



Legal Aid Society

Convenor's Report

of the

Activities for the Year 2010-2011

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Introduction to the NUJS Legal Aid Society

The West Bengal National University of Juridical Sciences (NUJS) is one of the premiere national law schools of India. NUJS, in its short existence of about a decade or so, has produced outstanding lawyers and legal scholarship. It is a centre of legal knowledge dissemination and legal research. Under its statutory authority, the University is empowered to create several specialized bodies under its aegis to achieve its aim of promoting legal knowledge and to make law and the legal process efficient instruments of social development.

The NUJS Legal Aid Society is the body which inducts students to use their knowledge of law to provide free legal aid to those who are most in need of it through various media. The Legal Aid functions that it performs are preventive, remedial, activist and reformative. The NUJS Legal Aid Society has over the decade in which it was formed been recognised as one of the foremost Law School Legal Aid Clinics in India.

The NUJS Legal Aid Society has undertaken various programmes and projects in this year and the years before it. This report shall outline some of the most significant programmes and projects undertaken in the last few academic years which has culminated into successful programmes in the year 2010-2011 and hopefully shall be the basis for future developments and projects which can be undertaken by the Legal Aid Society in the coming years.

At the outset, I would wish to thank NUJS for providing the Legal Aid Society with the necessary infrastructural and financial support for its various programmes and projects. Special thanks are deserved by Prof. (Dr.) M.P. Singh for this active and passionate involvement with the NUJS Legal Aid Society in his role as Patron. Without him, the NUJS Legal Aid Society would not have grown into the body that it is today.

Mention must be made of some of the faculty members who have helped the NUJS Legal Aid Society to reach new heights. Mr. Shameek Sen has been the Faculty Advisor of the NUJS Legal Aid Society for the past three years and has ensured that there is a harmonious working relationship between the faculty and students. Mr. Anirban Chakraborty with his extensive knowledge and

experience in clinical legal education has played a key role the ideation and execution of the various programmes of the Legal Aid Society. Prof. N. Konar and Mr. Deepak Chatterjee have been the backbone of the NUJS Legal Aid Society's client counseling programme. Mr. Supriyo Routh, although currently on research leave, has been a guiding light for the initiation of various projects of the NUJS Legal Aid Society.

Lastly, and certainly not the least has been the members¹ of the NUJS Legal Aid Society and other students of the General Body of NUJS who have made the activities of the NUJS Legal Aid Society possible. I hope that the NUJS Legal Aid Society continues to get the same level of support from all quarters in the coming years.

¹ The members of the NUJS Legal Aid Society for 2010-2011 were Agndipto Tarafdar Aishwarya Ayushmaan Aishwarya Mani, Akash Jena, Amrita Sarkar, Atindriyo Chakraborty, Kritika Sethia, Kumar Rahul, M.U.Ganashruthi, Neha Mathen, Nihal Joseph, Nishant Gokhale, Pallavi Sharma, Payoshi Roy, Ruth Chenchiah, Sanchari Ghosh, Shourya Sengupta, Somdutta Bhattacharya, Sreerupa Choudhary, Vaneesha Jain. From amongst the L.L.M. students the contributions of Sabyasachi Chatterjee, Shuvro Prosun Sarker, Shounak Chatterjee, Soumyajit Das and Uddyam Mukherjee were invaluable.

I. Shadhinota

About the Project

In August 2010, the Commonwealth Human Rights Initiative (CHRI) joined hands with the NUJS Legal Aid Society in approaching the task of providing legal empowerment to the inmates in a manner which had never been tried before. This project has been named ‘SHADHINOTA’, which is a Bengali word which, translated into English means ‘freedom’. It is an effort towards securing the rights of those behind bars to have efficient and effective legal representation, so as to have their cases heard in an expeditious manner with the ultimate goal being to securing justice for them.

‘Shadhinota’ aims to build a bridge between the inmates in need of legal help and legal aid lawyers who are mandated by the Legal Service Authorities Act, 1987 to render effective legal aid. The activities included holding of an initial Legal Aid Camp in the Presidency Central Correctional Home and organizing weekly Legal Aid Clinic. The services offered in these Clinics include legal advice & counselling, and updates on case progress of the inmates concerned, information regarding bail, appeal and other related information.

For this project, CHRI representatives² along with the students and other members of NUJS under the guidance and control of the NUJS Legal Aid Society, have been visiting the inmates in the correctional homes on a regular basis and interacting with them regarding their legal problems. So far, 56 inmates have been interviewed as part of the project with there being a total of 9 visits and has resulted in 3 persons being released and 11 cases being forwarded to the West Bengal State Legal Services Authority for further action. In addition to this, we have provided counseling and advice to several of the inmates on the spot in dealing with relatively minor issues regarding their case and lawyers.

² The Project-in-charge for CHRI has been Madhurima Dhanuka, Consultant, Prison Reforms Programme, Common Wealth Human Rights Initiative. For further queries or clarifications about this project, she can be reached at Tel: +91 9331127001 or E-mail: madhurima@humanrightsinitiative.org

Meeting with the West Bengal State Legal Services Authority

The representatives of CHRI and the students from the NUJS Legal Aid Society met with Justice P.C. Ghosh, Chairperson of the West Bengal State Legal Service Authority, the Member-Secretary of the West Bengal State Legal Service Authority as well as several empanelled lawyers of the West Bengal State Legal Service Authority before the Shadhinota project was flagged off. In this meeting, we discussed the various pitfalls which the project could encounter and possible solutions for this. Justice Ghosh emphasized highlighted the role that law students play in prison legal aid and how they can be the instruments of change for prison reforms. The West Bengal State Legal Service Authority had promised their unabated support for the cause and we are happy to report that they have lived up to their promise. The West Bengal State Legal Service Authority has been forwarded the cases which required its action and several of them have yielded positive results.

Awareness Camp

The initial Legal Aid Camp was held on the 28th of August 2010. Justice PC Ghosh, Chairperson, State Legal Service Authority was the chief guest at the event. Mr. B.D. Sharma D.G. of Prisons in West Bengal and Mr. K. Anam, the Superintendent of Presidency Central Correctional Home were also present. Members from CHRI's prison reforms programme as well as faculty members along with students from NUJS were also present. Approximately 300 inmates attended the programme. The students from NUJS performed a small skit to inform the inmates about legal aid. This was followed by an open interactive session where inmates discussed their legal problems and aired their grievances. A register was created wherein the details of those inmates with legal problems was noted down so that they could be addressed in the subsequent weekly counseling sessions in personal interactions with the inmates.

Legal Counseling Sessions

The first weekly legal aid clinic was held on 4th September 2010. For each weekly clinic, approximately 4 persons attend, viz. CHRI representative, faculty member from NUJS and 2 students from NUJS (by rotation). On an average, we meet 15 inmates in each visit. Many of the inmates wanted information regarding their cases, some had grievances against their lawyers and some wanted to move the courts for relief such as bail or avail the benefit of s. 436-A of the CrPC.

Detailed information about each inmate is filled into questionnaires and they are tabulated and the course of action for each case is determined in a weekly meeting with the volunteers from NUJS for the Shadhinota Project. All the inmates are told what the follow-up of their cases is. While many of the clients do have genuine legal cases, some of them come to us merely so that someone can hear out their case and their problems. We believe that even if we cannot help such persons through the use of law, it is important to maintain the human touch in conducting our activities.

Future Plan of Action

As per plan, the Legal Aid Camp has since been followed up with weekly legal aid clinics being held every Saturday. A meeting with the volunteers is held at NUJS each Wednesday where the tabulated data is presented and individual cases are discussed. Thereafter, research and drafting assignments are given to the volunteers so that the opinion/draft is ready before the visit on the following Saturday.

In order to ensure that the programme does not stop during the period of vacations, a summer internship programme has been offered jointly by the NUJS Legal Aid Society & CHRI which is open to law-colleges from across the country. Interns will be selected to perform the functions normally carried out as a part of the Shadhinota programme. We are planning to introduce semester-long rolling internships for the students of NUJS in the coming year to ensure a greater degree of dedication and involvement. Further, we are in the process of identifying thematic trends such as long-vacant benches, the slow rate of disposal by fast-track courts etc. which shall be taken up through means of a Public Interest Litigation or other suitable means.

We are planning to extend this project to other correctional homes in and around Kolkata in the coming year.

II. Memorandum of Understanding with International Justice

Mission

About the Memorandum of Understanding

The International Justice Mission (IJM) is a human rights agency that strives to secure justice for victims of slavery, sexual exploitation and other forms of violent oppression. IJM lawyers, investigators and aftercare professionals work with local governments to ensure victim rescue, to prosecute perpetrators and to strengthen the community and civic factors that promote functioning public justice systems.

Following various workshops and activities conducted alongside by IJM in collaboration with NUJS a formal Memorandum of Understanding (MoU) was signed between the NUJS Legal Aid Society and IJM on 10th December, 2010, thereby establishing an Anti-Trafficking Unit which would operate for a period of one calendar year and can be renewed by both the parties.

The objective of the Anti-Trafficking Unit is to create legal protection, education of legal rights, create awareness among students and localities of West Bengal about persisting problems of forced child prostitution, trafficking and possible solutions or help that can be rendered to those who are affected by these problems. Also, various workshops, film screenings and training programmes are held at NUJS by IJM to sensitize students and government official such as the police and prosecutors as well as create awareness amongst the potential victims about the complex socio-legal issue of human trafficking.

Film Screening & Workshop

A documentary film on trafficking was screened by IJM at NUJS titled “The Day My God Died”. This event drew large participation from the students of NUJS and the documentary was very well received. This was followed by a lively interactive session with the representatives of IJM on various issues that the film threw up as well as other issues related to trafficking and the law.

Research Assignments

The NUJS Legal Aid Society has partnered with the IJM to carry out various research assignments which are required by IJM regarding thematic and case-related research largely relating to trafficking. So far, the NUJS Legal Aid Society, calling for volunteers from the General Student Body of NUJS has undertaken several research assignments which have engaged more than 100 students from NUJS at different points of time over the course of this year.

Course on Combating Human Trafficking

Pursuant to the objectives of the MoU, a full 3-credit elective course was offered to the students of the final year of NUJS along with another partner NGO banglanatak.com. As a part of this course, students were taught the concept and definition of Human Trafficking and the perceptions of the issue in the international arena through various Protocols and Conventions. Thereafter, substantive and procedural aspects of anti-trafficking laws in India were examined to comparatively understand the international and Indian law positions. In addition to this, they were assigned field-work where they travelled to various parts of rural Bengal affected by the problem of trafficking and addressed various public meetings and held client counseling sessions under the supervision of banglanatak.com. Further students were given the opportunity to solve real life case problems that were encountered by banglanatak.com. This clinical course has enabled students to apply the knowledge gained in class rooms to practical situations. This course saw healthy participation from the students of NUJS and a high degree of commitment from the representatives of IJM. It is hoped that the success of this course would encourage to innovations in teaching methodologies at NUJS.

Future Course of Action

The NUJS Legal Aid Society is very happy with the manner in which the MoU with IJM has progressed so far. There has been a very good degree of participation from the student body and it has helped develop the research and organizational capabilities of students. It is hoped that the sort of programmes carried out by IJM will be continued and the relationship between IJM and the NUJS Legal Aid Society would be deepened in the coming years.

III. Networking of Law Colleges

Intra-State Networking of Law Colleges

Legal Aid is too big a subject for any one institution or organization to work on single handedly. Therefore, we have tried to avoid being an insular body and have in 2008 conducted a programme on Intra-State Networking of Law Colleges in West Bengal in the year 2008. This programme saw participation from 13 different law colleges across the state of West Bengal. As a part of this conference, Prof. B.B. Pande delivered the First NUJS Legal Aid Society Public Lecture and he spoke of his experiences at managing the legal aid programme at the Delhi University Faculty of Law. The message that he tried to convey was as to how law students can be the instruments of change and ensure that the law protects the interests of the neediest. He highlighted the importance of a systematic approach tempered with the right intention, and identified WBNUJS as having the best functioning Legal Aid Clinics in India.

Establishment of Legal Aid Clinic at NEHU, Shillong

Following this, in the year 2009, the NUJS Legal Aid Society was invited by the North Eastern Hill University (NEHU) Department of Law to Shillong, Meghalaya where the first batch of students was on the verge of passing out. However, the Department did not have its own Legal Aid Clinic and the NUJS Legal Aid Society conducted a 2 day workshop for the students about the concept of legal aid and how to start and manage a Legal Aid clinic. Presently, NEHU is well on its way to formally establishing a Legal Aid Clinic under the guidance of their Vice Chancellor and Head of Department for Law. A few students from NEHU have on their own initiative started popularizing legal aid as a way for seeking institutional accountability and reforms in the region.

First National Conference on Free Legal Aid & Clinical Legal Education in India

The NUJS Legal Aid Society organised the First National Conference on Legal Aid which was held from 18th-20th February 2011. The event saw participation from 24 law schools & colleges from 16 states of the country with more than 96 participants attending the conference. The objective of this conference was to identify and develop the role that Law School clinics play in providing legal aid services.

The conference had several sessions, the first of which was to map the status of legal aid clinics across the nation from the participating institutions. Thereafter, there was a sessions regarding the

operation of legal aid clinics and clinical legal aid by Prof. Ajay Pandey and Prof. M.R.K. Prasad two of the leaders in clinical legal education in India. This was followed by faculty-group discussions about the specifics of managing legal aid clinics such as case-management, funding, and including legal aid as part of the otherwise demanding course-work in the law schools. Mr. Kian Ganz, founder of LegallyIndia.com spoke about the use of the internet and how it has the potential to benefit the legal aid movement. Simultaneously, there was a poster-making competition in which students from the various participating colleges displayed their talents at communicating the message of Legal Aid pictorially through the means of posters rather than only the spoken word.

This was followed by Second NUJS Legal Aid Society Public Lecture which was delivered by Prof. Madhava Menon, founder Vice-Chancellor of NUJS and NLSIU, Bangalore. The Chief Guest for this event was Justice (Retd.) Mrs. Ruma Pal, Judge of the Supreme Court of India. In his address, Prof. Menon urged that the mechanism for Legal Aid needed to be shaken up as it was grossly underperforming. He urged those who sought to provide legal aid to be very clear with their objectives and basic knowledge of the law. He narrated some anecdotes from his time at managing the legal aid programme at Delhi University, Faculty of Law and lauded the efforts of the NUJS Legal Aid Society in undertaking this initiative.

This was followed by a demonstration on how to reach out to mass-gatherings for creating legal awareness. This was done through the means of street-plays performed by the participating institutions wherein several Hindi, Bengali and English street-plays were performed in various issues relating to Legal Aid. Thereafter, a brief magic-show was performed by a performer who sought to create consumer awareness through the popular and attractive medium of magic tricks.

The following day saw presentation of papers by students from the various participating colleges. This was followed immediately by a session where the roadmap for the future course of action was laid out by each of the participating colleges. This showed encouraging signs as almost each college voluntarily discussed concrete steps that they would take within the space of one year, before the next conference.

The outcome of the conference was the creation of a common platform for discussing issues about legal aid and developing co-operative strategies for its implementation. Through the course of the conference, we sought to examine some very pressing and oft-ignored issues in Legal Aid and sought to reach some realistic and co-operative solutions. This was the first step in a long journey

and we hoped that more and more dynamic partners join us along the way in reaching the objective of having an effective national-level network of Legal Aid Clinics which are run by law schools.

Follow-up & Future Course of Action

As a follow-up, online communities have been created wherein information about various legal aid activities can be shared by students from various colleges. Web-platforms such as LegallyIndia.com as well as Lawoctopus.com have been helpful in creating awareness about the latest developments in the field of legal aid as well as breaking down the walls of institutional insularity.

As a direct outcome of the conference, the NUJS Legal Aid Society is planning to have a post-conference book which contains papers from some of the thought-leaders in this field as well as some papers from law students on various issues in legal aid. A call for papers will soon be issued.

In the coming year, we plan to have the conference in two phases. In the first phase, we shall have an intra-state or regional conference which would include largely those law colleges which operate in and around West Bengal so that concrete regional-level action plans can be drawn up and local problems discussed. In the second phase, we plan to have a national-level conference attended primarily by the CLAT-affiliated law schools which can become the nodal legal aid Universities in their respective regions.

The NUJS Legal Aid Society has also provided valuable guidance and overseen the setting up of legal aid clinics at Durgapur Institute of Legal Studies in West Bengal and Assam University, Silchar. The Legal Aid Society has received invitations from several law institutions across the country to set-up legal aid clinics or train students and faculty to manage them within their respective institutions.

It is hoped that the NUJS Legal Aid Society will get sufficient institutional, infrastructural and financial backing and expert support to translate these plans into action in the coming years too.

IV. Legal Aid Camps

About the Legal Aid Camps

The NUJS Legal Aid Society has been since its very inception organizing legal literacy and legal aid camps in various parts of West Bengal. While traditionally legal aid tackled only the poorest and most marginalized, our policy has been to provide legal aid to those who need it the most. This would mean that while we do focus on those most in need, we do not ignore the concerns of the somewhat better off persons as regards specific issues such as consumer protection and the right to information.

The faculty and students in association with the Legal Services Authorities, at various levels, or NGOs organize legal literacy camps largely in rural and socio-economically backward areas, schools and local community centers to inform the citizens about their legal rights, legal institutions and social-welfare legislations which are meant for their economic and social benefit. During the camp students under the supervision of faculties also lend advice to these clients having legal dispute or suffering from social, matrimonial or administrative abuse. Occasionally in these camps also act as forums to settle disputes by employing alternative dispute resolution procedures. The students help the clients who seek resolution from the forum to understand their goals and counsel clients to facilitate settlement. The camps almost always have a street play which has rapidly become a very popular medium at NUJS. We tailor the plays depending upon the audience we are addressing. Through this, we address specific issues in a language or gestures which can be easily understood by everyone and can show the law in action.

Legal Aid Camps in 2010-2011

In this year, the NUJS Legal Aid Society organized four Legal Aid Camps in academic year 2010-2011. The Camps were all self funded by NUJS LAS and were organized in diverse setup to serve a larger section of the society.

A. Rural Area

1. ***Legal Aid Camp in Bolpur*** This camp was organized by the Gram Panchayat Samiti. The legislation that discussed were included RTI, MGNREGA, Consumer Protection and Domestic Violence Act.

2. **Legal Aid Camp in Krishnanagar:** This camp was organized in association with a local NGO “Manab Jamin”. The legislation that were discussed included RTI, MGNREGA, Consumer Protection, Free Legal Aid, Labour Rights and Rural work force.

B. Semi-urban area

Legal Aid Camp at Rajarhat: This camp was organized for primarily women audience. Law discussed, Family & Matrimonial Laws, 498A & 304B of IPC, Domestic Violence Act, MGNREGA and rural women, RTI.

C. Urban area

Legal Aid Camp in Lake Gardens Peoples Association: This camp was in a more cosmopolitan locality of Kolkata city comprising of audiences from middle class and higher middle class section. The issues discussed were the right to information and Consumer Protection.

Future Course of Action

In the past years, the Legal Aid Society has conducted camps in various parts of the state and in various institutions on a wide variety of issues as well as Ranchi and Shillong. From the coming year, we shall try to have less sporadic camps and ensure that there is systematic follow-up of the camps through sustainable projects which involve the local community in the work undertaken.

It is in line with the National Programme for Training of Para-Legals that the NUJS Legal Aid Society shall be launching a programme titled “Effective Rural Governance and Access to Justice” which will involve law students as well as others from the academia and the legal profession. It is hoped that this rural governance initiative shall become one of the significant projects for the NUJS Legal Aid Society for the year 2011-2012.

V. Publications

The Legal Aid Society brings out publications for two reasons. Firstly, it is to ensure that those within the legal fraternity work and significance of Legal Aid. Secondly, it is to ensure that those outside the legal fraternity do not find law to be an alien and disempowering discipline by translating legalese into ordinary language. Therefore, the publications try to create awareness about the law by trying to break down the aura of inaccessibility that most legal issues seem to take on.

Brochure

The NUJS Legal Aid Society Brochure is a quick way to know about the history of Legal Aid in India, the work done by the NUJS Legal Aid Society as well as how it is that someone who needs Legal Aid can get in touch with us. This is meant to be passed around at gatherings and contains pictorial depictions of the various activities we do so as to enable those who are unable to read to understand what it is that the NUJS Legal Aid Society does.

Access to Justice Newsletter

This newsletter was published by the Legal Aid Society in earlier years, with the aim of spreading legal awareness. After the Conference on Intra-State Networking of Law Schools organized by NUJS, it was felt that this newsletter would serve as a good place to publish and publicise the legal aid activities being carried on by all the participating law schools in West Bengal. Although initially very successful, the newsletter lost relevance due to slackening contributions from distant law schools, and was therefore replaced by the in-house magazine, 'Let's Get Talking!', which contains contributions primarily from NUJS students, but sometimes also from outsiders.

Lets Get Talking!

This magazine 'Let's Get Talking!' was conceptualized with the aim of creating a space for a discussion of relevant socio-legal issues in language that is free from complex legalese. The objective is to generate an informed public debate amongst anyone who reads this magazine. Each issue is based on a theme (so far we have had themes such as 'Moral Policing' and 'Euthanasia'). The

scheme which is followed is that there is a cover-story by one of the editors, which details the basic legal provisions and sets the stage for the debates on that issue. Following the cover story are a host of articles, cartoons, quotations and FAQs. The pieces are contributed by faculty, students and outsiders, with opinions, information and comments on the relevant theme. The articles are short and easy to digest due to their plain language but are at the same time interesting.

Legal Aid Blog

Pursuant to the publication of the Magazine (which in itself is a recent effort), a blog has been started las.letsgettalking@blogspot.com, which contains write-ups and by some of the students of the University on different legal issues. Contributions to the blog and the magazine are not restricted to members of the Legal Aid Society, but are open to anyone who is interested to contribute. The objective of the blog is to make available legal information and knowledge to anyone with an internet access, with the hope that this medium has a greater reach than the print media. We hope that over time we shall be able to create a “cloud” of plain-speaking legal information so that it is accessible to all those who want to use it.

Future Course of Action

There exists a severe dearth of simple but accurate writings about the law. The endeavour made by us is to ensure that the publications are light-reading for the legal fraternity, but informative and useful for the non-legal fraternity. We plan to use the contacts garnered through the Network of Law Schools which has been created pursuant to the national conference to develop sustainable publications. There is a need for more and more talent young lawyers and law students who need to take up legal journalism.

VI. Client Counseling, Facilitation & Training

Client Counseling

The NUJS Legal Aid Society has provided legal advice and counseling since its very inception on various matters which have been brought before it. While this has been done for several persons who have visited the NUJS campus, since the last year, we have started an e-Legal Aid Clinic wherein queries can be submitted online as well. As a result of this the NUJS Legal Aid Society has been able to provide counseling without any restrictions on geographical boundaries. In fact of all the queries received on-line, only a few have been from West Bengal and most of them have been from outside the state and one from outside the country (Italy) regarding the nationality of a child born in West Bengal. Prof. N. Konar and Mr. Deepak Chatterjee both faculty members at NUJS have been the backbone of much of the client counseling programme.

So as to ensure that the client counseling programme gets popularized and is known to the people of the areas around the NUJS campus, brochures in Bengali and were prepared and placed with the shopkeepers in the neighbouring areas explaining the sort of work done by the NUJS Legal Aid Society's Clinic and the contact timings. These brochures have been received positively and there seems to be a good response to them. We hope to strengthen our relationship with the various NGOs and other organizations so as to get a steady stream of clients for the client counseling programme and also take the help of the NUJS alumni and other eminent lawyers practicing in Kolkata for providing us with advice on various issues.

Facilitation & Training

In order to empower various Non Governmental Organisations (NGOs) to be self-sufficient in the drafting of various documents, in 2009 a workshop was conducted for the representatives of various eminent NGOs in Kolkata, the primary aim of which was to impart basic knowledge of legal drafting, both civil and criminal. This workshop was also attended by the students of the final year of NUJS. The civil law drafting session was conducted by Mr. Protik Prokash Banerji, a reputed civil lawyer of the Calcutta High Court and the criminal law drafting session was conducted by Mr. Joymalya Bagchi, one of the most eminent criminal lawyers from the Calcutta Bar.

In 2008, the NUJS Legal Aid Society was also actively involved in helping to organise the Mahila Parivarik Lok Adalat which was conducted in the NUJS campus with volunteers coming forth from the General Student Body and led to the successful resolution of several cases.

The NUJS Legal Aid Society is actively involved in the training of various governmental officials in areas of consumer protection, womens' rights, human trafficking laws etc. Workshops are often held for officials such as public prosecutors, consumer welfare officers etc.

Additionally, the NUJS Legal Aid Society has also drafted the Constitution and the Memorandum of Association of a leading city NGO working for non-criminal mentally challenged women and has provided after-release counseling to some of the inmates of the Shadhinota project.

In the coming year, the NUJS Legal Aid Society also would be organizing a certificate course on the use of the Right to Information Act, 2005 for working professional, school and college students as well as anyone else who is interested in learning how to use this Act. The primary methodology of this course will be learning-by-doing wherein the enrolled persons will get hands-on experience in writing applications as well.

It is hoped that the NUJS Legal Aid Society will be given the proper opportunities in the future to expand this area of functioning due to its proven ability to execute such programmes, knowledge resources and student-base it has at its disposal.

VII. Clinical Legal Education

In India training law student with professional skills and values in law schools has received tremendous importance over the last decade. The Bar Council of India has made it a mandatory component of the curriculum for legal education since 1997 and the Supreme Court of India in its opinion in *V. Sudeer vs. Bar Council of India (1999) 3 SCC 176* has regarded it fundamental to improving the conditions of Indian legal profession and judicial system.

NUJS has a strong emphasis on educating its students in professional skills and values. Since its inception NUJS has introduced two compulsory courses on professional training which aim to enhance students' understandings in important professional skills e.g. drafting & pleading, client interviewing, negotiation, client counseling and the fundamental professional values and responsibilities involved in lawyering. In this year, an optional course in co-ordination with IJM was offered to the students of the final year and saw a good response.³ The pedagogy of these courses involves seminars, group rounds, simulation and court visit.

However these courses involve very limited aspects of clinical teaching methodology and negligible amount of live-client experience. This limitation is due to greater student-teacher ratio, absence of student practice rule to represent clients at judicial forums in India and lack of adequate financial resources. It is primarily a simulation and class-room teaching oriented skills training program. It is hoped that in the growing emphasis on law students being involved in legal aid activities, clinical legal education plays a key role in shaping the legal aid movement in India.

³ The details of this course are provided *supra* at p. 10.

VIII. Literacy Initiative & Social Outreach

While it is no doubt important to for all persons to be legally literate, a prerequisite is that there exist a basic level of general literacy and a protection from want. It is the belief of the NUJS Legal Aid Society that access to basic education must be provided to all and at no time should deprivation exist to such an extent that it threatens basic survival.

To the best of our capabilities, we have been trying to ensure that everyone who is associated with NUJS gets an access to educational avenues as well as providing immediate relief in times of dire need in cases of calamities or natural disasters.

Literacy Initiative

For the past several years, the NUJS Legal Aid Society has been conducting evening and night classes for the mess-workers, other non-teaching staff and their children. In this year, we had five students in the night class who were mess-workers of the university as well as the daughter of one of the mess-workers. Students in these classes are generally studying from 5th grade till 11th grade. Two students are studying in 11th grade through the open school programme. One of the students who has been trained by the NUJS Legal Aid Society will be appearing for an interview for a career in Catering and Hotel Management.

Since the students are from different parts of India (particularly West Bengal, Bihar and Orissa) they are taught in their respective vernaculars languages and English and for this we draw upon the student body and appoint students to teach in the student's native tongue.

In the future, we plan to expand the scope of these classes to supplement the studies of the children of the road-side stall owners who work near the NUJS Campus as well as the house-keeping staff who work in NUJS. While many of the children already go to school, they suffer from lack of guidance and a suitable environment in which to study. We hope to be able to supplement their efforts and create a yearning for acquiring knowledge amongst these children.

Social Outreach

In the 2009-2010, we have undertaken relief and social outreach programmes for those affected by the Aila cyclone which cause much suffering and destruction in Bengal. The NUJS Legal Aid Society

contributed in its own humble way to ameliorate their suffering by organizing a clothes drive in the college and also collected some money from the students of the University. A poster-making competition was also held and the posters displayed in the NUJS campus and the NUJS website to generate awareness about the impact of the cyclone.

Last year, we also organised a clothes collection drive for the victims of the Ultadanga Slum Fire which rendered many homeless during the winter. Our emphasis was on collecting woolen and other clothes which would be most required for the victims of this disaster due to the special adversity they were facing due to exposure to the cold.

In this year, there was a clothes collection drive which was organised by the NUJS Legal Aid Society in co-ordination with an NGO working on issues of urban poverty which was largely targeted at the final year students who would leave most of their belongings such as clothes, buckets, mattresses etc. behind before leaving college. This drive saw a good response from the NUJS Student Body.

IX. The Campaign For Dr. Binayak Sen:

Supported by the NUJS Legal Aid Society

While the creation of legal awareness is one of the significant functions of the NUJS Legal Aid Society, it would be quite pointless if blatant cases of violation of rights are ignored. Therefore, when on 24th December 2010, the Additional Sessions and District Court Judge, Raipur found Dr. Binayak Sen, the Vice-President of People's Union for Civil Liberties, guilty of sedition some students of NUJS, under the aegis of the NUJS Legal Aid Society, decided to launch the campaign 'Students for Binayak Sen' on behalf of all the people, especially the students of Kolkata, who wished to speak out against the injustice meted out to Dr. Binayak Sen by the State. While this was a collaborative effort undertaken by several students of NUJS, the NUJS Legal Aid Society provided financial and infrastructural support for this campaign.

The Objective of the Campaign

This campaign had been primarily launched in order to make a demand for a just outcome of Dr. Sen's trial. However, the broader objective which was sought to be achieved was that of the protection of the democratic ideals and the restoration of the diminishing faith in the judicial system amongst society. Therefore in this particular case where the violation of rights by the State and the judiciary seems manifest, the students of NUJS supported by the NUJS Legal Aid Society thought it prudent to resort to a more activist and reactionary role than usual.

The Plan of Action of the Campaign

The plan of action of the campaign was three-pronged:

Firstly, a signature-campaign and petition to the President of India, the Chief Justice of India, the Governor of Chhattisgarh, the Chief Justice of the High Court at Raipur supporting the objective sought to be achieved. The signature campaign was conducted in three phases. From 14th January to 19th January 2011, signatures of the students of NUJS were collected. After that the signature campaign was extended to other colleges in Calcutta, namely, Jadavpur University, Presidency University, Rajabazar Science College and the Scottish Church College. The signatures from other colleges were collected and the signature campaign is in its last phase. Once collected, the signatures and petition sheets were sent to the above-mentioned dignitaries.

Secondly, a poster-campaign and an online campaign was launched for circulating the petition and posters at various institutions in order ensure that the issue remains fresh in the minds of the people. This online-platform is used regularly to update members about the developments in the case of Dr. Sen and can be used in cases if such unfortunate incidents re-occur.

Thirdly, a panel discussion was held NUJS Auditorium regarding the legal and constitutional implications of the case. The panelists were: Mr. Amiya Bagchi, noted economist and director of the Institute of Development Studies, Dr. Punyabrata Gun, veteran public health doctor and a close acquaintance of Dr. Sen, Mr. Sujato Bhadra, a prominent and renowned human rights activist, Mr. Bikash Ranjan Bhattacharya, former Mayor of Kolkata and senior advocate of the Calcutta High Court, Mr. Kirit Roy, secretary of MASUM, a prominent Kolkata-based human-rights NGO with which the NUJS Legal Aid Society was working in the past and Mr. Saurabh Bhattacharjee, a faculty-member at NUJS. The session was moderated by Mr. Shameek Sen, Faculty Advisor of the NUJS Legal Aid Society. The session was an enriching experience for all those present and helped the participants to gain a better understanding of one of the challenges facing Indian democracy.

Future Course of Action

It is hoped that this campaign shall lead to the release of Dr. Binayak Sen as well as create awareness about the abuse of the criminal-justice system as well. We hope that the network that has been established through the course of this campaign can be mobilised whenever democracy faces real and difficult challenges.

Concluding Remarks

The NUJS Legal Aid Society has come a long way since it started out just about a decade ago. This has taken place because of my predecessors in office and former members, some of whom I have had the opportunity to work with but many of whom had graduated before I joined NUJS in 2006. The work undertaken has therefore, been over a long and sustained period of time and not the result of a few days. To quote Sir Isaac Newton, “I stand on the shoulder of giants.” Therefore, it would be unfair for me or the NUJS Legal Aid Society of 2010-2011 to take the full credit for the activities undertaken. It is important to realize the hurdles that face us and to develop strategies which can help us overcome them.

One of the greatest hurdles has to a large extent been surmounted. While Legal Aid by itself was almost entirely absent for several decades in India and it is heartening to see it is being accorded great importance by the highest institutions of the country such as the Supreme Court, the Ministry of Law and Justice, the High Courts etc. It is hoped that programmes such as the National Programme for Training of Para-Legals and other such initiatives can be supported by the law colleges and universities in terms of local knowledge bases and student involvement.

However, various other hurdles remain and one of the virtues of the exercise of compiling a report such as this is that it gives one time for reflection on the things which could and probably should have been differently done. The difficulties are of two kinds, internal and external.

Internally, one of the most major concerns is to ensure that each member’s talents are used effectively and to the optimum. There must be a sense of belongingness within the NUJS Legal Aid Society of the members and volunteerism should be permitted to thrive. Performance of assigned or voluntarily undertaken tasks must be the top priority and members and office-bearers should be made accountable if they fail to perform. We are fortunate that due to the past several years of work, the NUJS Legal Aid Society enjoys the confidence of the Student Body and the University and we must ensure that this confidence is never betrayed. Petty politics or prior personal commitments must never interfere with the greater objective which the NUJS Legal Aid Society seeks to achieve. While it may sometimes seem irrelevant or wasteful at the point, written records must be kept of every activity and meeting so that it is helpful to refer and reflect upon it.

Externally, it must be understood that the terrain in which legal aid operates is constantly changing and it is necessary for University Legal Aid Clinics such as our to be alive to these changes. While reliance has been placed on other Legal Aid institutions such as the State Legal Services Authority, National Legal Services Authority or NGOs, it must be realized that effective feed-back from our side would ensure that their programmes and initiatives are more in tune with reality and are thereby able to achieve the desired outcomes. While it is imperative that we partner with these institutions, due to the great motive force that their programmes and initiatives possess, we must also ensure that there is constant networking which takes place between law colleges and universities so as to ensure that legal education remains socially relevant. Serious academic research on Legal Aid is lacking and I hope it is bodies like the NUJS Legal Aid Society which can fill in this void. The internet has become one of the most powerful tools of empowerment and its positive energies must be harnessed and utilized effectively. Dissemination of information which was a great stumbling block has now become possible in most cases at the click of a button. With sweeping changes such as these, older structures and formulations may not be very effective in the face of newer challenges and difficulties. Therefore, it is obligatory on the part of the NUJS Legal Aid Clinic to keep changing along with the times retaining the merits of the older systems in order to be able to effectively meet the problems of the past and challenges of the future.

While in my tenure as Convenor of the NUJS Legal Aid Society I may not have been able to fulfill all that was sought to have been done, I hope that that this report adequately states the progress of the various initiatives undertaken and I leave it to my successors-in-office to carry on the work and develop and execute newer initiatives in the years to come.

I wish you the best of luck in taking the NUJS Legal Aid Society to newer heights while keeping our feet firmly placed on the ground.

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