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Editorial

The issue of gender justice has been a concern for all connected and concerned with equality and liberty in many nations and in many an arena for some centuries. Though laws enacted profess and mandate formal removal of institutionalized discrimination, yet the mindset and the attitude ingrained in the subconscious and society have not been erased. Women still face all kinds of discrimination and prejudice. The days of yore when women were treated as fragile, feeble, dependent and subordinate to men, should have been a matter of history, and effaced but it has not been so, as it seems. Gender equality and women empowerment are the call of the day and attempts are to be made to achieve satisfactory results. Everybody should be prepared to fight for the ideal and actualize the conceptual vision in practice.

Fight for the rights of women may be difficult to trace in history but it can be stated with certitude that there were lone and vocal voices at many a time raising battles for the rights of women and claiming equal treatment. In 1792, in England, Mary Wollstonecraft in "A Vindication of the Rights of Women" advanced a spirited plea for claiming equality for, "the Oppressed half the Species". In 1869, "In Subjection of Women" John Stuart Mill stated, "the subordination of one sex to the other ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other". On March 18, 1869 Susan B. Anthony proclaimed "Join the union girls, and together say, " Equal pay, for Equal work", The same personality again spoke in July 1871: "Women must not depend upon the protection of man but must be taught to protect themselves". Indeed, the thought that there is dependency, has to be eliminated.

Giving emphasis on the role of women, Ralph Waldo Emerson, the famous American Man of Letters, stated "A sufficient measure of civilization is the influence of the good women". Speaking about the democracy in America, Alexa De Tocqueville wrote thus: "If I were asked to what singular prosperity and growing strength of that people (Americans) ought mainly to be attributed; I should reply; to the superiority of their women".

International covenants and treaties under gender equality encompass number of areas. A glance at the same will make the concept clear. The Universal Declaration of Human Rights (1948), Convention on the Political Rights of Women (1952), Declaration on the Elimination of All Forms of Discrimination against Women (1967), Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974), Covenant on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979, The Declaration on the Elimination of Violence Against Women (1993), Fourth World Conference on Women held in Beijing in 1995, Inter-American Convention for the Prevention, Punishment and Elimination of Violence against Women (1995), and Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999) are worth mentioning.

The Preamble of our Constitution begins with the words "We the people" which irrefragably includes men and women of all castes, religions, etc. The command of the Constitution is to render equality of status and opportunities to every man and woman maintaining the dignity of individuals. The Articles, namely, Articles 14, 15(i), 15(3), 39(a), 39(d), 42, 46, 51(A)(e), 243 D(3), 243 D(4), 243T(3) and 243 T (4) eloquently assert the constitutional rights for women.

Despite the rights being articulated and various statutes conferring the rights, the writings pertaining to gender justice in realistic terms, gender sensitivity, curbing of gender bias, individual space for women and property rights are still the matters relevant to be thought of, discussed and deliberated. The issue of honour killing and gender insensitivity are still to be fought with. Problems pertaining to female foeticide are writ at large. The emphasis has to be on the obedience of law and also on perceptual shift from the societal perspective.

The need of the day is to accelerate the process of change by planned efforts so that pernicious social evil of gender inequality is buried deep in the grave. There is no gainsaying that the constitutional goals have been partly achieved. There has to be endeavour to achieve greater equality and fairness so that a truly democratic outlook gets established. Therefore, the present issue has been based on multi-faceted concepts of gender justice and gender equality. The role of the National Legal Services Authority and all other legal services authorities under the Legal Services Authorities Act, 1987 are pledged to the idea of sensitizing all concerned at all levels and every quarter to heighten the requisite constitutional and statutory principles and the present thematic issue is a step towards the same.



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“Quest of Gender Justice” Need of Realistic & Sensitive Judicial Approach

It is said that law is the finest flower of society which is required to be tended and nurtured carefully because it is the means through which society strives towards its ultimate goal of securing justice for all. Pursuit of justice is instinctive in every civilization. In fact, it is a basic and primordial instinct in human being and society aspires to attain it through its legal system.

Just as justice without law is lame, law without justice is blind. Both of them supplement and complement each other. Laws focus on ideals towards which the society aspires. Laws precede the social change by creating awareness about right and wrong behavior. However, it is a delusion to hold that laws alone can be sufficient to solve the human problems. It is the justice which is supreme and which solves human problems. For that, much depends upon how well the laws are interpreted and implemented. Duty of the law is to impart justice. In the words of Apex Court,¹

“Justice ought to be beneficial for the society so that the society is placed in a better off situation. Law courts exist for society and ought to rise upto the occasion to do the needful in the matter and as such ought to act in the manner so as to sub serve the basic requirement of the society”

And what is the basic requirement of society? That law must respond to its needs. As Lord Coleridge says –

“Law grows and though principles of law remain unchanged, yet their application has to be changed with the changing circumstances of the time.”

If in a society waves of change cannot be stopped and if the change is inexorable and inevitable, whether one likes it or not, it is necessary that law should also evolve and mold to assimilate and respond to that change. The laws when enacted, in spite of the best

* Chief Justice, Bombay High Court

¹ Jaikumar V. State of M.P. (1999) 5 SCC 1

efforts and capacity of the legislators, cannot visualize all situations in future to which that law requires application. New situations develop and the law has got to be interpreted for the purpose of finding a solution to the new problems. This is how the law advances. For that, law cannot afford to be static. It must evolve with the changing pace of society. If it tends to lag behind, it may fail to achieve justice. It must undoubtedly be stable, but, at the same time, it must be pragmatic and accommodating to change. Law is a dynamic instrument fashioned by society for the purpose of achieving adjustment of human relations by eliminating social tensions and conflicts. Law must, therefore, be constantly on move adapting itself to the fast changing mores of society.²

As law does not exist for its own sake, but it is related to social situations, which are in constant state of flux, law must hold the allegiance of the dynamic society. It must respond to the demands of the present and herald social change.³ For that, law and life must derive force and strength from each other. Then only law will not only speak justice, but also deliver justice. To deliver justice is the primary task of Judges. Judges are there not to deliver the Judgments, but to impart justice. The writing of judgments can be easy, but not imparting of justice.

No case coming before the Court ever poses a pure question of law. Every case is transformed into a human problem. Delivery of justice is, therefore, not the dry mechanical, exercise of rigid application of formula and precedents. It is a living organism, the Constitutional means of breathing life into the laws and bettering the lives of people. In the words of Lord Denning –

“The Judge has to do the constructive task of finding the intention of Parliament and he must do this not only from the language of the Statute but also from a consideration of the social condition which gave rise to it and of the mischief, which it was passed to remedy and then to supplement the written word so as to give ‘Force and Life’ to the intention of the legislature.”

As law does not and cannot function in a vacuum, sociological facts and ground realities are bound to influence judicial

² Hon’ble Justice P.N. Bhagwati, Legal Aid News Letter, May-August 1982

³ Hon’ble Justice V.R. Krishna Iyer – Justice and Beyond.

mind. Judges are also not living in a sound proof room or in a proverbial Ivory tower. They are the part of society and hence cannot be immune from social realities. They are also not expected to work like slot machine, because if Judges were like that, Judges would not be any more required. Computers would replace them.

But No ! Judges have to be there, because among all essential elements of a justice system, the human element predominates. Mere application and enforcement of law does not produce justice. Therefore, to ensure justice, which is fair and equitable to all, the human component must be imbued with compassion and character, sensitivity and awareness to the reality – the qualities which cannot be created by legislation, but are required to be inculcated, cultivated and fostered.

To impart real justice, to sustain a strong image and solid institution of Judiciary, the Judges have to be responsive to the changing needs and scenario of society. They can no more afford to close their eyes to the ground realities. They have to be realistic and sensitive to the issues raised before them while interpreting and applying existing laws. If the results of action in law depend upon the personality of judge, for a good Judge knowledge of law alone is not sufficient. Logic and reason are not the only equipments of a good Judge. A good Judge has to be first and foremost a good human being, who is alive to the realities of life. A Judge can be so without losing impartiality. A Judge can be impartial while being neutral and without remaining aloof or insensitive. It is the sensitivity on the part of the Judge, which helps to bridge the gap between reality and law, which covers the distance between the existing law and how ideally the law ought to be. It is this approach, which infuses life into the dead letter of law and helps to vibrate it with vigour.

The need of this realistic and sensitive approach on the part of the Judge is, though, in all the areas of justice delivery system, its utmost necessity is felt while dealing with crimes against women. It is on two counts. In the first place, of late crimes against women are on ascendancy. It is an irony that while we are celebrating woman's rights in all spheres, little or no concern is shown for her honour. If there is any area, which betrays utmost violation and that too violent violation of human rights, it is in that of increasing number of crimes against women in general and rape in particular. Every person's physical frame is his temple, a most sacrosanct place and any

violation of it is sacrilege, a great offence. Sexual molestation or rape is ultimate violation of a woman's inner-most part of body and mind with ruthless violence, reducing her to the state of almost a living corpse. Domestic violence, mental harassment, cruelty for dowry, burns her alive. The offences like sexual harassment at works place make her life miserable, whereas infanticide kills her in the womb itself. The life of woman thus becomes a slow and torturous journey of ill-treatment, harassment and cruelty of all sorts from 'womb to tomb' and 'cradle to grave'. Human ingenuity appears to know no bounds when it comes to perpetrating crimes against women. New and barbaric ways are found out to subject her to more harassment and ill-treatment.

Apart from the increase in number of these offences, the gender specific and women related nature of these offences put them in special category requiring different judicial approach. These offences have a peculiar nature of their own. They are mostly committed in isolation, within four walls of the house and that too, mostly by her own family members or acquaintances. Statistically speaking, it is safer to be on the street than in the bosom of one's family because more offences take place against a woman at home than on the street. Therefore, in such offences, it is very difficult to secure independent corroboration to her testimony by way of eye witness account. Whether it is the harassment or cruelty meted out to her in the house for demand of dowry or on any other count by her husband and in-laws or it is the sexual harassment inflicted on her in the office by her boss or colleague, she is the sole witness. To expect any independent corroboration to her testimony in such cases is defying reason and logic.

Moreover, the nature of offences like rape or violation of modesty is such that, as observed by the Supreme Court⁴, in Indian setting, chances of false accusation are very rare. Therefore, while appreciating her evidence in such cases, the Court has to be aware of this social background, atmosphere, attitudes, mores and responses of the Indian society and its profile. Shutting eyes to them may result into miscarriage of justice. Here, therefore, the need of the Judge being realistic and sensitive to the demands of the facts situation placed before him arises the most. To say the truth, sans

⁴ Bharwada Bhoginbhai Hirjibhai Vs. State of Gujarat, 1983 Cri.L.J.S.C. 1096.

this sensitivity the trials of crime against women are likely to result into failure of desired justice.

Our Apex Court has recognized this need long ago. In the case of *Kishanlal V. State of Haryana*⁵ while dealing with the approach of the trial Court in appreciating evidence of prosecutrix in the offence of rape, Hon. Justice Krishna Iyer, speaking for the Bench, in his ever resounding words, thundered that -

“A socially sensitive Judge is a far better statutory armour against gender outrage than long clauses of complex section with all protection writ into it.”

Later in the case of *Bharwada Bhoginbhai Hirjibhai V. State of Gujarat* pertaining to the offence of child sexual abuse, Supreme Court while taking note of human nature as such, was constrained to observe that -

‘Human goodness has limits. Human depravity has none. However, the need of the hour is not exasperation or helplessness, but to mould and evolve the law so as to make it more sensitive and responsive to the demands of the time in order to resolve the basic problem.’

In the landmark decision of *State of Punjab V. Gurmit Singh & Ors.*⁶ Supreme Court was at pains to condemn and strongly disapprove the approach of trial Court which had demonstrated lack of sensitivity in a rape case while appreciating the evidence of prosecutrix, aged below 16 years, and had cast unjustified stigma on her; in the following words:-

“the trial Court has overlooked human psychology and behaviour probabilities. The trial Court has adopted an intrinsically wrong approach while appreciating the testimonial potency of the prosecutrix and that has resulted in miscarriage of justice.”

The Court then went on to observe:

“when crimes against women in general and rape in particular are on increase, the Courts must

⁵ AIR 1980 S.C. 1252

⁶ (1996) 2 SCC 384

shoulder a greater responsibility while trying an accused on charges of rape. The Courts should examine the broader probabilities of a case and not get swayed by minor contradictions or insignificant discrepancies in the statement of prosecutrix, which are not of a fatal nature. The testimony of prosecutrix in such cases must be appreciated in the background of the entire case and trial Court must be alive to its responsibility and be sensitive.”

Supreme Court also criticized the treatment meted out to the victim of rape in the Court of law during cross examination and expected that the Court should not sit as a silent spectator while the victim of crime is being cross examined by the defence.

In cases pertaining to domestic violence, cruelty and dowry deaths also, Supreme Court has expressed the need of such sensitive approach in the case of *Kundula Bala Subrahmanyam V. State of A.P.*⁷ by observing that -

“As laws are not enough to combat the pernicious social evil of dowry deaths, the role of Courts under the circumstances assumes greater importance, and it is expected that the Courts would deal with such cases in a more realistic manner and not allow the criminals to escape on account of procedural technicalities or insignificant lacunae in the evidence. Otherwise, the criminals would receive encouragement and the victims of the crime would be totally discouraged by the crime going unpunished.”

In this case, Supreme Court once again emphasized the need on the part of the Court to be sensitive in the cases involving crimes against women, because the verdict of acquittal recorded by the trial Court in this case was an apt illustration of the lack of sensitivity as it has recorded it on mere surmises and conjectures, disregarding the evidence of witnesses for wholly insufficient and insignificant reasons and ignoring vital factors of the case without even properly discussing the same.

In the recent decision of *Vajresh Venkatray Anvekar Vs. State of Karnataka*⁸, while dealing with the observations made by the Trial

⁷ (1993) 2 SCC 684

⁸ (2013) 3 SCC 462

Court in respect of the evidence relating to the offence punishable under Section 498A of the IPC, the Supreme Court was at pains to remark that,

“the tenor of the judgment suggests that wife-beating is a normal facet of married life. Does that mean giving one or two slaps to a wife by a husband just does not matter? We do not think that that can be a right approach. It is one thing to say that every wear and tear of married life need not lead to suicide and it is another thing to put it so crudely and suggest that one or two assaults on a woman is an accepted social norm. Judges have to be sensitive to women’s problems. Perhaps the learned Sessions Judge wanted to convey that the circumstances on record were not strong enough to drive Girija to commit suicide. But to make light of slaps given to Girija which resulted in loss of her eyesight is to show extreme insensitivity. Assault on a woman offends her dignity. What effect it will have on a woman depends on the facts and circumstances of each case. There cannot be any generalization on this issue. Our observations, however, must not be understood to mean that in all cases of assault suicide must follow. Our objection is to the tenor of the learned Sessions Judge’s observations. We do not suggest that where there is no evidence the court should go out of its way, ferret out evidence and convict the accused in such cases. It is of course the duty of the court to see that an innocent person is not convicted. But it is equally the duty of the court to see that perpetrators of heinous crimes are brought to book. The above quoted extracts add to the reasons why the learned Sessions Judge’s judgment can be characterized as perverse. They show a mindset which needs to change. There is phenomenal rise in crime against women and protection granted to women by the Constitution of India and other laws can be meaningful only if those who are entrusted with the job of doing justice are sensitized towards women’s problems.”

This message of sensitivity found reflected in the various judgments and landmark decisions of the Apex Court must become the hallmark of judiciary.

As aptly said by Justice R.C. Lahoti, Former Chief Justice of India, in his address on the release of book *Search for a vision statement on women empowerment vis-a-vis legislation and judicial decisions*.⁹

“If one were to ask to name a significant single factor which could make the delivery of justice just and meaningful, the answer would be a sensitized judiciary – a judiciary which views the circumstances and situation in a holistic manner — — A Judge while administering the laws, if deprived of requisite sensitivity may frustrate the objectives sought to be achieved by the best of laws.”

It is this sensitivity on the part of the Judge, which prevents the failure of justice and justice being a casualty in front of technicality. It is this sensitive judicial approach to a given case, which can and does make a lot of difference to the outcome of the case and serves the cause of justice more effectively and perfectly. A sensitized Judge can interpret the law and exercise the judicial discretion in a given case more realistically thereby making justice delivery system more humane, equitable and acceptable to the society.

Ultimately, it is this sensitivity, which gives Justice a human face. Law wedded to justice and justice in its turn wedded to humanity and sensitivity – What more is required for the salvation of society?

⁹ (2005) 2 SCC (J) pp49- 54 at p51

Gender Justice and Gender Sensitization

Fight for the rights of women may be difficult to trace in history, but the story of progress of human civilization is the story of the struggle of women for their rights and dignity. Guru Charan Das in his admirable book THE DIFFICULTY OF BEING GOOD sets the plot in the Assembly of Hastinapur where Yudhishtira the epitome of righteousness had staked his wife Draupadi in the game of dice and lost her. Draupadi was dragged in the Assembly of the noblest and bravest of kings of the time and Duhshasana was bent to disrobe her. Draupadi turned to Yudhishtira and asked,

Whom did you loose first, yourself or me?

Mahabharata II 60.7

Then she raised the question of ethics before the Assembly:

What is left of the Dharmas of King?

Mahabharata II 62.12

These were very searing and fundamental questions posed at a very poignant moment in an age about 3000 years ago and the same question at times loudly and at times mutely confronts and haunts us with increasing intensity even today as a civilization.

In ancient Greek and Roman societies women were treated as inferior to men. Procreation of children has been held to be the only role for women. Conception was her only purpose. Hence women were greatly discriminated against. The perception of women among Christian theologians was highly unfavourable. Gender inequity continued into medieval societies. Under common law of England, a married woman hardly had any right; she had no rights to her property after marriage. In the early history of the United States and Europe, women and children were considered as a man's possession. Women began working in industries, the conditions of work were atrocious but it was not until 1910 that the states passed legislations alleviating the conditions of work. The issue of suffrage is another glaring illustration of gender prejudice. The struggle for the right to vote for women in USA and Europe

* Chief Justice, Jharkhand High Court

blatantly highlights the gender intolerance, the politics, power and hypocrisies in a social order of gender hierarchies. The movement for woman's suffrage started in France in the 18th Century. In USA women were given the right to vote in 1920, whereas in UK it was in 1928.

Industrialization brought to fore new occupational classes and the Feudal society gradually changed into an egalitarian society. Soft skills and knowledge became more important than brute physical force. Spread of education led to empowerment of women and ignited their hope and aspirations for a just order based on gender justice. It was a quest for individuality sans gender identity. Gender based inequality began to be questioned. In 1869 in his article "The Subjection of Women" John Stuart Mill stated, "equality admitting no power of privilege on the one side, nor disability on the other". There were other philosophers also who raised their voice on the subject of gender equality, but it gained momentum and more comprehensive statutory force in the post war period since the inception of the UN in 1946. The Decade for Women (1976-1985) and four world conferences on women (between 1975 and 1995) contributed significantly in raising awareness and commitment to gender equality and gender justice. In 1995, the Beijing Declaration and Platform for Action had been framed for guiding work at national level. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979, is the United Nations landmark treaty marking the struggle for women's right. It is regarded as bill of rights for women. It delineates as to what constitutes discrimination against women and what measures are to be used so that women's rights are not violated. The above principles were reaffirmed in the second world conference on human rights at Vienna in June, 1993 and the fourth world conference on women, held in Beijing in 1995. In the 1993 conference, gender based violence and all categories of sexual harassment and exploitations were condemned. The declaration on elimination of violence against women, 1993 is a big step forward to protect women from violence.

CONSTITUTION AND GENDER JUSTICE

Justice is fountain head of the basic Human Rights guaranteed in a democratic system. The Preamble of our Constitution starts with this guarantee to secure to all citizens Justice,

Social, Political and Economic Justice. It finds its echo in different parts of the Constitution including Part III, Part IV and Part IV A. These are the basic foundations on which the edifice of our democratic institution has been raised. In this charter the women have been placed on an equal pedestal to the men .

The equality clause in Article 14 and 15 is the Constitutional guarantee in the form of Fundamental Rights. The equality clause however, does not impair the right of the state to make special provision by way of positive discrimination in favour of women and children (Article 15(3)). The Constitution is a living organism and taking into account the needs for gender justice, different provisions have been made by way of amendment in the Constitution in Article 243-D (3)(4), T(3), T(4) to reserve one third of the seats for the women in every Panchayat.

Article 39 of the Constitution speaks of adequate means of livelihood and equal pay for equal work for both men and women and under the chapter of fundamental duties, to promote dignity of women has been given due recognition. A slew of legislative enactments both civil and criminal, to safeguard the security and dignity of women have followed in the journey of more than six decades of our republic.

Apart from the legislative enactments ,the law on Gender justice evolved by Judicial Pronouncements of the Apex Court. It will suffice to refer some of the leading authorities.

In C.B. Muthamma Vs. Union of India ; (1979) 4 SCC 260 : 1979 SCC (L&S) 366, the constitutional validity of Rule 8(2) of the Indian Foreign Service (Conduct and Discipline) Rules, 1961 and Rule 18(4) of the Indian Foreign Service (Recruitment, Cadre, Seniority and Promotion) Rules, 1961 was challenged before the court. The impugned provision of Rule 8 (2) required a woman member of the service to obtain permission of the Government in writing, before her marriage was solemnized and at any time after the marriage a woman member of the service could be required to resign from the service, if the Government was satisfied that her family and domestic commitments were likely to come in the way of the due and efficient discharge of her duties as a member of the service. Further, Rule 18(4) also had clause that no married woman shall be entitled as a right to be appointed to the service. The petitioner complained that under the guise of these Rules, she had

been harassed and was shown hostile discrimination by the Chairman, UPSC from the joining stage to the stage of promotion. The Court held that these Rules to be ultravires and in contravention to Articles 14, 16 and 21.

Instances of gender bias can be seen under customary law among the tribals of both Chotanagpur and Santhal Pargana in the state of Jharkhand. The females are not entitled to the right of inheritance and their rights are limited to maintenance. This came under challenge in **Madhu Kishwar Vs. State of Bihar, 1996 (5) SCC 125** wherein it has been held in this case that exclusion of females from inheritance among scheduled tribes was inappropriate. Held per majority view that denial to right of succession to ST women would amount to deprivation of their right to livelihood under Article 21 of the Constitution. Hence exclusive succession in the male line of heirs was not in consonance with the constitution.

In **Bodhisattwa Gautam Vs. Subhra Chakraborty; (1996) 1 SCC 490, 1996 SCC (Cri) 133**, the court observed that women have the right to be respected and treated as equal citizens. Their honour and dignity cannot be touched or violated. They also have the right to lead an honourable and peaceful life. Women in them have many personalities combined. They are mother, daughter, sister and wife

In **Vishaka Vs. State of Rajasthan, (1997) 6 SCC 241; 1997 SCC (Cri) 932**, the court took a serious note of the increasing menace of sexual harassment at workplace and elsewhere. Considering the inadequacy of legislation on the point, the Court defined sexual harassment and laid down the instructions for the employers and thereafter the Court held that each incident of sexual harassment of woman at workplace results in violation of fundamental rights of “Gender Equality” and the “Right to Life and Liberty”

In **Associate Banks Officers’ Assn. Vs. SBI, (1998) 1 SCC 428 : 1998 SCC (L & S) 293**, wherein the court held that women workers are in no way inferior to their male counterparts, and hence, there should be no discrimination on the ground of sex against women.

In **Rajesh Kumar Gupta Vs. State of U.P. , (2005) 5 SCC 172 : 2005 SCC (L&S) 668**, the court while concurring with the view taken by the High Court of Allahabad in respect of reservation of 50%

posts in favour of female candidate opined that Article 15(3) of the Constitution enabled the State Government to make special provision for women and children notwithstanding the prohibition contained in Article 15(1). Particularly viewed in the background of the fact that a large number of young girls below the age of 10 years were taught in the primary school and recognizing that it would be preferable that such young girls are taught by women, the reservation of 50% of the posts in favour of female candidates was held to be justified. The classification made was justified and was held as not arbitrary or liable to be hit by Article 14.

In **Gurnaib Singh Vs. State of Punjab ; (2013) 7 SCC 108 : (2013) 3 SCC (Cri) 49**, the court has opined that the respect of a bride in her matrimonial home glorifies the solemnity and sanctity of marriage, reflects the sensitivity of a civilized society and , eventually, epitomizes her aspirations dreamt of in nuptial bliss. But, the manner in which sometimes the brides are treated in many a home by the husband, in-laws and the relatives creates a feeling of emotional numbness in the society. It is a matter of great shame and grave concern that brides are burnt or otherwise their life-sparks are extinguished by torture, both physical and mental, because of demand of dowry and insatiable greed and sometimes, sans demand of dowry, because of the cruelty and harassment meted out to the nascent brides treating them with total insensitivity destroying their desire to live and forcing them to commit suicide a brutal self-humiliation of "Life".

In a recent judgment of the Hon'ble Apex Court the concept of Gender Justice has been expounded and given new dimension. In this case, which is reported in **Charu Khurana & Others Vs. Union of India and others; 2015 (1) SCC 192**, it has been held that though there has been formal removal of institutionalized discrimination yet the mind-set and attitude ingrained in the sub-conscious have not been erased. Women still face all kinds of discrimination and prejudice. The days of yore when women were treated as fragile, feeble, dependent and subordinate to men, should have been a matter of history, but it has not been so, as it seems..... Lord Denning has observed "woman feels as keenly, thinks as clearly, as a man". She in her sphere does work as useful as man does in his. She has as much right to her freedom – develop her personality to the full – as a man. When she marries, she does not become the husband's servant but his equal partner. If his work

is more important in life of the community, her's is more important in the life of the family. Neither can do without the other, neither is above the other or under the other. They are equals.

In this case the main grievance of the petitioner was that the Cine Costume Makeup Artists and Hair Dressers Association of Mumbai refused to issue Makeup Artist Card to the petitioner on the ground of her gender. This Association issued two cards one was exclusively for the females which was Hair Dressers Cards and females were not issued Makeup Artists Card so that the male members were not deprived of work as Makeup Artist. While referring to the Fundamental Duties provided under clause (e) and (j) of Article 51-A their Lordships on a condign understanding of clause (e), held that "it is clear as a cloudless sky that all practices derogatory to the dignity of women are to be renounced. Be it stated, dignity is the quintessential quality of a personality and a human frame always desires to live in the mansion of dignity, for it is a highly cherished value". Clause (j) has to be understood in the backdrop that India is a welfare State and , therefore, it is the duty of the State to promote justice, to provide equal opportunity to all citizens and see that they are not deprived of by reasons of economic disparity. It is also the duty of the State to frame policies so that men and women have the right to adequate means of livelihood. It is also the duty of the citizen to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.

PENAL PROVISIONS

Among the penal provisions Section 497 and 498 of the I.P.C. are analogous provisions in the Chapter XX which is about offences related to marriage. Section 497 deals with adultery with married women and Section 498 deals with enticing or taking away or detaining with criminal intent a married women. Cognizance of these offences can be taken only on a complaint made by the aggrieved husband under section 198 (2) of the Cr.P.C. Gender bias against women is inherent in these sections. The Supreme Court accepted these objections in **Alamgir Vs. State of Bihar ; AIR 1959 SC 436 : 1959 SCR (Suppl 1) 464**, observing that, 'The provisions of Section 498 like those of Section 497 are intended to protect the rights of the husband and not those of the wife. ...The policy underlying the provisions of Section 498 may no doubt sound inconsistent with

the modern notions of the status of women and of the mutual rights and obligation under marriage.' But the Supreme Court chose to uphold the section on the ground that: '[It] is a question of policy with which courts are not concerned.'

In the context of sexual offences **Tukaram Vs. State of Maharashtra also known as Mathura Rape Case** ; 1979 (2) SCC 143 : AIR 1979 SC 185 is the most debated and talked about case. It precipitated many amendments in the criminal law. In this case a tribal girl had eloped with her lover. She along with her lover were brought to the police station on the report of her brother. Her statement was recorded there and she was alleged to be raped in custody by the Head Constable and one other constable. ("alleged" is used as the accused have been acquitted). Sexual intercourse in the police station with the head constable was not disputed and the question was whether there was passive submission or not. The Supreme Court on the circumstances of the case held that 'The consent in question was not a consent which could be brushed aside as passive submission'.

The Supreme Court further held that the High Court wrongly allowed the appeal and convicted the accused as 'It did not give a finding that such fear [for sexual intercourse] was shown to be that of death or hurt.'

This decision generated heated debate. Law Commission had earlier made certain recommendation in its 42nd report in 1971; apparently nothing was done so far as sexual offences were concerned. The government in view of the discussion requested the law commission to give another report in this regard that the commission did in 1980 in its 84th report. Some of these recommendations were accepted and Criminal Law Amendment Act 1983 (Act no. 43 of 1983) was enacted. Act no. 43 of 1983 has substituted sections 375 and 376 in IPC in place of old ones, and further has inserted sections 376-A to 376-D IPC. It has further amended Evidence Act by inserting a new section 114-A that has shifted the burden on the accused in rape cases in certain circumstances (including the one in Tuka Ram Case). It also amended section 327 of the Cr.P.C. by inserting sub-section (2) and (3) which gives power to the court trying rape case to order trial to be conducted in camera. The Court can also prohibit any person to print or publish any matter in relation to proceeding in the court

without its previous permission. Section 228-A was also inserted in IPC providing punishment for disclosing identity of the rape victim.

In **Rupan Deol Bajaj Vs Kanwar Pal Singh Gill (1995) 6 SCC194**, the court said that the offence under Section 354 IPC should not be treated lightly as it is quite a grave offence. The test laid down by the Apex Court in Major Singh's case was applied that the essence of a woman's modesty is her sex and from her very birth she possesses the modesty which is the attribute of her sex. The ultimate test for ascertaining whether modesty has been outraged is the action of the offender such as could be perceived as one which is capable of shocking the sense of decency of a woman.

In **State of Punjab Vs. Gurmeet Singh ; (1996) 2 SCC 384**, the Court observed as under :

There has been lately, lot of criticism of the treatment of the victims of sexual assault in the court during their cross-examination. The provisions of the Evidence Act regarding relevancy of facts notwithstanding, some defence counsel adopt the strategy of continual questioning of the prosecutrix as to the details of the rape. The victim is required to repeat again and again the details of the rape incident not so much as to bring out the facts on record or to test credibility but interpretation of events given by her so as to make them appear inconsistent with her allegations. The court, therefore, should not sit as a silent spectator while the victim of crime is being cross-examined by the defence. It must effectively control the recording of evidence in the court. While every latitude should be given to the accused to test the veracity of the prosecutrix and the credibility of her version through cross-examination, the court must also ensure that cross-examination, is not made a means of harassment or causing humiliation of the victim of crime. A victim of rape, it must be remembered, has already undergone a traumatic experience and if she is made to repeat again and again, in unfamiliar surroundings, what she had been subjected to, she may be too ashamed and even nervous or confused to speak and her silence or a confused stray sentence may be wrongly interpreted as "discrepancies and contradictions" in her evidence.

In **State of Punjab Vs. Ramdev Singh; (2004) 1 SCC 421 : 2004 SCC (Cri) 307**, while emphasizing that the Court should deal with the cases of sexual offences sternly and severely, it has been observed that sexual violence apart from being a dehumanizing act

is an unlawful intrusion on the right of privacy and sanctity of a female. It has been further held that rape is a crime against basic human rights.

The law is still evolving on this point in response to the increasing incidence of the sexual offences against women. The most recent is Criminal Law (Amendment), Act, 2013, which was a sequel to the **Nirbhaya Case** and by this amendment extensive amendments have been made in the Penal Code, Cr.P.C. and Evidence Act .

In a recent judgment of Hon'ble the Apex Court in **Rashmi Behl Vs. State of Uttar Pradesh, Writ Petition (Crl.) No. 218 of 2013**, the Apex Court expressed its anguish over the inordinate delay in investigation of such cases in violation to the directions of the Apex Court in *R. S. Sodhi Vs. State of U.P.*, 1994 Supp. (1) SCC 143.

Inspite of the stringent penal provisions, the question that keeps on tormenting our conscience is whether the aims and aspirations of the founding father of our Constitution to achieve a just order for man and woman has been achieved ? Whether the society has been adequately sensitized towards the right of women? Whether we have succeeded to create a society where women can breathe air in an atmosphere of safety and security?

The concrete statistics regarding magnitude and gravity of crime give a rather depressing picture and a huge gap exists between the existing laws and their enforcement. The frequency with which the reports of crime against women surface in the media shows that the collective male psyche has not been sensitized on gender issue. It is an existential threat for a woman from the womb to her work place. Women are not secure either in the capital of the country or in the North Eastern States or in the tribal dominated society of Jharkhand. Crimes like Human Trafficking are rampant particularly in backward areas like Jharkhand which has become one of the source point of human trafficking. These are happening inspite of the laws and different declarations and covenants of United Nations. There are moments when the nature and gravity of the offences being perpetrated on the women makes us hang our head in shame as a citizen where women are claimed to be idolized and venerated in their scriptures and literatures.

NEW HORIZON

Despite the dark and dismal scenario of the present, the outlines of a new crimson dawn is appearing on the horizon. The lamp of learning and education is spreading its light in distant nook and corners of the country. Large numbers of young women are joining the mainstream of life and that is perhaps the reason for the reaction of the old social order. But the tide of change cannot be long resisted and there is already enough indication that we are moving in an era which will be just towards women. The statistics show that women are becoming a part of skilled work force in all sectors like, engineering, medicine, information technology armed forces and so on, which reflects an undercurrent of change. Judiciary is not untouched by this trend. In a recent examination held by the Jharkhand Public Service Commission for 116 posts of Civil Judge (Junior Division) 39 are successful women candidates. In Delhi Judiciary, reportedly in a recent selection process for Civil Judge (Junior) Division out of hundred, sixty successful candidates were women candidates. These are only whiff in the air, which gives a glimpse of the shape of things to come. Only women empowerment can the pave way for gender justice. The very fact that the issue of gender justice and gender sensitization has taken the center stage is indicative of the new trend.

I may refer with profit to certain shlokas as reproduced from an article "Women Empowerment and Gender Justice" published in (2014) 6 SCC J-6.

“यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः”

["Yatra naryastu pujiyante ramante tatra dewatah"]

A free translation of the aforesaid is as follows: -

Where woman is worshipped, there is abode of God.

“यत्र तास्तु न पूज्यन्ते सर्वास्तत्राफलाः क्रियाः”

[Yatra tāstu na pūjiyante sarvāstatraphalāh kriyāh]

A free translation of the aforesaid is as follows: -

All the actions become unproductive in a place, where they are not treated with proper respect and dignity.

“भृतृभातृपितृजाति श्वश्रूश्चशुरदेवरैः।

बन्धुबिश्च स्त्रियः पूज्याः भूषणाच्छादनाशनैः॥”

[Bhārtr bhratr pitrijnāti śwaśrūśwaśuradevaraih |

Bandhubhiśca striyah pujiyah bhusnachhadānasnāih]. ||

A free translation of the aforesaid is as follows: -

The women are to be respected equally on par with husbands, brothers, fathers, relatives, in-laws and other kith and kin and while respecting, the women gifts like ornaments, garments, etc. should be given as token of honour.

“अतुलं यत्र तत्तेजः सर्वदेवशरीरजम्।

एकस्थं तदभून्नारी व्याप्तलोकत्रयं त्विषा॥”

[Atulam yatra tattejah sarvdevasharirajam |

Ekastham tadabhunnāri vyaptalokatrayam tvisā |]

A free translation of the aforesaid is as follows: -

The incomparable valour (Effulgence) born from the physical frames of all the gods, spreading the three worlds by its radiance and combining together took the form of a woman.

While concluding, His Lordship said “it is common knowledge that despite Constitutional safeguards, statutory provisions and plethora of pronouncements to support the cause of equality of women, changes in social attitudes and institutions have not significantly occurred. But, there has to be total optimism to achieve the requisite goal. It is necessary to accelerate this process of change by deliberate and planned efforts so that the pernicious social evil of gender inequality is buried deep in its grave. Laws written in black and white are not enough to combat the evil. A socially sensitive Judge is indeed a better statutory armour in case of crimes against women than penal statutes. Awakening of the collective consciousness is the need of the day. A problem as many multi faceted as women’s self-actualization is too important to be left to a single section of the society. This responsibility has to be shared by the state, community organizations, legislators, who framed the laws and Judiciary which interprets the Constitution and other laws in order to give a stimulus to the legal reform in the field of Gender Justice and to ushering the new dawn of freedom, dignity and opportunity for both the sexes equally”.

Curbing Gender Bias-Role of Legal Services Institutions

Gender justice means equal treatment and equitable value of the sexes. It is a fundamental human right that is required to be guaranteed by every modern society. It is said that the socio-cultural and moral development of a race is judged by its treatment of women. **Gender bias** on the other hand, is separation of gender in a way which prefers one sex over the other. Traditionally, gender bias is spoken of in respect of the unfair and unequal treatment of women and an undue preference for men.

The present article seeks to examine the root causes and the possible measures that can be taken to cure them.

There are countries that have given equal rights to both the sexes without making any discrimination whatsoever. There are also countries that have poor records in the field of gender equality. They are criticized as being regressive in their outlook in the age where women have matched men step by step and even surpassed them in some respects.

Where do we Indians, stand?

The question how we Indians have fared in this respect can be gauged from a concrete example.

Sometime back, it was reported in a local newspaper that a young lady was driven out of her matrimonial home only because she had given birth to a girl child. The news item also carried a photograph showing the helpless lady sitting alongside the street with her child in the lap. Unfortunately, the lady was denied access to her parental home too. Acting on such report, the State Legal Services Authority intervened with assistance of some Para-legal volunteers working under the concerned District Legal Services Authority and the Child Welfare Committee. After considerable counselling of the respective family members, the matter was

* Judge, Orissa High Court and Executive Chairman, Odisha State Legal Services Authority

ultimately resolved amicably. The husband furnished a written undertaking to take back his wife and child and to look after them. It turned out that both the lady and her husband were educated and belonged to respectable families.

The above incident raises significant questions relating to our mind set on gender issues.

In this respect, a few intrinsic facts are noteworthy.

The obsession for a male child is almost universal. In our country this obsession can perhaps be traced back to ancient times and has its roots in socio-economic as well as religious factors. For instance, the scriptural texts dealing with socio-religious matters are interpreted to mean that a person's debt towards his ancestors and forefathers gets extinguished only through offerings of *Sraddha* by a male member (usually the eldest) of the family. On the economic front, the ability of males to earn for the family is always given precedence. That apart, it has always been socially fashionable to have a son than a daughter. Our social customs have been such that a male child is always preferred over the female who, more often than not, is viewed as a burden by the parents themselves. This attitude is not far removed from that of the milkman who bemoans the birth of a male calf to his cow!

Of course, the Indian ethos also prides itself for its personification of divinity in the female form as the Goddess. But this abstract idealization seldom translates into reality in the day-to-day life of the ordinary person. Despite such glorification, women have been subjected to cruelty and torture of various kinds in every period of history. They were also relegated to the background and generally denied the privileges available to men. In fact, an objective look at the past would reflect a definite gender bias existing in the society in some form or the other.

However, some winds of change started blowing with the advent of twentieth century when, the British introduced some laws to protect the rights of women particularly, relating to inheritance of property. Some laws to prohibit inhuman practices like Sati and widow remarriage were also introduced by the British. But by and large, the socio-economic status of women remained below par.

Fortunately, the framers of our Constitution had a liberal and pragmatic view of life. They found no justified reason to view the

female species differently than its male counterpart as was the case in some other democracies of the world that did not give even voting rights to women. The Indian Constitution, on the other hand, is for the 'people', which includes both males and females. Added to it, the framers also deemed it proper to make special provisions for the protection of rights of the women because they understood the existing gender bias in the society with unerring clarity. Thus, the salutary concept of Equality enshrined under Article 14 was qualified by the special protective umbrella offered by Article 15.

Unfortunately today, after nearly seven decades of independence, we still find gross violations in the field of gender justice ranging from simple discrimination of the girl child within the household by the family members to extreme cases of gender-specific crimes like female foeticide, female infanticide, rape etc.

The question that seizes us is what role can law play in this regard.

Of late, there have been several enactments aimed at protecting some or the other rights of women. For instance, the PCPNDT Act is an important legislation that seeks to nip the problem in the bud. Other legislations such as, The Equal Remuneration Act, Prevention of Sexual Harassment of Women in Workplaces Act etc. being gender-specific are all aimed at preventing discrimination and harassment of women. The law courts of our country, despite being hard-pressed for lack of adequate staff and infrastructure etc., have been discharging the duties assigned to them by these laws in right earnest. But the courts are handicapped by the fact that they can take cognizance of a matter only if it is brought before them. And there can be no denying the fact that there are thousands of violations that go unreported. Despite a constant endeavour to remove all barriers to justice, a gap still remains between the victim and the justice delivery system. That apart, the Courts can only address the concrete legal issues within the four corners of the statutory provisions. The remedial actions ordered by the court to be taken in such cases may perhaps act as deterrent but the core issues of social or cultural bias that lie behind the problem seen at the surface, largely remain untouched.

It is in this respect that the legal services institutions of the country can play a vital role.

The legal services institutions are the offshoot of the directives enshrined under Article 39-A of the Constitution. As such, they are committed to render justice to the citizens irrespective of their economic or other disabilities. The Legal Services Authorities Act, 1987 mandates that these institutions shall seek to remove all barriers to justice without any distinction whatsoever. In other words, they work to reduce the gap between the victim at the ground level and the justice delivery system.

In the peculiar socio-cultural background of our country, while it is not surprising to find even educated men harboring chauvinistic attitudes, it is also not very surprising to come across women entirely reluctant to make their woes public or to report such cases before the authorities. Thus, men continue to beat their wives on the fallacious notion that they have a moral right to do so and the hapless women silently bear the brunt on the equally fallacious notion that it is their socio-religious duty to do so. It is evident that more than anything else, it is a singular lack of awareness among both males and females, that lies at the root of this problem.

Here, the local Para-legal volunteer operating at the village can do much more than the formal institutions because of his proximity to the disputant parties and understanding of the issue locally. In fact, in the example cited at the beginning of this article, it was the Para-Legal volunteer who managed to counsel the husband and his family members as regards their legal obligations and thus, effected the solution.

Therefore, the problem of gender bias that lies at the root of all other gender-related issues can be effectively addressed by the legal services institutions by not simply holding legal awareness camps but also addressing individual problems through its localised units such as the Village Legal Services Clinics, manned by panel lawyers and Para-legal volunteers. The experience so far has been quite encouraging inasmuch as several such problems have been successfully solved in the village itself without the parties having had to approach the formal institutions.

Thus, on strengthening the Legal Services Institutions, especially the Village Legal Services Clinics and suitably training the Para-legal Volunteers, the woes and worries of the victims of gender bias can be better addressed and combated effectively making the society thereby, a happy home free from discrimination.

Nothing Honourable About ‘Honour’ Based Violence

‘Honour’ may be understood as a virtue or characteristic trait associated with integrity or good character or something that is linked to status and reputation. The meaning of ‘honour’ has varied with times so also cultures across the world. In the medieval ages in Europe public seating was a sensitive issue and a matter of honour as the display of status at grand occasions mattered to high-ranking individuals in the feudal world.¹ In tenth-century France the Duke of Neustria considered his assigned seat at the King’s table (across from a noble whom the Duke deemed to be dishonourable) as a grievous insult, sufficient to launch a rebellion.² In the Muscovite Sudebniki (legal code) of 1557, an elaborate register of injured ‘honour’ offences was laid out, with beard-pulling defined as an offence as serious as physical assault!³ The honour code of the Samurai warriors in Japan compels them to practice *seppuku* (suicide by self-disembowelment) when they lose. The Indian tradition of honour also has various interpretations to it, for instance history recites how in some parts of India the wives of kings and warriors who lost and were killed in battles, performed *johar* to protect their honour.

The issue of ‘honour’ becomes problematic when it sets a code which is violative of human rights and gender justice and uses violence to assert itself, in other words it perpetuates ‘honour’ based violence. Honour based violence or honour related violence can be understood as violence perpetrated to protect or avenge the honour of persons who may be part of a family, caste or community. It occurs when persons transgress norms imposed by the community on them in the name of preserving its honour.

* Judge, Delhi High Court

¹ Carolyn Strange, ‘Adjusting the Lens of Honour-Based Violence: Perspectives from Euro-American History’ in Aisha K Gill, Carolyn Strange and Karl Roberts (eds.), *Honour Killing and Violence: Theory, Policy and Practice*, Palgrave Macmillan, (2014).

² *Ibid.*

³ *Ibid.*

These norms may relate to sexual autonomy, marriage, religious conscience, caste, property etc.

Here, I would attempt to analyze the patriarchal honour code implemented in our country at the cost of fundamental human rights like the right to freedom of matrimonial alliance. The freedom of matrimonial alliance is violated when persons especially women who want to exercise their right to marry of their choice are subjected to honour based violence like honour killings, rape and forced marriages.

In societies with honour based value systems like India, honour is typically equated with regulation of women's sexuality and their conformity with social norms and traditions.⁴ Women who contravene socially and culturally 'accepted' norms of sexual propriety and matrimonial alliances are victimized through honour based violence in the form of honour killings, wrongful confinement, assault, forced marriages etc. The understanding of honour is based on the patriarchal system. Females seem to own family honour and can only lose it by their behaviour while males on the other hand may be able to regain their lost honour through their subsequent behaviour.⁵ In this sense the concept and definitions of 'honour' are gendered.

'Honour' being understood as residing in the bodies of women operates to control, direct and regulate women's sexuality and freedom of movement by male members of the family. Women are forced to view all aspects of their lives from the perspective of their 'honour'. 'Honour' as embodied in them reflects both the entirety of their social worth and the reputations of the male members of their family. There is an unwritten socially sanctioned code of sexual behaviour and women who violate it are victimized. The regulation and control of women's lives for enforcing this code makes their rights to control their own lives, to liberty and freedom of expression, association, movement and bodily integrity mean very little.

⁴ Aisha K. Gill, 'Honour' and 'Honour'-Based Violence, in Aisha K. Gill, Carolyn Strange and Karl Roberts (eds.), *'Honour' Killing and Violence: Theory, Policy and Practice*, Palgrave Macmillan (2014).

⁵ Karl Roberts, 'Towards a Psychologically Oriented Motivational Model of Honour-Based Violence' in Aisha K. Gill, Carolyn Strange and Karl Roberts (eds.), *'Honour' Killing and Violence: Theory, Policy and Practice*, Palgrave Macmillan (2014).

It is of significance to understand that honour based violence is legitimised by patriarchal honour codes rather than being merely an 'obvious' product of cultural traditions. The propensity for honour based violence is based on the role that men are supposed to play in the family and society as protectors of women who are seen as repositories of 'family honour.' The role of protection links masculinity with aggression. Men have the expected role of upholding their family and social group's honour by ensuring that 'their' women do not bring shame upon the family. Since women are viewed as the property of males in the family, there is the consequent attempt to control female behaviour, particularly female sexual autonomy.⁶ The gendered nature of honour based violence is exposed by the fact that the 'dishonour' of an unacceptable relationship is felt more by a female's family as it is their honour that needs to be regained.⁷ Also where men suffer honour-related violence it is still comparatively easier for them to escape situations because of their ability to bargain better in societal terms. Victimization of women is more severe.

'Honour' as understood above, comes in the way of freedom of matrimonial alliance. This because marriage is tied to ideas of lineage, honour and religion. Arranged marriages are the norm where in the choice of women whom they want to marry is not relevant, pushing women into forced marriages. It is ignored that the capacity to consent freely to marriage and to marry of one's choice is a human right. This denial is in the face of the right to freedom of matrimonial alliance having been recognized as a fundamental right under Article 21 of the Indian Constitution⁸ and as a human right in international instruments like the United Nations Convention on Elimination of all Forms of Discrimination Against Women.

Legislations like the Special Marriage Act, 1954, the Foreign Marriage Act, 1969 and The Hindu Marriage Act, 1955 have removed restrictions on the right to matrimonial alliance. However, the social reality is different. Persons who want to marry against the caste mandate meet opposition in their family, society and even

⁶ Johanna Bond, 'Honour as Property', accessible on http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2055326

⁷ Karl Roberts, *supra* note 5.

⁸ In Re: Indian Woman says gang-raped on orders of Village Court published in Business and Financial News AIR2014SC2816; MANU/SC/0242/2014

at times law enforcers. The exercise of this fundamental right where it goes against the 'honour code' is curbed through honour based violence. The marriage code is treated as violated and the violation regarded as an attack upon *izzat* or honour of the family or community when a woman marries outside her caste, religion or against *gotra* norms.

In North India honour based violence is often at the 'incitement' of caste based panchayats like the *khap* panchayats (*khaps*) in Haryana, western Uttar Pradesh, Punjab and parts of Rajasthan and *katta* panchayats in parts of Tamil Nadu. Right wing organizations have also recently joined in to bring pressure against inter-caste, inter- community, inter-religious and *sagotra* marriages. With these bodies opposing inter caste and inter religious marriages, the lives of couples already in such marriages is also threatened.

The marriages targeted by *khaps* are inter caste marriages, intra caste marriages which transgress local rules of *gotra* exogamy i.e they take place between prohibited gotras and intra village marriages or "village exogamy" i.e. people must marry outside the village even if there are no *gotra* restrictions. Definitions of incest vary culturally and spread over several *gotras* and villages. The writs of these self-appointed bodies are imposed through fines, rapes, public lynching and murder. The equal inheritance rights pose the risk of daughters who marry of their choice more likely to claim their share of property, making these marriages appear as a threat to traditional property rights of males. Also the skewed sex ratio has greatly reduced the pool of marriageable women in States like Haryana, resulting in resentment over any outsider male wanting to marry from the limited pool.

It is interesting to note that State law is perceived as a means to criminalize the acts of the 'runaway couple' enabling the family and community to 'hunt' them down and bring back the girl through the use of the constitutional writ of habeas corpus and the criminal justice system. A recent study of judgments of the Delhi District Courts in rape cases (2013) showed that about 38% of cases involved elopement of young couples where the female's family had subsequently charged the male with rape.⁹

⁹ Rukmini S., The Many Shades of Rape Cases in Delhi, The Hindu, accessible at <http://www.thehindu.com/data/young-love-dominates-delhis-rape-cases/article6261042.ece>

The females in these cases are reported to have deposed about being beaten, confined and forced to undergo medical examinations and abortions by their family even while they pleaded before the courts that they be allowed to stay with their husbands.¹⁰

Criminal cases filed in situations of runaway marriages have been perceived to follow a typical pattern, where the female's father alleges that she is a minor and files charges of kidnapping/abduction, wrongful confinement or rape against the husband; the police vigorously search for the couple; at this point the young couple may surface due to the pressure of an often unsustainable existence; the woman is often sent to a state-run 'protective' home, a supposedly neutral space where she is supposed to be inaccessible to her parents or husband; the authorities act as extensions of the father's authority helping to 'retrieve' and return her to the 'custody' of the father mostly giving parents an opportunity to pressurise the woman; the woman is required to make a statement in court stating whether she wishes to go with her partner or parents; only if she has incontrovertible proof of her being a major will the court uphold her exercise of choice; and finally the judge's verdict will grant custody either to the parents (if a minor) or to the husband.¹¹

The practice of caste panchayats, families and communities using violence against persons marrying of their choice has time and again been deprecated by the courts.¹² In *Lata v. State of UP*¹³ the Supreme Court reiterated women's right to autonomy and choice in matters of marriage linking it to their fundamental right to life and liberty. In this case the Court observed that inter-caste marriages were in the national interest as they would "result in destroying the caste system." Courts have been critical of the police and administration harassing couples choosing to marry across caste/community lines. Directions have been given to the administration/police authorities to ensure that 'runaway' couples are not harassed by anyone nor subjected to threats or acts of

¹⁰ Rukmini S., The Many Shades of Rape Cases in Delhi, The Hindu, accessible at <http://www.thehindu.com/data/young-love-dominates-delhis-rape-cases/article6261042.ece>

¹¹ Uma Chakravarti, 'From Fathers to Husbands: of Love, Death and Marriage in North India in Lynn Welchman and Sara Hossain(eds.), *'Honour': Crimes, Paradigms and Violence Against Women*, Zedbooks, (2005).

¹² Arumugam Servai vs. State of Tamil Nadu, (2011) 6 SCC 405

¹³ Lata v. State of UP, AIR2006SC2522

violence, and if anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law.¹⁴ In *Pradeep Kumar v State of Haryana*¹⁵ directions were given that the boy shall not be arrested unless prejudicial statement is given by the girl, where the girl is above 18 years she should not be forcibly handed over to her parents and criminal force should not be used against the boy. Courts have stayed illegal arrests of the husband,¹⁶ and have gone to the extent of observing that a man and a woman, even without getting married can live together, as there was a distinction between legality and morality.¹⁷

In *Re: Indian Woman says gang-raped on orders of Village Court published in Business and Financial News*¹⁸ the Supreme Court took suo moto cognizance of the HBV of gang rape committed on a woman on the orders of the village panchayat, for having a relationship with a man of a different community. It ordered compensation to enable rehabilitation of the victim.

The problem in such cases is getting the victim to testify against the accused. This probably is because she fears the social backlash, having to go back into the same community. In *Miss M.S. Annaporani v State of UP*¹⁹ a Hindu widow who got married to a Muslim male, was gang raped on the orders of the caste panchayat and thereafter made to sit naked with her hair chopped and face and body painted on an ass, garlanded with a string of shoes and taken around the village to be abused, stoned and ridiculed. The victim refused to testify against the accused in court.

There is a legislative vacuum in countering honour based violence like honour killings. Existing legislations do not cover all the illegal actions perpetrated in the name of honour nor prescribe adequate punishment. Legislative amendments²⁰ were proposed by the Government in Section 300 of the Indian Penal Code (IPC)

¹⁴ Sujit Kumar and Ors. v. State of U.P. and Ors. MANU/UP/0346/2002; Lata v. State of UP, MANU/SC/2960/2006

¹⁵ Pradeep Kumar v State of Haryana, (2008) 3 RCR (Cri) 376

¹⁶ Shiv Kumar Gupta alias Raju vs. State of UP and Others, MANU/UP/1445/1999

¹⁷ Payal Sharma alias Kamla Sharma vs. Superintendent, Nari Niketan, Agra, AIR 2001 All 254;

¹⁸ In Re: Indian Woman says gang-raped on orders of Village Court published in Business and Financial News, AIR 2014 SC 2816

¹⁹ Miss M.S. Annaporani v State of UP, 1993 Ci LJ 487

²⁰ Indian Penal Code and Certain other Laws (Amendment) Bill 2010

which defines “murder”, introducing in it honour killing. As per the proposed amendment all members of a group or caste panchayat which had ordered the honour killing shall be deemed guilty with the onus being placed on the accused to prove his innocence. The National Commission for Women proposed that instead of amending a section of the IPC a separate legislation needs to be enacted and accordingly it proposed the Prevention of Crimes in the Name of ‘Honour’ and Tradition Bill, 2010.²¹ The Bill makes actions taken to prevent persons from choosing their own partners for marriage as an offence. It also proposes amendment of the Special Marriage Act (SMA) to provide for the removal of the 30 day waiting period for registration of marriages.

The Law Commission in its 242 report (August 2012) titled ‘Prevention of Interference with the Freedom of Matrimonial Alliances (in the name of Honour and Tradition): A Suggested Legal Framework’²², has suggested enactment of a separate Bill i.e. the Prohibition of Unlawful Assembly (Interference with the Freedom of Matrimonial Alliances) Bill 2011 (Bill 2011) to deal with issues related to honour killings. The legislation has been proposed to prevent acts endangering the liberty of the couple married or intending to marry and their family members. The proposed legislation aims at providing a threshold bar against the congregation or assembly for the purpose of disapproving such marriage/intended marriage and the conduct of the young couple by providing that the members gathering for such purpose, i.e., for condemning the marriage with a view to take necessary consequential action, are to be treated as members of an unlawful assembly. Being a member of such an unlawful assembly is an offence for which a mandatory minimum punishment has been prescribed. The acts of endangerment of liberty including social boycott, harassment, etc. of the couple or their family members are treated as offences punishable with mandatory minimum sentence. The acts of criminal intimidation by members of unlawful assembly or others acting at their instance or otherwise are also made punishable with mandatory minimum sentence. Power to prohibit the unlawful assemblies and to take preventive measures are conferred on the Sub-Divisional/District Magistrate. The

²¹ Accessible at http://www.ncw.nic.in/PDFFiles/Bill_against_honour_killing_crimes.pdf.

²² Accessible at <http://lawcommissionofindia.nic.in/reports/report242.pdf>

offences are cognizable, non-bailable and non-compoundable. Shifting of onus on the accused in case of unlawful assemblies would be necessary because getting eyewitnesses for such incidents is difficult.

Legislative response would be more effective if the law ensures procedural safeguards to protect the interest of the female victim and circumstances that compel her to make false statements before the police and the court. Since the cause of honour based violence is the patriarchal value system, a societal change is required through awareness and education. Also the role of informal traditional dispute resolution forums like panchayats needs to be redefined.

There is a need for courts to express zero tolerance towards incidents of honour based violence. Besides this it is also essential for courts to expose the link between violence with discrimination. Observations supporting the patriarchal mind set where expressed by subordinate courts needs to be checked by higher courts. Judges have to learn the language of equality and impartiality. It is essential that the court when analysing gender issues is sensitive about the fact that though women and girls comprise more than half the population, they remain disadvantaged in many areas of life; stereotypes and assumptions about women's lives can unfairly impede them and might frequently undermine equality; care must be taken to ensure that the judge's experiences and aspirations as women or of other women, are not taken as representative of the experiences of all women; factors such as ethnicity, social class, disability status and age affect women's experience and the types of disadvantage to which they might be subject; women may have particular difficulties participating in the justice system, for example, because of child care issues; and women's experiences as victims, witnesses and offenders are in many respects different to those of men.²³

The courts needs to be cautious, as judicial pronouncements which are gender biased may be used as a standard by the police and prosecutors in making decisions how they should investigate and prosecute cases. Women's rights need to be protected as human rights. Caught between her ambitions to choose a life

²³ In Re: Suo Motu Cognizance, 206(2014)DLT325

partner and the pull of the patriarchal society, the women is torn apart between her personal ambition and the patriarchal society. So placed, she has to be treated with sympathy and care by the justice delivery system. Courts have to guard against sermonizing how girls conduct themselves in society as when doing so they may land up reiterating patriarchal norm of women being repositories of honour. The judiciary, executive and the legislature need to be conscious about the gendered nature of honour based violence in order to enable them to take a more holistic approach to deal with this evil to be able to rid society of the same.

Women Negotiating Spaces : The Stark Reality of a Widow's Right to Property

*“Why can't a woman take charge of her destiny ?
Why does she have to wait alone by the road side,
Head bent, eyes forlorn, waiting for a miracle in the morrow ?”*

Rabindranath Tagore

Whilst these poetic lines are true of any woman across borders, it is more true of widows, perhaps across borders, but certainly young Indian widows.

The Constitution of India, a great departure from the ancient, uncodified Hindu Law, would usher in an era for an egalitarian bluestocking; the social scenario may not conform to such pristine perfect position.

The admirable cases of Jhansi ki Rani (the widowed Queen of the Kingdom of Jhansi), Ahilyabai Holkar (a widowed social reformist), Ramabai Gokhale, (the child wife of Justice Gokhale and later a social reformist) and more recently Mrs. Indira Gandhi (the world renowned Prime Minister of India) are not representative of the masses and though they lend courage, support and guidance as examples are but a few.

The rights of a married woman, under the Hindu Women's Right to Property Act, 1937 in India (much like the married women's Right to Property Act, 1882 in England) are well articulated. These would enure for her benefit even after her marriage ceased with the death of her husband.

Section 3 of the Act entitled her to the same share which her husband had in the joint (co-parcenary) property of the Joint Hindu Family. Though she would not be entitled to her separate share and to alienate it, she would be entitled to residence therein and maintenance therefrom and also a share upon partition demanded by the other family members. This right came to be more deeply entrenched under Section 14 of the Hindu Succession

* Judge, Bombay High Court

Act, 1956 by which the Hindu women's Right to Property Act, 1937 came to be repealed. She would have an absolute right in the property of which she came to be in possession by any mode including the property given to her in lieu of her maintenance. The life interest created under the earlier Act culminated in an absolute right to property capable of transfer inter vivos or transmission by succession, testamentary or intestate. Any property possessed by a female Hindu is taken to be her absolute property held by her as full owner under Section 14 of the Hindu Succession Act, 1956. Life interest or an interest of a limited owner is, therefore, abolished in respect of such property. Such property may be acquired by inheritance, device, upon a partition, in lieu of maintenance, by gift, purchase or prescription or in any other manner except property acquired under the will, gift, any other instrument or decree of a Civil Court or an award of an Arbitrator where the terms of those documents specify a restricted estate. Therefore, at least one property in possession of a widow would be her absolute property for an absolute entitlement. In several cases she would be deprived of such properties also except upon intervention of the Court.

All privileges of a woman as a wife that she stands for and enjoys during her marriage comes crashing down with the premature, untimely death of her husband. The marriage, a sacrament under Hindu Law, is "unto death" It travels no further. The law is a world apart from society. Her family would not take her misfortune of her widowhood kindly. It considers her unlucky, unfortunate and an outsider.

Where there is room in the heart there is always room in the home.

There is no room for her in the hearts of her in-laws. So there is no room for her in her own matrimonial home. She is pushed out of the home, deprived of the property of her husband which is lawfully hers and some times even of her own children.

Sometimes she fights back. Often she surrenders, accepts and resigns herself. She carves out her own niche depending upon circumstances; more often her only consideration is her children. She would give up her claim to residence or her husband's property in exchange for other benefit - peace. She would settle

for some amount of maintenance alone. She would sacrifice her own career and pleasures to live with dignity.

The virtue jurisprudence in the field of social justice must ensure for her a level playing field. It calls for power balancing. It requires innovative, purposive interpretation of the legislations governing her right to maintenance, her right to property, her right to guardianship and custody of her children.

It is in this scenario that various cases come up before the Courts. They are like snowflakes. They represent varied perceptions of people to accept situations or effect changes in life. Several situations which I came upon as a lawyer and later as a Judge would be as much self explanatory as evocative of debate and questions.

1. I was an activist Lawyer. I represented social causes. I was a feminist and fought to give lesser women courage and confidence to prosecute their case. I applied the law. The law was in their favour. It was only that they did not know of it. It was the medium of social change. It was the machinery for better lives. I was enthusiastic to apply it to all circumstances that demanded it.

- One of my clients was a young Hindu widow. She wanted a share of her husband's property.
- Under the Hindu Succession Act the wife, the children and the mother of the deceased male Hindu would share equally. It is an equitable, noble law. It regards both the wife and the mother equally. It forsakes neither. In reality the widow is at the receiving end. So was my client. I wanted to get for her an equal share with her mother-in-law and, of course, her children.
- She lived in a well-to-do joint Hindu family. Her husband carried on the family business established by his father with his brothers. He suddenly expired. The brothers continued the business. The parents continued living as before. She, of course, was allowed to continue to live in her matrimonial home. She had two school going children. They were loved by the family.
- My attorneys and I explained to her in the conference that we would require to sue for administration of the

estate of her deceased husband. We would require to mention the value and describe all his properties in a schedule to the plaint. She knew about some of the properties. She had vague notions about some. She had no idea about several others. We told her to get particulars of the movable as well as immovable properties. The attorneys would apply for search of immovable properties and correspond with financial institutions with regard to her husband's movable properties consisting of his investments in shares, FDRs, banks and other financial institutions.

- It was a mammoth task. It would take days, even months, to collect. She would require to ascertain the estate from the postal correspondence received in her home. The attorneys would have to file an administration suit.

She met us for another conference after about fortnight. She was a changed woman. She had weighed her options. She had considered the pros and cons. Instead of giving us the particulars that we had asked for, she told us to stop everything.

She was not going to sue. She would not claim her share. She realized that she would need to sneak into the management of the business and the affairs of the husband which she was not accustomed to and which had not been revealed to her. But she was maintained by the family as joint family along with her children. This would be in compliance of the law relating maintenance and residence of women in the joint family property. A widow would be entitled to be maintained by her father-in-law having the means to maintain her unless she can be maintained out of the estate of her husband or son or daughter or their estate until her remarriage under Section 19 of the Hindu Adoptions & Maintenance Act, 1956 (HAMA). She knew that if she were to sue she would have to give notice to her in-laws in the same hearth and home. She would have to serve the summons where she herself lived. She would not be able to live thereafter in the same home. She would have to leave the home with her children. She had nowhere to go. Her own parental home was not as much welcoming. Her brother had his own agenda and his own family. She would be a fugitive in that home. She had no means to

purchase her own home as she had no livelihood from any separate earning. She realized that her children were well cared for. They would inherit the family business. They would be well educated. That is the beauty of a Hindu joint family. The beauty can be shared only by the one who is prepared to share her own with the family. She realized that her children would not get the same maintenance and education elsewhere. She decided to sacrifice her share so that her children can get theirs smoothly.

She taught me a great lesson. She taught me not to be a one sided activist, but to wisely consider options, to understand that a share and the money is not all, that tranquility would prevail where sacrifices are made.

She had negotiated her space with wisdom and sagacity.

The making of a woman involves various facets:

The joy of a daughter

The care of a sister

The warmth of a friend

The passion of a lover

The dedication of a wife

The sacrifice of a mother

The blessings of a grandmother

2. I was a Judge in the Family Court. A grandfather of a Hindu child had filed a petition claiming guardianship rights in respect of his grandson. As an interim relief he claimed for custody and access to the child on certain days.

Under Section 6 of the Hindu Minority and Guardianship Act, 1956 the father, and after him, the mother is the guardian of the child. The Supreme Court of India has interpreted this section which is apparently gender discriminatory to hold that the expression “after him” would mean “in his absence” Since there are only two parents of a child one of them would statutorily be the guardian after whom the other would be. Either way it would be partial to one gender. The Supreme Court’s judgment, therefore, implied that the moment a father is absent the mother automatically takes over as the child’s guardian. This would not render the section gender discriminatory and accordingly constitutionally invalid, which validity was otherwise challenged

in the case of **Githa Hariharan Vs. Reserve Bank of India AIR 1999 SCC 1149; 1999(2)SCC 228.**

In my case, the father of the child had suddenly expired. The mother of the child, presumably ill-treated, had left the matrimonial home to reside at her parental home with the child. After having left the matrimonial home, she sued for a share in the property of her husband. She claimed 2/3 of the property for herself and her son, the other third share having gone to her mother-in-law.

To get even, the father-in-law sued to be appointed guardian. He claimed that the mother was not a fit and proper person to be appointed guardian. The child was used to the luxuries of his home. He was prepared to share his properties and home with the child. It did not include the mother. He claimed that the mother in her parental home was not earning sufficiently to maintain the child in the same standard he was accustomed to earlier.

What he failed to consider was that the mother was entitled to be maintained from the estate of her husband after the death of her husband. She was entitled to be maintained as the widow of his predeceased son by himself under Section 19 of the Hindu Adoptions and Maintenance Act, 1956. The child was also liable to be maintained. A child had a share in the joint family income from the joint family property aside from a third share in the separate estate of his deceased father. All these were denied to the mother and the son. The petition completely lacked bonafides. It was a counterblast to the petition of the widow for claiming her share in the estate of her deceased husband.

The grandfather argued that it was in the welfare of the child to know his own roots, that it would be enriching for the child to share days with his grandparents and to be privy to their love and affection. All that was fine if the child's statutory rights were first accepted, respected and honored. It cannot be claimed if the child was disallowed the share in the joint family property or in his father's separate estate.

Since the grandfather is not a guardian under the statute during the life time of the mother and there was nothing amiss

with the mother, the main relief in the petition would have to be rejected. The interim reliefs would, therefore, be of no consequence. Rather than only reject the petition, I directed the parties to settle the administration suit filed by the wife to claim 2/3rd share in the estate of her husband before any interim relief could be granted in the guardianship petition. Adjudication and mediation must hence account for the widow's special needs in such social context.

The parties settled both the suits. The child got the share in his father's property and a share in his grandfather's affection. The mother got her share in the property with the implicit understanding to uphold and honor the family culture in the interest of her child.

Each of the parties had negotiated his/her space. It was a win-win situation.

A successful woman is the one who can lay a firm foundation with the bricks others have thrown at her.

3. When I presided over the Probate Division of the High Court a widow sued her mother-in-law and her daughter who lived together in the residential property owned by her deceased husband. She applied for administration of the estate of her deceased husband. In the schedule to the petition for Letters of Administration she showed, inter alia, the husband's residential flat, the husband's share in the joint family property and other movable estate consisting of his bank accounts and investments.

The petition was contested by her mother-in-law and daughter. They strenuously objected to Letters of Administration being issued to the widow on the ground that she was not a fit and proper person. That was because she had withdrawn all death dues of her husband in his employment as his nominee and not shared it with the daughter and mother-in-law who were entitled to an equal share. It was also shown that she appropriated to herself the pension which she received on her own account as also on account of her daughter.

This was true. Why it was true was to be understood.

The parties led evidence of the fitness to be appointed executor. The evidence of the daughter assumed tremendous

importance. She was a 19 year old College student. She made allegations against her mother. Her evidence showed certain admitted fact situations in the family. It showed that the mother was wholly excluded from the residential flat of the husband after his death. It implicitly demonstrated how she was left bereft of not only her home, but also her daughter.

The husband had lived with his parents, wife and child. He had moved into his separate home some years before his death. He moved with his wife and child. That was his nuclear family. His parents were visiting his home. He lived with his wife and child. He suddenly expired. The parents shifted into his home. The child remained in his home. The widow was no longer in that home. She lived in her parental home. The child was six years old when he expired. She was in about Grade I in the school. The husband had nominated his wife to receive his retirement-cum-death dues. The nomination was not changed. That is how the wife was given the employment dues.

The daughter deposed that her mother never cared for her. Her grandparents brought her up. The mother deposed that she was never allowed to go to her matrimonial home immediately after the death of her husband. She was forced to go to her parental home. She continued to live there. The daughter was naturally brought up where she had lived. The grandparents had moved into that home. They had a separate home which was kept locked. Whereas the daughter claimed that her mother had left her father soon after the marriage, the mother deposed that she was forced to leave and not allowed to enter upon her home after her husband's death.

It is in these circumstances that the inside story had to be ascertained and understood with empathy and sensitivity.

There was an allegation that the mother had left the matrimonial home and gone to her parental home leaving the husband and child behind soon after the marriage. The daughter deposed that she had never cared for her. She was six years old when the father expired. She was a child of tender years and faint memory. She was of an impressionable age and a mouldable character. She was told what she deposed. She believed what she was told. What she was told was not the truth.

Had the mother left the husband and the child soon after the child's birth so that her grandparents cared for her from her infancy, the husband would never have separated from his parents to take up another residence where he admittedly lived with his wife and child. He would have had no nuclear home. The fact that the husband took a separate residence after his marriage showed that his marriage was happy and the parents lived with their child.

Had the marriage been unhappy for as long as about six years, the husband would have changed his nomination in his employment records. His nomination continued. The wife continued to be his nominee. That is how she got his death dues.

The deposition of the wife that she was not allowed to come to her matrimonial home after the husband's funeral stood to reason. It is axiom in Indian society. That is how widows are excluded from the estate of their husbands. Her parents-in-laws admittedly had another residential flat yet they were shown to reside in the husband's flat. That itself showed the transfer of their residence after his death. If the widow is not allowed into her matrimonial home, a child of six years would not be informed of such ouster. The child was, therefore, misinformed of such ouster. The child was, therefore, misinformed that her mother left the matrimonial home and never returned. There was no reason for her do so. The child believed the untruth. The child was, of course, loved by her grandparents. The child was appropriated by the grandparents. Her mother was not only evicted from the house, but separated from the child.

The mother knew that the child would be well cared for. Indeed she was. At the time of the evidence she was going to College. The mother allowed her child to avail of the easy economic circumstances in which she would be reared. The mother may not have had facility to give the child the same comforts in her parental home. She was only a homemaker, perhaps not even well educated to be having career to support herself and her child. There was no evidence on that score. It needs some depth and visualization of the social position of a woman of the kind that she was. She would be in a fragile situation when her young husband expired. She cannot prevent the entry of her parents-in-law in her home. She cannot take charge and control of her life at such a sudden

misfortune. She is very likely to be thrown out of her home as was her case. She had nowhere except her parental home to go to. She may not be able to strike back. She knew that her daughter was not alone. She chose not to complain or claim her custody. Such is the sacrifice of a young, helpless mother left bereft of her husband and her only child. The case of her having abandoned her child was incredible. The impressions on the child that her mother abandoned her, however, remained. She had forsaken her mother. She was always given to understand that her mother abandoned her. The child was too young to see and understand the situation. The mother left her where she was – uninterrupted, undisturbed and unobstructed to be later rejected as uncaring. The social situation requires an excluded widow to be forever an outsider in her own parental home. Her brother may need space, he may get married and have his family. She would have to make do. She adjusted in the home of her brother alone; she accepted the situation. She sacrificed so that her child could prosper. Her child did not realize the mother's sacrifice as she was misinformed by her grandparents.

It was seen that whilst the mother-in-law and the daughter appropriated all the properties, movable and immovable, of the deceased son and father, the wife appropriated only his death dues. It was a small portion of the estate she was entitled to equally with her daughter and her mother-in-law.

She was not an unfit person to be granted Letters of Administration of the estate of her deceased husband. The amount appropriated by her could be accounted for from her share in the other estate of the deceased.

The Court endeavored to enable the mother and daughter to meet and talk which had not been done for more than a decade. The Court granted Letters of Administration. **(Kalpana Dilip Dave Vs. Pramila @ Pista Chhaganlal Dave 2013(2) Mh. L.J. 448)**

The widow had negotiated her space to the extent possible; she had sacrificed her daughter.

The Court must:

*hear those who cannot shout
listen to those who cannot speak.*

4. A widow claimed a share in the joint family agricultural lands and her right to be maintained from its income. Her mother-in-law and sister-in-law, both widows themselves, denied her share as well as her marriage. The revenue records maintained by the Statutory Revenue Authorities under the Maharashtra Land Revenue Code (MLRC) showed her name as a member of her husband's family. This was held to be the best circumstantial evidence to prima facie prove her marriage, (though not evidenced by a marriage certificate) and consequently her right to be maintained out of her husband's property and the joint family properties. A reasonable maintenance pending the trial was allowed.

The family is more than just the last name.

Female Foeticide - A Menace in Society

I will start by quoting a shloka from Shrimad Bhagavad Gita, which throws light on all types of species born in this world.

सर्वयोनिषु कौन्तेय मूर्तयः सम्भवन्ति याः ।
तासां ब्रम्हा महद्योनिरहं बीजप्रदः पिता ॥

हे अर्जुन । नाना प्रकार की सब योनियों में जितनी मूर्तियाँ अर्थात् शरीरधारी प्राणी उत्पन्न होते हैं, प्रकृति तो उन सबकी गर्भधारण करनेवाली माता है और मैं बीज को स्थापन करनेवाला पिता हूँ ॥ 4॥

Shrimad Bhagavad Gita Chapter XIV Shloka - 4.

Lord Krishna said to Arjuna that “**He is the father of all types of species that are born in this world**”. It is sad to note that we are living in a society which is bent upon eliminating the girl child who is the creation of the Lord Himself.

While going through history, we find that status of women was never so bad at any time. Women held very important position in ancient Indian society. The identity of a son was known through his mother like Kunti Putra Arjuna, Anjani Putra Hanuman, YashodaKe Krishna and much more. Such was the importance of women in the society that they used to choose their husbands through Swayamvars.

However as the time passed, the position of women underwent change in all spheres of life. Women came to be regarded as a commodity. In 15th century, during Bhakti movement which was also the period of social reformation, many great souls broke the shackles of women. Guru Nanak advocated admission of women into sangat without any restrictions or reservations. Dasam Guru, Guru Gobind Singh Ji, opened Khalsa initiation ceremony to men and women alike. At the time of Amrit, a man is given the name Singh-meaning lion, the woman is given the name Kaur- meaning Princess.

I am reminded of Bibi Nanki and Mata Gujri, who was responsible for the training of the Sahibjadas, four sons of Guru Gobind Singh. Mai Bhago was the brave woman who shamed 40 deserters to return to the battle of Mukhtasar. Mata Sahib Kaur was

* Judge, Punjab & Haryana High Court, Chandigarh

declared by Guru Gobind Singh as spiritual mother of the Khalsa. Have we ever thought that existence of Guru Gobind Singh would not have been possible without Mata Gujri. Maharaja Ranjit Singh would not have seen the world, if Maha Singh had buried Raj Kaur.

At the start of any function, we recite Saraswati Vandana invoking blessings of Goddess Saraswati. We worship Laxmi, Durga and celebrate Ashtami. On Ashtami, we invite little girls at home and treat them as the goddesses. These little girls are called “Kanjak Devis”. The ceremonies include washing their feet, worshipping them and offering them food and gifts. If these little girls are worshipped on Ashtami, then why are they killed in the womb? There is serious problem in our mind-set which considers the girl child as a burden on the family. The reason for discrimination against female child and strong preference for a male child is due to orthodox mind-set of the people like only son can perform last rites, lineage and that the son will look after parents in old age. Investing in a daughter is considered like “watering a neighbour’s lawn- an investment with no profit”.

Punjab had different reason also for doing away with new born girls. It goes back to the era of repeated evasion by Muslim invaders from northwest who used to kidnap girls for their own pleasure or for sale in middle east. Today one of the reason is demand of dowry. Earlier new born girls used to be buried, now they are killed in womb. Female foetus is selectively aborted after pre-natal sex determination, thus avoiding the birth of girl child. As a result of selective abortion, it is said between 35 and 40 million girls and women are missing from the Indian population. But position has changed now. The daughters have now become a major source of support to their parents. We come across number of cases in which parents have filed applications for maintenance against their sons. If you go to old-age homes, you will find old parents living there and their sons enjoying their lives with their families either in the same city or in a foreign country. The myth that the last rites of the father have to be performed by son has been shattered as the daughters are performing the last rites.

Everyone says that we have come a long way since our independence. We have made significant scientific and technological progress but still as a nation or a society, we cannot hold our head high and claim to be part of the civilized world if

we continue with an attitude of condoning the practice of discrimination against one half of the humanity represented by women. Swami Vivekanand said **“the best thermometer to the progress of a nation is its treatment to women”**.

Seeing statistics of skewed sex ratio on account of the well known reasons, I think that the entire progress is absolutely worthless. Women in politics, sports, literature and other arts continue to perform outstandingly. Yet, this pride is short lived and it dissipates into a kind of horror and despair with the knowledge that despite demonstration of brilliance by Indian women, our society fails to even secure their existence.

Various studies have shown that fewer women in society has led to increase in violence especially against women and it has strong sociological and psychological implications. In rural Punjab, where shortage of women is very prominent, they are often purchased from poorer regions or from lower castes for marriage. The custom of polyandry in Punjab probably grew out of shortage of girls.

Guru Nanak Devji often quoted saying **“we are born of women and nurtured by them, we fall in love with them and they bear us sons and daughters. How can we belittle women who give birth to kings?”** The unfortunate part is that this practice of sex selection is more prevalent in well off than lower segment of the society.

Even in Quran, killing the girl child is considered as one of the biggest sins. It is believed that when a girl is born, Allah comes down to the earth to bless the child and the family is bestowed with all His blessings.

Prophet in his holy book “Sayings of Prophet” clearly mentions that “Don’t kill your children for the fear of being poverty-stricken as I will provide for them as I provide for you.”

The modern medical technology has made it possible to know the minutest details of the foetus in the womb of the mother mainly with an aim to have an early diagnosis of the congenital malformations that can affect the survival or quality of life of the newborn child. The advancement in the medical science in terms of imaging modalities like ultra-sonography and the genetic studies have made a niche in the diagnosis of such abnormalities. Determination of the sex of a foetus while still inside the womb of the mother is a minor application of these sophisticated modalities

that is being misused by some medical men to determine the sex of the child and ultimately encouraging female foeticide. Determining the sex of a foetus is ethically and morally deprecable.

Some unscrupulous persons (I would not call them doctors as it is a profession which is meant to save life and not to be a party in taking life) have developed their own sex determination code language to circumvent law. For instance, if the doctor says you collect the report on Monday means “Male”, if on Friday-means “Female”. The ink which is used to sign report is also indicative of this. One advertisement was quoted as saying “spend few hundreds today to save lacs later”.

There is no dearth of laws in India to deal with the problem of female infanticide. The Indian Penal Code contains provisions under Sections 312 to 318, which deal with miscarriages and punishment for infanticide. The provisions of IPC are not giving desired results because of the rampant mis-use of the new diagnostic technologies. Therefore, to prevent the mis-use of pre-natal diagnostic techniques, which are meant for the purpose of detecting genetic or metabolic disorders or certain congenital malformation, but used for sex selection, in 1994, the Parliament enacted the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 with an aim to prevent female foeticide. The desired results having not achieved it was amended exhaustively in 2002 and named as The Pre-conception and pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 giving it more teeth.

No doubt with the amendment in the Act the provisions have been made more stringent providing for search and seizure and severe punishment but the most important provision in my opinion in the Act is Section 16(iii) whereby one of the vital function assigned to the Central Supervisory Board, constituted under the Act, is to create public awareness against the practice of pre-conception sex selection and pre-natal determination of sex of the foetus leading to female foeticide.

Though the Legislature has enacted the Act to take care of a special situation, but the persons who are to implement the Act have not been educated on its technical aspects. This is not the case in isolation, rather wherever a specialized law has been enacted to tackle growing needs of society, there is lack of training to the prosecuting agency. As a result, lot of prosecutions fail

merely on technical grounds. There is need to educate the persons manning the investigating/ prosecuting agencies on the finer aspects of the Act.

In a petition filed by Voluntary Health Association of Punjab reported as Voluntary Health Association of Punjab vs Union of India and others (2013) 4 SCC 1, on the issue concerning female foeticide, considering various aspects and the data produced before Hon'ble the Supreme Court, it was noticed that there had been no effective supervision or follow up action to achieve the objects and purposes of the Act. The functioning of ultra-sonography centres, genetic clinics, etc. is not being properly monitored. Comprehensive directions were given. Emphasis was given on educating the people of the necessity of implementing the provisions of the Act. The directions as given by Hon'ble the Supreme Court are extracted below:-

- “9. In such circumstances, the following directions are given:
- 9.1. The Central Supervisory Board and the State and Union Territories Supervisory Boards, constituted under Sections 7 and 16A of PN&PNDT Act, (SIC) would meet at least once in six months, so as to supervise and oversee how effective is the implementation of the PN&PNDT Act, (SIC).
 - 9.2. The State Advisory Committees and District Advisory Committees should gather information relating to the breach of the provisions of the PN&PNDT Act, (SIC) and the Rules and take steps to seize records, seal machines and institute legal proceedings, if they notice violation of the provisions of the PN&PNDT Act, (SIC).
 - 9.3. The Committees mentioned above should report the details of the charges framed and the conviction of the persons who have committed the offence, to the State Medical Councils for proper action, including suspension of the registration of the unit and cancellation of licence to practice.
 - 9.4. The authorities should ensure also that all genetic counselling centres, genetic laboratories and genetic clinics, infertility clinics, scan centres etc. using preconception and pre-natal diagnostic techniques and procedures should maintain all records and all forms, required to be maintained under the Act and the Rules and the duplicate copies of the same be sent to the District Authorities concerned, in accordance with Rule 9(8) of the Rules.

- 9.5. States and District Advisory Boards should ensure that all manufacturers and sellers of ultra-sonography machines do not sell any machine to any unregistered centre, as provided under Rule 3-A and disclose, on a quarterly basis, to the State/Union Territory and Central Government, a list of persons to whom the machines have been sold, in accordance with Rule 3-A(2) of the Act.
- 9.6. There will be a direction to all genetic counselling centres, genetic laboratories, clinics etc. to maintain Forms A, E, H and other statutory Forms provided under the Rules and if these forms are not properly maintained, appropriate action should be taken by the authorities concerned.
- 9.7. Steps should also be taken by the State Government and the authorities under the Act for mapping of all registered and unregistered ultra-sonography clinics, in three months' time.
- 9.8. Steps should be taken by the State Governments and the Union Territories to educate the people of the necessity of implementing the provisions of the Act by conducting workshops as well as awareness camps at the State and district levels.
- 9.9. Special cell be constituted by the State Governments and the Union Territories to monitor the progress of various cases pending in the courts under the Act and take steps for their early disposal.
- 9.10. The authorities concerned should take steps to seize the machines which have been used illegally and contrary to the provisions of the Act and the Rules thereunder and the seized machines can also be confiscated under the provisions of the Code of Criminal Procedure and be sold, in accordance with law.
- 9.11. The various Courts in this country should take steps to dispose of all pending cases under the Act, within a period of six months. Communicate this order to the Registrars of various High Courts, who will take appropriate follow up action with due intimation to the courts concerned."

As was even felt by Hon'ble the Supreme Court that framing of law has not achieved the object, the mind-set of the people needs to be changed. We have to educate the masses. India lives in villages. By Constitutional amendment carried out in the

year 1992 institutions of local self governance at the grass root level such as Panchayats and Municipalities, have been empowered. The object is not to confer powers on them but there are corresponding duties as well. The persons manning these institutions, especially the women, who have been provided reservation, should be sensitized to educate the people about this menace and also help in checking the same. If powers have been conferred on them, they should be made responsible to check this evil in their respective areas.

The NGO's are required to be involved in this war against mis-use of pre-conception and pre-natal diagnostic technology. We should involve State Legal Services Authorities and hold seminars and programs in schools and colleges to educate the coming generation about its ill effects. It should rather become a peoples' movement to save the girl child.

It is an old saying that one bad fish can spoil the entire pond. Even in medical profession as well very few persons are indulging in this immoral and unethical activity merely for monetary gains. Their names are not secret. They are well known to the persons in profession or to the public. We should not feel unconcerned rather we should help the State to bring those unscrupulous persons to justice. It is the duty of all whether a public man, a neighbour, a doctor or any one else to help eradicate this menace from the society. If all of us start feeling our responsibility and consider this to be our legal and moral duty I have no reason to doubt that we will be successful in our mission within no time. Time is not to shift blame on others by shirking our responsibility. Rather we all should get together and join hands to overcome this menace.

I will quote what is said in Rig Veda : **“Give us power not to become insensitive and silent spectator to social and moral evils and bestow us necessary wrath to fight these evils”.**

Napolean said, **“The world suffers a lot not because of violence by bad people but because of silence of good people.”**

While burying our insensitivity and breaking our silence, we all have to wake up and treat this as a mission leaving the attitude of 'I don't care'.

Gender Justice and Gender Sensitivity

1. If we peep into our rich ancient Indian culture, we find that since Vedic times, women in our country are considered as the symbol of the Divine Conscious Force-Prikriti-Maya-Shakti, that pervades all over the existence.

2. Swami Vivekanand on “womanhood” had said that “in India, the Mother is the center of the family and our highest ideal. She is the representative of the God, as the God is the mother of Universe.”

3. Shri Aurobindo in his famous poem “Savitri” has described the “Mother of Might” as under:-

“I am Durga, goddess of the proud and strong,
And Laksmi, queen of the fair and fortunate;
I wear the face of Kali when I kill,
I trample the corpses of the demon hordes.
I am charged by God to do his mighty work,
Uncaring I serve his will who sent me forth,
Reckless of peril and earthly consequence.
I reason not of virtue and of sin
But do the deed he has put into my heart.
I fear not for the angry frown of Heaven,
I finch not from the red assault of Hell;
I crush the opposition of the gods,
Tread down a million goblin obstacles.
I guide man to the path of the Divine”

4. So, how the Mother of might that creates, conserves and destroys the Universe-the Existence, could be imagined to be powerless or helpless? Our scriptures say that the women in India had a lion’s share in the spiritual progress of the country. We had several enlightened women sages and seers like Maitreyi and Gargi who were the spiritual collaborators of the great seers. They had shown the world that self-knowledge and awareness alone is the empowerment. “Gargi” was an enlightened daughter of a

* Judge, Rajasthan High Court

sage called Vachaknu. At the age of 16 she had gone to attend one Dharmasabha in the Darbar of the king Janak without wearing the cloths. All the sages and seers were stunned and got angry at her. At that time she said, “ Oh Gurudev, I thought I had come in the congregation of learned spiritual scholars, I never knew it was the congregation of Cobblers who could not see me beyond my chamada-skin.” She then defeated the scholars on the subjects of Atman and parmatman. She was called Bhrahmavadini, the only woman sage permitted to attend the Dharmasabha of king Janak. We had illustrious women like Sita, Savitri, Damyanti and a host of others, who were the very personification of Holiness, Purity, Chastity and Divine Force, and had descended down on the Earth to adorn our land and show to the world what women could do. In medieval age also we had galaxy of great women saint poet like Meera (devotee of Lord Krishna) in Rajasthan, Mahadevi Akka (devotee of Lord Shiva) in Karnataka and Andal (devotee of Lord Vishnu) in Tamilnadu who described their unconditional love to their Lords and showed to the world as to how Moksh could be achieved through total devotion- Bhakti marg. Even during the Independence movement under the leadership of Gandhiji, the women never lagged behind. The contribution of female fighters like Bhikhaji Cama, Dr. Anne Besant, Vijaya Lakshmi Pandit, Kasturba Gandhi, Sarojini Naidu, Vimala Thakkar was no less than any male freedom fighters.

5. The above illustrations show how our women in the past had empowered themselves by following the Marga of Gyan, Bhakti and Karma! The story of Amrita Devi, who sacrificed herself to stop deforestation is also well known. Hundreds of persons belonging to the Bishnoi community led by Amrita Devi, had sacrificed their lives to save the green trees ? It had happened in the 18th century and in the village ‘Khejarli’ of Jodhpur Dist., Rajasthan, which was then known as “Chipko movement”.

6. One wonders as to how such a powerful phenomenon in our country has become so weak? How such a rich culture of India, which worshipped women as shakti- Goddess has suddenly become so bankrupt and insolvent that everyday we hear about the widespread crimes against women and violations of the rights

of women? A great deal of introspection is required to find out as to what are the factors responsible for the sudden fall in the status of women in our country?

7. The world we live today is full of contradictions, and India is no exception. As such India can be said to be one of the progressive nations, in as much as the women in India have marveled in every field. We have had the lady Prime Minister, President and Speaker in India. But we cannot be oblivious to the fact that the conditions of women in certain parts of India are still horrifying. The achievements and successes of women are found in the elite class only. The women in rural India still live in a very pathetic condition. They are being treated as a chattel, a commodity which could be sold and purchased, used and misused. Unfortunately, the percentage of girls education is very low, the percentage of female feticide is very high and the crime rate against women is increasing day by day. The most horrifying and disturbing fact is that in certain backward areas of the States like Jharkhand, Bihar and Orissa, the women are still being tortured under the guise of witch hunting. Till recent past, women in some parts of Rajasthan were being burnt alive after the death of their husbands under the pretext that they would be revered as Goddesses. Women are still being tortured under the guise of black magic influence.

8. Though plethora of legislations like Anti-witch Hunting Act, Sati (Prevention) Act, Dowry Prohibition Act, PC and PNDT Act, Protection of Women from Domestic Violence Act, Immoral Traffic (prevention) Act , and other Penal Acts are in force, it is a matter of great shame that women are still subjected to heinous crimes. Most of these statutes have remained on paper only, because of inadequate enforcement machinery and also because of lack of will on the part of the society to implement such laws. Though special provisions are made for women in Part III and other parts of the Constitution for the upliftment and welfare of the women and though the Indian judiciary has shown requisite sensitivity towards the gender justice by delivering very progressive and landmark decisions, the stereotype patriarchal mindsets, structural inequalities and power imbalances have continued to make women susceptible to exploitation and violence.

9. This is the area, where the Legal Services Authorities could play a vital role of Catalyst to change the mindsets of people. The L.S.A. Act 1987 has been enacted with the laudable object of achieving the Constitutional goals of providing free and competent legal services to the weaker sections of the society and to ensure that the opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. The Authorities established under the Act, at the National, State, District and Taluka levels are providing services to the weaker sections of the society in an exemplary manner. Though NALSA has prepared action plans and schemes to be implemented at the District and Taluka levels, focussing the activities of legal services on women related issues, here are few suggestions:-

- Legal services cells for women may be opened at the educational institutions, at the hospitals, remand homes and jails making legal services available for 24 hrs, augmenting the electronic technology.
- Schemes relating to the empowerment of women may be framed by the NALSA, with the help and assistance of the National Human Rights Commission and the National Commission for women. The empowerment could be positive and preventive. Educating women and making them financially independent would be positive empowerment, while taking concrete steps to prevent women from being victims of crimes would be preventive empowerment.
- Legal literacy projects for educating young students about the medico legal cases with special focus on women related crimes, and educating them about the moral sciences may be directed to be conducted at the State and District levels on regular basis.
- The different sections of the society may be informed through awareness programmes about the historical and cultural background of India, as to how the women in India have lived for ages, showing their strength and courage.
- The important decisions of the Apex court and High courts on the rights of women, and the women welfare schemes and projects of the Govt. at Central level and State level,

may also be published periodically by special publications under the banner of Legal services.

10. It seems the need to educate the men about the rights of women and about their duties towards the women is more, than to educate the women about their rights. Let the men be educated that they are not the sole runners of the society. They cannot do anything without the contribution of the women. And let the women be informed that they must stop being just ornamental and an object of entertainment for men. Women must stop evaluating themselves standing in front of the mirror of the world, which itself is defective and full of stains. How a defective mirror could reflect the true picture? They must look within to discover their true image, and their real strength.

Vinobaji used to say, One would be free from outer domination only when one realizes one's own power and strength.

Gender Justice : Need for Removal of Subtle Nuances of Gender Inequality

Our Constitution, the basic and fundamental law of the land guarantees right to equality. In the Preamble itself, emphasis is laid on the concept of “Equality of Status” and “Equality of Opportunity”, with a promise of social, economic and political justice to all its citizens. Article 14 in Part III of the Constitution, which is considered to be the most sacrosanct Part, as it deals with Fundamental Rights, ensures to every person within the territory of India, be its citizen or otherwise, “equality before law” and “equal protection of law”. Article 15(1) prohibits discrimination on any ground including the ground of ‘sex’. At the same time, it adds a new dimension to the right to equality by providing in Clause (3) that the State is not precluded from making beneficial legislation for women and children. This provision is an extension of right to equality, which implies equal treatment to equals in similar circumstances; hence, when the circumstances are different, the situation would warrant different treatment. Considering the social history of past discrimination against women, the Constitution, in Article 15(3), affirmed that women require special provisions to bring them at par with men in our society. Article 16 of the Constitution further guarantees equality of opportunity in matters of employment, prohibiting any sort of discrimination on the ground of sex. In pursuance of these Fundamental Rights guaranteed in Part III of the Constitution, there are numerous legal provisions, Government policies and schemes, including the provision for reservation of seats for women in Village Panchayats and Municipalities, which specifically aim to promote the welfare of women.

Directive Principles of State Policy, enshrined in Part IV of the Constitution, which are guidelines to the Government for formulating the policies and the laws and lay down the larger goals to be achieved by the welfare state, again contain various beneficial provisions for women, such as, equal pay for equal work for both

* Judge, Bombay High Court

men and women, just and human conditions of work, maternity and other benefits, which are found reflected in various Labour Legislations and other Statutes. The Part IV-A on Fundamental Duties casts a duty in Article 51A(e) on every citizen of India to renounce the practices derogatory to women.

In pursuance of this Constitutional promise of right to equality and prohibition of discrimination against women on the ground of sex, we find several laws being enacted to bring women at par with men in their social status and to enable them to live life with dignity, which is again a fundamental right guaranteed under Article 21 of the Constitution. Our commitment to International Conventions and Treaties is also found reflected in Articles 51 and 253 of the Constitution. India has already ratified, in the year 1993 itself on 9th July, the Convention on the Elimination of All Forms of Discrimination Against Women, 1979, (CEDAW). This Convention not only lays down that the rights of women are human rights, which are non-negotiable and inalienable, but it further prohibits any discriminatory treatment to women. This Convention is found relied upon by the Supreme Court in its various pronouncements including the land mark decision in *Vishakha & Ors. Vs. State of Rajasthan & Ors.*¹. It is also relied upon by the Government while enacting the laws like Protection of Women from Domestic Violence Act, 2005, which in its 'Objects and Reasons' expressly refers to this Convention and India's commitment to it.

It is, however, noticed that despite our commitment to right of equality to women and despite the various changes and amendments made in laws from time to time towards achieving this end, there are certain nuances of subtle gender discrimination still found embedded in the existing legal provisions.

Inheritance and Succession Laws

An apparent example of such gender discrimination is found in the laws relating to inheritance and succession to property. Hindu Succession Act, 1956, which was a revolutionary legislation enacted with an object to achieve the equality between men and women in the matters of succession, for the first time conferred Right to Inheritance on women, both, in the self acquired

¹ AIR 1997 SC 3011

and joint family property of a male Hindu. Even then, as the daughters and wives were still not made co-parceners in the joint family property and as it was found that they could not get right to inherit property on equal basis with brothers and sons, to meet the demand of women organizations for equality in the said right, Hindu Succession Act, 1956 was amended in the year 2005 conferring status of co-parceners on daughters also. Section 23 of Hindu Succession Act, 1956 was also deleted, thereby giving daughters the right to claim partition in residential house. However, what is pertinent to note is that as the concept of joint family is retained in the Amendment Act of 2005 also, wife is still not made co-parcener in the joint family property.

The apparent discrimination against women is further found reflected in Sections 8 and 15 of the Hindu Succession Act, 1956. Under Section 8 of Hindu Succession Act, 1956² which deals with general rules of succession for devolution of the property of an intestate Hindu male, provides various classes of the legal heirs³. In Class I of legal heirs, there is no gender discrimination. However, it cannot be said in respect of Class II legal heirs, especially, as regards Items V, VII, VIII and IX. As per these items, father's father and father's mother in Item No.V take precedence over mother's father and mother's mother in Item No.VII. Similarly, father's brother and father's sister in Item No.VII takes precedence over mother's brother and mother's sister in Item No.IX. It, therefore,

² Section 8 of Hindu Succession Act, 1956 :

"8. General rules of succession in the case of males.-

The property of a male Hindu dying intestate shall devolve according to the provisions of this Chapter-

(a) firstly, upon the heirs, being the relatives specified in class I of the Schedule;
(b) secondly, if there is no heir of class I, then upon the heirs, being the relatives specified in class II of the Schedule;
(c) thirdly, if there is no heir of any of the two classes, then upon the agnates of the deceased; and
(d) lastly, if there is no agnate, then upon the cognates of the deceased."

³ Various Classes of the Legal Heirs as provided in Hindu Succession Act, 1956 :-

Hindu Succession Act, 1956

Schedule – Class II

I
II
III
IV
V	Father's father; father's mother
VI	Father's widow; brother's widow
VII	Father's brother; father's sister
VIII	Mother's father; mother's mother
IX	Mother's brother; mother's sister

speaks of gender discrimination, as relations of a male-father takes precedence over the relations of a female-mother. An attempt to justify this discrimination on the basis of “family ties” is not successful and these provisions are held as gender discriminatory and, therefore, unconstitutional and void, in the Judgment of *Mamta Dinesh Vakil & Anr. Vs. Bansilal S. Wadhwa & Anr.*⁴, by a Single Judge of Bombay High Court.

As regards Section 15 of Hindu Succession Act, 1956⁵, which deals with devolution of the property of a female Hindu dying intestate, Clause 1A provides that firstly property will devolve upon the sons and daughters including the children of any pre-deceased son or daughter and the husband. In their absence, as per Section 15(1)(b), upon the heirs of her husband and in their absence, as per Section 15(1)(c), upon the mother and father and in their absence, as per Section 15(1)(d), upon the heirs of her father and, lastly, as per Section 15(1)(e), upon the heirs of her mother. Section 15(2) makes further distinction by providing that “if any property is inherited by a female Hindu from her father or mother, it shall devolve, in the absence of any son or daughter, including the children of any pre-deceased son or daughter, upon the heirs of her father”, whereas, “any property inherited by her from her husband or father-in-law, it will devolve upon the heirs of her husband”. There cannot be anything objectionable or discriminatory so far as these two clauses of Section 15 are concerned, but the real discrimination is found in the lack of any

⁴ 2012 (6) Bom.C.R. 767

⁵ Section 15 of Hindu Succession Act, 1956 :

“15. General rules of succession in the case of female Hindus.-

(1) The property of a female Hindu dying intestate shall devolve according to the rules set out in section 16,-

- (a) firstly, upon the sons and daughters (including the children of any pre-deceased son or daughter) and the husband.
- (b) secondly, upon the heirs of the husband.
- (c) thirdly, upon the mother and father,
- (d) fourthly, upon the heirs of the father, and
- (e) lastly, upon the heirs of the mother.

(2) Notwithstanding anything contained in sub-section (1),-

- (a) any property inherited by a female Hindu from her father or mother shall devolve, in the absence of any son or daughter of the deceased (including the children of any pre-deceased son or daughter) not upon the other heirs referred to in sub-section (1) in the order specified therein, but upon the heirs of the father, and
- (b) any property inherited by a female Hindu from her husband or from her father-in-law shall devolve, in the absence of any son or daughter of the deceased (including the children of any pre-deceased son or daughter) not upon the other heirs referred to in sub-section (1) in the order specified therein, but upon the heirs of the husband.”

provision relating to devolution of her self acquired property. Section 15 is conspicuously silent about how her self acquired property is to be devolved in the absence of her husband and children; whether it is to be devolved on her husband and his legal heirs or on her parents and his legal heirs?

As a result, what has happened is, the said property is devolved as per Clause 1 of Section 15 of the Act, according to which, in the absence of her husband and children, it devolves on the legal heirs of her husband, like, her father-in-law, brother-in-law etc. and not upon her own legal heirs like her parents, brothers, sisters, who have, in the real sense, contributed to her education, to make her self reliant and enabling her to acquire her own property from her own income. Her own relatives will get share in her property only in the absence of her husband's legal heirs, whereas, as per Section 8, when a male Hindu dies, his self acquired property devolves on his legal heirs like parents, brothers, sisters and not on the legal heirs of his wife.

In *Omprakash Vs. Radhacharan*⁶, the facts were peculiar in the sense that Hindu female, who became widow within three months of her marriage, was driven out of her matrimonial home immediately after the death of her husband. Thereafter, she had never stayed in her matrimonial home. At her parental home, she was given education by her mother, she got an employment, she had various bank accounts, with a huge sum also in her Provident Fund. On her death, when her mother filed an application for grant of succession to the money left behind by her, her in-laws challenged the said application and, in view of the provisions of Section 15(1) and (2) of the Hindu Succession Act, 1956, it was held that *“as the law is silent with regard to the self acquired property of a woman, the succession to the same will have to be governed by sub-section (1) of Section 15 of the Hindu Succession Act and, therefore, though the facts of the case were hard, the Court has to reject the claim of succession to her property to her mother and allow the claim of her in-laws to take precedence”*.

In subsequent decision of *Mamta Dinesh Vakil & Anr. Vs. Bansi S. Wadhwa & Anr.*⁷, the learned Single Judge of Bombay High Court has held this section to be *“unreasonable as discriminatory*

⁶ 2009 (15) SCC 66

⁷ *Supra-4*

and, therefore, unconstitutional and ultra virus”, as apparently the discrimination is only on the ground of gender. It was held that,

“the female acquiring property by her own skill and exertion would deprive herself of allowing it to succeed to her own heirs, being her mother and father or their heirs, in preference to the heirs of the husband under Section 15(1)(b)”.

It was further held that,

“the years of toil and skill would, therefore, be watered down. Moreover, a Hindu female, who would otherwise hope to succeed to an estate of another Hindu female as an heir, would receive a set-back from the distant relatives of the husband of the deceased not even known to her or contemplated by her to be her competitors, except upon claiming precedence as Class II heirs under Section 8 or as preferential heirs under Section 15(1)(b) of Hindu Succession Act”. It was held that “such discrimination cannot stand the principle of equality, which is the basic feature of the Indian Constitution”.

The Constitutional validity of both these provisions, Sections 8 and 15, of Hindu Succession Act, 1956 since then appears to be pending before the Supreme Court. This provision, which discriminates women in respect of devolution of the estate of female Hindu dying intestate, without husband and children, therefore, appears to be an affront in the face of Constitutional promise of equality. The reason why no such provision as regards the devolution of self acquired property of a woman was made in Hindu Succession Act, when it was enacted in 1956, one can understand. It may be because, at that time, the concept of woman having her own self acquired property was remote. But then, even at the time of amendment of the Hindu Succession Act in 2005, one wonders, why it did not occur to the Legislators to make changes in this provision, though the Amendment Act, 2005 was brought on statute book with an avowed object of conferring equality on women in matters of inheritance. Still the Legislators failed to achieve the object of complete equality.

Under Muslim Personal Law too, in respect of the

inheritance to property, women do not get equal share with men. Both in Shia and Sunni Law, a woman is given one-half the share of man, as the male takes double the share of female. Thus, son will take double the share to the daughter in father's property. Under Hanafi Law also, whereas, widow, being a Quranic heir, gets one-eighth of the estate, a son takes remaining seven-eighth. Parsi Inheritance Law discriminates against women, who marry out of community. Non-parsi women, who are either a wife or widow of a Parsi, cannot inherit, but their children can inherit. Moreover, children of a Parsi woman born to her from a non-parsi husband are not considered Parsis. Thus, this provision discriminates against Parsi women, who marry out of the community.

Maintenance and Marital Property

The equal right of inheritance in property is far more important for women in order to make women financially independent so as to enable them to live life with dignity. However, in respect of women's rights to marital property also, the law, at present, does not stand on equal footing. As per the existing provision, on dissolution of marriage, each spouse gets the property standing in his/her name. In the present scenario, as all the properties and assets acquired during marriage, mostly stand in husband's name, on separation, wife has no assets like the land, house etc. to bank upon. Our marriage laws do not recognize a woman as an equal partner in marriage. Her efforts in building up, maintaining and managing the household and children, which enable the husband to acquire and earn property in his name, are not recognized in monetary terms, at the time of sharing of marital property on separation.

In the law relating to maintenance under Section 125 of the Code of Criminal Procedure also, the amount is given to her to satisfy her bare necessities and not recognizing that she has also equally contributed to the income of her husband. Till today, the maintenance amount is considered as a "dole" and not as her right, in lieu of the contribution made by her in matrimonial life.

Right of Guardianship

In the law relating to guardianship of minor children, mother is still not considered to be the 'first' natural guardian. In reality, it should be so, as mother carries the child in her womb

for nine months and thereafter also continues to nurse and to look after the child. As per Section 6(1)(a) of Hindu Minority and Guardianship Act, 1956⁸, “*first father and after him the mother*” is the natural guardian of the minor child. Even after progressive interpretation of Section 6(1)(a) of the Act in *Githa Hariharan V/s. Reserve Bank of India*⁹, which has interpreted the words “*after father*”, as “*in the absence of father*”, father still continues to be the first guardian of the child. Only in his absence, for whatever reasons may be, she can exercise the right of guardianship over her minor child. Therefore, as happened in the case of *Githa Hariharan*, even to get the amount invested by a mother in the name of her minor child, she could not apply independently, without proving absence of father, as she is not considered to be the guardian of the child in the presence of her husband.

Marriage Laws

There are similar such discriminatory provisions in the Prohibition of Child Marriage Act, 2006. It stipulates different minimum age of marriage for girls and boys. While for a girl, age of majority for the purpose of marriage is considered as 18 years; for boys, it is 21 years¹⁰. As stated by the Committee on the status of women under “CADAW”, “*such provisions assume incorrectly that women have a different rate of intellectual development from men or that their stage of physical and intellectual development at marriage is immaterial*”. Thus, the very assumption on which different age limits of majority are stipulated for marriage of boys and girls, speaks of the apparent discrimination.

This provision also results in further gender discrimination, as a girl can get the marriage annulled by declaring it as void, only till she attains the age of 20 years, whereas, a boy can do so till he attains the age of 23 years, in view of Section 3(3) of the

⁸ 6. Natural guardians of a Hindu minor.-

The natural guardians of a Hindu minor, in respect of the minor’s person as well as in respect of the minor’s property (excluding his or her undivided interest in joint family property), are -

(a) in the case of a boy or an unmarried girl—the father, and after him, the mother: Provided that the custody of a minor who has not completed the age of five years shall ordinarily be with the mother.

⁹ (1999) 2 SCC 228

¹⁰ 2. Definitions.- In this Act, unless the context otherwise requires,-

(a) “child” means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age.

Act¹¹, which allows a Petition to be filed to declare the marriage void within two years after the child attains majority. Thus, gender discrimination is writ large in this provision.

Moreover, though such child marriage contravenes several laws and the factum of performing child marriage in itself is an offence, such marriage remains valid, unless declared null and void. Hence, as happened in the case of *Lila Gupta Vs. Laxmi Narayan*¹², the Court had to allow a 13 years old girl to go with her husband, though Court observed that sexual intercourse with a girl of 13 years was a crime under Indian Penal Code. As observed by the *Law Commission of India in its 2005 Report on "Child Marriages"*,

“there is no provision in the law to stop the child bride from living with her husband and from being sexually abused, apart from other forms of abuse. The Prohibition of Child Marriage Act, in fact, lays down the foundation for such an abuse by not invalidating child marriage. Research has further shown how the child bride is more liable to suffer from pregnancy related problems and how high both maternal and infant fertility is in the case of child marriages. Apart from this, child marriage deprives all girl children of their basic fundamental human rights to develop in a natural healthy environment. It deprives girls of their right to education and to physical, mental and psychological development. It isolates girls from their involvement and infringes on their fundamental rights to liberty, speech, movement. To ignore well known adverse effects of child marriage vis-a-vis the girl child would be to ignore the manner in which child bride experiences life and would amount to a denial of the fact that girls are human beings and have certain

¹¹ 3. Child marriages to be voidable at the option of contracting party being a child. -

(1)

(2)

(3) The petition under this section may be filed at any time but before the child filing the petition completes two years of attaining majority.

(4)

¹² AIR 1978 SC 1351

fundamental rights including the right to life. The adverse health consequences in the violence faced by the girl child below a certain age are factors, which out-weighs certain social considerations in not invalidating the marriage.”

As per data, in 2011 the Census year, more than 18 lakh girls under the age of 15 years were married. Out of them, 4.5 lacs girls had also witnessed child birth and of the total 7.8 lacs children born to them, about 56,000 children had already died. Thus there were a large number of girls who before the tender age of 15 years had already got married, delivered babies and also seen their child die.

Sexual Offences

Moreover, on the one hand the age of consent for sexual intercourse is held to be 16 years under Section 375 of IPC¹³, but, at the same time, an exception is provided that sexual intercourse by a man with his own wife, the wife not being under 15 years of age, is not rape, though such sexual intercourse may be against her will and without her consent.

Further, for the offence of kidnapping or abduction under Sections 363 and 366 of IPC, the age of majority for a female is laid down as 18 years for deciding the issue of consent. But for the offence of rape, under Section 376 of the IPC, the age of majority for deciding whether it was with or without her consent, the age of majority is still 16 years. Surprisingly, under Indian Contract Act, 1924, to be capable to enter into contract, even for purchase of property, she has to attain the age of 21 years. However, for giving consent to sexual intercourse, she is considered mature even at the age of 16 years, though it is having far reaching consequences

¹³ Section 375 of the Indian Penal Code :-

“S. 375 – A man is said to commit “rape” who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions :-

First

Secondly

Thirdly

Fourthly

Fifthly

Sixthly – With or without her consent, when she is under sixteen years of age.”

on her mental and physical well being.

The newly enacted Criminal Law Amendment Act, 2013 still distinguishes between rape on a separated wife and any other woman, providing lesser punishment from 2 years to 7 years for forcible sexual intercourse on a separated wife, against punishment upto 10 years or life in case of any other woman.

Social Reality

These are some of the instances of the subtle discriminatory provisions in the existing laws. This discrimination is, however, not only found in the laws but in social reality also. As per the latest data published by National Crime Record Bureau, every day 93 women are reported to having been raped, indicating thereby that in India every hour about 4 women are subjected to rape; 2 women are sexually molested every 35 minutes and almost 1/3rd of women have, at one or other time, faced some form of sexual violence. Whereas, about once every 5 minutes, an incident of domestic violence is reported. As everyone is aware, statistics is always elusive. Not all the cases of crimes against women are reported. Even then these large number of gender specific offences like dowry, domestic violence, sexual assault, rape, sexual harassment, ill-treating and each and every offence that occur against a woman, merely because she is a woman, constitutes discrimination against her, as it deprives her from her right to live the life with dignity, which necessarily contemplates a right to live the life free from violence and which right, her male counterpart enjoys. If we have to achieve the “Gender Equality” and “Gender Justice” in real terms, we have to ensure not only that laws are made equal, removing the subtle nuances of discrimination, but also by ensuring that she is able to lead the life as an individual, with dignity and free from gender based violence. Gender discrimination against women is, both, the cause and the impact of violence against her. Only when she is able to take the safety and equality granted, as men do, we can claim to live up to the promise of gender equality guaranteed in our Constitution. The hard reality is that India is still ranking at 134th position amongst 187 countries in the year 2011 in terms of the UNDP Human Development and Gender Inequity Index.

As discrimination in any form is affront to her right to

equality, the goal should be of addressing discriminating norms and practices that lead to unequal treatment and women being denied the basic right. What is necessary is to change the mind set of the society. For that, efforts to address discrimination should be part of the process of socialization. It should begin early in life from the home itself and be continued in further life by making school curriculum gender sensitive. It is further to be done by sensitizing media to respect women by avoiding even subtle references to stereo typed roles of male and female, by building capacity of NGOs and law enforcing machinery and every constituent of the society as the onus to bring “Gender Equality” lies on each and every constituent of the society.

Let's Rise For The Cause of Woman

Whom did you lose first, yourself or me?

This question of Draupadi that was put by her to Yudhishtira, on reaching the gambling hall (Jayanta) - venue for the dice game between the Pandavas and the Kauravas, dragged by Duhshasana, remained unanswered by Dharmaputra Yudhishtira. The question having both legal and moral implication called upon the assembly, as to how a person who had lost himself in the game of dice, was free to put at stake something, which no longer belonged to the person. Bhisma, who was perhaps the wisest in the assembly at Hastinapur, answered the question by replying, that a wife belongs to a husband, in the sense that a wife is expected to act upon the orders of the husband, which in real sense means that even if the husband is no more free and has been enslaved, the wife legally continues to belong to him and he can put her at stake. The verbal discourse, gives the account that even the most powerful of women is subservient to the wishes and command of men. Status of women, with few far spread exceptions, has remained the same throughout the centuries only with subtle changes.

ROLE OF WOMEN IN BUILDING THE SOCIAL STRUCTURE

India has the distinction of having a value oriented stable institution of family, which perhaps does not have any parallel in the civilizational existence of mankind. The values and 'sanskars' inculcated by a child which determines the identity and behavioural pattern of a person, is passed most importantly by a mother to her children. No one can deny the immense role of a woman, that is played as her in different capacities in the family, to build the structure which securely houses the culture of any society. This in effect means that the family system, cultural ethos and the continuation of the ancient civilization of our country, without any break has been possible only because of the stellar contribution of women down the centuries.

Despite the sacrifice dictated contribution of women in building the social structure, the society of our country dominated

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by the patriarchal set up, has not only failed to give due recognition to women but has rather forced a secondary status on them by committing all forms of atrocities both within the family, as also, in the larger social milieu. The cumulative effect of persistent neglect and ill treatment of women over the centuries has led to consistent erosion of the status of women. The atrocities committed against women has taken different modes like sati, purdah system, child marriage, prohibition of widow re-marriage, dowry system, devdasi system, prohibition from inheritance of property, female infanticide & foeticide, sexual and violent offences, etc.

REFLECTIONS ON STATUS OF WOMEN:

Some important parameters, reflecting on the status of women in the Indian social set up, are certain important social denominators like female sex ratio more particularly in the 0-6 age group and female literacy. With the female literacy at 65.46% in comparison to male literacy at 82.14% the gap in the human development of women is amply reflected. Though the male-female gap in literacy rate presently at 16.68, is the lowest since 1951, the gap is still huge. The most reflective aspect of various indicative aspects of the status of women is that one negative factor leads to the other & vice versa. The combined patriarchal & hierarchy oriented cultural milieu, has led to unequal and discriminatory treatment of women both within the family and the societal setup outside the family.

At the cost of sounding judgmental, it can be said that social evils like dowry system, has led to violence of the extreme nature against women, both before she is born and after her birth. The rapid advancement of technology leading to the invention of new medical tools like ultrasound machines, in the 1970s in India, facilitating the determination of sex of the foetus in the mother's womb, started the unthinkable practice of foeticide of the female child. The technology driven practice, which started from the economically advanced areas/States like the Punjab, Haryana, Western Uttar Pradesh, Gujarat etc. has, as is shown by the 2011 census figures, spread to all regions of the country. The declining sex ratio in the 0-6 age group, which as per the 2011 census stands at 919 at the national level, has declined by 9 basis points in comparison to the 2001 census figures (927). The decline most alarming has taken place in almost all States of the country,

unaffected by social, economic or literacy divide. The gradually rising practice of female foeticide, coupled, with the practice of female infanticide, has resulted in making the Indian society, one of the most unsafe places for women in the world. What is most frightening is the fact that this clear & present danger is from those, who are primarily responsible for the safety of the child. The child on whose survival, the peaceful continuity of human civilization depends, is denied the most basic of human & natural right to be born- by her own parents and the medical professionals- who are trained to save lives.

“When a female foeticide takes place, every woman who mothers the child must remember that she is killing her own child despite being a mother. That is what abortion would mean in social terms. Abortion of a female child in its conceptional eventuality leads to killing of a woman. Law prohibits it; scriptures forbid it; philosophy condemns it; ethics deprecate it;”(Supreme Court in Voluntary Health Association of Punjab Vs. Union of India & Ors – Writ Petition (Civil) No. 349 of 2006).

Thus a woman is subjected to violence even before she enters the world and is at the receiving end of various forms of violence as she grows in the world, where the dice is loaded against her. The violence practiced against women is at the same time, physical, psychological, emotional, social or economic in nature. The systematic exclusion of the fair sex from the right of equal development with her male counterpart, exclusion from the process of decision making and economic empowerment, results in the development of a person, who, lacks self-confidence and lives under a constant existential threat dependent for survival on their male counterparts.

RESPONSE OF THE LEGISLATURE & JUDICIARY:

The Indian Parliament in its anxiety to protect the rights and interest of women and ameliorate the status of women, has enacted and put into action a plethora of laws. To name some of those laws, one can point out, the Immoral Traffic (Prevention) Act, 1956; the Dowry Prohibition Act, 1961; the Maternity Benefit Act, 1961; the Medical Termination of Pregnancy Act, 1991; the Equal Remuneration Act, 1976; the Indecent Representation of Women (Prohibition) Act, 1986; the Muslim Women (Protection of

Rights on Divorce) Act 1986; the Immoral Trafficking (Prevention) Act, 1986; the Commission of Sati Prevention Act, 1987; the Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994; the Protection of Women From Domestic Violence Act, 2005 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013. Under the National Commission for Women Act, 1992, an independent commission, aspires to create a platform for putting into reality a sustained development with emphasis on gender equality.

The existence of large number of laws, for protecting a vulnerable section-like woman- is reflective of the concern of the legislature to protect them. But it is also a subtle and tacit recognition of the fact, that women have not only been denied of their basic rights, but the male- dominated society has forced all sorts of injustice upon her. The legal framework, amply suggests that a women is not safe at her work place, where not only her physical self is under threat, but that for the same work done by her, she is not guaranteed remuneration in monetary terms, that is equal to her male counterparts. One after another, reactive laws to protect females in the social sphere and also within the four walls of her own house, where any person should be most secure, has been enacted.

The aspirations of evolving young democracy like India, is amply reflected in the laws enacted by Parliament, which represents the will of the people. The legislature has certainly demonstrated its willingness, to bring about a rights oriented approach for the development of the legal framework to further the cause of women. The judiciary led by the Hon'ble Supreme Court of India has shown exemplary activism through a catena of landmark judgments, to not only protect the rights of women, guaranteed under the Constitution but also those provided under various laws. But what is more remarkable in this context, is the concern of the Hon'ble court, to go beyond the letters of legislative enactments, and provide additional protective framework, to protect the life, dignity and status of women.

Landmark, judgments like *Visakha & Others vs. State of Rajasthan* (AIR 1997 SC 3011); *Delhi Domestic Working Women's Forum vs. Union of India* (1995) 1 SCC 14; *Gita Hariharan Vs. Reserve bank of India* (AIR 1999 SC 1149); *AIR India Vs. Nargis*

Mirza (AIR 1981 SC 1829); State of Punjab Vs. Gurmit Singh (AIR 1996 SC 1393) or Dilip Vs. State of Madhya Pradesh (Crim. Appeal No. 1156 of 2010) may be specifically mentioned.

In Visakha case (Supra) drawing extensively from the rights guaranteed under the Constitution and international treaties & conventions on the foundation that, “gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognized basic human rights,” the Supreme Court accepting that the present civil & penal laws in India do not adequately provide for specific protection of women from sexual harassment at work place and that enactment of such legislation will take considerable time, laid down a series of guidelines to prevent sexual harassment of women at workplace.

Despite there being large number of gender specific laws, the cases of crimes against women has been consistently increasing in the country. The data compiled and published, by the National Crime Records Bureau (NCRB), show that with a total of 3,09,546 cases of crime against women during the year, 2013, there was an increase of 26.7% over the figures of 2012(2,44,270). Rape, which is one of the most violent of all crimes committed against women with a report of 33,707 cases of rape in 2013, has shown an increase of 35.2% over the figures of 2012.

“Rape cultures abound in civil society, illustrated cruelly in dowry murders and female foeticide and the sex based malnutrition of the girl child. Pedophilia, on all available evidence is widespread. Visual rape in public spaces is an everyday predation. Conscription into sexual slavery through trafficking of women and girls stands archived in literature and the memories of those affected. Marital rape all too often defines the abjection of married women”.¹

In most rape cases offenders are known to victims. During, 2013 offenders were known to the victims in as many as in 94.4% of rape cases (31,807 out of 33,707 cases)². Equally alarming is the fact, that of the all forms of crimes against women for which data is compiled, 37.4% are crimes pertaining to dowry death and cruelty by husband or his relatives. This in effect means that most of the

¹ ‘Because Women’s rights are Human Rights-Prof. Upendra Baxi (Indian Express)

² Crime in India-2013-NCRB

crimes against women is committed by persons, who are primarily responsible for the safety and security of the victim or the one in who the victim reposes faith and trust.

Equally, alarming is the fact of poor conviction in cases relating to rapes and other crimes against women. The conviction rate, in rape cases, as per the NCRB report, for the year 2013 is 27.1%, which in the context of 'total crime against women' is a meager 22.4%. The figures in all probability, pertains to matters, where cases have been taken cognizance by the court and have gone for trial. Non- registration of crimes against women, coupled with, non- reporting of large number of matters on account of the social stigma and various other causes related to discrimination and negative socialization constitutes a huge number, somewhere close or even greater than the number of reported cases.

Taking this factor into account, one can say that in actual sense, more than three fourth of the perpetrators of crime against women go unpunished. This has the negative effect of strengthening the criminality of such culprits to commit more crimes, without the fear of so called- long arm of law.

These call for a wide ranging change in the mindset of the society and the law enforcing agencies, to show zero tolerance against crimes committed against women. The social mindset of treating the women victim of crime, as the culprit or the instigating factor has to change for the better.

Women in addition to facing the brunt of violence in various forms are also not socially and economically empowered. A 1980 report of the United Nation, reported that, "Women constitute half of the world's population, perform nearly two thirds of its work hours, receive one tenth of the world's income and less than one hundredth of the world's property".

THE CHALLENGE AND THE WAYOUT :

The greatest challenge in the amelioration of the status of women is establishing a balance between the existing laws protecting women and the traditions and cultures that are deeply ingrained in the psyche of the people, in one of the oldest established civilizations. It is said that the culture of a country determines its destiny. No culture is totally bereft of shortcoming.

The cultural shortcomings have determined the destiny of women, which is in every way, inferior to that of men. However rich we may be conceptually, but, the reality is entirely different. Women perhaps want reality not concepts. The conspiracy of silence around the subject of economic, social and legal empowerment of women, as if it's the destiny of women, which, most women have shown high degree of acceptance, needs to be shattered. India can no longer afford to be slaves of its tradition and the cultural logjam has to be brought down. We have certainly not achieved much because of our cultural system and we may do worse, if the system which puts shackles around women is not changed for the better.

Article 51-A of the Constitution, which prescribes the fundamental duties of citizens, includes the duty to “renounce practices derogatory to the dignity of women.” The appointments and promotions for various public offices, particularly, those related to judiciary, police prosecution, should take full account of their performance in having shown the sensitivity towards the rights of women. The sensitivity shown by the public at large, post the Mathura & Nirbhaya rape cases, resulting in much required amendments in the substantive & procedural laws, dealing with matters related to sexual offences, needs to be sustained by similar show of sensitivity & sensibility by the public servants concerned with the implementation of such laws.

The challenge is not only to provide a dignified justice to victims of aggravated sexual assault, both at the stage of investigation by the police, but, also during the trial in the court. The dignified justice includes within its fold the right of the victim not to be seen as the culprit; the right not to be required to provide explicit details, bordering on voyeuristic pleasure, to the police or before the court during the investigation or deposition during the trial. A challenge of equal measure is of providing the psychological, economic & social support to the victims, to assist them to reclaim their past & present, for ensuring that their future does not remain a legacy of the past.

It is easier said than done. The bigger question is how do we do this? The Indian Penal Code or the Indian Evidence Act & the Code of Criminal Procedure, as amended in 1983 & 2013, focused on sexual offences against women, has made a good affirmative attempt, worth appreciation, for providing dignified

justice to women - victims of sexual assault. The legal provisions under legislative enactments, it can be said, only provide the tool for putting into operation the machinery of justice. The best of cars can be used for a comfortable journey to reach to one's destination only if you have an accomplished driver in charge of the steering. The same can be said about the law. The crying need of the hour is to have sensitized police\investigators, prosecutors, medical professionals, lawyers, judges and citizens. The public servants, independent witnesses & lawyers, who may be part of the law enforcing machinery in relation to a particular crime, have a great role to ensure that a rape victim is not re-victimised during her trial, by being subjected to questions, which may not be necessary in all cases. During the court proceedings, the Presiding Officer of the court, has a great role to ensure that uncomfortable questions casting aspersions on the character of the rape victim or those not having any relevance, are not put to her. The trial judge has also to ensure timely, effective and efficacious justice.

The procedural laws, whether that is under the Code of Criminal Procedure or under the Protection of Children from Sexual Offences Act, lay special emphasis on the timely completion of trial, within a prescribed time period. All necessary efforts may be directed to put the speedy & timely disposal of cases involving aggravated sexual assault. This is of immense importance for the rehabilitation of the victim. The dastardly act of sexual assault, is more injurious psychologically than in the physical sense. The trial supported by meticulous investigation to ensure conviction of the culprit, if completed at the earliest, will assist the victim to move out of the accused focused thinking process. This is on account of the fact, that the battle is not only to punish the accused, but primarily to reinvent the personality of the victims as it was before the incident.

Conclusion:

As has been highlighted in many discourses, there has been a shift from 'emancipation' to 'empowerment' in the field of women's rights. The approach in issues of women empowerment has also moved from 'welfare and charity based' to a 'right based approach'. This as outlined in details in the earlier pages, has become possible due to joint contribution of the legislature and the judiciary. But to bring about real and perceptible changes in

the status of women, gender equality will have to come through education of the females. Women, who constitute the major percentage of illiterates in the country, need to be provided quality education. The process of empowerment can be next ensured through economic independence.”Along with economic independence, equal emphasis must also be laid on the total development of women – creating awareness among them about their rights & responsibilities- the recognition of their vital role and the work they do at home. It is necessary, that a new social system must evolve. The society must respond and change its attitude. Major surgery is required and not merely social changes.”³

³Dr. Justice A. S. Anand, Bodh Raj Sawhny Memorial Lecture, New Delhi, December, 2001.

A Glimpse of Gender Justice in India

Abstract :-

Gender justice is not a recent phenomena, crime against women have been committed since antiquity. Any traditional custom that places women in subordinate positions within society or in the family has the potential to turn violent. Pt. Jawaharlal Nehru said that – “If you educate a man you educate an individual, however, if you educate a woman you educate a whole family”.¹

Indian history and mythology have given place of pride to women. Sita, Savitri, & Draupadi are the women whose names strike the mind immediately. We are also familiar with a record of Maithreyi and Gardi, the Vedic Scholars, who mastered the Vedas and Upanishads facing much opposition. Over the years of the first half of 20th century, the struggle continued and women coined the phrase “Bread & Roses” after James Oppenham’s poem of the same name. The reference to “Bread” is freedom from hunger, and “Rose” is the satisfaction of the wants or wishes.

Introduction:-

Women constitute almost half of the population in the world. But the hegemonic masculine ideology made them suffer a lot as they were defined equal opportunities in different parts of the world. The rise of feminist ideas has, however, led to the tremendous empowerment of women’s condition throughout the world in present times. Access to education has been one of the most pressing demands of these women’s rights movements. Women education in India has also been a major preoccupation of both the government and civil society as educated women can play a very important role in the development of a country.

If one wants to know how developed or modern a particular society or Nation is one should try to look at the status of women in that particular society or nation as their status is the only true reflection of a country’s culture and civilization.

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¹. Views PT JawaharLal Nehru Former Prime Minister.

In my opinion empowering means to let women live their own life in a way they think appropriate on the basis of their conditions, family circumstances, qualities and capabilities of which they themselves are the best judges. Demand for empowering is not a demand for equality or superiority, it is the demand to let them realize their “own true self” which shouldn’t be denied to them on any basis whatsoever; anywhere, anytime and any place. To realize this ideal, an appropriate environment should be created which is not an any easy task. For this, efforts will have to be made at every level and in every sphere e.g.

Medical- medically, women should be provided good and easily approachable medical facilities specially during pregnancy (both prenatal and postnatal) and infancy to ensure their life and health.

They have a “right to born” which is being snatched away from them with the aid of science through sonography, that is being used for sex determination.

Education- educationally, women would be armed with the tool of proper education which awakens them and makes them conscious of their rights and equal status in society. This will be in the greater interest of the society and will have far reaching and lasting impact, because women as mothers are called the first educators of their children.

Society- socially, in most of the places, at least in practice, if not formally, women have only secondary status to men. Social norms and values will have to be transformed to ensure that women are not discriminated against only on the basis of sex.

Political- Women’s participation in politics has to be ensured at every level to make them politically strong so that they can facilitate proper legislation for protecting rights of women. This can be done through “Progressive Reservation Policy”.

Legal- Women should be given adequate legal education to make them capable of defending their own rights, their legislative dues. This is essential as without legal knowledge and activism all the formal constitutional arrangements made by the state become redundant.

Psychological, Moral and Cultural Aspect- In some cultures, women are brought up in a way that they accept their “secondary status” automatically as “natural” without raising any questions. In such a situation one cannot even imagine that they will ever fight for their status or rights. Their mindset is so conditioned that they do not even think of protesting against inhuman discrimination on any grounds.

If they are unable even to realize the secondary status bestowed upon them by the society, it is hard to imagine how they will think of protesting against such practices. This is the most difficult hurdle in the path of their empowerment and will have to be fought out at every level and for a long time to come.

Gender Justice is a Global problem:-

Gender based discrimination represents the ugly face of the society. This problem is not only in one country, many countries are facing it in varying degrees since time immemorial. Really, it is a travesty of all cannons of social justice and equity that women who constitute half of the world’s population and who work two – third of world working hours should earn just one tenth of the world’s property and also should remain victim of inequality and injustice. This anomaly is now, being openly questioned and some discrimination seriously challenged. As human development moves centre-stage in the global development debate, gender equality is emerging as a major challenge. Gender discrimination, though amongst the most subtle, is one of the most all pervading forms of the institutionalized deprivation.²

Difference between Sex & Gender:-

The term “Sex” & “Gender” are often used interchangeably in everyday life, but literary these are frequently differentiated. The term sex is applied to those distinctions between men & women, which are based on biological differences, such as anatomy, physiology, hormones and chromosomes, and in this respect people are male and female. The term gender is applied to the cultural aspects of male and female roles, in other words the behavior, personality and other social attributes that are expected

² Bhatt JN Justice, in “Gender Equality: Turmoil or Triumph”.

of males and females. These social attributes becomes the basis of masculine and feminine roles. Sexuality and the different capacity of men and women in the reproductive process are particularly likely to be thought of as giving 'natural reasons' for gender divisions in society. In short, sex difference is natural, but gender differences are creative difference on the basis of sex, by putting gender bias.

Human Rights of Women International Standards :-

We envision human rights for women as the collective rights of a woman to be seen and accepted as a person with the capacity to decide or act on her own behalf and to have equal access to resources and equitable social, economic and political support to develop her full potential, exercise her right as a human being and to support the development of others.³

The United Nations General Assembly, Economic and Social Council and the Secretariat are the three main UN bodies which have been functioning for the protection and advancement of human rights of women. In addition to these organizations there is also a Special Commission on the Status of Women (1946) which has been functioning to achieve this lofty ideal. This Commission has introduced the problem of women's rights into their programmes of activity.

The UN efforts to promote the principle of equal rights of men and women were initially directed towards securing equality of men and women in law.⁴ UN Charter and the Universal Declaration of Human Rights ensure freedom of women from social, sexual and religious discrimination in a variety of ways.

The UN General Assembly has established International Research and Training Institute for the Advancement of Women (INSTRAW) to carry out research, training and international activities worldwide to promote women as key agents of development.⁵

³ Singh, Gurucharan; "Human Rights of Women in India", p. 136 in BP Sehgal (ed), "Human Rights in India: problems and Perspective", Deep and Deep, New Delhi 1995,

⁴ Subramainam, S, "Human Rights, International Challenges", Vol. I Manas, New Delhi, 1997.

⁵ Singh, Gurucharan; op.cit, P. 140

United Nations has had more than 23 conventions that are related to human rights of women. Out of these conventions some of the more important ones are:-

1. Convention on the elimination of all forms of discrimination against women, 1979.
2. Convention on political rights of women, 1952.
3. Convention on the consent of marriage, minimum age of marriage and registration of marriages', 1962.
4. Convention on the Nationality of married women, 1957.
5. Convention on the recovery abroad of maintenance.⁶

In 1960, the General Assembly adopted the Convention against Discrimination in Education which prohibits, "any distinction, exclusion, limitation or preference on account of sex and affecting thereby the equality of treatment in education, Article (1).⁷

The Economic and Social Council of the UN is empowered to make recommendations for promoting respect and observance of human rights and fundamental freedoms for all and the special Commission on the Status of Women (1946) also makes recommendations to the ECOSOC to promote the rights of women.

In 1951, the International Labour Organisation (ILO) adopted a convention concerning equal remuneration for men and women workers for work of equal value. ILO has also adopted two other conventions to improve the working conditions of women i.e. convention concerning night work of women employed in industry, 1948 and the convention concerning maternity protection (revised) 1952.

In 1986, declaration on the right to development also specifies that the states shall co-operate in the realization of Human Rights and Fundamental freedoms for all without any distinction as to race, sex, language or religion [Art. 6 (1)]. States are further required to take effective measures, "to ensure that women have an active role in the development process" (Art.8).

⁶ Ibid., pp. 144-145.

⁷ Verma, S.K., "Human Rights of Women, International Standards and Indian Law", p. 848 in BP Sehgal (ed), op.cit.

India is a party to all these conventions but is not a signatory to the 1962 convention on consent of marriage, minimum age for marriage and registration of marriages, where a lot is still desired to be done at the national level. India has also signed the Universal Declaration of Human Rights of which 10 out of 30 articles specifically endorse equal rights for all human beings irrespective of their sex. India is also a signatory to the two human rights covenant on Civil and Political rights and the International Covenant to Economic, Social and Cultural Rights which reinforce the equality concept and forbid discrimination on account of sex (Art. 3).

Constitutional Provision to protect gender injustice in India :-

The constitution of India safeguards woman's right by putting her at par with man socially, politically & economically. The principle of the gender equality is enshrined in the constitution in its Preamble, Fundamental Rights, Directive Principles of State Policy and Fundamental Duties, with some other provisions i.e. right to vote and reservation in local self Government. However, still there is a very wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes and related mechanism on the one hand and the situational reality of the status of women in India on the other.

- (I) Preamble of the Constitution:-The preamble of the Constitution, itself secure to all its citizens, social, economic & political justice; and equality of status and opportunity and to promote them all. It means the Constitution is based without discrimination on the basis of gender and assure justice to all of the citizens.
- (II) Right to equality:- Arts. 14, 15 & 16 of the Constitution, not only grant the gender equality but also empowers the State to adopt measures of affirmative discrimination in favour of women, which is not violation of right to equality in any sense.
- (III) Prohibition of traffic in human being and forced labour:- According to Art. 23 of the Constitution, traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision is an offence punishable in accordance with law.

- (IV) Equal pay for equal work:- Art. 39 (d) directs the State, that it shall in particular, direct its policy towards securing that there is equal pay for equal work for both men and women.
- (V) Right to vote and participate in the politics and Government officials:- Art. 325 provided that all adult citizens shall have the right to vote irrespective of sex.
- (VI) Reservation of seats in Village and Municipalities Panchayat:- Art. 243-D and Art. 243-T of the Constitution, provide 1/3 seats shall be reserved for women in panchayats and municipalities. Further 1/3rd seats out of the reserved for SC/ST, at the rotation based are also reserved for SC/ST women. The offices of the Chairpersons in the Panchayats in village or municipalities in urban at any level shall also be reserved for women in such manner.

Human Rights of Women in India:-

When the sages of ancient India prayed, “Serve Bhawantu Sukhina, Sarve Santu Niramaya, Sarve Bhadrani Pashyantu ma kashchid dukh bhagbhavet”, they recognized the rights of all human beings throughout the world irrespective of caste, colour, creed, sex, country or region to have good quality of life free from diseases, want degradation, tensions and worries. Human rights are not mere ideals or aspirations, they are also not rights granted to us by the existence of particular sets of law. They are claims made by virtue of the fact that, “we are human beings with an inalienable right to human dignity”.

Injustice with women in India :-

It is alleged that in India from the ancient times women are treated as inferior to men, but it is not correct. Before independence, the condition of men also was not healthy and case of injustice on the basis of gender was less than the present time. In the northern part of India, especially Uttar Pradesh, and Bihar which is called the most criminal and immoral area now a days, still at the time of travelling with women, you will find that any youngster will stand-up and leave the seat for women. It is an example- but it is sure that in India, gender injustice has taken place in many ways beginning from abortion of female foetus.

Causes of Female foeticide in India :-

Killing of the female child in the foetus itself, i.e. before taking birth, is called female foeticide. In olden time (20th century), it was impossible to determine the sex of the baby in its mother's womb until it was delivered. As medicine advanced, new techniques were devised for preventing the genetic, chromosomal disorders of the child in the womb. With these techniques and machinery it became possible to ascertain the sex of the child in the womb even at very early stages of pregnancy. The technique used to diagnose the condition, and determine sex of the foetus is called amniocentesis. These techniques are actually used to test the amniotic fluids, blood or any tissue of a pregnant woman for the purpose of finding any genetic or metabolic disorders.

The female infanticide is a heinous crime in which new born female infants are killed. The practice of female infanticide is only the symptom of a disease caused by deep-rooted social inequalities. The traditional gender bias in favour of males (i.e. the ideology of son preference) and the patriarchal form of lineage of the Indian society supported by religious beliefs, myths and customs has largely contributed to the perpetuation of female infanticide.

Sex Ratio in India 1901 to 2011 :⁸

Census Year	1901	1911	1921	1931	1941	1951	1961	1971	1981	1991	2001	2011
Female for 1000 males in india	972	964	955	950	945	946	941	930	934	927	933	940

On the above statics, we find that in decades of 1971 and 1991, the ratio are lowest than others. Does this arise due to abortion of selective sex? No. it is not a sole reason, but one of the reasons. This facility was started from about 1980. The statistics shows that, ratio of female increased between 1991 to 2011.

Generally it has shown that it is not the income or material well being that discrimination against girls child takes place, it is that cultural beliefs, patriarchal social norms. Superstition and thinking of the people that is responsible for discrimination⁹

⁸ Indian Census in India 2011 (MP Govt. Diary 2015), p. 144.

⁹ (UNICEF report published in Nov. 1995 titled: the Progress of India States in Child Survival Health Primary Education etc. for the Year 1995)

Obsession to have a son on account of pride in race results in female foeticide. There exists a common belief that bringing up a girl child is like watering neighbour's plant. The son confers the benefit upon the souls of the dead ancestors by offering "Pinda" and "Water" to them on the occasion of "Shraddha". Son is the one who conducts funeral rites. It is the son who keeps the continuity of the lineage. According to Vashistha, "when a father sees the face of his living son on his birth, the debt is transferred and he attains immortality and thus says the Revelation, there are innumerable heaven for a man who has a son and there is no place in heaven for a sonless man¹⁰ As the result parents tend to be calculative in choosing the sex of the child and the decision is based on the birth order, sex sequence of the previous children and number of sons¹¹

The birth of a female child is greeted with sorrow and the family begins to worry about the means for accumulation of dowry and marriage expenditures. The aversion towards female child is in proportion to the dowry the family pays at the time of the daughter's marriage. On the other hand, the birth of a male child is followed with celebrations and distribution of sweets.

1. Son Preference :-

The evidence of Indians preferring sons is abundant and consistent, and is expressed even in poetry. The poem, "On the importance of having a son", written during 600B.C still rings true for India today.¹²

"In him a father pays a debt And reaches immortality, When he beholds the countenance of a son born to him alive, Then all the joy which living things in water feel, in earth and fire, The happiness that in his son a father feels in greater far, At all time father by a son much darkness, too have passed beyond; In him the father's self is born, he wafts him to the other shore. Food is man's life and clothes afford protection, Gold gives him beauty, marriages bring cattle; His wife's a friend, his daughter causes pity; A son is like a light in highest heaven". Further the boys are regarded as a old age support and are thus, treated preferentially.

¹⁰ (SangeetaCheetu, "Growing Menace of female foeticide in India". 17 Indian Socio Legal Journal 79 1991)

¹¹ (Health Action Sept. 2000 P. 24 quoted by PreetiMisra "Female foeticide. A violation of Human Right, Law Review (1999-2000& 2001 Vol. 21 & 22 at P. 73)

¹² Indian Journal of Criminology Vol. 27, (1 and 2), January and July 1999, P. 56.

2. Evils of Dowry :

The prevailing practice of dowry and non implementation of dowry Act is another reason for female foeticide. It is one of the important factors for deteriorating the status of women in the society. The growing greed of the people, their high demands in marriage become too burdensome for an average man. Unable to afford it he thinks, it is better to end the life of a woman and to avoid such burden.

3. Traditional Beliefs :

There is a traditional belief in the minds of rural people that woman has to perform menial jobs in the family such as cooking, carrying water and firewood, looking after kids etc. It is believed that money spent on her, may be on education or on her nurturement is wastage and this is not going to yield any fruitful result. The son not only provides economic assistance to the family but also brings in dowry at the time of marriage. Actually son is the one who looks after his old parents when they are sick or infirm. Apart from this, a girl child is considered to be burden on the parents as she is vulnerable to various kinds of sexual exploitation.

4. Modern Technology and unethical medical practices :

Easily accessible and affordable procedures for sex determination during pregnancy also leads to female foeticide. These technologies ensure the sex of the child before its birth and if it is a girl child, people abort it. Medical practitioners get involved in such unethical practices and are minting money out of it.

5. Non-implementation of on female foeticide laws :

There is not dearth of laws in this country. In fact it is rightly said that there are as many laws in this country as many babies that are born but the problem is of implementation of these laws. Government is not so serious about this menacing problem. Even there is failure on the part of health authorities to check this mounting problem.

6. Two-child family norm :

Poverty and population growth are the causes which have led the country to adopt family planning programme and adopt two child norm. Girl child became the target of this programme.

In fact India is the first country which has officially adopted family planning programme by adopting two child family norm, in the garb of family planning. Sex determination is a choice made generally after first girl child because India families want atleast one male child¹³. At present pre-natal diagnostic tests, sex determination clinics and cheaper ultrasound machines have been introduced. Aminocentesis tests have become synonymous with sex determination which results in sex selective abortions. Techniques which use preconception or during conception sex selection for instance the Ereson method (X and Y) chromosome separation and pre- implantation genetic diagnosis (POD) have also widened the gap in the already skewed sex ratio. These new reproductive technologies are discrimination, unethical as well as violative of the human rights of women programme. Even doctors have justified this evil practice of female foeticide.¹⁴ The villagers perceive sex determination and abortion as part of population control strategy of the government. According to them these ultrasound machines have been distributed by the government for reducing the population. Dramatic reduction of birth rates in most of the Indian states has also contributed to intensification of son preference in the existing patriarchal society. Parents tend to be calculative in choosing the sex of the next child and the decision is based on the birth order, sex sequence of previous children and number of sons¹⁵

Legal Position (under criminal Law):

The laws which prohibit female foeticide in India are provided under IPC of 1860, the Medical Termination of Pregnancy Act 1971 and the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.

The Pre-conception and Pre-Natal Diagnostic Techniques Act, 1994 :-

The use of technology for pre natal determination of sex, in the context of India, is wholly discriminatory to the female sex and has an impact on the status and dignity of women. Large scale misuse of these technologies in future would precipitate a severe

¹³ (Subhash Sharma and Sujana Singh "Law Banning Sex Determination – A socio – juris study" 26 Indian Socio Legal Journal 55 2000)

¹⁴ (The Telegraph, Wednesday, May 30, 2001 at 4)

¹⁵ (Supra Note 13).

imbalance in the male female ratio. Therefore, it has become necessary to implement the Act uniformly in all the States/ UTs so that it should achieve the purpose for which it has been enacted. Appropriate Authorities, assisted by advisory committees are the main instruments for implementation of the Act. There is a need to sensitize these Appropriate Authorities and Advisory Committees on the provisions of the Act and directions given by the Supreme Court for its implementation. Two regional workshops to sensitize the Appropriate Authorities at State and District level were held in Bangalore and Chandigarh in the months of April and June 2002, respectively. After detailed discussions in these workshops and queries raised in several before, it was felt that there is an urgent need to issue clarifications on certain points including registration of clinics/centers, maintenance of records, procedure for prosecution, search and seizure, sealing of machines, etc.

PNDT Act and Rules have been amended w.e.f. 14th February, 2003 including the title of the Act, keeping in view the emerging technologies for selection of sex before and after conception and problems faced during the implementation of the Act and certain directions of the Supreme Court after a PIL filed in May, 2000 by CEHAT and Orgs, an NGO on slow implementation of the Act. By the Amendment, legislators has increased the punishment up to five years imprisonment and fine up to Rs. 1,00,000, ¹⁶

Offences and Penalties -

According to Sec. 23(1), any medical geneticist, gynaecologist, registered medical practitioner or any person who owns or works in a Genetic Counselling Centre, a Genetic Laboratory or a Genetic Clinic, and renders his professional or technical services to or at such a Centre, Laboratory or Clinic, (whether on an honorary basis or otherwise), if contravenes any of the provisions of this Act shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to ten thousand rupees and on any subsequent conviction, with imprisonment which may extend to five years and with fine which may extend to fifty thousand rupees.

¹⁶ Sec . 23 (2) PNDT Act 2003

Amended Sec 23(2) provides for suspension of the registration of such medical practitioner if the charges are framed by the Court and till the case is disposed of and on conviction, for removal of his name from the register of the concerned Medical Council for a period of five years for the first offence and permanently for the subsequent offence.

Sec. 23(3) punishes every person who seeks the aid of any such centre or clinic etc. for sex selection or for conducting pre-natal diagnostic techniques on any pregnant woman for the purpose other than those specified in Section 4, he shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to fifty thousand rupees for the first offence and for any subsequent offence with imprisonment which may extend to five years and with fine which may extend to one lakh rupees.

But this provision shall not apply to woman who was compelled to undergo such diagnostic techniques or such selection.

Presumption in the case of conduct of pre-natal diagnostic techniques- Under amended Sec. 24, the court shall presume that the pregnant woman was compelled by her husband or any other relative, as the case may be, to undergo pre-natal diagnostic technique for the purpose other than those specified in section 4 and such person shall be liable for abetment of offence under sec. 23(3) and shall be punished accordingly.

Penalty for contravention of the provisions of the Act or rule for which no specific punishment is provided- Under Sec. 25, whoever contravenes any of the provisions of this Act or any rules made there under, for which no penalty has been elsewhere provided in this Act, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees or with both and in the case of continuing contravention with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

Cognizance offences- According to Sec. 27, every offence under this section Act shall be cognizable, non-bailable and non – compoundable. Sec. 28 bars the courts below the court of a

Metropolitan Magistrate or a Judicial Magistrate of the first class to take cognizance under this Act. The cognizance can only be taken on a complaint made by-

- [A] The Appropriate Authority concerned, or any officer authorized in this behalf: or
- [B] A person or social organization who has given notice of not less than fifteen days in the prescribed manner to the Appropriate Authority, his intention to make a complaint to the court.

Maintenance of records -

Sec. 29, prescribes for maintenance of records. According to it, all records, charts, forms, reports, consent letter and all other documents required to be maintained under this Act and the rules shall be preserved for a period of two years or for such period as may be prescribed.

But where any criminal or other proceedings are instituted against any Genetic Counseling Center, Laboratory or Clinic, the records and all other documents of such centre, laboratory or clinic shall be preserved till the final disposal of such proceedings.

Power to search and seize records, etc- Sec. 30(1), as amended by the Pre-natal Diagnostic Techniques (Regulation and Prevention of misuse) Amendment Act, 2002, empowers the Appropriate Authority or any officer authorized in this behalf to enter and search at all reasonable times, any Genetic Counseling Centre, Laboratory, Clinic, or any other place and examine any record, register, document, book, pamphlet, advertisement or any other material object found therein and seize and seal the same if such authority or officer has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act. The provisions of the Cr. PC. relating to searches and seizures shall apply to every search or seizure made under this Act.

The Act did not prove effective because of the following short comings-

1. The Act allows abortion on the ground of mental trauma. Now what constitutes mental trauma is not mentioned.
2. Various methods such as CVS (Chroion Genetic Biopsy). Amniocentesis etc, are used not only for sex determination but are also used for detecting genetic abnormalities. The Act does not prohibit these procedures but seek to regulate those clinics who carry such services. The question is how can such clinics be regulated? The answer is very effective vigilance authority is required which is not possible¹⁷
3. The Act provides for punishment only on the complaint made by the woman that she was forced to undergo test and kill female foetus. Negligible number of complaints are coming to the knowledge of State Governments¹⁸

The India Penal Code provides an offences affection human body and offences affecting life, law dealing with miscarriage have been covered. The relevant section are from Section 312 to Section 316 IPC.

Causing Miscarriage¹⁹- Whoever voluntarily causes a woman with child to miscarry, shall if such miscarriage be not caused in good faith for the purpose of saving the life of the woman, be punished with imprisonment of either description for the term which may extend to three years or with fine or with both and if the woman be quick with child, shall be punished with imprisonment of either description for the term which may extend to seven years, and shall also be liable to fine.

Explanation - A women who causes herself to miscarry is within the meaning of this section.

Causing miscarriage without woman's consent²⁰- whoever commits the offence defined in the last preceding section without the consent of the woman, whether the woman is quick with the child or not, shall be punished with imprisonment for life, or with imprisonment of either description for the term which may extend to ten years, and shall also be liable to fine.

¹⁷ (Female in fanticided and foeticide: A Legal perspective-a Radha Krishnan Sharukh Alam, Divya Kapur on behalf of Central for Child and the Law, NLSU Banglore, P. 44)

¹⁸ (Grass roots – Reporting the Human Condition, June 2001 P. 5)

¹⁹ Section 312 Indian Penal Code.

²⁰ Section 313 Indian Penal Code.

Death caused by act done with intent to cause miscarriage²¹ Whoever with intent to cause the miscarriage of a woman with child does any act which cause the death of such woman, shall be punished with imprisonment of either description for a term may extend to ten years and shall also be liable to fine;

If act done without woman's consent- And if the act is done without the consent of the woman shall be punished either with imprisonment for life or with the punishment above mentioned

Explanation- It is not essential to this offence that the offender should know that act is likely to cause death.

Act done with intent to prevent child being born alive or to cause it to die after birth-²² Whoever before the birth of any child does any act with the intention of thereby preventing that child from being born alive or causing it to die after its birth and does by such act prevent that child from being born alive, or causes it to die after its birth, shall if such act be not caused in good faith for the purpose for saving the life of the mother, be punished with imprisonment of either description for a term which may extend to ten years, or with fine or with both.

Causing death of quick unborn child by act amounting to culpable homicide²³- Whoever does any act under such circumstances, that if he thereby caused death he would be guilty of culpable homicide, and does by such act cause the death of a quick unborn child, shall be punished with imprisonment of either description for a which may extend to ten years and shall also be liable to fine).

Certain government policies may also be held responsible for female foeticide in India common people argue that on one hand the government endorses the policy regarding small family and yet it opposes sex determination tests. This argument rests on the flawed and inherent desire of the society to have atleast one son in the family, which leaves them with no choice but to have sex determination tests.

²¹ Section 314 Indian Penal Code

²² Section 315 Indian Penal Code

²³ Section 316 Indian Penal Code

Poverty, Dowry, traditional beliefs, exploitation etc. are other causes as to why female foeticide take place. Social workers, women's group, non Govt. Organization, Academician, Media, and Medical Practitioner should all come forward and watch that the Act is properly and strictly implemented.

Registration of ultrasound clinics, nursing homes and laboratory should be made compulsory.

Female foeticide amounts to murder hence the punishment should be stringent.

Women constitute almost half of the population in the world. Thus the impact of female foeticide on society should not be underestimated. Rather its consequences should be taken into consideration.

Conclusion

In this article it can be easily concluded that the Constitution of India safeguard woman's right by putting her at par with man socially, politically and economically. Universal education has given her a new confidence. She has proved that she is equal to a man in all walks of life. She has come out of the four walls of the home. Women have proved to be better doctors, artists, administrators, academician, pilots, political leaders and engineers than many of their counterparts. They are pressing for reservation of seats in legislative assembly. It is just the beginning much more remains to be done. Efforts in all the above mentioned direction can help to elevate their nature and potential, their inherent qualities but still significance of these efforts are minimized or under-rated. If we really want to empower of women, we will have to ensure that there should not be any hindrance at any level, which often happens in the society.

By developing these entire aspects one can create an appropriate environment in which their rights, status and dignity will be ensured or in other words they will be empowered”

Feminism : A Jurisprudential Inquiry

For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Convention on the Elimination of all Forms of Discrimination against Women, 1979, Article 1.

I

In all developed cultures and civilizations, religions and philosophies, a distinction is made between soul/ mind and body and the soul is considered to be beyond sex, it is neither male nor female. It is only the embodied soul i.e. a human being who is either a male or a female. But, in every patriarchal society women have been repressed, suppressed and oppressed. From Plato to Rousseau, in the west women have been treated as inferior to men and Aristotle had characterized women as a defective male principle. Some Christian sects considered that Christ had died for the salvation of men only. Similar distinctions are found in other societies also. We find some protests in the modern philosophy. Since the second half of the twentieth century an entirely different movement has been started by a large number of feminist thinkers. The feminist thinkers have turned down the approach that one can be a woman and a philosopher and it has no philosophical consequence. They argue that a philosopher has a social and sexual location and this locatedness makes a difference to the problems perceived, questions raised, methods applied and conclusions

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offered. In order to understand the importance of the women's liberation movement it is advantageous to begin with a brief account of the three stages of this philosophy.

II

Julia Kristeva in her essay "*Women's Time*" divides feminist movement into three historical phases. In the first phase, she includes suffragists and existentialist feminist philosophies. According to the writers belonging to the first phase the anatomical difference between man and woman does not justify the ascription of different values to them. Both men and women are rational agents and both are capable of participating in the decision making processes. The so called feminine qualities are imposed on women by the male dominated society and are irrelevant to the genuine rational nature of the rational agent. So these feminists adopted the language of rights and equality.

III

The second stage feminists questioned the soundness of this assumption. They contended to make a broad analysis of women's experience, values and psychology. They stated that there is an irreducible difference between the two sexes and the two have different moral perspectives. Third-stage feminists took the help of psychoanalysis, deconstruction and other postmodern discourses to give a threadbare analysis of this apparent difference. However, with the rise of the third stage feminist writings a flood gate of opinions has been opened and it is formidable, if not impossible, to give a coherent account of the recent writings. Most of these thinkers consider that the demand for equality with men endorses men's status as the norm or paradigm of humanity and this tendency must be questioned and rejected. This leads to an indefinitely many kinds of revolts. We shall discuss the salient features of the first stage and then discuss some aspects of the second and third stage.

IV

The first stage lasts, roughly speaking, from the late eighteenth century to the first half of the twentieth century. In this stage Mary Wollstonecraft (1759-1797) is a pioneering figure. She wrote in response to the then prevailing conditions of women and what philosophers had written about them, particularly the

views of Rousseau who had advocated that women's education should be designed to make them pleasing to men. First, she contended that this type of education would have bad consequences for the society. Silly women, in her opinion, would be "mere propagators of fools." Second, she contended that making women to be ornamental would have bad consequences for women. However, charming a woman might be, after a few years of contact her husband would become bored and distracted, and if the woman has no inner resources to fall back on she will become languid and lone, will turn to jealousy or vanity. Third, she contended that women are as capable of attaining virtues of wisdom and rationality as men if society would allow those virtues to be cultivated. She also pointed out that the virtues of women - docility and sensitivity cannot be associated with weakness. She thought that there should be no distinction between female excellence and human excellence. The utilitarian reformers-Bentham and J.S. Mill also envisioned societies in which all members were social equals where education was reformed to promote the development of "benevolent" or "humanistic" values of care and concern and where property was redistributed to the benefit of all members of the society. Yet at that time the largest and most exploited labour force was woman, a fact which was noticed by Anna Doyle Wheeler, a utilitarian reformer.

Wheeler and William Thomson collaborated on a famous essay titled "*The Appeal of one Half of the Human race, Women against the pretensions of the other Half, men, to restrain them in Political and Thence in Civil and Domestic, Slavery*" (1825). They contended that denying rights to women is against the principle of greatest happiness to greatest number. Another utilitarian thinker was Harriet Taylor (1807-1858) who argued that the non-physiological differences between men and women were socially constructed to the detriment of women and of society in general. She advanced a number of arguments in favour of women's right to vote. She argued that none should be taxed without representation. Many unmarried women have to pay taxes on their property. Women are differentiated from men, she argued, in both politics and freedom, and the burden of proof lies on those who make the difference. Thus, equality and right were the dominant aspects of the first stage of women's liberation movement. The first stage movement resulted in significant changes in women's position

in almost every sphere. Still the social position of women remained inferior to men. This perception led to the second and third stages of feminist philosophy and in technical terms these two stages are known as feminism. These two stages are interlinked and we may represent them as constituting the second wave. Simone de Beauvoir represents the transition. In her book *"The Second Sex"*, she highlighted less on the public sphere of laws, rights and opportunities and more on the cultural mechanism of differentiation and oppression. She used the insights of psychoanalysis and Marxian approaches but denied their deterministic conclusions. According to her, the forces of internal structures and economic forces cannot completely determine the human existence – "we can transcend our immanence" and create ourselves anew. She contends that "one is not born, but rather becomes a woman". Men set up women as others and since men have the social and political power women see themselves as others and become self alienated. For men women become mysterious in an objective and absolute sense. However, she did not okay all choices. She does not approve the choice to stay at home and have babies. After all, all animals reproduce. Distinctive human activity is the activity of the mind, of culture and of self-transcendence.

V

After late 1960s we find an endless publication of books and articles. Now feminism comes in lots of varieties: psychoanalytic, socialist, post-modern, radical and liberal. Liberal feminists stand for full equality with men, they do not consider whether what men are doing are really worth doing. The radicals consider that entrenched social attitudes do more harm than restrictive laws. They are more interested in the analysis of the factors which reduce women to sexuality, language, culture, morality, politics, epistemology, ontology etc. we will consider the views of some thinkers without going into the larger issues. Kate Millett in her book *"Sexual Politics"* (1970) gave a systematic analysis of how women are oppressed by male dominated institutions. She challenged those who maintained that in present society women have lots of power and opportunities. She pointed out that very few women are at the top in industry, finance, education, politics etc. She also contended that the feminine virtues - passivity,

ignorance, docility etc. made women subordinates. Shulamith Firestone in *"The Dialectic of Sex"* (1970) contended that women's child bearing lay at the root of their social oppression. She thinks that reproductive technology is the way to women's freedom. The technology liberates women from having to bear and nurse children and enables them to participate as equals in the new society. But, it will be possible only if women have control over technology.

Some feminists suggest androgyny as an alternative solution. If there are no sexual differences in values, there would be no more bases for sexism either. Of course, there is no possibility, in the near future, for completely eliminating the biological differences between the sexes, but, other socially constructed distinctions can be eliminated. Every feminine quality found in women in one society is also found in men in other societies. You may think that women are physically weak, but can a man sitting behind desks pushing pencils challenge a female athlete? Androgynous culture could take several forms. If girls and boys are raised the same way, same dress, same toys, same education, same jobs etc. there will be no group division, no other - there would be only one homogenous group or there can be a distinction between the masculine and the feminine, but, they are not directly matched with males and females. So there will be feminine boys and masculine girls and there will be no social stigma. The first type is endorsed by Ferguson. She thinks that being active and assertive are valuable human characteristics, not necessarily male characteristics. If men and women are raised androgynously they would have more communication, more companionship and deeper love and understanding for each other. Joyce Trebilcock (1977) contends for the second type. She suggests that we need not eliminate the categories of masculine and feminine, but, treat them equal and people may choose one of them freely.

But some feminists find deep conceptual problems in androgyny. It is very well if the masculine and feminine qualities are compatible, but what will happen if these qualities are opposed to each other? The opposite qualities would cancel each other out. Mary Daly contends that androgyny as an ideal would not work because it would be like "two distorted halves of a human being stuck together". Many feminists feel that even today deliberate attempts are made to separate women from men. As Marilyn Frye

states even products which have no inherent differences-like shampoos, deodorants, creams, razor blades etc., are packed differently for men and women. There is a double bind which harms women. They are condemned both when they behave like women and when they behave like men. They are damned if they behave subordinately and also damned if they do not.

VI

So far we have discussed the social and other conditions which are responsible for the oppression of women. Not satisfied with the ideal of equality some feminists suggest various alternative means for the liberation of women. Some use deconstructionist devices to subvert the binary distinction of masculine and feminine, but mere deconstruction will not be sufficient. Hence, many feminists lay emphasis on the perception, experience and conceptualization from the perspective of women. For example, Luce Irigaray thinks that through sexist disciplines women are reduced to an object and she tried to establish them as subjects who are radically different from men. For her the subject in philosophy has always been masculine, even when expressed in neutral, universal or transcendental form. She shows that the divine is feminine and maternal gods preceded the masculine gods. She also looked for concepts which are feminine such as multiplicity, difference becoming beauty, etc. She demanded not only a feminine god, but also a feminine language and a feminine way of thinking critically and philosophically. The feminine must be the paradigm of otherness and difference. The feminine body and female sexuality must be rediscovered and celebrated. Other feminists reject the traditional analysis and ideal of knowledge. Lorraine Code states that for feminists the questions continually arise: whose science or whose knowledge? For her reason and emotion, social class, gender and other factors play a role in what we can know. Similarly Carol Gilligan in her book "*In A Different Voice*" (1982) concluded that women develop differently from men and that their moral intuitions and perspectives are different as well. Men and women use different languages though the words are the same to encode disparate experiences of self and social relations. Women put more emphasis on care and preserving personal relationship. Issues of abstract justice and rights are secondary in their moral deliberation. In her book "*Justice, Gender, and the Family*" (1989) Susan Moller

Okin has rejected several theories from a feminine perspective. She contended that the theories of Rawls, Nozick, Macintyre, Walzer and others have been blind to questions of justice. All these theories are concerned “about men with wives at home”. The principle of justice as applied to relations between the sexes, or within the household has been tacitly ruled out. Some feminists reject the theories of right, justice, virtues and even care. Their only concern is with the experience of women in different situations.

VII

Thus, many feminists accept the feminist standpoint theory. The supporter of this theory contend that it is the case that causal factors to a subject's belief depend on the beliefs warranty, in the sense that what one believes counts as good evidence for that belief, will depend on the location and experience of the subject. There are two kinds of feminist standpoint theorists-relativists and objectivists. The first group can be further divided into three: cultural relativists' conceptual relativists and perceptual relativists. Cultural relativists think that different cultures and groups have held coherent but differing beliefs about the world. These beliefs are justified within the historically justified paradigms and we cannot make judgments across the paradigms - the process of justification is internal. Conceptual relativists contend that different groups use different concepts. A perceptual relativist would argue that what we perceive does not depend on the object. Our language determines what we experience. The prevalent standpoint is masculine and biased. Men and women have different world - views, different episteme, and different experiences. Now, if different groups have different experiences then the different approaches will be incommensurable and no adjudication is possible. And if every standpoint is isolated and self consistent then a comparative evaluation is ruled out. Similarly, it is not clear whether the standpoint theorists think that only women can understand the experiences of women or whether they contend that woman's experiences need to be respected.

The other feminist standpoint theorists are objectivists. They intend to explain why the feminist standpoint is privileged and justified. They believe that certain social conditions are objectively more helpful than others to begin the research (Harding, 1993). In her opinion, the marginalized groups can perceive the reality more

objectively and without *bias*. She alludes, in this connection to Hegel and Marx. Hegel gave the privileged position to slaves, and for Marx the proletariat can be scientifically more objective in their understanding of the social conditions. But, both Hegel and Marx admitted that the preceding conditions were objective and universal while the feminists think that the social conditions are constituted by male perspectives and it creates problems for the feminists. Realizing these problems some feminists favour feminist empiricism. They admit empirical evidence, but make a distinction suggested by Longino (1989) between constitutive and contextual values. Constitutive values are internal to science; contextual values are the personal, cultural and social values which influence the outcome of research. It means a sociological exclusion of women from practice will affect the process of interpretation. As a result many studies on the behaviour and experience of women made by males are flawed and biased. But, what about J. S. Mill and August Comte? Mill wrote passionately in favour of women's rights and Comte included feminine values in his list of religious values. On the other hand, Ayn Rand (Alissa Rosenbaum) held that men are superior to women and she called her position "male chauvinism", though she did not want women to be dependent or obedient to men.

VIII

Finally, do all women constitute a single unitary class? Many feminists themselves have remarked that this classification is itself flawed. Some black feminists have differentiated their position by calling themselves as "slave of a slave". There cannot be a uniform feminist approach. White women in feminist organizations ignore other women, middle class women use middle - class standards against working - class women, heterosexual women ridicule lesbians, able - bodied lesbians ignore disabled women's needs, Christian cultured women foster Christian values rejecting other religions, middle- aged women decry both old and young. Chau, Mohanty Spivak etc. have drawn our attention to the perspectives of woman belonging to the so called third -world countries. All these difficulties have led many feminists to pluralistic approaches leading to women's liberation and empowerment without falling back on theorizing, which is rejected as a masculine practice. They point out that each feminist attempt

gives a new prospect. There is truth in every approach. The process of constructing female selves and agency is multivocal (Lugenes). Many feminists argue that only plural subjects can invent means to struggle against domination. However, the greatest challenge before the feminists is to reconcile the pluralistic approaches with social harmony and integration.

IX

In International Law, the International Conventions relating to human rights jurisprudence have made exhaustive provisions regarding feminist jurisprudence. The Constitution of India makes elaborate provisions for the protection and promotion of fundamental rights of women. The judiciary has delivered landmark judgments to enrich feminist jurisprudence. In the leading case of *Madhu Kishwar v. State of Bihar*², Justice K. Ramaswamy of the Supreme Court observed:

...Effective measures should be undertaken to ensure that woman have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicate all social injustice.

Human rights are derived from the dignity and worth inherent in the human person. Human rights and fundamental freedom have been reiterated by the Universal Declaration of Human Rights. Democracy, development and respect for human rights and fundamental freedoms are inter-dependent and have mutual reinforcement. The human rights for women, including girl child are, therefore, inalienable, integral and indivisible part of universal human rights. The full development of personality and fundamental freedoms and equal participation by women in political, social, economic and cultural life are concomitants for national development, social and family stability and growth, culturally, socially and economically. All forms of social discrimination on grounds of gender are

² *Madhu Kishwar v. State of Bihar*, AIR 1996 SC 1864.

violative of fundamental freedoms and human rights.³

The learned Judge further observed:

As per the U.N. Report 1980 “woman constitute half of the world population, perform nearly two thirds of work hours, receive one tenth of the world’s income and own less than one hundred per cent of world’s property”. Half of the Indian population too is women. Women have always been discriminated and have suffered and are suffering discrimination in silence. Self-sacrifice and self-denial are their nobility and fortitude and yet they have been subjected to all inequities, indignities, inequality and discrimination. Articles 13, 14, 15 and 16 of the Constitution of India and other related articles prohibit discrimination on the ground of sex. Social and economic democracy is the cornerstone for success of political democracy. The schedule castes, and schedule tribes and women, from time immemorial, suffered discrimination and social inequalities and made them to accept their ascribed social status. Among women, the tribal are the lowest of the low. It is mandatory, therefore, to render them socio-economic justice so as to ensure their dignity of person, so that they may be brought into the mainstream of the national life⁴.

It may be concluded, “Proper, effective and appropriate measures must be undertaken to ensure that women have an active and effective role in the development process. Appropriate and reasonable economic, political and social reforms should be carried out in order to eradicate all kinds of social injustice and discrimination and to provide economic, political and social justice to women”.

³ *Ibid.*, at p. 1869, paras 7- 8.

⁴ *Ibid.*, at p. 1871, para 13.

News from States

ANDHRA PRADESH

Inauguration of Free Legal Aid And Advice Centre :The Free Legal Aid and Advice Centre was set up jointly by Andhra Pradesh and Telangana State Legal Services Authorities at Stall No.841 in the 75th All India Industrial Exhibition by Hon'ble Sri Justice K.C.Bhanu, Executive Chairman, TSLSA on 8-1-2015. The flexies with different information about the legal services activities was fixed in the stall for the benefit of visitors. Pamphlets, Brochures, Booklets, Applications for legal aid, Applications for Lok Adalat etc., in vernacular language have been distributed to the visitors. On the request of APSLSA, the High Court of Andhra Pradesh nominated the Judicial Officers of City Civil Court Unit, City Small Causes Unit and Metropolitan Sessions unit, Hyderabad to sit in the Centre from 6.00 PM to 10.00 PM every day and they provided necessary legal advice and assistance to the visitors. The Centre functioned at the exhibition from 8-1-2015 to 22-2-2015. Thousands of visitors visited the Centre among them about one thousand visitors entered their details in the visitors register placed at the Centre.

Workshop on ADR Methods at Chittoor :The A.P. SLSA and the International Centre for Alternative Disputes Resolution (ICADR) jointly organised two day work shop on ADR methods at Chittoor on 24th and 25th January, 2015. A total number of 75 participants attended the Workshop. The participants were explained about the mediation, conciliation, negotiation, role of mediators and Arbitration and Conciliation Act, Section 89, Order X of CPC etc. Another work shop was conducted at Anantapur on 21st and 22nd February 2015, jointly by APSLSA and ICADR. A total number of 52 participants attended the Workshop. The participants were explained about the mediation, conciliation, negotiation role of mediators and Arbitration and Conciliation Act, Section 89, Order X of CPC etc.

National Lok Adalat for Settlement of Bank Cases: As per the schedule given by NALSA, the National Lok Adalat was organised on 14-2-2015 for settlement of Bank matters, NI Act cases, Recovery Suits etc. An amount of Rs.50.25 crores was the settlement amount in about 2047 cases including 1999 pre litigation cases and 48

pending cases. In addition to the Bank matters, 1257 other cases such as matrimonial cases, pronote cases, civil cases etc., have also been settled in this National Lok Adalat.

Observation of International Women's Day :On 8th March 2015 observing the International Womens day, all the DLSAs and MLSCs organised 118 Legal Literacy Camps. The participants were explained about various subjects viz., Legal Services Authorities Act, Women Related Laws, Free Legal Aid for women, Women empowerment, Protection of Women from Domestic Violence Act, 2005, Prohibition of Child Marriages Act, 2006, Right to Education, Sec.125Cr.P.c., PNDT Act, 1994, Dowry Prohibition Act, 1961, Hindu Succession Act, 1956, Amended Act, 2005, Compulsory Marriage Registration Act, 2005, Maintenance, Mahila Reservation Bill, Eve teasing, 498(A) Dowry Harassment, Prevention of Ragging in Educational Institutions Act, Rights and duties of every student, Women Empowerment Act, Consumer Protection Act, 1986 etc. The Pamphlets and Brouchers in vernacular language were also distributed to the participants.

ARUNACHAL PRADESH

The Arunachal Pradesh SLSA conducted Legal Literacy Classes for students of class-VIII to X of J & K Public School, Itanagar on 24th January'2015. The participants were informed about availability of legal aid, Legal Services Scheme, Protection of women form sexual harassment, Human Rights, Arunachal Pradesh Victim Compensation Scheme. During the programme brochure on Victim Compensation Scheme and booklets of Legal Services were distributed to nearly 100 students.

From 28th January'2015 to 30th January'2015 a three-day residential training of 60 Para Legal Volunteers from all Districts were imparted by IMPLUS Network Shillong AATHUPOPO Social foundation under the sponsorship of State Authority. In the three days programme training on Right to food, environmental Laws, Legal Aid, Victim Compensation Scheme was imparted.

The State Legal Services Authority in collaboration with Arunachal Photography club organized a legal awareness programme for the members of club on 1st Febuary'2015. During the programme talk on copy rights and property rights pertaining to photography and Legal Services Scheme were delivered.

A one day refresher course for PLVs earlier trained by CLAP of Orissa under Department of Justice sponsorship was conducted on 7th Feb'2015. During the programme talk on Legal Aid, other Legal Services Scheme, Social Security Laws and Victim Compensation Scheme were delivered.

The State Legal Services Authority in collaboration with Arunachal Pradesh Women Welfare Society and Department of Women and Child Development, Govt. of Arunachal Pradesh conducted a one day advocacy programme on Human Rights on 8th March'2015 as a part of celebration of International Women's Day. During the programme talk on Human Rights, Role of Legal Services Authority, Access to Justice to Women, Legal Aid, Para Legal Volunteers and Victim Compensation Scheme were delivered.

During March, 2015, a monthly Lok Adalat was conducted by the District & Sessions Court, Yupia and Chief Judicial Magistrate, Yupia wherein 10 cases were disposed by these two courts. A sum of Rs.2,30,000/- and Rs.30,00,000/- were awarded as MACT claims.

A one day Legal Awareness programme for 50 youth of 'E' Sector and upper police colony, Naharlagun was conducted on 21st March'2015. During the programme talk on filing of FIR, Investigation of Women related issues by police and arrest, Access to Justice, Victim Compensation Scheme, were delivered. Participants were also provided brochure on Victim Compensation Scheme, Legal Services etc.

BIHAR

Month	(i) No. of Lok Adalats (Continuous Lok Adalat & Special Lok Adalat organized	No. of Cases disposed of
Jan,2015	69	1180
Feb,, 2015	67	1556
March,2015	56	47859
Total	192	50595

Month	No. of Legal Awareness Camps held	No. of Persons benefited
Jan,2015	161	7713
Feb,, 2015	44	2861
March,2015	31	1640
Total	236	12214

GOA

The District Legal Services Authority, North Goa had organized Legal Literacy Programmes at Ponda, Bicholim, Tiswadi, Bardez, Pernem and Sattari Talukas on the subject of Rights of Women and Protection of women from Domestic Violence Act, availability of health care services, girl child from Sexual harassment, Right to Education, Pre-natal Diagnostic Technique(PNDT) Act, National Rural Employment Guarantee Scheme, RTI Act, Tenancy & Mundkar Act, awareness programme at construction site, Lok Adalat and Legal Aid Scheme to the public, women and children in need of care and protection, NALSA Schemes, ADR and their benefits, awareness programme on Radio Mirchi speech by Adv. Harcha Naik on Domestic Violence, Education of a Girl Child, International Women's day, Legal Services Authorities Act and Entitlement and benefits, etc.

During the above said quarter, the DLSA, North Goa conducted in all 28 Legal Awareness Camps/Programmes on various topics in which 1886 people were benefited.

District Legal Services Authority, South Goa Margao had organised legal aid programmes/Camps in respect of Right to information Act, Entitlement of Free Legal Aid, Domestic Violence Act, Consumer Protection Act, Precaution & Prevention from HIV/AIDS, Pre-natal Diagnostic Techniques, Right to Education, Benefits of Mediation & Conciliation, various Government policies in Municipality/Panchayat, Deed of partition, Succession Deed, Physical Disability, Maintenance, Fundamental Duties etc.. During the above period in all 14 Legal awareness programmes were organised in which 966 people were benefited.

Other than Legal Literacy Camps, the District Legal Services Authorities at District level and Taluka legal Services Committees

at Taluka levels also had organized Lok Adalats as well as permanent and continuous Lok Adalats. At District and Taluka levels 929 cases were settled in the Lok Adalat and the compensation of Rs.1,51,72,888/- including in MACT cases was awarded. The Goa State Legal Services Authority had also organized National Lok Adalat at High Court level during the said quarter. Total 172 matters were placed before Lok Adalat and out of which 8 matters were settled and the compensation awarded is Rs.2,44,67,941/-.

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

LEGAL AID BENEFICIARIES DURING THE QUARTER.

In custody	: 92
Women	: 131
Child	: 5
SC/ST	: 7
Disabled	: 1
Other eligible persons	: 77
Total	: 313

GUJARAT

General Lok Adalats : Lok Adalat was organised on 14th February, 2015 on the subject of Bank Matters, Section 138 NI Act, Recovery suits etc.(pending and pre-litigation matters) was held through out the State in which total 13448 cases were disposed of by amicable settlement and award of Rs. 171.10 (crores) were made towards settlement.

Lok Adalat was organised on 14th March, 2015 on the subject of Revenue, MNREGA, Land Acquisition cases in which total 16887 cases were disposed of by amicable settlement and award of Rs. 7.197 (crores) were made towards settlement.

Lok Adalats & Legal Literacy Camps: The SLSA has also organized Permanent Lok Adalats and Legal Literacy Camps including General Lok Adalats during the quarter. In all 3214 Lok Adalats and 2200 Legal Literacy Camps were organized. In the above Lok Adalats, 46,150 cases were disposed of by amicable settlement and award of Rs.256.25 Cr were made towards settlement including M.A.C.P. Cases.

Celebration of International Women's Day on 8th March, 2015:

"International Women's Day", 8th March, 2015 was celebrated throughout the State and number of Legal Literacy Camps were organized for the empowerment of woman in the State through all the District Legal Services Authorities and Taluka Legal Services Committees.

Special Legal Literacy Camps on the rights of HIV/AIDS patients in Collaboration with District Organization of GNSP+ for people living with HIV : DLSAs organized 119 Special Legal Literacy camps on the rights of HIV/AIDS patients in collaboration with District Organizations of GNSP+ for people living with HIV.

Special Legal Literacy Camps on few areas focused by this Authority:

Senior Citizens: 104 Legal Literacy Camps have been organized on the areas to be focused by the SLSA and Schemes of Government relating to the benefits of Senior Citizens in various districts of the State by the District Legal Services Authorities in their respective Districts.

Mal-nutrition: 91 Legal Literacy Camps have been organized by District Legal Services Authorities on the subject of Mal-nutrition for creating awareness amongst the adolescent girls, pregnant women, nursing mothers, children etc. During the said Camps, necessary information is provided as to various Schemes framed by the State Government.

Women's Rights/ Human Rights : 467 LLCs have been conducted by the various District Legal Services Authorities in the State, out of which 359 LLCs have been organized on the subject of women's rights and 108 LLCs on Human rights.

Legal Aid Clinics: 146 Legal Aid Clinics have been established in the Gujarat State out of which 1 Legal Aid Clinic has been established in Colleges/University and 145 in villages.

Mediation Programme: As per direction of Mediation & Conciliation Project Committee, New Delhi, Awareness Referral Coaching and Mentoring (ARCM) Programme held at Vadodara from 28.02.2015 to 01.03.2015 and at Surat from 14.03.2015 to 15.03.2015.

HARYANA

Mediation Awareness and Sensitization Programmes at Panchkula, Sonapat, Rohtak And Kurukshetra : Mediation awareness and sensitization programmes were held on 3.1.2015 by the District Legal Services Authorities at Panchkula, Sonapat, Rohtak and Kurukshetra for the Judicial Officers, Lawyers, Panel Lawyers, Para Legal Volunteers, Law Students and Litigants.

Legal Literacy Classes/camps/programmes:

A Special Legal Literacy Class was organized on 07.01.2015 in Legal Literacy Club of Arya Girls College, Ambala Cantt. by District Legal Services Authority Ambala. Lecture on the "Rights of Women" was delivered.

A special legal literacy camp was organized on the topic of cyber crime by the DLSA, Jind on 14.01.2015. In the said legal awareness camp, various types of cyber crimes were explained to the students. The law of cyber crime was also explained. The important provisions of the Information Technology Act, 2000 were highlighted.

A special legal literacy camp to spread awareness about the menace of female foeticide and to explain the concept of free legal services was organized by DLSA, Panipat on 14.1.2015, at Village Siwah, Panipat.

On 15.1.2015, a special legal literacy camp was organized by DLSA, Panipat at DPS Senior Secondary School, Samalkha, Panipat. In the said camp, students were made aware about the relevant provisions of law for tackling domestic violence. The students were apprised in language about the various provisions of the Protection of Women from Domestic Violence Act, 2005.

On January 29, 2015, District Legal Services Authority, Karnal organized Legal Literacy Camp at Kumari Vidvavati Anand DAV College for Women, Karnal. The Secretary, DLSA explained the various rights of women. Emphasis, in the said camp, was also laid upon the discharge of Fundamental Duties as enshrined in part IV-A of the constitution of India.

On 31.1.2015, DLSA, Yamuna Nagar organized a special legal literacy camp at DAV College for Women, Yamuna Nagar. The

students were apprised about the laws relating to women and the functioning of Permanent Lok Adalat/Public Utility Services.

On the occasion of Republic Day, legal literacy camps were held across Haryana by the DLSAs under the aegis of Haryana State Legal Services Authority. In the said camps, emphasis was put on the Fundamental Duties and the Fundamental Rights enshrined in the Constitution of India.

On 10.02.2015, a Special Legal Literacy Class/Programme was conducted at Maharaja Agrasen College, Jagadhri. About 250 students attended the said awareness programme. Information concerning Consumer Protection Act, Motor Accident Claims, Traffic Offences and Fines etc. was given.

On 03.03.2015, DLSA, Jind organized a Special Legal Literacy Camp for Police Officials on 'Gender Sensitization' with the object to apprise the Police Officials on this issue of gender justice. It was explained that the issue of gender justice has been a concern as women still faces all kinds of indignity and prejudice. Important provisions of relevant laws were discussed in the said camp. It was emphasized that the increase in violence against women calls for a prompt and proper response from the police on all such complaints. Indifferent police response and fear of police can deny "access to justice" to women.

As per the calendar provided by Haryana SLSA, legal awareness camps were held for officials at grass root level by the DLSAs of Fatehabad, Faridabad, Gurgaon and Hisar on 7.2.2015, 21.2.2015, 7.3.2015 and 21.3.2015 respectively. In the said Legal Awareness Camps, Sarpanches, Aanganwari workers, Asha workers, BDO's etc. participated. They were told about the concept "Free Legal Aid". Various schemes and functions of Legal Services Authorities were explained to them. Important aspects of the Legal Awareness Campaign and Legal Aid were also explained in the said Legal Awareness Camps.

On the occasion of International Women's Day- 08.03.2015, DLSAs under the aegis of Haryana SLSA, held Legal Awareness Camps to spread awareness about rights of women under various laws. Important provisions of laws relating to Domestic Violence, sexual harassment at work place and other relevant laws were explained comprehensively.

A legal awareness camp was organized by DLSA Gurgaon on 11.03.2015 to spread awareness to sensitize the women against sexual harassment which they might face at work place or which they face on roads or elsewhere and how the same can be prevented, prohibited and redressed. The Sexual Harassment of women Prevention, Prohibition and Redressal Act, 2013 was highlighted and the measures which can be taken by the Internal Complaint Committee were also discussed. Procedure of filing complaint was also explained. This apart, important provisions of the Indian Penal Code such as section 354, 354A/354D of IPC were highlighted to sensitize the women against the kind of offences which affects the dignity of women. The role of DLSA in helping the victims under Model Prosecution Counsel for victim of rape and other crime against women and children was highlighted alongwith the fact that women are entitled to free legal aid.

On 18.3.2015 a legal literacy camp at I.B(P.G.) College at Panipat was organized by DLSA Panipat. The students were apprised about Fundamental Duties as enshrined in the Constitution of India, the concept of free legal aid and law on Female Foeticide.

DLSA, Gurgaon organized special literacy camp during Navratras from 21.3.2015 at the Sheetla Mata Mandir. In the camp, people were told about various important provisions of various laws. They were guided about the role of DLSA working under the aegis of HALSA & NALSA. Books and pamphlets were also distributed to spread legal awareness.

Special Legal Literacy Camp was organized during Navratras at Mata Mansa Devi Temple Complex from 21.3.2015 to 28.3.2015. Panel lawyers and Para Legal Volunteers rendered their services at the camp. Books and pamphlets were also distributed to spread legal awareness. The Hon'ble Mr. Justice S.K. Mittal, Judge, High Court of Punjab & Haryana-cum-Executive Chairman, Haryana SLSA also visited the said stall. The law students also participated in this camp. Students of Legal Literacy Clubs also took part in drawing and essay competition. In the said camp, flex banners, reflecting the fundamental duties, as contained in the Constitution of India, and provisions of various laws such as The Maintenance of Parents and Senior Citizens Act, 2007, Prohibition of Child Marriage Act, 2006 etc. were displayed to educate the public.

Legal awareness stall to spread awareness about 'Beti Bachao Beti Padhao': On 22.1.2015, District Legal Services Authority, Panipat setup a stall to spread awareness about the menace of female foeticide and about the importance of girls' education. On the said day, a rally on 'Beti Bachao Beti Padhao' was also flagged off. The said legal awareness stall was also visited by Chief Minister of Haryana Mr. Manohar Lal Khatar. Books and pamphlets, published by the Haryana State Legal Services Authority, were distributed amongst people who visited the stall.

Tableau of DLSA, Ambala in Republic Day Celebrations-2015 : To spread awareness about the functioning and various schemes of NALSA and HALSA and DLSA, District Legal Services Authority, Ambala took part in the District Level Republic Day Celebrations by way of Tableau. The tableau was conceptualized to depict the entire working of the Legal Services Authority for 'Access to Justice' for all. Details of various schemes of NALSA and HALSA were displayed. A special award was also given to District Legal Services Authority by Hon'ble Chairman of Haryana Vidhan Sabha.

Sensitization Programme on Juvenile Justice for Police Officials: In the month of January, 2015, DLSA, Kaithal organized sensitization programme on juvenile justice (Care and Protection of Children) Act, 2000 for police officials. It was organized with the objective to update the knowledge of the police officials about this beneficial enactment. In the said programme, it was also emphasized that juveniles in conflict with law must be dealt with reformatory approach so that the real objectives of the Juvenile Justice Act are achieved.

Legal Awareness Campaign at Surajkhud: Suraj Kund Craft Mela is held every year from 1st to 15th February in Faridabad. Lakhs of people visit the said Mela. It provides a good forum to spread legal awareness. An awareness stall was displayed from 1st February 2015 to 15th February 2015 in 29th Surajkund International Craft Mela by Haryana SLSA with the aim to create legal awareness amongst the masses. Awareness was also spread about the activities carried out by different District Legal Services Authorities of Haryana State and about the legal rights and duties, benefits of various schemes of HALSA and NALSA, to achieve the motto of "Access to Justice for all".

The stall was inaugurated on 1st February 2015 by Chief Guest Hon'ble Mr. Justice T.S.Thakur, Judge Supreme Court of India and Executive Chairman NALSA, Delhi in the presence of Hon'ble Acting Chief Justice Mr. Justice S. J. Vazifdar, Punjab & Haryana High Court and Patron-in-Chief HALSA accompanied by Hon'ble Mr. Justice S.K.Mittal, Judge Punjab and Haryana High Court and Executive Chairman, HALSA and Hon'ble Mr. Justice M.M.S.Bedi, Judge Punjab and Haryana High Court, Chandigarh and Administrative Judge, Faridabad Sessions Division, Sh. Inderjeet Mehta, District & Sessions Judge cum Chairman, DLSA, Faridabad, Member Secretary, HALSA and other dignitaries.

The main theme of the stall this year was "Right to Education" and "Stop Drug Abuse". The attention of gathering was drawn to the stall through dances, nukar nataks, plays, rallies and painting competitions etc. on the different legal topics, in which the students of different schools and colleges participated. A rally of school students on the topic Stop Drug Abuse was flagged by Hon'ble Mr. Justice T.S. Thakur, Painting competition of school students on the topic Stop Drug Abuse was also organized on 1st February.

The stall was also visited by Hon'ble Mr. Justice A.M.Sapre, Judge, Supreme Court of India on 07.02.2015. Hon'ble Mr. Justice Kurian Joseph, Judge, Supreme Court of India visited the stall on 15.02.2015 and Hon'ble Mr. Justice B.B.Parsoon, Judge, Punjab and Haryana High Court visited the legal awareness stall on 14.02.2015.

The gathering was made aware of the Lok Adalat and the benefits thereof. Every day, thousands of people visited the stall and watched the events organized by HALSA which enlightened them on the issues of social and legal importance including child labour, rights of transgender, Fundamental Duties, Right to Education and Drug Abuse. Students of different schools and colleges performed different programmes on different socio-legal issues under Students Legal Literacy mission. Around 838 students of different schools and colleges performed 37 different programmes during a span of 15 days.

A Statistical Glimpse

1.	Total number of persons visiting the stall + total number of persons addressed through the students programmes of “Student Legal Literacy Mission”	=	7,67,520
2.	Total No. of Books distributed	=	1,00,000
3.	Total No. of pamphlets distributed	=	2,00,000
4.	Total No. of various forms distributed	=	10,000
5.	Total No. of students who participated in programmes	=	838
6.	Total No. of Programmes	=	37
7.	Total no. Schools and colleges participated	=	33
8.	Total no. Persons who visited stall	=	76,300
9.	Total No. of persons benefitted from the Programmes		6,91,220
10.	Total No. of beneficiaries	=	7,67,520

‘Marg Darshak’- Orientation Programme for the Investigating Officers and Station House Officers of Panchkula: DLSA, Panchkula, under the aegis of Haryana SLISA organized an Orientation Programme for the Investigating Officers and Station House Officers of Panchkula named ‘Marg Darshak’. In the said programme, a capsule training programme was held for the Investigating Officers and Station House Officers regarding various practical aspects of their day to day functioning regarding investigation and dealing with the accused and complainant in the Criminal Cases. They were made aware regarding the rights of the accused, rights of the complainant, various aspects to be kept in mind while registration of FIR, how to collect evidence at the Crime Scene and the latest amendment to the Criminal Procedure Code and latest judgments of Supreme Court on the subject. The inaugural session was held on the 11.2.2015 and the working sessions were held on 14.2.2015 and 28.2.2015.

Sensitization Programme conducted by DLSA, Sonapat: A Sensitization programme for Chairman & Members of CWC, Team Members of ICDS, Chairman & Members of Juvenile Justice Board,

Police Officials attached to the Child Welfare Committee and Juvenile Justice Board and all the Station House Officers was held on 11.02.2015. Various provisions of Juvenile Justice (Care and Protection of Children) Act, 2000 were discussed. It was emphasized that implementation in letter and spirit at grass root level is required to serve the purpose for the betterment of the society.

Seminar on “Crime Against Women and Senior Citizens”:On 13.2.2015, seminar on crime against women and senior citizens was organized at Sh. Sardari Lal College of Education, VPO Nauhani, District Ambala. In the said seminar various important laws such as the important provisions under the IPC relating to crime against women or protection of women from Domestic Violence Act, Hindu Marriage Act, Hindu Adoption and Maintenance Act, Maintenance and Welfare of Parents and Senior Citizens Act, 2007 etc., were discussed.

Division Level Competitions under Students Legal Literacy Mission:Haryana SLISA with the cooperation of Education Department, Haryana launched Students Legal Literacy Mission in Haryana in the year, 2009. Under the said mission, competitions are held at various levels such as School/College level, District level, Divisional Level and State level. On 23.02.2015, Division Level Competition at Government College, Ambala Cantt.was held. Students from various colleges of five Districts namely, Panchkula, Ambala, Yamuna Nagar, Kaithal and Kurukshetra participated. Competitions in various categories such as Poem Recitation, Declamation, Essay Writing, Slogan Writing, Poster Making etc. were held.

Workshop for Judicial Officers at Ambala:On 4.3.2015, a workshop was conducted by the DLSA at Ambala to sensitize and to deliberate upon the various important provisions of Mental Health Act, 1987 and the National Legal Services Authority (Legal Services to the mentally ill persons and persons with mental disability) Scheme, 2010. In the said workshop various aspects on the Mental Health Act, 1987 were discussed.

Sensitization Programme on Juvenile Justice Act on Model Prosecution:On 5.3.2015, a sensitization programme was organized by DLSA, Jhajjar for all the Judicial Officers of Jhajjar, DSP's and SHO's and incharge of police posts of District Jhajjar, members of

Child Welfare Committee, members of District ICDS Cell, Jhajjar and members of Juvenile Justice Board, Jhajjar, Advocate attached with Model Prosecution Scheme and PLVs attached with Bachpan Bachao Andolan.

On 11.3.2015, sensitization programme for the police officials and the members of child welfare committees was organized by DLSA, Bhiwani under the aegis of Haryana SLSA. In the said programme various aspects of the Juvenile Justice Act were deliberated upon. Important provisions were explained in comprehensible language through power presentation by Secretary, DLSA, Bhiwani.

Sampoorna Soochna : An Initiative for Prisoners : In order to ensure that the convicts know the status of their appeals and that they do not remain unrepresented, DLSA, under the aegis of Haryana SLSA, took an initiative to develop data base of all the convicts of District Jail. In this data base, complete information regarding each and every prisoner is available at a single click. The programme contains a brief data of the prisoner i.e. offence committed by him, name of the Court in which his case is pending, name of the advocate with his mobile number, the next date fixed and the stage of proceedings. This data will help the inmates trace their case, will help them know the stage of their matter, details of their lawyer and will help DLSA Faridabad find out if all inmates are being represented by lawyer or not. This programme was developed by DLSA Faridabad along with one convict (District Jail Neemka) who is undergoing life imprisonment for offence of murder. DLSA, Faridabad has named this project as "Sampurna Soochna". On 13.03.2015, launching of this computer based data base "Sampurna Soochna" at the District Jail Neemka, Faridabad was organized by DLSA, Faridabad. During this programme, 21 sewing machines were donated by I.V Foundation, Faridabad to be used by the female prisoners at the District Jail Neemka, Faridabad. By opening of this sewing centre, the female prisoners on being released from jail would be able to stand on their own feet and earn their livelihood. Health check up camp for heart and skin was also organized with the help of Park Hospital, Faridabad in District Jail Neemka, Faridabad.

National Lok Adalats on 14.2.2015 & 14.3.2015 : On 14.02.2015, National Lok Adalat on Bank matters (Section 138 NI Act, recovery suits etc) was held. In the said Lok Adalat, 4372 cases were

settled involving an amount of Rs.190573149. Second subject-wise National Lok Adalat was held on 14.3.2015 with regard to revenue, MNREGA, Land Acquisition cases across the State of Haryana. In the said Lok Adalat, 9888 cases were settled involving an amount of Rs.723278130.

Inauguration of Alternative Dispute Resolution Centres at Rohtak And Hisar: On 14.3.2015, Alternative Dispute Resolution Centres at Rohtak and Hisar were inaugurated by Hon'ble Mr. Justice Satish Kumar Mittal. On the said occasion, Hon'ble Mr. Justice G.S.Sandhwalia, Administrative Judge, Rohtak and Hon'ble Mr. Justice K.C.Puri, Administrative Judge, Hisar were also present. Hon'ble Mr. Justice Satish Kumar Mittal elaborated the concept of "Access to Justice for All". His Lordship also emphasized the need to promote and strengthen Alternative Dispute Resolution Mechanism. Justice G.S.Sandhwalia addressed the gathering, and emphasized the need to promote ADR processes. Hon'ble Mr. Justice K.C.Puri also stressed the need to strengthen the Alternative Dispute Resolution Mechanism.

Workshop for Sensitization on Juvenile Law: A workshop for developing an integrated approach amongst various stake holders in matters related to juveniles/children was held by DLSA, Sirsa on 21.03.2015 with the object to understand the machinery/structure which has been put in place under various statutory provisions to protect the rights of children/juveniles. Working of individual units in the set up was sought to be evaluated from the viewpoint of the remaining stake holders in the structure.

Awareness Referral Coaching and Mentoring (ARCM) Programme at Karnal: On 21.3.2015 and 22.3.2015, Awareness Referral Coaching Mentoring (ARCM) program was organized by Haryana SLA in collaboration with the Mediation and Conciliation Project Committee of Supreme Court of India. On the first day, Master Trainers from MCPC and District Mediation Centre of Karnal conducted live. Master Trainers guided the mediators of Karnal throughout the session and kept on mentoring them. ARCM programme for lawyers was also conducted by both the Master trainers. Para Legal Volunteers, teachers of various government schools, Anganwari workers and journalists also participated in this programme. The idea was also to create awareness about the process of Mediation amongst all sections of society. On next day i.e.,

22.3.2015, two simultaneous sessions were conducted. A critiquing programme was conducted with the mediators of District Mediation Center Karnal, and they were coached on the basis of previous day's experiences by the Master Trainer. In another session, an awareness cum refresher programme was conducted for referral judges. Mediation Rules along with AFCON'S judgment was distributed amongst the Judicial Officers.

Workshop for Sensitization on Juvenile Law: A workshop for developing an integrated approach amongst various stake holders in matters related to juveniles/children was held by DLSA, Sirsa on 21.03.2015 with the object to understand the machinery/structure which has been put in place under various statutory provisions to protect the rights of children/juveniles. Working of individual units in the set up was sought to be evaluated from the viewpoint of the remaining stake holders in the structure.

Advocates Training Programme of DLSA Gurgaon in Association with Lawyers Collective: A training programme was organized on 24.3.2015 for panel advocates as well as the mediators of DLSA, Gurgaon in association with lawyers collective, an NGO with an idea to impart training to the panel advocates and mediators so as to improve their efficiency and their skills and also to upgrade their legal knowledge taking into account the dynamics of the changing society and evolution of law. The role of DLSA was also highlighted and specifically the judgment of Manohar Vs. Shiv 2014 Volume 1 RCR Civil 274(SC) was discussed in which the role of District Legal Services Authorities has also been highlighted.

The constitutional structure and general legislations such as PC & PNDT Act, 1994, Maternity Benefit Act, 1961, Medical Termination of Pregnancy, Act, 1971 and the National Commission for Women Act, 1990 were demonstrated through PPT. Specific legislations relating to women such as Immoral Traffic Prevention Act, 1956, Dowry Prohibition Act, 1961, Indecent Representation of Women Prohibition Act, 1986, Commission of Sati Prevention Act, 1987, Protection of Women from Domestic Violence Act, 2005 and Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Act, 2013 were also highlighted.

Awareness Through Community Radio: In the month of February and March 2015 various legal awareness programmes were

conducted through community radio at Sirsa, Gurgaon, Faridabad and Mewat. In the said programme various topics were covered such as protection of women for domestic violence act, law on bail, free legal aid, victim compensation scheme.

Lok Adalats : During the period from **1st January to 31st March, 2015**, DLSAs and Sub-Divisional LSCs organized **170** Lok Adalats/ Special Lok Adalats wherein **16,12,333** cases were taken up out of which **23,152** cases were disposed of by amicable settlement between the parties and an amount of **28,28,28,501/-** was awarded as compensation to the claimants in **70** MACT cases.

Rural/Mobile Lok Adalats : During the period from **1st January to 31st March, 2015**, DLSAs and Sub-Divisional LSCs organized **72** Rural/Mobile Lok Adalats at village level for providing justice to the common man at his door step. In these Rural/Mobile Lok Adalats **1416** cases pending in the courts as well as at pre-litigative stage of the concerned village and adjoining villages were taken up, out of which **988** cases were settled.

Permanent Lok Adalats pertaining to Public Utility Services: PLA(PUS) are working in all the 21 districts of Haryana. During the period from **1st January to 31st March, 2015**, these Permanent Lok Adalats, Public Utility Services settled **6,535** cases out of **50,276** cases taken up therein.

Daily Lok Adalat: To make the Lok Adalat a permanent and continuous process, the SLSA requested all the District & Sessions Judges-cum-Chairmen, DLSAs that every court in Session Divisions should convert into a Daily Lok Adalat from 2:00 p.m. to 2:30 p.m., extendable to 3:00 p.m. depending upon quantum of work [4:00 p.m. to 4:30 p.m. extendable upto 5:00 p.m. from March, 2012 onwards]. During the period from **1st January to 31st March, 2015**, DLSAs and Sub-Divisional LSCs organized **17020** Daily Lok Adalats wherein **49644** cases were taken up out of which **30035** cases were disposed of by amicable settlement between the parties and an amount of Rs. **47855995/-** was awarded as compensation to the claimants in **248** MACT cases.

Mediation : During the period from **1st January to 31st March, 2015**, **2293** Cases were referred to the District Mediation and Conciliation Centres, out of which **470** cases were settled by the Mediators.

Legal Literacy/Legal Awareness Camps/Seminars : During the period from 1st January to 31st March, 2015, 2,771 Legal Literacy/ Legal Awareness Camps were organized and 32,35,168 persons were benefited by these Legal Literacy/ Legal Awareness Camps.

Free Legal Aid: During the period from 1st January to 31st March, 2015, 2,129 persons were provided with free legal services at by Sub-Divisional LSCs, DLSAs, Haryana SLISA and High Court LSC.

HIMACHAL PRADESH

455 Lok Adalats were organised at District and Sub Divisional level in which **11353** cases were settled.

565 Legal Literacy/ Awareness Camp have been organised benefiting **32481** number of persons.

Legal Aid has been provided to **439** persons which includes **59** SC, **7** ST, **95** General **14** Backward Class, **212** Women, **17** Children **18** in Custody, and **17** others.

The H.P. SLISA observed International Women's day on 8th March, 2015 by organising camps at District and Sub Divisional level and also by installing a stall of a fair at Hotel Peterhoff Shimla on the space provided by the Women and Child Development Department.

During the period 1.1.2015 to 31.3.2015 **58** cases were settled by way of Mediation in the State.

As many as **148** Legal awareness camps through Mobile Van were organized by DLSAs, Una, Bilaspur, and Hamirpur from 2.1.2015 to 11.1.2015, 15.1.2015 to 23.1.2015 and 2.2.2015 to 14.2.2015. In these camps, almost all the legal topics concerning PNDT Act Domestic Violence Act, General Laws relating to Children, Women, Fundamental Duties, Right of Workers of unorganized sector etc. were explained to the Villagers in simple language by deputing panel lawyers and Para Legal Volunteers.

District Legal Services Authority, Bilaspur organised various programme for dissemination of legal awareness through dramas and skits followed by panel discussion by the legal experts and also Retainer Lawyers and Para Legal Volunteers during the Nalwari Mela, Bilaspur on 17.3.2015 to 23.3.2015. The multi utility van was also utilized in the said fair.

The H.P State Legal Services Authority started telecasting and broadcasting Legal Services programmes “Kanoon Ki Baat”. The Hon’ble Patron-in-Chief and Hon’ble Executive Chairman enlightened the masses on Doordarshan/ All India Radio on 20.3.2015 and 16.3.2015 respectively and apprised the masses about the importance of the Legal Services Authorities Act, 1987 and other Schemes of NALSA. In Community Radio, Hamara 90.4 FM Solan, Member Secretary enlightened the masses about the importance of Legal Services Authority Act and Schemes of NALSA.

The Member Secretary, H.P. SLSA periodically inspects Mental Hospital and during inspection on 26.12.2014, it was found that two inmates who have recovered from their illness were still staying there as their near or dear ones did not turn up to take their custody. This Authority took up the matter with the Tamil Nadu SLSA and Ministry of External Affairs, Govt. of India to take steps for their custody, so that they are united with their families.

Foundation stone of ADR Centre, District Sirmaur at Nahan was laid by the Chairman, DLSA Sirmaur at Nahan and the Member Secretary, H.P. SLSA on 17th March, 2015.

Hon’ble the Executive Chairman, H.P. SLSA chaired meetings of about 150 Advocates on 6.1.2015 and 8.1.2015 wherein the Advocates of various Districts and Sub Divisions in the State of Himachal Pradesh voluntarily agreed to inspect sites during winter vacations where saplings have been planted by the students of school under Afforestation Project of the SLSA. Such inspection has been carried out by the Advocates during winter vacations and reports have been submitted to the SLSA.

JHARKHAND

National Lok Adalat on 10th January, 2015, 14th February, 2015 and 14th March, 2015 : As per the NALSA’s calendar for National Lok Adalat, JHALSA organized the National Lok Adalats in the month of January, February and March and the disposal figure is as follows:

NLA on 10.01.15– Cases Disposed- 653736,	Amount Settled – Rs.910436761
NLA on 14.02.15– Cases Disposed 12136,	Amount Settled – Rs.795393517
NLA on 14.03.15– Cases Disposed 618202,	Amount Settled – Rs.1518054325

Workshop on “Protection of Women from Domestic Violence” on 18th January 2015 at Ranchi : Initsuntiring pursuit for empowerment

of women the above programme was organized by JHALSA and Judicial Academy, Jharkhand in which the Chief Guest was Hon'ble Mr. Justice Virender Singh the Chief Justice, High Court of Jharkhand - cum- Patron- in- Chief, JHALSA and attended by other Hon'ble Judges of the High Court of Jharkhand.

In his key note address the Hon'ble Chief Justice sensitized all the stake holders about the menace of domestic violence on women and need to address the problem effectively. Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand & Executive Chairman, JHALSA called upon the Judicial Officers, Police Officers, Govt. Officers and PLVs present on the occasion to work untiringly for empowerment of women and said that the Domestic Violence is required to be dealt with effectively on social and legal fronts.

Legal Awareness Programme & Special Lok Adalat Adoption and Opening of Legal Aid Clinic at Sahyog Village, Dugdugia, Distt - Khuntia 24.01.2015 : JHALSA is making every effort to make its reach to every far and corner of the State and in that direction a programme was organized by JHALSA and DLSA, Khunti in which the Chief Guest was Hon'ble Mr. Justice Virender Singh the Chief Justice, High Court of Jharkhand - cum - Patron - in - Chief, JHALSA and attended by other Hon'ble Judges of the High Court of Jharkhand. Legal Aid Clinic was opened at Sahyog Village by Hon'ble Mr. Justice Virender Singh the Chief Justice, High Court of Jharkhand - cum - Patron - In - Chief, JHALSA and In his address His Lordship deliberated upon the benefits of Legal Aid Clinics and urged the local villagers present there to take the benefits of Legal Aid Clinics. On that occasion seven inter - country adoption and one in-country adoption was made and the children were handed over to their adopting parents.

Inauguration of Legal Literacy Club at DPS Ranchi and Ranchi Sahodaya School Complex as well as Prize Distribution to Winners of Essay Competition on Fundamental Duties on 31st January 2015 : As part of multifarious activities at school and college level a programme was organized at DPS, Ranchi and the Legal Literacy Club was opened at DPS, Ranchi and as well as Sahodaya School Complex and prize was distributed to the participants of the essay competition on the topic "Fundamental Duties". The Chief Guest of the Programme was Hon'ble Mr. Justice S. J. Mukhopadhyaya, the then Judge, Supreme Court of India, Hon'ble Mr. Justice Virender

Singh, the Chief Justice High Court of Jharkhand Hon'ble Mr. Justice D. N. Patel, Judge, High Court of Jharkhand and Executive Chairman, JHALSA, Hon'ble Mr. Justice R.R. Prasad, Judge, High Court of Jharkhand & Chairman, HCLSC and other Hon'ble Judges of High Court of Jharkhand also attended the programme. In his speech Hon'ble Mr. Justice S.J. Mukhopadhaya called upon the students to effectively use the Legal Literacy Club and said that the knowledge of law will help them to become a good human being. Hon'ble Mr. Justice Virender Singh described in detail the benefits of Legal Literacy Club and apprised the august gathering of His Lordship's experiences of wonderful work done by such Legal Literacy Club at Jammu & Kashmir. In his address Hon'ble Mr. Justice D.N. Patel assured the students of all the help in continuous running of the Legal Literacy Club and promised that it will be supplied all the legal literacy material regularly.

Workshop on Capacity Building of PLV, Strengthening of Legal Aid Clinic and Disaster Management (Quick Response by Legal Services Institutions during Natural or Man-made Disaster) : the above programme was organized on 7th February, 2015 at Nyaya Sadan, Doranda, Ranchi in which Hon'ble Mr. Justice Virender Singh, the Chief Justice, High Court of Jharkhand – cum – Patron – in – Chief, JHALSA was the Chief Guest and the programme was attended by Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand and Executive Chairman, JHALSA, Hon'ble Mr. Justice R.R. Prasad, Judge, High Court of Jharkhand & Chairman, HCLSC and other Hon'ble Judges of High Court of Jharkhand. Hon'ble Mr. Justice Virender Singh in his key note address apprised the PLVs of their strength in providing effective Legal Service to the general public and shared His Lordship's experiences of Jammu & Kashmir as to how the PLVs there opened a school within 24 hours for children of victim of natural disaster. In his address Hon'ble Mr. Justice D.N. Patel acknowledged the works done by PLVs in the State of Jharkhand and called upon them to work even more rigorously for alleviating the miseries of the general public. In his special address Hon'ble Mr. Justice V.N. Sinha, Executive Chairman, Bihar SLSA deliberated upon the areas on which PLVs can work effectively. The target group of the above programme was Judicial Officers, Police Officers, PLVs and Advocates. The programme was also attended by Secretary, DLSA, Jaspur (Chhattisgarh) as well as PLVs of Bihar and Chhattisgarh.

Inauguration of Legal Awareness Stall of JHALSA : The Legal Awareness Stall of JHALSA at Rashtriya Khadievam Saras Mahotsav- 2015 on 24th Feb. 2015 at Morabadi, Ranchi was inaugurated by Hon'ble Mr. Justice Virender Singh, the Chief Justice, High Court of Jharkhand – cum – Patron – in - chief, JHALSA in the presence of Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand and Executive Chairman, JHALSA, Hon'ble Mr. Justice R.R. Prasad, Judge, High Court of Jharkhand & Chairman, HCLSC and other Hon'ble Judges of High Court of Jharkhand. At this occasion Hon'ble Mr. Justice Virender Singh called upon the general public visiting them to go through the legal awareness material available at the stall and avail the Legal Services free of cost. Hon'ble Mr. Justice D.N. Patel informed the general public present there about the legal literacy materials available on the stall as well as legal services anyone can avail at the stall.

Advance Mediation Training Programme (20 Hours): Under the aegis of MCPC, Supreme Court of India **Advance Mediation Training Programme (20Hours)** was organized by JHALSA **on 27th Feb. to 1st March 2015 at Ranchi** in which Advocate Mediators of Ranchi and Jamshedpur learnt Advance Mediation Skills.

Legal Awareness Stall of JHALSA at the Venue of 13th All India Meet of State Legal

Services Authorities on 21-22 March, 2015 : At the venue of 13th All India Meet of State Legal Services Authorities a Legal Awareness Stall was opened by JHALSA displaying the Legal Awareness Books and other literature. Through this stall the persons visiting were provided legal information as well as booklets, pamphlets prepared by NALSA/JHALSA in simple language on various laws.

NALSA's 13th All India Meet of State Legal Services Authorities : NALSA's 13th All India Meet of SLSAs was organized on 21-22 March, 2015 at Ranchi in which Hon'ble Executive Chairpersons, Member Secretaries of all 36 SLSAs as well as the Members of the NALSA participated. In the inauguration ceremony Hon'ble Chief Minister, Jharkhand Sri Raghubar Das, Hon'ble Mr. Justice T.S. Thakur, Judge, Supreme Court of India & Executive Chairman, NALSA, Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India & Chairman, SCLSC, Hon'ble Mr. Justice Virender Singh, Chief Justice, High Court of Jharkhand-cum-Patron-in-Chief, JHALSA, Hon'ble Mr. Justice D.Y. Chandrachud, Chief Justice Allahabad High

Court, Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand & Executive Chairman, JHALSA, Hon'ble Executive Chairpersons of all the SLSAs, Hon'ble Judges of High Court of Jharkhand, Members of NALSA, Member Secretaries of all the SLSAs, Judicial Officers, Govt. Officers, advocates, Law Students and N.G.O. persons were present. The Conclave of Executive Chairpersons and Member Secretaries of all the SLSAs was chaired by Hon'ble Mr. Justice T.S. Thakur, Judge, Supreme Court of India & Executive Chairman, NALSA. Very fruitful deliberations were made in the conclave and important resolutions of far reaching consequences were adopted.

Legal Services Programmes organised by the DLSAs and SDLScs of State of Jharkhand : There are 23 District Legal Services Authorities and three Sub-Divisional Legal Services Committees working in the State of Jharkhand and the Legal Awareness Programmes / Activities organised by them are as follows:

(a)	Number of Legal Literacy/Awareness Programmes conducted at School level:	Fundamental Duties 270	Other topics (specify) 146 (Senior Citizens, Child Trafficking, Fundamental Rights and Human Rights)
(b)	Essay Competition organised on the topic of Fundamental Duties	15 competition were organized at School level and prizes were distributed among the winners.	
(c)	Number of Legal Literacy/Awareness Programmes conducted at community level for women, government officials, senior citizens, professionals and youths etc.	Fundamental Duties 639	Other topics (specify) 475 (Beneficial Scheme for unorganized sector, labour victim of sexual violence ST/SC children and child labour Act).
(d)	Mobile Lok Adalats	Number of Mobile Lok Adalats held 167	Number and nature of cases taken up Number of cases disposed of 5644 (Various types of applications received with regard to issuance of BPL Card, Indra Awas Yojna, Widow Pension, Vridha Pension, Medical treatment etc.)
			5644 (Various types of applications received with regard to issuance of BPL Card, Indra Awas Yojna, Widow Pension, Vridha Pension Medical treatment etc.)

7.	Number and methods of Legal Awareness Camps/Campaign	Melas/ Exhibition 165	Street Plays 14	Radio/ TV 11	Others 1502
				As per Schedule—organised Legal Aid Programme (kanoon Ki Baat) is broadcast Doordarshan one every 1st & 3rd Tuesday & thereafter All India Radio on every Friday for 25 minutes	(At observation Home, Central Jail, Village Panchayat Community level)

KARNATAKA

On 03-01-2015 Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the Project of the year "Eradication of Malnutrition & bringing back children to school" and ADR Centre at Mysuru District.

On 04-01-2015 Karnataka SLA in association with Ramanagara DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction, PWD and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the workshop at Ramanagara District. The programme was presided over by Hon'ble Mr. Justice Huluvadi G.Ramesh, Judge, High Court of Karnataka and Hon'ble Mr. Justice A.V.Chandrashekar, Judge, High Court of Karnataka. About 1000 anganwadi workers, asha workers and government officials participated in the workshop. The Children affected by Malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition.

On 10-01-2015 Dharwad DLSA in association with District Administration, Zilla Panchayath, BEO, CDPO, Health Department, Advocate Association, Police Department & Information Department organized a legal literacy workshop regarding "**Protection of Female Child**". Hon'ble Mr. Justice Ram Mohan Reddy, Judge, High Court of Karnataka & Member, Central Authority, NALSA presided over the function.

On 10-01-2015 Karnataka SLSA in association with Tumakuru DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the workshop. The programme was presided over by Sri N.K.Sudheendra Rao, Prl. District and Sessions Judge and Chairman, DLSA, Tumakuru. Sri Ashok G.Nijagannavar, Member Secretary, KSLSA, Sri Mustafa Hussain, Special Officer, KSLSA, Sri K.L.Ashok, Deputy Secretary, KSLSA, Sri Siddalinga Prabhu, Member Secretary, DLSA, Tumakuru, Sri K.S.Satyamurthy, Deputy Commissioner, Sri Ramanaguptha, Superintendent of Police, Sri Govindaraju, Chief Administrative Officer. The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition.

On 22-01-2015 Karnataka SLSA in association with Bengaluru Urban DLSA and Maharani Women's Arts and Commerce College organized a legal literacy programme. Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the function. Hon'ble Executive Chairman addressed the gathering and stressed upon the importance of Legal Awareness.

On 24-01-2015 Karnataka SLSA in association with Chamarajanagar DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the workshop. About 700 anganwadi workers, ashra workers and government officials participated in the workshop. The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition.

On 25-01-2015 Karnataka State Legal Services Authority in association with Bengaluru Rural DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the workshop at Navodaya Vidyamandira, Doddaballapura. The programme was presided over by Hon'ble Mr. Justice H. Billappa, Judge, High Court of Karnataka, Administrative Judge, Bengaluru Rural District. Sri S.R. Somashekara, Prl. District and Sessions Judge and Chairman, DLSA, Bengaluru Rural. Sri Ashok G. Nijagannavar, Member Secretary, KSLSA were the guests of honour. The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition. About 600 anganwadi workers, aasha workers and government officials participated in the workshop

On 28-01-2015 Karnataka State Legal Services Authority in association with Bengaluru Urban DLSA and St. Joseph Indian Composite PU College arranged a legal literacy programme. Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the function. The programme was presided over by Sri Zerald Futhardo, Principal, St. Joseph Indian Composite PU College, Sri Narendra Kumar Gunaki, Prl. District and Sessions Judge and Chairman, DLSA, Bengaluru Urban DLSA & Sri Ashok G. Nijagannavar, Member Secretary, KSLSA were the Chief Guests of Honour.

On 01-02-2015 Karnataka State Legal Services Authority in association with Haveri DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mrs. Justice Rathnakala, Judge, High Court Of Karnataka and Administrative Judge, Haveri District inaugurated the workshop at Haveri Zilla Panchayath Sabhangan, DC Office Premises. The programme was presided over by Sri V. Srishananda, Prl. District

and Sessions Judge and Chairman, DLSA, Haveri. About 550 anganwadi workers, asha workers and government officials participated in the workshop. The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition.

On 06-02-2015 Karnataka SLSA in association with Bengaluru Urban DLSA and St. Joseph Indian Composite PU Evening College arranged a legal literacy programme. Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the function. The programme was presided over by Fr. Victor Lobo, Principal, St. Joseph Indian Composite PU Evening College.

On 07-02-2015 Karnataka SLSA in association with Dharwad DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition. About 400 anganwadi workers, asha workers and government officials participated in the workshop.

On 07-02-2015 one day District Level Workshop on Juvenile Justice, Care and Protection was inaugurated by Hon'ble Mr. Justice D.H.Waghela, Chief Justice, High Court of Karnataka in Mangaluru. Hon'ble Mr. Justice Huluvadi G.Ramesh presided over the function. Hon'ble Mr. Justice Abdul Nazeer and Hon'ble Mr. Justice A.N.Venugopala Gowda were the guests of honour.

On 20-02-2015 Karnataka SLSA in association with Bengaluru Urban DLSA arranged a legal literacy programme for Transgenders. Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the function.

On 22-02-2015 Karnataka SLSA in association with Bengaluru Rural DLSA, District Administration, Zilla Panchayath,

Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr Justice N.K.Patil, Judge, High Court of Karnataka and Executive Chairman, K.S.L.S.A inaugurated the workshop at Saraswathi Vidyamandira Sabhangana, Anekal town. About 600 anganwadi workers, asha workers and government officials participated in the workshop

On 22-02-2015 Karnataka State Legal Services Authority in association with Kodagu DLSA, District Administration, Zilla Panchayath, Health and Family Welfare Department, Department of Public Instruction and District Advocate's Association organized a legal literacy workshop on the project of the year "Eradication of Malnutrition & bringing back children to school". Hon'ble Mr. Justice S.N.Satyanarayana, Judge, High Court of Karnataka and Administrative Judge, Kodagu inaugurated the workshop. The children affected by malnutrition were given treatment by Medical Officers at the workshop where medicines and nutrition food were also distributed. Their mothers were given necessary instructions to eradicate and prevent malnutrition. About 300 anganwadi workers, asha workers and government officials participated in the workshop.

On 08-03-2015 Legal Literacy Programme was organized on the eve of International Women's Day at City Civil Court Premises, Bengaluru. Hon'ble Smt Justice Rathnakala, Judge, High Court of Karnataka inaugurated the function. Sri Narendra Kumar Gunaki, Chairman, DLSA, Bengaluru Urban, Sri Ashok G.Nijagannavar, Member Secretary, KSLSA, Sri K.Somashekara, Chairman, Bengaluru Rural District, Sri H.P.Sandesh, Chief Judge, Small Causes Court participated in the function. Dr.Suresh Badamath, Associate Professor, Department of Psychiatry, NIMHANS and Dr.Rajani, Medical Officer, Bengaluru Urban District were the resource persons.

On 14-03-2015, a District Level Workshop on Mental Health was organized by District Legal Services Authority, Kodagu, Health and Family Welfare Department, Zilla Panchayat, Madikeri and Karnataka State Mental health Authority at Mythri Police Community Hall, Madikeri. The Program was inaugurated by Hon'ble Mr Justice N.Kumar, Judge, High Court of Karnataka and Chairman, Karnataka State Judicial Academy and was presided over

by Dr.H.Chandrashekar, Secretary, Karnataka State Mental Health Authority. Around 1000 people were the benefited by the said program.

Details of Lok Adalat Organised and Cases settled from January 2015 to March 2015

Month	No. of Lok Adalat organized	Total No. of cases settled	No. of Cases Disposed of							Compensation paid in MVC Cases Rs.	Compensation paid in LAC Cases Rs	Pre-litigation cases	Total of (Col 3 & 12)
			Civil	Criminal	Revenue/ MNREGA	LAC	Bank	NI ACT	MVC				
1	2	3	4	5	6	7	8	9	10	11	12	13	14
January 2015	1,653	12,546	1,680	10,329	-	32	80	-	425	5,02,16,	19,40,500	4,043,326	16,589
February 2015	2,163	17,418	2,438	13,690	-	127	430	-	733	18,04,15,243	26,89,719	15,945	33,363
In Monthly National Lok Adalat held on 14-2-2015	-	10,799	-	-	-	-	827	9972	-	-	-	19676	30,475
March 2015 (in Monthly National Lok Adalat)	1,112	53,175	-	-	52,030	1,145	-	-	-	-	48,07,04,180	6,33,562	6,86,737
Total	4,928	93,938	4,118	24,019	52,030	1,304	1337	9972	1,158	23,06,31,743	48,53,34,225	6,73,226	7,67,164

Details of Legal Awareness/Literacy Camps Organised from January 2015 to March 2015

Month	Total No. of Legal Awareness/Literacy Camps Organized	Total No. of Persons Benefitted
January 2015	512	195177
February 2015	573	106704
March 2015	225	50204
Total	1,310	3,52,085

Details of Legal Advice and Legal Aid Beneficiaries from January 2015 to March 2015

Month	No. of Legal Aid given				Legal Advice given
	SC/ST	Women	Others	Total	
January 2015	33	68	144	245	3,713
February 2015	39	54	167	260	3,941
March 2015	20	15	87	122	1,598
Total	92	137	398	627	9,252

Details of Cases Settled by PLA under Different Categories from January 2015 to March 2015

Month	Total No. of sittings held	Transport	Postal, telegraph or Telephone service	Supply of power, light or water	Public Conservancy or Sanitation	Service in hospital or dispensary	Bank	Insurance Service	Total no. of Case settled	Amount Spent (Rs.)
January 2015	118	0	170	21	3	0	247	97	538	1,80,379/-
February 2015	111	0	91	2	34	0	733	66	926	1,77,683/-
March 2015	125	0	155	4	1	0	282	88	530	1,70,109/-
Total	354	0	416	27	38	0	1262	251	1994	5,28,171/-

KARNATAKA STATE LEGAL SERVICES AUTHORITY

Details of Cases Settled in Mediation Centres from January 2015 to March 2015

Month	No. of Cases referred	No. of Cases Compromised
January 2015	221	32
February 2015	449	75
March 2015	212	52
Total	882	159

KERALA

TLSC, Tirur organised the following legal literacy classes

On 05.01.2015 at Thacharabu Colony Anganwadi, Moolakkal on the subjects Anti drugs, D.V.Act etc. About 60 ladies attended.

On 14.01.2015 at Govt. High School, Meenadathur on the subjects traffic law, child rights, Anti drugs etc. About 200 students participated

On 20.01.2015 at Cheriya mundam Panchayath Conference Hall on the subject D.V.Act and other general laws. About 50 persons attended.

On 22.01.2015 at Kadungathukundu Anganwadi (ward No.3 of Valavannur Panchayat) on the subject D.V.Act, Consumer Laws etc. About 75 ladies have participated.

On 23.01.2015 at Nayanar Memorial L.P.School, Pattarparambu in Thanalur Panchayat. About 75 ladies have participated.

On 26.01.2015 at Mattummal Anganawadi in Aathavanadu Panchayat. About 50 persons participated.

On 28.01.2015 at A.M.U.P. School, Parakallu in Valavannur Panchayath for the students and teachers on the subjects fundamental duties, traffic laws, child labour etc. About 80 students and teachers participated.

DLSA, Kottayam arranged a legal literacy class on Cyber Laws and Information Technology Act, 2000 on 06.01.2015. 100 students attended the programme.

TLSC, Vaikom arranged legal literacy classes on Cyber Laws, Information Technology Act, 2000 and the Protection of Children from Sexual Offences Act, 2012 on 09.01.2015. 150 persons attended the class.

TLSC, Aluva arranged a legal awareness class on 10.01.2015 for the students police cadets at Model Residential School, Keezhumedu, Aluva on the topic Child Law. 30 students attended. Another programme was arranged by the TLSC, Aluva on 08.03.2015 in connection with the observance of Women's Day. 100 persons attended.

DLSA, Kannur, Thalasserry arranged legal literacy classes on 10.01.2015 and on 30.01.2015. More than 150 students have participated in these classes.

Tirurangadi TLSC arranged the following programmes:

Legal awareness class on 16.01.2015 at Govt. Higher Secondary School, Peruvallur on the topics 'Right to Information Act and Sevanavakasa Niyaman'. About 150 students actively participated in the programme.

Legal awareness class on 17.01.2015. About 200 college students, consumer protection society members and general public attended the programme.

Legal awareness class on 19.01.2015 at PPTYM Higher Secondary School, Cherur on the topic 'General Laws and Criminal Laws'. About 80 students participated in the class.

TLSC, Perinthalmanna arranged a legal awareness class for Adolescent children at Ambedkar Colony Anganwadi at Vengad on 17.01.2015. 42 children have attended the class.

DLSA, Idukki, Thodupuzha in association with police department arranged a legal awareness class on 18.01.2015. 100 persons attended.

TLSC, Kochi arranged a legal literacy class on 20.01.2015 at H.I. Higher Secondary School, Edavanakkad. 200 students attended.

TLSC, Idukki, Thodupuzha arranged a Symposium and legal awareness class on 08.03.2015 on the subject 'Women Empowerment and Role of Women in the Society' at ICDS Adimaly - Koompanpara, Anganwadi in connection with the observance of International Women's Day. About 124 women participated in the programme. Another programme was also organized on the same day at 3 pm at the Junior Chamber of India, Adimaly, in which about 100 persons attended.

TLSC, Kodungallur arranged a legal awareness class on 16th March 2015 for the students at KIDS campus, Kottappuram. About 85 students attended the legal awareness class. Another legal awareness class was organised by the TLSC on 18th March, 2015 for the women Self Help Groups based on the subjects relating to Women. About 100 women attended the awareness class.

DLSA, Alappuzha arranged a Seminar on Mediation on 23rd January, 2015 in the Zilla Panchayat Hall for members of Panchayats and Municipalities. 225 persons attended.

MADHYA PRADESH

Progress Report of Legal Literacy & Awareness Camps(January 2015 to March 2015)

Type of Camps	No. of Camps			No. of Persons Benefitted					No. of Persons Benefitted		Total Expen- diture
	Camps held in District (A)	Camps held in Tehsil (B)	Total (A+B)	In District (A)		In Tehsil (B)		Total (A+B)			
				Male	Fe-male	Male	Fe-male		ST	SC	
Legal Literacy Camp	522	543	1065	57647	32979	27716	14621	132963	18948	12857	77909
Micro Legal Literacy Camp	30	50	80	1468	396	1845	707	4416	226	139	0
MGNREG A Camp	37	14	51	4000	2590	1246	685	8521	1040	836	0

Settled Cases through Mediation (Jan 2015-March 2015)

Months	Pending cases	Total Received Cases	Total Cases	Success full Cases	Unsuccessful Cases	Total Successful & Unsuccessful Cases	Total Pending Cases	Percent Of Successful Cases
1	2	3	4	5	6	7	8	9
Jan 2015	5,088	1,842	6,930	302	1,356	1,658	5,272	18.21
Feb 2015	5,272	2,103	7,375	381	1,217	1,598	5,777	23.84
March 2015	5,777	2,044	7,821	368	1,292	1,660	6,161	22.17
	5,088	5,989	11,077	1,051	3,865	4,916	6,161	21.38

Settled Cases through Lok Adalat (Jan 2015-March 2015)

Month	Permanent & continuous			Publicity services		MNREGA		Jail		Plea bargaining
	No. of Lok Adalat	No. of Settled cases	Award amount	No. of Lok Adalat	No. of Settled cases	No. of Lok Adalat	No. of Settled cases	No. of Lok Adalat	No. of Settled cases	No. of Settled cases
Jan-15	127	1,145	10,465,419	24	58	6	9	5	1	11
Feb-15	143	4,027	122,516,556	23	51	4	10	6	4	15
Mar-15	67	513	7,520,038	15	11	6	19	5	2	9
Total-	337	5,685	140,502,013	62	120	16	38	16	7	35

Madhya Pradesh SLSA organized a **Mega Legal Literacy Camp** on 28.02.15 at village-Emlayi (Raja) Kundam, District - Jabalpur. This Mega Literacy Camp was focused on remote and tribal areas with a view to increase accessibility to justice and create awareness about various government schemes for women, children and senior citizens. Mega Literacy Camp at village Emlayi, was organized in coordination with administration and DLSA, Jabalpur. As a result as many as 1357 persons were benefitted through different government schemes. One of the attractive features of above camp was that apart from dispensation of pending dues, medical check up camp were also held in the same premises where doctors ranging from physicians, eye specialists, all rendered their services for a free health check up and facilitated issue of disability certificates. Information related to various schemes of NALSA, SLSA as well as various schemes which are running by Government of Madhya Pradesh were provided in the camp.

MAHARASHTRA

Legal Literacy Classes in Jails: In the month of January, 2015 as per Common Minimum Programme Calendar, the Maharashtra SLSA had organized various programmes in jails on the following topics:-

- (a) Rights of Prisoners and undertrials
- (b) Plea Bargaining
- (c) Legal Services Authorities Act, 1987.

Camps on the topic 'Farmers' Suicide': The Maharashtra SLSA adopted the Project for tackling the problems of farmers and preventing farmers from committing suicide. In this regard, the Maharashtra SLSA with the help of all DLSAs and TLSCs organized various camps on the following topics :

- (1) Government Schemes of Farmers
- (2) Acts relating to the Farmers

In the month of January 2015, the Maharashtra State Legal Services Authority has organized programmes throughout the State on the following topics : -

"The Maharashtra Prevention and Eradication of Human Sacrifice and other inhuman Evil and Aghori practices and Black Magic Act, 2013."

Awareness Camps on the various Schemes introduced by NALSA

:In the month of February, 2015, various Legal Awareness Camps were organized on the various Schemes introduced by the NALSA.

International Women's Day : On the occasion of 'International Women's Day' on 8th March 2015, the SLSA organized various Legal Awareness Camps throughout the State on the following topics to generate awareness amongst the women on their rights : -

- (a) Protection of women from Domestic Violence Act/Dowry Prohibition Act
- (b) Victims Compensation Schemes
- (c) Sexual Harassment of women at work place Act
- (d) PC and PNDT Act

National Lok Adalat on the Bank Matters : As per directions of NALSA, the Maharashtra SLSA organized Lok Adalat (Cases under section 138 of Negotiable Instrument Act, Recovery Suit). In the said Lok Adalat, following pending and pre-litigation matters were settled :-

Pre-litigation matters	-	8430
Regular matters	-	3800
TOTAL		<hr/> 12,230

National Lok Adalat on the Revenue, MNREGA and Land Acquisition matters :In the said Lok Adalat, following pre-litigation and regular matters have been settled :

Pre-litigation	-	57102
Regular matters	-	4648
TOTAL		<hr/> 61,750

Mobile Lok Adalat :Total 84 Mobile Lok Adalats had taken place during January and February, 2015 and about 439 cases were settled. Total 132 Legal Literacy Camps were organized during the January and February, 2015 through Mobile Lok Adalat.

Regular Lok Adalats and Legal Literacy Camps : Total 447 Lok Adalats were held in the State of Maharashtra in the month of January 2015 and February, 2015 in which total 14357 cases were

settled and amount of Rs.1,60,6000 was awarded as compensation fees in MACT cases.Total 1417 Legal Literacy Camps were held in Maharashtra in the month of January, 2015 and February, 2015.

MANIPUR

Lok Adalat :1 Lok Adalat for pre-litigation cases of Allahabad Bank was held on 18.01.2015 at Uripok Cheirap Court Complex, Imphal. In the said Lok Adalat 45 Pre litigation cases were taken up and out of which 4 cases were settled and a sum of Rs. 2,71,600/- was recovered.

The National Lok Adalat on Bank matters was organised on 14.02.2015. A total of **1076** pre-litigation bank cases were taken up in the National Lok Adalat and out of which **265** cases were settled and an amount of **Rs. 2,68,28,711/-** was recovered in the said National Lok Adalat.

National Lok Adalat on Revenue/MGNREGA and Land Acquisition cases was held on 14th March, 2015. A total of 99 (ninety-nine) cases were taken up and only 1 Revenue case was settled.

Legal Awareness Programmes :One day Mega Legal Literacy/ Awareness campaign was organised on 24.01.2015 in the august presence of Hon'ble Mr. Justice N. Kotiswar Singh, Executive Chairman, Manipur SLSA and Hon'ble Mr. Justice Kh. Nobin Singh, Judge, High Court of Manipur and Shri Ch. Brajachand Singh, Member Secretary, MASLSA. About 800 persons attended the said programme and they were sensitized on the topics such as "customary laws and the laws laid down by the legislatures", "provisions under legal services authorities act" and "Human rights with special reference to rights of the women and children".

85 (twenty-five) legal awareness programmes were organised by the DLSAs in association with NGOs/Clubs at their respective districts on the topics such Crime against Women, POCSO Act, Right to Education Act, Tribal Rights, Role of the Legal Aid Clinics in Justice Delivery system, Rights for the persons with disabilities etc.as well as different welfare schemes of Government such as MGNREGA, TPDS, IAY, RSBY etc.

One day talk and interaction programme on the topic "Fundamental Duties – Relevance of Swami Vivekananda & Mind Control and Concentration" was organised by Manipur SLSA on

10th January, 2015. The function was inaugurated by Hon'ble Mr. Justice N. Kotiswar Singh, Executive Chairman, MASLSA. First lecture on the topic – "Fundamental Duties – Relevance of Swami Vivekananda" was addressed by Shri Kanak Tiwari, Advocate and the second lecture on the topic – "Mind Control and Concentration" was addressed by Shri Swami Sumanasanada, Ramakrishna Mission, Cherrapunjee. The said function was attended by Judicial Officers, Advocates, Police Officers, law students, PLVs etc.

Live Phone-in Programme was held on 19/01/2015 from 7.00 a.m. to 7.30 a.m. at Kangla Channel of AIR, Imphal. Ms. Th. Premrata Devi, Advocate was the subject expert on the topic "**Right to Food**" and Shri Ng. Tejkumar Singh, Director of Prosecution was the Moderator.

A one day Mega Legal Literacy/Awareness campaign was organised on 08.02.2015 in the august presence of Hon'ble Mr. Justice Kh. Nobin Singh, Judge, High Court of Manipur. About 700 persons attended the programme and the resource persons addressed and interacted with the gatherings on the topics such as "Right to Education", "Social Security and Welfare Schemes", "Crime against women" etc.

Manipur SLSA in association with Legal Cell for Human Rights, Guwahati had conducted a **3 (three) days training and sensitization programme for the empanelled lawyers** of Manipur SLSA from 28th February to 1st March, 2015. The said training programme was inaugurated by Hon'ble Mr. Justice N. Kotiswar Singh, Executive Chairman, MASLSA in the august presence of Hon'ble Mr. Justice (Retd) B.P. Katakey, former Judge, Gauhati High Court. 55 (fifty-five) panel lawyers of Manipur SLSA were given training and sensitized through the said training programme.

Live Phone-in Programme was aired on 16/02/2015 (Monday) from 7.00 a.m. to 7.30 a.m. at Kangla Channel of AIR, Imphal. Shri Ch. Momon Singh, Advocate was the subject expert on the topic "**Lok Adalat**" and Shri Ng. Tejkumar Singh, Director of Prosecution, Manipur was the Moderator of the said Programme.

"International Women's Day" was observed all over the state on 8th April, 2015 in association with DLSAs and different Women's Organisations of the State. Resource persons sensitized the gathering on the topics such as Prevention of Domestic Violence Act, POCSO

Act, gender disparity in a traditional structure, PCPNDT Act, Institutional mechanisms to protect and uphold women's right etc.

"World Consumer Right's Day" was also observed on 15th March, 2015 at Keishampat Community Hall, Imphal West District. About 500 persons were sensitized on the topics related to rights of the consumer.

Live Phone-in Programme was aired on 16/03/2015 (Monday) from 7.00 a.m. to 7.30 a.m. at Kangla Channel of AIR, Imphal. Shri Ch. Momon Singh, Advocate was the subject expert on the topic "Women's Right under constitution of India and other relevant laws" and Shri Ng. Tejkumar, Director of Prosecution was Moderator of the said Programme.

During the month of March, 2015, **5(five)** one day mega legal literacy and awareness campaigns were organised by the Tamenglong, Chandel, Churachandpur, Thoubal and Imphal East DLSAs at their respective districts. About 2500 persons were sensitized through these Awareness programmes.

MEGHALAYA

January, 2015

1. Visit to District Jail, Jowai, West Jaintia Hills District on 13-01-2015
2. Jail Trial held at District Jail Tura, West Garo Hills District on the 16-01-2015 and 6 Nos. of cases was taken up out of which 6 Nos. was disposed off.
3. Jail Trail held at District Jail Tura, West Garo Hills District on the 23-01-2015 and 2 Nos. of cases was taken up out of which 2 Nos. was disposed off.
4. Visit to Khadar Dolloi, Law College of Legal Care & Support Centre at Jowai, West Jaintia Hills District on 23-01-2015
5. 2 (two) days training for Para Legal Volunteer's under A2J Project held at Youth Hostel, East Khasi Hills District, Shillong on 23-01-2015 and 24-01-2015
6. Legal Awareness Programme held at Baghmara, South Garo Hills District on the 30-01-2015

February, 2015:

1. Inauguration of Legal Care & Support Centre at NEHU on 09-02-2015
2. Visit to District Jail Tura, West Garo Hills District, on 12-02-2015
3. Review Meeting with Para Legal Volunteers at Pynursla Block, East Khasi Hills District on 13-02-2015.
4. National Lok Adalat on 14-02-2015 for 11 Districts especially for Bank cases, 3618 Nos. of cases was taken up out of which 264 Nos. was disposed off.
5. Visit to District Jail Tura, West Garo Hills District, Tura on the 15-02-2015
6. Legal Literacy Classes in School & Colleges held at Williamnagar, East Garo Hills District on 20-02-2015
7. Visit to District Jail Tura, West Garo Hills District on 20-02-2015
8. The District Legal Services Authority, West Garo Hills District had participated local mela on the 21-02-2015 and distributed pamphlets to the public for Legal Awareness
9. Visit to District Jail Tura, West Garo Hills District on 21-02-2015
10. Visit to Children's Home at Tura, West Garo Hills District on 21-02-2015
11. Visit to Psychiatric Home/Ward at Tura, West Garo Hills District on 21-02-2015.
12. Lok Adalat held at District Council Court's premises for the Courts of KHADC,
13. East Khasi Hills District, Shillong on 21-02-2015, 223 Nos. of cases was taken up out of which 15 Nos. was disposed off.
14. Visit to Observation Homes at Tura, West Garo Hills District on 23-02-2015
15. Legal Awareness Programme held at Nengnong area under Sitham Village of Block of Mawkynrew, East Khasi Hills District on 23-02-2015.

16. Legal Awareness Programme held at Mawkria Village, East Khasi Hills District on 23-02-2015
17. Legal Awareness Programme held at Mihmyntdu Community Social Welfare Association Compound, Jowai, West Jaintia Hills District on 24-02-2015
18. Legal Awareness Programme held at Resubelpara, North Garo Hills District on 26-02-2015

MARCH, 2015:

1. Legal Awareness Programme especially for Children at Montfort Higher Secondary School, Resubelpara, North Garo Hills District on 03-03-2015
2. Legal Awareness Programme –Cum-Observation of “International Women’s Day at Jowai, West Jaintia Hills District, Khliehriat, East Jaintia Hills District, Tura, West Garo Hills District, Don Bosco Higher Secondary School, Mendal, North Garo Hills District on 06-03-2015
3. The District Legal Services Authority had organized One day National Lok Adalat on the 14-03-2015 for 6 Districts especially for Land Acquisition and Revenue cases, 357 Nos. of cases was taken up out of which 31 Nos. was disposed off.
4. Legal Awareness Programme held at Multipurpose Hall DC’s Office, Mawkyrwat, South West Khasi Hills District on 24-03-2015.

MIZORAM

Village Legal Care & Support Centre: During the quarter, a total number of 318 people approached the Centres. Serchhip DLSA established VLC&SC at Chhiahtlang and New Serchhip.

The MSLSA and DLSAs organised legal awareness programmes in both urban and rural areas, by way of campaigns, circulation of pamphlets, journals, etc. Awareness functions were held at schools, jails and other places. Leaflets/booklets were distributed to the participants. During the quarter, 27 such programmes were held at different locations across the State for a total number of 1920 beneficiaries.

The MSLSA and Mizo Hmeichhe Insuihkhawm Pawl conducted legal awareness programmes at different places. Legal Cell for Human Rights (LCHR) and the State Authority organized a programme of Training of Lawyers at Reception Hall, Aijal Club, Aizawl on 5-7.3.2015. Meeting of Hon'ble Executive Chairman with the Legal Services Authorities was held at Library Hall, Aijal Club, Aizawl on 7.3.2015.

The Aizawl DLSA conducted a legal awareness campaign at Vanapa Hall on 28.2.2015

The Champhai DLSA conducted legal awareness campaign at Govt. Champhai College for the lecturers, non-teaching staff and students on 13.2.2015; at Champhai Vengthar Presbyterian Kohhran for the members of Church on 27.2.2015; and at Selam Community Hall alongwith a visit to the VLC&SC on 7.3.2015.

The Kolasib DLSA had the following activities :

Monthly visit of District Jail on 5.1.2015 and Free Consultancy of Advocates Day at District Jail on 26.2.2015, One Day Free Medical Camp at district Jail on 21.2.2015, Essay Writing Competition amongst the inmates at District Jail on 4.2.2015; Leaflet distribution at Saidan and Rengtekawn on 5.1.2015, Tumpui Playground on 26.1.2015, Project Veng on 18.2.2015, Kolasib Venglai on 23.2.2015; Home visit at David Home on 10.1.2015, Blind school on 17.2.2015 and TNT Children Home on 24.2.2015; PLV training at District Court on 17.1.2015; Legal Awareness Campaigns also conducted at Venglai East on 12.1.2015, Khuangpuilam on 10.2.2015, District Court with the Students of Brighter Faith Academy on 19.2.2015, Salem Veng on 20.2.2015 and New Diakkawn on 25.2.2015. The DLSA also had VLC&SC visited at Bairabi on 28.2.2015.

The Lawngtlai DLSA had Jail visits in every month during the quarter. Legal awareness campaigns were also conducted at Chanmari-II, Lawngtlai on 10.2.2015; Thaltlang on 11.2.2015; Sangau on 12.2.2015; Siachangkawn on 13.2.2015; Chanmari PYD Local Church on 21.2.2015; LIKBK Church, Chanmari, Lawngtlai on 8.3.2015; Chawngte P YMA Hall on 17.3.2015; Govt. Kamalnagar College on 18.3.2015; District Jail on 27.3.2015; Bualpui NG on 31.3.2015 and Sensitization programme for court Staff & prosecution at Court Building on 31.3.2015. A seminar on Law relating to women was conducted by the DLSA on 13.3.2015 at MJA Conference Hall, Lawngtlai.

The Lunglei DLSA visited the District Jail every month during the quarter. Legal awareness campaigns were conducted at Salvation Army Corps & KTP Venglai on 1.3.2015; P. Hrangkhuma Hall, Zobawk Hall on 6.3.2015; Centenary Hall, BCM, Zobawk and PYD (NEI) Venghlun Hall on 8.3.2015; Govt. J. Buana College on 9.3.2015; MHIP Ramthar Vengthlang Creche hall on 12.3.2015; Salvation Army corps, haulawng and BCM Unit, Sethlun on 15.3.2015; MHIP bazaar Veng Branch on 17.3.2015; MHIP Venghlun Indoor Stadium on 19.3.2015; VC Conference Hall, Tawipui South on 28.3.2015; TKP Venglai Unit on 29.3.2015 and Junior Salam Veng, Lunglei on 30.3.2015.

The Mamit DLSA conducted legal awareness campaigns at BRC Hall on 12.2.2015; Hmunsam on 16.2.2015; Venghlun on 17.2.2015; Luangpawl on 20.2.2015; Phaizau on 21.2.2015 and Dinthar on 23.2.2015.

The Saiha DLSA conducted legal awareness campaigns at Zasai memorial English School among teacher and students on 10.2.2015; District Jail, Saiha on 11.2.2015; ECM Bethel church Hall on 12.2.2015. Live telecast and Live Phone-in with MJA was conducted at NSV Studio on 13.3.2015 and 14.3.2015. A prize distribution programme for the Essay Writing Competition amongst the inmates was also conducted at the District Jail on 6.3.2015.

The Serchhip DLSA conducted a legal awareness campaign at Dinthar YMA Hall on 25.3.2015.

Besides the above mentioned activities, regular jail visits were conducted by the District Legal Services Authority Secretaries. Lok Adalats were regularly organized by the State and District Authorities. There were 14 sittings and 70 pre-litigation and 6 post-litigation cases were settled.

Legal Aid Counsels were provided to 699 individuals during the period.

ODISHA

Lok Adalats :

- (a) **At National level held on 14.2.2015 :** As per the instruction of NALSA, **Monthly National Lok Adalat for Bank matters especially cases under Section-138 of N.I.Act, Recovery suits etc (both pending and pre-litigation matters)** was

organized throughout the State **on 14th February 2015**. 49,459 number of Pre-litigation Cases were taken up, out of which, 5197 number of Cases were settled. Similarly, 16,626 number of pending Cases (Bank Suits-4308 and N.I.Act Cases-12318) were taken up in the said National Lok Adalat, out of which 1890 number of cases (Bank Suits-450 and N.I.Act Cases-1440) were settled. The Debts Recovery Tribunal, C.D.A., Cuttack disposed of 39 out of 45 pending cases. Further, 79 number of cases were disposed of by the High Court Legal Services Committee, Cuttack which includes cases under N.I.Act)-03, Bank Cases (SARFAESI)-12 and Motor Accident Claims Appeals-64. A sum of Rs.1,23,01,090/- was awarded as Compensation amount in the above M.A.C. Appeals.

- (b) **National Level held on 14.3.2015 :Monthly National Lok Adalat for Revenue, MNREGA and Land Acquisition Cases** was organized State **on 14.3.2015**. Forest & Excise Cases were also taken up in the said National Lok Adalat. **Total 1,16,714** number of cases were disposed of (**Pending Cases-1,15,904 & Pre-litigation Cases-810**). The pending cases include Revenue-1,05,700, Excise -8436, Land Acquisition Cases-423 and Forest Cases-1345. Similarly Pre-litigation Cases include MNREGA-66 & Forest -744. Similarly, the High Court Legal Services Committee disposed of 139 number of cases, which include LAA/FA/RFA-51, OJC/W.P.(c)- 44 and Motor Accident Claims Appeals-44. A sum of Rs.96,37,000/- was awarded as Compensation in the above M.A.C.Appeals.
- (c) **At District & Taluk Levels** :During the quarter, the field units i.e. 30 DLSAs and 74 TLSCs organized **174 no. of Lok Adalats**. In the above Lok Adalats, total **31,427** no.of cases comprising 428-Civil, 11317-Compoundable Criminal Cases, 19,404-Revenue, 22-Matrimonial, 106 -Bank, 22-BSNL & 128-MACT cases were disposed of. A sum of Rs.17,27,190/- towards criminal fine and Rs.1,08,37,720/- as revenue were collected in the said Lok Adalats. Further, a sum of Rs.3,17,69,700/- was awarded as compensation in the above Motor Accident Claim Cases.

- (d) **Permanent Lok Adalats(for Public Utility Services) U/s.22-B of the Legal Services Authorities Act** : During the above quarter, **399** number of new cases relating to Public Utility Services were registered in the 13 Permanent Lok Adalats and **424** no. of cases were settled.

Generating awareness and spreading Legal Literacy :During the quarter, **204 no. of Legal Literacy/Awareness Programmes** were organized by the field units on different topics including the rights of women and on Protection of Women from Domestic Violence (PWDV) Act, Pre-natal Sex Selection and “Pre-Natal Diagnostic Technique (PNDT) Act” Awareness Camps relating to different welfare and social security schemes especially those meant for the Senior Citizens were held. Legal literacy classes in jails Plea Bargaining” fundamental duties & other topics were held as per the Calendar of Activities of this Authority. Total **30,734 no.of persons** were benefitted by attending the said Literacy Camps.

Legal Aid Beneficiaries: Free Legal Aid and assistance was provided to **853** persons comprising SC-115, ST-94, OBC-64, Women-315, Children-20, In-custody- 85 and other weaker sections of the Society -160.

Activities of ADR/Mediation Centres :The construction work of A.D.R.Centre Buildings of Sambalpur, which was made under the 13 Finance Commission Grant having been completed earlier, was inaugurated on 10.1.2015. Hon’ble Shri Justice C.R.Dash, Judge, Orissa High Court was pleased to grace the inaugural function of ADR Centre of Sambalpur. Similarly, the foundation stone of ADR Building of Mayurbhanj at Baripada was laid down on 28.3.2015. Hon’ble Shri Justice B.K.Nayak and Hon’ble Shri Justice Debabrata Dash, Judges, Orissa High Court were pleased to grace the above the above event.During the quarter, 720 no. of new cases were referred by different Courts to the Mediation Centres, and 955no. of cases(including previously pending cases) were disposed of, out of which, 80 cases were disposed of on successful mediation.

PUNJAB

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

a. Legal Aid Cases	
Number of application received	2526
Number of Applications disposed of	2204
b. Break-up of Beneficiaries:	
SC	212
ST	9
Backward Classes	31
Women	689
Children	19
Custody	1476
General	541
Others	43
Total	3020
c. Legal Literacy Camps/Seminars;	
Number of Seminars/Legal Literacy Camps held	2708
Number of People who attended the Seminar	270714
d. Monthly Lok Adalats	
Number of Monthly Lok Adalats held	169
Number of Cases entertained	11958
Number of Cases disposed off	6879
e. Permanent Lok Adalats for Public Utility Services.	
Number of Permanent Lok Adalats (Public Utility Services) set up in the State of Punjab.	22
Total Number of Cases disposed off in these Lok Adalats	3291
f. Counselling and Conciliation Centres:	
Number of Pre-litigation cases taken up in Counselling and Conciliation Centres	3
Number of Pre-litigation cases disposed of in Counselling and Conciliation Centres	7
Number of Post-litigation cases taken up in Counselling and Conciliation Centres	11408
Number of Post-litigation cases taken up in Counselling and Conciliation Centres	1963
150 / NYAYA DEEP	

g. Legal Aid Clinics: As per regulation “National Legal Services Authority (Legal Aid Clinics), Regulations, 2011 Legal Aid Clinics are being established to provide free and Competent Legal Services to weaker sections of society and to ensure that opportunities for securing Justice are not denied to any citizen by reason of economic or other disabilities. Till, March, 2015, PULSA has established 424 Legal Aid Clinics in the Rural and Cluster area and Law Colleges in the State of Punjab.

h. Legal aid Clubs :As per the directions of NALSA, Legal Literacy Clubs are being established in Schools and Colleges to impart legal knowledge to students and to make them aware of their rights and duties. The enlightened students would be the light house of Legal Literacy. Till March, 2015 PULSA has established 204 Legal Literacy Clubs in Govt. and Govt. Aided Colleges and 1559 Student Legal Literacy Clubs in Govt and Govt. Aided School in the State of Punjab.

i. Para Legal Volunteer Schemes :As per Para Legal Volunteer Scheme of National Legal Services Authority, till March 2015, Punjab Legal Services Authority has imparted training to 2399 PLVs in the State of Punjab. These PLVs includes Advocates, Teachers and Lecturers of Govt. and Private Schools and Colleges of all levels, Anganwadi Workers, Private or Government doctors and other government employees, field level officers of different departments and agencies of the State and Union Governments, Students of graduation and Post graduation in Law, Education, Social Services and Humanities, members of NGOs and Clubs, Members of Neighborhood Groups, Educated prisoners serving long term sentences in Central Prison and District Prison, Social Workers and Volunteers, Volunteers of Panchayat Raj and Municipal institutions, Members of Co-operative Societies, Members of Trade Unions, etc.

Inauguration of ADR Centre :The ADR Centre was inaugurated on 21-2-2015 in Kapurthala District. In the month of March, 2015 the ADR Centres were inaugurated on 3-3-2015 in Faridkot District, on 24-3-2015 in Jalandhar District and on 29-3-2015 in Sangrur District.

National Lok Adalat : National Lok Adalats were held on 14-02-2015 and 14-3-2015 through out Punjab.

RAJASTHAN

Mediation & Conciliation: Total 3400 cases were referred for mediation out of which 453 cases were disposed of successfully by the mutual consent of the parties.

Lok Adalat under Section 19 (including conventional Lok Adalats) : 6734 Lok Adalats were organized at High Court, District and Taluka level, 2,45,863 cases were taken up and 66,980 cases were disposed of. An amount of Rs. 20,81,97,946/- was awarded in 1154 MACT cases.

Mega Lok Adalat : Mega Lok Adalats were organized from 12 to 17 Jan., 2015 & 16 to 26 March, 2015 at District and Taluka level. Total 137643 cases were taken up, out of which 20995 cases were disposed of and amount Rs. 9,01,86,420/- was awarded.

National Lok Adalat on 14.02.2015 : National Lok Adalat was organized in all the Courts of the State from Taluka to High Court for pending and prelitigation cases related to Section 138 NI Act, Bank Recovery Suits etc. In this National Lok Adalat more than 16 thousand cases were amicably settled. Award of more than Rupees 33,66,00,000/- was passed in these cases.

National Lok Adalat on 14.03.2015 : National Lok Adalat was organized in all the Courts of the State from Taluka to High Court for pending and pre-litigation Revenue, MNREGA and Land Acquisition disputes. In this National Lok Adalat, more than 32,000 such disputes were settled in Rajasthan.

Legal Literacy Camps : 2320 Legal Literacy Camps were organized and total 365804 persons were benefited through these Legal Literacy Camps.

Legal Aid : 3132 persons were benefited through Legal Aid during the said period.

Legal Aid Clinic : From Jan. 2015 to March. 2015, 8451 applications were disposed off.

Victim Compensation Scheme : Total 154 applications were received out of which 118 applications were decided and compensation of Rupees 61,30,000/- was awarded.

Programmes organized as per National Action plan 2014-15 : Special Legal Awareness & sensitization programmes by way of

legal literacy camps were organized at District and Taluk Level i.e. to restrain Child Marriage, to stop female foeticide, women empowerment for uplifting the Status of women in Society, Protection women from Domestic violence, Against women and child trafficking, prohibition of use of tobacco, protection of Rights of Disabled persons, maintenance and welfare of parents and senior citizens, protection from child labour, protection of consumer rights, environment law, and to spread awareness about the laws and provisions of MNREGA through micro legal literacy scheme. During the period, total 483 such Legal Literacy Camps were organized.

State Level Judicial Colloquium on Effective Implementation of PCPNDT Act: As a candid effort to ensure the effective implementation of PCPNDT Act, RLSA in association with Department of Medical, Health & Family Welfare and United Nations Population Fund (UNFPA) organized a one day State Level Judicial Colloquium in Jaipur on 10th January, 2015. The Colloquium was inaugurated by Hon'ble Mr. Justice Arun Mishra, Judge Supreme Court of India. The Chief Guest of the Valedictory session of the Seminar was Hon'ble Mr. Justice Adarsh Kumar Goel, Judge Supreme Court of India. Hon'ble Mr. Justice Sunil Ambwani, Chief Justice Rajasthan High Court, Hon'ble Mr. Justice Ajay Rastogi, Executive Chairman, RLSA and Hon'ble Judges of Rajasthan High Court also graced the occasion. The colloquium was participated by more than 400 delegates including Judicial Officers, Appropriate Authorities under PCPNDT Act (District Collectors), Health Department officials, PCPNDT Coordinators, Police officers, Public Prosecutors and NGOs.

During the Judicial Colloquium on PCPNDT, a book "Female Foeticide Serious Problem - Effective Solutions" published by RLSA was released. This book discusses various social factors behind female foeticide and gives practical solutions thereof. The book further discusses the reasons as to why the PCPNDT Act has failed to achieve the desired goal. Book suggests ways and means for effective implementation of PCPNDT Act through flawless investigation, proper complaint, effective prosecution, result oriented trial and well reasoned judgment. Apart from incorporating various Notifications and Circulars issued by State Govt. under PCPNDT Act, model formats for search and seizure, notices and complaints are also incorporated in the book so as to facilitate and

enable a common man to initiate action under the Act without any hassle.

All India Radio Programmes: Programmes on all channels of All India Radio across the State were broadcast on Rights of Senior Citizen on 15.2.2014, on Victim Compensation Scheme on 22.2.2015, on National Lok Adalat on 1.3.2015, on Property Rights of Women on 8.3.2015, on Welfare Schemes for Women on 15.3.2015, on Domestic Violence on 22.3.2015 and on Protection of Women from Sexual Offences and Harassment on 29.3.2015.

State Level Seminar on 'Protection of Child Rights : Role of Legal Services' at Jodhpur on 28-29 March, 2015: A Seminar on '*Protection of Child Rights : Role of Legal Services*' was organized by RLSA in association with UNICEF in Jodhpur on 28-29 March, 2015. Chief guest of the Seminar was Hon'ble Mr. Justice T.S. Thakur, Judge, Supreme court of India and Executive Chairman, NALSA. The seminar was presided by Hon'ble Mr. Justice Sunil Ambwani, Chief Justice, Rajasthan High Court and Patron in chief, RLSA. Hon'ble Mr. Justice Ajit Singh, Judge Rajasthan High Court, Hon'ble Mr. Justice Ajay Rastogi, Judge, Rajasthan High Court & Executive Chairman, RLSA and other Hon'ble Judges of Rajasthan High Court also participated in the seminar. The seminar was focussed to discuss various issues related Child Marriage, Child Labour & Trafficking, Protection of Children in need of care & protection, protection of children from crime and the role of legal services for protection of child rights.

Weekly programme on All India Radio - "Kanoon Ki Baat": RLSA has launched a Weekly Programme "**Kanoon Ki Baat**" on every Sunday evening at 5.45 PM to 6.00 P.M on All India Radio which is being broadcast throughout Rajasthan. This programme gives basic details of legal issues and citizen's welfare schemes through question and answer session. The programme is functional from 08.02.2015.

Under the directions of NALSA, Bi Monthly Divisional Workshop was organized by Rajasthan State Legal Services Authority, Jaipur at all division head quarters of Rajasthan on the subject "Rights of Senior Citizens". Hon'ble Judges of Rajasthan High Court presided over these workshops. Judicial Officers, Government Officials of the departments concerned with the rights of Senior Citizens, Administrative & Police Officers, NGOs and PLVs participated in this workshop.

SIKKIM

Awareness Programmes :48 Legal awareness programmes under Micro Legal Literacy Scheme, Mahatma Gandhi NREGAS, Senior Citizen, Consumer Day, International Women's Day, were held in (East) & (North) and (South) & (West) Districts of Sikkim by the Judicial Officers as Chairpersons of DLSAs/TLSCs (East) & (North) and (South) & (West) respectively. Various legal rights and benefits of weaker section of the society, women and children, rights of persons arrested, various provisions contained in the Constitution of India such as Articles 21, 48-A and 51-A (g), provisions contained in the Indian Penal Code, 1860, the Code of Criminal Procedure, 1973, features of MGNREGA Scheme enshrined in respective schedules were deliberated for information of the public.

Observance of Republic Day :Republic Day was observed in the office premises of Sikkim SLA on 26th January, 2015. The National Flag was hoisted by Hon'ble Shri Justice S.P. Wangdi, Judge, High Court of Sikkim and Executive Chairman, Sikkim SLA/Member, Central Authority, NALSA followed by National Anthem.

Legal Awareness Programme with regard to Maintenance and Welfare of Parents and Senior Citizens Act, 2007 :Legal awareness programme pertaining to Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was organized by DLSA, Mangan, North Sikkim in coordination with Sikkim SLA on 14th February, 2015 and thereafter an interactive meet with the PLVs of North District. The programme was attended by Shri Jagat Rai, Ld. District and Sessions Judge and Chairperson, DLSA (North) at Mangan, Sub-Divisional Magistrate and Gram Vikas Adhikari (B.D.O.) of North District, Social Welfare Officer from Social Justice, Empowerment & Welfare Department, Additional Secretary of Sikkim SLA and Panel Advocate. During the programme, the Senior Citizens were apprised about the Notification issued by Social Justice, Empowerment & Welfare Department, Government of Sikkim regarding Old Age Pension and Other Government Welfare Schemes for Senior Citizens. During the interactive meet with the PLVs, they were requested to maintain a diary for their day-to-day activities and also assist and sensitize the general public especially the Senior Citizens in their respective areas to get their official work done. Mrs. Matilda Isaacs, Additional Secretary, Sikkim SLA and Shri Sonam Gyamtso Bhutia, Panel Advocate were the Resource Persons.

Observance of International Women's Day :As per the Calendar of Activities, the DLSAs and TLSCs under the aegis of Sikkim SLSA observed International Women's Day on 8th March, 2015 and a week thereafter as Legal Services Week for women. On the occasion of Senior Citizens Day, legal awareness programmes were organized by DLSAs and TLSCs throughout the State.

Stakeholders Consultation Meet on Enhancing Access to Justice for the Marginalized In North-East :Shri Bikash Sharma, Under-Secretary, Sikkim SLSA accompanied by Shri Anup Tamang, Project Assistant (Access to Justice) attended the "Stakeholders Consultation on Enhancing Access to Justice for the Marginalized in North-East" on 15th March, 2015 at Guwahati, Assam organized by the Department of Justice.

National Lok Adalat held on 14th February, 2015 : As directed by NALSA, National Lok Adalat was held on 14th February, 2015 and 14th March, 2015 at the District and Taluk levels. Matters related to Bank Recovery and Revenue cases were taken up.

LOK ADALATS

During the quarter from January to March, 2015 the following Lok Adalats were held:-

District Lok Adalat (East) at Gangtok

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
20	03	139	142	125	10	07

District Lok Adalat(West) at Gyalshing

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
11	06	63	69	55	01	13

District Lok Adalat (North) AT Mangan

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
01	NIL	06	06	06	NIL	NIL

District Lok Adalat (South) at Namchi

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
03	06	53	59	43	05	11

Taluk Lok Adalat(South) at Ravangla

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
10	03	26	29	17	09	03

Taluk Lok Adalat (West) at Gyalshing

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
08	NIL	51	51	50	NIL	01

Taluk Lok Adalat(West) at Soreng

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
07	NIL	58	58	56	NIL	02

Taluk Lok Adalat (North) at Mangan

No. of Lok Adalat held	Previous Pending	No. of Cases received	Total	No. of cases settled	No. of Cases returned	No. of Cases pending
02	NIL	03	03	02	NIL	01

Legal aid was provided to **208** beneficiaries by the Sikkim State Legal Services Authority during the months January to March, 2015 under section 12 of the Legal Services Authorities Act, 1987.

Months	S.C	S.T	Women	Child	Under Trial/ Detained by Custody	General	Disabled/ Sr. Citizen	Total
January– March, 2015	08	18	86	12	65	17	Disabled 01 Sr. Citizen- 01 <u>02</u>	208

**Cases before the Mediation Centres, East District at Gangtok,
South District at Namchi and West at Gyalshing.**

CENTRE	No. of Mediations Held	No. of Cases Taken up	No. of cases Settled	No. of Cases Returned
Mediation Centre (East) at Sikkim SLSA Office, Sichey, mGangtok	05	05	01	01
Mediation Centre (South) at District Court Complex, Namchi, South Sikkim	08	07	02	01
Mediation Centre (West) at Civil Court Complex, Gyalshing, West Sikkim	NIL	NIL	NIL	NIL

TAMIL NADU

Legal Awareness Programme for Unorganized Labour was conducted by Tirunelveli DLSA on **5.1.2015** in co-ordination with the Labour Department inaugurated by Hon'ble Executive Chairman of Tamil Nadu, SLSA. In the camp various benefits were distributed to Unorganized Labours to the tune of **Rs.21,70,000/- for 1,006** persons. During the above function 2 Legal Aid Clinics were opened by Hon'ble Executive Chairman. Another Legal Awareness Programme for the Unorganized Labour was conducted by the Tamil Nadu SLSA, DLSAs of Chennai, Kancheepuram and Tiruvallur in co-ordination with Labour and Employment Department, Government of Tamil Nadu on **8.2.2015** presided over by the Hon'ble Mr. Justice **Satish K.Agnihotri**, Judge, High Court, Madras/Executive Chairman of Tamil Nadu SLSA in the presence of Hon'ble Mr. Justice **T.S.Sivagnanam**, Judge, High Court, Madras. In the above said camp Hon'ble Executive Chairman distributed various benefits to **1,333** registered Unorganized Labour to the tune of **Rs.29.33** Lakhs. On the same day Hon'ble Executive Chairman launched the legal awareness programme through the **Community Radio**. Four Legal Aid Clinics were also opened in the above said function.

ADR Centre for the Kanyakumari District @ Nagarcoil was inaugurated on 7.3.2015 by Hon'ble Executive Chairman, Tamil Nadu SLSA. Legal Literacy Clubs were also inaugurated at Vivekananda College, Agateeswaram and Scott Christian College, Nagarcoil.

On **8.3.2015**, ADR Centre at Tirunelveli was inaugurated by Hon'ble Executive Chairman of T.N. SLSA. On the eve of "International Women's Day", a Legal Literacy Programme was also conducted. A Legal Literacy Club at Rani Anna Government College for Women, Tirunelveli was opened.

On **8.3.2015**, Hon'ble Executive Chairman of T.N. SLSA inaugurated ADR Centre at Thoothukudi. A Legal Literacy Programme was conducted on the eve of "International Women's Day". Various benefits were distributed to **31** persons to the tune of **Rs.1,45,000/-**.

ADR Centre for Virudhunagar District @ Srivilliputhur was inaugurated by Hon'ble Mr. Justice **C.S.Karnan**, Judge, High Court Madras on **30.3.2015**, Village Legal Care and support Centre was declared opened by His Lordship on the same day in the same function.

ADR Centre for Tiruvallur District was inaugurated by the Hon'ble Executive Chairman T.N. SLSA on **30.3.2015**. Legal Literacy Club was also inaugurated, Village Legal Care and Support Centre was also declared opened by Hon'ble Executive Chairman of this Authority.

Details of disposal on National Lok Adalat on 14.2.2015

Number of Benches	Number of cases Taken	Number of cases Settled	Amount Awarded
349	1,39,579	26,069	Rs.456,54,92,899/-

Details of disposal on National Lok Adalat on 14.3.2015

Number of Benches	Number of cases Taken	Number of cases Settled	Amount Awarded
269	2,76,943	2,25,336	Rs.134,57,60,673/-

726 Legal Aid and Awareness Camp were conducted by all the DLSAs and TLSCs.

The Tamil Nadu SLSA in order to spread Legal awareness amongst the students has launched "Students Legal Literacy Programme". In the first phase it has covered 395 schools within Chennai Corporation limit run by Corporation and Aided School and Government School thereby has covered nearly 50,000 students.

The above said scheme will be enlarged to the remaining districts of the State during the academic year 2015-2016. Drawing & Essay Competition is conducted through the Chennai District in 395 Schools and nearly 50,000 students participated in the Competition. For the above said schools drawing competition among the students from class 1 to 5 and essay writing competition for the students in the standard 6 to 8 were conducted on 23.02.2015. The Hon'ble Executive Chairman on 23.02.2015 visited a school in mint area and astonished to find out that a 4th Standard girl is drawing with her legs because her hands became shortened and inactive. The girl is not able to even lift her school bag but she drew as an expert. After seeing the differently abled student Arthy who is competing in the drawing competition by drawing the sketch with the help of her legs has expressed a special prize will be given for the drawing made by her. On appeal by the Member Secretary, the Hon'ble Executive Chairman Mr. Justice Satish K. Agnihotri had ordered on the spot directing the District Collector Chennai to ensure that the benefits under the PWD Act is extended to the said Arthy at the earliest. The correspondent of the School Ramakrishna Mutt Mission School has also expressed that they have also extended the benefit of free education up to 12th Standard.

Voice of Law: "Voice of Law" a continuous programme on Legal Awareness by the Tamil Nadu SLSA, Chennai in association with All India Radio, Chennai is being broadcasted every Sunday at 8.30 a.m. to 8.45 a.m in the programme Kanon-ki-bath in Tamil (Sattathin Kural) in First Channel of All India Radio, Chennai on 15.02.2015. So far 6 programmes were aired by a selected team of Senior Civil Judges and Civil Judges, on various topics like 1) Unorganized Sector 2) Traffic Rules and 3) Activities of State Legal Services Authority and eligibility

Community Radio: Legal Awareness Programme through Community Radio was launched on 8.2.2015. The programme is spread through air within the 15 Kms radius from 12.00 noon to 12.15 p.m. on every Sunday through F.M. Radio. From Neelangarai, Chennai within the 5 kms radius "Nalanthanathendral" community radio is being broadcasted in 91.2 MHz in air for publicity of Legal Awareness among the public on every Monday 1.00 to 1.15 noon. So far 6 programmes are headed by the State Legal Services Authority on various Topics like Unorganized Sector, Traffic Rules

& State Authority Activities and Eligibility

TELANGANA

Workshop on Juvenile Justice Act to All Stake Holders of Adilabad District :

The DLSA, Adilabad has conducted workshop on “Juvenile Justice Act” to all the stake holders of Adilabad East region on 03.01.2015 in association with MARI NGO, Adilabad. The workshop was inaugurated by Hon’ble Sri Justice K.C.Bhanu, Judge, High Court of Judicature at Hyderabad and Executive Chairman, Telangana SLSA, Hon’ble Sri Justice G.Chandraiah, Judge, High Court of Judicature, Hyderabad and Chairman, HCLSC and Hon’ble Sri Justice S.Ravi Kumar, Judge, High Court of Judicature at Hyderabad.

Inauguration of Free Legal Aid And Advice Centre :A Free Legal Aid and Advice Centre was set by Telngana SLSA in the 75th All India Industrial Exhibition which was inaugurated by *Hon’ble Sri Justice K.C.Bhanu*, Executive Chairman, TSLSA on 8-1-2015. The flexies with different information about the legal services activities was fixed in the stall for the benefit of visitors. Pamphlets, Brochures, Booklets, Applications for legal aid, Applications for Lok Adalat etc., in vernacular language distributed to the visitors. The information about the stall was announced frequently through the public address system for the benefit of visitors. The Judicial Officers of City Civil Court Unit, City Small Causes Unit and Metropolitan Sessions unit, Hyderabad were nominated by the High Court to sit in the Centre from 6.00 PM to 10.00 PM everyday who provided necessary legal advice and assistance to the visitors. The Centre functioned at the exhibition from 8-1-2015 to 22-2-2015. About one thousand visitors entered their details in the visitors register placed at the Centre.

Live-in-Programme :On 05.03.2015, the Secretary, DLSA, Ranga Reddy attended a live-in programme at All India Radio, answered the questions of the listeners and enlightened the various legal services being extended by the Legal Services Authorities.

Observation of International Women’s day:On 8th march 2015 observing the International Women’s day, all the DLSAs and MLSCs in the State organised 34 Legal Literacy Camps and about 7265 persons including Women, Men, Children, etc were benefited.

Settlement of cases in National Lok Adalat: In the National Lok Adalat conducted on 14-3-2015 a total number of 16,164 cases were taken up out of which 14,448 cases were disposed of with the settlement amount of Rs. 30.30 crores. This includes 98 Land Acquisition Cases, 3519 Revenue Cases and 5009 MNREG Cases. Apart from these categories, cases of all other categories had also been settled in this National Lok Adalat.

UTTAR PRADESH

During the quarter ending March, 2015, in 365 Lok Adalats that were organized 3,97,071 cases including 3,154 Civil cases, 1,838 Matrimonial disputes, 580 MACT matters, 32 Land acquisition cases, 10 Labour matters, 31,186 Bank matters, 1,08,702 Petty criminal matters and 1,89,065 other matters were settled/decided. The settlement of those cases also resulted in realization/settlement of Rs. 1,65,85,88,237 in the bank matters; Rs.12,04,26,519 in the cases related to MACT that resulted in settlement and in the petty criminal cases a total amount of Rs. 1,46,89,410 was imposed and realized as fine.

Taking cue from the experiment of Lok Adalats, the UPSLSA has been regularly organizing '**Bal Samwad Adalats**' for settling the matters regarding juveniles in conflict with law. During the quarter ending on 31st March, 2015 total of 132 matters pertaining to juveniles in conflict with law were settled through the bal samwad adalats.

During the quarter ending on 31st March, 2015 through Jail Lok Adalats, 1056 matters involving jail inmates were successfully disposed/settled.

During the quarter ending on 31st March, 2015 a total of 412 persons have been provided legal assistance through toll free number.

During the aforesaid quarter as many as 439 legal literacy camps were organized, through which efforts were made to educate the assembled mass numbering 1,73,602. During this quarter 309 persons were provided free legal aid.

Special Days like the International Women Day on 08.03.2015 was celebrated with special programmes throughout the State.

Use of the AIR:The UPSLSA has started a programme titled “**Kanoon ki baat**” at 8:00 pm every Sunday of the week. On the occasion of the International Women’s Day on 8th March, 2015, two of the judicial officers participated in a phone-in programme on the provisions of the Protection of Women from the Domestic Violence, where live questions were received from the listeners and solution on their query was provided. Questions were received not only from various far flung districts of Uttar Pradesh but also from other States of the country. So far 07 such programmes have been telecast till 31st March, 2015 covering the subjects:

- 1- Structure of the Legal Institutions under the Legal Services Authorities Act, 1987.
- 2- All aspects related to lok adalats;
- 3- Various ADR Mechanisms.
- 4- Protection of women from domestic violence.
- 5- Protection of women from sexual harassment at work place.
- 6- The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.
- 7- General rights and entitlements of the labour force.

UTTARAKHAND

Lok Adalat:

During the quarter, **59 Monthly/Mega/National Lok Adalats** have been organized and in these Lok Adalats total **9,846 Cases** were disposed off, a sum of **Rs.13,15,05,625/-** were awarded as compensation to the litigants, a sum of **Rs.97,09,852/-** was realized as fine and total **9,983 Persons** were benefitted.

During this period **03 Mobile Lok Adalats** were also conducted by the Uttarakhand SLSA in coordination with DLSA, Tehri Garhwal, Almora & Chamoli. In these Mobile Lok Adalats 23 cases were referred and **05 Cases** were settled amicably. Rs.5,000/- were realized as fine and 08 persons were benefitted.

05 Jail Lok Adalats were organized during these months in **District/ Sub Jails** of the State and **18 Cases** were settled through these Jail Lok Adalats. A total number of **24 Under Trial Prisoners/Jail Inmates** were benefitted.

Mediation : 104 cases were referred to Mediation Centres out of which **64 Cases** were settled in the **Mediation & ADR Centres** established in High Court, District Courts.

Besides this, **159 Cases** were resolved/settled through **Women/Child Helpline** as per needs & requirements of said cases/complaints.

Legal Aid & Advice: In the months of January, February & March-2015, a total number of **214 persons** (including Under Trial Prisoners) were **provided Panel Lawyers** free of cost to defend their cases in different courts of the State. **94 persons** were also benefitted by giving legal advice.

Legal Literacy/Sensitization Campaign & Seminars:

On the focused area chosen by the Uttarakhand SLISA i.e. **Female Foeticide, Women Rights and Rehabilitation of Disaster Victims**, a total number of **43 Legal Awareness/Sensitization Camps** were organized during January-2015 to March-2015 by all the DLSAs in Villages/Town Areas, Tehsil & Blocks levels, Schools/Colleges, Hospitals/Primary Health Centers and disaster affected areas of their district. Approx **9,972 persons** including women, children, senior citizens, students, teachers and disaster affected persons were sensitized on Special Legal Rights to Women, PC-PNDT Act, PWDV Act, Child Marriage, HIV/AIDS, Child Labour, Sexual Harassment at work places, Child Labour, Anti Ragging Act, Right to Education Act, RTI & Welfare Schemes/Government Orders to disaster victims etc.

During January to March-2015 **53 Micro/Mega/Special/General Legal Awareness Camps** were organized by the DLSAs of the State. The said camps were organized in remote villages, market places, Universities/Colleges, Law Colleges, regional congregations/festivals in the State. Through these legal awareness camps approx **14,330 persons** were informed about POCSO Act, Programmes/Schemes of Legal Services Authorities, Lok Adalats, Welfare Schemes of Central & State Governments, Rules/Regulations/Provisions. Gathering was sensitized by the Chairmen & Secretaries of the DLSAs, Panel Advocates, Doctors & Officers from different Govt. Departments.

In order to sensitize the people about '**Fundamental Duties**', total **22 Legal Awareness Camps** were organized at School Level and Community Level, by the DLSAs. In these camps a total number of **4,385 persons**, including Boys/Girls students, persons from different strata of the Society were informed about Free Legal

Services, Protection/Preversation of Forest Act, Animal Cruelty Act, RTI, RTE, Consumer Protection Act, Child Marriage, Animal Cruelty Act, Domestic Violence Act and programmes/activities of Legal Services Institutions etc.

06 Special Legal Literacy Camps were organized for **NCC/NSS cadets**. Approx **1,101 NCC/NSS cadets** have been sensitized about Free Legal Services Programmes, provisions of RTE Act, Consumer Protection Act, Juvenile Justice Act, different Acts, Rules and Provisions benefiting them in day to day life.

13 Legal Awareness Camps were organized by the DLSAs in the Jails of their respective district. Total **1,713 under trial prisoners** were apprised about their legal rights & Free Legal Services provided under Legal Services Authorities Act-1987.

10 Special Legal Awareness Camps were conducted by the DLSAs with the aim to awaken the common mass about the work of PLVs as deputed by the DLSAs and also about the establishment Village Legal Care & Support Centres to solve their legal problems at their door steps.

02 Special Legal Awareness Camps were organized for **SC/ST Community** and in these camps 325 persons were apprised in length about their legal rights including schemes as run by the Central/State Government specially for the welfare of child/family of the said community.

05 Special Legal Awareness Camps were organized for **labourers** from unorganized sectors. By focusing legal rights of labourers total **690 labour** were sensitized. They were also informed about rules/provisions pertaining to abolition of bonded labour, child labour, crime against labour and social security.

With a view to apprise common mass/litigants about **importance of ADR/Mediation Mechanism**, **04 Seminars** were organized. The programmes were meant to aware the common mass as well as the persons associated with the justice dispensation system about the benefits and importance of Mediation as important tool in ADR Mechanism. Attendants were also informed about other important benefits of Mediation Mechanism. The said programmes were attended by the Judicial Officers, Advocate/Mediators, Litigants, Law Students.

Total **540 common mass** were informed about Protection of Child from Sexual Offence (POCSO) Act during these months in **02 Special** legal literacy camps. They were also sensitized that the POCSO Act has been formulated to effectively address the heinous crimes of sexual abuse and sexual exploitation of children.

05 Street Plays were conducted in which gathering were informed about Rights of Women, Consumer Protection Act, Mediation Mechanism, Lok Adalats, Legal Literacy Camps organized by Legal Services Institutions, Motor Accident Claims Tribunal Act, Availing of Legal Aid/Advice by displaying documentary prepared by the Uttarakhand SLSA, Nainital.

09 Legal Literacy/Moral Education Classes & Camps were organized in Government Observation/Protection/Children Homes of the State. Approx 183 child/inmates were sensitized about POCSO Act, Child Abuse and Violence, Child Trafficking, Sexual Exploitation of Child and Drug Abuse etc.

Legal Awareness Campaign through Mobile Van: During this period on rotation Mobile Van visited three districts of the State i.e. Tehri Garhwal, Almora and Chamoli to sensitize the residents/ common mass of remotest areas/villages of the State about Free Legal Services/Programmes/Schemes run by the Legal Services Institutions of the State. A total number of **73 villages** were visited by the Mobile Van and approx 5,190 persons/villagers were apprised about the aforesaid by displaying documentary films. Booklets were published and distributed by the Uttarakhand SLSA, Nainital containing important legal information.

Visits/Inspection: **20 Visits** were conducted to Government Children/Observation/ Protection Homes, Old Age Ashram/ Orphanage House & Nari Niketans of the State by the Secretaries of the Concerned DLSAs. A total number of **201 inmates** were present in the said homes during the visits. Facilities & other arrangements of aforesaid homes were assessed. Interaction was also made by the visitor with the inmates to know their problems. Boarding/Lodging & Toilet facilities have also been inspected. Probation Officers of the Homes were directed to remove the errors founded during the visit.

Training Programme:

In the months of March-2015, DLSA-Champawat, Pauri Garhwal, Pithoragarh and Uttarkashi organized total **03 Training Programmes** for Para-Legal Volunteers (PLV) and a total No. of **131 PLVs** were imparted training.

DLSA-Bageshwar conducted **One Training Programme for Child Welfare Officers (CWO)** on 21.03.2015 at District Bar Association Building, Court Complex, Bageshwar. In the training attendants were informed that Child welfare officers are generally social workers who deal specifically with assessing the care of minors, ensuring children do not live in harmful or threatening environments and also informed that their duties as a social work capacity includes reporting for and participation in court hearings, complaint investigation, home assessment and advising services.

Observance of Occasions/Days:In order to observe “**International Women’s Day**” total **11 Camps/Street Plays /Meetings** were organized in the month of March-2015. These programmes were attended by 2,224 persons (specially women) who were sensitized about legal rights of women, Dowry prohibition Act, Fundamental rights of women and district wise decreasing sex ratio in the State of Uttarakhand.

WEST BENGAL

DLSA, South 24 Parganas with the active support of local District Administration and Sub-Divisional LSC, Kakdwip, set up a legal literacy stall at Ganga Sagar Mela ground from 11th – 15th of January, 2015 for wide publicity campaign on the Legal Services Authorities Act and Schemes and activities of legal services institutions and rights of different section of the Society. The leaflet on entitlement of free legal services and Books on legal literacy were distributed there. Hon’ble Mr. Justice Ashoke Kumar Dasadhikari, Judge, High Court, Calcutta visited the Literacy Stall.

Legal Literacy Stall set up at Sramik Mela, 2015 from 17th – 22nd of January, 2015, at Pratibondhi Kalyan Mela, 2015 from 25th February, 2015 to 1st March, 2015 in the district of Nadia, at Sramik Mela, 2015 held at Jalpaiguri from 13th – 15th January, 2015, at Krishi O Bigyan Mela, 2015 held at Ramsai under Maynaguri Block from 13th – 15th February, 2015, Tea & Tribal Festival held at Banarhat

under Dhupguri Block from 15th – 17th February, 2015, Jalpesh Mela, 2015 under Maynaguri Block from 17th – 26th February, 2015, Dooars Utsab, 2015 held at Alipurduar Parade Ground from 27th January, 2015 to 5th February, 2015 in the district of Jalpaiguri, Preeti Mela held at Chengail on 06.01.2015, Sabala Mela held at Domjur B.D.O. Prangan, Sarat Mela held Panitras, Bagnan in the district of Howrah, Ratanpur Krishi Mela held at Sagardighi on 20.01.2015, Pratappur Krishi Mela held at Raghunathganj on 22.01.2015, Farakka Mela held at Farakka on 26.01.2015, Kodla Mela held at Berhampore on 27.01.2015 in the district of Murshidabad

DLSA, Dakshin Dinajpur organised a drawing and exhibition of painting competition among the inmates of Subhayan Home, Balurghat on the occasion of Saraswati Puja and Republic Day on 26th January, 2015. All CNCP and JCL inmates participated in the said competition. Drawing books, crayon, Pencil and rubber were distributed and a cultural programme marked the conclusion of the small function.

On 31st January, 2015 & 1th February, 2015, the Fourth Review Meet of all the Secretaries of 19 DLSAs was held. Hon'ble Mr. Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta and Executive Chairman, SLISA, West Bengal inaugurated the said Review Meet on 31st January, 2015. His Lordship pleased to peruse the district-wise presentation on the activities-cum-achievements of each district during the working Session. The problems relating to effective implementation of the Legal Services faced by the Legal Services Institutions and way to manage & resolve the problems & holding Monthly National Lok Adalat to dispose of large number of cases as per calendar of NALSA were discussed in the interactive session on the occasion of Review Meet followed by the Concluding address by His Lordship.

SLISA, West Bengal set up a stall (Stall No. 455) on Legal Literacy cum Legal Awareness and Free Legal Aid Clinic at Milan Mela Prangan from 28th January, 2015 – 8th February, 2015 on the occasion of 39th Kolkata International Book Fair-2015 for wide publicity and propagation of Legal awareness by distributing leaflets and books on the Rights of Children and Women. About 1939 visitors including women collected leaflets and books. Free Legal Aid Clinic was conducted every day by the State Authority by deputing one Retired Judicial Officer and one panel Advocate

rotationally for rendering legal advice to the visitors at the stall. Retired District Judges and Advocates deputed as resource persons provided Free Legal advice to 106 numbers of people. Arrangements were made especially for Magic show by the magician followed by screening the feature film, Otho Go Bharata Laxmi, prepared by the SLSA for generating awareness and women empowerment during the book fair. Hon'ble Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta and Executive Chairman, SLSA, West Bengal visited the stall. Sri Abhijit Som, Member Secretary and Sri Anjan Kumar Segupta, Registrar-cum-Deputy Secretary of SLSA, West Bengal were present there and interacted with the visitors.

Monthly National Lok Adalat for the Month of February, 2015 held on 14.02.2015. In the said Lok Adalat 6473 number of cases were disposed of in total which include 5674 number of pre-litigation Bank matters & 799 Pending cases which involve awarded amount of Rs. 40,15,28,966/-.

On 15th February, 2015 a colloquium on Child Protection and several issues relating to Juvenile Justice Act organised by Human Rights Law Network, N.G.O. in association with the SLSA. Hon'ble Mr. Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta & Executive Chairman, SLSA, W.B., Hon'ble Mr. Justice Joymalya Bagchi, Judge, High Court, Calcutta graced the occasion. Member Secretary and Registrar-cum-Deputy Secretary, SLSA and Secretaries of 11 DLSAs attended in the said meeting.

The 8th Conference on Empowerment of Girl Students was held involving girl students of the district Howrah organised by the SLSA and DLSA, Howrah on 21nd February, 2015. Hon'ble Justice Dr. Manjula Chellur, Chief Justice High Court, Calcutta & Patron-in-Chief, SLSA, W.B., Hon'ble Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta & Executive Chairman, SLSA, W.B., Hon'ble Justice Indira Banerjee, Judge, High Court, Calcutta & Chairperson, CHCLSC and Hon'ble Justice Nadira Patherya, Judge, High Court, Calcutta, Hon'ble Mr. Justice Debangsu Basak, Judge, High Court, Calcutta participated in the said programme. 559 girls students attended along with teachers.

On 22nd February, 2015 Conference with the Judicial officers, General Administration, Police Authority and other stakeholders was organised by the SLSA, West Bengal. In the morning session 50

Nos of Judicial Officers of participating District of Howrah and some other Districts were present. The Hon'ble Executive Chairman, SLISA, West Bengal presided over the first session and sensitized the Judicial Officers on various aspects of the acts and activities of Legal Services Institutions as per the scheme of NALSA and appraised the house regarding the thrust areas viz. Lok Adalat, Legal Aid Clinics, Para Legal Volunteers, Legal Literacy Clubs etc. with utmost desire and confidence that the Judicial Officers throughout the State would make endeavour to achieve the goal by extending the legal service to the weaker and marginalized section of the society irrespective of their caste and creed to ensure that no citizen would be denied justice by reason of economic or other disabilities. The Hon'ble Executive Chairman, SLISA, W.B. also sensitized the house about various schemes SLISA, W.B and His Lordship encouraged the judicial officers in such a way which swayed them to take a vow for rendering legal services to the society at large and in the second session His Lordship met with Judicial officers, General Administration, Police Authority and other stakeholders to sensitize on various aspects of the acts and activities of Legal Services Institutions as per the scheme of NALSA and appraised the house regarding the thrust areas viz. Lok Adalat, Legal Aid Clinics, Para Legal Volunteers, Legal Literacy Clubs and followed by interactive session with the audience. 500 number of officials and stakeholders participated.

ADR Centre, Burdwan at District Judge's Court Compound, Burdwan was inaugurated by the Hon'ble Mr. Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta & Executive Chairman, SLISA, W.B. on 26th February, 2015. His Lordship enlightened importance of ADR Mechanism and Roll of Legal Services Institutions in His Lordship's inaugural addressed.

ADR Centre, Cooch Behar at District Judge's Court Compound, Cooch Behar was inaugurated by the Hon'ble Mr. Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta & Executive Chairman, State Legal Services Authority, West Bengal in the august presence of the Hon'ble Justice I. P. Mukerji, Judge, High Court, Calcutta and Zonal Judge, Cooch Behar, on 7th March, 2015. Their Lordships generated special awareness on the importance of ADR Centre and its benefits of the litigants.

The ADR Centre, Cooch Behar Sri Rabindranath Samanta, District Judge, Cooch Behar & Chairman, DLSA, Cooch Behar, Sri Abhijit Som, Member Secretary and Sri Anjan Kumar Sengupta, Registrar-cum-Deputy Secretary of State Legal Services Authority, West Bengal, Smt Mukulika Sinha of Secretary DLSA, Cooch Behar, Judicial officers, Members of the Bar and general public were present in the said function.

The ADR Centre, Hooghlyat sub-divisional court compound, Serampore in the district Hooghly was inaugurated by the Hon'ble Justice Dr. Manjula Chellur, Chief Justice, High Court, Calcutta and Patron-in-Chief, SLSA, West Bengal on 12th March, 2015 in the august presence of the Hon'ble Mr. Justice Ashim Kumar Banerjee, Judge, High Court, Calcutta & Executive Chairman, SLSA, West Bengal, Hon'ble Mr. Justice I. P. Mukerji, Judge, High Court, Calcutta. Their Lordships generated special awareness on the importance of ADR Centre and its benefits to the audience. Smt. Jayashree Banerjee, District Judge, Hooghly & Chairman, DLSA, Hooghly, Sri Abhijit Som, Member Secretary and Sri Anjan Kumar Sengupta, Registrar-cum-Deputy Secretary of State Legal Services Authority, West Bengal, Dr. Modhumita Basu, Secretary, DLSA, Hooghly, Judicial Officer of Hooghly, District Magistrate Hooghly, Superintendent of Police, Hooghly, Additional Superintendent of Police, Hooghly, President and Secretaries of Bar Associations and members of the Bar, Retired Judicial Officers, Sub-divisional Officer, Serampore and litigants as well as general public, PLVs., social workers were present in the said inaugural function.

International Women's Day was observed on 8th March, 2015 in the State of West Bengal by the DLSAs as well as Sub-Divisional LSCs in a befitting manner.

Monthly National Lok Adalat for the Month of March, 2015 was held on 14.03.2015. In the said Lok Adalat 118604 number of cases were disposed of in total which include 116492 number of pre-litigation matters & 2112 Pending cases which involve awarded amount of Rs. 6,75,07,056/-.

In compliance with the order of the Hon'ble High Court of Kerala in W.P.(C) 16667/96 by Kerala State Authority with the active involvement of West Bengal State Authority, transmitted six inmates of Palluruthy Relief Settlement, who belong to the State of West Bengal at the Institute of Psychiatry, Kolkata on 17.03.2015.

On 19th March, 2015 a legal awareness camp was held at Alipore Women's Correctional Home, Alipore and on 31st March, 2015 a legal awareness camp was held at Presidency Correctional Home, Alipore organised by DLSA, Kolkata in association with West Bengal Human Rights Commission and Correctional Home Authorities to spread awareness on the scope and ambit of Plea bargaining system amongst the inmates of the Correctional Home.

On 20th March, 2015 a legal awareness camp was held at Sonagachi, a red light area of Kolkata with the sex-workers of Sonagachi in association with the Durbar Mahila Samanwaya Committee to generate awareness on several existing laws. Sex-workers highlighted various issues like police highhandedness, deprivation of property rights, tenancy rights etc. followed by interactive session with sex-workers.

On 21st March, 2015 a Consultation on Access to Legal Aid in West Bengal at the Regional Institute of Correctional Administration, Govt. of West Bengal, Dum Dum, Kolkata. Hon'ble Mr. Justice Joymalya Bagchi, Judge, High Court, Calcutta was present in the said meeting. The Secretaries of District Legal Services Authorities, Kolkata, North 24 Parganas, South 24 Parganas, Howrah, Hooghly, Paschim Medinipur, one Panel Lawyers and one PLV each six districts were present there.

ANDAMAN & NICOBAR ISLANDS

02 nos. of National Lok Adalat held on 14.02.2015 and 14.03.2015 as follows:

(i) National Lok Adalat held on 14.02.2015 –

Pre-Litigation Cases			Pending Cases		
Taken up	Disposal	Settlement Amount	Taken up	Disposal	Settlement Amount
590	72	Rs. 85,45,406/-	41	00	Nil

(ii) National Lok Adalat held on 14.03.2015 –

Pending Cases		
Taken up	Disposal	Settlement Amount
20	2	Rs. 2,25,000/-

02 nos. of Legal Awareness Camps were organised during the quarter.

International Women's Day was observed on 08.03.2015 at Industrial Training Institute premises, Dollygunj, Port Blair, A&N Islands.

CHANDIGARH

Lok Adalats and Mediation Centres:

Two National Lok Adalats on 14.02.2015 and 14.3.2015 were organized. A total number of **1436 cases** were settled and compensation of **Rs. 17999527/-** was awarded.

Permanent & Continuous Lok Adalat Settled **15 cases** at pre-litigative stage. **08 cases** referred by the District Courts were settled.

Permanent Lok Adalat for Public Utility Services disposed of **320 cases** and an amount of **Rs. 227829/-** was awarded as compensation.

Mediation and Conciliation Centre functional settled **143 cases**.

Two Daily Lok Adalats established in the premises of High Court of Punjab and Haryana, Chandigarh are functioning on all working days. These Lok Adalats settled **206 cases** and an amount of **Rs. 23983000/-** was awarded as compensation in Motor Accident Claim Cases.

Legal Aid: During the quarter, free Legal Aid was provided to **306 beneficiaries** under Section 12 of the Legal Services Authority Act, 1987.

Mediation Awareness and Sensitization Programme: SLSA, U.T., Chandigarh under the aegis of Mediation and Conciliation Project Committee of Supreme Court of India organized a one day "**Mediation Awareness and Sensitization Programme**" on 17th January, 2015. Advocates, Judicial Officers, law students, mediators, Para-legal Volunteers and Legal Aid Counsel participated. The speakers highlighted the benefits of mediation and shared their experiences in the success of mediation and explained the ground rules of mediation. They also pointed out the disadvantages of litigation. They called upon their fellow mediators to adhere to the process of mediation with integrity and hard work so that the referred cases are settled in large number and the parties may get

maximum benefits from the process of mediation. Another “**Mediation Awareness and Sensitization Programme**” was organised on 7th February, 2015 under the aegis of Mediation and Conciliation Project Committee of Supreme Court of India, New Delhi.

Awareness programmes on community Radio :

Jyotirgamy Community radio station at Punjab University Chandigarh aired the following programmes :

1. 30.01.2015 Talk on Legal Services Authority by Sh. Lal Chand Member Secretary, State Legal Services Authority U.T. Chandigarh.
2. 13.02.2015 Talk on ‘Women and Law’ by Mrs Manjeet kaur Sandhu, Advocate.
3. 20.02.2015 Talk on ‘Child Rights’ by Sh. Jagtar Kureel, Advocate.
4. 28.02.2015 Talk on ‘Fundamental Rights and Duties’ by Sh. Naveen Sharma, Advocate
5. 7.03.2015 Talk on ‘Women and their rights’ by Mrs. Manjeet Kaur Sandhu, Advocate.
6. 13.03.2015 Talk on ‘Rape Laws’ By Ms. Alka Sharma, Advocate.
7. 27.03.2015 Talk on ‘Section 66A of information Technology Act’ by Sh. Rajeshwar Singh, Law Officer SLSA.

Orientation workshop on “Beti Bachao Beti Padhao” Programme on 03.02.2015 :The Authority in association with publication IEC project organized an orientation workshop on Beti Bachao Beti Padhao on 3.2.2015. The audience were sensitized about the working of Authority. The pamphlets prepared by the Authority on the said topic were distributed among the audience.

International Women’s day celebrations from 05.03.2015 to 14.03.2015 :

The Authority on the occasion of International Women’s Day observed International Women week. It commenced by organizing rally starting from leisure valley sector- 10 to plaza sector - 17 Chandigarh on 05.03.2015 in collaboration with Social Welfare Department of Chandigarh Administration.

- a) On 07.03.2015 an awareness programme on the topic 'Women and their Rights' was recorded and aired on Community Radio (91.2 Jyotirgamy radio station).
- b) On 07.03.2015 the mobile van of the Authority was used to create awareness among the people in all the village Care and Support Centre of the Authority. The people were shown the movie on Female Foeticide, and were made aware of the significance of celebrating the International Women's day. The Para Legal Volunteers and Advocates on the panel conducted door to door campaign and told the people about the Women and their Rights.
- c) A special awareness drive was organized on 08.03.2015 in Babudham Colony. The Women were made aware of about Legal rights regarding Domestic Violence, Maintenance, Succession etc.
- d) On 10.03.2015 a special lecture was organized for the Advocates in the Ladies Bar Room, District Courts, Chandigarh wherein the significance of this Day was told to the audience with a special reference to the Women empowerment. Sh. S.K. Aggarwal District and Session Judge presided over the function wherein all the Judicial officers of District Courts and members of the Bar participated.
- e) On 14.03.2015 the Authority conducted an awareness drive in village Care and Support Centre Ramdarbar by sensitizing the resident about the sensitive issues concerning the Women.
- f) On 14.03.2015 the Authority celebrated 'Women's day' in Indira Colony. Around 120 Women attended the programme. Sh. Lal Chand Member Secretary told the Women about their rights and working of the Authority. Col. V.S. Dhillon Para Legal Volunteer was also present on the occasion.

Legal Literacy Camps in schools: Total 32 legal literacy camps were organized by SLSA in different schools of Chandigarh. In these camps /classes, the subjects of discussion primarily included fundamental Duties, Juvenile Justice, Rights of Women and Children, Rights of specially abled, Rights of Senior Citizens, E-Courts, Protection of Children from Sexual Offences Act, 2012,

Sexual harassment at work places, Mediation, Lok Adalats, Drug Abuse, Improvement of Literacy and Life Skills and Empowerment of Children and Women of the disadvantaged sections of society. Para legal Volunteers and Law students interning with Authority were speakers in these camps.

Awareness Camps and Surveys :Two Awareness Camps and Surveys were organized by this Authority on 15.01.2015 and 16.01.2015 in Indira Colony Manimajra Chandigarh i.e. the venue of the newly opened village Care and Support Centre .The Mobile Legal Awareness Camps cum surveys were organized in this colony with the help of Para Legal Volunteers and the Law student interns pursuing internship with the Authority. The people were also told their Rights, Duties and Government Welfare Schemes.

Refresher Programmes for the Panel Lawyers organized at Chandigarh Judicial Academy: The SLSA conducted (three) refresher Courses for the Lawyers/Para Legal Volunteers/Mediators on 29.01.2015, 27.02.2015, 30.03.2015 as per the directions of NALSA. In these programmes various topics like Juvenile Justice, Sexual Harassment, POCSO, Criminal Law amendments etc were taken up.

Achievement day under the project 'Saakshar Balak Balika and Saksham Maa' :

Hamari Kaksha in collaboration with State Legal Services Authority UT Chandigarh and Govt. Model Sr. Secondary School, Sector 26, Chandigarh organized celebration of ACHIEVEMENT DAY on 31st March 2015 under the Project '**Saakshar Balak Balika and Saksham Maa**'. The objective of the programme was to celebrate the achievements with a difference i.e. to encourage the illiterate parents to participate in day-to-day working of the school and devote some time towards their children. The various exhibits showcasing different States of India, prevalence of Cancer and its cure, use and abuse of drugs, treatment and prevention of AIDS and 'Learn While You Earn' were inaugurated by the Hon'ble Mr. Justice Hemant Gupta, Executive Chairman SLSA, UT Chandigarh. On this occasion, the achievements of the Project were highlighted. The Students Legal Literacy Clubs of the Authority also presented a glimpse of the activities undertaken at all levels. The Winners of Raushnai- Inter College Essay Writing Competition were also awarded with the prizes and certificates.20 mothers who

participated in the 'Saksham Maa' project were given prizes. 50 students of special training centre (STC) who were mainstreamed were rewarded for their hard work. 200 notebooks were distributed to the needy students. 60 Uniforms and books were given by SML (ISUZU). Different stalls like artefacts /articles prepared by the mothers of 'Saksham Maa' Project were on display which were highly appreciated by the dignitaries, guests and parents. Eating stalls of stuff prepared by the mothers under the Project were also there in addition to the stalls of Cancer Sahayta Ayog, Narcotics Control Bureau and State Legal Services Authority. The Activity Chart of the Students Legal Literacy Clubs run by the Authority were also on display in the Stall of the Authority.

Visits to Model Jail Chandigarh: The Member Secretary, SLSA, U.T. Chandigarh visited the Model Jail, Chandigarh regularly during the quarter to monitor the legal aid services to the Jail inmates. Sh. Rajeshwar Singh, Law Officer visited Model Jail, Burail, Sector 45, Chandigarh and interacted with the inmates of each barrack on every Monday of the week. He provided free legal aid to unrepresented inmates. On every alternate day Advocates deputed by the Authority visited the jail. A total number of **51** visits were conducted to Model Jail, Chandigarh during the quarter.

DADRA & NAGAR HAVELI

National Lok Adalat for Bank Matters-Section 138 of NI Act, Recovery suits etc. (pending and pre-litigation matters) was organised on 14.02.2015 at District Court, Silvassa.

Three tier Essay Competition on the Subject "Fundamental Duties" at Elementary level, Secondary Level and College/ University Level was organised on 14.02.2015 at Govt Primary and Secondary School and Govt Collage, Silvassa.

Training Programme for Advocates, Staff Members and PLVs was organised on 27.02.2015 District Court, Silvassa.

"International Women's Day" & Prize distribution of Essay competition on Fundamental Duties" was organised on 9.3.2015 at District Court Silvassa.

"National Lok Adalat" for Revenue, MNREGA, Land Acquisition cases was organised on 14.03.2015 at Collector Office, Silvassa, Mamlatdar Office, Silvassa and Mamlatdar Office, Khanvel

DELHI

Lok Adalats: Delhi SLSA organised Continuous Lok Adalats for settlement of all types of pending and pre-litigation Civil and Criminal Compoundable cases on Second Saturday of every month. Monthly National Lok Adalats, as per Calendar of the NALSA, are being organized by DSLSA from February, 2015. DSLSA has also devised a Mechanism/Protocol for organizing the **Daily Continuous Lok Adalats (DCLAs)** in all the 11 Districts apart from arranging pre sittings for NLA. In the quarter ending on 31st March, 2015, the number of cases disposed of in Lok Adalats is as under:-

Type of Lok Adalats	No. of cases disposed of	Settlement Amount	Fine realized
Continuous Lok Adalat held on 10.01.2015	1,070	Rs. 5.05 crore	Rs. 3.89 lac
Monthly National Lok Adalats held on 14 th Feb. & 14 th March, 2015	2,897	Rs. 99.16 crore	Rs. 1.88 lac
Permanent Lok Adalats	1,092	Rs. 4.54 crore	-
Total	5,059	Rs. 108.75 crore	Rs. 5.77 lac

Legal Literacy:

DSLSA organized **582 Legal Awareness Programmes** during the quarter on the topics of “Fundamental Rights & Duties under Constitution of India, Maintenance and Welfare of Parents and Senior Citizens Act and various schemes available for them, Protection of Women from Domestic Violence Act, Protection of Children from Sexual Offences Act, Mental Health Act and NALSA Scheme for Legal Services to Mentally Ill Persons, awareness for RWAs on the topics of Prevention of Corruption Act and Prevention of Food Adulteration Act etc. During these programmes, the Secretaries/Lawyers made the people aware about the functioning & activities of DSLSA, provision of free legal services provided by DSLSA & District Legal Services Authorities.

During the aforesaid quarter the DSLSA/DLSAs organized **651 Legal Literacy/Awareness Programmes** for Schools students on the topics of Fundamental Rights & Duties under the Constitution of India, Environmental Laws, Traffic Laws, Protection of Children from Sexual Offences Act, 2012, Gender Sensitization and issues

related to women, Cyber Laws and cautions to be exercised while Net Surfing with Special reference to Social Media, functioning of Police Stations and Set up of Judicial System etc. The programmes were also organized in Girls schools on the topic "How to protect from eve-teasing and techniques of Self-Defence".

During the abovesaid quarter, the DLSAs organized **Essay Competition in 49 schools** on the topic "Fundamental Duties". Besides the above, in the month of February, 2015, Central DLSA also organized **quiz competitions in 06 schools** and every winning student was given a Parker Pen.

During the abovesaid quarter, the following programmes were organized for college students:-

On 6th January, 2015, the Member Secretary gave a lecture on the topic "Role of Legal Services Authorities in addressing Domestic Violence" in the seminar held by Miranda House College, University of Delhi.

On 12th January, 2015, the Secretary, South-West DLSA addressed the staff alongwith students of MBS School of Architecture, Sec-9, Dwarka and sensitized them on POCSO Act and Cyber Laws.

East and Shahdara DLSAs jointly organized **02 programmes** for the students of Shaheed Raj Guru College of Applied Sciences. A Programme was organized on 12th February, 2015 on the topic of Gender Sensitization & Issue related to Women and another Programme was organized on 27th February, 2015 for girls students with special emphasis on Techniques of Self-Defence. In this Programme, the Chief PP, Addl. DCP, Principal of College were also present. Around 400 female students attended the said programme and **was also telecasted on Doordarshan.**

On 26th & 27th March, 2015, the East DLSA also organized **02 programmes** at abovesaid venue on the topic "Techniques of Self-Defence".

The North-East DLSA organized **18 programmes** at colleges on techniques of Self-Defence.

On 25th March, 2015, the South-West DLSA organized a programme at Bharti College on the topic “Sexual Safety and differently-able women – Provision and Lacunae”.

On 28th January, 2015, the Secretary, High Court Committee alongwith 02 Panel Advocates organized a Legal Aid Campaign at Vivekanand Institute of Professional Studies, Pitampura.

On 22nd February, 2015, the West DLSA organized an awareness programme at RWA, New Moti Nagar on the topic “Prevention of Food Adulteration Act.”

In the month of March, 2015, the North-East DLSA in association with Labour Department, Govt. of NCT of Delhi organized 02 programmes at GRCs and 01 programme at Jail Complex, Mandoli on the topic “Unorganized Workers’ Social Security Act”.

In the month of February, 2015, **07 Legal Literacy Classes** were organized by DLSAs in Govt. Offices i.e. DSSSB, Directorate of Training, DJB, ESI Hospital etc. on the topic of Protection of Women from Sexual Harassment at Workplace.

During the above said period, the Secretaries organized/ addressed **60 Legal Literacy Programmes** for officers/officials of Delhi Police at various Police Stations/DCP’s Offices/Specialized Police Training Centre at Rajender Nagar, Delhi and gave lectures on various topics including “Prevention of Women from Sexual Harassment at Workplace, TIP/Final Reports, Protection of Children from Sexual Offences Act, Juvenile Justice Act, Protection of Women from Domestic Violence Act etc.”

The DLSAs organized **37 awareness programmes** at jails and **03 programmes** were also organized by Delhi High Court Legal Services Committee at Jails.

During the above said quarter, **96 awareness programmes/ moral teaching classes** were organized by Shahdara and New Delhi DLSAs at Observation Homes and also celebrated Republic Day at Observation Homes at Delhi Gate and Kingsway Camp.

During the abovesaid quarter, the New Delhi DLSA organized **06 awareness programmes** for Senior Citizens at Old Age Homes on the topic "Maintenance and Welfare of Parents and Senior Citizens Act, 2007".

In the month of March, 2015, the East, South-West and North DLSAs organized **03 programmes** at GRC, Jail and at P.S. Janagirpuri on the Rights of Transgenders.

Winter Internship Programme 2014: DSLSA organized Winter Internship Programme, 2014 for 57 law students from all over India from 5th January, 2015 to 27th January, 2015. The interns were taken to Tihar Jail, CWCs, Children Homes, Observation Homes, P.S. Mandir Marg, GRCs, SPUWC; Nanakpura, Supreme Court and Supreme Court Legal Services Committee, High Court and High Court Legal Services Committee, various MM Courts at Saket, Tis Hazari and Patiala House for first hand exposure. They were also taken for Heritage Site.

During the abovesaid quarter, DSLSA organized following Para Legal Training Programmes:

- o **1st PLV Training Programme was organized for 126 Para Medicals of Doctors**, faculty members, staff and students of **All India Institute of Medical Sciences (AIIMS)** on 21st & 22nd January, 2014.
- o DSLSA in association with **Maulana Azad Medical College (MAMC)** also organized a Workshop on Justice Dispensation System in India and **6th PLV Training Programme** for 87 Para Medicals of MAMC on 31st January & 1st February, 2015.
- o **8th PLV Training Programme** was organized for **186 students** of Delhi University on 16th & 17th March, 2015 at **Gandhi Bhawan**, University of Delhi.
- o **9th PLV Training Programme** was organized for around **200 Para Medicals of Lady Harding Medical College** on 30th & 31st March, 2015.

Visit of NALSA interns to DSLSA: In the abovesaid quarter, 15 students referred by NALSA interned with DSLSA from 2nd January, 2015 to 12th January, 2015 and 04 students from 28th January, 2015 to 4th February, 2015. Orientation Programmes were conducted for each

batch at Central Office of DSLSA at Patiala House Courts. The Officer on Special Duty gave a lecture on Legal Services Laws and functioning & activities of DSLSA and the documentary “Nyaya Ki Kiran” was also shown to them. The Secretary, New Delhi DLSA also made them aware about the working of ‘Front Office’. During the abovesaid period, they were taken to Police Stations, CWCs, PLAs, JJBs, Observation Homes, Tihar Jail, MM Courts and Mediation Centres for first hand exposure.

Visits to Children Homes :During the abovesaid quarter, the New Delhi DLSA made **09 visits** to Children Homes for Girls - I to IV at Nirmal Chhaya Complex, New Delhi.

Workshops for stakeholders of CWCs: On 17th January, 2015, DSLSA organized a workshop for Chairpersons and Members of CWCs and 2nd Workshop was also organized on 28th February, 2015. The Member Secretary, Officer on Special Duty, Principal Magistrates of JJBs, Sh. Anant Kumar Asthana, Child Rights Activist and Lawyer and Ms. Bharti Ali, Co-Director, HAQ, Centre for Child Right, Sh. Bhuwan Ribhu, Child Rights Activist, Bachpan Bachao Andolan delivered lectures on the following topics:-

Powers of CWCs under the Juvenile Justice (Care & Protection) Act, 2000 and other legislations concerning Child Rights including IPC

Issues concerning Human Trafficking of Children, Implications of Child Labour Act, rescue, rehabilitation, enforcement of orders on payment of wages, salaries etc.

Roles, duties & responsibilities of Legal Services Counsellors of CWCs

Writing skills, quality and reasoning of quasi-judicial orders

Panel Discussion on DSLSA’s Project of the Year “Rehabilitation of Street Children”.

Celebration of International Women’s Day - 2015:The East & Shahdara DLSAs in association with Antar Rashtriya Manvadhikar Sangathan celebrated International Women’s Day on 8th March and on 18th March in association with Ashay Sahayata Samiti, Trilok Puri and the North-East DLSA also attended a programme on 20th March organized by Women Forum at Ambedkar Park on the theme of “Chuppi Todo-Meri Baat suno”.

Awareness through Radio/TV Programmes: On 16th February, 2015, OSD went to Parliament House to participate in live telecast of an episode of the programme “Legal Point”. The topic of that episode was “Free Legal Aid Services” at 5.30 PM to 6.00 PM on Lok Sabha TV Channel. 04 Radio programmes by South DLSA on 20th & 27th February, 2015 and 12th & 27th March, 2015.

Legal Aid:

Visits to Jails and Observation Homes : Under Project of the year adopted by Delhi SLA, in order to ensure that legal rights of the inmates are not lost on account of lack of information and lack of assistance and also to support to enforce those rights, the Secretaries made **34 visits** to the Jails and **19 visits** to Observation Homes.

Training Programmes for Legal Services Advocates : During the abovesaid quarter, the DLSAs organized **45 Training Programmes** for Legal Services Advocates. The topics for the training programme were: Issues relating to Juveniles age verification, Client Counselling & Ethics, Order-I (Parties to Suit) and Statement of Accused u/s 313 Cr. PC, Order 23 CPC (Law on Compromise) and Protection of Women from Domestic Violence Act etc.

Annual Meet of Legal Services Advocates: In the month of January, 2015, all the DLSAs held Annual Meet of the Legal Services Advocates on the panel of their respective districts and received feedback report regarding (i) Achievements in the Performance of the Legal Services (ii) Bottlenecks experienced while providing legal services (iii) Suggestions for way forward.

Beneficiaries of Legal Services : During the quarter January to March, 2015, Delhi State Legal Services Authority provided legal aid/assistance to following number of persons:

Category	No. of Persons
Schedule Caste	128
Schedule Tribe	02
Backward Class	02
Women	1876
Children	29
In custody	3204
General	1026
Others	88
Total	6355

Besides the above, in the abovesaid quarter, the Delhi State Legal Services Authority also dealt with 488 cases of DAR/MACT cases, 859 cases of Missing Children, 170 cases of victims of sexual assault

Under Delhi Victims Compensation Scheme, 2011, compensation was awarded in 109 cases and the total amount of compensation was Rs. 1,67,59,500/-

PUDUCHERRY

Lok Adalat:

Continuous Lok Adalat

No. of Sittings	:	24
No. of cases settled	:	73
No. of MACTOP cases settled	:	19
MACTOP settled amount	:	Rs.92,08842/-

Special & Mega Lok Adalatconducted for Nationalized Banks, CellPhone Cos, Criminal Compoundable Cases & MGNREGA workers cases)

No. of Special Lok Adalat	:	18
No. of cases settled	:	292
Total amount settled	:	Rs. 97,96900/-

Legal Aid/ Legal Literacy Camps:

No. of Camps conducted	:	17
No. of villages covered	:	50
No. of persons benefited	:	270

Conciliation cell:

No. of Petitions pending	:	3546
Received	:	70
Total	:	3616
Disposed Petitions	:	209

Legal Aid Beneficiaries :

SC	:	355
BC	:	280
Women	:	377
Children	:	(80)

Incustody	: 25
General	: 115
Total	: 1232

Union Territory of Puducherry Legal Services Authority celebrated 66th Republic Day in the office premises on 26.01.2015. Thiru. P. Velmurugan, Chief Judge – cum – Member Secretary hoisted the National Flag and addressed the gathering about the dedicated deeds of the national leaders to achieve the freedom. On this occasion, District Judges, Munsif and Magistrates of Puducherry Courts participated.

On 20.01.2015 and 21.01.2015, Special Lok Adalats were conducted for Mahendra Housing Finance and BSNL respectively. On 20.01.2015, 3 cases settled for Rs.2,22,000/- and on 21.01.2015, 59 cases were settled for Rs. 85,831/-.

On the direction of NALSA the Puducherry Legal Services Authority inaugurated Toll Free Help Line No.1800 425 8831 to advice and to provide legal assistance. For Toll free Help Line, two advocates are seated on shift basis.

On 06.02.2015, Union Territory of Puducherry Legal Services Authority and Puducherry HIV and AIDS control society, Puducherry jointly conducted Legal Literacy Programme for HIV affected people in the office premises.

Special Lok Adalats relating to Punjab National Bank on 20.02.2015; Bank of India on 23.02.2015 and on MTS Cell Phone Company on 25.02.2015 were conducted and settled 44 cases for Rs. 13,39,500/-.

On 26.02.2015, Legal Literacy camp for NSS students was conducted at Koonichampet Government Higher Secondary School, Puducherry. About 100 students participated and got benefit.

On 08.03.2015, World Women's Day was celebrated. On this occasion, HIV affected persons and transgender are invited to create awareness about the women empowerment. On this occasion, Thiru. T. S. Nandakumar, II Additional District Judge, Tmt. R. Margaret Rosaline, Law Secretary, Government of Puducherry, Dr. V. Raman, Director, Department of Health and Welfare Services and advocates participated.

Statistical Information

NATIONAL LEGAL SERVICES AUTHORITY

STATEMENT SHOWING THE NUMBER OF PERSONS BENEFITTED THROUGH
LEGAL AID AND ADVICE HELD BY STATE LEGAL SERVICES AUTHORITIES UNDER
LEGAL SERVICES AUTHORITIES ACT, 1987, SINCE INCEPTION (AS ON 31.03.2015).

S.No	State	SC	ST	BC	Women	Children	Incustody	General	Total
1	Andhra Pradesh	7,135	5,694	9,924	12,907	1,454	10,451	31,048	78,613
2	Arunachal Pradesh	168	1,414	78	369	5	66	1,531	3,631
3	Assam	38,180	28,447	8,208	25,250	1,389	564	123,457	225,495
4	Bihar	4,951	1,413	8,640	7,008	1,154	1,738	18,266	43,170
5	Chhattisgarh	46,298	55,622	44,191	36,462	7,585	33,668	33,335	257,161
6	Goa	76	26	315	2,220	78	3,617	1,676	8,008
7	Gujarat	15,726	8,591	1,369	31,400	573	12,979	44,105	114,743
8	Haryana	39,520	105	1,185	10,786	558	38,487	14,343	104,984
9	Himachal Pradesh	1,199	174	81	6,404	153	247	5,321	13,579
10	Jammu & Kashmir	1,800	437	994	17,595	780	327	12,500	34,433
11	Jharkhand	1,497	2,162	2,741	3,478	399	4,081	3,125	17,483
12	Karnataka	9,070	2,064	19,938	14,383	178	239	87,758	133,630
13	Kerala	2,221	549	2,807	15,491	814	21,158	159,439	202,479
14	Madhya Pradesh	314,984	268,615	226,157	85,848	10,191	58,819	679,716	1,644,330
15	Maharashtra	49,605	36,181	23,357	99,508	2,292	27,144	3,700,212	3,938,299
16	Manipur	2	22	14	115	15	6	2,361	2,535
17	Meghalaya	320	1,203	65	144	656	977	144	3,509
18	Mizoram	233	32,265	2,511	4,780	527	4,571	6,350	51,237
19	Nagaland	1,074	4,350	1,714	1,830	643	2,182	499	12,292
20	Odisha	32,459	21,894	1,648	36,696	579	4,454	39,195	136,925
21	Punjab	10,452	571	4,924	14,799	892	40,392	29,062	101,092
22	Rajasthan	19,812	27,908	8,724	17,674	778	22,836	25,076	122,808
23	Sikkim	128	494	29	2,240	256	3,270	706	7,123
24	Tamil Nadu	197,437	24,244	237,486	422,267	3,315	33,649	4,574,309	5,492,707
25	Telangana	70	31	40	663	214	541	576	2,135
26	Tripura	625	476	133	5,618	311	1,722	4,092	12,977
27	Uttar Pradesh	793,311	101,920	629,923	376,788	140,676	16,622	2,545,225	4,604,465
28	Uttarakhand	3,063	1,615	417	3,559	1,837	1,575	18,817	30,883
29	West Bengal	6,405	2,923	2,852	24,944	1,393	15,944	20,360	74,821
30	Andaman and Nicobar Islands	-	-	-	211	-	1,208	404	1,823
31	U.T. Chandigarh	652	10	55	1,380	199	5,866	595	8,757
32	Dadra and Nagar Haveli	-	4	-	344	170	19	621	1,158
33	Daman & Diu	1	2	4	72	120	40	214	453
34	Delhi	6,091	331	366	57,076	8,378	113,279	100,508	286,029
35	Lakshadweep	-	2	-	-	-	1	2	5
36	Puducherry	22,218	36	15,995	21,861	4,506	865	6,428	71,909
37	Supreme Court Legal Services Committee.	1,256	252	1,795	2,644	23	6,430	10,156	22,556
TOTAL :		1,628,039	632,047	1,258,680	1,364,814	193,091	490,034	12,301,532	17,868,237

Statistical Information

NATIONAL LEGAL SERVICES AUTHORITY
STATEMENT SHOWING THE NUMBER OF LOK ADALATS HELD
BY STATE LEGAL SERVICES AUTHORITIES UNDER LEGAL SERVICES AUTHORITIES
ACT 1987 AND CASES SETTLED SINCE INCEPTION (AS ON 31.03.2015).

S. No.	State	No. of Lok Adalats held	No. of MACT Cases Settled	No. of Cases Settled (including MACT Cases)	Compensation Awarded in MACT Cases (in Rs.)
1	Andhra Pradesh	205,263	137,496	2,022,629	15,615,067,873
2	Arunachal Pradesh	641	978	6,157	36,876,176
3	Assam	4,151	29,979	413,119	2,359,569,362
4	Bihar	26,988	135,747	1,291,522	1,139,552,846
5	Chhattisgarh	16,461	11,908	5,561,697	2,027,596,040
6	Goa	1,009	5,275	14,559	379,523,643
7	Gujarat	150,941	212,252	7,734,301	14,734,198,765
8	Haryana	99,917	39,630	1,703,691	4,217,801,061
9	Himachal Pradesh	9,598	6,404	248,280	963,974,761
10	Jammu & Kashmir	5,191	11,067	336,282	2,498,395,670
11	Jharkhand	26,907	5,684	5,247,397	876,467,248
12	Karnataka	155,739	157,436	3,166,413	9,419,909,562
13	Kerala	39,526	159,711	516,384	7,712,411,812
14	Madhya Pradesh	38,840	204,104	13,606,602	15,241,802,005
15	Maharashtra	41,426	104,516	2,721,628	17,551,571,512
16	Manipur	93	1,416	3,185	166,620,000
17	Meghalaya	198	973	9,593	127,966,406
18	Mizoram	1,442	240	2,486	6,094,080
19	Nagaland	281	1,477	4,769	198,117,023
20	Odisha	15,691	53,063	4,789,074	4,599,846,174
21	Punjab	30,244	18,567	1,874,111	1,977,352,579
22	Rajasthan	191,305	621,595	3,345,940	9,059,184,153
23	Sikkim	1,922	160	7,205	9,101,000
24	Tamil Nadu	262,500	236,287	6,408,916	39,891,934,106
25	Telengana	4,860	4,918	170,343	1,381,080,339
26	Tripura	1,158	4,664	95,954	149,855,318
27	Uttar Pradesh	48,523	91,120	14,380,754	9,338,439,853
28	Uttarakhand	1,825	5,027	364,653	657,993,213
29	West Bengal	23,029	40,665	1,524,152	3,764,009,381
30	Andaman and Nicobar Islands	269	38	8,878	7,848,468
31	U.T. Chandigarh	8,818	20,180	671,569	1,671,237,009
32	Dadra and Nagar Haveli	22	157	2,278	12,007,699
33	Daman & Diu	25	61	1,940	3,099,000
34	Delhi	14,853	22,782	1,299,417	3,775,415,812
35	Lakshadweep	319	11	172	435,000
36	Puducherry	1,201	9,149	57,644	457,561,571
37	SCLSC	8	44	281	-
	TOTAL :	1,431,184	2,354,781	79,613,975	172,029,916,520