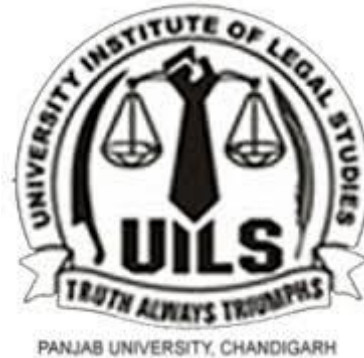


**PERFORMANCE OF LEGAL AID CLINIC, UILS,
PANJAB UNIVERSITY CHANDIGARH
(FOR THE YEAR 2016-2017)**



**ACTIVITIES DONE BY LEGAL AID CLINIC IN
2016-17**

REPORT OF ACTIVITIES

24th August 2016 (Wednesday)

An orientation session was conducted by The Legal Aid Clinic, University Institute of Legal Studies (UILS), Panjab University, Chandigarh. The orientation session was held to enlighten the Legal Aid Volunteers regarding the working of Legal Aid Clinic. The session was held in the department of UILS and was attended by 120 Legal Aid Volunteers.

The session was presided over by Advocate Madhu P. Singh, Ex. Judge, District Consumer Disputes Redressal Forum. She emphasized on the importance of legal aid and role of law students towards society and how law colleges can contribute towards access to justice. She honoured the gathering with her kind words. She appreciated the initiative taken by UILS department and assured her full support.

After that mandatory guidelines were announced by Faculty Coordinator Dr. Karan Jawanda. The agenda for next activities, that is, Workshop at Chandigarh Judicial Academy and Run for Awareness were declared.

After that, the refreshments were distributed to volunteers and a sapling was planted in UILS premises.



27th August 2016 (Saturday)

Recognizing the need for enhancing legal aid services towards general public, a workshop was organized at Chandigarh Judicial Academy, Sector 43 Chandigarh by SLSA, UT, Chandigarh in association with Legal Aid Clinic, UILS, PU, Chd. The workshop was conducted on issues pertaining to Child Friendly Legal Services with specific impetus on Juvenile Justice Act, 2015. The Chief Guests were Hon'ble Justice Surya Kant, Punjab & Haryana High Court and Hon'ble District and Sessions Judge Balbir Singh. The judicial officers trainees were also part of the event.

There were three sessions. The opening session was illuminated by eloquent speech of Dr Shruti Bedi, Assistant Professor UILS. She referred to various constitutional provisions regarding child rights along with relevant international conventions. Also, the speaker Mr. Neil Roberts, Chairman Child Welfare Committee discussed on the topic 'Introduction of Child Rights and Issue of Convergence'. The next discussion was on the topic Constitutional Provisions relating to Children by Prof. Dr Nishtha Jaswal, Dept. Of Laws.

After short tea break, Dr Upneet Lalli, Deputy Director Institute of Correctional Administration, Sector 26 Chandigarh illuminated the gathering on Role of Police in dealing with Child related cases with special reference to recent amendments in Juvenile Justice Act, 2015. Then the session was presided over by Sh. V K Kapoor IPS (Retd.) throwing light on the Issue of Stress Management in Judiciary. It was indeed a delightful presentation coupled with his personal experiences.

After lunch break, the participants and the guests were enlightened by the views of Ms. Sonal from Child Helpline, Chandigarh and Ms Preeti Saini from ICPS, who focused on the procedures followed by Child Helpline Chandigarh and the Adoption Guideline, 2015 respectively. Then Prof. Sangeeta Bhalla, Director UILS, edified the gathering with her informative discussion on the topic Reduction in Age of Juvenile.

An open house discussion was held in which the questions were answered by Hon'ble Justice Surya Kant. Lastly, Vote of Thanks was delivered by Sh. Amarinder Sharma, Secretary, DLSA. The event was successfully accomplished.

1st September 2016 (Thursday)

A Run for Awareness has been conducted by University Institute of Legal Studies, Panjab University, Chandigarh in association with State Legal Services Authority and District Legal Services Authority, U.T, Chandigarh. The Chief Guest of the event was Sh. Balbir Singh, Learned District and Session Judge cum Chairman District Legal Services Authority, UT, Chandigarh; Sh. Atul Kasana Learned Additional District and Session Judge; Sh. Amrinder Sharma Chief Judicial Magistrate cum Secretary District Legal Services Authority, UT, Chandigarh and Mr. V K Kapoor IPS (Retd.) Chief coordinator, NALSA Schemes. The run was carried out for the purpose of creating awareness regarding free Legal Aid being provided by Legal Aid Clinic, UILS, Panjab University, Chandigarh from Monday-Friday at 3pm-4pm. The run was conducted from 6 am -7 am enrouting University campus. The faculty members and around 250 volunteers from the department were part of it.

The winners of the race were awarded medals by the Chief Guest. Refreshments were served to the Volunteers. It was a successful event.



2nd September 2016 (Friday)

With the goal of creating awareness the volunteers of Legal Aid Clinic went to University Gate No. 1 Opposite PGI Gate. There the volunteers distributed brochures and had an interactive session with people. They went around 5 pm in the evening and interacted with Police at PGI gate, NFS workers, Street vendors, rickshaw holders, auto rickshaw drivers, Cobblers, Fruit vendors, Taxi stand drivers and others.

The purpose of this interactive session was to aware maximum people about the free Legal Aid provided by UILS Legal Aid Clinic. It was another successful event.

20th October 2016 (Friday)

An interactive session was organized with Mr. Parduman Garg, the youngest panel lawyer for the Ministry of Local Bodies, Union Government and the topper of Panjab and Haryana and Himachal Judiciary prelims. He shared his valuable experience in both the fields. He encouraged the volunteers to be vigilant of the prevailing laws and create awareness about the basic legal knowledge in the society. He enlightened the volunteers by explaining various practical aspects of laws and procedure to be followed while dealing with them.

26th October 2016 (Wednesday)

Mediation: An emerging tool of Alternative Dispute Resolution

The session was presided over by Adv. Manjit Kaur. The session began with an introduction to the concept of Alternative Dispute Resolution. Mam narrated that ADR is not a new concept. She explained that it existed in the past period when the traditional judicial system was prevailing. She also stressed on the main reasons for arising conflicts in the society which actually gave birth to disputes among the citizens. Due to the increase in these disputes the need for a judicial mechanism was felt. But due to the high rate of pendency of cases and the time-consuming process; the jurists looked for alternative ways to resolve disputes. With the emergence of Alternative Dispute

Resolution mechanism; the scope of mediation; conciliation and Arbitration increased in the recent times.

4th November 2016 (Friday)

Street Play – MERI AWAZ SUNO

Students of 5th year BA.LLB(Hons) performed a street play at the District Court Complex, Sector 43, Chandigarh.

The play was enacted as part of the Practical Training which is a compulsory subject for 5th year students.

The play was enacted on the eve of Golden Jubilee Celebrations of the District Court, Complex. The play was organized in collaboration with the State Legal Aid Services Authority, Chandigarh.

The play was titled 'Meri Awaz Suno'. The theme of the play was Child Abuse.

The group comprised of 30 students. The group was further divided into a group of 10 students each and each such group enacted various kinds of child abuse including physical abuse, sexual abuse and emotional abuse.

The students highlighted various kinds of child abuse through powerful narration and also highlighted various legal provisions available to combat such kind of crimes. Students also made banners and displayed them during the play. The child helpline number was also told to the public and the general public was informed about the plausible solutions available to aggrieved persons.

Students also interacted with the general public and asked them questions regarding child abuse and apprised them of legal provisions. The students were also mentored by highly experienced personnel of the State Legal Aid Services Authority. Students were informed about the benefits of mediation and conciliation procedure.

The play was beautifully concluded by narrating a meaningful poem which was written and narrated by one of the students only.

5th November 2016 (Saturday)

Minutes to Seminar on Mediation Programme

Challenges and Way Ahead & Art of Making Referrals to Mediation

The seminar started with the arrival of Dignitaries at 4:30 PM. The Dignitaries included Hon'ble Mr. Justice A.K. Sikri, Judge, Supreme Court of India; Hon'ble Mr Justice Shiavax Jal Vazifdar, Chief Justice Punjab and Haryana High Court, Hon'ble Mr Justice S.S. Saron, Judge, Punjab and Haryana High Court and Hon'ble Mr. Justice Surya Kant, Judge, Punjab and Haryana High Court.

The seminar started with the lighting of ceremonial lamp and welcome address by the Member Secretary, U.T. Legal Service Authority.

The maiden speaker to speak on the occasion was the Hon'ble Mr Justice Shiavax Jal Vazifdar, Chief Justice Punjab and Haryana High Court who being a man of simplification highlighted two major points-

1. Attitude towards Mediation:

Lawyers shy away from going for mediation. He himself being a practising advocate before joining judiciary, had a strong opinion about uselessness of mediation but by and by as time passed, started discovering the efficacy of the process.

Emphasized that mediation is here to stay and it has already been institutionalised. Therefore irrespective of the personal opinion, one must support and promote mediation.

2. Misplaced reliance on statistical figures:

We must not tend to deceive ourselves by placing undue reliance on success rate of mediation. Rather, we must calculate the real figures how the people have found mediation as the best alternative available especially in matrimonial cases.

Following the Chief Justice was the Hon'ble Mr. Justice A.K. Sikri, Judge, Supreme Court of India who believed that there is no use of sermonizing the judges, mediators and lawyers present in the audience regarding what is mediation and its usefulness.

Rather he wanted the seminar to be interactive so therefore, he opened the house for questions and discussion.

He said that there are two types of mediation-

1. *Court-annexed Mediation*- under Section 89 of Code of Civil Procedure, 1908.
2. *Mediation without Court's intervention*- Prevalent in West which can be through lawyers and institutions. With the success of mediation in India, this too shall become reality.

He underlined the importance of *Role of Referral Judges*. He said that it is the bounden duty of the judicial officers to undergo the Mediation Training because they must be convinced first about its efficacy to supply force to this process of personalized dispute resolution method.

He stated that training of Referral Judges is important to determine-

- Types of cases to be sent
- If record needs to be sent at all
- Stage at which referral must be made- He said that at the initial stages of the case the vengeance and acrimony between the parties is at its peak which is a non-starter time as at that time there is no scope of mediation. So therefore the judge must wait for a optimal time to set in, which is popularly known as "*Litigation Fatigue*" and then make a reference for mediation. They must also instill confidence in the mind of litigants by saying some words of encouragement regarding the efficacy of the process so that the litigants repose faith in the process and not participate in it mechanically just for the sake of an order passed by the Judge.
- In order to guide the lawyers as well regarding the need of mediation in the case.
- What kind of preference order needs to be sent- for example the judge can highlight the issue for mediator to work upon a particular issue only.

- That the Judge is not supposed to ask as to what happened in mediation as it is a secret process and he must not make conclusion about the case based on the attitude of the parties in mediation

Opened House for Discussion- One by one mediator, lawyers and trainers stood up and recited their success story of how they were successful in bringing about settlement between the parties which were full of vengeance against each other. Some of them even disclosed their tricks that they used to keep Hanuman Chalisa as well as Gutka, according to the parties that come for mediation and make them comfortable that all of them are God fearing people. Some used to give reference about how their children are affected due to the dispute between the parties. They also stated as to what was their shortcomings in bringing about agreement between the disputing parties.

The major handicap most of them stated was-

- lack of faith of parties on the mediation process and mediator being a neutral party.
- denying the opportunity to the parties to speak as most of the times lawyers are the mediator and being lawyers, they are bound by the habit of putting questions rather than listening to the parties which as a result do not bring about a settlement between the parties.
- Lack of sound-proof walls.

Hon'ble Justice Sikri underlined the importance of modulating the mediation process according to Indian context and run the mediation process by bringing in the emotional quotient regarding family ties and love within the family.

The session was concluded by taking suggestions from judicial officers and others which were as follows-

- There must be code of conduct for the lawyers acting as mediators as is there for the judges then that's it as a neutral party to determine the issue between the parties

- There must be Counsellor attached with mediation process so that they can talk to parties and give confidential briefs to the Mediators.

There must be mediator in the police station itself so that the dispute is nipped in the bud.

9th November 2016 (Wednesday)

The students of the 9th semester, UILS, PU, performed a street play on 9th November 2016 in which 30 students participated. The play was a part of Legal Aid exercise and the theme of play was “Drunk/Negligent Driving”. The play was performed in the University Institute of Legal Studies and in Student Centre, Panjab University, Chandigarh.

The students also carried out an awareness drive on the way to Student Centre, carrying attractive and informative placards, in an effort to make the people aware about vices of drunken driving and the punishment for the same. The name of the play was ‘RAFTAR’, which brought out their views about the same. Through this exercise the students also gained a lot of exposure and a sense of teamwork was inculcated in them. The play and its concept became a matter of appreciation for the senior professors and students of P.U.

Also, Recognizing the need for enhancing legal aid services towards the society, National Legal Services Day was celebrated by the Legal Aid Clinic of University Institute of Legal Studies, Panjab University, Chandigarh. The basic object of the same is to increase awareness regarding legal issues concerning the society and providing free legal aid to every citizen. The Legal Aid Clinic organized a Poster Making Competition in the Department on the topic, “Rash and Negligent Driving” in which more than 40 students participated. The Competition was followed by Street Play in the Department and after that “Awareness Drive” was held in the University Campus, further followed by a Street Play at the Student Centre. The celebration concluded with a Prize Distribution Ceremony for the winners of the Poster making Competition.

11th November 2016 (Friday)

The student of 9th semester of University Institute of Legal Studies performed a Nukkad Natak titled “**DHUAAN**” at **Sri Guru Gobind Singh Sr. Sec. School, Sector 35-B** on 11th November 2016.

The play highlighted a very important issue which is spreading in the society like virulent disease i.e. “**DRUG MENACE**”.

The protagonist of the play was a boy from a small town who went to metro-city for higher studies but unfortunately, he falls into the bad company of friends who are extremely drugs addicts. in result of this he also indulges into this. His friends who were responsible for his pathetic condition by over dose of drugs left him alone dying.

The play not only shows darker side but also impart motivational and inspirational message of self-determination, courage and self-confidence which helped the boy in getting rid of such evil. The students through posters beautifully conveyed the way to rehabilitation and communicated a powerful idea of healthy living.

23rd November 2016 (Wednesday)

A debate competition was organized by the Legal Aid Clinic on the Topic “Ban on public selling of Acid has served as the best solution for Acid Attacks” within the premises of UILS department. Many students from all the Years participated in the Competition. It was judged by the professors of UILS department, Dr. Chanchal Narang and Dr. Sasha.

The Competition began with the opening speech given by Dr. Sasha and then, the debaters presented their views in a healthy spirit to win the competition. The competition was concluded with the remarks of both the judges on both, the speakers and the topic. The judges enlightened the students with their words of wisdom on the topic and lastly, they announced the winners of the Competition.

After the competition, refreshments were served to the participants.

24th January 2017 (Tuesday)

Street Play: “**BETI BACHAO, BETI PADHAO**”

On the occasion of National Girl Child Day (January 24), the students from Legal Aid Clinic, University Institute of Legal Studies, Panjab University, Chandigarh performed a street play at Plaza, sector 17. The play was one of the part of the events organized by Chandigarh Police for celebrating the day. The theme of the play was “Beti Bachao, Beti Padhao” and it included sub themes like female feticide, educating girls and importance of girls to the society. The play team consisted of 9 students from UILS. Many eminent police personals from Chandigarh police along with students from many schools and shelter homes witnessed the play.



26th April 2017 (Wednesday)

Mediation: An emerging tool of Alternative Dispute Resolution

The session was presided over by Adv. Manjit Kaur. The session began with an introduction to the concept of Alternative Dispute Resolution. Mam narrated that ADR

is not a new concept. She explained that it existed in the past period when the traditional judicial system was prevailing. She also stressed on the main reasons for arising conflicts in the society which actually gave birth to disputes among the citizens. Due to the increase in these disputes the need for a judicial mechanism was felt. But due to the high rate of pendency of cases and the time-consuming process; the jurists looked for alternative ways to resolve disputes. With the emergence of Alternative Dispute Resolution mechanism; the scope of mediation; conciliation and Arbitration increased in the recent times.

The second speaker spoke under the head “Mediation as a tool for redressal of Disputes”. He explained that mediation is a informal method of dispute resolution. It is a voluntary process where a mediator facilitates between the conflicting parties by providing them an environment to speak out their issues in front of the mediator. She also highlighted the steps to be followed while using “mediation” as a tool for dispute resolution. The speaker also gave a detail study on the difference between arbitration which is also an effective form of dispute resolution. The speaker explained that arbitration is an involuntary process where the arbitrator provides effective resolutions to resolve the dispute in accordance with the “arbitration clause” mentioned in the agreement whereas in ‘Mediation’ the parties themselves reach at a solution. Thus, both the speakers highlighted the need for resorting to effective forms of ADR in the present times.