interacting with beneficiaries, and to understand the reach of the scheme and provide feedback to Aarogyasri regarding lacunae in its implementation. They compiled the questionnaires in a table, and found that several people were unaware of the scheme; others had a card but didn't know how to use it.

The group then conducted hospital visits in Medicity, Hyderabad, Himayatnagar, Banjara Hills, Panjagutta and Lakadikapul, and discovered that there was a requirement of more staff in hospitals as well as the fact that treatments under the scheme had been significantly reduced in recent times. The group also visited a health camp, where there was a mixed response to the scheme.

The group identified pitfalls such as improper allocation of funds and having a BPL family as the criterion for getting a card. The criteria for selecting private hospitals are not clear. It was suggested that funds be allocated to government hospitals rather than private ones since the latter are already in a position to allocate funds for charitable purposes, whereas the former are short on the same.

THE INDRAMMA HOUSING SCHEME: AN ANALYSIS

Group Members -

- Bhargavi Kannan (2007-19)
- Harshita Singh Parmar (2007-28)
- Karishma Dodeja (2007-30)
- Mandavi Singh (2007-38)
- Nupur Datta (2007-44)
- Phuntsho Wangmo (2007-49)
- S Sreemeena (2007-57)
- Prabhat Kumar (2007-77)
- Divij Kishore (2007-78)

The Indramma Housing Scheme is aimed at a slum-free and hut-free state of Andhra Pradesh in a phased manner. The prime objective is to sanction a pucca house to all the rural households who are living in kutchha houses currently, irrespective of the caste, religion or

political affiliation. There's no waiting list since everyone is covered. The programme is aimed at recognizing housing as a basic right.

The group established preliminary contacts with the Housing Development Board head, Mr V Reddy. Then they conducted general awareness surveys in Shameerpet and Medchal and compiled a table. They drafted a volunteering assistance proposal to Mr V Reddy, but before that they decided to conduct a field survey on the implementation of the scheme. They concluded that only 2 out of every 10 Indramma beneficiaries were satisfied with the scheme. It was also found that several non-BPL families were also making use of the scheme, sometimes house construction was left incomplete. Also, the BPL families still have to pay 25% of the total housing expenditures, which is a lot for them. The fact that they don't have access to Micro Finance Institutions worsens their ability to get funding.

It was also found that the pucca houses were constructed at the same sites as the huts, leading to the beneficiaries being left homeless for the construction period. The scheme focuses more on quantity rather than quality, and the houses are weak-walled. It was also found that several of the scheme details had been fabricated. Several beneficiaries complained that the scheme had no grievance redressal mechanism, which showed the lack of transparency and accountability within the scheme.

The group also realized that they weren't being taken seriously by the officials because of their distance and inexperience.

LEGAL AID CONFERENCE; LEGAL SERVICES AUTHORITY AND NEWSLETTER

Group Members -

- Abhimanyu A Walia (2007-47)
- Amlan Jyoti Ray (2007-09)
- Anandna Handa (2007-10)
- Krishna Visvanathan (2007-34)
- Malhan Sonakshi (2007-35)
- Patel Saloni Yogesh (2007-46)
- Vrinda Singh Oberoi (2007-74)
- Hemendra Jaliya (2007-79)

This group's assignments were to contact the AP Legal Services Authority, to organize a legal aid conference in collaboration with the same and to organize and publish the annual newsletter of legal aid activities in NALSAR.

The state legal services authority, once contacted, directed the group to get in touch with the district office of Ranga Reddy, where they were advised to organize legal aid awareness camps in the hinterlands of the district.

The group went to the village of Pudur, where the Sarpanch advised them to conduct a legal awareness camp on property rights, since the villagers were always stuck in some property dispute or other. They also talked about organizing a general awareness camp for women since domestic violence and dowry were major problems in the village. They also planned to organize general awareness camps wherein the village folk would be informed about their civic duties.

Then the group compiled the newsletter which had briefs of the most noteworthy work of some of the groups under the heads Teach India, Aarogyasri, Legal Counseling, Relief and Rehabilitation, Association with SERP and the Legal Aid Cell.

THE TEACH INDIA PROJECT: A SOCIO-LEGAL ENTERPRISE

V Year – IX Semester

Group Member -

- Arjun Kapoor
- Aviral Shukla
- Chandni Goel
- Malvika Singh
- Manjeeta Kumari
- Mariya Khan
- Nistha Soonee
- Sanjhi Jain
- Shivangi Gangwar

The group, having worked on the Teach India program before, sought to carry forward their work. The work included giving evening tuitions to the children of Shameerpet village and

carrying out an awareness drive in various schools in the Shameerpet are regarding the right to education. The biggest barrier faced by the team was that of how languages were taught in the schools. Though the children could read a particular word or sentence in Hindi and English, they could not make any sense out of it. While trying to overcome this difficulty the team sometimes had to start from the scratch and teach. Since there was no Telugu speaking member in the group they took help from older students to teach the younger ones. Another target of the group was to prepare the children for their upcoming examinations and to help them with their daily homework as most of the parents of these children were uneducated and could not help them with their studies. Children were also engaged in drawing competitions organized by the group now and then. The group also embarked upon a “Right to Education Awareness Campaign” with the aim of disseminating information with respect to the provisions of the Right to Education Act, 2009 and the Andhra Pradesh Rules, 2010 in this regard. The objective of the campaign was to sensitize school authorities and the Mandal Education Office with respect to the key provisions of the Act and the Rules and their duties in this regard. The team prepared a seven page handbook which was circulated in Shameerpet. This Handbook contained all the important duties and responsibilities of the schools and prescribed by the Act and the Rules. In their report the group has expressed their desire for the upcoming batches to carry on with the Teach India program for the school children of Shameerpet village and have given various suggestions for its effective continuity.

MICRO FINANCE INSTITUTIONS

Group Members -

- Ananthi Bharadwaj
- Anusha Simha
- Faiza Rahman
- Sakshi Rathi
- Sakshi Sawhney
- Srishti Kalro
- Sumithra Suresh
- Tandin Dorji
- Shipra Paul

As a part of their legal aid assignment the group took up the responsibility of documenting the social realities resulting from the operations of the Micro Finance Institutions as well as an inquiry into the legitimacy of the current business practices adopted by the MFIs. This was done with the view of making a report which would then help Society for Elimination of Rural Poverty make a case against the practices of MFIs. There were three major allegations which came up against the MFIs:

- (i) MFIs charge exorbitant rates, more than 20%
- (ii) MFIs resort to unethical ways of recovering loans by confiscating title deeds, using intimidation and abusive language, and combining multiple products like savings, insurance and loan to ensure prompt recovery
- (iii) MFIs are poaching government and banks to capture their borrowers by luring members of government supported SHGs by liberally financing them, leading to multiple financing.

Because of these practices it is argued by the group that MFIs are causing a huge burden on the poor, leading to a vicious cycle of debt, poverty and even deaths.

The group has documented the events which led to the promulgation of the Andhra Pradesh Micro Finance Institutions (regulation of money lending) Ordinance, 2010 with a view to curb the unethical loan recovery practices adopted by MFIs and the events that occurred after the ordinance became a law. The group in their report compiled the cases that show how MFIs violate human rights laws, criminal laws, constitutional rights, contractual rights, banking and finance laws etc. and they listed down listed down the major observations after extensively studying the case laws and data provided to them by SERP:

- (i) Instigating to commit suicide
- (ii) Children stopped studying and started working as child labourers
- (iii) Encouraging prostitution for getting money for repayment of loans
- (iv) Physically beating the women who could not repay the loans
- (v) Punishing the borrower for shortage of small amount like 50/- in a week
- (vi) Houses were locked

- (vii) Women were kidnapped, illegally confines
- (viii) Forcing borrowers to do free work
- (ix) When one person could not replay the loan, collecting that amount from all the other members.
- (x) Even if one member is unable to repay the loan, all the forty members of the group are made to sit there till they pay the amount. They are not allowed to move from the spot as a result of this everyone started losing their work and wage.
- (xi) Verbal abuse has become very common
- (xii) in villages MFI agents create disputes among the women
- (xiii) Non-repayment of loans also resulted in migration
- (xiv) Mortgaging and selling brass vessels, jewellery and other household goods for loan repayment.
- (xv) Women are found to be low on confidence, fear of the MFI agents hurting them psychologically and physically is commonplace.