

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 18]

रायपुर, बुधवार, दिनांक 16 जनवरी 2019 — पौष 26, शक 1940

CHHATTISGARH STATE LEGAL SERVICES AUTHORITY
Vidhik Seva Marg, Bilaspur

Bilaspur, the 16th January 2019

NOTIFICATION

No. 143/I-4-1/2003. — In exercise of the power conferred by clause (g) of section 2 read with clause (c) of sub-section 2 of section 7 of Legal Services Authorities Act, 1987 (No. 39 of 1987), the Chhattisgarh State Legal Services Authority hereby makes the following Scheme namely :-

Name of the Scheme

The Scheme shall be called Legal Services Authority “-Hamar Angana” Scheme, 2017.

2. Definitions :

1. “Act” means the Legal Services Authority Act, 1987.
2. “State Authority” means C. G. State Legal Services Authority constituted under Sec. 6 of the Act.
3. “District Authority” means a District Legal Services Authority constituted under Sec. 9 of the Act.
4. “Para-Legal Volunteers” refers of ‘PLV’ as defined and trained under the NALSA Scheme for Para-Legal Volunteers and module for the Orientation-Induction-Refresher Courses for PLV training.
5. “Taluka Legal Services Committee” means a Taluka Legal Services Committee Constituted under Sec.11-A of the Act.

6. "Domestic Violence" mean as defined under Sec. 3 of the Protection of Women from Domestic Violence (PWDV) Act, 2005.
7. The terms 'Legal Services Clinic' , 'Panel Lawyer' , 'Retainer Lawyer' will mean the same as defined under the National Legal Services Authority (Free and Competent Legal Services) Regulation, 2010 and National Legal Services Authority (Legal Services Clinics) Regulations, 2011.

Objective of the Scheme :

The objective of the scheme shall be to take necessary steps for preventing and eradicating domestic violence in the districts of Chhattisgarh under the auspices of CGSLSA and DLSA. This Scheme shall be started as Pilot Project basis in the district of Janjgir-Champa and later on it shall be started in other districts.

3- Constitution & Composition of Committee :

- (i) The concerned DLSA shall constitute a 'Committee' for the purpose of conducting a survey and identifying the affected person/family and providing other relief under this scheme.
- (ii) The 'Committee' as referred in above clause (i) shall consists of
 - (a) Para Legal Volunteer (PLV)
 - (b) Panch/Sarpanch of the village /panchayat.
 - (c) Mitantin i.e. women community health volunteer of the concerned Gram Panchayat/Village.
- (iii) In appointing PLV, as mentioned in clause (ii), preference shall be given to the women PLVs.
- (iv) The women PLV may be appointed from 'Women Self Help Group' (Mahila Sva Sahayata Samooh).

4- Procedure for Implementation of the Project :

- (i) The DLSA shall organize survey in the different ward/village/panchayat to identify the families affected with domestic violence.
- (ii) The survey shall be conducted by "Committee" as mentioned in clause 3(i) of the scheme. Assistance of local body institutions & NGOs may also be taken in appropriate case. A drop box shall be installed in every village, local body office in which complaint may be dropped on behalf of aggrieved person. The key of the drop box shall be with PLV of the concerned Committee. Complaint received through drop box shall be entertained by the Committee constituted under the scheme and information shall be sent to DLSA through TLSC.
- (iii) In conducting survey it shall be ascertained whether the incidents of domestic violence are repetitive in nature or whether such incidents are only solitary or emotional outbursts at random that could be corrected by appropriate counselling.
- (iv) The survey shall focus on the reasons for the incidents of domestic violence; for example:
 - (a) drunken behaviour of a family member;
 - (b) use of drugs or narcotic substances;
 - (c) lack of harmonious relationship;
 - (d) personality conflicts;
 - (e) repetitive incidents of quarrelsome behaviour;
 - (f) sexual assaults / sexual aberrations;
 - (g) financial / economic problems;
 - (h) demand for dowry;
 - (i) other reasons.

- (v) After conducting survey, Committee constituted as above shall visit the affected home. If Committee thinks fit, it may take assistance of Panel Lawyer through DLSA or TLSC and other members of local body of the area.
- (vi) The parties to the domestic violence may be called at convenient place for the conciliation and counselling.
- (vii) Services of experts like sociologists, psychologists, psychiatrists, medical doctors may be availed of in appropriate cases.
- (viii) DLSAs & TLSCs shall maintain a panel of sociologists, psychologists, psychiatrists, doctors who can provide voluntary services to such person.
- (ix) In appropriate cases, where service of specialists in psychiatry, medicine or psychology is required and such persons are not in panel with DLSA & TLSC or such persons are not available, then DLSA may take services of such person from outside the district. Reasonable expenses for bringing them for such treatment may be borne by DLSA.
- (x) In appropriate cases Committee may also take the help of functionaries of religious institutions or caste organization.
- (xi) Counselling shall be conducted at a place where both parties agree or in Legal Aid Clinic or other suitable public premises, if available.
- (xii) During the counselling process parents and relatives of the parties may also be involved. However, the privacy and confidentiality of the parties shall be maintained.
- (xiii) If more cases are found in a particular village/ward then Chairman of the DLSAs may constitute more than one Committees.
- (xiv) Counselling shall focus on the principles of equality and fundamental rights of both the male and female members of a family. If the parties in a domestic violence are not husband and wife but a female member of a family suffering domestic violence from a male member or another female in the family, appropriate counselling may be given to both the parties.

- (xv) If any legal issue is the cause of domestic violence, services of a panel lawyer may be availed.
- (xvi) As far as practicable, involvement of police officers in resolving the family dispute may be avoided except in the circumstances where the cause of violence is due to the influence of a person not related to the family.
- (xvii) Whenever in any case the Committee thinks appropriate then the victims of the domestic violence may be provided shelter in the government approved Shelter Home.

5-Empowerment of Woman Members of the Identified Families:

- (i) The DLSA/TLSC and all persons connected with this project shall endeavour to empower the women in the identified family for making them aware of the rights to equality and facilities over all development of the family its members.
- (ii) The teams deputed by the DLSA shall make suggestions to the affected women and apprise them of the ways and means to become self-reliant and economically independent to reduce the incidents of domestic violence.
- (iii) If the women in the identified families are not earning members, the team may give advice for improving the economic status of the family by engaging women in micro-enterprises and other income generating activities.
- (iv) The DLSA may help the women concerned to obtain bank loans and assistance of government departments for setting up home-based or micro-level activities that would generate income for the family.

6- Legal Awareness :

- (i) A DLSA & TLSC may organise ward/village level legal awareness programme at convenient places.

- (ii) The legal awareness programmes may be organised for the members of all houses in a locality.
- (iii) There shall be no formal functions like inauguration, inviting VIPs etc in such legal awareness programmes.
- (iv) The legal awareness programmes shall be made as informal as possible.
- (v) Services of women lawyers, law students and PLVs also may be taken in such programmes.
- (vi) PLVs may be deputed for distributing pamphlets relating to prevention of domestic violence.
- (vii) The women in the locality shall be made aware of the different provisions of the Protection of Women from Domestic Violence (PWDV) Act 2005 and the different functionaries there under. Addresses, location and the contact number of the Probation Officers, Service Providers etc shall be made available to all women in the locality.
- (viii) No special provision may be made for food and refreshments in such programmes. As far as practicable, the participants themselves may be encouraged to make available such refreshments, as a community effort.
- (ix) As far as practicable, the gathering in the legal awareness programmes shall not exceed 50. Men may also be encouraged to attend such programmes.

7-Monitoring of the Identified Families :

- (i) The Member of "Committee" of the locality/village/Gram panchayat shall be vigilant in preventing the incidents of domestic violence in the locality.
- (ii) Without infringing the rights of privacy, the identified families shall be under the discreet monitoring by the Committee.
- (iii) The members of the Committee may advice the perpetrator of physical violence to desist from such physical violence and inform such persons of the legal consequences.

- (iv) Committee shall keep such instances confidential and shall not divulge the details thereof to the general public or to the media.
- (v) After having been able to resolve the domestic problems of an identified family, the Committee members may have friendly visits to the identified families and may share the happiness of the family with its members.
- (vi) The local body institutions may take measures for appreciating the peaceful post-incident life of the identified family members.

8- Assistance to Child Victim :

- (i) The child victims of domestic violence may be given immediate help by the DLSA.
- (ii) Urgent steps may be taken for rehabilitation of a child in extreme cases of violence in the family.
- (iii) The DLSA/TLSC shall take steps for early restoration of the child to the parents, as far as practicable, to both parents. The DLSA may seek the assistance of the Child Welfare Committee (CWC) set up under the Juvenile Justice (Care and Protection of Children) Act 2015.
- (iv) The DLSA/TLSC shall take steps to see that children enjoy the love and affection of both parents.
- (v) The DLSA shall encourage setting up of Legal Literacy Clubs in all High Schools.
- (vi) The members of the legal literacy clubs may be made aware of the provisions of the PWDV Act and also about the rights of the children.
- (vii) The members of the Legal Literacy Clubs may be encouraged to inform the quarrelling parents and elders in the family about the legal consequences of domestic violence. Under this project, all efforts shall be made to make the children aware of the legal consequences of domestic violence and they may be advised to report such matters to the teachers, who in turn, through the Legal

Literacy Clubs, may inform the DLSA/TLSC about the incidents of domestic violence.

9- Social Audit :

- (i) The DLSA shall conduct social audit of the scheme with view to assess the impact on and the usefulness of the scheme at the interval of one year.
- (ii) The SLSA shall also assess the scheme on every two years. After evaluation of the above scheme, the SLSA may incorporate valuable suggestions received from all quarters.

10- Finance and Audit :

- (i) The funds required for implementation of this project may be provide by SLSA to the DLSA.
- (ii) Donations/ contributions by any government departments or institutions may be received by DLSA with the approval of the SLSA.
- (iii) The TLSC/DLSA shall maintain proper account for the funds received from the SLSA and others donations and contributions received from government body.
- (iv) The funds provided by NALSA or State Government may be utilized for payment of honorarium to the PLVs, Panel Lawyers and others incidental expenditure related to scheme.

By order

Sd/-

(Vivek Kumar Tiwari)
Member - Secretary.