



LEGAL AID SOCIETY

CAMPUS LAW CENTRE

UNIVERSITY OF DELHI



Report for PLV Training Programme 2023

The Campus Law Centre Legal Aid Society organized a three-day Para Legal Volunteer (PLV) Training Programme for its students from 1st Feb – 3rd Feb 2023 in collaboration with the Delhi State Legal Services Authority (DSLISA) for induction of PLVs. The Session saw around 130 students in attendance. The students were selected on the basis of an eligibility test conducted by Legal Aid Society of Campus Law Centre.

The Training Programme commenced with a warm welcome by Prof. (Dr.) Alka Chawla, Professor-In-Charge, CLC. She congratulated all the students for being inducted and felicitated the guest speaker. After that, Dr. Anita Yadav, Teacher Convenor of Legal Aid Society, CLC emphasizing on the role of students as the forerunners of tomorrow, gave her best wishes to all the selected students. The Training Programme was conducted over 4 sessions each for the period of three days.







Day 1 Session 1

First session was on the topic 'Role and Responsibilities of PLV by **Ms. Harshita Mishra, Ld. Secretary (Litigation)**, wherein she enlightened and made all the students who are undergoing training about what are the responsibilities being a PLV you have to keep in mind.

She told the students that PLVs are not only expected to impart awareness on laws and the legal system, but they must also be trained to counsel and amicably settle simple disputes between the parties at the source itself, which could save the trouble of the affected travelling all the way to the Legal Services Authority/ADR Centres. If the dispute is of such a nature, which cannot be resolved at the source with the assistance of PLVs, they could bring such parties to the ADR Centres, where with the assistance of the Secretary in charge either it could be referred to Lok Adalat or Mediation Centre or legal assistance could be provided for adjudication in a court of law; depending upon the nature of problem.

The Para-Legal Volunteers (PLVs) are expected to act as intermediaries bridging the gap between the common people and the Legal Services Institutions to remove impediments in access to justice.



She concluded the session by saying - Ultimately, the process aims at Legal Services Institutions reaching out to the people at their doorsteps rather than people approaching such Legal Services Institutions and removing the barriers into access to justice.

Session 2

Second session on the topic 'Basic Structure of the constitution of India with special emphasis on Fundamental Rights' was taken by **Ms. Harshita Mishra, Ld. Secretary (Litigation)**, wherein she introduced briefly as to what the basic structure of the constitution means by citing Kesavananda Bharati Judgement. She touched upon the purpose of making the constitution which is to constitute India into a Sovereign, Socialist, Secular, Democratic, Republic. Ms. Harshita further talked about the importance of Constitution that is being the grundnorm and a parent document of all the laws and that a law does not become enforceable if it falls outside the set principle of the Constitution, that is the 'Basic Structure'.



Discussing the role of the Parliament she quoted that Parliament is the creation of the Constitution and not to destroy it and the endeavor should be to uphold the constitution. Ms. Mishra then discussed about judicial review and system of checks and balances. She then opened the floor for the students and interacted about 'the Collegium System in Parliament or not?' and discussed the concept of collegium system and role of judiciary in democracy. Ms. Harshita stressed upon the independence of judiciary as a basic structure and also about secularism, she further went to speak upon secularism that the core ethos of India has been a fundamental unity, tolerance and even synthesis of religion.

The Ld. Secretary then categorically put emphasis upon the Fundamental Rights. She talked on Article 14 and constitution being the feminist document and Article 15 and more specifically on Article 15 (3) that the enactment like POCSO is the reflection of it since the children as a class are different. She then talked about the introduction of Vulnerable Witness Disposition Complex, with this she touched Article 17 and stated that it is the manifestation of Article 14 and Article 15. She then discussed about right to stay silent and affirmed that if this right had not there then it would have been possible to misuse the provision by the involved party or authority.

Ms. Harshita Mishra then moved to Article 21 and quoted that this very right gives the widest road to enjoy personal liberty. Speaker then held a small discussion on Hijab case and gave her view that it should be the girl's choice but to the other point the girl should be made aware about their right to choose too. Taking the session to the final shore she talked about Article 32 and quoted it as the Heart and Soul of the Constitution and that it has been expanded by allowing PIL as Social Action Litigation. Lastly Ms. Harshita Mishra encouraged the students for being enthusiastic to extend help to the needy.

Apart from basic structure Ms. Harshita Mishra, secretary (litigation), DSLSA. She enlightened all the students about the functioning of legal services authorities' committees. She make us aware about the functioning, who are the members of - NALSA (National legal services authority), SALSA (State Legal Services Authority), HCLSC (High court legal services committee) and SCLSC (Supreme Court legal services committee) Also, she made us aware about different compensation schemes and their process as to how a victim could get the benefit of such schemes.

Session 3

Sh. K.B. Rai, Former Advisor, Administrative Reforms Dept, GNCT of Delhi, started the seminar by differentiating between the RTI act 2005 and Delhi RTI act 2001. Sh. K B rai played a vital role in forming the Delhi RTI act 2001 so he is well aware that the Delhi RTI act plays an important role and has a better hold in the territory of Delhi than the RTI act 2005. He continued his session by informing PLVs of the need and importance of the RTI act and why this Act is much needed in today's time. The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in a real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards making the citizens informed about the activities of the Government.



Sh. K.B Rai gave multiple real-life incidents where RTI was used to tackle the issues by the public, for example, there is a 10% reservation in a Delhi school for people belonging from Below the poverty line was brought into the light after the RTI was filled, 10% bed are reserved in every major hospital in Delhi for people belonging from the Below poverty line. He also made the students aware of the administrative structure of the RTI Department. The Appointment of the Assistant public officer (APO) to the role of the Public Information Officer (PIO) was explained by him in the session. He concluded his session by asking PLVs to be more vigilant and the ways they can help society by informing them about the need for RTI in day-to-day life.

Session 4

Drug Abuse amongst children- Indications and Rehabilitation of CNCP by Mr. Bilal, Program Director, SPYM. Mr. Bilal started the session with a brief background of SPYM which is a National NGO with pan India presence in health and social development sector for more than 3 decades working in the area of health among marginalized communities with particular focus on -Drug & Alcohol use prevention, treatment and rehabilitation, HIV/AIDS prevention, Research and Advocacy.



Mr. Bilal shared the statistics regarding Substance Use among Children that as per UNODC (United Nations Office on Drugs and Crime) Global Drug Report 2018, number of incidents of drug abuse amongst school children is on the rise in comparison to previous years. He discussed the National Commission of Protection of Child Rights (NCPCR) study report on “Assessment of pattern, profile and correlates of substance use among children in India” which indicates that: Majority of the substance using children (78%) are school dropouts. Majority of children reported to have used variety of substances i.e., Tobacco (83%), Alcohol (67%), Cannabis (35%), Inhalants (34%), Pharmaceutical opioids (18%), Sedatives (8%) and injectable substances (12%). He told the students about the Coordination with the Juvenile Justice Board that they need to produce every child on fortnight basis before Juvenile Justice Board for the hearings. They submit the Treatment Care Plan of every single child to the concerned Board.

Mr. Bilal let know the students that before admission, the child must undergo the drug de-addiction assessment process, which includes Mental Health Assessment and Drug De-Addiction Assessment. Mr. Bilal shared the concept of follow-up service as an essential part of drug de-addiction treatment. It helps the client to continue his recovery after treatment. Mr. Bilal shared with the students some pictures of the MILAN Program through PPT. He concluded the session urging students to join the intern and try to make difference in the society.



DAY 2

SESSION 1

LAWS RELATING TO WOMEN BY MS. ANURADHA JINDAL SECRETARY, SOUTH, WEST DLSA-

The Session Was divided into Three Major heads –

- Sexual Assault
- Sexual Harassment at Workplace
- Rape

Ms. Anuradha started the seminar by explaining the needs of law relating to women and the major reasons found to be are illiteracy, social believes, unemployment , Early marriages, Lack Of Awareness and poverty. She then started with the head of sexual assault and differentiate different types of assault - outraging women modesty, sexual harassment, disrobing a women, voyeurism and stalking, all of them are categorized and punishable under Indian penal code.



She then told us about sexual harassment at work place and the meaning of an aggrieved woman and how the aggrieved women can file a complaint against it. Majorly Aggrieved woman can file her complaint to either ICC or Police. Both of them can file FIR, ICC can make an inquiry and according to their report they can award interim relief, if the inquiry is found to be malicious then the complainant can be also booked for the same.

Thereafter she moved to the last head “Rape” and she started it by quoting some landmark judgements i.e.

- “Mukesh v. State of NCT of Delhi” (also known as Nirbhaya Rape Case) the definition of “rape” was amended in this case in year 2013 and a broader definition was given.
- Nipin Saxena case
- Laxmi v. union of India (Acid Attack case)

She then highlighted the definition of rape u/s 375 and punishment of rape u/s 376 and also explained other provisions of rape i.e., 376A, 376AB, 376B, 376C, 376D. Lastly she emphasized the role of DLSA –

- Spreading awareness
- Inform them about 24*7, free helpline 1516
- Assistance to victim about the availability of free legal aid.



Session 2

This session on Effective Communication and Interpersonal Skills addressed by life skill coach, **Mr. Vikas Chandwani** discussed some rules for effective communication and interpersonal skills:

1. **Listen actively:** Pay attention to what the other person is saying, ask questions to clarify any doubts, and show interest in their perspective.
2. **Be clear and concise:** Speak clearly and use simple language to avoid any misunderstandings. Be specific and to the point.
3. **Use nonverbal communication:** Nonverbal cues like eye contact, facial expressions, and body language can convey your message more effectively.
4. **Avoid making assumptions:** Don't assume that you know what the other person is thinking or feeling. Ask questions and clarify any doubts to avoid misunderstandings.
5. **Show empathy:** Try to understand the other person's perspective and show that you care about their feelings.
6. **Be respectful:** Use polite language and avoid criticizing or attacking the other person. Treat them with respect and show that you value their opinion.
7. **Manage emotions:** Keep your emotions in check and avoid reacting impulsively. Take a deep breath and respond calmly and rationally.
8. **Be open to feedback:** Accept feedback gracefully and use it to improve your communication and interpersonal skills.
9. **Follow up:** After a conversation, follow up with the other person to make sure that you both understood each other's perspectives and to ensure that any action items have been completed.

By following these rules, one can improve their communication and interpersonal skills, build stronger relationships, and achieve more effective outcomes in both personal and professional fields. Effective communication and interpersonal skills help legal professionals to establish strong relationships with clients and build trust. Lawyers with excellent communication skills are more likely to understand clients' needs and be able to explain legal concepts in a way that their clients can understand.





Session 3

Session began with the welcome address and the floor was handed over to the guest speaker of the session Ms. Rishika Srivastava, Ld. Secretary , Central DLSA . Firstly she opened up about the First Information Report (FIR) and difficulties in registering the FIR. She then acknowledged that PLVs must be acquainted with the Police Stations and their territorial jurisdiction so that they can help in approaching the Police Station. Ms. Srivastava then talked about the remedies if the police officer refuses to register the FIR , in which she informed that one can approach Superintendent of Police or can file a complaint before the magistrate u/s 156(3). Moving towards the main point of discussion of the session that was ' Overview of Criminal Justice System', she categorically told about the Hierarchy of the courts . She then talked about the duties of the magistrate if a complaint is filed before him u/s 156(3), Ms. Srivastava then recommended the PLVs to always carry a criminal manual with them when they visit any court.

Moving ahead she threw some light on the Victim Compensation Scheme and also cited its importance in the present criminal justice system , and encouraged PLVs to go through the scheme , to learn about the DIET money , so that a person gets access to justice . She further introduced the concept of E-Mulaqat in which families of jail inmates can meet them online during deputed hours. Concluding the session, Ms. Rishika Srivastava encouraged PLVs to extend help to the needy in every possible way by their legal knowledge and to be vigilant about various schemes by the Government so that the benefits attached to them can reach the needy.



Session 4

Overview of Matrimonial Laws by **Ms. Alka Chojar, Advocate.**

The session started with an interactive note with Ms. Alka Chojar putting up questions regarding the basic matrimonial laws prevalent in the country. She touched upon the topic of Marriage, Divorce, Matrimonial Property, Residence, Children, Maintenance and Alimony and their relation on Social Contract of marriage. She discussed many contemporary issues related to marriage laws in the country. After that she explained to the audience the judicial interpretation of A-21 of COI and Right to marry. She gave an overview of Hindu Marriage Act, conditions for a valid marriage, divorce, voidable and void marriage, provisions for maintenance.



She apprised the audience of marriage as a civil contract in Muslim Personal Law and also the right of a minor to refudiate marriage after attaining majority. She briefed the audience of Special Marriage Act which being a secular Act as an alternate to personal laws. She also mentioned the provisions of Foreign Marriage Act. She minutely discussed the judgement Navtej Singh Johar V UOI (2018) and also the relevant developments such as

- Decriminalization of S.377, IPC
- Prohibition of Child Marriage (Amendment) Act, 2017
- Waiving of the mandatory cooling off period (2017)
- Unconstitutionality of triple talaq (2017)
- Striking down of S.497 IPC

She concluded her event quoting that ‘Law is nothing if it’s not progressive

Day 3 Session 1

The Session was conducted by **Ms. Harshita Mishra, Secretary (Litigation), DSLSA**. The Session focused on Laws on Children with Special emphasis on Cybercrime. The Session started with laws on Children. It focused on POCSO Act, 2012, Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter JJ Act, 2015), besides child related sections in other laws. The speaker then explained the difference between “child in conflict with law” and “child in need of protection”. The PLV trainees were also enlightened about SJPU (Special Juvenile Police Unit), and special protocols followed for children like police in civilian dress, Vulnerable Witness Deposition Centre in each district, and how even those who are aware of the wrongs happening/about to happen with a child, yet choose to keep quiet.



The talk slowly veered towards Cybercrime related to children. The Speaker apprised the students about how children unknowingly fall victim to cybercrimes like stalking, cyber grooming, pornography. The PLV trainees were informed about relevant sections under IT Act, 2000 and IPC, 1860 to deal with such obnoxious practices. After a highly informative session, the floor was opened for questions. The students made full use of this opportunity after which the Speaker left with a thunderous applause and vote of thanks.



Session 2

The primary duty of a PLV is to act as intermediary between institutions like NALSA/DSLISA/DLSAs and the needy people, hence it is imperative that they themselves are aware of the various schemes run by NALSA/DSLISA. To fulfill that need, this Session dealt with that crucial aspect. The Session was conducted by Sh. Lalit Kumar Secretary, Central-II DLSA. The Session was structured into three parts:

- A. Schemes of **NALSA & DSLISA** with special emphasis on **Delhi Victim Compensation scheme – 2018**
- B. **1516 (24*7)** toll free **DSLISA** helpline number
- C. Ways and means to approach to DSLISA
- D. **NALSA** runs schemes for Disaster Victims, Victims of Trafficking and Commercial Sexual Abuse, Workers in in the Unorganized Sector, Protection of Children, Mentally Disabled Persons, Poverty Alleviation, Protection and Enforcement of Tribal Rights. Victims of Drug Abuse and Eradication of Drug Menace, Senior Citizens, Victims of Acid Attacks.



DSLISA runs 24*7 toll free helpline number 1516 which is received by an advocate who guides the next course of action.

DSLISA has its central office at 3rd Floor Rouse Avenue. There is an office of DLSA in each district court. Eligible persons can visit the Office or incarcerated prisoners can seek legal aid from the DSLISA advocates who visit jails.

Session 3

Laws Relating to Senior Citizens and Transgender by Ms. Helly Fur Kaur, Secretary New Delhi DLSA.

The session was divided into two major heads

1. Laws relating to transgender and mechanism of protection of their rights
2. Laws relating to senior citizens and mechanism of protection of their rights



Ms. Helly Fur Kaur started the session by explaining the definition of Transgender which literal means a person who does not associated with the gender he/she assigned at birth She interpreted and define the difference between many prevalent terms assigned to Transgender people such as kinnar, Hijara etc. She then elaborates the offences through which Transgender people goes through and explain the institutions and mechanism to eradicate these problems.



Moving ahead she through light on National council for trans person and its work. She then highlighted the purpose of formation of National council for trans person which includes the

- a. Advice and help the government to make policies for trans people
- b. Redress the grievance of Transgender people
- c. Proper implementation of policies for the trans people

Thereafter she moved to second head that is Laws relating to senior citizens and mechanism of protection of their rights

She started with two major problems associated with senior citizens i.e.,

- a. Economical dependency
- b. Emotional dependency



Thereafter she through light on senior citizen tribunal through which an aggrieved person can approach tribunal for redressal by filling a simple application.

At last she highlights the Section 125 of Code of criminal procedure and maintenance and welfare of senior citizen act through which aggrieved person can ask for maintenance

She concluded the session by explaining the importance of protection of rights of marginalized community and its impact on society and importance of PLVs to implement all these policies and make this society, this country, this planet a better place to live.



Session 4

The final Session of the PLV Training dealt with a crucial topic “Overview of Labour Laws”. It was dealt with by **Sh. Himanshu Sehloth, Secretary, North DLSA**. The Session dealt chiefly with Trade Unions Act, 1926, Industrial Disputes Act, 1948, Payment of Wages Act, 1936. Important definitions like trade union, industry etc, were highlighted and important sections were discussed



The Session also dealt with a practical discussion. The Speaker, being an advocate by profession, shared his experience that most of the times the employer after having fired the employee denies that there ever existed a relationship of employment. Since most often, the mode of payment is by cash, there is little proof. Also, other employees who are continuing their employment will find it difficult to support the fired employee against the employer. Hence, before taking the issue head on, it is advisable to collect all the evidence. For Example, in one instance, the Speaker advised his client to institute a case for a lack of PF payments. The employer denied and gave evidence- which would serve as proof of employment in future questions on the relationship of employment. Thus, it was emphasized that smartness lies in revealing only that much as is necessary without making oneself conspicuous. With this the Session came to an end, the floor was open for questions and answers.

After a vote of thanks for Sh. Himanshu, the curtains came down on the three-day marathon PLV training