

WORK REPORT | NALSAR LEGAL AID CELL

2012-13

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NALSAR UNIVERSITY OF LAW

HYDERABAD

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INTRODUCTION

NALSAR University of Law is one of the premier national law schools of India. NALSAR, formed in 1998, has produced outstanding lawyers and legal scholarship. It is a centre of legal knowledge dissemination and legal research. Under its statutory authority, the University is empowered to create several specialized bodies under its aegis to achieve its aim of promoting legal knowledge and to make law and the legal process efficient instruments of social development.

Article 39A of the Constitution of India provides that State shall secure that the operation of the legal system promotes justice on a basis of equal opportunity, and shall in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability. Articles 14 and 22(1) also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on a basis of equal opportunity to all. Legal aid strives to ensure that constitutional pledge is fulfilled in its letter and spirit and equal justice is made available to the poor, downtrodden and weaker sections of the society.

The NALSAR Legal Aid Cell (“Legal Aid Cell”) is a body which inducts students to use their knowledge of law to provide free legal aid to those who are most in need of it through various media. The functions that the Legal Aid Cell performs are preventive, remedial, activist and reformative. The Legal Aid Cell, active since February 2009, has been a student endeavour under the active guidance of the knowledgeable faculty members and headed by Dr. K. Vidyullatha Reddy, who has played a key role in the ideation and execution of the Legal Aid Cell with her extensive knowledge and experience in clinical legal education.

The Legal Aid Cell has undertaken various programmes and projects this semester and the years before it. This report shall outline some of the most significant programmes and projects undertaken in this academic semester.

CHAPTER 1 | NETWORKING WITH LAWYERS

Rajeev Gandhi Advocate Training Programme

NALSAR through the assistance of Dr. K. Vidyullatha Reddy and Prof. Vijender Kumar organized the Rajeev Gandhi Advocate Training Programme this programme was basically to better train advocates and legal professionals through the resources that NALSAR provides for an extensive training period of 45 days. The program is designed to impart rigorous training to selected lawyers in emerging areas of law at Nalsar University of Law, Hyderabad for a month and then attaching them with senior counsels to gain practical experience. The primary aim of the program was two fold i.e. effort on the part of the university to reach out to society and help in creating socially relevant lawyers and to enable such selected advocates to use the resources of the university to enhance their legal skills and knowledge.

Our legal aid group volunteered for the successful organization of the programme. We turned up early in the morning to assist the faculty responsible for the programme with arrangements and welcoming the trainees and attendees. We assisted in the logistic of the programme not only helping with the seating arrangements but also supervising the support staff to provide all amenities that was required.

All the members of Legal Aid Cell organized and facilitated the smooth functioning of Rajeev Gandhi Advocate Training Programme at NALSAR University of Law, Hyderabad. The Legal Aid Cell team comprising of twelve members helped in organizing the conference. The team scouted and empanelled all the lawyers attending such conferences to increase the database and portfolio of NALSAR Legal Aid Cell.

Further, many law professors were also attending the conference from various districts of Andhra Pradesh. The legal aid team met those law teachers and provided them information regarding Nalsar Legal Aid Cell. Some of the teachers were already spear heading legal aid cells at their respective institutions and expressed a desire for linking up with the Nalsar Legal Aid Cell. Pamphlets with details of all the members of legal aid cell along with visiting timings were distributed to the advocates and law teachers attending the conference. All the ten advocates under the training Program expressed their desire to be part of Nalsar Legal Aid Cell. The names of all the advocates along with their phone numbers were kept in records for future correspondence/ reference.

We not only acquainted our guests with the programme but also interacted with them both at a professional and personal level. Our legal aid group saw the opportunity that was available for networking and we collectively decided to distribute out contact pamphlets that were made for providing legal aid. The pamphlet contained our objective to provide free legal in matters which may be brought to us directly or where research was required. Our pamphlet was printed both in Telegu and in English with the contact numbers of all the members in order to reach a wider network of people.

Our group also mingled well with the trainees asking them about their background and a mutual co-operation was sought after. The member explained the workings of our legal aid group and approached the advocates present by explaining to them we would be more than happy to help in any kind of research or legal matters that the advocate required that required pro bono participation in the matter. The programme hence became beneficial not only for the attendees but it also became beneficial for our cause as well. Matters relating to land laws and legal procedures in special relation to Andhra Pradesh became a difficult for us to resolve as we were not well acquainted with the nuances of the legal procedures that were prevalent in the State of Andhra Pradesh in regards to the Civil Procedure Code, thus widening our network base not only through our seniors in the State but also through the programme gave us a better backing and foundation for our cause.

Later in the day, the team facilitated the visit of Chief Justice of A.P. High Court, Shir N. Rammana Rao. The chief guest delivered a lecture on creating socially relevant lawyers and how this scheme will benefit both the lawyers and the society. The legal aid team took up the task to increase the resource pool of Nalsar Legal Aid Cell and further expand its base by exploring options of any future linkages with other legal aid cells operating in different districts of Andhra Pradesh.

Thus there was great deal of exchanges of contacts between our legal aid group and the advocates and legal professionals present. The surprising thing was they were as welcoming as we were in regards to legal aid and promised to help in any kind of cases where assistance might be required from their expertise and experience. It was both a learning and enriching experience to meet and mingle with actual lawyers of the lower courts who actually have the toughest job in the legal fraternity.

CHAPTER 2 | FUNCTIONING OF THE CELL

Working Hours

The current members took charge of the office on February 4, 2013 by formally receiving the keys to the Legal Aid office, located in the Academic Block. The first task in hand after taking charge was to set things in order- getting the office cleaned up, setting up the registry system, ensuring the proper working of computer/telephone system- this was ensured by engaging the required college personnel and through the individual efforts of the members.

After having set the logistics in place, the committee put in diligent efforts to work out the course of action to be adopted by the Legal Aid Cell in its operation. Keeping in mind the engagement of the students with their classes, it was agreed that the office shall be open to the public from 1:00 p.m. to 4:00 p.m., on Mondays, Tuesdays and Fridays. For the execution of the same, the members agreed to take turns to sit in the office and a schedule was created accordingly. Additionally, the services of the Legal Aid Cell were made accessible through telephone on all days, from Monday to Sunday, between 4:00 p.m. to 8:00 p.m. For this purpose, all the members agreed to be available on their cell-phones for the above-mentioned period.

Notice to General Public

To make the general public aware about the working hours of the Legal Aid Cell, notices were issued in the languages of English and Telugu. These notices were put up at prominent places in Shameerpet Mandal, like the post-office, the bus-stop. A decision was made to make the notice available in Telugu and Prof. Madabhushi Sridhar kindly agreed to draft the Telugu transcript of the notice- this helped us immensely in spreading the word about the Legal Aid Cell. These notices indeed helped us in connecting with the local people, as was evident from the phone calls that were received by the members on three different occasions. It was observed that the people were more comfortable in reaching us over the phone than visiting the office on campus.

The following is the Telugu notice which was widely circulated amongst the members of the general public.

(Notice to General Public | Telugu)

Cases Received / Progress Made

As a result of our attempts to make the general public aware of the Legal Aid Cell we received a few cases from the people in nearby areas of NALSAR. People who knew of NALSAR and heard about the Legal Aid Cell readily approached us with their problems. Stated below is a summary of the problems received by the Legal Aid Cell, the advice given by the Legal Aid Cell.

Case One

In this case party A received a cheque from another party, when he attempted to en-cash the cheque the cheque bounced. Party A approached the Legal Aid Cell for advice on the recourses available to him.

Advice: The Legal Aid Cell assisted the Party A by explaining to him the recourse of issuing a legal notice of Demand for Dishonor of Cheque to the drawer through an Advocate. Having explained to him the essentials of such a legal notice the Legal Aid Cell advised the Party A to send the legal notice within a period of 30 days from the date of dishonor. Party A approached an Advocate of his choosing for drafting the legal notice.

Case Two

In this case party A had bought patta land from party B and he later found out that the same patta land had been sold to another party (party C). The person approached the Legal Aid Cell for advice on the recourses available to him.

Advice: After examining the documents brought forth by party A the Legal Aid Cell was convinced about the validity and completeness of his documents. Thus the Legal Aid Cell advised party A to informally convey this fact to party C and request him to sort the matter with party B. The Legal Aid Cell further advised party A to wait and see if party C makes a claim against his land. In such a case we advised the Party A to contest the claim and to make party B a party to the proceedings in court.

However, party C did not make a claim against the property of party A.

Case Three

In this case a sale deed for the sale of land had been signed between parties A and B. Party A had sold the land to Party B but part of the consideration was yet to be paid. Party B noticed that there was depreciation in the value of the land over the years (during which he had been making part payments) and started making demands for paying a lesser sum of money than agreed upon. Party A approached the Legal Aid Cell for advice on the recourses available to him.

Advice: The Legal Aid Cell examined the sale deed and found that the consideration clause clearly mentioned that the amount to be paid is the amount mentioned in the sale deed. Also there was no clause which mentioned depreciation of the value of land. Therefore the Legal Aid Cell advised party A to informally convey the same to party B. In the event that party B contested this claim, the Legal Aid Cell advised party A to approach an advocate of his choosing to get a legal notice served on party B. The Legal Aid Cell also advised him regarding the contents of such a legal notice.

CHAPTER 3 | REACHING OUT TO THE PEOPLE

Poster Distribution and Word of Mouth

On making the Legal Aid Cell functional again, the publicity was the main aim of the group. With this as the priority, we put posters, both in English and Telugu in the Campus and started with giving out pamphlets to the people working on campus from Shameerpet Village. Mr. Thomas, who operates a shop in the Girls Hostel premise, had once mentioned his Land problem before one of our team members long time back. Hence, now with the Legal Cell in place we approached him and told him about the same. We asked him to tell us about the problem and all the other details necessary for the same. He seemed to be very happy with our proactiveness and said that we would also spread the word about the NALSAR Legal Cell in the village.

Another similar incident happened when another team member was travelling by a train and during a conversation with the co-passenger, he told him about the NALSAR Legal Cell. He gave him the contact details of the Legal Aid Cell members and he was happy to see the socio-legal task taken up by the budding lawyers.

Facebook Page

In an attempt to widen the outreach of the people to benefit from the Legal Aid, facebook was used as medium of information transfer and exchange on a public platform. It goes beyond the traditional breadth of people and was successful in involving people across diverse spectrum who greatly contributed to the process. The inputs received were eye-opening bringing the students closer to the real life problems concerning people arising mostly due to disconnect with the law or due to its wilful ignorance.

Most of the ideas however were shared through messages since people were mostly reluctant to come out in the open about their woes. These were further dealt with the students at the primary level who gave basic advices based on the bare reading of the provisions in the statutes. These were those concerning the queries pertaining to the procedural aspects especially in case of non-registration of FIR's by the police and in case of public nuisance.

Apart from answering such queries, Facebook was also used to connect with the alumni of various law schools who were practising in different courts across the country. They helped us

greatly in giving critical inputs and reviewing our responses to the queries. Having had a first-hand experience they knew the practical pitfalls and loopholes which we as students were not well versed with being proficient only in the theoretical knowledge. In all it was a great learning experience for the members of the legal aid cell itself due to the extraordinary exposure in the practical interactions of law.

CHAPTER 4 | SELF-TRAINING

Client Counselling Skills

Two of the group members, Devangshu Nath & Vishal Binod, represented India at the recently concluded International Client Counselling Competition, 2013 which saw the participation of 24 countries from around the world. This competition works in a simulated environment where a client is counselled by the participating team in a manner which best elicits information out of the client and consequently, advising the client on the legal and non-legal recourses available to best suit the requirement of the client.

Understanding that the skills acquired by them during the competition would give the group a greater understanding and helping the people who visit the Legal Aid Cell, Devangshu & Vishal took 4 sessions of an hour each for the members of the Legal Aid Cell group to educate them about client counselling. In these sessions, spread across two weeks, they informed the participating members about the skills associated with handling a client. In this regard, they made the members aware of the emotional, social and legal needs of the client and gave tips on how to handle them. Speaking from their experience at the competition, they shared how important it was to be non-judgmental about the client's emotional standing and accordingly, advising the client. Also, they pointed out that the advice should always be such that allows the client to choose his/her recourse rather than being pushed to choosing any particular option.

The last session of the programme was designed such whereby the members of the group were given a chance to practically apply the skills- two set of factual scenarios were created and 'clients', trained by Devangshu & Vishal, were brought in to be interviewed by the members.

Through this exercise, the members were made aware of the very important skill of interviewing a client, which we are sure will help us all not only in the coming semester to help the people better in offering legal aid, but will also help us in the coming years as a lawyer.

Internship with Delhi Legal Services Authority

Delhi Legal Service Authority (DLSA) has a summer and internship program through which they provide legal aid to under trial prisoners who are lodged in Tihar and Rohini jail. This program gives law students an insight into the legal aid mechanism and various legal literary programs and schemes framed for "Access to Justice for All". It is one of its kind initiatives to build the

capacity of Delhi Legal Service Authority to provide law students an opportunity to gain practical experience in the legal aid field.

Objectives of the program:

1. To provide a framework where law students can be associated with legal aid programmes where their educational experience can be enhanced through practical assignments where they meet undertrial prisoners and provide them with necessary information regarding their case.
2. To provide law students specialized training and practical experience in legal aid programmes at the threshold of their career.
3. To establish linkages with socially and economically weaker sections of the society with a view to create an enabling environment in which they are able to access legal aid mechanism for enforcement of their rights.

Four of the members of the Legal Aid Cell had undertaken this internship in the year 2009, and this fruitful internship had helped these members to implement their learnings through their association with the Legal Aid Cell now. One of the assignments that DLSA undertakes is jail visit where interns are taken to Tihar/Rohini jail. The main work is to meet the undertrial prisoners and seek information as to the nature of offence they have been charged with, time period for which they have stayed in jail, whether they have engaged any lawyer or if they are provided free legal aid, health conditions etc.

These members had helped in the creation of a detailed report which was submitted to DLSA who classifies the information according to the offence people have been charged with and formulates a future course of action. This report had yielded result as approximately 900 undertrial prisoners were released after it was found that people who were charged with petty offences were kept in jail for more than 5 years.

This experience garnered by the members who had interned with DLSA brought fruits to the Legal Aid Cell since it helped not only these members, but also the entire group, to connect better with the people who came to seek help from the Legal Aid Cell. Thus, this previous internship helped the group in serving the people better.

CHAPTER 5 | FUTURE COURSE OF ACTION

In the past years, the NALSAR Legal Aid Cell has set high standards, be it is in terms of spreading awareness or be it actually ameliorating people's suffering by dealing with their grievances. Legal Aid Cell, 2013 has tried to fill in these big shoes to the best of our ability and will continue to do so. It has been the endeavor of the NALSAR Legal Aid Cell to provide the best possible service to the society. With the faculty and the past legal aid cell members backing us, NALSAR Legal Aid Cell, 2013 wishes to lay down the roadmap for the upcoming semester.

Legal Aid Awareness Camps / Shameerpet Mandal

Considering that the people of India are highly unaware of their rights as a citizen, NALSAR Legal Aid Group in association with the NALSAR Legal Cell Group has contemplated a legal awareness camp in Shameerpet. The camp will focus on basic legal rights which people might find useful in their daily lives. Various movies and documentaries will also be screened during the camp to apprise people of their rights. The camp would also include a legal aid counter where the students will lend with legal advice and ameliorate the suffering of people as best they can.

Connecting with other Law Schools

Legal Aid is too big a subject for any one institution or organization to work on single handedly. Therefore, it would be the prerogative of NALSAR Legal Aid Cell to contact different law colleges in Andhra Pradesh and to setup a committee to overlook the legal aid related work within the state. The next step would be to connect this with the NGOs and lawyers who want to contribute. The aim of this programme would be to organize aid related work so that resources are not wasted and cases are better coordinated.

Secondly, NALSAR will seek association with national law schools across the country, thereby creating a national network of legal aid centres. This will help all these schools to pitch in their resources and help serve the people across the nation, removing the local boundaries. This will be of immense help in cases where the person seeking legal aid has a cross-jurisdictional issue to be handled. Also, this will make a greater pool of lawyers and alumni available to the cause of legal aid.

As a follow-up, online communities have been created wherein information about various legal aid activities can be shared by students from various colleges. Web-platforms such as

LegallyIndia.com as well as Lawoctopus.com have been helpful in creating awareness about the latest developments in the field of legal aid as well as breaking down the walls of institutional insularity.

Inter-School Legal Awareness Quiz

This will be a pet project of the legal aid group whereby we will try seeking an association with the leading schools of Hyderabad and conduct a competition under the aegis of NALSAR. Through this competition, we seek to incite the interest of the school-going kids in the area of law, in addition to testing them on basic legal knowledge. The target group will be students in the +2 level of schooling, since they will have completed their Social Science courses and given a stimulus, may later seek to join a law school.

We at Legal Aid Cell believe legal awareness is one of the most important aspects of our cell. It is to this end that we propose to organize Inter School quiz on legal awareness in the upcoming semester. To quote President John Kennedy, “Children are the world's most valuable resource and its best hope for the future” therefore, it is imperative to sensitize children about their duty towards society. Inter- school quiz on legal awareness will not only sensitize students about the problems faced by people in India but will also help in developing next generation lawyers who are receptive to societies needs.

LEGAL AID REPORT

TASK: FORUMS

(National Police Academy, 3 NGOs, Lok Adalat and Consumer Forum)

Subject: Clinic - II

Submitted to: Prof. Vidyullatha Reddy

Submitted by: Group B

Astha Pandey (2009-09)

Kritika Bairavan (2009-10)

Charitha Shashiraj (2009-12)

Fatehma Basith (2009-22)

Devdeep Ghosh (2009-23)

Prachi Negi (2009-39)

Janani Shankar (2009-47)

Shweta Vishwanathan (2009-50)

Shraddha Mehta (2009-58)

Swathi Bhojaraj (2009-63)



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NATIONAL POLICE ACADEMY

WORKSHOP ON GENDER SENSITIZATION

In view of the growing concern in society over the crimes against women, especially in light of the Delhi gang rape, and the Rape Ordinance which had been promulgated around the same time and is now an Act, we felt the need to contribute to create mechanisms that ensure greater safety for women. To this end, we approached Professor Sridhar who, in turn put us in touch with Mrs. Tejdeep Kaur Menon, a high ranking officer in the police department. After a series of phone-calls and e-mails where we brainstormed over how we could be of assistance, we decided to conduct a one-day workshop at the National Police Academy, Hyderabad, to discuss issues concerning women in general and women in distress, in particular. The workshop was attended by several high ranking police officers of the grade Deputy Superintendent of Police and above. For the workshop, Mrs. Menon invited a number of other high profile speakers as well. In our slot, we first enacted a skit where we tried to depict the apathetic attitude of police officers to women who complain of sexual harassment. Responses of the police such as the offence is trivial or the woman should dress decently are problematic as they further fuel the problem instead of combating it. This is the message we wanted to send across to the police officers who were in attendance. We then reinforced our message through hard hitting clippings of police officers who had been caught on tape echoing similar sentiments. This was followed by a presentation where we explained the changes brought about by the ordinance and had an open house on whether the changes were feasible in practical terms. The inputs of the police officers were very enlightening as they augmented our academic understanding of the subject. Moreover, some of the police officers were woefully unaware of the changes that had been introduced and expressed their gratitude for our efforts.

The workshop was our biggest success as a group as we were invited by Mrs. Menon to conduct similar classes in police stations and academic institutions across the State. The main motivation behind the workshop was to address institutional issues as well as problems that arise from the parochial attitude embedded in our police system. For example, one focal point of the debate centred around the justifications for the attempt to make the refusal to register an FIR a

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punishable offence. One police officer thought that such a matter cannot be left to the discretion of the lawmakers because often the complaints do not make out an offence in the first instance. Before we could reply to his objections, the Deputy Inspector General of Police explained to him that such discretion was not afforded to the police either and that a police officer is duty bound to register a complaint.

Similarly, our presentation evoked a passionate debate about the legal and moral issues in child marriage, and even marriage itself in general, and the license given to a man to force himself sexually on his wife as long as she is above the age of 16 years. While one of the police officers opined that this was in accordance with the law which till date has not criminalized child marriage (marriage below 18 years is valid until declared void), we had a hard time convincing him how this seemed to be an inherent flaw in the law and how no man, married or not, ought to have the liberty to have non-consensual sexual relations with a woman.

Another important debate centred around how crimes against women are often characterized as domestic issues and not public issues. The police officers related stories of how women refused to divulge the true facts of an offence choosing instead to cook up excuses such as a stove burst or fall down the stairs. To this extent, the police officers acknowledged the urgent need to increase awareness amongst women about their rights. The media's role in the field was also deliberated upon with the consensus being that certain aspects of the media had been behaving very irresponsibly and insensitively in the past in response to crimes against women by placing the entire blame on the woman herself. The attendees spoke about how there was need for a greater number of women in the police force with one police officer recounting how, while performing her administrative duties, she had found that certain women police constables were retiring without having received a single promotion in their entire career. We had also gathered statistics about the importance of an effective police helpline which was acknowledged by the attendees.

The overwhelming sentiment amongst all those in attendance was that women ought to be made aware of the laws meant for their protection and their rights and privileges. Moreover, the police force need to be sensitized to their role as guardians of women and ought not to stand in moral

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judgment every time a woman comes forward with a complaint. The workshop yielded a number of positives with several of the attendees coming up to us after the presentation with words of encouragement and gratitude for our presentation.

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ASSOCIATION WITH 3 NGOS

HUMAN RIGHTS AND CONSUMER PROTECTION CELL, SAVE OUR URBAN LAKES

CONFERENCE ON PROTECTION OF WATER BODIES

Upon realizing that it would not be easy nor efficient for us to singlehandedly identify areas where we could contribute, we decided to contact two NGOs that had a proven track record in working for the betterment of Hyderabad and its citizens. The first was the Human Rights and Consumer Protection Cell which is spear headed by the public spirited Mr. Thakur Rajkumar Singh who has recently been in the news for exposing corruption in the consumer courts. He is also renowned for having filed RTI applications that were instrumental in bringing an element of transparency in the state's bureaucracy and has played a key role in ensuring the enforcement of the directives of the apex Court and of the National Human Rights Council regarding encounter deaths.

The second NGO, Save Our Urban Lakes (SOUL), is dedicated towards protecting the water bodies in Hyderabad. In light of the large scale destruction of the city's urban lakes on account of unrestrained growth and development, a group of citizens have come together to ensure that no further degradation occurs. They contribute to the betterment of the conditions of these water bodies through advocacy, research and resistance against polluting behavior.

Mr. Thakur Rajkumar Singh invited us to a conference conducted by SOUL on the 24th of March wherein we discussed and deliberated upon newly generated maps of the catchment areas in and around Hyderabad city. These maps shall be instrumental in creating awareness amongst the citizens about streams, sewage systems and steps one can personally take to preserve their local water source. In order to prepare for this conference, we undertook in depth research into the Andhra Pradesh Water, Land and Trees Act, 2002 as well as Government orders issued under the Act. We created notes on the ground water and surface water protection measures that have been provided for by the Andhra Pradesh state government through these legislative instruments. we look forward to continuing our association and have expressed our inclination to support and assist their initiatives in any manner possible.

MAMIDIPUDI VENKATARANGAIYA FOUNDATION (MVF)

FILM MAKING ON CHILD LABOUR

In furtherance of the group's task to assist NGO's for the purpose of broadening our reach, we visited Mamidipudi Venkatarangaiya Foundation (MVF), Hyderabad- a prominent child rights NGO that has been working in Ranga Reddy District since 1991. MVF works in over 500 villages in Andhra Pradesh and has so far withdrawn thousands of children from work and retained them in schools. It believes that every child has the right to a childhood and an opportunity to develop to his/her full potential and that any form of labour done by a child interferes with this right.

We met Mr. Dhananjay, Chief Trainer, who explained to us the problems of child labour and the attempts that MVF has been making to eradicate the same. Mr. Dhananjay spoke to us about how, in their experience, every family that they have encountered wants to send their children to schools. It is a whole range of complex issues that influence them to put them to work instead. It was brought to our notice that there is no lack of government programs to eliminate child labour or universalise child education but the problem lies in the approach to the issue. If implemented properly, the problem of child labour can be countered effectively.

MVF functions on the belief that the starting point for any movement to withdraw a child from work and enrol him/her in school is to promote the norm within the community that no child should work. Tackling the community implies not just dealing with parents but also with employers, elected local body representatives, local youth, community elders, teachers etc. Their approach involves sensitising all members of the community to the issue of child labour and the manner in which they contribute to its persistence. Mr. Dhananjay proposed that we make a film on the issue which would be useful to them for educating the public. We realized that this would result in an enduring and impactful enterprise since this film could be used in the times to come to raise awareness about such issues.

Therefore, we undertook the task of making a film that documents the problem of child labour and showcases MVF's attempts in wiping out the same to the MVF's Socio-Legal Awareness Program. This film has been submitted to MVF for further use in its awareness programs and has been acknowledged and commended.

Contention

The trouble with the government's policies and programs is that they operate on the negative premises that poor parents cannot and will not withdraw children from work and enrol them in schools due to their economic distress. This "poverty argument" (the belief that poor families need their children's income to survive) and the concept of irrelevance of education have played a major role in the formulation of government programs relating to child labour and education. The government's philosophy also revolves around the "harsh reality argument" (the belief that child labour is inevitable) and hence even the legislation passed in this regard refers only to eliminating child labour from "hazardous industries" while regulating it in the formal sector elsewhere. The legislation specifically excludes child labour in the family environment from its purview.

As opposed to this approach, we contend that what is required is the replication of the model followed by MVF. The fact that so many children and parents have responded to the program is a clear indication of the validity of the principles directing the program.

Aims & Objectives

The film "Voiceless Whispers" that we seeks to document the efforts of Mamidipudi Venkatarangaiya Foundation, Hyderabad which has been actively involved rescuing and rehabilitating children by removing children from work and enrolling them in formal schools since 1991. The film intends to highlight the lacuna in implementation of the Child Labour (Prohibition and Regulation) Act, 1986 and the need to implement the Right to free and Compulsory Education Act, 2009 more rigorously. Prohibition of child labour and ensuring compulsory education are inextricably linked. Education of rescued child workers is an essential facet of the rehabilitation process. Former child workers are either school drop outs or have never been to school hence integrating them into formal school system is a major challenge. MVF's effort in rehabilitating children through their Residential Bridge Course Camps is truly commendable. The dangerous disconnect between policy and implementation in the areas of rehabilitation has been taken up by MVF with a clear goal of bridging this divide.

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While documenting the movie for the 'Socio- Legal Awareness' program of MVF we have showcased the contributions of legal regime with regards to rehabilitation facilities as policy initiatives under the aegis of Child Welfare Community which has centers across the forum working under the Women and Children Welfare Department of respective State Governments. We have showcased that utilization of these policy initiative measures along with aid of NGO's like MVF would aid in the betterment and welfare of Child Labourers and their families.

Methodology

The Film has been created from inputs given by Mr. Saurabh Bhattacharjee, Assistant Professor, NUJS, Mr. Yadaiah, Social activist, MVF and former child workers who are currently living in the Residential Bridge Camp of MVF in Chandrayangutta. The interview of Mr Bhattacharjee was recorded in the premises of NALSAR. The video footages of the Residential Bridge Camps and the interview of Mr Yadaiah and former child workers were obtained through several visits to the MVF Camp in Chandrayangutta. The film makers have relied on primary source of data.

Thus, we added to MVF's Socio-Legal Awareness program by documenting plight of Child Labourers in the country and how their betterment is possible through allignment of Governmental and Non-Governmental Organizations. This documentary had been and will be further used by MVF in their present and future "Socio-Legal Awareness Program". We will take this a step further in the next semester by directly helping MVF in its efforts to rescue and rehabilitate such children.

VISITS TO THE LOK ADALAT, BANGALORE

“I had learnt the true practice of law, I had learnt to find out the better side of human nature and to enter men’s hearts I realized that the true function of a lawyer was to unite parties given as under. The lesson was so indelibly burnt into me that large part of my time during the twenty years of my practice as a lawyer was occupied in bringing about private compromises of hundreds of cases”

– Mahatma Gandhi

Essentially, this is what we, Swathi and Charitha observed over a large part of the week during which we visited the Lok Adalat in Bangalore- the settlement of disputes through compromises and conciliation. The Lok Adalats are formal bodies set up under the auspices of the State, but following the alternative dispute resolution method to settle petty disputes that do not require an elaborate inquiry or evidentiary process. Although the Legal Services Authorities Act exists as the main legislation that gives these ‘people’s courts’ statutory recognition and governing the entire process, the proceedings we witnessed barely had any formalism in it.

Our group decided that we would visit the Lok Adalat in Bangalore during the holidays, since the proceedings usually happen in the local language and therefore we would better understand the proceedings in our own cities. We stayed at the Lok Adalat for about 3-4 hours every day for a week and witnessed both kinds of cases- the ones that were referred to the Lok Adalats by the formal Civil Courts and the ones in which the parties at the first instance approached the Lok Adalat themselves. Predictably, we noticed that the latter kind of cases has relatively less litigious parties who were more inclined to settle the dispute amicably without any confrontations and arguments.

On an average there were about 15- 20 cases that happened every day in the 4 hours that we sat in court, each case ranging from about 4 minutes to 15 minutes. The cases were petty ones in which the point in dispute was mostly always the quantum of the monetary claim involved. Cases ranged from motor accident disputes to family disputes and payment of electricity and water charges, as well as the familiar property and partition disputes. There were about 10-12

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cases on bouncing of cheques and the Negotiable Instruments Act as well. The monetary claims awarded ranged from Rs 50- Rs 90,000 in different types of cases.

The process was extremely informal and relaxed. Everyone spoke in the local language and the lawyers even engaged in very casual talk with the judge. Typically, the judge began by asking both the parties if they had voluntarily granted consent to settle the dispute in the Lok Adalat and informing them that the process and decision would be final and binding. In most cases, the litigants and lawyers were crowded around the judges table, all of them talking at the same time, with the judge even sometimes listening to two cases of a similar nature together. These motor accident related cases stood out because we noticed that the judge did not even bother to try the matters on a case-to-case basis, making us question whether the justice delivery process was even a legitimate one, despite all its claims of being speedier and more accessible. In one or two cases where the parties had met with an accident, the judge did not even look at the receipts or bills from the hospital, and awarded compensation that was much lower than the medical expenses of the accident victims, as we later found out after talking to a few of their lawyers.

In some other cases, involving mostly payments claimed by the electricity and water boards from the litigants, the Court did not bother to confirm the paying capacity of the parties and just awarded sums that the electricity and water boards staked claims to. We were witness to a proceeding where an old woman who looked thoroughly harassed and helpless approached the bench and was immediately bombarded by questions from a panel of advocates representing the power company, hounding her about why she had not paid the bills. The woman did not have legal representation and was not even given a chance to speak or even asked to sit and the judge ruled in favour of the power company within two minutes. It was apparent that she did not have the capacity to pay the company for something that amounted to almost Rs 50,000, but the judge ordered her to pay it in return for getting the electricity back “sometime soon” at her house.

There were a couple of petty criminal cases as well, where mostly pickpockets who were caught red-handed were penalized. There was absolutely no hearing in such cases, none at all. The pickpockets were brought to the bench by the victims themselves or the policemen and were immediately penalized without a second thought and without giving them any chance to speak. They were then taken outside and we saw them being beaten up by a few members of the public, before being threatened and released.

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There were people from every strata of the society, not just the ones from the lower strata. Most of them had lawyers representing them and seemed uncomfortable at the idea of having to speak before a judge themselves. However, a few of them chose to represent and fight their claims themselves. We did enquire if some of these obvious lower-income persons required our help, but despite convincing them that we were ready to help them free of cost, they seemed quite skeptical and refused our help. Most people were too frustrated and angry to even consider taking our help. We then approached the judge presiding over the Adalat, City Civil and Sessions Judge, N.K. Sudhindra Rao, and having explained our educational backgrounds and having also presented a formal internship certificate from the University, asked if we could be of any help to him. Although he said that he was not in need of any assistance at that point in time, he invited us back in the future to assist the sitting judge of the Lok Adalat and explained that we would have to spend longer than a week in the Lok Adalat to fully understand the procedures and the way in which the forum functions and to be of actual use to the Lok Adalat.

We eventually decided approach one of the lawyers who dealt with Lok Adalat cases on a daily basis and worked with him for a week on divorce and matrimonial cases. Most of the cases involved wives who wished to separate from their abusive or adulterous husbands. Swathi and I attended client meetings as well, going to the homes of these penniless victims and personally recording statements of the wives who were subjected to physical assault and mental torture by their husbands on a daily basis. Being women ourselves, we were able to emotionally support the clients and tried to rehabilitate them, apart from helping with just the purely legal aspect of the cases. In most of the cases we were able to secure divorce and monetary compensation for the victims. Nonetheless, it cannot be denied that the women were subjected to 'legal' blackmail, coercing them into accepting the grossly insufficient compensation, usually amounting to just about Rs 3000 to 4000, by repeatedly emphasizing that taking the case to a civil court would delay the process and make it more expensive.

One particular case stood out, that of a woman who was treated in a most horrific way by her husband, who was brutally beaten everyday with a whip and burnt using steel tongs. She was not even granted a divorce, but forced to live with her husband, with the judge stressing that her children required the parents to stay together. We witnessed the woman crying and pleading with the judge, but he refused to budge and emotionally blackmailed the woman into staying with her

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husband for the sake of her children. Although the Court strictly ordered the husband not to engage in such acts again, the very patriarchal nature of such decisions comes to the fore in these informal settlements, where neither the law nor the evidence plays a major part.

However, the better part of it was that all of the cases we witnessed were settled, though some reached a more unsatisfactory result than others and some were settled only after a prolonged verbal confrontation between the parties, especially in the property and family disputes matters. One woman, Sheila, told us that her deceased husband's dues to the bank, which amounted to a whopping Rs 90,000 had been compromised for Rs 45,000, pending a 6-year long dispute. There were several such attendees whose petty disputes had been pending over many long years, and were settled satisfactorily in the Lok Adalat.

Acting on the judge's advice and having better understood the logistics of this forum, we have determined that we will engage in a month-long internship with *the judge* during the next semester, so as to be of better use to the victims who in some cases have to suffer from the grossly erroneous decisions of the judges themselves.

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VISITS TO THE DISTRICT CONSUMER REDRESSAL FORUM, BHOPAL

As part of legal aid we, Shraddha and Shweta visited the consumer forum in Bhopal, during the ten day break from 23rd to 31st March 2013. Established under the Consumer Protection Act, 1986, in each district of the State by notification, district forum consists of three members a person who is, or has been, or is qualified to be a District Judge, who shall be its President and two other members, one of whom shall be a woman. The District Forum has jurisdiction to entertain complaints where the value of the goods or services and the compensation, claimed does not exceed rupees twenty lakhs.

In our visits to the forum we observed that the cases mostly dealt with building contracts, electricity service deficiencies and insurance frauds in deficient service category. Defective mobile hand sets, fans, coolers and other home appliance in the defective goods category. The process was very unceremonious and the judges and lawyers did not share formality on any level. Most of the complainants had lawyers representing them, however there were some who were representing themselves; these were mostly poor complainant who had come from villages and had no money to engage lawyers.

We approached one of the lawyers who dealt with Consumer cases on a daily basis and worked with her for a week on rent and building cases. The lady advocate Ms. Chitra explained the procedure and nuances of the Forum to us. We engaged in interactions with her clients and other complainants who had come from very far villages. The procedure involved firstly admission of the complaint. A complaint may be filed by a consumer, recognized consumer association or one of more consumers with similar grievances by the permission of the court. First step is admission of the complaint, the court decided on the pecuniary, territorial jurisdiction and application of the consumer protection act.

Once the complaint is admitted the proceedings commence. The following is the court procedure on admission of complaint if related to defective goods- The District Forum on admission of a complaint refers a copy of the admitted complaint to the opposite party mentioned in the complaint directing him to give his version of the case. The complainant has to deposit to in the Forum, fees for payment to the prescribed laboratory for carrying out the necessary test in

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relation to the goods in question, before any sample of the goods is referred to any prescribed laboratory. Whether such goods suffer from any defect alleged in the complaint or from any other defect or not and the laboratory has to report its findings to the District Forum. The District Forum gives an opportunity to the complainant as well as the opposite party of objecting on the correctness of the report made by the laboratory and also as to the objection made in relation and issue an order.

Similar procedure is adopted if the complaint relates to any deficient service- firstly; refer a copy of such complaint to the opposite party directing him to give his side of the case. Where the opposite party denies or disputes the allegations contained in the complaint the District Forum can settle the consumer dispute on the basis of evidence brought on record by the complainant and the opposite party. Forum can even pass ex parte order on the basis of evidence brought to its notice by the complainant where the opposite party omits to take any action to represent his case within the time given by the Forum. Where the complainant fails to appear on the date of hearing before the District Forum, the Forum can either dismiss the complaint for default or decide it on merits.

Mostly cases involved building contractors' fraud such as use of use of faulty cheap quality material resulting in seepage, cracks in newly build homes, also a case where the contractor even after receiving the money did not grant possession to the person. One very interesting case of fraud by a seller came up during our visit. A shoe seller charged a buyer with Rs. 840/- for the shoes he bought. When the complainant discovered that the MRP was Rs. 420/- he approached the court for redressal. In the reply statement and when asked by the judge, the seller told the court that though the MRP is Rs. 420/- but it is the cost of only one shoe. The judge ordered the complainant to refund the excess amount but also awarded compensation.

Seeing our interest in the proceedings, the presiding judge invited me to her chamber to assist her in certain matters. We had a long conversation about the work of the district Forum, the role of lawyers, inadequate legal representation in consumer related matters etc. She advised us to intern with her in my holidays as 10 days are not enough to understand the workings of the Forum. We fully intend to follow up on this advice of hers and shall be continuing our association with this Forum in the next semester.

LEGAL AID CLINIC REPORT

Subject: Clinic – II

Submitted to: Dr. K. Vidyullatha Reddy

Submitted by: Group – A

NALSAR University of law, Shameerpet

SUMMARY:

As a part of the 'Legal Aid Clinic', Group A – comprising 10 students [list containing names annexed to the report] from the IVth Year, set out to work at the Sarpanch's Office at the Shameerpet village at a distance of about 1km from the NALSAR University at Shameerpet.

1. INTRODUCTION:

When assigned the interesting topic of 'Legal Aid Clinic', we consulted our Professor. K. Vidyullatha Reddy. She has vast and extensive experience in legal clinic education at NALSAR and has taught the subject with much dedication over the last 10 years to all her students.

She was extremely helpful to us and asked us to read up the website <http://nalsa.gov.in/actrules.html> with all the guidelines laid down to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organise Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity.

We studied Section 4: Function of Central Authority – Section 4 (k) which states that – *programmes for clinical legal education must be developed and to promote guidance and supervise the establishment and working of legal services clinics in universities, law colleges and other institutions.*

2. **INFUSING ENTHUSIASM IN THE STUDENT BODY:**

Group A decided to work out a practical solution to render legal aid to the villagers of Shameerpet at the Sarpanch office.

Since vernacular issues do not allow the legal aid to permeate through, we endeavoured to counter this issue by spreading the word on the NALSAR University campus.

We had only one Telugu speaking student in our group and decided to campaign in our college to allow juniors and Telugu speaking students to assist us.

The month of January, 2013 was spent trying to sensitise the students from Ist, IInd and IIIrd year to participate with us in our trips to the village and offer free legal aid to the villagers.

Our group size increased to include 13 juniors. We asked the local students to prepare *posters* and *pamphlets* in Telugu.

We made 4 trips to the village in the month of January and sensitized the local shopkeepers, the butchers, the villagers and the school teachers about our program. We explained that this was programme would last for a year with a summer break in the months of April, May and June and that our dedication towards this cause is unwavering.

3. DIVISION OF WORK OVER THE SEMESTER:

| Day and Date | 4th Year | 4th Year | Juniors | Juniors |
|---------------------|----------------------|-----------------|----------------------------|----------------------------|
| Sat - 23rd Feb | Shreya | Divya | Tanisha Pande (I year) | Soumya Cheedi (I Year) |
| Mon- 25th Feb | Meghal | Kadambari | Trishi Jindal (I year) | Prithvi Bhaskar (I Year) |
| Tue - 26th Feb | Sagarika | Sampada | Divyang Trivedi (III year) | Goutham RV (III Year) |
| Sat - 9th March | Shreya | Divya | - | - |
| Mon -11th March | Sagarika | Sampada | Apurv (III Year) | Meghna Sundar (II Year) |
| Tue - 12th March | Ramya | Saujanya | Rajlakshmi (II Year) | Kopal (II Year) |
| Sat - 16th March | Kirthana | Aditi | Aneesh (III Year) | Veena Raghav (I Year) |
| Mon -18th March | Meghal, Kadambari | Kirthana | Adrija (I Year) | Yuvraj Vyas (III Year) |
| Tue - 19th March | Saujanya | Ramya | Manognya (III Year) | Ranjini (II Year) |

4. COMPLAINTS RECEIVED AND LEGAL AID RENDERED:

Over the entire semester we received 4 complaints from the villagers. They were as follows –

| DATE | COMPLAINANT | PARTICULARS | LEGAL AID |
|-------------|---|---|---|
| 23/2/2013 | A.Srinivas, Medical Shopkeeper New Janapriya Shamirpet | INR 2,00,000 cheque deposited in the Bank and the cheque bounced due to insufficient amount. He asked the borrower several times but he always replied saying he doesn't have enough money. The cheque bounced 4 months back and promissory note was made 6 months back (approximately). Bank name – State Bank of Hyderabad | Get free legal aid from the lawyer- Mr. A.P Suresh (9949825029) |
| 9/3/2013 | V.Reddy Sarpanch Office | Property tax to be imposed on | NALSAR University is an education |

| | | | |
|--|------------|---|---|
| | Shameerpet | NALSAR University since the time the University buildings were constructed. | <p>institute exempt from such taxation as per Section 235 (1)(d) Income Tax Act, which reads thus:</p> <p>"235. Exemption.-</p> <p>(1) The following buildings and lands shall be exempt from:</p> <p>(d) buildings recognised by the Government or registered with the Municipality under this Act and owned and occupied by educational institutions and used only for teaching and libraries open to public."</p> <p>NALSAR University is established in the year 1998 under the</p> |
|--|------------|---|---|

| | | | |
|-----------|-----------------------------|--|--|
| | | | <p>National Academy of Legal Studies and Research University Act (Andhra Pradesh Act 34 of 1998) of the Andhra Pradesh State Legislature. Thus, it is exempt from such taxation.</p> |
| 16/3/2013 | <p>Madhu Shameerpet</p> | <p>Madhu's father and uncle owned ancestral land in Shameerpet. The uncle sold his property, long back, to some other parties from Shameerpet village. 20 years ago, the government, under the Indira Housing Scheme, acquired the land belonging to Madhu's father and few other parties.</p> | <p>Madhu still has to submit the documents. After the documents are received, we shall chalk out the most appropriate course of action.</p> |

| | | | |
|--|--|--|--|
| | | <p>The Government promised free land distribution as compensation to the deprived parties. The size of the promised land was one fourth of an acre per party. The same was declared by Gram Sabha to all the parties whose lands were acquired. Till now, they were under this assumption that they possess the title of this land but no official document or certificate was given to them confirming their ownership. Recently, a third party came and started some work over that land. When</p> | |
|--|--|--|--|

| | | | |
|--|--|---|--|
| | | <p>Madhu went to MRO office in order to complain about 3rd party illegal interference, MRO officer stated that the certificate 3rd party carried was the latest one and therefore they are entitled to the land. However, the 3rd party is not disclosing the source which sold this land to them. Later, the 3rd party filed a case against Madhu and his mother last year, alleging that they are illegally claiming their ownership on 3rd party's land and that the mother has abused and insulted them. The case has</p> | |
|--|--|---|--|

| | | | |
|--|--|--|--|
| | | been filed in Medchal Court and is still pending. Mr. Yadgiri is appearing as the defending lawyer from Madhu's side. The case is being adjourned from a long time due to absence of 3 rd party also. | |
|--|--|--|--|

5. **CONCLUSION:**

Legal aid is the provision of assistance to people otherwise unable to afford legal representation and access to the court system. Legal aid is regarded as central in providing access to justice by ensuring equality before the law, the right to counsel and the right to a fair trial.

A number of delivery models for legal aid have emerged, including duty lawyers, community legal clinics and the payment of lawyers to deal with cases for individuals who are entitled to legal aid. Legal aid is essential to guaranteeing equal access to justice for all.

It was a really wonderful experience getting involved with the ground realities and meeting people, hearing out their problems.

LEGAL AID REPORT – PRISON REFORMS

Subject: Clinic II - Legal Aid

Submitted to: Prof. Vidyullatha Reddy

Submitted By: Group D

1. Prateek Andharia (2009-41)
2. Shivankar Sharma (2009-74)
3. Nageshwaran Iyer (2009-11)
4. Deep Ray (2009-17)
5. Dhritiman Roy (2009-19)
6. Sameer Boray (2009-51)
7. Ieshan Sinha (2009-29)
8. Hemant Singh Akhawat (2009-27)
9. Nutan Mallepalli (2009-34)
10. Pranav Menon (2009-46)

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1. INTRODUCTION

The Andhra Pradesh Prison Department is in charge of handling all the Central, District and Sub Jails within the jurisdiction of the state since 1956. The Department presently controls 7 Central Prisons, 11 District Jails, 2 Open prisons, 2 Special prisons for women, 1 Borstal school and 120 Sub Jails. The Department is functioning under the Administrative Control of Home Department. The Director General & Inspector General of Prisons & Correctional Services is Head of the Department of Prisons and Correctional Services at State level and is assisted by Additional Inspector General of Prisons and other supporting staff. To effectively manage the administration of these prisons, the department is divided into three regions for the entire state viz. Telangana, Coastal Andhra and Rayalseema region. The gradual transformation of Prisons Administration in line with the correctional Philosophy and re-habitation approach towards the jail inmates is resulting in whole some and health environment in Jails. There is now renewed emphasizes on the moral educations and a holistic approach aiming at facilitating re-integration of the Prisons with the mean stream society in the post released period.

Before delving into our multiple jail visits, we would like to highlight certain differences among the three categories of jails i.e. the Central, District and Sub Jail. The Sub Jail operates at the Taluka level with SA Rank officer in charge in cases where there are less than 50 inmates and Inspector in charge in cases where the inmates are more than 50 who are convicted/are under trials for minor offences. The District Jail is handled by a DSP rank officer and usually house offenders convicted for up to 2 years. The Central Jail is handled by a SP Rank officer for all offenders or under trials for serious offences.

We visited the Cheralapally Central Jail on two occassions, interacting with prisoners (undertrials as well as convicts), senior officers as well as the junior police staff concerned with the administration of the prisons. We used these interactions, along with a copy of the Jail Manual that they provided us with, to analyse the functioning of the prisons and check for compliances with legal requirements. While our prior perception of a prison was that of a gloomy, dark and unhappy place, our visits and interactions changed that, realising that several prisoners were, though not happy, rather content or satisfied with their lives. In the words of the

warden – “The prisoners are sent here *as* punishment, not *for* punishment and so, once they are confined to the prison, we try and ensure that they have a decent standard of living.”

This report aims to summarise our findings from our two visits and set down the details regarding the lifestyle, premises, nature of work carried on, condition of the facilities, etc. We are committed to the project as a year-long affair, and have given our word to DGP Krishnam Raju, IPS that we would be submitting a white paper on possible areas of improvement in the prison at the end of the year. To that end, we intend to use the information received so far to now identify key areas of reform and devise methods to address these.

2. OUR VISITS TO CHERLAPALLY CENTRAL PRISON

Among the seven Central Jails in the state, Cherlapally Central Jail is a correctional facility in Cherlapally, Ranga Reddy district which falls under the Telangana region. The facility is located 28 kilometres away from Hyderabad. This prison was established in 2000 with the authorised capacity of 1790 male inmates only. One has to take prior permission from the top police authorities for a visit to the jail. We got the requisite permission through Mr. KVS Kaumudi, Director General of Police, Logistics Department, for two visits to the jail this semester.

1st Visit - 15th February 2013

2nd Visit - 22nd March 2013

As per 1st February 2013, there are 1759 inmates residing in the prison. The premises of the main jail block are surrounded by gardens. There is only one main gate in this prison and every activity, passage, transaction, transportation, supply of food etc. is possible only through this gate. This gate is manned by 5 guards at all times and they frisk and check all the commodities which are sent for prisoners from outside the jail. The security system is mostly foolproof, but the guards informed us of a few escape attempts that had been successful over the past few years. Usually, these individuals are recaptured and sent back to the prison, with no possibility of early release, a huge deterrent in itself.

On entering the jail, one has to show a valid identity proof and deposit his/her cell phone and camera at the entry counter. Each visitor is given a jail coupon while entering and is frisked properly from head to toe. While entering the jail premises, we saw several prisoners handcuffed and chained, who were being counted and taken to court for their hearings. The prison authorities were extremely diligent in checking them and usually transport them to local courts in their own mini bus. The walls inside the jail had imprints of quotes such as 'Hate the crime, not the criminal'. Further, the notice boards were filled with leaflets pertaining to the powers of officers, the values to be imparted to prisoners, details regarding officer on duty, etc.

Superintendent's Briefing on the functioning of the jail

As soon as we entered the main premise gate, we were summoned to the office of the Superintendent of the Jail, Mr. KL Srinivasa Rao. He gave us a detailed briefing on the jail facility, providing us a short history on the creation of the jail as well, before proceeding to answer most of our queries regarding the functioning of the jail. The jurisdiction of this jail essentially covers around 5 districts i.e. Mahbubnagar, Cyberabad, Medak, Nizamabad and Rangareddy in the Telangana region. This particular Central Jail, much unlike some of the other Central Jails in India, does not have any mechanism to conduct capital punishment.

To enable a convicted prisoner maintain social relations with his family and the community and also to save him from the evils of prisonization, a system of releasing prisoners periodically for temporary period is implemented by way of releasing them on Parole, Furlough and Escort Parole. The Superintendent gave us information regarding the Parole (granted by state for 30 days) and Furlough procedure (sanctioned by the Directorate General of Police as a part of the sentence period, maximum period 14 days) for the inmates in the jail. He further stated that in certain circumstances to enable a prisoner to attend emergencies at home like death of near relative's marriages and funerals, prisoners are sanctioned Emergency Leave. There are welfare officers have been posted in jails to help prisoners to maintain family contacts and secure Parole and furlough.

To maintain some sort of link with the outside world for, a special interview hall is made for prisoners. The prisoners are permitted to have their interviews with friends, relatives on the following scale: a) 2 Interviews per week for an undertrial b) 2 interviews every fortnight for convicts. The length of these interviews is 30 minutes per inmate. However, interactions with the police as well as the prisoners led us to believe that the prisoners are not guaranteed privacy and several of the conversations, letters and communications are intercepted and perused for suspicious activity.

As per the Superintendent, the prisoner comes to prison for punishment and not further punishment. Hence, the jail authorities allow the inmates complete freedom within the premises of the jail. In cases where the inmates are disobedient or commit any crime, they are given confinement in small cells, remission cuts from salary, canteen facilities are curtailed, family

interview time is reduced, etc. Just outside the main gate, there is Bail Box kept open between 5 30 am till 5 30 pm everyday to put in orders for bail to facilitate their exit. The inmates are allowed to smoke cigarettes freely, however are banned from consumption of alcohol and narcotic substances.

The prison facility has a total of 879 convicts, 859 undertrials, 2 Naxal prisoners, 4 foreign convicts, 6 High security prisoners, 3 Preventive detenu convicts, 4 prisoners admitted to hospitals and mental health institutes. The undertrials and convicts are housed in separate prisons. The under trials do not have any uniform and wear civilian clothes. Every convict must perform some activity in the prison unless he's unwell. Among the convicts, certain prisoners wear either white or a green uniform. The former uniform is for prisoners who stay within the prison premises and the latter ones go for work outside the main premises of the prison i.e. gardens, nearby village industries. The inmates are paid in accordance with the skill of their work i.e. an unskilled labourer is paid Rs 30/day, a semi skilled labourer is paid Rs 50/day and a skilled labourer is paid Rs 70/day.

This jail is modelled on the UN Standard Minimum Rules along with the State Jail Manual. The accommodation provided to each prisoner in their cell is 50 square feet, which is quite spacious. The jail provides for a plea bargaining facility but this service has become redundant. Legal aid is made available to all the inmates. The District Legal Secretary visits the premises once a month and provides the inmates with information regarding jail rights, bail approvals, etc. A system of Jail Adalat is present for undertrials and advocates are provided free of cost to them within the premises of the jail.

The prisoner's day starts at 6:00am. They have to perform their daily routine within an hour. Breakfast is served at 7:00am. After breakfast they get busy with their usual work. Lunch is served from 11:00 to 11:30am. After their lunch they can relax for a while, wash their clothes and then get back to their work again until dinner is served. At 6:00 pm all the barracks and block gates are closed and the keys are submitted in the office near the 2nd gate. Only in case of emergency, i.e., if any prisoner is unwell, the gates are opened. Else they remain closed till 6:00am.

Every inmate is approximately provided with 700 gms of rice every day. The inmates are supplied with upma, khichidi and pongal in the morning as breakfast. They are supplied with bread and biscuits at regular intervals. For lunch, prisoners are given dal, rasam, rice and curd. Dinner comprises of rice and curry. On Sundays and on special occasions, non-vegetarian food is provided. A canteen is available for the prisoners where they can buy any item by giving coupons worth Rs.5, Rs.10, Rs.15, Rs.20. Coupons worth Rs.1500 are provided to them every month.

For medical requirements, the Superintendent stated that there are three medical officers available in the hospital block of the prison. Further, in cases of emergencies, the prisoners may be transferred to either Gandhi Hospital or Nizam Institute of Medical Sciences. The prison provides with an ambulance facility as well.

Study of the Premises of the Prison

The total area of the jail is 45 acres inside the prison premises and 120 acres outside the prison. The open blocks of the jail are named — Krishna, Godavari and Swarnamukhi. There are seven towers surrounding the jail for the police officials to observe the inmates. One main tower which is exactly opposite the 3ft main gate is not loaded with weapons whereas the other six towers are loaded with weapons and officials open fire in case of emergency. Further, there are CCTV cameras located inside the premises monitoring the activity of the inmates. Every officer handling a block is given a walkie talkie for communication with fellow officers. In cases of escape by prisoner, an alarm siren is present to make the authorities aware of such an occurrence.

The police to prisoner ratio in this prison is around 1:10 - 1:18, which is really low compared to the number of inmates it hosts. However, the prison caters to most of the needs of the inmates despite being severely understaffed. Some reasons attributed to lesser number of police manning this prison can be owing to the punctual locking of each block gate by the respective guards and thorough frisking and tight security at the main gate, which is the only connect to the outside world.

The first block we visited was the hospital block. There are four doctors, one dentist who conduct frequent health checkups for the inmates. There are around 50 beds in this hospital and 5 nurses available 24 hours every day to take care of the admitted prisoners. The premises of the hospital are relatively cleaner than any municipal hospital. The hospital provides for minimum primary care but in cases of greater amount of medical requirement, the inmates are transferred to hospitals outside the jail. On both our visits, since there was no psychiatrist to deal with the psychological problems of the inmates, we informed the authorities regarding the same. However, the authorities did mention that a permanent psychiatrist was appointed previously but left since he was scared of the inmates. Similar problems have been experienced by other doctors as well. There are two pharmacists in the premises itself. The notice boards in the hospital provided for posters regarding AIDS awareness, Polio, etc. An interesting fact to note was that condoms were provided free of cost to male prisoners, indicating the tendency of homosexual activities in the prison cells.

The next block is called the Gautami Block. One will be surprised to see that the farmers who were looking after the plants are none other than the prisoners themselves. The block houses a 15-20 acre vegetable farm, dairy farm and a 20 acres mango orchard. This area has a very planned mechanism of growth, with irrigation and tractor facilities. Vegetables and milk from the jail meets not only its own requirements, but are also supplied to other jails in the city and to the HUDA (Hyderabad Urban Development Authority).

The next block is Krishna block which has few more barracks for the prisoners, especially for those under high security. Close to Krishna block is the Saraswati school where the prisoners receive basic education as well as vocational training. These classrooms are spacious and neat with adequate seating arrangements. This school also consists of a library which includes English, Hindi and Telugu books. The National Academy of Construction provided 3 months theory and practical classes in plumbing, mechanical, electrical and painting. Prisoners who complete this training are also given certificates for the same. Deloitte has sponsored eight desktops in the computer room for the prisoners work on them whenever necessary. Dr. B.R. Ambedkar Open University facilitates the prisoners to complete their undergraduate education degree in the fields of commerce, science as well as humanities. The classes are conducted every

Sunday and exams are conducted every year in the month of May - June. There is special value education classes conducted on certain occasions.

All prisoners have a government bank account maintained within the jail. At least half of their earnings from the services they carry out within the jail, are directly transferred and deposited in the bank and handed over to them only after they are released from the prison. The remaining half is handed over in cash to carry out their basic purchases from the canteen for themselves or to support their immediate family needs at a very affordable price. It also provides for certain snacks and refreshments during tea time. The prison blocks surround the huge garden area which gives the entire prison a beautiful look. Maximum employment among the prisoners is generated in gardening these gardens across the prison.

There is a special meditation hall present for the inmates. Meditation classes are organized on regular basis i.e half-an-hour every morning. Training in yoga is also imparted to prisoners. Several cultural programmes on occasions and festivals are conducted at this hall. A television facility is also provided till 9 pm in every barrack. Sport competitions for volleyball, badminton, carrom, chess occur during public holidays. There is a small temple, mosque and church within the premises of the prison to consider the religious needs of the inmates.

Production Facilities at the Prison

There is a bakery just next to the kitchen, where prisoners bake various items such as bread, biscuits, khari, cakes, etc and is open all day. The kitchen, next to the bakery, is relatively clean and has all the necessary equipment and kitchenware. The prisoners who are good at cooking take the lead role and cook for all the prisoners. The rice is placed on a long steam plate which is approximately 6 x 3 feet long and broad. However, this kitchen area must be well guarded and must be protected from the frequent cat menace. This bakery was set up by an inmate who used to be run a bakery in the city, but was then sentenced to life imprisonment for a murder. The bakery is now immensely popular with the inmates, and much of the prisoners income is spent on snacks and delicacies at the bakery.

The Swarnamukhi block is where the prisoners reside and take rest. Each block has 16 barracks and in each barrack 20 prisoners are accommodated. The Barrack is a huge room measuring 30 x 16 feet with an attached toilet. The inmates are given a thick mat, 2 bed sheets, 1

pillow, 1 pillow cover & a blanket. Each inmate has been provided with their own shelf to keep all their belongings. For recreation the prisoners are provided television, radio, caroms, chess board, magazines and newspapers. The entire prison has 24 hour water facility. Further, each inmate is provided with free newspaper.

The Vamshadhara block has various units- weaving unit, tailoring unit, steel & furniture unit, durry unit, carpentry unit, soap unit, phenyl unit. The weaving unit weaves the cloth used by the male and female prisoners (white cloth with navy borders). The prisoners who are experienced tailors stitch the uniform for the prisoners. Blue uniform is for the tailors; the prisoners who do farming wear green uniform and rest of the prisoners wear white with blue border. The experienced tailors are paid Rs. 250 per day and the inexperienced tailors are given Rs. 230 per day. In the Steel furniture unit, forty five prisoners make steel benches, cots, racks, cupboards which are supplied to colleges and schools. 99 % of the furniture is supplied to the government offices and the average income earned by this unit itself is 3L per annum.

In the Durry unit, the prisoners make carpets which are every year displayed in the industrial exhibition which is held in the exhibition grounds at Nampally, Hyderabad. The Phenyl unit prepares concentrated phenyl which is supplied to government hospitals, schools and offices. The Dye unit prepares dye which is very strong. All the colors used in the jail are made in this unit. The Soap unit prepares bathing soap and washing soaps, using natural products-animal fat, coconut oil, castor oil. It produces around 10 thousand bars per month. The working hours for all these units are 8 am - 4 pm.

3. KEY ISSUES IDENTIFIED ON INTERVIEWING PRISONERS

We had conducted several interviews of the prisoners during our visit. With respect to the hospital facilities, most inmates were extremely pleased with the medical attention received. One inmate, who was termed insane, feels actually treated when he is in prison. With respect to the food provided, since the prisoners themselves make the food they do not have any major complaints. However, most inmates have a problem of communication with the police officers. The police officers do not enquire with the prisoners regarding their basic needs or any health issues. The issue of non availability of the psychiatrist is a major issue in correctional facility and several instances of mentally unstable people committing suicide or murdering others were brought to our notice by the inmates. Recently, an inmate stabbed another colleague and killed him. There are numerous instances of suicide as well. The presence of a psychiatrist would certainly resolve such issues, but as the Warden pointed out – no psychiatrist wants to work at a jail.

Further, most inmates believe that they are not paid enough for the amount of work they carry out on a daily basis. The distinction between skilled, semi skilled and non skilled is often blurred by the police officers. Another issue few of the inmates had was that they were not consented while allotting them cells. Most of the inmates were allotted cells based on their caste, religion, language, etc, which indicates the lack of consent. The inmates had a problem with the media persons as well, since they would try to extract unnecessary information regarding the police and their treatment. This would result in some of them facing the unnecessary wrath of the police officers for no real fault of theirs. The prisoners are also denied their right to vote, despite being citizens of the country.

Another issue most inmates had was the policy of Andhra Pradesh government to not grant bail for life imprisonment sentenced convicts, unlike other states. This decision was taken by the NTR government in 1980, when a life imprisoned convict was granted bail, who later on went and mass murdered around 25 people. This is exacerbated by the lack of access to lawyers while in the jail, which several prisoners complained of.

Another less important concern among the inmates is the corruption among the police and government while granting parole or furlough. Most inmates who actually need parole for emergencies are not granted since its granting lies on the absolute discretion of the Area Police

Superintendent. In most circumstances, the application is not even forwarded to the Home Ministry for recommendation of parole by the Area PS.

4. CONCLUSION: THE ROAD AHEAD

As stated earlier, the prison reforms project is something which we are committed to for a period of at least one year. This first six months has served as a foundation, by which we have been able to analyse the prison, the requirements, facilities, etc. of the prisoners and the constraints of the police force. Our two visits were day-long visits as we knew that merely spending a few hours would not be enough. Both visits were extremely productive – our first visit helped us become familiar with the police officers concerned and the premises of the jail while only interacting with a few inmates, and our second visit saw us actually interact with the prisoners at length and take interviews of the prisoners in the absence of police personnel.

We have chalked out a few key issues – mental health, payment of a minimum wage and access to state lawyers as issues that concern a vast majority of prisoners and that we as students of NALSAR can actually make a meaningful contribution to. We intend to spend the next semester working on these issues, first at the prison level and if co-operation is not forthcoming, then at a higher level, to ensure that the prisoners' needs are fulfilled better, but within the constraints of the police force. Apart from this, at a policy level, we are in the process of preparing a comprehensive white paper on the present situation at the jail and scope for possible reforms, which we have committed to submit by the end of this calendar year to the police authorities.

Now that we are familiar with the issues, the prison and the people concerned, our task for the next semester is to switch gears from analysis and observation to real, meaningful action that can actually help the prisoners improve the quality of their life in prison. We have already spoken to the warden about the issue relating to mental health and access to lawyers, and he was extremely receptive to our concerns. He also put the entire matter in context to us, by explaining how the allocation of doctors, and the funding issues concerned with it operate at the political level. We believe that the two key issues where we could actually make a difference are as regards access to mental health professionals and lawyers, and have taken the first few steps in this regard, and look forward to the next semester to concretise these steps in light of the relationships with officials and sense of familiarity with the prison that we have developed over the last few months.

**GOVERNMENT WELFARE SCHEMES: AAROgyASRI
- FINAL REPORT**

Subject – Clinic-II

Submitted To: Prof. (Dr.) K. Vidyullatha Reddy
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Submitted By: Group -E
IV Year, VIII Semester



**NATIONAL ACADEMY FOR LEGAL STUDIES AND RESEARCH, UNIVERSITY OF LAW,
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1. INTRODUCTION

“Humanism, which is the source and strength of legality, is writ large in the theme of legal services to the poor in that part of our planet where backwardness and indigence have struck the hardest blows through the legal process itself on the lowly and the lost.”

With the very spirit of humanism and commitment to the tenets of Justice and Rule of Law, the NALSAR Legal Aid Cell has been extremely instrumental in sensitizing students to the cause of the indigent, thereby inculcating a sense of social responsibility within them. As a part of the Clinic-II Course, students are required to be involved in some form of legal aid, not necessarily restricted to aiding litigation, but as an outreach program directed to community welfare.

We, the students, as a part of Group-E¹, made a very conscious decision to choose an area where we could be involved from the grass root level and bring some real and noticeable change in the lives of people concerned. With this background thought in mind, our group decided to work on “Government Welfare Schemes” as a part of the Clinic Course with primary focus on “Access to Healthcare” in the form of the Rajiv Aarogyasri Scheme which was being implemented in Andhra Pradesh from 1st April, 2007.

Once the Scheme was decided, the group deliberated extensively over the plan of action as well as allocation of tasks, during the semester over several meetings. This Legal Aid work spanned over a period of four months with active involvement of all participants in the group. Finally, towards the end of April 2013, the Group successfully completed its mandate for the semester through mobilizing the implementation of the Aarogyasri Scheme over an extensive area in the Shameerpet Village, Ranga Reddy District, Hyderabad.

The highlights of the group activities during the course of this legal aid include (i) Visit to the office of the CEO of the Aarogyasri Trust and facilitating a camp at the Shameerpet Village. (ii) Visit to the Aarogyasri Camp organized at Rajiv Gruhakalpa, Bandlaguda near Nagole to appraise ourselves of the practical aspects of a health camp and maintain a constant dialogue with the concerned authorities. (iii) Organizing a highly successful health camp at the Shameerpet Village to address health-care needs over the poor even in the remotest corner of the village.

¹ Abhishek K. Singh (2009-01), Divyaanshi Chandra (2009-21), Gunjan Jayaswal (2009-24), Kostubh Devnani (2009-32), Kushank Sindhu (2009-33), Manisha Joshi (2009-35), Nidhu Srivastava (2009-38), Prarthana Kashinath (2009-40), Priyambada Das (2009-42), Utsav Prasar (2009-80) .

This is a consolidated report of the activities and achievements of the team members during the course of the legal aid, which highlights in great detail the work done by the team in facilitating access to Government Welfare Schemes and their awareness.

2. CONCEPTION OF THE IDEA - THE GROUNDWORK

After preliminary brainstorming sessions conducted within the group, members decided that a field exercise was necessary in order to:-

- (a) Identify the common problems and concerns faced by a target group to get a macro perspective;
- (b) Understand the lacunae in the welfare delivery systems under the Rajeev Aarogyasri scheme and the Fundamental Right to Education;
- (c) Build a rapport with the villagers and identify medium of communication.

The developments gained from this exercise will be used in charting out and effecting strategies for the future. Accordingly a Plan of Action was drawn up for group activities spreading over the entire semester.

2.1 PLAN OF ACTION

In order to fully implement our mandate and objectives, we undertook to work according to the following work schedule:

SEGMENT I: VIII SEMESTER: AROGYASRI

Phase I: Interaction with sample beneficiaries

Phase II: Interaction with government authorities, hospitals and other designates authorities to discuss problems, our support and effecting statutory obligations of conducting health camps

Phase III: Setting up healthcare camps to bridge the gap between healthcare officials, government authorities and beneficiaries, establish a reliable network of communication to ensure sustained benefits and awareness amongst the ultimate beneficiaries of the Scheme.

3. PHASE 1: KNOW YOUR BENEFICIARIES.

Once the mandate was finalized, the group immediately sprung into action for activities under Phase-I. It was really important to identify our target group and what problems are being faced by them. This would not only start a communication between the villagers and the group but also facilitate more efficient implementation of Government Welfare Schemes, thereby making it much more than *just another academic exercise*.

3.1 MECHANISM USED

Shameerpet village, Ranga Reddy District was identified as the target village. To facilitate a structured data gathering process and their proper documentation, a *pro forma* was prepared with appropriate questions, marked as Annexure I with this report.

3.2 DEMOGRAPHIC DETAILS

The team was divided into groups of two-three, each given the task of covering 11 households on an average. The village was then divided into several sectors to ensure the data was collected from as diverse a population as possible. The total number of family members surveyed was 207 across 44 households, which included people of different gender, castes, age and income groups. Out of 37 households, 8 belonged to the SC, 2 to the ST, 11 to OBC, 15 to OC and 1 to the General Category. The individual *pro forma* marked as Annexure II is appended with this Report.

3.3 DETAILS OF THE AAROGYASRI SCHEME

The Rajiv Aarogyasri Scheme is run by the Rajiv Aarogyasri Trust headed by the state Chief Minister and run by a Chief Executive Officer. The scheme was launched on April 1, 2007. It provides financial protection upto Rs. 2 lakh a year to families living below poverty line. Families can get coverage for 938 different types of treatment for serious ailments requiring hospitalization and surgery. BPL Ration Cards supplied by the Civil Supplies Department are used to identify and process treatments for the patients. Rs. 1.25 lakh is introduced as floated investment while Rs. 50,000 is maintained as a buffer. All transactions are cashless and the patients need not pay anything for the treatment.

3.4 FINDINGS OF THE EXERCISE

This survey has brought to light various socio-legal issues in Shameerpet, which demand immediate redressal.

- *Possession of Aadhar Card* –38 households have received the card. Sporadic cases of faulty Aadhar cards also emerged. For example, in one case, the years of birth of the child and father were wrongly stated. Most people in possession of the Aadhar Card do not know the proper legal benefits or use of the same.
- *Possession of Aarogyasri Card*- 2 households were not found eligible. 15 households were eligible but were not issued the card. 22 households who possessed the card were either not aware of the benefits of the card, or have not availed benefits of the same. 4 households successfully availed medical benefits under the scheme.
- *Ration Card*- 6 households did not possess a ration card.

3.4.1 Common Misconceptions regarding the Aarogyasri Scheme (“Scheme”)

One of the most rampant misconceptions amongst the people surveyed was that the Aarogyasri Scheme covers only a small percentage of the medical bill and does not provide for 100% risk coverage. Another popular myth was that the Scheme covered only serious ailments because of which most people had not availed the benefits in the first place. A small section of the people even assumed that the Scheme has now become defunct.

Hence, to conclude, though a good number are aware of the Aarogyasri Scheme yet, the scheme needs better implementation at the grass root level.

3.4.2. Striking Stories

Team members came across some really striking stories giving an insight into the success/failure stories of the Government welfare schemes. Some of the remarkable ones are: (i) a young girl who was suffering from a severe throat infection availed the Aarogyasri Scheme successfully to cover a surgery worth Rs.14 Lakhs at Apollo Hospitals, Hyderabad, a corporate hospital absolutely free of cost and (ii) a boy with twisted bowed legs underwent a surgery free of cost under the scheme and is slowly recovering.

On the other hand, shockingly, in one of the households, the Aarogyasri card was denied as the family held a pink ration card. The ailing member subsequently died due to non-availability of quality treatment. In two households, young female children were not sent to school due to financial incapacity while the boys were sent.

3.4.3. Other Prevalent Problems

Though each household had distinct problems, there is a common thread of issues running across the entire stretch of the village area covered. Following are some of the pressing areas of concern:

- i. A lot of people still live in kuccha establishments under deplorable conditions. Despite being entitled to benefits of a housing scheme, the same remained inadequately implemented. Most people lived in a single room with 4 or more dependents with 1/10th of the income per month spent on rent. In one specific case, a daily wage earner was denied a housing loan as he was required by the Government to build a foundation which in itself required Rs. 20,000/-.
- ii. Most people were not aware of the Right to Education and nor had availed benefits of the same.
- iii. A good number of children did not possess any record of their birth including birth certificates.
- iv. Colonies complained of issues of garbage disposal and community hygiene. One of the surveyed houses stood in front of a pool of stagnated water, while others had garbage strewn across the road and stray animals in the neighbourhood.
- v. Basic municipal issues like adequate street lighting, clean drinking water remains have not been addressed.
- vi. Unemployment also remains a major cause of concern.
- vii. Majority of the people surveyed do not have faith in Government Hospitals due to inadequacy of services and quality of treatment.

3.5 TOMORROW IS ANOTHER DAY

3.5.1 Theoretical Aspects

To strategize for the future, it is necessary to understand the following two broad categories of citizens covered:-

- (a) People completely unaware of these schemes
- (b) People knowing about them and having the legal requisites to avail them, but unaware of how to avail benefits under the schemes.

Hence, people were either unaware of their rights or were ignorant as to how to exercise them. The combined effect of wide spread ignorance and unawareness has been ineffective implementation and realization of these welfare programs.

The core area of concern for all of us is to act as an interface between the welfare program infrastructure and the beneficiaries to ensure their maximum effectiveness.

It is important to examine the social, political, economic or technical problems and challenges faced by the concerned Government authorities, hospitals, schools etc. which are primarily responsible and obliged under the scheme to provide benefits to eligible masses and look after the welfare resulting out of it. Our motive is to assist and help people to get the entitlements and benefits to which they are eligible under these welfare schemes. It is also important to make people aware of the objective, purpose, intricacies of these schemes, the various rights guaranteed under them and also how and when these schemes can be availed by common masses. To fulfill our mandate and objectives, it is efficient to capitalize upon the statutory infrastructure already laid down. Where the infrastructure is insufficient, the group intends to devise customized mechanisms to ensure the full implementation of the schemes. Hopefully, the results will ensure a sustained network that will ensure there is delivery of welfare schemes to the poor.

4. PHASE II: MEETING WITH MR. N. SRIKANT, CEO, AAROgyASRI (MARCH 13, 2013)

Once Phase-I was successfully completed, the group identified certain target areas within the Shameerpet Village, specifically the backward community, wherein the benefits of the Aarogyasri Scheme had not yet percolated. This spearheaded the entry into Phase II of the legal aid process to mobilise government authorities to address the issues and problems of the target groups identified by us.

On March 13, 2013, the Group organized a meeting with Mr. N. Srikant, CEO, Aarogyasri Trust. This day marked the first step of our second stage towards achieving our goals to initiate a two-way direct interaction between the people and the authorities.

To start with, after continuous efforts by the members of the team for days and kind consideration of our repeated requests by the officials of Aarogyasri Health Care Trust, our meeting was finally arranged with Mr. N. Srikant, CEO, Aarogyasri at 3:00 PM on March 13, 2013. When the members of the team reached the office of Aarogyasri Health Trust located at Jubilee Hills, Hyderabad for the said meeting, they were fascinated on one hand by the beautiful greenery the Trust was surrounded with and on the other hand the strict standard of discipline and skill maintained by the officials as well as the staffs of the Trust. We received a very warm welcome not only from the officials and the staffs but also from Mr. N. Srikant himself.

The meeting with Mr. N. Srikant began as scheduled. The conversation, discussion and information given surrounded around various internal aspects of the scheme and its working in the State, few of which we were previously unaware of. We came to understand during the meeting how effective and ambitious 'Aarogyasri' is as a scheme. The meeting lasted for more than half an hour with fruitful results.

4.1 IN CONVERSATION WITH MR. N. SRIKANT

The important excerpts of the conversation we had are reproduced below to give a glimpse of the meeting:

Team: First of all, we would like to thank you Sir for giving us your precious time this afternoon. We are student of IV year batch from NALSAR University of Law, Hyderabad.

Mr. N. Srikant welcomed us and asked us to about our purpose of visit.

Team: We at NALSAR, as budding lawyers, are expected to learn and inculcate the quality of providing free legal aid to poor and needy which then we can practice as our values and essential part of the profession for rest of our lives. To give effect to this, NALSAR has a mandatory course on Legal Aid as a part of its curriculum. We have chosen the well-known scheme ‘Aarogyasri’ as our area of legal aid to pursue this course. We are here to hence understand the overall working of the scheme in the State.

Mr. N. Srikant appreciated our purpose of visit. He then gave us basic insight in the scheme of ‘Arogyasri’. He told that Rajiv Aarogyasri Scheme is a unique Community Health Insurance Scheme being implemented in Andhra Pradesh from 1st April, 2007. The scheme provides financial protection to families living below poverty line upto Rs. 2 lakhs in a year for the treatment of serious ailments requiring hospitalization and surgery. 938 treatments are covered under the scheme. The objective of the scheme as explained by him is to improve access of BPL families to quality medical care for treatment of identified diseases involving hospitalization, surgeries and therapies through an identified network of health care providers.

On the coverage of the scheme, he said that it provides coverage for the systems like Heart, Lung, Liver, Pancreas, Kidney, Neuro-Surgery, Pediatric Congenital Malformations, Burns, Post -Burn Contracture Surgeries for Functional Improvement, Prostheses (Artificial limbs), Cancer treatment (Surgery, Chemo Therapy, Radio Therapy), Polytrauma (including cases covered under MV Act) and Cochlear Implant Surgery with Auditory-Verbal Therapy for Children below 6 years (costs reimbursed by the Trust on case to case basis). All the pre-existing cases of the above mentioned diseases are covered under the scheme. The beneficiaries of the scheme are the members of Below Poverty Line (BPL) families as enumerated and photographed in BPL Ration Card and available in Civil Supplies Department database. The benefit on family is on floater basis i.e. the total reimbursement of Rs.1.50 lakhs can be availed of individually or collectively by members of the family. An additional sum of Rs 50,000 is provided as buffer to take care of expenses if it exceeds the original sum i.e. Rs 1.50 lakhs per family. Cost for cochlear Implant Surgery with Auditory Verbal Therapy is reimbursed by the Trust up to a maximum of Rs.6.50 lakhs per case.

Team: We were curious to understand the procedures devised by the Trust to fulfil the said objectives of the scheme.

Mr. N. Srikant then explained briefly various procedures adopted by the Trust to give effect to Scheme. He said the application for funds are received by the Trust. The committee decided on the application in an elaborate meeting as to whether the funds should be given or not. If the application meets all the requirements to avail the scheme, funds are immediately released to the concerned hospitals.

He also mentioned that all transactions are cashless for covered procedures. A BPL beneficiary can go to any hospital and come out without making any payment to the hospital for the procedures covered under the scheme. The same is the case for diagnostics if eventually the patient does not end up in undergoing the surgery or therapy. He informed us that to further the objectives under the scheme, hospitals have to conduct free health camp, there by taking advanced evaluation to the doorstep of patient. All the Primary Health Centers (PHCs) which are the first contact point, Area/District Hospitals and Network Hospitals, are provided with Help Desks manned by Aarogyamithras to facilitate the illiterate patients. The Aarogyamithras were selected by the Zilla Samakhyas and Mandal Samakhyas under Indira Kranti Patham (Self Help Groups).

In course of explaining the procedures he also mentioned that at time these procedures are abused by the hospitals and medical practitioner covered in the scheme.

Team: What kind of procedural abuses you are referring to Sir?

He pointed out the problems that the Trust often faces explained that doctors are paid for each procedure they perform under the scheme. Thus, for example, a doctor implanting a stent gets Rs. 30, 000 as commission. This leads to a lot of unnecessary procedures. A possible remedy is to pay them by the salary they get. So each senior doctor gets paid more than the junior ones. He exemplified the problem by a recent case in which a woman developed fibroids in the uterus and was advised chemotherapy by the doctor even when there was absolutely no necessity of such treatment whatsoever. Due to the adverse effect of the chemotherapy she almost developed cancer forcing removal of her uterus and thus ending her child bearing capacity. Also, hospitals consider such health camps to be advertisements and a source for soliciting customers. The preliminary screening helps in shortlisting patients who require a greater amount of intervention. Thus, even in a group of 100, 2 or 3 people require surgery or anything of that sort, they can be advised to visit the hospital and if they come, the hospital earns a lot. He expressed his concern that such illegitimate tactics are frustrating the aims and objectives of the noble scheme.

Team: Sir, you mentioned about the health camps being organised by the hospitals in collaboration with the trust. We were wondering if you could tell us more about these health camps.

On this, Mr N. Srikant explained to us that health camps are main source of mobilizing the beneficiaries and the Trust is decided to conduct mega health camps at revenue division level. The important role played by the health camps basically includes activities to be conducted by Network Hospitals like pamphlets distribution, public address system/mike announcement in auto, dandora / beat of tom-tom, playing of audio visual media (cassettes, audio cd.s & ads), scroll in local cable networks, news/ advertisements in local dailies, posters, banners, SHG meetings, village meetings, exhibits on hygiene, general health, prevention of communicable diseases etc. He informed that the locations of the camps are identified by the District Collectors and then organized primarily by the hospitals.

Commenting on the political trifle at times becoming an obstacle, he said that the collectors have been made in-charge because many a time, if the mandal/village is under an opposition party, the respective politicians do not like if the camp is being conducted. The Aarogya Mitras work with the hospitals to organize the camps. There are District Coordinators of Aarogyasri to coordinate setting up of the camps and their functioning. He also said the idea behind Aarogyasri is to ensure that out of pocket expenses for healthcare is reduced as much as possible because in countries like the USA and Thailand, the individual pays only 20% while in India this figure can go upto as much as 80%. For this reason, Aarogysri aims primarily at BPL families and hence camps have to be conducted at places with backward colonies.

Team: Sir, how often such health camps are organised?

Mr. N. Srikant answered that the numbers of camps and where such camps would be organised over the year are planned a year ahead. The camps are rotated monthly and are conducted at the Mandal level generally where villagers from adjoining villages come.

When we inquired as to when the health camp is scheduled to be organised in Shameerpet village, he immediately contacted the District Co-ordinator of the region on phone and after conversing with him he soon informed us, to our disappointment, that the health camp for the target village has already been organised in early weeks of the month of January. However, looking at our interest in these health camps, he warmly invited us to

attend a health camp scheduled to be held at Amberpet on March 23, 2103 to get a feel of things and understand how a camp is actually conducted.

Team: We are very thankful to you for allowing us to attend the Amberpet Health Camp, we will eagerly look forward to participate in it. Sir, we conducted a survey amongst the people of Shamirpet village and we found that many of them are unaware of what kind of benefits they can avail of under this scheme and how. They are ignorant about the rights and privileges conferred upon them under this scheme. We did initially thought of organising a health-cum-awareness camp in the Shamirpet village. If the trust could help us organising a health camp in Shamirpet, we will be deeply grateful to you.

Mr. N. Srikant considered our request. He contacted series of official including District Co-ordinator of R.R. District to inquire about the viability and feasibility of organisation of such camp. Fortunately, after a long deliberation, he informed us that the trust can indeed help us in arranging to organise a health camp in the Shamirpet village.

Team: Sir, for us this endeavour is not only about fulfilling an obligation of our course but we honestly are willing to work and assist people who needs are help. If at the end of this endeavour, if we will actually be able to make people realise their rights related to their health and well-being and learn how to exercise them, it would be a matter of great pride and satisfaction for us. We hence will be happy to assist you with anything involving the implementation and working of this scheme.

Mr. N. Srikant, noting our request once again, offered us to get involved in different case studies or observe the application procedure or working of health department. He also invited us to get involved in the working of the legal cell of the trust, depending on the time we can dedicate to it.

Team: Sir, we are extremely grateful and obliged to you. Many thanks for your precious time you gave to explain to us various facets of this scheme and helping us in our attempt to organising the said camp in near future.

Mr. Srikant directed us to be in touch with the District Co-ordinator of R. R. District in this regard.

4.2 CONCLUDING REMARKS ON OUTCOMES OF THE MEETING

The meeting with Mr. N. Srikant not only made us understand the various internal policies and procedures that make the whole scheme run but also the loopholes and challenges the authorities come across. We observed that if the people in the villages requires help with medical aid, the authorities concerned are also equally actively involved and willingly to get as many people as possible their due under the scheme. Most importantly, the meeting proved to be highly successful as we were able to persuade and convince him to extend the help of the Trust in organising a health-cum- awareness camp in our target village, which is much needed at the moment. We are very thankful to him for his endearing support, encouragement and enthusiasm.

5. INSIGHTS: ORGANIZATION OF AAROgyASRI CAMP

After the successful completion of the mandate under Phase II, on one hand the Team members were jubilant about the facilitating a Health Camp at Shameerpet under the Aarogyasri Scheme, on the other the team was felt that there was a need to appraise oneself of the practicalities of an actual health camp so that they could extend the maximum possible help to the people in need. Hence the team decided to visit an Aarogyasri Camp organized at Rajiv Gruhakalpa, Bandlaguda Near Nagole.

5.1 VISIT TO THE AAROgyASRI CAMP ORGANIZED AT RAJIV GRUHAKALPA, BANDLAGUDA NEAR NAGOLE (March 26, 2013)

After travelling for about two and a half hours by the means of auto rickshaw, bus and car, we finally managed to reach the venue of the camp which was about 35-40 kms from the University. The camp was set up in the locality which hosted a population of about 3000 people. The purpose of our visit to the camp organized at Bandlaguda on March 26, 2013 was to acquaint ourselves with the proceedings of the camp and engage with the authorities of Aarogyasri and participating hospitals to fix the modalities of the camp proposed to be organized at Shamirpet. We were greeted by Mr. Ramesh, the Divisional Coordinator and subordinate of Mr. Ramesh, the District Coordinator. Mr. Ramesh informed us that each camp is set up keeping in view the requirements of the locality. Therefore, if in a locality there are more people in need of a cardiologist, a hospital with the specialty would be required to attend the camp and diagnose or treat people on the spot free-of-cost. Organizing the camps are generally the joint efforts of the Aarogyasri Trust and the participating hospitals.

We were informed that the organization of a camp requires about a minimum seven days of spreading awareness to the public in and around the locality where the camp shall be organized. The public announcements are made by means of dhandoras, loudspeakers, tom-toms, pamphlet distributions and word of mouth by the appropriate Aarogyamithras at the local Primary Healthcare Centers (PHCs). It is incumbent on the private hospitals to spread awareness for the camp and invite the public to attend the camp. The organizational expenditure of the camp is borne by the private hospitals as each hospital participating in the camp must contribute by paying Rs. 5000 each which is to be used towards the setting up of the shamiana, public announcements, pamphlet printing charges, among other expenditures.

The camps have their own advantages, one of them being that a patient can be treated at the camp even if he/she does not have an Aarogyasri Card. Also, the medicines are provided free of cost to the patients. The camp had a Reception where the patients were registered and were subsequently referred to as per their ailments. The Reception handed the patients with an Out-Patient (OP) slip which could be used later in case of any referrals.

Camps witness the participation of five private hospitals registered under the Aarogyasri Scheme along with the local Primary Healthcare Centre (PHC). Each private hospital is required to bring a specialty for the camp with the necessary equipments and doctors. The hospitals that participated in the organization of the camp at Bandlaguda were as follows:

1. Narayana Hrudayalaya Hospitals;
2. Vijaya Diagnostcs Centre;
3. Poulomi Hospitals;
4. Induss Hospitals; and
5. Whitus Hospitals.

Together, these five hospitals provided diagnostic services and medication for cardiovascular, orthopedics, neurology and ophthalmology disorders. There were facilities for free eye check-up and ECG.

Mr. Ramesh, Divisional Coordinator, apprised us on the exact functioning and role of the camps which can be divided into the following tracks:

Track A: If a patient with a simple problem attends the camp, he/she shall be diagnosed on the spot and given medication. If after the course of the medication, the patient still has not been relieved of the problem, he/she is free to approach the local Primary Healthcare Centre (PHC) and consult the Aarogyamithra for any follow-ups required. If the problem still persists, the patient can approach the private hospital empanelled under the Aarogyasri Scheme and seek treatment for free, given the problem is covered under the Aarogyasri scheme.

Track B: If a patient with a serious medical condition attends the camp and is diagnosed on the spot, he/she shall be referred to the private hospital for further diagnostics and treatment. After approaching the hospital, the patient is subjected to advanced diagnostics before being admitted for surgery, if required. In case the patient requires surgery, the patient is admitted free of cost. The whole process is a cashless and the patient is not required to pay

for medication or food received at the hospital. After the patient is discharged, a follow-up from the hospital is done within 11 days of the discharge of the patient from the hospital. The patient is provided with free medication for a whole year after the surgery.

After the follow-up by the hospital, it is incumbent on the Aarogyasri team to pay a visit to the beneficiary of the Scheme, i.e., the patient and inquire about his experience and treatment under the Scheme. The Aarogyasri team shall record the grievance, if any, and shall act on the same within a stipulated period of time.

We were informed that the patients are free to contact the officials in case of any problems faced by them. Further, at the camp, we noticed that no generic medicines were being administered. All the medicines being offered to the patients were branded.

After observing the proceedings at the camp, we were informed that our request to conduct a camp at Shameerpet village has been accepted by the authorities and the camp shall be conducted on Saturday, April 6, 2013. The awareness drive for the same shall begin March 29, 2013. We agreed to coordinate with the Trust and hospital authorities to participate in the camp.

6. PHASE III: ORGANISATION OF AAROgyASRI CAMP IN SHAMIRPET VILLAGE: PREPARATION (APRIL 3, 2012) AND FINAL DAY (APRIL 6TH, 2013)

Rajeev Arogyasri, with its motto of *Health for All*, is the program which seeks to achieve access to quality and timely medical care for the poor patients and to relieve poor families from catastrophic health expenditure. In a country like India where healthcare is primarily taken care by the State, the scheme is a unique PPP model in the field of Health Insurance, tailor made to the health needs of poor patients and providing end-to-end cashless healthcare for identified diseases through a network of hospitals from Government and private sector. But, like every government welfare program, this program would also have fallen short of achieving the expected results but for having in place a mechanism of bringing the benefits of this scheme at the doorsteps of the target beneficiaries. That mechanism is the HEALTH CAMPS being mandated for the network hospitals to be conducted every month in their respective jurisdiction. These camps are the first point of interface between the general public and the hospitals expected to provide medical care under this scheme which also forms the basis of future advanced medical treatment of patients in some of the best hospitals of the state free of cost. The cost of that advanced medical care is borne by the government. These camps not only provide quality medical care to the poor beneficiaries at their doorsteps but also mobilize people and raise awareness among the masses about their rights under this scheme. But the organization of these camps also needs a proper strategy and planning on the part of the organizers to make the camps a grand success.

6.1 SPREADING AWARENESS ABOUT ORGANISATION OF CAMP

The backbone of this whole organization lies in the concept of what Arogyasri terms, **IEC**. IEC stands for *Information, Education and Communication* to the public at large about the organization of the camp, what the camp is all about, the benefits of having such camp, the facilities and services to be provided in the camp, who all are required to attend these camps, etc. This, by no means, an easy task as the success of the whole scheme depends on the highest possible participation of the target group in the camps. The target group is not an informed group who generally possesses information and awareness about this scheme but poor and underprivileged people who need assistance in getting the benefit of this scheme. To bring more and more people into these camps at increasing rate of frequency, IEC plays an

extensive and very important role. As outlined by the Revised Health Camp Policy of Arogyasri, the IEC activities may be categorized as follows:

- i. Pamphlets distribution
- ii. Public address system/mike announcement in auto
- iii. Dandora / beat of tom-tom
- iv. Playing of audio visual media (cassettes, audio cd etc.)
- v. Scroll in local cable networks
- vi. News/ advertisements in local dailies
- vii. Posters
- viii. Banners
- ix. SHG meetings
- x. Village meetings
- xi. Exhibits on hygiene, general health, prevention of communicable diseases.
- xii. Exhibits on early detection and prevention of chronic diseases.

The above- mentioned activities under IEC are only indicative and the participating hospitals can adopt any other way of creating awareness about the camps. The monetary expenses which can be incurred by network hospitals on IEC activities are to the tune of Rs. 1500 only.

6.2 EXPERIENCE REGARDING IEC DONE BY HOSPITALS BEFORE THE ORGANIZATION OF THE CAMP AT SHAMEERPET

Building further on the very fruitful and enriching experience at the Bandlaguda camp it was time for some action in our own backyard i.e. Shameerpet village. As already communicated by Mr. Ramesh, the District Coordinator of R.R. District that a full seven days will go into advertisement as part of creating and raising awareness about Arogyasri before the actual camp will be conducted, we were geared for the task. With an intention to get the grass root experience and knowledge of the planning, strategies, activities and efforts which go into the organization of an Arogyasri health camp, we visited the site of the Arogyasri camp at Shameerpet frequently. The site earmarked for the camp was the open space beside the office of Gram Panchayat, Shameerpet. The advertisement of the camp was in full swing

since March 30 through pamphlet distribution, announcements through loudspeakers and so on. All five hospitals were engaged in the advertisement in and around Shameerpet village.

Our team on April 3 went to the site for extending cooperation to the hospitals engaged in creating awareness about the happening of the camp among the masses of Shameerpet. This was done with an intention of not only assisting the people involved with the organization of the camp but to also become part of the process which gave us a first-hand experience of how to convince and communicate the intended beneficiaries about the importance of attending such camp. At the site of the camp we were received and greeted by the representatives of the hospitals who deployed personnel and vehicles for the purpose of advertising about the camp scheduled to be conducted on 6th April. They informed us about the progress of the advertisement efforts till now and expressed hope that a good turnout of people could be expected on the day of the camp. After this initial conversation, the representative of Mediciti Hospital asked us to accompany him for the rounds of advertisement scheduled for that day. This exercise would help us understand and measure the nature and effectiveness of the IEC activities conducted by the hospitals. Much lied in store for us to discover and we thoroughly enjoyed the experience.

The members of our team along with Mediciti Hospital personnel got into a Tata Sumo vehicle with a loudspeaker attached to its roof. The members of our team who were in the vehicle were given pamphlets for distribution whenever we saw some adult person passing by the side of our vehicle. Initially, we took a round of the whole Shameerpet village like that only. Later on we realized that not enough pamphlets were distributed to the people owing to the fact that vehicles have their own limitations in accessing some areas. From next round onwards, whenever we saw any narrow street, corner or space where that heavy vehicle cannot go, team members disembarked from the vehicle and personally visited those places to distribute the pamphlets. The efforts paid off as more pamphlets were distributed to people. There were some persons who seem hesitant to approach us for asking what the pamphlets were for. We tried to make them understand that there is a free health camp to be organized where they can come for treatment. At the same time, the officer from Mediciti was in full flow with mike in his hand and speaking with zest about the camp, how NALSAR was going to be supervise the camp and all the necessary information related to camp. That was a huge relief for us as this coupled with the distribution of pamphlets ensured that people were getting to know at least that the Arogyasri camp is going to be organized in the open space near the Gram Panchayat office. A big poster on the exterior of the vehicle was indicative of

the fact to the people as what we were up to. This went on for one hour during which we made several rounds of the Shameerpet village. We even went to people's homes, knocking on their doors and inviting them for the camp. On a lighter note, we did not give the pamphlets to small kids who were after the vehicle as we knew what they were going to do with it (making boats or aeroplanes).

After completing our tour of the main Shameerpet Village, the vehicle took us to colonies close to NALSAR where the sparse population seemed completely unaware about such camp. We got off the vehicle and went home to home to distribute pamphlets and asking them to come for the camp. At the same time, the Medici officer was doing his job really well. The sound of his announcements could be heard to a fair distance in that serene locality. It took us around 20 minutes to wrap up the proceedings in that place because very few families reside in the areas adjacent to NALSAR.

After this, the vehicle dashed towards the main highway and in ten minutes we were in the middle of an area called Babaguda. There after distributing few pamphlets, the Medici guy called every family in that area to assemble in an open space. It was a small locality and in a few minute members representing 15 families assembled in the open space. We chose one lady who was comfortable in speaking Hindi to be the person who would be our channel to address the larger crowd assembled there. As a matter of relief she was aware about NALSAR and hence a sense of confidence was already established between our team and she played the role of our interface with the families of the locality. He explained to the people there about the conduct of camp, how it was going to be, what facilities, care and services one could expect there etc. On a query why we, the team members, are doing all this despite the fact that we are not medical students we explained to them that as law students we wanted to help in the delivery of the government policies and programmes and hence, were engaged in organization of this health camp. We think that we reasonably satisfied the person who raised that question. A very common doubt in the minds of the people was whether they had to pay anything for that and we reassured them that the entire purpose of Arogyasri was to ensure citizens did not need to pay for their healthcare needs and if anyone asked them to pay even a single rupee for anything in the camp, we would redress the grievance with the help of higher authorities. A couple of people enquired whether their problem was covered under the scheme and the Medici officer answered the same by referring to the exhaustive list which Arogyasri prepares as far as the coverage of scheme is concerned. We sincerely requested everyone present there to attend the camp and in particular requested our friend, Lakshmi to

bring more and more people in the camp on the basis of her knowledge of the locality. We assured her of any assistance which she might require in her endeavour and she happily consented to our request. The meeting went on for around 45 minutes and apart from the talk of the camp, the team also strived to drive home the point that the NALSAR Legal Aid cell can be approached to by any person who was facing any legal difficulty. If it would be possible for us then we would help you and if not then also we would let you know.

Taking leave from them, we next reached to the office of local daily Andhra Jyothi and had a detailed talk with Mr. V. Narasimha Rao about the camp and engagement of our team in that camp. A good number of questions were asked by him and we replied to them in the best possible manner. This went on for 20 minutes and after that he noted the names of all the team members and promised to be present for the camp. We took Mr. Narasimha Rao's leave and left for NALSAR.

We thanked the staff members of Mediciti hospital who were advertising the organization of the camp with verve and vigour. The last act of kindness also came from their side as they dropped us at the university main gate in their vehicle thereby allowing us to save some money which we would have incurred on transportation but for their vehicle.

We were now ready for the main camp to be organised.

6.3 FINAL ORGANIZATION OF AAROgyASRI CAMP

Months of planning, research, coordination and field activities finally led to the organization of an Aarogyasri camp at Shameerpet Village on April 6th, 2013. We reached the camp at around 9:00 am to help in the setting up of the different facilities at the camp including shamiana, chairs and stalls for different hospitals. We also coordinated with the authorities to set up an ophthalmological unit and a provision for conducting E.C.G. Before the camp started we divided to allocate between us different responsibilities to ensure that all desired objectives of the camp could be fulfilled.

The survey that had been conducted helped us in examining the different problems faced by the citizens and also identifying those citizens who needed to visit the camp and who could find it difficult to come. Four volunteers hence visited specific residents of the village who had serious ailments and who were so weak that they could not come to the camp on their own. The volunteers arranged for auto-rickshaws so that the patients could be brought to the camp.

The camp was inaugurated at 10:00 am. A few volunteers were posted in the camp especially to guide visiting patients to ensure they were able to reach the appropriate doctors in the camp, properly convey their ailments and understand the medication to be taken. We helped them in understanding the layout and purpose of the camp which was especially important because the eye checkup and ECG units were located at some distance. Our earlier interaction with the villagers helped us in establishing trust with them which was seen when several villagers whom we had contacted through the IEC activities and the earlier survey conducted, contacted us especially at the camp to understand how they could be treated. In one the several cases that had come before the doctors, a lady was diagnosed with 100% blockage of a valve and the doctors alerted us to the fact that she could get a heart attack at any point. We coordinated with the hospital authorities to get an ambulance so she could be transported to the hospital on priority basis.

Apart from assisting the patients visiting the camp, we decided to ensure that villagers who lived in the remote corners of the neighborhood, who were not aware of the camp due to the extreme interior location of their houses, also turned up to avail the benefits of the camp. We again split ourselves in groups, this time with the aim to target remote corners of the locality, in specifically those households which we had visited in Phase-I and promised help. People came and thanked us personally, expressing so much gratitude. The fact of bringing a change in even one individual's life was so satisfying and the feeling was shared by team members across the board.

We developed an extremely important line of communication with Mr. Md. Yousuf, Aarogya-mitra, Shameerpet village. We informed him about the purpose of our interest and work in conducting the camp and also explained to him about the existence and working of the Legal Aid Cell at NALSAR. He was given our contact information to inform us in case of any difficulty that he ever faced and where our assistance was required. We also requested him to inform the patients visiting him about the Cell so they could be assisted in case of any other kind of legal help that they required.

There was a high footfall from people all across the village with varied ailments. Men, women and children of different age groups belonging to different stratus of society came and were immensely satisfied with the camp. As the day came to a close, all the doctors, team members and supporting staff wrapped up their activities and the success of the camp was the topic of the day.

6.4 IN CONVERSATION WITH THE DOCTORS AND THE PATIENTS

During the Course of the camp, team members kept in constant touch with the doctors as well as the patients on a personal level to ensure the smooth functioning of the camp. The main aim was to determine from the doctors what more would they expect from the government to facilitate access to such healthcare for the needy and at the other level what would the beneficiaries of the scheme expect the Government for the better implementation of the Scheme.

The details of the interview as appended to this report and marked as Annexure-II. One common opinion flowing across the medical fraternity in respect of the implementation issues under Aarogysri was (i) the non-inclusion of minor/routine surgeries like cysts, lychoma or hernia, which left a lot of patients disappointed and (ii) Inadequacy of funds released by the Government in light of the increased prices of goods and services.

On the other hand, the review from the patients was overwhelming. They were highly satisfied with the camp and preferred it over the Primary Health Care facilities available in the locality. They raised concerns over the inefficient services in the Government Hospitals and in particular praised the presence of an ENT specialist and Ophthalmologist at the camp, indicating dearth of specialized services in local healthcare centers.

The team members spoke to the District Coordinator of the Aarogyasri Trust who commended the efforts of the team members in facilitating such a successful camp and was really appreciative of the huge turnout of the village folks at the camp.

On the whole, the efforts of the team members supported by the intense co-operation of the doctors as well as members of the Aarogyasri Trust, made this legal aid exercise a larger than life event and took us a step nearer to becoming socially relevant lawyers.

7. CONCLUSION

This legal aid was indeed one of the most challenging yet the most internally satisfying endeavors ever undertaken by the team members. Since its very inception, the team was united in their cause to rise above purely academic learning and make a difference to people who need us the most. The experience was so life changing that at one point of time, standing under the hot shamiana of the health camp and helping the sick became more endearing than an air-conditioned corporate office.

The Team has put itself under a self-constructed plan for the semester by activities divided into three phases. With a span of four months, the team was able to fully accomplish all tasks allocated and undertaken in each phase. During Phase-I, the survey across the Shameerpet village revealed shocking realities on implementation of government welfare schemes. It was through this survey that the team concluded that though a health care camp was initially conducted in the area, much of interiors of the village especially localities constituting the backward sections of the society stood excluded. In our dialogue with the CEO of the Aarogyasri Trust during Phase-II, this very fact was brought up, supported by the survey results, and became one of the pioneering causes for the sanction of another health care camp in Shameerpet. Hence Phase-III materialized itself and the Aarogyasri Health Camp was successfully organized in Shameerpet addressing specific needs of the marginalized and backward sections of the society. This undoubtedly remains one of the most significant achievements of the team during this legal aid exercise.

Besides, every team member became involved with the activities and cause of the patients on a personal level. This was evident during the IEC activities, when the narrow alleys of the village could not be accessed by motor vehicles, the team members got on their feet and spread door-door awareness overcoming all forms of barriers including language. Though the aim of the team was initially to promote awareness about health care schemes, but the team went ahead and aligned with the poor, heard their grievances and informed them about the NALSAR Legal Aid Office in Shameerpet, and their legal rights and entitlements.

This legal aid exercise brought the team close not only to the government authorities but also to the people of the village we live in. Hence we got a perspective of each issue both from the viewpoint of the policy makers and enforcement agencies as well as the beneficiaries. It became a tremendous learning exercise for the team as students of Law. We are extremely grateful for the support that was provided by Mr. N. Srikant and his entire team of officers from the Aarogyasri Trust. These good faith relationships will only go a long way

to facilitate further dialogues between the people and the government and augment future legal aid activities by the group.

ANNEXURE I (PRO-FORMA)

LEGAL AID SOCIETY, NALSAR UNIVERSITY OF LAW, HYDERABAD

PROFORMA ON GOVT. WELFARE SCHEMES

Personal Information:

Name:

Sex , Age:

Occupation:

SC/ST/OBC:

Members in household:

No. of Earning Members:

Permanent Contact Details:

Questions:

Which of the following documents do you possess?

| | | | |
|-------------|-----------------------|-------------|-----------------------|
| BPL Card | <input type="radio"/> | Aadhar Card | <input type="radio"/> |
| Ration Card | <input type="radio"/> | Others | <input type="radio"/> |

Are you aware of the 'Aarogyasri' Scheme of the Government? If yes, have you ever availed the benefits of this scheme?

Upon availing the 'Aayogyashri' Yojana, did you face any difficulties from the end of the concerned authorities? On a scale of 1 to 5, how would you rate your experience?

Are you aware of the 'Aadhar' Card Yojana of the Government? If yes, have you been issued a card yet?

Would you want our assistance on any particular issue or problem, apart from the ones discussed now?

Other Remarks:

Signature of the Interviewer:

Signature of Interviewed:

ANNEXURE II: EXCERPTS OF CONVERSATION CAPTURED ON VIDEO

DR. J REDDY, BALAJI HOSPITAL (PARTICIPANT HOSPITAL, SHAMEERPET AAROgyASRI CAMP)

Q. What is a Aarogyasri Camp, in brief?

A. It is a Government sponsored camp for the Below Poverty Line people, who cannot afford access to healthcare. Here treatment is given free of cost, through network hospitals empanelled with the Aarogyasri trust.

Q. What is the main aim of this Camp?

A. This is mainly a Screening Camp, focusing on diagnosis of diseases, which are covered under the scheme. Patients in need of further medical care are directed to the network hospitals after diagnosis. Diagnosis is done free of cost. Once the case report is approved by Government, which usually takes 2-3 days, further treatment/operation is provided. Operation, treatment, food during the stay and transport after discharge in network hospitals are available free of cost.

Q. Who provides funds to set up the camp?

A. Government provides finances for these camps and hospitals; a decided amount of Rs.5000/- per hospital is paid. However, the actual expenses incurred are more than the financial support provided by the Government. The Government should provide for greater finances for hospitals, the cost of setting up camps has gone up due to inflation.

Q. Is there any form of red tapism which affects the beneficiaries from accessing healthcare facilities under the Scheme?

A. *Each patient is a VIP Patient.* There is no red tapism in availing benefits of the scheme.

DR. RAMESH, ENT CONSULTANT, MEDICITI HOSPITAL (PARTICIPANT HOSPITAL, SHAMEERPET AAROgyASRI CAMP)

Q. How do you people come to know about the organization of camp in a particular area?

A. Prior to the organization of camp, the *Information Education Communication* procedure is followed. Awareness of Aarogyasri Camp is spread through use of tom-tom, distribution of pamphlets, group discussions, advertising, village meetings. Special information is provided in relation to specialty treatments at network hospitals.

Q. What facilities does the camp provide on the spot?

A. The camp provides for medical consultation, basic treatments, and primary health care.

Q. Is there anything lacking in the Aarogyasri scheme?

A. Yes. More diseases shall be included under the scheme. Currently, many minor/routine surgeries are not covered under the scheme like cysts, lychoma or hernia.

Q. How is Aarogyasri scheme implemented at the hospital level?

A. It is a 'cashless scheme' hence attracts more people.

Hospitals only provide for treatment of diseases covered under the scheme, hence poor people with other diseases face disappointment.

PATIENT

Q. How do you feel about this camp?

A. It is a good camp. I have come here for the first time. I liked it. But it should be organized every 2-3 months.

Q. How often do visit the Primary Health Centre?

A. I prefer visiting the camp over the Primary Health Centre (PHC), as in the PHC proper diagnosis is not done and relevant questions regarding the ailment are not asked. The camp has more expensive and better medicines. ENT specialist is only available in the government hospital who again doesn't diagnose well. The camp facilitated an ENT, which is commendable.

Q. Any suggestions for the improvement of the camp?

A. There are many people in the locality who are so ill/bedridden that they cannot afford to visit this camp. Hence it would be really nice if the doctors should visit the people who can't visit the camp or hospital and treat them.

DR. RAMESH, DISTRICT COORDINATOR, AAROGYASRI TRUST

Q. What is the aim of Aarogyasri Scheme?

A. The scheme aims at providing free of cost treatment and service to people and includes follow-up to a treatment provided in camp or network hospital.

Q. What is the biggest challenge in providing better health care in India?

A. In our country, poorest of poor people are located in the remotest corner of the city/village etc. Initially doctors were reluctant to come to villages. After various negotiations, they agreed, as they get reference cases from the camps.

Q. How do you decide which specialty treatment to be provided in which camp/area?

A. Specialty requirements are based on Screening. There are various investigation conducted based on needs of a particular society. For example, in a area where demand for renal care is more, urologist is called. In case of cardiac problems, cardiologists are invited. A Gynecologist and Ophthalmologist are mandatory in any camp as they deal with the most prevalent problems especially amongst the women and the old.

Q. How do you investigate as to what kind of diseases are more prevalent in a particular area?

A. It is based on a three pronged procedure;

(i) PSE Arogyamitra;

(ii) The report of Public Health Officers on the need of the mandal area and requirements for the camp.

(iii) Information from network hospitals is also sought. Statistics are collected in relation to prevalent health problems, and number and kinds of patients. This data is segregated mandal wise. Based on this analysis and investigation, problems in camp are addressed.

Q. Is the any safeguard to ensure that hospitals do not prescribe indiscriminate referral to themselves and treat patients at the camp itself?

A. The camp is only a screening process. Further, examination of disease is conducted at the hospital. Thereafter, a report has to be submitted to the appropriate authorities by the hospitals and the authorities decide whether or not to allow the particular treatment or whether it is required in the first place. Hence, there is a proper system of checks and balances in place.

Q. Any specific issues in relation to Arogyasri Scheme?

A. A major issue is that of lack of knowledge of the use of Arogyasri card. People are often helped by the Arogya-mitras to get a refund of amount spent by the poor.

Q. How do you determine the success rate of the camp?

A. Firstly, camps are organized in different areas in same locality to cover every person staying even in the remotest of areas. Further, success rate of the camp is determined on the

basis of the number of Out-patients treated along with the number of references and the actual visit by the patient, wherein a number around a thousand is deemed as commendable.

A REPORT ON INTEGRATED CHILD DEVELOPMENT SCHEME

SUBJECT : CLINIC-II

REPORT SUBMITTED TO : PROF. (DR.) K. VIDYULLATHA REDDY

REPORT SUBMITTED BY : AMBARISH PANDEY (2009-04)

CHITRAKSHI JAIN (2009-15)

DASHRATH PHULWARY (2009-16)

JESUN THAKUR (2009-30)

NAMRATA ADLAKHA (2009-37)

SWATI LAL (2009-64)

VIVEK DHAKA (2009-69)

VIVEKANANDA SWAROOP (2009-70)

ABHIJIT MITRA (2009-75)

P. ASHOK KUMAR (2009-77)

CHANDAN BUGALIA (2009-79)

4TH YEAR, SEMESTER – VIII

B.A LL.B (HONS.)

NALSAR UNIVERSITY OF LAW, HYDERABAD

INTEGRATED CHILD DEVELOPMENT SCHEME

ICDS Scheme was launched on October 2, 1975 and it today represents one of the world's largest and most unique programmes for early childhood development. ICDS is the foremost symbol of India's commitment to her children – India's response to the challenge of providing pre-school education on one hand and breaking the vicious cycle of malnutrition, morbidity, reduced learning capacity and mortality, on the other.¹

Following services are included in the ICDS:

- i supplementary nutrition,*
- ii immunization,*
- iii health check-up,*
- iv referral services,*
- v pre-school non-formal education and*
- vi nutrition & health education.*

ICDS CENTRE 1, SHAMEERPET (Time and date of visit: 16th March, 2013; 11:30 a.m.)

- **Total Number of Students enrolled:** 35 Students
- **Total Number of Students present:** 8 students
- **Timings:** 8:45 am to 1:00 pm
- **Teacher's name:** *E. Nirmala*
- **Name of the Aaya:** *P. Balamani*
- **Meal:** No proper lunch or breakfast is given, only snacks. Tuesdays and Fridays, eggs are served. 'Ready to mix' food is provided by the government to these centers, such as *Khichdi*, Modified Therapeutic Food, Hot Food (*Halwa* mix).
- **Vaccination:** Only Polio Vaccination. No other vaccination. Medicines for fever and filaria are given. Eye drops are also provided for children. Nurse comes when there is a survey being conducted, but the doctor is very irregular.
- **Teachers:** 4 Teachers are there. However at the time of visit there was no teacher, hence could not interview them.
- **Registers:** Following registers are maintained:
 - Family Details of the Children
 - Weight Records of the Children
 - Yearly and Monthly Details of the Children
 - Record for the nutrition

¹ Extracted from <http://wcd.nic.in/icds.htm>.

- Pregnancy register
- Medicines and Vaccination
- Aanganwadi Workers' Register
- Maintenance of record for the 6 year olds
- Attendance Register
- After the age of five, the children are sent to primary schools.
- The *aaya* there was aware about the ICDS scheme.

We interviewed a mother of a child there.

- Name of the child: *Bharat Kumar*
- Age of the child: 3 years
- The mother told us that eggs are regularly provided to the children. Her child had got polio vaccination done at the centre. The medicines are distributed regularly.
- She suggested that the Centre should also provide lunch to the children and that the children are not sent lunch at home if they do not go to the aanganwadi.
- She stated that children with disabilities are not provided with any special facilities.
- She stated that many surveys are conducted but no work is done in pursuance of that.
- She told us that the children are referred to the Primary Health Centre if they are unwell.

ICDS CENTRE 2, SHAMEERPET (Time and date of visit: 16th March, 2013; 12:30 p.m.)

- **Timings:** 9:00 a.m. to 1:30 p.m.
- **Total number of students enrolled:** 18
- **Total number of students present:** 16
- **Vaccination:** Vaccines given for Tetanus, Polio. Children are taken to primary health centre every 2nd week of the month.
- **Meal:** For pregnant women, ration/nutrition is sent home. Ready to mix food is served. Eggs are sent once in a month by the authorities. The size of the centre is estimated and accordingly food is sent by the authorities twice a month for children and pregnant women but no funds or cash is given to the centres.
- **Activity at School:** Teachers teach good habits, stories and play materials are given. There are equipments for weight and height measurements.
- **Supervision:** Child Development Public Officer visits the centre twice in a month. Centre is regulated under *Mahila Shishu Sankhshima Shakha (Women and Child Development Program)*
- Teachers and helpers are provided uniform, but no remuneration in cash is given to them.

- **Teachers:** Every 2 years, they are have a refresher course and are given training before being appointed for the post of teachers. Salary of a teacher is Rs. 3700 per month. She works for 6 days a week. Salary of *Aaya* is 1900 per month. (They are not Government teachers)
- **Registers:** Maintained under the following heads:
Pre-school attendance, Teacher *Aaya* attendance, take home ration, food stock, immunization and pregnancy, growth , NHD(immunization), referral, aged girls, something stock register, family details survey.
- **Enrollment procedure:** Anganwaadi people keep a track of women since the time of their pregnancy and hence they do not ask you documents for getting the kids enrolled. But family details are recorded. They declare age through Festival Calendars and rely on the same.
- **Suggestions/Problems** (As given by the teacher and the parents):
 - No sanitary facilities/toilets: Government has sanctioned for such facility but nothing has been done about it.
 - There is no power connection/electricity and no water facility
 - There should be change in food and atleast one time meal should be provided.
 - Better furniture should be provided.
 - Teachers' salary should be increased.
 - Supervisor takes the report regarding problems etc., but no action is undertaken on the same.

CONCLUSION

Overall the visit to the Anganwaadi was a great experience. We got a better understanding of this welfare scheme of Government of India and it enriched our knowledge about the implementation conditions of a promising government scheme. However, we felt that the implementation of the programme is not as effective as we had read and heard about this before we actually visited the Anganwaadis.

After this visit, we are more enthusiastic about the project and looking forward for visiting two more centers in Shameerpeta and 4 other centers in other nearby villages like Medchal. And also, we have planned a few visits to the Block Development Officer and other concerned officers.

We thank you for providing us with this opportunity and we sincerely think that this exposure provided by you will serve a great deed for us in working and committing ourselves towards the betterment of women and children of this **great country**.

LEGAL AID AND LAND RIGHTS

SUBMITTED TO: PROF. (DR.) K. VIDYULLATHA REDDY

SUBJECT: CLINIC II (LEGAL AID)

SUBMITTED BY: GROUP G:

ANIRUDH CHANDRASHEKHAR (2009-06)

ANUSHREE PRIYARSHNI (2009-08)

HARI PRIYA (2009-25)

SAGAR DEVGAN (2009-49)

KANCHAN DAGOR (2009-56)

SIDDHARTH NAYAK (2009-61)

TAVISHI KUMAR (2009-65)

PRIYANKA SHUKLA (2007-52)



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INTRODUCTION - WHY LEGAL AID IN LAND RIGHTS?

"Our land is more valuable than your money. It will last forever. It will not even perish by the flames of fire. As long as the sun shines and the waters flow, this land will be here to give life to men and animals."

- Chief of the Blackfeet

In most societies, land has played a central role throughout history. India being a predominantly an Agricultural state where the major component in the capital invest, is the Land and hence the same is very dear to the incumbent. Further it is the main strength and adds to the security of individual apart from being the socio-economic privilege. It has been the locus of productive activities and a source of political power. Land has held special cultural and emotional significance, for families, communities and nations. Its sound management has contributed to environmental stability and economic well-being, while its abuse has helped undermine ecosystems and livelihoods. It has figured prominently in a wide variety of human conflicts, from inheritance disputes to wars.

Land is an economic, social and psychological capital and deprivation of one's right over the land would result in absolute poverty. The right to property being no more a fundamental right and being a mere legal right and to ensure the rightful administration of the land and the land *lis* related to it whereby one could be entitled to unfettered usage for which purposes the making of the constitution and the necessary laws as required from time to time have been made but to no avail. Unless the land rights are secured coupled with the rightful usage and proper administration of justice to all would be a mirage, and in the absence of secured land rights there is no salvation from poverty.

Land law is the form of law that deals with the rights to use, alienate, or exclude others from land. In many jurisdictions, these species of property are referred to as real estate or real property, as distinct from personal property. Land use agreements, including renting, are an important intersection of property and contract law. Encumbrance on the land rights of one, such as an easement, may constitute the land rights of another. Mineral

rights and water rights are closely linked, and often interrelated concepts. Land rights are such a basic form of law that they develop even where there is no state to enforce them.

Indigenous land rights are recognized by international law, as well as the national legal systems of common law and civil law countries. In common law jurisdictions, the land rights of indigenous peoples are referred to as aboriginal title. In customary law jurisdictions, customary land is the predominant form of land ownership.

Land Law addresses the legal mandates set forth by a country in regards to land ownership, while land rights refer to the social acceptance of land ownership. Landesa takes the stance that although the law may advocate for equal access to land, land rights in certain countries and cultures may hinder a group's right to actually own land.

Land rights play a critical role in defining the economic opportunities, wellbeing, and future of the world's poorest people. It has been seen that those who do not have access to land or whose land rights are insecure are unable to make full (or sometimes any) use of this multi-faceted asset to meet the needs of their families and protect against shocks. Inevitably, they are among the poorest and most marginalized sections of the rural population. Most Indian states have at least some legal and policy provisions concerning land that are favorable for poor households, although such households are often unaware of these provisions and their rights. Land distribution programs have often failed to produce promised results because land rights are not recorded or third parties contest the rights of beneficiaries.

As far as Legal Aid is concerned, it is a fundamental right and free legal aid has got to be provided through the Legal Services Authorities constituted under the Legal Services Authorities Act, 1987. On one hand, the said law has immense potential and has a wide scope of operation where as on the other; it is the most unused legal machinery. Due to the lack of ignorance and awareness the poor people are unable to reap the fruits of free legal aid under this law. Legal aid can identify the reasons why intended beneficiaries and other members of a targeted population are not realizing the benefits of

land rights and address problems identified by facilitating case resolution with surveying support, case investigation, and legal analysis.

Thus, legal aid that focuses on land rights can extend the impacts of community-driven development projects and create a foundation for improving the livelihoods of poor rural households, particularly in countries like India where access to land and secure land tenure are critical determinants of livelihoods. A well designed legal aid program identifies situations where rural community members are unable to realize the benefits of secure land rights. Legal aid can diagnose the causes of the gaps between formal law and rural realities, whether they are the result of poorly conceived policies, weaknesses in the laws, lack of information about rights, inadequate administrative systems or capacity, or implementation gaps. Using a variety of methods, legal aid can strengthen weaknesses and close gaps by building awareness of legal rights among the poor and giving legal (and ultimately social) recognition to previously unrealized land rights.

The provision of legal aid for the poor, especially in respect of legal aid, can work as a catalyst in the development of the deprived, and the transformation from land insecurity or landlessness to secure rights to land would result in boosted agricultural productivity, improved health, nutrition and would place new land wealth in the hands of the rural poor. Therefore, the group chose to be a part of the initiatives taken by Landesa and assisting it in the area of land rights for its sheer aforementioned importance.

HOW ARE WE GOING ABOUT IT?

The group, in furtherance with their objective to be able to provide for legal aid in specific relation to land rights has opted to be associated with “**Landesa**” (founded as the Rural Development Institute), a non-profit organization that partners with governments and local organizations to secure legal land rights for world’s poorest families. While most of the non-profit organizations in our country work almost anti-government and criticize the government’s role and actions, Landesa is one of the few organizations that works in furtherance of the governments’ many welfare schemes, and works hand in hand with them, helping the government to achieve its social goals.

As Mr. Sunil Reddy, the state head of Landesa stated in his opening address during one of the many training sessions hosted by the organization, it is an organization that is not anti-government, rather it is pro-people, and thus it puts in its best efforts to better the future for the poorest citizens. The organization has partnerships with local governments, aid agencies and other partners to assist with reforming land law and policy, providing technical assistance, implementing new programs, and conducting measurement and evaluation services. Landesa also partners with world leaders, NGOs, foundations, donor agencies such as the World Bank, USAID, Bill & Melinda Gates Foundation, the United Nations Food and Agriculture Organization and others to design and implement land laws, policies and programs that provide opportunity, further economic growth and promote social justice through land rights.

In fact, the organization has observed that most of the world’s poorest families live in rural areas and depend on land to survive, but don’t have rights to the land they farm. Landesa has partnered with governments to help provide secure land rights to more than 100 million families since 1967. Their land rights programs are carefully crafted to fit the particulars of geography, political institutions, history and culture, in order to strengthen the rights of existing landholders with tenuous legal claims, while broadening secure land access for the poorest.

In Andhra Pradesh Landesa has tied up with state officials who are working with Landesa to revise tenancy laws to allow women to lease agricultural land. It also trains Community Resource Persons, who help identify the poor and landless in their own communities and help them with initial applications to government programs. These local field assistants are cost-effective and have deep knowledge of the community.

For more than 40 years, Landesa's work in more than 40 developing countries has improved individual lives, families and communities. It is our extreme honour and pleasure to be able to have been associated with an organization with such noble ideas and effective schemes, and to assist them in our own little way.

WORK DONE

The work done by the group till date has been tabulated below:

| S.No. | Date(s) | Event | Work undertaken | Work assigned by | Work Team |
|-------|--|--|--|----------------------------|---|
| 1. | - | To revise tenancy laws and to come up with a Revenue Manual for the revenue officers in the State of Andhra Pradesh. | Compilation of all the case laws under pertinent legislations | Dr. Gade Mallikarjun | <u>AP Assigned Lands Act 1977</u> - Hari Priya - Siddharth <u>Andhra Pradesh Land Reforms Act 1973</u> - Anirudh - Anushree - Sagar <u>Andhra Pradesh Land Grabbing Act 1982</u> - Kanchan - Tavishi - Priyanka |
| 2. | 9 th and 10 th March, 2013 | Training program for Revenue Officers on Legal Drafting and Judgment Writing | Volunteered and assisted in organizing the event and also rapporteured the sessions. | Prof. (Dr.) Vijender Kumar | <u>Rapporteurs</u> Day 1: Anirudh Hari Priya Siddharth Sagar Day 2: Kanchan Tavishi Priyanka Shukla |
| | | | Made a compilation of some important case laws and relevant articles on “the art of judgment writing”, with specific reference to revenue judgments. | Prof. (Dr.) Vijender Kumar | Hari Priya |

| | | | | | |
|----|------------------------------------|--|--|-------------------------------------|---|
| 3. | 16 th March, 2013 | One Day Workshop on Land Rights and Legal Aid – For Land Laws and Legal Aid Clinic Teachers in Andhra Pradesh | Volunteered and assisted in organizing the event and also rapporteured the sessions. | Prof. (Dr.) Vidyullatha Reddy | <u>Rapporteurs</u> Anirudh Hari Priya Tavishi Kanchan |
| 4. | 23 rd March, 2013 | Legal Aid Cell, Warangal | Visited the legal aid cell (“Cell”) in Warangal and compiled a list of 30 complaints received since the inception of the Cell, and also gave certain suggestive remedies and remarks. | - | Hari Priya Kanchan Tavishi Priyanka |
| | | | Reviewed and revised the proforma in which the complaints were being taken from the public, to make it more comprehensive and effective. | - | The whole team worked on this and gave their inputs for the same. |

PLAN OF ACTION

Property rights to land represent the key institutional asset on which rural people build their livelihoods. As already discussed, landlessness is one of the best predictors of extreme poverty around the world. Secure rights to land refer to rights that are clearly defined, long-term, enforceable, appropriately transferable, and socially and legally legitimate. Without secure land rights, the rural poor often have few options for using land to improve their livelihoods. Because the rural poor typically have weaker property rights than any other segment of society, efforts that improve the security of those rights.

Broadly distributed land rights provide structural change that is enduring and multi-generational, which leads to long-term systemic change, not short-term relief. Secure land rights foster the tangible benefits of ownership that are necessary for sustainable poverty alleviation. Structural problems deserve structural solutions, and our group aims at assisting Landesa generate such solutions and to implement them effectively. With the help of Landesa's global team of land tenure experts, and in partnership with governments, our group wishes assist them achieve their noble goals.

Thus, the group basically aims to:

1. Learn more about specific land tenure issues confronted by smallholders in the state of Andhra Pradesh through research and live case studies that keep coming in at the Legal Aid Cell in Warangal.
2. Advice on novel solutions and help smallholders (who approach the Cell and lodge their complaints) understand how to claim property rights and help local administrators process claims periodically through the Legal Aid Cell in Warangal.
3. Convince a few lawyers to take up the cases of such complainants in a pro bono manner, or look at the best alternative that could be worked out to be a win-win solution for both, the proposed litigant and his counsel.
4. Work under the guidance of Landesa and get involved with the policy makers, land administrators, and other partners to explore ways of increasing tenure security of smallholders in communities of Andhra Pradesh.
5. To assist Landesa in any other endeavour and scheme of their's, to our best possible extent.