



Five Day Mega Lok Adalat

Fifth and Sixth 5-Day Mega Lok Adalat

From 27th February to 3rd March, 2013

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From 24th July to 28th July, 2013

In continuation of organizing 5-Day Mega Lok Adalat for providing quick and cheaper justice to the people in all districts of Jharkhand the fifth and sixth 5-Day Mega Lok Adalat were organized from **27th Feb. to 3rd March 2013 and from 24th July to 28th July, 2013** respectively by all the District Legal Services Authorities across the state of Jharkhand.

The 5-Day Continuous Mega Lok Adalat was Launched with a vision that a large number of people could be benefited through this drive. The bar has also shown keen interest in this drive.

The result emerging from the District Judiciary shows that people have started reposing trust in the ADR System that gives quick justice to the people.

The details of the cases settled during the fifth and Sixth 5-Days Mega Lok Adalat are given here below:

Cases disposed during Fifth 5-Days Mega Lok Adalat

Type of Case	No. of Cases Disposed of
Cases Pending in Civil Courts	7491
Revenue and Executive Cases	4899
Pre-Litigation Cases	2750
TOTAL	15140

Cases disposed during Sixth 5-Days Mega Lok Adalat

Type of Case	No. of Cases Disposed of
Cases Pending in Civil Courts	6506
Revenue and Executive Cases	3280
Pre-Litigation Cases	1946
TOTAL	11732

Details of cases disposed during 5th Mega Lok Adalat

Details of cases pending in civil court disposed during 5th Mega Lok Adalat From 27/02/2013 to 03/03/2013

Cases Disposed (pending in the Civil Court) Maturewise as	Bokaro	Chaibasa	Chatra	Deoghar	Dhanbad	Dumka	Garhwa	Giridih	Godda	Gumla	Hazarigagh	Jamshespur	Jamtara	Koderma	Latehar	Lohardagga	Pakkur	Palamau	Ranchi	Seraikella	Sahebganj	Simdega	Khunti	Total
Titlle Suit	3	1		1			2				13	1	2	4	2	6		4	1		2		1	43
Money Suit	4										4								1	1				10
Any other suit		2	1	4										3	5	1		2	1					19
Misc. Case											13		6		1	3			1					24
Title Appeal			1									1						1	1					4
Misc. Appeal																								0
Execution Case	4	3				2				1	4	6				4								24
Matrimonial Suit						4		2					4	1				3	6					20
Maintenance	2	2						6				3	1	2			4	3	1		2			28
Criminal Revision						1					1	2		2		1			1					8
MACT claim	2	10	1	1	26	14		3	2	4	6	21		1	10	7		1	5	5				119
GR Compountable Case	215	10	5	9	321	36	93	38	79	28	128	220	18	32	22	27	2	106	106	138	46	7	12	1698
Complaint Cases like:	39						4	9	13		13	14	19				1				31	1		144
NI Act	8										10	51		8	2	2			42		1			141
Sec. 498A	10							1	1		2	18	20						3		12			67
Other Cases	22	5	3	4	29	171		80	5		7	11	48	8	3	8	33	7	91		84			619
Forest Cases	10	3	28	26	16		41	22	2	6	272	3	1	28	1	1		10	12	3	9	5	9	508
Excise Cases	7	1		1	46	74	4	16	2		8	31	7	18			1		39	10	32			297
MV Act							1				181		1	22	1	1			22		2	33	2	265
Railway Act				106	115							1						58	72		157			891
Shop Act	2											1												3
WM Act	1							6			5	16	1				3		4					48
Electricity	3	18		52	180	4	6	26	2	13	45	136	15	14	9	6	12	60	114	43	20		6	784
Any other Cases	57	50	35	74		206		1		15	158	11	51	91	2	9			905		45	17		1727
Total	389	487	72	286	754	516	151	202	114	67	870	547	194	234	57	76	56	255	1428	200	443	63	30	7491

**Details of cases otherwise pending in Civil Court disposed during
5th Mega Lok Adalat From 27/02/2013 to 03/03/2013**

Total	1478	5	277	3139	4899
Khunti			36	147	183
Simdega	28			916	944
Seraikella			86	7	93
Sahebganj	83		24	1	108
Ranchi				501	501
Palamau	32				32
Pakur	17		55	36	108
Lohardagga	10		3	79	92
Latehar	92	3	14	74	183
Koderma	109			8	117
Jamtara	26		3		29
Jamshedpur	68		2		70
Hazaribagh	330		8		338
Gumla	135			1076	1211
Godda	70			124	194
Giridih	23			28	51
Garhwa	195		1	20	216
Dumka	115		27		142
Dhanbad	12		1		13
Deoghar	6	2		90	98
Chat ra	52				52
Chaibasa			17		17
Bokaro	75	4		32	111
Cases Disposed (otherwise than pending in the Civil Court) Na-turewise as					
Cases of Executive Courts					
Labour					
Certificate Case					
Any other Case					
Total					

Details of Pre-litigation Cases disposed during 5th Mega Lok Adalat From 27/02/2013 to 03/03/2013

Districts	No. of Pre Litigation Cases Disposed off
Bokaro	203
Chaibasa	418
Chatra	33
Deoghar	8
Dhanbad	170
Dumka	3
Garhwa	0
Giridih	0
Godda	0
Gumla	77
Hazaribagh	114
Jamshedpur	200
Jamtara	3
Koderma	62
Latehar	1
Lohardagga	181
Pakur	215
Palamau	30
Ranchi	418
sahebganj	328
Seraikella	258
Simdega	0
Khunti	28
Total	2750

Details of Amount Settlement during 5th Mega Lok Adalat From 27/02/2013 to 03/03/2013

Total Amount Settled	Total Amount Realized
76,49,418.00	28,95,938.00
1,09,48,017.00	1,06,18,293.00
11,64,940.00	3,65,000.00
29,57,644.00	20,10,532.00
94,29,503.00	55,65,926.00
14,36,746.00	2,54,242.00
1,30,838.00	1,30,838.00
15,88,319.00	15,88,319.00
1,30,000.00	7,75,775.00
16,17,850.00	9,04,550.00
54,74,503.00	46,89,750.00
27,90,245.00	27,90,245.00
5,93,985.00	2,79,676.00
17,09,611.00	10,25,148.00
17,16,245.00	17,16,245.00
30,29,568.92	21,35,947.00
26,51,533.00	9,68,889.00
9,87,738.00	9,73,594.00
84,08,109.00	84,08,109.00
21,48,100.00	21,48,100.00
1,11,31,510.00	98,08,135.00
1,58,000.00	1,16,500.00
7,78,52,422.92	6,01,69,751.00

Details of cases disposed during 6th Mega Lok Adalat

Details of cases pending in civil court disposed during 6th Mega Lok Adalat

From 24/07/2013 to 28/07/2013

Cases Disposed (pending in the Civil Court) Naturewise as	Bokaro	Chaibasa	Chatra	Deoghar	Dhanbad	Dumka	Garhwa	Giridih	Godda	Gumla	Hazarigagh	Jamshespur	Jamtara	Koderma	Latehar	Lohardagga	Pakkur	Palamau	Ranchi	Seraikella	Sahebganj	Simdega	Total
Titile Suit	3				1	1					4	4	3	1				5	5		1		28
Money Suit	7							1								1				1			10
Any other suit											5			1				5					11
Misc. Case									1				1			1		2	1				6
Title Appeal																		1					1
Misc. Appeal																							0
Execution Case									2		4	4	2		1								10
Matrimonial Suit	7	3	1			9			1			4	4		1		2				1		29
Maintenance	2	1	2					4	4		1	5	7	1		5	5	1	3		2		38
Criminal Revision											1												1
MACT claim	10	2	2		19	9		3	2		3	8				5	4	8	13	3		1	92
GR Compoundable Case	214	5	46		152	15	89		94	19	88	147	38	22	192	27	7	122	46	109	40	1	1473
Complaint Cases like:	12						6		5	6	14	23	9			3					15		93
NI Act	13	1	1		21			3			1	101		3					17		1		162
Sec. 498A	1	1										1	32	2			5		3		11		56
Other Cases	42	2	4			264		109	9	2	5	5	50	5	2	59	2	2	65		13		633
Forest Cases	10		50		5	16	3	16	1		63		5	29	14	2		9	24	1	7	2	257
Excise Cases	23	5			14	14	4	2	9			32	12	57		6			20	17	9		224
MV Act	1						2				78		4			3			33		14	102	237
Railway Act		523			300													26			222		1126
Shop Act	3																		1			1	5
WM Act	2										2	31	6	1			7	2	17	2			70
Electricity	13	4	2		97	14	8	23		6	25	41		27	11	5	7	20	18	20	15		356
Any other Cases	107	118	77		4	44				60	234	3	38	77		18		7	702		87	12	1588
Total	470	665	185	0	613	386	112	161	128	91	525	402	211	226	219	61	108	210	1023	153	438	119	6506

Details of cases disposed during 6th Mega Lok Adalat
From 24/07/2013 to 28/07/2013

Total	2544	39	410	287	3280
Simdega	25		10	3	38
Seraikella	35	21	15		71
Sahebganj	93	0	44		137
Ranchi	1003	5	147		1155
Palamau	54				54
Pakur	6	0	29	24	59
Lohardagga	5	0	12	117	134
Latehar	66			33	99
Koderma	114			5	119
Jamtara	93		49		142
Jamshedpur	90				90
Hazaribagh	161	1	6		168
Gumla	64				64
Godda	83	0	0	100	183
Giridih	16		17		33
Garhwa	222		40	5	267
Dumka	173		21		194
Dhanbad	70	4			74
Deoghar					0
Chatra	54				54
Chaibasa	36	8	15		59
Bokaro	81	17	5		103
Cases Disposed (other than pending in the Civil Court) Naturewise as					
Cases of Executive Courts					
Labour					
Certificate Case					
Any other Case					
Total	103	74	33	267	477

**Details of Pre-litigation cases
disposed during 6th Mega Lok Adalat
From 24/07/2013 to 28/07/2013**

Districts	No. of Pre Litigation Cases Disposed off
Bokaro	160
Chaibasa	380
Chatra	15
Deoghar	
Dhanbad	117
Dumka	39
Garhwa	0
Giridih	0
Godda	0
Gumla	25
Hazaribagh	32
Jamshedpur	83
Jamtara	10
Koderma	7
Latehar	0
Lohardagga	86
Pakur	173
Palamau	79
Ranchi	323
Sahebganj	311
Seraikella	106
Simdega	0
Total	1946

**Details of Amount Settlement during 6th Mega Lok Adalat From
24/07/2013 to 28/07/2013**

Total Amount Settled	Total Amount Realized
1,11,79,403.00	56,52,519.00
43,74,585.00	27,52,361.00
7,29,314.00	6,41,100.00
96,63,789.00	78,86,364.00
7,24,437.00	10,92,261.00
2,50,000.00	20,69,350.00
8,46,760.00	8,46,760.00
7,00,000.00	15,25,855.00
	2,80,000.00
54,20,892.00	43,53,778.00
81,23,225.00	81,23,225.00
12,64,708.00	4,08,668.00
10,33,762.00	9,10,560.00
4,06,565.00	4,06,565.00
51,46,643.00	18,38,064.00
24,39,311.00	18,02,017.00
80,80,725.00	46,73,084.00
1,22,58,842.00	1,22,58,842.00
25,27,703.00	16,76,903.00
34,34,349.00	31,85,921.00
71,637.00	71,637.00
7,86,76,650.00	6,24,55,834.00

Success Story of National Lok Adalat at DLSA, Bokaro

Ramu Pramanik, presently 80 years of age had a sigh of relief on the occasion of National Lok Adalat as he could now think of passing the remaining period of his life free from any encumbrance. He had taken a loan of a meager sum of Rs. 5000/- at the age of 54 years from the State Bank of India for augmenting his livelihood with great hopes. However, he could not be successful in his endeavour and was not able to pay the loan amount resulting in filing of a Certificate case No. 75797 by the Bank against him before the Certificate Officer, Bokaro. Warrant of arrest was issued against him and he was in constant fear of being arrested. Due to old age, he was unable to move without the help of an Attendant and somehow he came to know about the National Lok Adalat being organized by DLSA, Bokaro and he came there taking assistance of his wife and co-villagers. Seeing his old age and plight, the matter was taken cognizance of by the Bench of Lok Adalat constituted on the occasion and the matter was settled on nominal payment by the borrower and the Certificate case was withdrawn.

Case Laws



Bachpan Bachao Andolan
Vs.
Union of India & Ors.

**In the Supreme Court of India
Civil Original Jurisdiction**

Writ Petition (C) No. 75 of 2012

Bachpan Bachao Andolan ...Petitioner(s)

Versus

Union of India & Ors. ...Respondent(s)

With Contempt Petition (C) No.186/2013 in Writ Petition (C) No.75/2012

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE VIKRAMAJIT SEN
HON'BLE MR. JUSTICE S.A. BOBDE**

10th May, 2013

This matter has been listed pursuant to the direction given on 26th April, 2013, when the contempt petition filed in the writ petition by the petitioner, complaining of the manner in which a complaint made regarding a missing child was sought to be handled by the concerned police station, was being considered. It has also come up on account of the other directions which had been given for implementing the various provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, as amended in 2006 ['Juvenile Act', for short].

On 17th January, 2013, when this matter came up for consideration, we had given an interim direction that in case a complaint with regard to any missing children was made in a police station, the same should be reduced into a First Information Report and appropriate steps should be taken to see that follow up investigation was taken up immediately thereafter.

An element of doubt has been raised on behalf of the State of Madhya Pradesh regarding the recording of First Information Report relating to a missing child, having regard to the provisions of Section 154 of the Code of Criminal Procedure, 1*373 ['Cr.P.C.1, for short], which relates to information in cognizable cases. We do not, however, see any difficulty in the orders, which we have already passed. We make it clear that, in case of every missing child reported, there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise. Accordingly,

whenever any complaint is filed before the police authorities regarding a missing child, the same must be entertained under Section 154 Cr.P.C. However, even in respect of complaints made otherwise with regard to a child, which may come within the scope of Section 155 Cr.P.C. , upon making an entry in the Book to be maintained for the purposes of Section 155 Cr.P.C., and after referring the information to the Magistrate concerned, continue with the inquiry into the complaint. The Magistrate, upon receipt of the information recorded under Section 155 Cr.P.C., shall proceed, in the meantime, to take appropriate action under sub-section (2), especially, if the complaint relates to a child and, in particular, a girl child.

On the last occasion, when- the matter was taken up, we were informed by some of the States that the directions, which we had given in our Order dated 17th January, 2013, had been duly implemented and affidavits to that effect have also been filed. Some of the information given therein is seriously objected by Mr. H.S. Phoolka, learned counsel appearing for the petitioner. In any event, even if the figures shown are incorrect, in order to rectify the situation, we are inclined to accept the suggestion made by Ms. Shobha, learned advocate, appearing for the National Human Rights Commission, that each police station should have, at least, one Police Officer, especially instructed and trained and designated as a Juvenile Welfare Officer in terms of Section 63 of the Juvenile Act. We are also inclined to accept the suggestion that there should be, in shifts, a Special Juvenile Officer on duty in the police station to ensure that the directions contained in this Order are duly implemented. To afd a further safeguard, we also direct the National Legal Services Authority, which is being represented by its Member Secretary through Ms. Anitha Shenoy, learned advocate, that the para-legal volunteers, who have been recruited by the Legal Services Authorities, should be utilized, so that there is, at least, one paralegal volunteer, in shifts, in the police station to keep a watch over the manner in which the complaints regarding missing children and other offences against children, are dealt with.

Ms. Shobha learned counsel, has also made another useful suggestion regarding a computerized programme, which would create a network between the Central Child Protection Unit as the Head of the Organization and all State Child Protection Units, District Child Protection Units, City Child Protection Units, Block Level Child Protection Units, all Special Juvenile Police Units, all Police stations, all Juvenile Justice Boards and all Child Welfare Committees. The said suggestion should be seriously taken up and explored by the National Legal Services Authority with the Ministry of Women and Child Development. Once introduced, the website link should also be made known to the/publicat large. The State Legal Services Authorities should also work out a network of NGOs, whose services could also be availed of at all levels for the purpose of tracing and re-integrating missing children with their families which, in fact, should be the prime object when a missing child is recovered.

Various other suggestions have been made by Ms. Shobha in her written submission, regarding installation of computerized cameras, which can also be considered by all the concerned authorities.

A similar response has been made on behalf of the National Legal Services Authority, and similar suggestions have been made. The details as indicated in the response can always be worked out in phases by the Juvenile Justice Board and the Child Welfare Committees in consultation with the National Legal Services Authority, since each have a responsible role to play in the welfare of children, which, if the statistics given are to be believed, are difficult to accept. In fact, as has been pointed out by Mr. Phoolka, out of more than 3,000 children missing in 2011, only 517 First Information Reports had been lodged. The remaining children remain untraced and are mere slips of paper in the police stations.

One of the submissions, which has been made in the response filed by the NALSA, is with regard to the role of the police and the directions given by this Court, from time to time, in the case of Sampurna Behura vs. Union of India & Ors. [Writ Petition (C) No.473 of 2005]. Accordingly, in addition to what has been recorded, as far as the suggestions made on behalf of the National Human Rights Commission is concerned, we add that, as suggested on behalf of the NALSA, every found/recovered child must be immediately photographed by the police for purposes of advertisement and to make people aware of the missing child. Photographs of the recovered child should be published on the website and through the newspapers and even on the T.V. so that the parents of the missing child could locate their missing child and recover him or her from the custody of the police. The Ministry of Home Affairs shall provide whatever additional support by way of costs that may be necessary for the purpose of installing such photographic material and equipment in the police stations. Apart from the above, all the parties involved shall have due regard to the various directions given in Sampurna Behura's case [supra] where also provision has been made for a child to be sent to a Home and for taking photographs and publishing the same so that recovery could be effected as early as possible.

The other suggestion of NALSA is that a Standard Operating Procedure must be developed to handle the cases of missing children and to invoke appropriate provisions of law where trafficking, child labour, abduction, exploitation and similar issues are disclosed during investigation or after the recovery of the child, when the information suggests the commission of such offences. As part of the Standard Operating Procedure, a protocol should be established by the local police with the High Courts and also with the State Legal Services Authorities for monitoring the case of a missing child. In Delhi, such a protocol could be established with the help of the All India Legal Aid Cell on Child Rights, set up by NALSA, in association with the Delhi State Legal Services Authority, and the petitioner herein, Bachpan Bachap Andolan. In fact, the same could be treated as a nodal agency of the All India Legal Aid Cell on Child Rights.

We have given directions in regard to the utilization of the para-legal volunteers, which is one of the suggestions made on behalf of the NALSA.

As has been pointed out by Mr. Phoolka, learned counsel appearing on behalf of petitioner, an Office Memorandum was issued on 31st January, 2012, by the Ministry of Home Affairs, Government of India, by way of an advisory on missing children and the measures needed to prevent trafficking and for tracing of such children. In the said

Office Memorandum missing child has been defined as a person below eighteen years of age, whose whereabouts are not known to the parents, legal guardians and any other person, who may be legally entrusted with the custody of the child, whatever may be the circumstances/causes of disappearance. The child will be considered missing and in need of care and protection within the meaning of the later part of the Juvenile Act, until located and/or his/her safety/well being is established. In case a missing child is not recovered within four months from the date of filing of the First Information Report, the matter may be forwarded to the Anti-Human Trafficking Unit in each State in order to enable the said Unit to take up more intensive investigation regarding the missing child. The Anti-Human Trafficking Unit shall file periodical status reports after every three months to keep the Legal Services Authorities updated. It may also be noted that, in cases where First Information Reports have not been lodged at all and the child is still missing, an F.I.R, should be lodged within a month from the date of communication of this Order and further investigation may proceed on that basis. Once a child is recovered, the police authorities shall carry out further investigation to see whether there is an involvement of any trafficking in the procedure by which the child went missing and if, on investigation, such links are found, the police shall take appropriate action thereupon.

The State authorities shall arrange for adequate Shelter Homes to be provided for missing children, who are recovered and do not have any place to go to. Such Shelter Homes or After care Homes will have to be set up by the State Government concerned and funds to run the same will also have to be provided by the State Government together with proper infrastructure; Such Homes should be put in "place within three" months, at the latest. Any private Home, being run for the purpose of sheltering children, shall not be entitled to receive a child, unless forwarded by the Child Welfare Committee and unless they comply with all the provisions of the Juvenile Justice Act, including registration.

Having regard to the order passed herein, the contempt proceedings, which have been initiated by the petitioner, are dropped. In the event, all the States have not yet filed their status reports, the time for filing the same is extended till the next date.

We appreciate the efforts of the petitioner-organisation, Mr. H.S. Phoolka, learned counsel appearing on behalf of the petitioner, all the other counsel, who have appeared in this matter on behalf of the different Authorities, including NALSA and the National Human Rights Commission, and we hope that such interest will continue to subsist hereafter.

Let this matter be listed again after three months.

.....CJ.
[ALTAMAS KABIR]
.....J.
[VIKRAMAJIT SEN]
.....J.
[S.A. BOBDE]

New Delhi, May 10, 2013.



Court on its own Motion
Vs.
The State of Jharkhand & Ors.

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 5497 of 2011

Court on its own MotionPetitioner

Vs.

The State of Jharkhand & Ors....Respondents

For the Petitioner: **Mr. Delip Jerath, A.C**

For the State: **Mr. R. Mukhopadhyay, S.C. II**

HON'BLE THE CHIEF JUSTICE.
HON'BLE MR. JUSTICE APARESH KUMAR SINGH.

Dated 6th January, 2014

Taking notice of several news items in the Newspapers indicating that in the city of Ranchi there is a steep rise in the girls teasing in the Schools, Colleges and Universities, by order dated 14.9.2011 this Court directed the Registry to register this matter as "Public Interest Litigation.

2. By order dated 14.09.2011 and subsequent orders passed by this Court on 22.09.2011 and 17.7.2013, this Court has issued various directions to ensure safety and security measures for the young girls and women in general.
3. Learned Amicus Curiae submitted that in spite of the various directions issued by this Court, the menace of eve teasing has not been reduced and are increasing and prayed for issuance of appropriate directions.
4. We have heard learned Amicus Curiae and also learned counsel appearing for the State.
5. In this context, learned Counsel for the State has drawn our attention to a judgment rendered by Hon'ble Supreme Court in the case of ***Deputy Inspector General of Police & Another Vs. S. Samuthiram reported in (2013) 1 SCC 598***. Expressing concern over the pernicious practice of eve-teasing and after referring to the Tamil Nadu Prohibition of Eve-Teasing Act, 1998, the Hon'ble Supreme Court in paragraph 34

issued various directions to curb eve-teasing. The relevant paragraphs of judgment of the Hon'ble Supreme Court, which are paragraphs 29 to 34 reads as under:

29. *We may, in the facts and circumstances of this case, wish to add some aspects which are also of considerable public importance. We notice that there is no uniform law in this country to curb eve-teasing effectively in or within the precinct of educational institutions, places of worships, bus-stands, metro stations, railway stations, cinema theaters, parks beaches, places of festival, public service vehicles or any other similar place. Eve-teasing generally occurs in public places which, with a little effort, can be effectively curbed. Consequences of not curbing such a menace are, needless to say, at times disastrous. There are many instances where girls of young age are being harassed, which sometimes may lead to serious psychological problems and even committing suicide. Every citizen in this country has the right to live with dignity and honour which is a fundamental right guaranteed under Article 21 of the Constitution of India. Sexual harassment like eve-teasing of women amounts to violation of rights guaranteed under Articles 14,15 as well. We notice that in the absence of effective legislation to contain eve-teasing, normally, complaints are registered under Section 295 or Section 509 IPC.*

30. Section 294 IPC says that:

"294. Obscene acts and songs.- Whoever, to the annoyance of others-

(a) does any obscene act in any public, or

(b) sings, recites or utters any obscene song, ballad or words, in or near any public place, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both."

It is for the prosecution to prove that the accused committed any obscene act or the accused sang, recited or uttered any obscene song; ballad or words and this was done in or near a public place, it was of obscene nature and that it this was done in or near a public place, it was of obscene nature and that it had accused annoyance to others. Normally, it is very difficult to establish those facts and, seldom, complaints are being filed and criminal cases will take years and years and often people get away with no punishment and filing complaint and to undergo a criminal trial itself is an agony for the complainant, over and above the extreme physical or mental agony already suffered.

31. Section 509 IPC say:

"509. word, gesture or act intended to insult the modesty of a woman. -- Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both."

The burden is on the prosecution to prove that the accused had uttered the words or made the sound or gesture and that such word, sound or gesture was intended by the accused to be heard or seen by some woman. Normally, it is difficult to establish this and, seldom, a woman files a complaints and often the wrongdoers are left unpunished even if the complaint is filed since there is no effective mechanism to monitor and follow up such acts. The necessity of a proper legislation to curb eve-teasing is of extreme importance, even the Tamil Nadu legislation has no teeth.

32. *Eve-teasing today has become a pernicious, horrid and disgusting practice. The Indian Journal of Criminology and Criminalistics (January-June 1995 Edn.) has categorised eve-teasing into five heads viz.:*

- (1)** *verbal eve-teasing;*
- (2)** *physical eve-teasing;*
- (3)** *psychological harassment;*
- (4)** *sexual harassment; and*
- (5)** *harassment through some objects.*

33. *In **Vishaka v. State of Rajasthan** this Court has laid down certain guidelines on sexual harassment. In **Rupan deol Bajaj v. Kanwar Pal Singh Gill** this Court had explained the meaning of “modesty” in relation to women. More and more girl students, women, etc. go to educational institutions, work places, etc. and their protection is of extreme importance to a civilised and cultured society. The experience of women and girl children in overcrowded buses, metros, trains, etc. are horrendous and a painful ordeal.*

34. *Parliament is currently considering the Protection of Woman against Sexual Harassment at Workplace Bill, 2010, which is intended to protect female workers in most workplaces. Provisions of that Bill are not sufficient to curb eve-teasing. Before undertaking suitable legislation to curb eve-teasing, it is necessary to take at least some urgent measures so that it can be curtailed to some extent. In public interest, we are therefore inclined to give the following directions:*

34.1. *All the State Governments and Union Territories are directed to depute plain clothed female police officers in the precincts of bus-stands and stops, railway stations, metro stations, cinema theaters, shopping malls, parks, beaches, public service vehicles, places of worship, etc. so as to monitor and supervise incidents of eve-teasing.*

34.2. *There will be a further direction to the State Government and Union Territories to install CCTV cameras in strategic positions which itself would be a deterrent and if detected, the offender could be caught.*

34.3. *Persons in charge of the educational institutions, places of worship, cinema theaters, railway stations, bus-stands have to take steps as they deem fit*

to prevent eve-teasing, within their precincts and, on a complaint being made, they must pass on the information to the nearest police station or the Women's Help Center.

34.4. *Where any incident of eve-teasing is committed in a public service vehicle either by the passengers or the persons in charge of the vehicle, the crew of such vehicle shall, on a complaint made by the aggrieved person, take such vehicle to the nearest police station and give information to the police. Failure to do so should lead to cancellation of the permit to ply.*

34.5. *The State Governments and Union Territories are directed to establish Women Helpline in various cities and towns, so as to curb eve-teasing within three months.*

34.6. *Suitable boards cautioning such act of eve-teasing be exhibited in all public places including precincts of educational institutions, bus-stands, railway stations, cinema theaters, parks, benches, public service vehicles, places of worship, etc.*

34.7. *Responsibility is also on the passers-by and on noticing such incident, they should also report the same to the nearest police station or to Women Helpline to save the victims from such crimes.*

34.8. *The State Governments and Union Territories of India would take adequate and effecting measures by issuing suitable instructions to the authorities concerned including the District Collectors and the District Superintendent of Police so as to take effective and proper measures to curb such incidents of eve-teasing.*

6. Since the Hon'ble Supreme Court has already issued the directions, we direct the State of Jharkhand to strictly enforce the directions as enumerated by the Hon'ble Supreme Court, in the above case in its letter and spirit.

7. Pursuant to the discussions and the observations made by this Court from time to time during the pendency of this case, the following instructions are finally recorded for its implementation by all concerned in its letter and spirit:

(a) **The Chief Secretary of State of Jharkhand** is directed to circulate the directions as contained in the orders passed by this Court and in particular order dated 22.09.2011 and 17.07.2013 to all concerned including the Home Secretary of the State and all the Deputy Commissioners of the District in order to effectively control the incident of eve-teasing in maintaining Law and Order.

(b) In the light of ever increasing incidents of Eve-teasing and other offences against women, there is a need of stringent measures and strict laws for speedy disposal of reported cases. It would be in order if the State of Jharkhand enacts a legislation in tune with the Tamil Nadu Prohibition of Eve-teasing Act, 1998 and Delhi Prohibition of Eve-teasing Act, 1998.

- (c) The Director General of police of the State of Jharkhand shall take effective measures to alert all the Superintendents of Police of the District to address the menace of Eve-teasing by taking suitable measures such as by deploying women constable particularly near educational institutions, girls hostel, working women hostel, market or places, bus stand, railway station, cinema theater, public service vehicles, trains, places of worship etc.
- (d) The Registrar General of High court of Jharkhand is directed to issue instructions to the Member Secretary of Jharkhand State Legal Services Authority (JHALSA) to communicate order of this Court in hand to all the Chairman, Vice Chairmen, Secretaries, Members of the District Legal Services Authority/Sub Divisional Legal Services Committee to take effective ways and means to decimate the menace of Eve-teasing by adopting appropriate and befitting measures, inter alia, such as:
- (i) To create legal awareness among all the stake holders including Police officials, Para Legal Volunteers, women, general public etc. with the latest amended provisions of the Indian Penal Code related to offences of voyeurism, stalking etc. by introducing new Sections 354A to 354D of the Indian Penal Code vide Criminal Law (Amendment) Act, 2013 w.e.f. 03.02.2013.
 - (ii) To sensitize Para Legal Volunteers to help the victims by facilitating the victims to take legal actions against the culprit.
 - (iii) To co-ordinate with the State Women Commission, State Human Right Commission and Department of Social Welfare, Women and Child Development of the State of Jharkhand to open effective Women's Help Center involving Para Legal Volunteers for taking immediate legal action against the wrong doers/ culprits of Eve-teasing.
 - (iv) To publish pamphlets, brochures, booklets, hoardings and other desired activities at all vulnerable places informing about the steps to be taken by the victim girls/women to save themselves from the torture of Eve-teasing such as contact number of the police by mobile/telephone, number of women's help center, telephone/ contact number of Para Legal Volunteers of the area etc.
 - (v) To use Electronic and Print Media and means for spreading awareness and accessibility among the general masses.
- (e) The Registrar General of the High Court of Jharkhand is further directed to send the copy of this order to **State Women Commission** and the **State Human Rights Commission of State of Jharkhand** with a request to co-ordinate with the Jharkhand Legal Services Authority in order to curb the social evil of Eve-teasing and other offences against women effectively.

- (f) **The Department of Social Welfare, Women and Children of State of Jharkhand** is also directed to take all effective measures in order to implement the directives of this court to check the menace of Eve-teasing and other offences against women and to coordinate with the Jharkhand State Legal Services Authority for taking strong steps in this regard.

In the light of the aforesaid pronouncement, the Registrar General of High Court of Jharkhand is directed to send the copy of this order to all concerned.

Copy of this order be given to Amicus Curiae and also to the counsel for the State.

(R. Banumathi, C.J.)

(Aparesh Kumar Singh, J)

Alankar/-



Success Story of National Lok Adalat at DLSA, Chaibasa

The National Lok Adalat held at DLSA, Chaibasa brought cheers on the face of 5 Juveniles and 11 Under Trial Prisoners who were released from prison respectively. The children as well as the Under Trial Prisoners were happy as they were uniting with their family members and hoping to pursue their carrier towards a better future. All this could happen through the mechanism of National Lok Adalat as one of the mode of Alternative Dispute Resolution.

Gopi Nath Ghosh
Vs.
The State of Jharkhand & Anr.

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P (PIL) No. 2584 Of 2011

Gopi Nath Ghosh Petitioner

Versus

The State of Jharkhand & Anr. Respondents

For the Petitioner: ***Mr. Anup Kumar Agrawal***

For the Respondent: ***Mr. Rajiv Ranjan Mishra, GP - II***

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE APARESH KUMAR SINGH

CAV on 6th January, 2014 Pronounced on 10th, January, 2014

R. Banumathi, C.J. Based upon the newspaper report published in the Hindustan Times dated 24.1.2011, the petitioner has filed this Public Interest Litigation to issue writ of mandamus directing the respondents to immediately settle all claims of compensation and Government employment as per the existing schemes for civilian deaths that might have occurred in the course of violence between the State Security Forces and the Naxalities and for other directions.

- 2.** The petitioner claims himself to be a human rights activist and to be working for the rights of workers in the unorganized sector especially for Tendu Leaf Pickers in West Singhbhum district of Jharkhand and for other human rights issues.
- 3.** The case of the petitioner is that there are revised guidelines of the Central Scheme for assistance to civilian victims/family of victims of terrorist, communal and naxal violence dated 25.1.2010, which states that an amount of Rs.3,00,000/- (Rs.3 lakhs) would be given for each death or permanent incapacitation to the affected family under the scheme. According to the petitioner, in various districts, like West Singhbhum, East Singhbhum, Simdega, Gumla, Lohardaga, even though many persons were killed in violence between the police force and the banned armed groups, compensation and Government employments had not been granted to the families of the deceased who died as early as in 2001. The petitioner has sought and obtained information under the Rights to Information Act and has furnished

in paragraph 15 of the petition the details of information as to the number of deaths and compensation disbursed. Alleging that the respondents have failed to implement the then Schemes for providing relief and rehabilitation to the victims of the violence, the petitioner has filed this PIL with the prayer that the respondents are to be directed to evolve an effective mechanism for grant of compensation and for implementation of rehabilitation measures for the victims of the violence.

4. The State of Jharkhand has filed a detailed supplementary counter-affidavit stating that the State of Jharkhand is committed for payment of ex gratia to the victims or their dependents who died/injured in Naxal violence. Referring to the schemes of the State Government and also the Central Government schemes, it is stated that during 2009-10, there were 64 reported cases of civilian death/injury in Naxal violence and during the year 2010-11, there were 96 reported cases of civilian deaths/injury and in such cases (64 + 96), compensation has been paid to all the victims/dependents as per the scheme prevalent on the date of incident. It is further stated that the State of Jharkhand is very sincere and conscientious with respect to payment of compensation to the victims/dependents of Naxal violence and that the State Government is regularly paying compensation to the victims of Naxal violence as per the policy decision of the State of Jharkhand and has paid crores of rupees as compensation and therefore, this Public Interest Litigation is liable to be dismissed.
5. We have heard learned counsel for the petitioner, Mr. Anup Kumar Agrawal, and Mr. Rajiv Ranjan Mishra, learned GP – II, for the respondent-State of Jharkhand.
6. It is seen from the supplementary counter-affidavit that on the date of creation of the State of Jharkhand (i.e. on 15.11.2000), only the State Government had policy to grant compensation to the victims/dependents of Naxal violence as per the circular of the State of Bihar No.1972 dated 9.8.2000, by which provision had been made for payment of compensation of Rs.50,000/- to the victims of Naxal violence/dependents. After creation of the State of Jharkhand, the Government of Jharkhand issued circular no.3002 dated 8.11.2001 by which provision has been made for payment of compensation of Rs.50,000/- in case of death, Rs.10,000/- in case of permanent disability and Rs.2000/- in case of serious injury to the victims of Naxal violence or their dependents and the said circular was effective for Naxal incidents occurred between 8.11.2001 and 16.2.2006. The State of Jharkhand had issued another circular no.423 dated 16.2.2006, wherein provision had been made for payment of Rs.1,00,000/- in case of death, Rs.50,000/- in case of permanent disability and Rs.10,000/- in case of serious injury as compensation to the victims of Naxal violence or their dependents and the said circular was effective for Naxal incidents occurred between 16.2.2006 and to date. According to the respondent-State, during the said period, compensation has been paid to the victims as per the said circular of the State Government.
7. Central Government, vide letter no.11044/11/2011-VTV dated 29.6.2012, issued guidelines with effect from 22.6.2009, wherein provision has been made for payment

of Rs.3,00,000/- in case of death/permanent incapacitation (50% and above) as compensation to the affected family under the scheme and the said amount of compensation will be paid by the Central Government. As per the said circular, in case the employment is given to any family member of a victim of terrorism/Naxal violence, the dependent will not be entitled to the assistance under the scheme. It further provided that in case, employment has already been given after release of assistance under the scheme, the assistance amount shall not be withdrawn from the victims of Naxal violence/terrorism.

8. As per the said guidelines of the Central Government, with effect from 22.6.2009, provision has been made to constitute a District Level Committee under the chairmanship of District Magistrate/ Collector/Deputy Commissioner/District Superintendent of Police/District Medical Officer/District Welfare Officer/District Child & Women Development Officer and the officer who may be nominated by the State Government as its member and the said Committee shall identify beneficiaries and verify eligibility of the beneficiaries for assistance under the scheme. In the said guidelines of the Central Government, with effect from 22.6.2009, provision has been made for examining eligibility claims of the beneficiaries; the District Committee has to see the police report/FIR/death-cum-postmortem certificate in case of permanent incapacitation, birth certificate of the claimant (if minor) and any other documents as may be considered necessary for determining the rightful beneficiaries/claimants. The guidelines of the Central Government provided that the District Committee shall send its recommendation to the Joint Secretary, Ministry of Home Affairs, New Delhi, in the prescribed form with a copy to the Home Department of the State Government. According to the respondents, during the said period, recommendation for payment of compensation has been made for the victims of Naxal violence as per the guidelines of the Central Government effective from 22.6.2009.
9. Circular of the Central Government, vide letter no.11044/11/2011-VTV dated 29.6.2012 (with effect from 22.6.2009), provides for the assistance to the victims of Naxal violence/terrorism. The following guidelines have been provided therein:-

“4. Eligibility

- i) The financial assistance would be given to the family member(s) in the event of death or permanent incapacitation of the victim, in terrorist, communal or naxal violence.*
- ii) Assistance would be given to the surviving spouse in case of death/permanent incapacitation of the husband or the wife, as the case may be. However, if both the husband and the wife die in same incident of violence, the family would be entitled to get the assistance, in each case.*
- iii) Families of the victims would be eligible to get assistance under the scheme even if they have received any other assistance, by way of payment of ex-gratia or*

any other type of relief from the Government or any other source except when a similar scheme is already being implemented by the Central Government.

- iv)** *Next of kin of employees of Central Government, CPSEs, Autonomous Institutions and other Government Organizations including State Governments/State PSEs and similar organizations of State Governments will also be eligible to receive financial assistance of Rs.3 lakhs in case of death/permanent incapacitation (50% and above) on account of incidents of Terrorist/communal/naxalite violence.*
- v)** *The total compensation amount, available in the SRE states/districts would be Rs.4 lakhs(Rs.1 lakh from SRE and Rs.3 lakhs from the Central Scheme). In the other areas, the assistance would be limited to Rs.3 lakhs.*
- vi)** *Foreign Nationals and NRIs shall also be eligible/covered under the scheme w.e.f 1.4.08 i.e. the date from which this scheme has been made effective.*
- vii)** *Those permanently incapacitated, and the members of the family of the victims killed/permanently incapacitated in the terrorist, communal or naxal violence would be given a health card by the District Health Society, functioning under the National Rural Health Mission. This card would entitle them to free medical treatment in respect of injuries due to violence and all other major illnesses. Medical care will also be provided to the beneficiaries of the scheme as a special case under the on-going schemes of the Ministry of Health and Family Welfare, viz. Rashtriya Arogya Nidhi and the National Trauma Care Project.*
- viii)** *Children in the family would continue to be entitled for assistance admissible under the project „Assist“, implemented by the National Foundation for Communal Harmony (NFCH) of the MHA.*
- ix)** *No other criteria regarding income of the family would be considered for the eligibility under this scheme.*
- x)** *The perpetrators of violence or their family will not be entitled to any assistance under the scheme.*
- xi)** *The eligible claimants can file their claims in prescribed proforma (Annexure-I) within 3 years of the relevant incident of terrorist, communal or naxal violence through the concerned DM/State Government. The time limit however can be relaxed in deserving cases by the Central Government on the recommendations of the State Govt. or by the Central Government suo motu.*

5. Assistance

- i)** *An amount of Rs.3 lakh would be given for each death or permanent incapacitation to the affected family under the scheme.*
- ii)** *The amount of Rs.3 lakh would be put in a fixed deposit account [Joint or Single in the name of the Family member(s)] in a Nationalized bank. (If there is no nationalized bank within the vicinity of the beneficiary, account may be opened in any scheduled commercial bank.) It would have a minimum lock-in period of 3*

years or if there are only minor children in the family, till the eldest child attains the age of majority, whichever is later.

- iii)** *The interest on the above sum would be credited directly by the bank to the beneficiary's saving account on a quarterly basis.*
- iv)** *At the end of the lock-in-period, the principal amount of Rs.3 lakh would be transferred directly to the saving account of the beneficiary, if the beneficiary is the spouse of the victim.*
- v)** *In case of death or permanent incapacitation of the beneficiary, his or her Next of Kin would operate the account.*
- vi)** *In case of permanent incapacitation, the victim himself/herself would be the beneficiary. However, if he/she is not in a position to operate the account, then his/her nominee would operate the account.*

6. Procedure to be followed at the District level

- i)** *A District Level Committee, under the chairmanship of District Magistrate/Collector/Dy. Commissioner, and having as its members the District Superintendent of Police, District Medical Officer, District Social Welfare Officer, District Child and Women Development Officer and an officer who may be nominated by the State Government would identify beneficiaries and verify their eligibility for assistance under the scheme.*
- ii)** *While examining eligibility claims, the District Committee would look into the Police Report/FIR, Death-cum-Postmortem Certificate in the event of death, and Medical Certificate in the event of permanent incapacitation, birth certificate of the Claimant (if minor), and any other documents as considered necessary for determining the legitimate claimant.*
- iii)** *In case of permanent incapacitation, a certificate from the District Medical Officer would be required to show that the victim has suffered 50% and above disability, which is of permanent nature and there are no chances of variation in the degree of disability, and the injury renders the victim unfit for normal life for the rest of his life.*
- iv)** *In choosing the beneficiary in the family, the NOK (Next of Kin) concept would be applied.*
- v)** *The District Committee will satisfy itself that the victim has suffered/died due to terrorist, communal or naxal violence, as the case may be, and the beneficiary has been identified as per the scheme. It would also verify that the victim has not suffered/died due to any incident of crime or natural reason.*
- vi)** *The District Committee would, so far as possible, make its recommendation in (Annexure-II) within 15 days of receipt of claim for assistance to victims/family of terrorist or communal violence.*

- vii) The District Collector may, on his own, recommend assistance under the scheme with suitable justification.*
- viii) The processing of the application, as per the provisions of the scheme, shall be completed within 3 weeks, including the recommendations of the District Committee.*
- ix) The sanction order will be issued by the DM/DC on behalf of the State Government. A copy of the sample sanction order which is presently being issued by the MHA is at annexure – III. A copy of the Sanction letter will be sent to the Home Department in the State. A copy of the sanction order will be endorsed to IS-II Division Ministry of Home Affairs New Delhi.*
- x) The DM/DC will issue the cheque in the name of the beneficiary. Whenever feasible the assistance shall be disbursed by way of electronic transfer to the victim's/ NOK bank account.*
- xi) The State Government shall undertake to widely disseminate information about the scheme, and to undertake its publicity.*

7. Procedure to be followed after the issue of cheque

- i) The District Collector/District Magistrate/Dy. Commissioner, as the case may be, would deposit the cheque in the FD account of the beneficiary, with instructions to the Bank that no premature withdrawal may be allowed.*
- ii) Standing instructions would be given to the Bank to credit the quarterly interest during the lock-in-period and the principal amount after the lock-in-period, directly into the account of beneficiary.*

8. Procedure to be followed by Ministry of Home Affairs

- i) After the DM/DC has made the payment to the NOK of the victims of terrorist/communal/naxal violence under the Scheme, the State Government may submit the proposal to MHA for reimbursement in the prescribed proforma (Annexure-IV) on half-yearly basis (by 31st December & 30th June of each year).*
- ii) The reimbursement will be considered on the basis of audited accounts in this regard. However, to ensure that the State does not suffer because of delay in audit of accounts, ad hoc releases will be made on the basis of accounts furnished by the State Government and due scrutiny by IFD, MHA. These ad hoc payments will be adjusted after final audited accounts are made available. The Central Government will make 70% payment immediately and balance 30% after receipt of audit verification report by the Internal Audit Wing of MHA.*
- iii) The States shall ensure that the amount claimed under the Central Scheme for Assistance to civilian Victims of Terrorist, Communal and Naxal violence is not claimed under any other scheme of the Government of India i.e. there shall not be duplication of the claim. The States shall give an undertaking/certificate that no reimbursement has been claimed for these items under any other scheme.*

- iv) The revised guidelines will be applicable from the financial year 2012-13.*
- v) The State Government/UTs shall incur all expenditure (which will be reimbursed by MHA), with respect to proposals in connection with incidents which occur from April,2012 onwards. Proposals in respect of incidents which have taken place prior to April,2012 and which have not so far been sent by the State Governments to MHA will also be considered by the concerned State Governments for approval and reimbursement by MHA. The proposals which have been sent to MHA but are pending for want of complete documents from the State Government will also be considered by State Government for approval and subsequent reimbursement from MHA.*

9. Saving Clause

In case of any clarification required/difficulty faced in implementation of the scheme, suitable orders/clarifications will be issued by the Internal Security – II Division of the MHA.”

- 10.** According to the State Government, as per the above guidelines dated 29.6.2012 and also the guidelines of the Central Government issued, vide letter no.11021/1/2013-VTV dated 24.10.2013, under the Central Scheme, in deserving cases, a financial assistance of Rs.3,00,000/- is given for each death or permanent incapacitation case (disability of 50% or above) to the affected family subject to the condition that no employment has been provided to any of the family members of the victims. In the circular dated 29.6.2012, Central Government stated that the amount of compensation to be paid by the Central Government would now be paid by the State Government, which, in turn, would get it reimbursed from the Central Government. As per the said circular of the Central Government, the scheme of payment was made effective from 22.6.2009. In para (22) of the supplementary counter-affidavit filed on 2.12.2013, the State of Jharkhand clearly stated that even for the incidents, which had taken place prior to 29.6.2009, where no payment had been made, the dependents would be covered by the new scheme. In the supplementary counter-affidavit, it is stated that out of 23 applications, payments have been made in 15 cases and 8 cases are still in the process of verification. In the supplementary counter-affidavit, the State Government has referred to the number of cases with number of applications received and also the number of case where compensation were settled as per the said scheme of compensation/Central scheme of compensation. It is stated that some of the applications are pending.
- 11.** In the above facts and circumstances, this Public Interest Litigation is disposed of with the following directions:-
- (I)** The respondents are directed to ensure strict observance of payment of compensation as per the Central Scheme, vide letter no.11044/11/2011-VTV dated 29.6.2012 and letter no.11021/1/2013-VTV dated 24.10.2013 and also as per the applicable State schemes.

- (II) The first respondent is directed to settle the compensation claims in respect of the pending applications in various districts and dispose of the same within a period of six months and not later than one year.
- (III) In future, as and when application is received claiming compensation/benefits of the Scheme, the first respondent is directed to ensure that the application is considered and disposed of within a period of six months from the date of its receipt by the respective District Magistrate/Deputy Commissioner/District Committee.
- (IV) The first respondent is directed to circulate this order along with the Guidelines on Central Scheme for Assistance to Victims of Terrorist and Communal Violence issued vide letter No. 11044/11/2011-VTV dated 29.06.2012 (w.e.f. 22.06.2009) to Home Secretary, Director General of Police and to all the Deputy Commissioners/Superintendents of Police, who, in turn, shall ensure its circulation to all the Sub-Divisions/Blocks/Police Stations for strict observance of the guidelines.
- (V) The Registrar General of the High Court is directed to forward a copy of this order along with the copy of the Guidelines on Central Scheme for Assistance to Victims of Terrorist and Communal Violence issued vide letter No. 11044/11/2011-VTV dated 29.06.2012 to Jharkhand Legal Services Authority (JHALSA) and JHALSA is directed to circulate copy of this order along with the Central Scheme for Assistance to Victims of Terrorist and Communal Violence to all District Legal Services Authorities (DLSA) and also to Sub-Divisional Legal Services Committees with a direction to create awareness by holding intensive legal awareness camps at all the levels including District/Sub-Divisions/Blocks/Panchayats/Villages/ Tola/Mohalla/Basties about the Central Scheme available to the victims of terrorist and communal violence.

(R.Banumathi, C.J)

(Aparesh Kumar Singh,J)

Dey/NAFR



Mahadev Gope & Ors.
Vs.
The State of Jharkhand

IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 1105 of 2013 In Cr. Appeal (DB) No. 1088 of 2012

Mahadev Gope & Ors. ... Appellants

Versus

The State of Jharkhand ... Respondent

CORAM: HON'BLE MR. JUSTICE D.N. PATEL
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Appellant : ***Mr. A.K. Sahani, Advocate***

For the Respondent : ***Mr. T. N. Verma, A.P.P.***

06/Dated: 4th March. 2013 Per D.N. Patel J.

- 1.** This Interlocutory Application has been preferred by the present appellants, who are in jail since 17.04.2003, and because of poor economic conditions, they were unable to prefer criminal appeal, against the judgment of conviction and order of sentence dated 17th April 2003 passed by 3rd Addl. Sessions Judge, Bokaro in S.X No. 105 of 2000. There is delay of about 3430 days, in preferring the criminal appeal. The reason, given in the LA. specially in paragraph No. 9, is poverty and poor economic conditions of these appellants. It is also vehemently submitted by counsel for the appellants that though the State is wedded with the duty to provide legal aid which is constitutional duty, under Article 14 to be read with Article 39-A of Constitution of India to be read with the provisions of The Legal Services Authorities Act, 1987, no legal aid has ever been provided to these appellants neither the Jailor of the Hazaribagh Central Jail has taken any care nor any higher ranking officer of the Home Department has taken any care off providing the legal aid. There are all chances that these appellants may be acquitted, from the charges, looking to several errors committed by the learned trial court, in appreciating the evidences on record.
- 2.** We have heard learned counsel for the State who has submitted that they are not aware why the legal aid is not provided to these appellants, though the appellants are in jail since April, 2003 without preferring any appeal. The counsel for the State submitted that because of lack of instructions, the time may kindly be granted.
- 3.** Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that there is a delay of 3430 days in preferring the appeal because of poor economic conditions of these appellants. It is a constitutional duty of the State under Article 14 and 39-A of the Constitution of India to be read

with the provisions of The Legal Services Authorities Act, 1987 to provide legal aid to these types of convicts, who are in jail. It appears that Jailor of the Central Jail, Hazaribagh, has failed to perform his duties nor the higher ranking officers have carefully gone through the registers, which are maintained in the jail that who are convicts in the jail, who have not preferred appeal. Such type of verification of the register ought to have been done periodically by the higher ranking officers of the Home Department, may be under the leadership of Secretary, Home Department or may be under the leadership of I.G. (Prison). Both these officers have failed to perform their duties. We, therefore, direct -

- (a)** The Jailors of all the five Central Jails of the State of Jharkhand to remain personally present in Court on the next date of hearing at 10.30 a.m. because the similar was the situation for Central Jail at Ranchi when this Court (particularly Hon'ble Justice D.N. Patel) has visited the Central Jail, Ranchi in the month of August, 2012, more than 130 applications were preferred by the convicts from the Central Jail, Ranchi, who were convicted and who were not provided legal aid. Upon analysis, it was found that some of them were convicted in the year 1999, in the year 2000 and in the year 2001. therefore, we hereby direct the Jailors of all the Central Jails to remain present on the next date of hearing at 10.30 a.m. and they will come with a data, if any of the convicts in their jail have not preferred appeal before this Court after their conviction by the learned trial court;
 - (b)** We also direct the Secretary, Home Department as well as I.G. (Prison) to verify such registers which are maintained by the Central Jails, by the Central Jail immediately and later on, to verify such registers which are maintained by all the jails of State of Jharkhand whether there is any convict in the jail, who has not preferred any appeal, after their conviction and specially because of their poor economic conditions.
 - (c)** It also appears from the narration of these appellants, two of them are senior citizens and, therefore, we also direct the Jailors of the Central jail to provide data as to how many senior citizens are in their Central Jails. Similarly, how many are female convicts in their respective Central Jails with details, if they have preferred any criminal appeal or not.
- 4.** Registry is directed to send a copy of this order to
 - (a)** Secretary, Home Department;
 - (b)** Inspector General of Prisons;
 - (c)** Mr. K. Vijay Kumar, Advisor to His Excellency, the Governor of the State of Jharkhand, because at present, there is a President's Rule in the State under Article 356 of the Constitution of India.
 - 5.** Matter is adjourned on 06.03.2013.

(D.N.Patel, J.)

(Shree Chandrashekhar, J.)



Mahadev Gope & Ors.
Vs.
The State of Jharkhand

IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 1105 of 2013 In Cr. Appeal (DB) No. 1088 of 2012

Mahadev Gope & Ors. ... Appellants

Versus

The State of Jharkhand ... Respondent

**CORAM: HON'BLE MR. JUSTICE D.N. PATEL
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR**

For the Appellants : **Mr. A.K. Sahani, Advocate**

For the Respondent : **Mr. R. Mukhopadhyay, S.C. II, Mr. T. N. Verma, A.P.P.**

07/Dated: 6 th March, 2013 Per D.N. Patel, J.

1. This Interlocutory Application has been preferred for condonation of delay of 3430 days in preferring the criminal appeal from Central Jail, Hazaribagh. This applicant (original applicant) was in jail since last several years and it has been stated in the interlocutory application that because of the poor economic condition, he was not in a position to prefer appeal.
2. On an earlier date of hearing i.e. on 04.03.2013, a detailed order was passed by this Court, calling all the Superintendents of the Central Jails in the State of Jharkhand. There are five Central Jails in the State of Jharkhand, namely,
 - (i) Birsa Munda Central Jail, Hotwar, Ranchi;
 - (ii) Central Jail, Palamau;
 - (iii) Central Jail, Dumka;
 - (iii) Central Jail, Ghaghidih, East Singhbhum, Jamshedpur; and
 - (v) Central Jail, Hazaribagh.

These are the Central Jails situated in five separate districts. The Superintendents of the five Central Jails, namely, Mr. D.K. Pradhan (Birsa Munda Central Jail, Hotwar, Ranchi), Mr. Uday Kumar Kushwaha (Central Jail, Palamau), Mrs. Rupam Prasad (Central Jail, Dumka), Mrs. OliveGrace Kullu (Central Jail, Ghaghidih, East Singhbhum, Jamshedpur) and

Md. Mashudul Hassan (Central Jail, Hazaribagh) have appeared in Court today with certain registers, maintained by the Jails.

3. We have perused the registers which they have brought before this Court. On perusal of these registers, which have been produced by the Superintendents of all Central Jails, we find that they have not maintained such registers properly. We are not satisfied with the record maintained by the Central Jails, especially on the point whether the convict has actually preferred the criminal appeal or not. All these registers have been perused with the help of Superintendents of Central Jails, Mr. R. Mukhopadhyay, learned S.C. II and with the help of A.P.Ps. and looking at these registers, we find that the State of Jharkhand has not properly mentioned the details about the criminal appeal number, which has been preferred by the convict. It is not sufficient for Superintendents of Central Jails to record in the register that the convict is going to prefer an appeal from outside. What is required to be pointed out in the register is whether the convict, has actually preferred an appeal or not. There is a vast difference between these two phraseology and there is a deep Vally between the two. To prefer an appeal through a lawyer, who is outside the jail or through Pairvkar, who is outside the jail, is a wish of the convict, but, sometimes actually there is no appeal preferred by these outside persons and we have come across several convicts, who could not prefer their criminal appeal, even after one decade of conviction. Some facts about these types of matters, were highlighted in the order dated 04.03.2013 and this matter is no exception to this. There is a delay of 3430 days means more than 9 years and 5 months. The man is convicted and sentenced for life imprisonment and the Superintendent of the concerned jail has not taken any care to this type of convict. The duty of the superintendent of jail never comes to an end by just mentioning that "upon asking the convict, it is stated that appeal will be preferred by the private lawyer". This is an entry in the registere maintained by the Jail Authority. This answer of the convict should have been reviewed by the superintendent of the jail after some reasonable period, because, it is the statutory duty of the State to provide legal aid. Access to justice makes the convict equal in comparison with the rich man or the powerful person. Article 14 of the Constitution guarantees the right of equality and it is the duty of the State to make such types of convicts equal with others i.e. equal with those who are preferring appeal promptly. State has failed to perform its duty in providing equal opportunity in law or equal protection of law, as guaranteed under Article 14 of the Constitution of India. Superintendent of jail is in a Loco Parentis position . If in a family a child is not eating food, always father or mother will supply the food or fulfill his or her need by hook or by crook. Similarly, if any convict is not ready to take a legal aid at the cost of the government and if his wish is that he will prefer appeal through private lawyer and no such appeal is filed then, after a reasonable time, it is the duty of the superintendent of the concerned jail to write a letter to the Legal Services Authorities. It is not out of place to mention here that in every Central Jail, there is a legal aid clinic. Normally, the legal aid clinic is being used by the persons, who are in jail as a convict or as an undertrial prisoner. This is a very limited use of the legal aid clinic. In a broader sense, even this type of legal aid clinics can also be used by the Superintendent of Central Jail. They should have informed the lawyers,

who are attending the legal aid clinic in the jail, who are normally appointed by the Jharkhand State Legal Services Authorities (hereinafter referred to as for the sake of brevity, "JHALSA") that few persons/convicts though earlier wanted to prefer appeal through private lawyers, but, they for any reason whatsoever, have not preferred any appeal, and therefore, the legal aid should be provided promptly. This should have been informed by the superintendent of the Central Jail at the legal aid clinic in their own Central jail or they should have written a letter to the JHALSA directly. We have come across several entries in the registers maintained in the Central Jails that the convicts are in the jail since years, but, they do not have certified copy of the conviction order. Perhaps, this may also be the reason for not preferring the appeal. This is also no reason in the eye of law. Even, in absence of certified copy, a letter could have been written by the Superintendent of the Central Jail to JHALSA and, in turn, JHALSA will get the certified copy from the concerned trial court through the panel of Advocates appointed by JHALSA. It ought to be kept in mind by the state authorities that there is not a single justifiable reason for the superintendent of Central jails why the appeal has not been preferred by the convicts after their conviction and even if the convicts say that they do not want to prefer appeal, it is a pious duty of the superintendent of the Central jail, because he is in a loco parentis position and it is also a constitutional duty of the said authority to provide free legal aid to those, who are in jail. It is not a discretion of the superintendent of Central jails, but it is his statutory and constitutional duty to provide the same, and therefore, the excuses which we have heard from the aforesaid Superintendents that sometimes convicts are not ready to prefer appeal, is no reason at all not to provide legal aid. In several Criminal Appeals, preferred from Jail, there are orders which have been passed for suspension of sentence under Section 389 Cr.P.C., looking to the evidences on record. In one such Cr. Appeal No. 1129 of 2012, which was preferred from jail for grant of legal aid, there is an order of suspension of sentence under Section 389 Cr.P.C. This type of benefit of suspension of sentence could not be given to the accused, as there is no appeal preferred because no legal aid has been provided to them. We are not at all satisfied with the oral explanation of the Superintendents of the Central Jails nor we are satisfied with the maintenance of data in their registers, especially, about the grant of legal aid and especially about the fact whether actually Criminal Appeal has been preferred or not. Even today also, the Central Jail Superintendents are seeking time to verify whether there are convicts in their respective Jails, who have not preferred Criminal Appeals. They themselves are not sure. This is what is stated by each and every Superintendents of the aforesaid Central Jails and they are seeking one week's time.

4. As has been stated in the order dated 04.03.2013, when this Court visited the Central Jail, Ranchi, which is also known as Birsa Munda Central Jail, in the month of August, 2012, the answer given by Jail Superintendent was that there is not a single convict, who has not preferred an appeal, but, within a week or ten days' time, approximately 130 letters have been received from the Jail, namely, Birsa Munda Central Jail, that

all these 130 convicts want to prefer appeal and their convictions were of the years 1999, 2000, 2001, etc. This cannot be tolerated. We have no time to go to each and every Central Jail and other District Jails. We have no time to verify this type of cases of convicts, who have not preferred Criminal Appeals, due to poverty, by visiting each and every Central Jails, District Jails and Subjails. One example of Central Jail, Ranchi, is enough. Looking to the registers, which are presented before us today, from the respective Superintendents of the Central Jails and looking to the hesitation on the part of the Superintendents of the Central Jails that they are not sure even today before this Court that each and every convict has preferred a criminal appeal. This answer is alarming.

5. We, therefore, appoint the following five Committees for five Central Jails in the State of Jharkhand for getting a report, whether any convict, in these five Central Jails, has not preferred appeal due to poverty and poor economic conditions:

(i) For Birsa Munda Central Jail, Hotwar, Ranchi, the following is the Committee constituted of the Lawyers, who will visit this jail and will verify the aforesaid aspects of the matter for grant of legal aid and for enhancement of access to justice:

(i) Mr. Atanu Banerjee

(ii) Ms. Amrita Banerjee

(iii) Mr. Yogesh Modi

(ii) For Lok Nayak Jai Prakash Narayan Central Jail, Hazaribagh, the following is the Committee constituted of the Lawyers, who will visit this jail and will verify the aforesaid aspects of the matter for grant of legal aid and for enhancement of access to justice:

(i) Mrs. Rashmi Kumar

(ii) Mr. Ramit Satender

(iii) Mrs. Sweta Singh

(iii) For Central Jail, Dumka, the following is the Committee constituted of the Lawyers, who will visit this jail and will verify the aforesaid aspects of the matter for grant of legal aid and for enhancement of access to justice:

(i) Dr. H. Waris

(ii) Mr. Rajesh Kumar Mahtha

(iii) Ms. Priya Shrestha

(iv) For Central Jail, Palamau, the following is the Committee constituted of the Lawyers, who will visit this jail and will verify the aforesaid aspects of the matter for grant of legal aid and for enhancement of access to justice:

(i) Mr. Manoj Tandon

- (ii) Ms. Bakshi Bibha
 - (iii) Mr. Deepak Kumar Bharti
 - (v) For Central Jail, Ghaghidih, East Singhbhum, Jamshedpur, the following is the Committee constituted of the Lawyers, who will visit this jail and will verify the aforesaid aspects of the matter for grant of legal aid and for enhancement of access to justice:
 - (i) Mr. Ravi Prakash
 - (ii) Ms. Nalini Jha
 - (iii) Mr. Rahul Saboo
 - (vi) All the above Committee members are the Lawyers of the panel of JHALSA. They shall be provided vehicle by JHALSA. They shall visit the respective Central Jails, as stated hereinabove and Advocate at Sr. No.1 in every Committee shall fix the date and time for the visit and they will intimate in advance to JHALSA, so that the vehicle shall be provided to them jointly.
 - (vii) We hereby direct the said authorities of jail that these Committees shall be allowed to enter the Jails and these Committee members will be allowed to have conversation with the convicts, so that they may find out whether they are in need of legal aid or not. They will also be entitled to verify the registers maintained by the Superintendents of the Central Jails and the jail authority shall cooperate with these Committees. In each Committee, the Lawyer at Sl. No.1 will be the head of the said Committee. He will communicate to JHALSA as well to Mr. R. Mukhopadhyay, learned S.C. II, so that he may, in turn, inform the concerned jail authorities about their entry and exit and for verification of the aforesaid documents and for conversation directly with the jail inmates.
6. We also direct that this visit shall be conducted on or before the next date of hearing and they shall give their report to this Court separately in writing with their suggestions about their observations. The report shall have at least the following data:
- (a) The date and time of visit;
 - (b) The type of registers verified by them;
 - (c) The jail inmates with whom they have talked, especially those who are awarded life imprisonment or more than 10 years' imprisonment;
 - (d) In each Committee, there is a female advocate, who shall visit the female ward also;
 - (e) Their observations in the jail, about kitchen, library, dispensary or medical facility etc.;

- (f) These Committees will also get suggestions from the Superintendents of the concerned Central Jails for proper and necessary maintenance of the record, especially for providing legal aid, because, today in the open Court also clearly these Superintendents of the Central Jails have several suggestions like appeal number should be there in the register, days for which the provisional bail/temporary bail/suspension of sentence for temporary period. This detail should be mentioned in the register and there should also be a column if the accused is not surrendering in time;
 - (g) These Committees will also point out in the report about the female convicts or undertrials in the jail with children below the age of six years;
 - (h) These Committees shall also point out in the report, if there is any convict, who is ailing since long and if answer is yes, the type and nature of ailment;
 - (i) These Committees shall also point out, is there any physically handicapped convict in the jail, if answer is yes, with name, the Sessions Trial/Trial court number, etc.;
 - (j) These Committees shall also have conversation with the jail doctor about the separate registers, which are maintained for convicts/undertrials, who are ill;
 - (k) These Committees shall also visit medical clinic. They will specially ask the jail doctor, is there any mentally ill convict in their jail or not;
 - (l) These Committees shall also verify the nature of the food supplied to them;
 - (m) These Committees shall also find out the positions of the senior citizens, especially those who are ailing and accurately the figures of female convicts/undertrials, senior citizens, ailing persons in the jail, handicapped persons, etc. shall be reflected in the report upon proper verification of the registers maintained by the jail authorities with special reference to the fact that since how long they are in jail.
 - (n) Maximum capacity of the Jail to keep the convicts and undertrial prisoners.
 - (o) Actual number of convicts and undertrial prisoners in the Jail, so that one can easily find out whether the Jail is overcrowded.
7. These are the minimum requirements of the report to be given by the Committees to this Court on or before the next date of hearing. The Committee can also point out, other relevant and noticeable facts about the Jail.
8. If these Committees are not in a position to return on the same day, then, we hereby direct the State authorities to provide these Committee members adequate lodging and boarding facilities in the government guest house or such other accommodation, and female advocate shall be given a separate room, who is a member of the Committee.

9. These Committees will be entitled for reimbursement of any actual expenditure of typing, etc. upon presentation of the vouchers to JHALSA.
10. Copy of this order shall be given to the counsels of the parties to this Interlocutory Application as well as to the Advocates of the Committees.
11. The matter is adjourned for 20th March, 2013.

(D.N. Patel, J.)

(Shree Chandrashekhar, J.)



Success Story of National Lok Adalat at DLSA, Giridih

One Mustaque Ansari, a resident of Dhugulia Tand, District-Giridih is a complete blind person. He has taken a loan of Rs. 27500/- from United Commercial Bank, Giridih. He failed to pay the known amount to the bank and the interest were increasing. He was continuously in agony as he was expecting that bank will take the matter to the Court for realization of the loan amount. After knowing about the National Lok Adalat to be held throughout the country and also in DLSA, Giridih, he came there and approached the DLSA, Giridih for settlement of his loan account. The matter was referred to the Bench of National Lok Adalat and with the sincere effort put by the members of the Bench of Lok Adalat as also by the officials of the bank realizing the plight of the borrower, the loan account was amicably settled only on payment of Rs. 9000/- by the borrower. Mustaque Ansari thanked the members of the Bench of Lok Adalat as also the bank officials for settlement of his dispute and he was a very happy man.

Mahadev Gope & Ors.
Vs.
The State of Jharkhand

IN THE HIGH COURT OF JHARKHAND AT RANCHI

LA. No. 1105 of 2013 in Criminal Appeal (DB) No. 1088 of 2012

Mahadev Gope & Ors. Appellants

Versus

The State of Jharkhand Respondent

**CORAM: HON'BLE MR. JUSTICE D.N. PATEL
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR**

For the Appellants : *Mr. Ajit Kumar, Mr. Amrita Banerjee, Mr. Vikash Kumar,*
Advocates

For the State : *Mr. R.Mukhopadhyay, S.C. II, Mr. T.N.Verma,A.P.P.*

10/Dated: 17th April. 2013 PerD.N.Patel.J.:

1. The present Interlocutory Application has been preferred by the present appellants who are in Jail since 17.04.2003. Because of the poor economic condition, they were unable to prefer criminal appeal against the judgment and order of conviction and sentence dated 17.04.2003 passed by 3rd Additional Sessions Judge, Bokaro in Sessions Trial No. 105 of 2000. There is delay of about 3430 days in preferring the criminal appeal. The reasons given in paragraph No. 9 of the Interlocutory Application is poverty and poor economic condition of these appellants.
2. We have passed detailed order on 04.p3.2013 pointing out that it is the duty of the Superintendent of concerned Jail to intimate the Legal Services Authorities to provide the convicts the legal aid under the provision of the Legal Services Authorities Act, 1987 which has been enacted keeping in mind Article-14 to be read with Article 39-A of the Constitution of India as, no convict/ under trial prisoner can send any letter out of jail. The State has failed to provide legal aid to these appellants since long. Jharkhand legal Services Authorities has not been informed, at all, by the Superintendent of Central Jails about this type of convicts, who are in jail, since long without preferring Criminal Appeal. This Court passed order on 04.03. 2013, when the jailor of five Central Jails of State of Jharkhand were ordered to remain personally present before this Court. They came with register etc. maintained by the Jails and again matter was heard on 06.03.2013. We have perused the registers maintained by the following five Central Jails of the State of Jharkhand :
 - (a) Birsa Munda Central Jail, Hotwar, Ranchi,

- (b) Central Jail, Palamau,
 - (c) Central Jail, Dumka,
 - (d) Central Jail, Ghaghidih, East Singhbhum, Jamshedpur, and,~
 - (e) Central Jail, Hazaribagh.
3. We were not satisfied with the explanation given by the Superintendent of these five Central Jails that the convicts who are in jail are not demanding legal aid and therefore, they are not given any legal aid for preferring criminal appeal, even after their conviction by the Trial Court. Such convicts, are several in numbers and we have pointed out in our orders that the Superintendent of Central Jails are in loco-parantus position and even if these convicts are not demanding legal aid, once the limitation period for preferring criminal appeal is over, it is the duty of the Superintendent of Central Jail to intimate the Legal Services Authorities so that Legal Services Authorities can take care of such type of convicts in preferring criminal appeal through the lawyers who are on the panel of Jharkhand Legal Services Authorities or who are on the panel of District Legal Services Authorities.
 4. We have also mentioned in our earlier orders dated 04.03.2013 and 06.03.2013 that there is no proper Registers which are maintained by the Central Jails and what is required to be dealt by the Central Jail that has been pointed out in these two orders in detail.
 5. This Court has come across several similar type of matters in which there is delay of more than 3000 days and therefore, we ..appointed five Committees each consisting of three advocates who are on the panel of Jharkhand Legal Services Authorities and each Committee was requested to visit a particular Central Jail.
 6. The directions have also been given in order dated 06.03.2013, that they have to point out in their report after their visit in the Central Jail, the details of which are mentioned in paragraph no. 6 of the order of this Court dated 06.03.2013. The details to be point out in the report are about female convicts or under-trial prisoners in the Jail with children below the age of six years about ailing convicts, the nature of their ailments, about physically handicapped convicts in Jail, about jail dispensary and the maximum capacity of the Jail to keep the convicts and under-trial prisoners and the actual number of convicts in the Jail etc.
 7. All the five Committees have given their reports about their visit in the five Central Jails, these reports we have been taken on record.
 8. The advocates who have visited the Central Jails as per our direction in the order dated 06.03.2013 have observed several noticable facts in the Jail and they have many more things to convey to this Court. Several things in their reports have been mentioned in the forms of suggestions. Over and above several suggestions stated in their reports, they have pointed out in detail about their observations during their visit in the Central Jail.

9. We have perused the reports of these five different Committees and we have heard the advocates of five Committees and they have mainly pointed out the following aspects :
- (i) There is no proper maintenance of the data / Register in the Central Jail which would clearly state whether criminal appeal by the convict has been preferred through Jail or through legal aid or through outside lawyers. No criminal appeal number has been mentioned in the Register of the Central Jail therefore, actually no data can be gathered as to how many convicts have preferred appeal through outside pairvikar or through legal aids,
 - (ii) There are several Registers which have been perused by these Committees and according to these advocates several columns of these Registers are based upon old Jail Manual which are of no use and instead of those columns other columns can be added like the criminal appeal number or like the date on which temporary bail is granted, the period of temporary bail, the date on which the accused has to surrender after getting temporary bail etc.
 - (iii) Committee who has visited Central Jail, Dumka has mentioned in suggestion No. (ii) of paragraph No. 19 of the report that there are several columns like “date of whip, if whipped”. Days of whipping the convicts have gone, but, entries in Registers continued. Fresh application of mind is required to replace this type of columns.
 - (iv) In the Jail Register, there is no proper column as to temporary / provisional bail etc. because this Court has observed in several matters that the State of Jharkhand had no data available about the absconding accused. These data must have been maintained through proper Register and therefore, necessary columns should have been there in Register. After release of the convicts on temporary bail or release of under trial prisoner on temporary bail on which date he has surrendered or whether he has actually surrendered, these columns ought to have been added.
 - (v) Separate Legal Aid Register or data through computer should have been maintained with the history of the convicts especially, mentioning about the senior citizens, ailing convicts or under-trial mentally ill, handicapped, female convicts and female convicts with children below the age of six years because this has its own value so far as legal aid is concerned and so far as early hearing of their matters in the Court is concerned.
 - (vi) It is suggested that it is very difficult for the Authorities in Jail to maintain detailed data etc with limited staff. Several posts though sanctioned but are vacant.
 - (vii) Medical clinics require lot of improvement and they are in their poorest condition in the Central Jails. There is no pathological laboratories. For smallest thing either convicts have to go out or their blood / urine samples has to go out.

- (viii) There must be a separate website of each and every Central Jail giving the particulars about the total number of convicts, male, female, senior citizens, ailing persons etc.
- (ix) With all necessary details the names of convicts along with father's name should have been mentioned on the website. Because it is observed by this committee members that several convicts / under-trial prisoners in the Jail, are having same name.
- (x) In the Central Jail, Dumka there is extension wing also duly constructed but it is yet to be operated.
- (xi) Committees have also suggested that various activities like weaving of woolen cloths or weaving of shawl or preparing certain articles are carried out with the help these convicts and they are also paid wages for per day basis but the same is not adequate.
- (xii) It has been observed by these Committees that there are total sixty one children below the age of six years and they are staying in these five Central Jails with their mothers and therefore, it is suggested by the Committees that a separate provisions may be made where these female convicts with the children may be kept so that all proper care may be taken about the health of the children with a Paediatrics Doctor with such other requirements which are needed for a child below the age of six years. There are grand-mothers also who are having their grand children with them. These sixty one children are not in Jail because of their own fault. They are either with their mother or with their grand-mother and therefore, it is suggested by the Committees that the best available facilities for the rearing of the children should be provided by the State, (xiii) There are approximately 409 senior citizens in these Central Jails. Several of them are ailing and few of them are even unable to walk; even few of them are unable to hear and in one Jail, namely Birsa Munda Central Jail, Ranchi one convict is aged about 103 years and therefore, it is suggested by these committee members that appeal of these senior citizens, if pending before any Court must be disposed of at the earliest and it may also be verified by the State for their pre-mature release.
- (xiv) As per Jail manuals, State Sentence Review Board has to be constituted and it is duty of the Jail Authorities to point out to these Committees or Board about the details of the convicts who have completed more than fourteen years in the Jail, but, it is observed by these Committees that there are several cases pending before such Board, (xv) The advocate of these Committees have also observed that there are several persons who are in Jail who though have been granted bail by the Appellate Court, but, they are unable to furnish bail bond or sureties because of their poor economic conditions and hence although the bail is granted they are in Jail. These observations are coming from the Central

Jail. Hazaribagh. Dumka and Palamau. Seventeen cases are from Ranchi Central Jail and there are few cases in Jamshedpur Central Jail also.

- (xvi) There are positive things also observed by the Committees especially in Central Jail, Dumka as well as Ranchi that there is separate kitchen for ailing persons in the Jail which is also known as “Medical Kitchen”. It is suggested by the Committee members that similar “Medical Kitchen” facilities should be provided in all the Central Jails as well in other Jails,
- (xvii) It is suggested by the Committee members that there ought to be separate kitchen facilities for female convicts. Their ward is not hygienic and female ward is in very pathetic condition in Central Jail. Hazaribagh.
- (xviii) The Committee members have also observed that the female convicts require separate kitchen mainly for the reason that they are having children and committee members have observed that small children are suffering from malnutrition. Small children were given water directly from the tank and not the purified water. It is also observed by the Committee Members who visited Central Hazaribagh that there is no adequate water facilities. Similar is the situation in Central Jail, Jamshedpur.
- (xix) It is also observed by the Committee members that several persons have not preferred criminal appeal and few have come directly to Jharkhand Legal Services Authorities and the total number has crossed by now 200. From one Central Jail, Hazaribagh it is approximately 40 in numbers and it is suggested by the Committees that all the convicts and under-trial prisoners were happy by the visit of this type of Committees and they have ventilated several grievances to these Committees and it is desirable that such periodical visit may be permitted by this Court so that correct facts about Jails and actions taken by the respondent-State may be brought on record,
- (xx) It is suggested by these committees that the superintendent, Central Jails have no information about the criminal appeals preferred either through legal aid or through private pairvikar in this Court. Whether these appeals are on board of Final Hearing or at the stage of Hearing, what is number of criminal appeal; whether such bail application preferred has been rejected by this Court, no such details is available in the Central jails, therefore it is suggested by the committee members that these details may be provided to the concerned jail after the admission of the criminal appeal and for that, one copy of the order of admission of the criminal appeal may be sent to the concerned jail so that there may be proper entry in their registers, similar method may be adopted even while granting or rejecting interlocutory application in criminal appeal and necessary details may also be made available on the website of this Hon’ble Court or on the Website of Jharkhand Legal Services Authorities. As on today whenever Superintendent of Central jails are referring website, they are unable to get details of criminal appeal number of the convicts who are in jail.

- (xxi) It is observed by the committee members that whenever there is transfer of the convicts from one jail to another, there is one document popularly known as 'Passbook', which reveals the wages earned by the under trial prisoners for the work done in jail, however, these Passbooks are not transferred immediately upon their transfer from one jail to another and therefore they are losing their wages, (xxii) It is also suggested by the committee members* that as in these jails very good printing work and computer usage are going on, Government as well as Semi-Government Institutions or other bodies should give, them the work, so that the convicts or under trial prisoners may be engaged in good creative activities and in lieu of their work, they would get sizable amount of wages which can be utilized by their family members who are out of Jail. In Jamshedpur Central Jail, there is no such reformatory training programme and also no vocational training is going on.
- (xxiii) It is observed by the committee members that mobile jammers were not working and the mobiles of committee members were ringing during their visit in the Jail. Likewise Close Circuit Television (CC TV) Cameras which are usually installed to verify the movement, were not working properly. In the Central Jail, at Ranchi, out of sixteen CC TV Cameras only two were working. In Jamshedpur, out of 22 CCTV Cameras, only four were working.
- (xxiv) There is also suggestion by these Committee Members that some Central Jails have space where small outlet can be constructed so that goods prepared and manufactured by these convicts or under-trial prisoners can be sold, (xxv) It is observed by the Committee Members that there are approximately 117 mentally ill prisoners in the Central Jails which have been mentioned separately in the reports for each and every Central Jails. They are also not getting proper treatment and they are not being provided adequate and bare necessary facilities. It is also observed by the Committee Members that in a Jail there is separate medical ward for this type of persons. The prisoners who are healthy are also staying in the Jail Hospital and actually those who are ill are in their respective wards. This situation could have been avoided by the Central Jail Superintendent. The Jail Doctors should be transferred frequently; There are several jail doctors who are in Jail for several years. This is a very alarming situation. (xxvi) It is observed by the committee members that there is need for the improvement of infrastructure in all the five Central Jails. They have also mentioned about the over-crowding in these central jails. This is the position of Central Jail, but there may be much more over-crowding in District Jails and Sub Jails. These jails are over-crowded and it has been observed by the Committee Members that unnecessarily high capacity has-been estimated by the Central Jail Superintendents and infact the jail capacity is much lesser. There is inflated figure about the capacity of the Central Jail.
- (xxvii) It is observed by the Committee Members that in Central Jail, Palamau and Dumka there is no permanent Doctor appointed and it is also observed by

the Members of the Committees that there are inadequate number of doctors looking after the Jail inmates. There is no proper medical equipment available in the Jails. (xxviii) There is suggestion of the Committee Members that there is dire need of female doctors in all the Central Jails with female nurses, compounders, etc. There is also paucity of adequate tablets and medicines.

(xxix) Proper sanitation facilities are also very much required in these Jails.

(xxx) Jail Adalats should have been frequently organised so that small offences may be finally decided / settled.

- 10.** In view of these observations of the Committees and in view of the two orders passed by this Court on 04.03.2013 and 06.03.2013 and also looking to the limited scope of the Interlocutory Application No. 1105 of 2013 which has been filed for delay condonation, we hereby direct the Register General to this Court to place these two orders dated 04.03.2013 and 06.03.2013 as well as today's order along with the reports of these five Committees who have visited five Central Jails before the Hon'ble Chief Justice of this Court for taking decision to treat these reports and their suggestions as stated hereinabove as Public Interest Litigation. Looking to their reports larger public interest is involved because the jail inmates are deprived of natural rights, human rights, constitutional rights, fundamental rights and statutory rights and it is the duty of the State to maintain Jails properly and provide the inmates of the Jails adequate, facilities which are bare minimum requirement for human life. They are in jail because of the order passed by the Court which is also known as judicial custody, their family members would be suffering, if some jail inmate expires because of ill health. The persons who are out of jail are vitally concerned with the well being of the jail inmates and therefore, larger public interest is involved. Hence, we hereby direct the Registrar General of this Court to place the matter before the Hon'ble Chief Justice with aforesaid orders and reports of the five Committees.
- 11.** We have heard counsel for both the sides. This Interlocutory Application has been preferred under Section 5 of the Limitation Act for condonation of delay of 3430 days.
- 12.** Looking to the reasons in this Interlocutory Application especially stated in paragraph no. 9, we hereby condone the delay in preferring criminal appeal. The Interlocutory Application is allowed and disposed of.
- 13.** Registry is directed to enlist the Criminal Appeal No. 1088 of 2012 on the Board of "Admission" on 23rd April, 2013. This appeal will be heard along with Criminal Appeal No. 1243 of 2003, which was preferred by another convict and co-accused of the same Sessions Trial.

(D.N. Patel, J.)

(Shree Chandrashekhar, J.)



Bahadur Pahan
Vs.
The State of Jharkhand

IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 2900 of 2013 in Criminal Appeal (D.B.) No. 305 of 2013

Bahadur Pahan ... Appellant

Versus

The State of Jharkhand ... Respondent

CORAM: HON'BLE MR. JUSTICE D.N. PATEL
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Appellant : ***Mr. Rishi Pallava, Advocate***

For the State : ***Mr. Ravi Prakash, A.P.P.***

05/Dated: 24 th July, 2013 Per D.N. Patel, J.

- 1.** This application has been preferred under Section 5 of the Limitation Act for condonation of delay of 1490 days in preferring the criminal appeal.
- 2.** Looking to the statements made in this I.A especially, in paragraph nos. 4, 5, 6, 7 and 8, there are reasonable reasons for condonation of delay. We, therefore, condone the delay in preferring the criminal appeal.
- 3.** I.A No. 2900 of 2013 is allowed and disposed of.
- 4.** It appears that the appellant has approached the Jharkhand High Court Legal Services Committee through an application dated 07.05.2012 and much time has been consumed thereafter in filing this criminal appeal, because the criminal appeal was filed in the month of May, 2013.
- 5.** We, therefore direct the Secretary, Jharkhand High Court Legal Services Committee to inform the lawyers on the penal of Jharkhand State Legal Services Authority to file immediately the appeal. We also direct the Secretary, Jharkhand High Court Legal Services Committee to supply all the relevant papers including the copy of the judgments of the learned trial court immediately against which the appeal has to be preferred.
- 6.** Registry of this Court is directed to send a copy of this order to the Secretary, Jharkhand High Court Legal Services Committee.
- 7.** Registry is directed to enlist this criminal appeal on the board of Admission on 29th July, 2013.

(D.N. Patel, J.)

(Shree Chandrashekhar, J.)



National Domestic Workers Welfare Trust, Ranchi

Vs.

The State of Jharkhand & Others

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 2810 of 2012

National Domestic Workers Welfare Trust, Ranchi Petitioner

Versus

The State of Jharkhand & Others Respondents

For the Petitioner : ***M/s. Anup Kumar Agrawal, Advocate***
Robit Thakur, Advocate
For the RespondentsState : ***Mr. Rajesh Kumar, G.P.V***
For the Union of India : ***Mr. Md. Mokhtar Khan, A.S.G.I.***

HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AMITAV K. GUPTA

12/Dated: 12th November, 2013 Per D.N. Patel, A.C.J.:

1. Learned counsel appearing for the petitioner has submitted that despite several schemes being floated by the Central Government and despite a sizable amount is being given by the Central Government and despite the readiness of the Central Government to provide substantial financial assistance for implementation of ten schemes under the Unorganized Workers Social Security Act, 2008 (for the sake of brevity, hereinafter referred to as 'the Act, 2008') the State Government of Jharkhand has not yet implemented the schemes fully. Even the Board to be constituted under the Act, 2008, was not constituted and now by the order of this Court in this Public Interest Litigation, the Board has been constituted, but, still not a single meeting has been convened by the said Board. The money or the budget allocated by the Union of India for the State of Jharkhand, is to be unutilized for those ten schemes. There are several schemes out of these ten, which are being hundred per cent financially assisted by the Central government whereas in other schemes, it is exploit the benefits of the schemes to its fullest extent, which are meant for the welfare of the downtrodden classes of the State of Jharkhand and also for those who are financially poor.
2. This Court has passed various orders in this writ petition and upon the direction of this Court, vide order dated 7.8.2013, 27.8.2013 and vide order dated 11.9.2013, now, the Board has been constituted as envisaged under Section 6 of Act, 2008, and

now the Rules have also been drafted by the State of Jharkhand under The Act, 2008. These Rules have also been approved by the State Government. Thus, this is a Public Interest Litigation in its true sense and in its true spirit.

3. Yesterday, this matter was taken up for hearing and was adjourned for today. We have called Shir Vishnu Kumar, S/o Dr. R.S. Gupta, Principal Secretary, Labour, Employment and Training Department, government of Jharkhand, who is present in the Court today. He has pointed out that there are ten schemes floated by the Central Government under the Act, 2008. Out of these ten schemes, the State has taken steps for implementation of nine schemes. He has narrated in details about the schemes and has submitted that there are various schemes in which substantial finance is being provided by the Central Government and in few schemes, hundred per cent finance is being provided by the Central Government, like National Family Benefit Schemes, etc. It is also submitted by the aforesaid officer to this Court that it is true that still more beneficiaries should take the advantage of these schemes, and perhaps, the beneficiaries, who are within the State of Jharkhand, are not aware about these schemes. A sizable amount of fund has already been lapsed because these schemes have been floated from the year 2007 onwards and still even as per the aforesaid officer, they are unable to give the benefit to the beneficiaries of the State of Jharkhand to its fullest extent.
4. Having heard the counsel for both the sides and looking to the provisions of the Act, 2008, and the Rules, 2013 and the Schemes floated by the Central Government, it appears that:
 - i) The following are the Schemes being floated by the Central Government under the Unorganized Workers' Social Security Act, 2008 (the Act, 2008). The name of the schemes, the eligibility criteria and the number of beneficiaries found out by the State of Jharkhand are referred as under :

Schemes for Unorganized Workers under Unorganized Workers Social Security Act, 2008, Eligibility Criterion and Number of Beneficiaries

Sl. No.	Name of Schemes	Eligibility Criteria	Number of Beneficiaries
LABOUR EMPLOYMENT & TRAINING DEPARTMENT			
1.	Indira Gandhi National Old Age Pension Scheme	The age of the applicant (male or female) shall be 60 year or higher (excluding BPL widows and BPL persons with severe and multiple disabilities in the age group of 60-79 yrs.	5.70 Lakhs

Sl. No.	Name of Schemes	Eligibility Criteria	Number of Beneficiaries
2.	National Family Benefit Scheme	<ol style="list-style-type: none"> 1. The 'primary breadwinner' will be the member of the household -male or female - whose earning contribute substantially to the total household income. 	1712
		<ol style="list-style-type: none"> 2. The death of such a primary breadwinner should have accrued while he or she is in the age group of 18 to 59 years i.e. more than 18 years of age and less than 60 years of age. 3. The bereaved household qualifies as one below the poverty line according to the criterion prescribed by the government of India. 4. The central assistance under the scheme will be Rs.20,000/- in the case of death of the primary breadwinner. 	
3.	Aam Admi Bima Yojna	<ol style="list-style-type: none"> 1. The member should be aged between 18 years completed and 59 year nearer birthday. 2. The member should normally be the head of the family or an earning member of the below poverty line family (BPL) or marginally above the poverty line under the identified vocational group/ rural landless household. 	67000

Sl. No.	Name of Schemes	Eligibility Criteria	Number of Beneficiaries
4.	Rashtriya Swasthya Bima Yojna	<ul style="list-style-type: none"> • BPL Family /People • Rickshaw Driver/ Puller • Rag Pickers • Mine Workers • Sanitation Workers • Auto Rickshaw Drivers and Taxi Drivers • Beedi Workers • Street Vendors • Building and Construction Workers • MGNREGA Beneficiaries • Domestic Workers 	18.14Lakhs
INDUSTRIES DEPARTMENT			
5.	Handloom Weaver's Comprehensive Welfare Scheme Health Insurance Scheme Mahatma Gandhi Bunkar Bima Yojana	<ul style="list-style-type: none"> • All Handloom weavers whether male or female are eligible to be covered under the health insurance scheme • The ancillary handloom workers i.e. those who are engaged in warping, winding, dyeing, printing, fishing, sizing, Jhala making and Jacquard cutting are also eligible to be covered • The handloom weavers/ ancillary handloom worker i.e. the beneficiary shall only be from the census list or from those already enrolled under HIS during the period Oct., 2009 to Oct., 2010. • The weaver should be earning at least 50 % of his income from handloom weaving 	

Sl. No.	Name of Schemes	Eligibility Criteria	Number of Beneficiaries
		<ul style="list-style-type: none"> All weavers whether male or female between 18 to 59 years of age including minorities, women weavers and weavers belonging to NER. Weavers belonging to the state handloom Development Corporations/ Apex/ Primary handloom weavers' cooperative society. Wherever outside the cooperative can also be covered under the scheme on a certificate from the state directorate of handlooms that they are fulfilling the eligibility criteria. 	
6.	Handloom Artisan's Comprehensive Welfare Scheme		
HEALTH, MEDICAL EDUCATION AND FAMILY WELFARE DEPARTMENT			
7.	Janani Suraksha Yojana	<p>No Age Restriction</p> <p>The Benefit of the Scheme are extended to all pregnant women in LPS status respective of the birth orders</p> <p>No need for any marriage or BPL certification provided women delivers in government or accredited private health institutions. But for the benefit under home deliveries under yojna following criterion were fixed in LPS and HPS states:</p> <p>BPL Pregnant women</p> <p>Aged 19 years and above, preferring to deliver at home is entitled to cash assistance of Rs.500/- per delivery</p> <p>Assistance would be available only up to 2 live births.</p>	

Sl. No.	Name of Schemes	Eligibility Criteria	Number of Beneficiaries
ANIMAL HUSBANDRY AND FISHERIES DEPARTMENT			
8.	National Scheme for Welfare of Fisherman and Training and Extension Development of Model Fishermen Villages Group Accident Insurance for Active Fishermen Grant-in-Aid to FISHCOPPED Saving Cum Relief Training and Extension	Beneficiary should be an active fisher identified by state government Preference should be given to fishers below poverty line and to landless fishers Fishers owning land or Kutcha structure may also be considered for allotment of houses under the scheme	
LIFE INSURANCE CORPORATION OF INDIA			
9.	Janshree Beema Yojna	Person between age 18 years and 59 years The group will be identified and notified by LIC, at present 44 vocational occupational groups are identified Minimum membership should be 25 under both rural poor and urban poor. The member should normally be the Head of the family	

It is pertinent to mention here that the aforesaid schemes of Government of India for unorganized workers under the Unorganized Workers Social Security Act, 2008, are exclusively meant for the most disadvantaged sections of the society to ensure 'economic justice' and to translate the vision of "Justice" as set out in the preamble to the constitution of India into reality. But it appears that the case in hand is clear example of lack of sensitiveness of the concerned to reach out to the beneficiaries. The concerned persons must know, we live in a country where Rule of law is the foundation of our democratic system. The existence of common man are governed by statutory laws and social welfare schemes and executive orders, almost nothing is out side the purview of law.

Entire human activities including health, food, education, registration of birth and death etc. are governed by various laws, schemes etc. In the backdrop, a denial of the rights conferred through different laws or any deprivation of beneficial schemes becomes integrally connected with the issues of "Legal Awareness" for which the concerned department of State Government and Legal Services Authority of State are under obligation to implement the schemes and to create the awareness about the schemes respectively. Indeed it is shocking that 5 years are lapsed since the commencement of the beneficial Act, namely, Unorganized Workers Social Security Act, 2008, enacted for the poor, ignorant and illiterate unorganized workers including sr. citizens, members of BPL, Rickshaw Pullers, Sanitation Workers, Auto rickshaw drivers, street vendors, Building and Construction workers, Rag Pickers, Domestic Workers etc. but the State is unable to utilize the benefit of schemes to its full extent. It is a matter of great concern that the very purpose of Act is defeated due to its nonimplementation, therefore, we direct the Chief Secretary of the State Government to look into the matter in person and ask the Principal Secretary of the Department of Labour, Employment and Training, Government of Jharkhand to take intensive measures as per the guidelines issued hereinafter:

- ii)** In fact, there are ten schemes floated by the Central Government under the Act, 2008. The State is taking steps in the nine aforesaid schemes. The name of the scheme no.10 is "Pension to Master Craft Persons". No details have been given by the State Government in their affidavits filed by the State. Not a single beneficiary has been found out by the State of Jharkhand for the scheme no.10. The officer, who is present in the Court, is saying that we have never tried to find out any beneficiary.
- iii)** From the argument of the counsels from both the sides including the arguments of the Assistant Solicitor General of India, the counsel for Union of India, it appears that there is no proper awareness in the public at large within the State of Jharkhand for availing the benefits of the aforesaid ten schemes. If the awareness is further analyzed, it appears that there is lack of proper attempt by the State of Jharkhand for proper advertisement in Print and Electronic Media. This is inevitably required because the State is unable to exploit the schemes as referred hereinabove properly in an effective manner so that more number of beneficiaries can avail the benefits of these schemes. Even as per the opinion given by the aforesaid high ranking officer of the State, who is present in the Court, the help of the Print and Electronic Media may be taken by the aforesaid officers accordingly we direct the Chief Secretary of the State that properly these ten schemes with summary and with the criteria of the eligibility and the benefits under the Schemes may be highlighted in the Print media and Electronic media in more than one languages.

- iv) It further appears that it is not possible every time to give advertisement, and therefore, there is one more option available with the State for distribution of the Pamphlets, which are to be printed by the State in the local languages. These pamphlets ought to have been distributed in the districts, at block level and village level. The governmental hierarchy and machineries should have been properly utilized by the administrators of the State so that the aforesaid ten schemes floated under the Act, 2008, may be made known to the public at large in the State of Jharkhand. When we asked to the lawyers, who are appearing on the side of the respondents that whether they are knowing about the schemes or not and their answer is that they are not aware about these schemes. Thus, even literate persons are not knowing about these schemes, and therefore, it is high time for the State Government to give proper and wide publication of these type of schemes.
- v) Hoardings of these schemes may also be put at proper conspicuous places, like Railway Station, Bus Depot, Hospitals, Government offices, Collectorate, Block offices, Civil Courts etc. There may be some other Acts also under which there may be other schemes like Housing schemes, Supply of water, Sewerage (under Jawaharlal Nehru National Urban Renewal Mission) etc. These schemes may also be published properly as stated hereinabove in Print and Electronic media, by pamphlets by hoardings of proper size at proper places and in local languages.
- vi) We also direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand to take assistance of Jharkhand State Legal Services Authority (hereinafter referred to as the JHALSA) as well as the District Legal Services Authority and the infrastructure thereof. We hope that the concerned departments of Government of Jharkhand, namely, Department of Labour, Employment and Training, must be aware of the fact that District Legal Services Authority (hereinafter referred to as DLSA) are functioning in 22 districts (except Khunti and Ramgarh) of Jharkhand in a full fledged manner with a wholetime Secretary to the rank of Civil Judge (Sr. Division) and its Chairman and Vice Chairman are ex officio Principal District Judge and Deputy Commissioner of the respective district. It's main objects are to create "awareness" and to ensure "access" in lawful and legal manner. In the State of Jharkhand, JHALSA have trained so far more than 3300 para legal volunteers, who are being given training by this Court. As a matter of fact 'Para Legal Volunteers' (hereinafter referred to as PLVs) have been trained by JHALSA under the scheme of National Legal Services Authority, New Delhi, with a view to transmit knowledge about the legal services schemes including new laws, statutes, social welfare schemes like Unorganized Workers Social Security Act, 2008, amongst poor and downtrodden. PLVs created by JHALSA are on the job at grass root level in Panchayats/ Villages/ Basti/ Tolas/

Mohallas level under the guidance of District Legal Services Authorities in the State of Jharkhand. The most important job of PLVs to spread consciousness about the new welfare schemes of the Government to common citizens with special reference to the tribal and rural populations, women, children, disabled, handicapped and weaker sections of society. The scheme of the para legal volunteers is being properly implemented by the JHALSA and there are several legal aid clinics in every district, in every jail and at several police stations, at which, these para legal volunteers are regularly visiting, the duty as with which, the para legal volunteers are wedded with, is to impart the primary knowledge about the laws, the rights of the public at large including of senior citizens, widows, children and convicts or under trial prisoners. This huge man power can be directly utilized by the State, who are available in every district of the State and working under JHALSA/ DLSAs. There are more than one hundred para legal volunteers per district. With their help, if the pamphlets are to be distributed, they can perform these duties in an effective manner. If these para legal volunteers are to be sent to the villages, they are ready to go because they are working with concerned DLSA under JHALSA. The State may take assistance of these PLVs. They will assist the State officers in finding out the beneficiaries within the State of Jharkhand. The JHALSA and the District Legal Services Authorities and Taluka (Subdivisional) Legal Services Committees are ready to cooperate the State Government officers. It is a dream project floated by the Central Government under the Unorganized workers Social Security Act, 2008, that justice must go at the door steps of the beneficiaries under the principle of "access to justice for all". The para legal volunteers working with good infrastructure, are available in every district. We, therefore, direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand and other Secretaries, who are also connected with these type of implementation of Welfare schemes to have joint meeting with the Executive Chairman of JHALSA assisted by Member Secretary, JHALSA, 'Nyay Sadan', Doranda, Ranchi immediately so that if any pamphlets are to be printed out, full assistance shall be provided by the JHALSA to the concerned department of State and that too in a different variety of languages. The JHALSA will also provide proper man power of 3300 persons who are known as para legal volunteers and fully trained for these purposes.

- vii)** The JHALSA will also provide proper vehicles for the distribution in 'Mela' or at 'Festival Places' and at 'Haat Bazar' and also provide assistance of the legal retainers, who are available in every district at village level.
- viii)** The JHALSA can also provide the places at which these beneficiaries can be brought (normally at building of District Legal Services Authority) and their applications may be drafted in a proper format and it will be given to the proper governmental officers so that the governmental officers may not have to go or

may not have to move from village to village and similarly, the beneficiaries also may not have to move from one office to another. The District Legal Services Authorities buildings are available in every district where other activities under the aegis of Hon'ble Supreme Court is already going on such as 'legal awareness camps, Lok Adalat, Mediation, Conciliation Activities' etc.

- ix)** We also direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand and other Secretaries, who are also concerned and under obligation with the implementation of these type of schemes to make available JHALSA and the District Legal Services Authorities about the schemes, and their criteria and benefits so that in all types of welfare schemes so that the pamphlets can be prepared by JHALSA in the different languages and distributed properly among general masses to create awareness.
- x)** We also direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand and other Secretaries, who are also connected with these type of implementation of the schemes that a Board which has been constituted under Section 6 of the Act of 2008, the constitution of which may also be advertised properly so that the weaker sections of the society may know the constitution of the Board and about their members and the office address with proper communication telephone numbers so that they may apply for taking the benefits under the Schemes, if they are eligible.
- xi)** We also direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand and other Secretaries, who are also connected with these type of implementation of the schemes that some high ranking officers may be appointed for them and they shall hold periodical meetings atleast once in a month with the Chairman of District Legal Services Authority, Dy. Commissioner of the concerned district, Superintendent of Police of the concerned district and such other officers so that the aforesaid schemes and the other schemes which are referred hereinabove can be implemented in its true spirit and letter.
- xii)** We also direct the Chief Secretary, Government of Jharkhand as well as Principal Secretary, Department of Labour, Employment and Training, Government of Jharkhand and other Secretaries, who are also connected with these type of implementation of the schemes to inform the JHALSA and District Legal Services Authorities, if any new scheme is being introduced of either the Central Government or of the State Government so that these two authorities namely JHALSA and the District Legal Services Authorities can

also assist through the para legal volunteers for the publicity, awareness and implementation of the schemes.

xiii) Looking to the several activities being conducted by the JHALSA as well as by the District Legal Services Authorities across the entire State and also looking to the burden of work and keeping in mind the efficiency of young advocate of the petitioner, we, hereby, request the counsel Shri Anup Kumar Agarwal who is appearing for the petitioner to assist the JHALSA for preparing the pamphlets in any one language either in Hindi or in English as per his choice so that it can be translated in local languages immediately by the JHALSA and it can be distributed at the earliest. We appreciate the assistance rendered by the counsel for the petitioner. The expenditure incurred by the counsel for the petitioner for preparing these pamphlets will be reimbursed by the JHALSA.

xiv) We also request the Board constituted under Section 6 of the Act, 2008, to take effective steps for implementation of the aforesaid schemes in the light of the aforesaid observations.

5. Registry is directed to send the copy of this order to -:

- a)** The Chief Secretary of the State of Jharkhand;
- b)** Member Secretary, Jharkhand State Legal Services Authority (JHALSA), "Nyay Sadan", Doranda, Ranchi,
- c)** Chairmen and Member Secretaries, District Legal Services Authorities of all the districts of State of Jharkhand,
- d)** Secretary of the Board constituted under Section 6 of the Act, 2008
- e)** Principal Secretary, Department of Labour, Employment & Training, Government of Jharkhand.

6. The matter is adjourned on 16th December, 2013, and the State is hereby directed to file on affidavit through Principal Secretary, Labour, Employment & Training, Government of Jharkhand, as to what steps have been taken by the State for proper and effective implementation of the aforesaid schemes for the welfare of the public at large in view of aforesaid directives.

(D.N. Patel, A.C.J.)

(Amitav K. Gupta, J.)

SI/Satayendra



Jharkhand Human Rights Conference-JHRC
Vs.
The State of Jharkhand & Others

IN THE HIGH COURT OF JHARKHAND AT RANCHI.
W.P.(PIL) No. 1385 of 2012

Jharkhand Human Rights Conference-JHRC.....Petitioner

-V e r s u s-

The State of Jharkhand & others...Respondents.

For the Petitioner : - *Mr. Samavesh Bhanj Deo, Advocate*

For the State : - *Mr. Rajesh Shankar, G.A.*

For the Respondent Nos.7 & 8 :- *Mr. Rahul Sabu, Advocate*

HON'BLE MR. JUSTICE D. N. PATEL.
HON'BLE MR. JUSTICE P.P. BHATT.

12/ Dated: 25th November, 2013 Per D.N. Patel, J.

1. Counsel for the petitioner submitted that despite the directions given by this Court vide order dated 5th September, 2013 in this writ petition, the respondents have not taken proper action for the hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks etc, public and private both, by giving their registration numbers etc. nor correctly figures of their bio-medical wastes (category wise) as per Schedule-I, Rule-5 of the Bio-Medical Waste (Management and Handling) Rules, 1998 nor similar are the Rules indicated by the State of Jharkhand also under the provisions of Environment (Protection) Act, 1986. These Rules have also not been complied with by the aforesaid various institutions. Moreover, the affidavit filed by the respondent Nos.7 & 8, giving details about the bio-medical wastes' quantity for RIMS at Ranchi, hospitals and other such institutions is also absolutely incorrect and inadequate. Several types of bio-medical wastes like microbiology and bio-technology wastes (Category No-III), Waste sharps (Category No-IV), Needles, syringes, scalpels, blades, glass etc. are also thrown on a public road or public drainage; likewise, discarded medicines and cytotoxic drugs (Category No. V) and such as, other types of other wastes are being thrown on public road or on public drainage. Photographs thereof have also been filed by the petitioner and these photographs are only for a part of the city of Jamshedpur but there is a dire need to take more photographs of different cities like Ranchi, Bokaro, Dhanbad, Deoghar, Hazaribgh etc. so that the respondents may know where these hospitals, nursing homes, pathological laboratories are throwing their

bio-medical wastes. It is, therefore, submitted by the counsel for the petitioner that let a neutral body, such as, Jharkhand State Legal Services Authority (for the sake of brevity hereinafter referred to as JHALSA), and the District Legal Services Authority (for the sake of brevity hereinafter referred to as DLSA) of the concerned district may be directed to take photography of this type of bio-medical wastes, if they are found on a road or in water bodies or in an open drainage etc. It is also submitted by the counsel for the petitioner that for every type of bio-medical wastes as stated hereinabove, there are different methods to dispose them of. Bio-medical wastes are to be destroyed by these type of institutions. Affidavit filed by the respondent Nos. 7 & 8 is legally as well as factually incorrect.

2. Counsel for the respondent Nos. 7 & 8 as well as counsel appearing for the State are seeking time to file their accurate affidavit pointing out the name of the institution, namely, hospital etc. and type of bio-medical wastes, which they are generating per day and what is the methodology adopted for disposal thereof, for every type of bio-medical wastes. Capacity of those apparatuses will also be pointed out to this Court which, if at all instituted by the hospitals, dispensaries, blood banks etc. The reports, which these institutions are under legal obligation to file before 31stst January every year, as stated in the order dated 5thth September, 2013, will also be annexed to the affidavit to be filed by the respondent Nos. 7 & 8.
3. Counsel appearing for the State of Jharkhand as well as Jharkhand State Pollution Control Board submitted that they are ready to provide necessary facilities for photography to be done by the JHALSA as well as DLSA for few of the districts as stated hereinabove.
4. We, therefore, direct the State as well as Jharkhand State Pollution Control Board to provide necessary vehicles, camaras, both still as well as video and such other infrastructure so that JHALSA as well as DLSA can take proper photography and/ or videography in the districts of Ranchi, Jamshedpur, Dhanbad, Bokaro and Deoghar. Initially these photography/videography will be done in the aforesaid districts. We, therefore, direct the Member-Secretary of the JHALSA to inform the DLSA to take photography as well as videography of the bio-medical wastes, if any of the hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks-private and public both are throwing bio-medical wastes on a road, water bodies or in an open drainage system. There shall be coloured photographycoloured photography coloured photographycoloured photographycoloured photography coloured photography coloured photography . The Member-Secretary, Pollution Control Board, State of Jharkhand will be the coordinator for these photographs or the Member-Secretary, Pollution Control Board, State of Jharkhand may depute a responsible officer so that they may remain with the Member-Secretary, JHALSA and the Member-Secretary, DLSA for photography and/ or videography. The State of Jharkhand is also directed to assist JHALSA as well as DLSA for which necessary

instruction shall be passed by the Director-in-Chief, Health Services, Government of Jharkhand to the district administration for providing vehicles, cameras etc. Still photography taken by the JHALSA as well as DLSA shall be presented before this Court in a sealed cover with a minimum size of 5"x 8" in a mat finishing. This exercise shall be completed by the JHALSA as well as DLSA on or before the next date of hearing.

5. This matter is adjourned to be listed on 6thth January, 2014.
6. Let a copy of this order be delivered to the counsel for the parties.

(D.N. Patel, J)
(P.P. Bhatt, J.)



Success Story of National Lok Adalat at DLSA, Hazaribagh

Way back in the year 2002 Mukesh Prasad filed his claim case seeking compensation of Rs. 3,85,000/-. He was seriously injured in a road accident while returning from his school. The claim case preferred by Mukesh Prasad was still pending as the parties were leading their evidence. However, on the occasion of National Lok Adalat with the consent of the parties, the matter was referred to the Bench of National Lok Adalat and the members of the Bench of Lok Adalat and the parties including the officials of National Insurance Co. made sincere effort for settlement of the dispute and on successful conciliation between the parties on the occasion of National Lok Adalat, the dispute was resolved and a cheque of Rs. 1,20,000/- was handed over to the claimant.

Jinda Oraon
Vs.
The State of Jharkhand

IN THE HIGH COURT OF JHARKHAND, RANCHI

I.A. No.668 of 2014 IN Cr. Appeal (D.B.) No. 43 of 2014

Jinda Oraon Appellant

Versus

The State of Jharkhand Respondent

CORAM : HON'BLE MR. JUSTICE D. N. PATEL

HON'BLE MR. JUSTICE P. P. BHATT

For the Appellant : **Mr. Yogendra Prasad, Advocate**

For the State : **A.P.P.**

03/Dated 24th February, 2014 per D.N. Patel, J.

1. This application has been preferred for condonation of delay of 3375 days in preferring the Criminal Appeal.
2. This Criminal Appeal has been preferred by the advocate of Jharkhand State Legal Services Authority (for the sake of brevity, hereinafter to be referred to as the 'JHALSA').
3. It appears that the Jharkhand High Court Legal Services Committee vide letter No.HCLSC/634/10 dated 26.7.2010, informed the advocate on the panel of JHALSA to prefer the appeal on behalf of the appellant, but, the appeal was preferred on 29.1.2014 and the reasons assigned to have been that there was nobody who can file the affidavit on behalf of the appellant.
4. It appears that there is a lethargic, callous and casual approach. We, therefore, direct the Secretary, Jharkhand High Court Legal Services Committee, that -
 - (a) to maintain proper Register with minimum columns like the name of the parties, the name of the Jail from where the application has been received, the date of the application received from the Jail, the date on which the matter is assigned to the advocate, who is on the panel of JHALSA;

- (b) it is the duty of the Secretary, Jharkhand High Court Legal Services Committee to do the proper follow up that whether the advocate on the panel of the JHALSA has preferred an appeal or not;
- (c) if the appeal is not preferred within the reasonable time of approximately two weeks, the Secretary, Jharkhand High Court Legal Services Committee shall find out the reasons for not to prefer an appeal and he will assist the Advocate on the panel of JHALSA so nicely and accurately that in any case the appeal shall be preferred within a further period of one week thereafter;
- (d) if the appeal is not preferred even after this assistance, it will be assigned to another advocate on the panel of JHALSA;
- (e) The Secretary, Jharkhand High Court Legal Services Committee shall keep vigilant eye upon the filing of the matter once it is assigned to the panel advocate of the JHALSA, be it a Criminal Appeal, Bail Application or Interlocutory Application, etc. Duty never comes to an end after assigning the matter to the panel advocate. Proper and adequate monitoring on the part of the Secretary, Jharkhand High Court Legal Services Committee ought to have been done.
- (f) The Secretary, Jharkhand High Court Legal Services Committee shall convene a meeting at least quarterly with the advocates who are on the panel of JHALSA, who are taking longer time in preferring the criminal appeal, bail application or interlocutory application etc. in the Court. The periodic meeting will bring on surface the difficulties of the advocates on panel and those difficulties may be reduced in writing and may be brought to the knowledge of the Chairman of Jharkhand High Court Legal Services Committee and to the knowledge of Executive Chairman of JHALSA. In this case, a letter was written in the year 2010 and the Criminal Appeal was preferred on 29th January, 2014. It appears that after writing a letter to the panel advocate, no care has been taken.
- (g) We, also, direct the Secretary, Jharkhand High Court Legal Services Committee to place on the website of JHALSA that which matter is assigned to which advocate on panel. This is necessary to make the system more transparent. This will be useful to Jail Authorities also for their record and to inform convict/ under trial prisoner, in their jail about case number, name of Advocate. Convict or under trial prisoner can also contact, through jailor, the said lawyer if he/ she wants to give further instruction to the panel lawyer. On the website, the name of the advocate on panel, the name of the parties, the name of the Jail and

the date on which the matter is assigned and the date on which the matter is filed, shall be reflected.

5. Looking to the reasons stated in this Interlocutory Application, the I.A. is allowed as there are reasonable reasons for condonation of delay of 3375 days.
6. The Registry of this Court is directed to enlist the Criminal Appeal on the board of admission on 3rd March, 2014.
7. The Registrar General of this Court is directed to send the copy of this order to (a) the Member Secretary, JHALSA and (b) the Chairman, Jharkhand High Court Legal Services Committee.

(D. N. Patel, J.)

(P. P. Bhatt, J.)



Success Story of National Lok Adalat at DLSA, Jamtara

The deceased, bread winner for Bhanu Mahto and others was an unskilled labour working on dumper bearing registration no. BR 175109 which was not insured. As ill luck would have been, he met with a fatal accident involving the dumper and died. Bhanu Mahto and others, his dependents filed claim case bearing no. 8 of 2012 against the owner Kajal Kr. Das in the year 2012. The claimants were running pillar to post for the settlement of their claim. On the occasion of National Lok Adalat, this matter was also referred to the Bench constituted on that occasion and with the intervention of the members constituting the Lok Adalat the parties agreed to resolve their dispute and the owner paid Rs. 125000/- to the claimant and the dispute was amicably resolved.



Notification & Orders

JHARKHAND STATE LEGAL SERVICES AUTHORITY, RANCHI

NOTIFICATION

Notification No. 3/2013

Ranchi, dated 16.8.2013

In exercise of powers conferred under the provision of Section 9(3) of the Legal Services Authorities Act, 1987 r/w Rule 10(i) of the Jharkhand State Legal Services Authority Rules, 2001 and consequent upon the recommendation of Hon'ble Jharkhand High Court vide letter No. 8253/ Apptt. dt 14th August 2013, the Jharkhand State Legal Services Authority (JHALSA) hereby appoints the newly promoted officers of the rank of Civil Judges (Senior Division) named at column 2 of the table given below as Secretary, DLSA for the Districts mentioned at Column No. 3 with immediate effect. The undermentioned officers posted as Secretary, DLSA will work fulltime as Secretary, DLSA.

Sl. No.	Name of the newly promoted Officers with present place of posting	Place of Posting as Secretary, D.L.S.A. on promotion to the rank of Civil Judge (Senior Division)
1	2	3
1.	Sri Paras Nath Upadhyay, SDJM, Chatra	Chatra
2.	Sri Satyapal, Civil Judge (Junior Division)-cum-J.M.-cum-P.M. J.J.B., Khunti (Ranchi)	Simdega
3.	Sri Dhruva Chandra Mishra, Judicial Magistrate, Deoghar (Madhupur)	Deoghar
4.	Sri Rama Shanker Singh, S.D.J.M., Koderma	Chaibasa
5.	Sri Kaushal Kishore Jha No. 2, Railway Judicial Magistrate, Daltonganj	Palamau at Daltonganj
6.	Sri Taufiqul Hassan, Railway Judicial Magistrate, Deoghar (Madhupur)	Latehar
7.	Sri Radha Krishan, Registrar, Dumka	Dumka
8.	Sri Rama Kant Mishra, Registrar, Godda	Gumla
9.	Sri Ajit Kumar Singh, Registrar, Seraikella-Kharsawan	Seraikella-Kharsawan
10.	Sri Anuj Kumar, Civil Judge (Junior Division), Giridih	Giridih
11.	Sri Rajeev Anand, Civil Judge (Junior Division), Koderma	Koderma
12.	Sri Subhash, S.D.J.M., Dhanbad	Dhanbad
13.	Sri Syed Saleem Fatmi, Judicial Magistrate, Koderma	Jamtara
14.	Sri Sanjay Kumar Upadhyay, Judicial Magistrate-cum-P.M., JJB, Sahebganj	Sahebganj
15.	Sri Shesh Nath Singh, Registrar, Logardaga	Lohardaga
16.	Sri Kamal Kumar Srivastava, Registrar, Jamshedpur	Jamshedpur
17.	Sri Dinesh Rai, S.D.J.M., Godda	Godda
18.	Sri Anil Kumar Pandey, S.D.J.M., Garhwa	Garhwa
19.	Sri Sanjay Pratap, S.D.J.M., Khunti (Ranchi)	Pakur

Further in continuation to JHALSA Notification No. 1/2012 dt. 4.4.13 and in view of Hon'ble Jharkhand High Court letter No. 8253/ Apptt. dt 14th August 2013, the undermentioned officers posted as Secretary, DLSA in the respective districts will also work fulltime as Secretary, DLSA.

Sl. No.	Name of Officers of the rank of Civil Judges (Senior Divisions) with place of posting	Place of Posting as Secretary, DLSA
1	Sri Ravi Shanker Upadhyay	Bokaro
2	Sri Santosh Kumar No. 1	Ranchi
3	Sri Rasikesh Kumar	Hazaribagh

By the Order of
State Legal Services Authority, Jharkhand
Sd/-
(B.K. Goswami)
Member Secretary
(Principal District Judge)
Jharkhand State Legal Services Authority

No. JHALSA/1091-1119/2013

Ranchi Dated 16.8.2013

Copy to :

The Registrar General, Jharkhand High Court, Doranda, Ranchi, The Secretary, Department of Law (Justice), Govt. of Jharkhand, Ranchi, The Secretary, Department of Personnel and Administrative Reforms and Rajbhasha Vibhag, Ranchi, The Secretary, Jharkhand High Court Legal Services Committee, Ranchi, The Member Secretary, National Legal Services Authority, Jamnagar House, Shahjahan Road, New Delhi, The Accountant General (A&E), Jharkhand, Doranda, Ranchi, The Director, Jharkhand Judicial Academy, Ranchi, The Principal District Judges, Chatra, Simdega, Deoghar, Chaibasa, Palamau at Daltonganj, Latehar, Dumka, Gumla, Saraikella, Giridih, Koderma, Dhanbad, Jamtaram Sahebganj, Lohardaga, Jamshedpur, Godda, Garhwa, Pakur, Bokaro, Hazaribagh, Principal Judicial Commissioner, Ranchi; for informing the concerned officers and needful.

Sd/-
(B.K. Goswami)
Member Secretary
(Principal District Judge)
Jharkhand State Legal Services Authority

No. JHALSA/1120/2013

Ranchi Dated 16.8.2013

Copy to : The Superintendent, Govt. Printing Press, Doranda, Ranchi with request to publish this notification in Extra Ordinary issue of the Jharkhand Gazette and please and pleasure supply 50 copies of the gazette issue for official record.

Sd/-
(B.K. Goswami)
Member Secretary
(Principal District Judge)
Jharkhand State Legal Services Authority

J.H.C. Sch. (1-7)

Phone:Office : 0651-2481449

Fax No. : 0651-2481116

Anant Vijay Singh

Registrar General

High Court of Jharkhand

Ranchi-834033

Letter No. : 376-385/R&S

Dated : 29.01.2014

To

Principal District & Sessions Judges,
Bokaro, Deoghar, Dhanbad, Dumka, Gumla, East Singhbhum,
Hazaribagh, Simdega, West Singhbhum and
Principal Judicial Commissioner, Ranchi.

Subject : Regarding Juvenile Justice (Care and Protection of Children) Act, 2000

Sir,

I am directed to inform you that the Court has been pleased to authorize you for appointing Additional District Judge I and in his absence, any Officer of the rank of Additional District Judge working in the District as Visitor to visit the Observation Home functional in your District once in a month and to submit monthly report to the Juvenile Justice Committee.

Yours faithfully,

Sd/-

Registrar General

J.H.C. Sch. (1-7)

Phone:Office : 0651-2481449
Fax No. : 0651-2481116

Anant Vijay Singh
Registrar General
High Court of Jharkhand
Ranchi-834033

Letter No. : 386-389/R&S
Dated : 29.01.2014

To

Principal District & Sessions Judges,
Deoghar, Gumla, East Singhbhum and
Principal Judicial Commissioner, Ranchi

Subject : Regarding Juvenile Justice (Care and Protection of Children) Act, 2000

Sir,

I am directed to inform you that the Court has been pleased to authorize you for appointing Additional District Judge I and in his absence, any Officer of the rank of Additional District Judge working in the District as Visitor to visit the Children's Home functional in your District once in a month and to submit monthly report to the Juvenile Justice Committee.

Yours faithfully,
Sd/-
Registrar General

J.H.C. Sch. (1-7)

Office : 0651-2462962
Fax No. : 0651-2481116

From :

Anant Vijay Singh

Registrar General

High Court of Jharkhand

Ranchi-834033

**Letter No. : /APPTT.
Dated the 28th January, 2014**

To

All the Principal District & Sessions Judges of Jharkhand
including the Principal Judicial Commissioner,
Ranchi.

Sir,

Enclosing herewith a copy of Notification of the Law (Judicial) Department, Government of Jharkhand, Ranchi received to the Court vide memo No. B.1./Vidhi (Court Gathan)-280/2013-161/J dated 27.01.2014, whereby all the Courts of District & Additional Sessions Judge-I of the State of Jharkhand including Judicial Commissioner-I, Ranchi have been designated as the Special Court under Section 28 of the Protection of Children from Sexual Offences Act, 2012, I am to request you to do the needful at your end and communicate the Officer concerned accordingly.

Encl. : As above (One Sheet).

Yours faithfully,
Sd/- **A.V. Singh**
Registrar General

Memo No. 1446/Apptt.

Dated Ranchi, the 28.01.14

Copy forwarded to the Deputy Registrar (Protocol), Jharkhand High Court, Ranchi for information with direction to upload the same on the website of the Court.

Sd/-
Registrar General

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अधिसूचना संख्या-बी01/विधि (कोर्ट गठन)-280/2013- /जे0 राँची, दिनांक - जनवरी, 2014
माननीय झारखंड उच्च न्यायालय के अनुशंसा एवं मंत्रिपरिषद्, झारखंड सरकार की स्वीकृति के आलोक में झारखंड राज्य के सभी न्यायमंडलों के जिला एवं अपर सत्र न्यायाधीश-1 एवं न्यायायुक्त-1 राँची के न्यायालय को अगले आदेश तक लैंगिक अपराधों से बालकों का संरक्षण अधिनियम, 2012 की धारा-28 के अंतर्गत विशेष न्यायालय पदभिहित (Designate) किया जाता है।

2. विशेष न्यायालयों के लिए पदभिहित (Designate) किये जाने वाले जिला एवं अपर सत्र न्यायाधीश-1 एवं न्यायायुक्त-1 राँची के पदों के संधारण हेतु अलग से वेतनादि का भुगतान नहीं किया जाएगा।

झारखंड राज्यपाल के आदेश से,

ह0/-

(बी0 बी0 मंगलमूर्ति)

सरकार के सचिव-सह-विधि परामर्शी
विधि (न्याय) विभाग, झारखंड, राँची।

अधिसूचना संख्या-बी01/विधि (कोर्ट गठन)-280/2013- /जे0 राँची, दिनांक - जनवरी, 2014
प्रतिलिपि- अधीक्षक, राजकीय मुद्रणालय, पो0-डोरण्डा, राँची को राजकीय गजट के अगले अंक में प्रकाशनार्थ।

ह0/-

(बी0 बी0 मंगलमूर्ति)

सरकार के सचिव-सह-विधि परामर्शी
विधि (न्याय) विभाग, झारखंड, राँची।

अधिसूचना संख्या-बी01/विधि (कोर्ट गठन)-280/2013- /जे0 राँची, दिनांक - जनवरी, 2014
प्रतिलिपि- संयुक्त सचिव, महिला एवं बाल विकास मंत्रालय, भारत सरकार, शास्त्री भवन, नई दिल्ली-110001 / सदस्य, राष्ट्रीय बालक अधिकार संरक्षण आयोग, नई दिल्ली-110001 को सूचनार्थ प्रेषित।

ह0/-

(बी0 बी0 मंगलमूर्ति)

सरकार के सचिव-सह-विधि परामर्शी
विधि (न्याय) विभाग, झारखंड, राँची।

अधिसूचना संख्या-बी01/विधि (कोर्ट गठन)-280/2013-161/जे0 राँची, दिनांक - 27 जनवरी, 2014
प्रतिलिपि-प्रधान महालेखाकार, झारखंड, पो0-डोरण्डा, राँची/महामहिम राज्यपाल जी के प्रधान सचिव, राज्यपाल सचिवालय, झारखंड, राँची/माननीय मुख्यमंत्री जी के प्रधान सचिव, झारखंड, राँची/महानिबंधक, माननीय झारखंड उच्च न्यायालय, राँची/मुख्य सचिव का कोषांग, झारखंड, राँची/प्रधान सचिव, कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग, झारखंड, राँची/निगरानी ब्यूरो, झारखंड, राँची/सभी प्रधान जिला एवं सत्र न्यायाधीश (प्रधान न्यायायुक्त, राँची सहित)/सभी प्रमंडलीय आयुक्त, झारखंड/सभी उपायुक्त, झारखंड/सचिव, समाज कल्याण, महिला एवं बाल विकास विभाग, झारखंड, राँची को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

सरकार के सचिव-सह-विधि परामर्शी
विधि (न्याय) विभाग, झारखंड, राँची।



Audits & Accounts

**Details of Budgetary Allocation, Expenditure and Unutilised Amount
received from the State Government for the Financial Year 2012-13**

Heads	Opening Balance	Allotment (Rs.)	Interest Received/ Others (cost) (Rs.)	Expenditure (Rs.)	Unutilised Balance Amount (Rs.)
Pay		8,800,000.00		6,161,521.00	2638479.00
D.A.		5,000,000.00		3,271,507.00	1728493.00
Office Expenses		4,600,000.00		3,146,644.00	1453356.00
Electricity		700,000.00		529,891.00	170109.00
Library		500,000.00		352,000.00	148000.00
Telephone		400,000.00		192,487.00	207513.00
T.A.		600,000.00		163,687.00	436313.00
Motor Vehicle (Fuel & Repair)		500,000.00		498,247.00	1753.00
L.T.C.		400,000.00		-	400000.00
Liveries		40,000.00		25,000.00	15000.00
Generator (Fuel)		200,000.00		62,204.00	137796.00
Mediation (Legal Charges)		10,000,000.00		905,500.00	9094500.00
Arrear of salary before 15.11.2000		71,000.00		70,978.00	22.00
Permanent Lok Adalat	-	17,700,000.00	-	8,682,939.00	9017061.00
State Fund (BO)	3,135,398.58	-	110,047.21	3,135,398.00	110047.79

**Income & Expenditure Account of NALSA Fund
For the year ended 31st March 2013**

Expenditure	Amount	Amount	Income	Amount	Amount
To,					
Expenses for Legal Awareness Programme			To, Fund Received from NALSA for :		
Expenditure made by DLSAs for legal awareness & other programs	2,862,668.00		Legal Awareness	7,500,000.00	
Conciliator Remuneration (From April 2012 to March 2013)	300,000.00		Mediation Centre	-	
Making copy of DVD "Ek the Bachapan" and "Police aur Hum"	11,570.00		MLLC (Micro Legal Literacy Camp)	-	
Printing Expenses	4,074,578.00		NREGS	-	7,500,000.00
Training of Child Welfare Officer at District Level	41,832.00				
Workshop on Juvenile Justice Dispensation System	834,912.00		To, Interest Received from SBI		574,501.00
Refresher Training Course on Juvenile Justice System		46,927.00	To, Interest accrued from DLSA		289,608.00
Expenses relating to Mediation Awareness Program	4,260.00		(Schedule B)		725,030.14
Rehabilitation of 19 inmates from Kerala to Ranchi	29,861.00		Excess of Expenditure over Income		
Legal Awareness Programme on 20.05.2012 & 08.09.2012	19,297.00				
Observance of "World Mental Health Day"	86,542.00				
Legal Awareness Camp on 9.02.2013	10,918.00				
Expenses relating to Meeting with all the DLSAs Secretaries as well as Chairman of all 4 Sub-Divisional Legal Services Committee on 10.03.2013					
Workshop for the Para Legal Volunteers of 5 Districts of Jharkhand	66,844.00				
Orientation Workshop for Stakeholders under PC & PNDT Act	54,342.00				
Orientation Course for the "Trained Mediators" of the High Courts and Ranchi Civil Court & Khunti	60,747.00				
Seminar on "the Role of Police Personnel in Motor Vehicle Accident Cases"	13,607.00				
Certificate Fee	370,104.00				
	4,495.00	8,893,504.00			
Expenses for Mediation Programme					
Expenditure made by DLSAs for Mediation Infrastructure (As per Schedule:C)		40,918.00			
Expenses for MLLC Programme					
Expenditure made by DLSAs for MLLC (As per Schedule:C)		55,880.00			
Expenses for NREGS Programme					
Bank Charges		225.14			
preciation on Fixed Assets		98,612.00			
		9,089,139.14			9,089,139.14

for Jharkhand Legal Services Authority
Member Secretary, Place : Ranchi
Date : 09/12/2013

As per our report on the even date
for R.K. BITTU & CO., Chartered Accountants
Punam Kumari, Partner, M.No.0410710

Statement of Affairs of NALSA Fund as on 31.03.2013

Fund & Liabilities	Amount	Assets & Properties	Amount	Amount
General Fund from NALSA		Fixed Assets		
Opening Balance	32,790,863.81	Motor Vehicle		558,801.75
Less : Excess of Expenditure over Income	(725,030.14)	(As per schedule : A)		
	32,065,833.67	Advance Payment for purchase of Mobile VAN		1,280,000.00
		Current Assets, Loans & Advances		
		Cash at Bank		
		Balance with V A/c with SBI		
		(Rajbhawan Extn. Counter, Ranchi)		
		For Legal Awareness	11,604,419.00	
		For Mediation Centre	625,375.00	
		For MLLC (Micro Legal Literacy Camp)	7,105.00	
		NREGS	-	12,236,899.00
		Advances		
		Balance with DLSAs For :		
		Legal Awareness	15,580,152.92	
		Mediation Centre	518,573.00	
		MLLC (Micro Legal Literacy Camp)	878,361.00	
		NREGS	1,013,046.00	17,990,132.92
				32,065,833.67

Schedule : A to C and Notes to Accounts from an integral part of financial statements.
for Jharkhand Legal Services Authority

for Jharkhand Legal Services Authority
Member Secretary
Place : Ranchi
Date : 09/12/2013

As per our report on the even date
for R.K. BITTU & CO.
Chartered Accountants
Punam Kumari, Partner, M.No.0410710

Receipt and Payment Account of NALSA Fund
for the year ended 31st March 2013

Expenditure		Amount	Amount	Income	Amount	Amount
To,	Balance b/d					
	Balance with SB A/c with SBI			Payments for Legal Awareness Programme		
	For Legal Awareness	10,208,819.14		Sub-allotment to DLSAs for Training of Child Welfare Officers (SJPJ)	647,840.00	
	For Mediation Centre	625,375.00		Conciliator Remuneration (From April 2012 to March 2013)	300,000.00	
	For MLLC (Micro Legal Literacy Camp)	7,105.00	10,841,299.14	Making copy of DVD "Ek tha Bachapan" and "Police aur Hum"	11,570.00	
	Fund Received from NALSA For :			Printing Expenses	4,074,578.00	
	Legal Awareness	7,500,000.00		Training of Child Welfare Officer at District Level	41,832.00	
	Mediation Centre	-		Workshop on Juvenile Justice Dispensation System	834,912.00	
	MLLC (Micro Legal Literacy Camp)	-		Refresher Training Course on Juvenile Justice System	46,927.00	
	NREGS	-	7,500,000.00	Expenses relating to Mediation Awareness Program	4,260.00	
	Interest Received from SBI		574,501.00	Rehabilitation of 19 inmates from Kerela to Ranchi	29,861.00	
				Legal Awareness Programme on 20.05.2012 & 8.09.2012	19,297.00	
				Observance of "World Mental Health Day"	86,542.00	
				Legal Awareness Camp on 9.02.2013	10,918.00	
				Expenses relating to Meeting with all the DLSAs Secretaries as well as Chairman of all 4 Sub-Divisional Legal Services Committee on 10.03.2013	66,844.00	
				Workshop for the Para Legal Volunteers of 5 Districts of Jharkhand	54,342.00	
				Orientation Workshop for Stakeholders under PC & PNDT Act	60,747.00	
				Orientation Course for the "Trained Mediators" of the High Courts and Ranchi Civil Court & Khunti	13,607.00	
				Seminar on "the Role of Police Personnel in Motor Vehicle Accident Cases"	370,104.00	
				Certificate Fee	4,495.00	6,678,676.00
				Bank Charges		225.14
				Balance c/d		
				For Legal Awareness	11,604,419.00	
				For Mediation Centre	625,375.00	
				For MLLC (Micro Legal Literacy Camp)	7,105.00	
				For NREGS		12,236,899.00
			18,915,800.14			18,915,800.14

Schedule : A to C and Notes to Accounts from an integral part of financial statements. for Jharkhand Legal Services Authority

for Jharkhand Legal Services Authority
Member Secretary
Place : Ranchi, Date : 09/12/2013

As per our report on the even date
for R.K. BITTU & CO., Chartered Accountants
Punam Kumari), Partner, M.No.04/10710

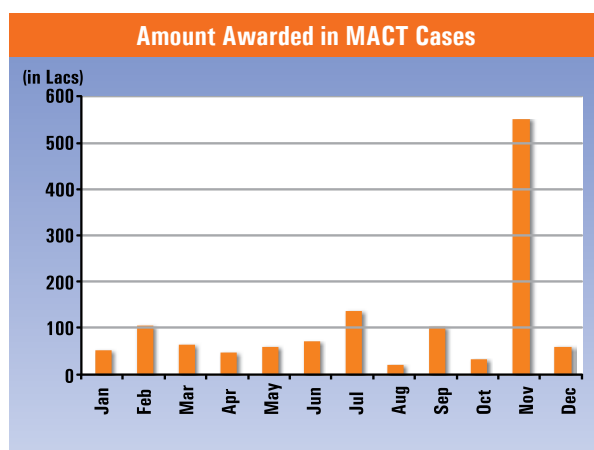
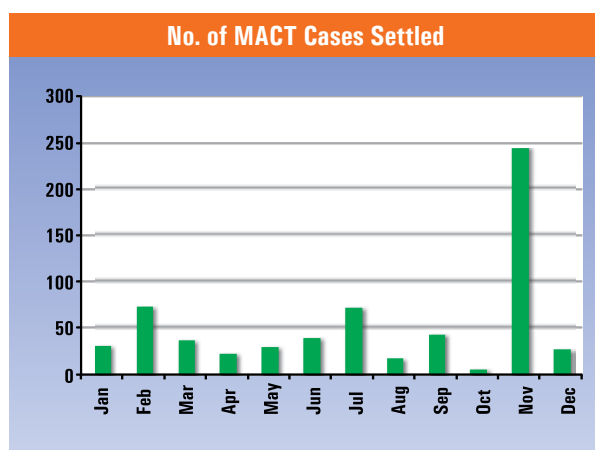
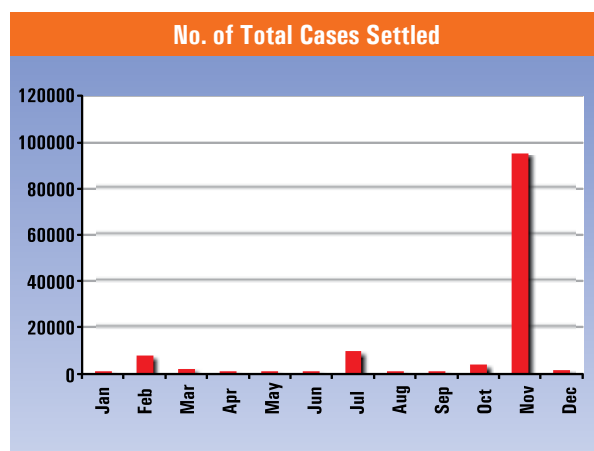
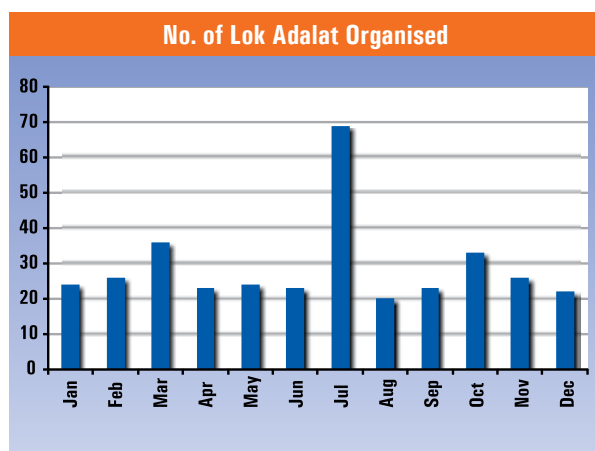


Statistical Details

(From January 2013 to December 2013)

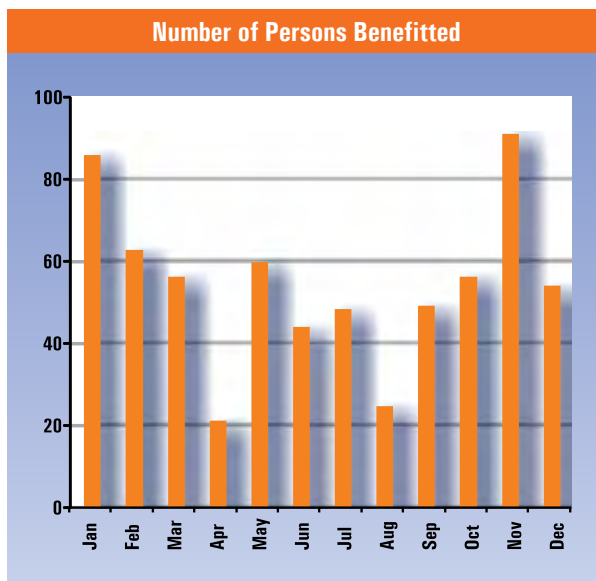
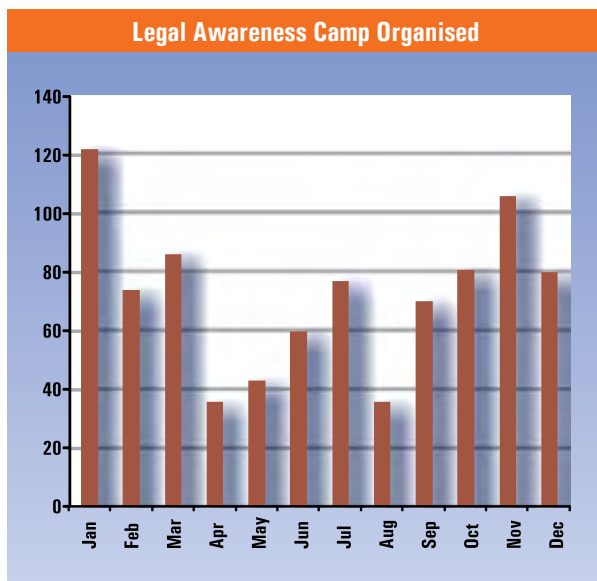
Lok Adalat

Month	No. of Lok Adalat Organised	No. of Total Cases Settled	No. of MACT Cases Settled	Amount Awarded in MACT Cases
Jan	24	930	30	5091931
Feb	26	7568	73	10421297
March	36	1847	37	6375731
April	23	879	22	4572293
May	24	961	29	5835147
June	23	1206	39	6953932
July	69	9898	72	13545506
Aug	20	1209	17	1914768
September	23	1213	43	10129032
October	33	3953	5	3208594
November	27	106041	301	55163180
December	22	1675	27	5851821
Total	349	126686	638	129063232



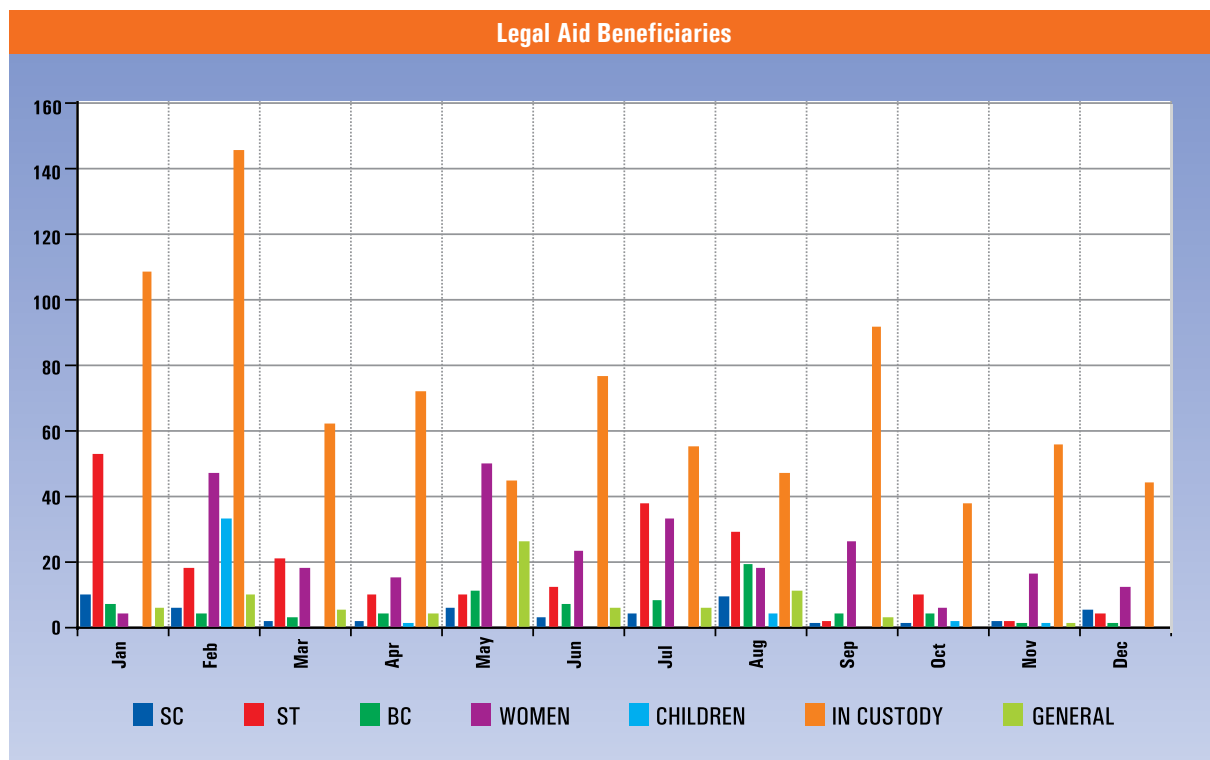
Legal Awareness Camp

Month	Legal Awareness Camp Organised	No. of Persons Benefitted
Jan	122	21548
Feb	74	15738
March	86	14124
April	36	5342
May	43	14963
June	60	11016
July	77	12154
Aug	36	6181
September	70	12300
October	81	14122
November	106	22784
December	80	13580
Total	871	163852



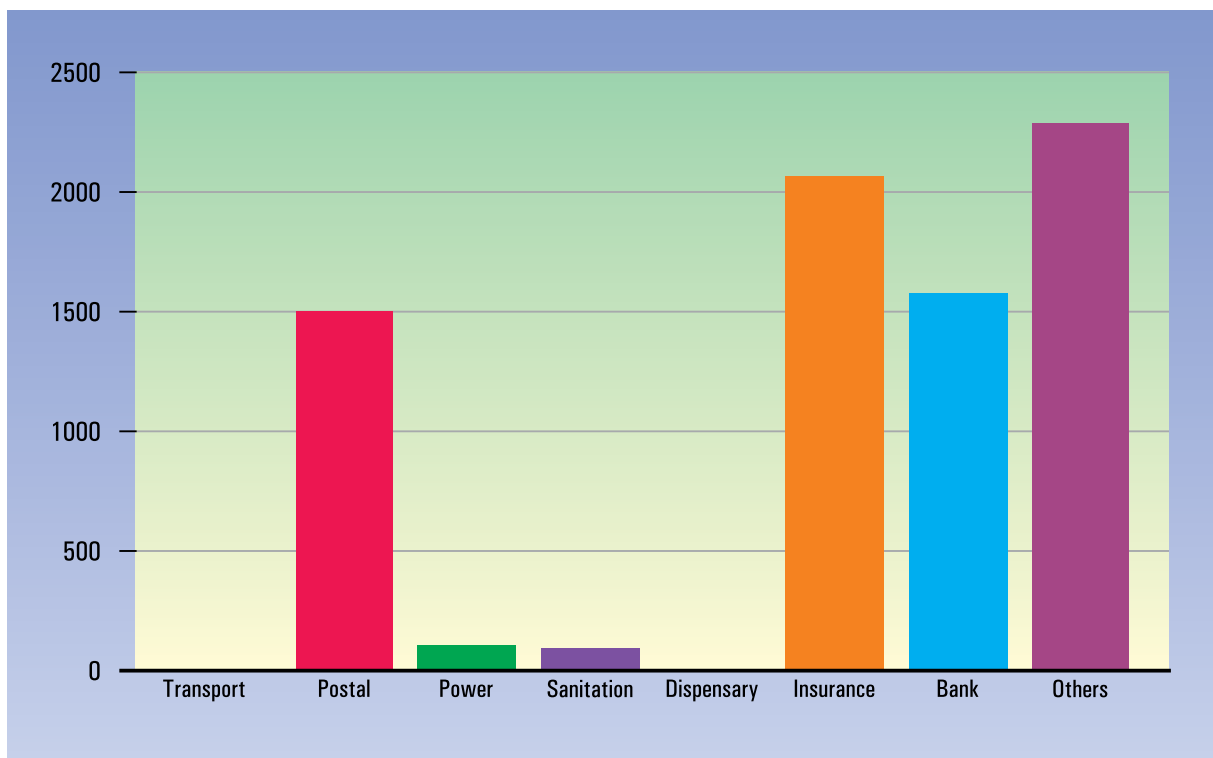
Legal Aid Beneficiaries

Month	SC	ST	BC	WOMEN	CHILDREN	IN CUSTODY	GENERAL
Jan	10	53	7	4	0	109	6
Feb	6	18	4	47	33	146	10
March	2	21	3	18	0	62	5
April	2	10	4	15	1	72	4
May	6	10	11	50	0	45	26
June	3	12	7	23	0	77	6
July	4	38	8	33	0	55	6
Aug	9	29	19	18	4	47	11
September	1	2	4	26	0	92	3
October	1	10	4	6	2	38	0
November	2	2	1	16	1	56	1
December	5	4	1	12	0	44	0
Total	51	209	73	268	41	843	78



Permanent Lok Adalat

Month	Transport	Postal	Power	Sanitation	Dispensary	Insurance	Bank	Others
Jan	0	61	1	6	0	1	0	119
Feb	0	150	3	5	0	7	0	86
March	0	274	1	4	0	11	0	246
April	0	16	0	8	0	13	0	2
May	0	18	2	10	0	13	0	31
June	0	48	0	5	0	13	0	67
July	0	93	1	11	0	15	0	175
Aug	0	64	3	0	0	5	0	50
September	0	13	0	6	0	7	0	13
October	0	18	1	4	0	0	0	72
November	0	632	84	20	0	1970	1501	1397
December	0	109	3	10	0	5	63	20
Total	0	1496	99	89	0	2060	1564	2278



**DATA WITH RESPECT TO JAIL ADALAT ORGANISED & UNDER TRIAL PRISONERS RELEASED UNDER 'MISSION MODE PROGRAM' TO REDUCE PENDENCY OF UNDER TRIALS
Jan-2013 To Dec-2013**

DLSAs Sub-DLSC/HCLSC	Total no of Lok Adalat organised in the jail	Total no of Cases settled in Lok Adalat	Total no of Undertrial Prisoners Released/Benefited
Bokaro	17	57	63
Chaibasa	6	18	14
Chatra	6	25	37
Deoghar	6	16	14
Dhanbad	6	79	78
Dumka	7	41	41
Garhwa	5	16	21
Giridih	6	10	10
Godda	6	5	5
Gumla	6	17	20
Hazaribagh	7	33	31
Jamshedpur	5	50	56
Jamtara	5	16	19
Khunti	0	0	0
Koderma	5	8	12
Latehar	5	7	7
Lohardagga	6	13	15
Pakur	6	7	8
Palamu	7	21	22
Rajmahal	0	0	0
Ranchi	7	58	44
Sahebganj	6	35	36
Seraikella	8	16	21
Simdega	6	0	3
Total	146	548	577

DATA WITH RESPECT TO JAIL ADALAT ORGANISED & LEGAL AID PROVIDED TO UNDER TRIAL PRISONERS

Jan-2013 To Dec-2013

DLSAs Sub-DLSC/HCLSC	Total no of Lok Adalat organised in the jail	Total no of Cases settled in Lok Adalat	Legal Aid Provided to Under Trial Prisoners
Bokaro	13	23	67
Chaibasa	3	3	147
Chatra	6	25	47
Deoghar	5	1	28
Dhanbad	1	11	86
Dumka	0	0	0
Garhwa	5	16	19
Giridih	2	7	3
Godda	6	5	0
Gumla	5	18	14
Hazaribagh	0	0	79
Jamshedpur	5	50	91
Jamtara	0	0	0
Khunti	0	0	3
Koderma	5	8	12
Latehar	4	6	0
Lohardagga	0	0	18
Pakur	0	0	7
Palamu	0	0	17
Rajmahal	0	0	0
Ranchi	7	58	237
Sahebganj	6	35	28
Seraikella	0	0	86
Simdega	3	0	22
Total	78	286	1013

District wise Data on Undertrial Prisoners
Jan-2013 To Dec-2013

District	No of Under trials as on the start of the month		No of Under trials added during the month		No of Under trials whose case finalised during the month				No of Under trials as on the end of the month					
	Urban	Rural	Urban	Rural	Convicted		Released on Bail		Discharged		Urban	Rural		
					Urban	Rural	Urban	Rural	Urban	Rural			Urban	Rural
Bokaro	1475	4519	736	1631	37	89	578	1338	117	118	6	0	1455	4585
Chaibasa	1832	11222	139	867	25	120	105	474	20	212	0	0	1821	11283
Chatra	217	3354	117	1116	5	20	92	724	7	40	0	0	230	3686
Deohear	2323	3185	308	2258	9	53	266	2003	8	138	2316	3090	2316	3090
Dhanbad	7561	6734	3111	2610	133	104	2937	2411	114	83	8	5	7480	6741
Dumka	511	4070	46	803	2	55	45	523	14	146	498	4147	498	4147
Garhwa	1032	8937	340	2106	14	28	282	1687	25	190	23	231	1098	8837
Giridih	130	4587	23	1087	0	31	25	819	2	109	126	4714	126	4714
Godda	380	3987	98	769	0	20	67	629	1	59	0	0	410	4048
Gumla	0	7978	0	1530	0	44	0	517	0	713	0	296	0	7819
Hazaribagh	3413	10525	1003	3232	14	91	989	3098	8	91	11	39	3394	10438
Jamshedpur	7412	4782	2922	1312	73	73	2588	1051	162	115	6	0	7505	5205
Jamtara	0	923	0	560	0	29	0	342	0	165	0	445	0	947
Khunti	209	902	41	126	1	3	43	105	8	30	73	647	198	854
Koderma	353	1331	137	523	4	18	101	356	17	59	300	1383	308	1384
Latehar	46	4060	8	1045	3	41	27	788	1	118	24	4185	24	4185
Lohardagga	580	3082	131	715	5	26	54	337	57	340	595	3094	595	3094
Pakur	79	2198	18	568	0	21	27	253	1	66	69	2426	64	2246
Palamu	3174	5172	959	1683	47	98	945	1420	48	95	2581	4381	3093	5233
Rajmahal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ranchi	12748	6350	2799	2253	173	131	2362	1869	81	152	2656	3145	12900	6467
Sahebganj	397	2700	132	977	21	85	90	601	22	260	400	2729	400	2727
Seraikella	2154	2805	615	678	32	59	484	535	79	112	1247	1690	2164	2778
Simdega	53	4985	11	485	6	46	4	225	6	180	0	0	52	5026
	46079	108861	13694	29192	604	1305	12111	22271	798	3609	10939	37274	46131	110061

Naturewise Details of Cases Received Settled and Pending at different Mediation Centres From January 2013 to December 2013

Name of Judgeship	No. of Cases Received					No. of cases settled					No. of cases unsettled					No. of cases Pending				
	Civil	Matrimonial	Criminal	NI Act	Domestic Violence	Civil	Matrimonial	Criminal	NI Act	Domestic Violence	Civil	Matrimonial	Criminal	NI Act	Domestic Violence	Civil	Matrimonial	Criminal	NI Act	Domestic Violence
Bokaro	170	89	180	2	0	7	14	58	0	0	166	70	128	2	0	19	13	18	0	0
Chaibasa	30	0	4		0	1	0	0	0	17	0	3	0	0	36	0	1			
Chatra	74	7	81	0	0	0	0	11	0	27	2	31	0	0	47	5	39			
Dhanbad	193	94	270	2		9	13	90	2	173	53	163			98	138	154			
Dumka	57	106	6			5	27	3	0	42	67	3	0	0	52	88	7			
Deoghar	126	49	72	6	0	27	22	43	4	95	22	18	0	0	81	26	45	1	0	0
Gumla	64	13	43	0	0	3	3	8	0	32	0	20	0	0	24	9	10	0	0	0
Garhwa	61	5	137	0	0	7	4	95	0	50	3	57			5	0	15			
Godda	7	13	32	0	0	4	6	11	0	3	5	9	10	0	3	14	7			0
Giridih	186		24			1		7		157		19			81	0	0			
Hazaribagh	151	93	235			7	17	131		128	44	97	0	0	82	87	36	0	0	0
Jamtara	54	24	8		2	14	7	2		10	17	3		2	23	0	1	0	0	0
Jamshedpur	199	440	207	25	0	16	156	42	2	102	171	109	18	0	128	141	136	5		
Koderma	10	3	22	2	0	1		8		12	2	6	2	0	13	3	16			
Latehar	1		8			1		4	0	1	0	1	0	0	2	0	3	0	0	0
Lohardagga	22	10	41	0	0	1	4	27	0	14	8	9	0	0	15	7	34	0	0	0
Pakur	84	6	14	0	0	4	1	4	0	20	2	7	0	0	77	3	5	0		
Palamau	104	25	62	3	0	3	3	25	1	70	19	39	0	0	59	12	19	2		
Ranchi	172	121	221	76	0	20	55	118	41	118	41	103	17		179	109	151	18		
Sahebganj	24		68	4	0	2		26		17		39	1		9	0	25	3		
Seraikella	9	5	8			0	0	4		7		4			3	3	9	0	0	0
Simdega	12	2	0	0	0	0	0	2	0	10	2	1	0	0	7	0	2	0	0	0
Total	1810	1105	1743	120	2	133	332	719	50	1271	528	869	50	2	1043	658	733	29	0	0

**Contact & Email address of
District Legal Services Authorities, State of Jharkhand**

Sl. No.	Name of District	Contact Number	Email address
1	Bokaro	06542-222445	dlsabokaro@gmail.com
2	Chaibasa	Under Process	dlsachaibasa@gmail.com
3	Chatra	Under Process	dlsachatra@gmail.com
4	Deoghar	0326-2310086	deoghardlsa@gmail.com
5	Dhanbad	06434-222089	dlsa.dhanbad@gmail.com
6	Dumka	06432-275496	dlsadumka@gmail.com
7	Garhwa	06561-222551	dlsagarhwa@gmail.com
8	Giridih	06532-250742	dlsagiridih@gmail.com
9	Godda	06422-221191	dlsagodda@gmail.com
10	Gumla	06524-221167	dlsagml38@gmail.com
11	Hazaribag	06546-264232	dlsahazaribag@gmail.com
12	Jamshedpur	0657-2227052	jamshedpurdlsa@gmail.com
13	Jamtara	Under Process	dlsajamtara@gmail.com
14	Koderma	06534-252900	dlsakoderma@gmail.com
15	Latehar	06565-247306	dlsalatehar@gmail.com
16	Lohardagga	06526-222007	dlsalohardaga@gmail.com
17	Pakur	06435-220016	pakurdlsa@gmail.com
18	Palamau	06562-222767	dlsapalamu123@gmail.com
19	Ranchi	0651-2223351	dlsaranchi@gmail.com
20	Sahibganj	06436-222104	dlsasahibganj@gmail.com
21	Seraikella	06597-234008	dlsaseraikellakhar Swan@gmail.com
22	Simdega	06525-225143	dlsasimdega@gmail.com

**Success Story of National Lok Adalat
at DLSA, Bokaro**

Another important successful case is a Motor Accident claim petition no. 4/12 pending before the Permanent Lok Adalat which was disposed of during the National Lok Adalat held on 23.11.13. In this claim petitioner, widow lady **Singo Sardar** had filed a petition u/s 166 of Motor Vehicle Act read with section 22(C) of Legal Services Authority Act 1987 for grant of compensation to the applicant. The lady is so poor that she was unable to file application before the regular tribunal and she preferred the forum of Permanent Lok Adalat. On the eve of National Lok Adalat the matter was settled and she was granted compensation of Rs. 4,00,000/- (Four Lacs only). The New India Insurance Company also agreed to pay Rs. 4,00,000/- within a month.

**Success Story of National Lok Adalat
at DLSA, Palamau**

Settlement of Partition Suit no. 12/88 Ram Narayan Singh & 3 others Vs. Mani Devi & 18 others. This partition suit was pending for more than 26 years and it has twice been remanded back from the appellate court. Further the suit involved partition of large property among 25 persons who were the parties to the suit including more than 10 Sr. citizens and women. With the committed effort of Sr. Civil Judge-II, Palamau, this matter was settled between the parties after 3-4 sittings of negotiations and ultimately this partition suit was disposed of on the basis of compromise in the National Lok Adalat. The parties to this suit got justice after 26 long years that too as per their own will and on their own terms.



JHARKHAND STATE LEGAL SERVICES AUTHORITY
"NYAYA SADAN", DORANDA, RANCHI

2014



UNITED WE STAND
INDIA REPUBLIC DAY (26TH JANUARY)

India Republic Day (26th January)

In India, Republic Day honours the date on which the Constitution of India came into force on 26 January 1950 replacing the Government of India Act (1935) as the governing document of India. The Constitution was passed by the Constituent Assembly of India on 26 November 1949 but was adopted on 26 January 1950 with a democratic government system, completing the country's transition toward becoming an independent republic.

JANUARY

Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- **LOK ADALAT**
25th Jan. - Lok Adalat
26th Jan. - Jail Adalat on Republic Day and Legal Literacy Classes
- **LEGAL AWARENESS CAMP**
26th Jan. - Legal Awareness Camp on Republic Day



JHARKHAND STATE LEGAL SERVICES AUTHORITY
"NYAYA SADAN", DORANDA, RANCHI

2014



WORLD DAY OF SOCIAL JUSTICE (20TH FEBRUARY)

World Day of Social Justice (20th February)

World Day of Social Justice is a day recognizing the need to promote efforts to tackle issues such as poverty, exclusion and unemployment. The United Nations General Assembly has decided to observe 20 February annually, approved on 26 November 2007 and starting in 2009, as the World Day of Social Justice. The governments to achieve the aim of "a society for all" made a commitment to the creation of a framework for action to promote social justice at national, regional and international levels based on social justice and respect for all human rights and fundamental freedoms.

FEBRUARY

Mon	Tue	Wed	Thu	Fri	Sat	Sun
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

- **LOK ADALAT**
22nd Feb. - Lok Adalat
- **LEGAL AWARENESS CAMP**
16th Feb. - Legal Awareness Camp



JHARKHAND STATE LEGAL SERVICES AUTHORITY

"NYAYA SADAN", DORANDA, RANCHI

2014



INTERNATIONAL WOMEN DAY (8TH MARCH)

International Women Day (8th March)

International Women's Day (IWD), originally called **International Working Women's Day**, is marked on **March 8** every year. In different regions the focus of the celebrations ranges from general celebration of respect, appreciation and love towards women to a celebration for women's economic, political, and social achievements and empowerment.

MARCH

Mon	Tue	Wed	Thu	Fri	Sat	Sun
31					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

LOK ADALAT

25th Mar. to 29th Mar. - Mega Lok Adalat

LEGAL AWARENESS CAMP

08th Mar. - Legal Awareness Camp on Women's Day



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"NYAYA SADAN", DORANDA, RANCHI

2014



EARTH DAY
(22ND APRIL)

Earth Day (22nd April)

Earth Day is an annual event, celebrated on April 22, on which events are held worldwide to demonstrate support for environmental protection. It was first celebrated in 1970, and is now celebrated in more than 192 countries each year.

APRIL

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

LOK ADALAT

26th Apr. - Lok Adalat

LEGAL AWARENESS CAMP

02nd Apr. - Legal Awareness Camp on Sarhul



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INTERNATIONAL
LABOR DAY
1ST MAY



International Labour Day (1st May)

Labour Day is an annual holiday celebrated all over the world that resulted from the labour union movement, to celebrate the economic and social achievements of workers. The celebration of Labour Day has its origins in the eight-hour day movement, which advocated eight hours for work, eight hours for recreation, and eight hours for rest. The majority of countries celebrate Labour Day on May 1, and it is popularly known as May Day and International Workers' Day.

MAY

Mon	Tue	Wed	Thu	Fri	Sat	Sun
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

■ **LOK ADALAT**

31st May - Lok Adalat

■ **LEGAL AWARENESS CAMP**

18th May - Legal Awareness Camp



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**World Day Against
Child Labour**

12 JUNE 2014



**LET'S END
CHILD LABOUR**

World Day against Child Labour (12th June)

The **World Day against Child Labor** is held every year on June 12, is intended to foster the worldwide movement against child labour in any of its forms. It was first launched in 2002 aiming to raise awareness and activism to prevent hundreds of millions of girls and boys around the world who are affected by child labour.

JUNE

Mon	Tue	Wed	Thu	Fri	Sat	Sun
30						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

■ **LOK ADALAT**

28th June - Lok Adalat

■ **LEGAL AWARENESS CAMP**

12th June - Legal Awareness Camp on World Day against Child Labour



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World Population Day (11th July)

World Population Day is an annual event, observed on July 11 every year, which seeks to raise awareness of global population issues. The event was established by the Governing Council of the United Nations Development Programme in 1989. It was inspired by the public interest in Five Billion Day on July 11, 1987 approximately the date on which the world's population reached five billion people.

JULY

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

LOK ADALAT

26th July - Lok Adalat

LEGAL AWARENESS CAMP

20th July - Legal Awareness Camp



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INDIA INDEPENDENCE DAY (15TH AUGUST)

India Independence Day (15th August)

Independence Day, observed annually on 15 August, is a national gazetted holiday in India commemorating the nation's independence from British rule on 15 August 1947. India attained independence following an independence movement noted largely for nonviolent resistance and civil disobedience led by the freedom leaders.

AUGUST

Mon	Tue	Wed	Thu	Fri	Sat	Sun
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

LOK ADALAT

15th Aug. - Jail Adalat on Independence Day and Legal Literacy Classes

26th Aug. to 30th Aug. - Mega Lok Adalat

LEGAL AWARENESS CAMP

15th Aug. - Legal Awareness Camp on Independence Day



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SEPTEMBER

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

International Literacy Day (8th September)

September 8 was proclaimed **International Literacy Day** by UNESCO on November 17, 1965. It was first celebrated in 1966. Its aim is to highlight the importance of **literacy** to individuals, communities and societies. On International Literacy Day each year, UNESCO reminds the international community of the status of literacy and adult learning globally. Celebrations take place around the world.

LOK ADALAT

27th Sep. - Lok Adalat

LEGAL AWARENESS CAMP

21st Sep. - Legal Awareness Camp



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OCTOBER

Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1	2	3	4	5
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20	21	22	23	24	25	26
27	28	29	30	31		

International Day of Non Violence (2nd October)

The **International Day of Non-Violence** is observed every year on 2 October, the birthday of **Mahatma Gandhi**. This day is referred to in India as **Gandhi Jayanti**. On 15 June 2007 the **United Nations General Assembly** voted to establish 2 October as the International Day of Non-Violence. The resolution by the General Assembly asks all members of the UN system to commemorate 2nd October in "an appropriate manner and disseminate the message of **non-violence**, including through education and public awareness."

LOK ADALAT

02nd Oct. - Jail Adalat on Mahatma Gandhi Jayanti and Legal Literacy Classes

LEGAL AWARENESS CAMP

10th Oct. - Legal Awareness Camp on World Mental Health Day



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Legal Services Day (9th November)

The **Legal Services Day** is celebrated every year on 9th of November across the country by Legal Services Authorities. The 9th of November is selected as the Legal Services Day which was first started by the Supreme Court in the year 1995 all across the India to offer help and support to the weaker and poor group of sections of people which may be women, disabled persons, Scheduled Tribes, children, Scheduled Castes, human trafficking victims as well as natural calamities victims. This day is also observed as National Legal Literacy Day. At this day legal literacy camps, Lok Adalat and variety of functions are organized at many places in the country.

NOVEMBER

Mon	Tue	Wed	Thu	Fri	Sat	Sun
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

LOK ADALAT

29th Nov. - Lok Adalat

LEGAL AWARENESS CAMP

09th Nov. - Legal Awareness Camp on National Legal Literacy Day
14th Nov. - Legal Awareness Camp on Children Day
15th Nov. - Legal Awareness Camp on Bhagwan Birsa Jayanti
26th Nov. - Legal Awareness Camp on Law Day



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Human Rights Day (10th December)

Human Rights Day is celebrated annually across the world on 10 December. The date was chosen to honour the United Nations—General Assembly's adoption and proclamation, on 10 December 1948, of the Universal Declaration of Human Rights (UDHR), the first global enunciation of human rights and one of the first major achievements of the new United Nations. The formal establishment of Human Rights Day occurred at the 317th Plenary Meeting of the General Assembly on 4 December 1950, when the General Assembly declared resolution 423(V), inviting all member states and any other interested organizations to celebrate the day as they saw fit.

DECEMBER

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

LOK ADALAT

20th Dec. - Lok Adalat

LEGAL AWARENESS CAMP

01st Dec. - Legal Awareness Camp on World AIDS Day
03rd Dec. - Legal Awareness Camp on World Disability Day
10th Dec. - Legal Awareness Camp on Human Rights Day

Certificate of Comendation

**National Legal Services Authority presented Certificate of Commendation to
Mr. Chintamani Pathak, PLV of District Chatra (Jharkhand)
on 26th October, 2013 at Vigyan Bhavan, New Delhi**

At the National Level Meet of Para Legal Volunteers under NALSA Scheme held on 26th October, 2013 at Vigyan Bhawan, New Delhi, Sri Chintamani Pathak, a PLV from Chatra DLSA, a highly extremist infested area, was adjudged as the best PLV for the Eastern Zone comprising **Assam, Arunachal Pradesh, Bihar, Jharkhand, Manipur, Meghalaya Mizoram, Nagaland, Orissa, Uttar Pradesh and West Bengal**. Sri Chintamani Pathak was awarded Certificate of Commendation by Hon'ble Mr. Justice G.S. Singhvi, Judge, Supreme Court of India and Executive Chairman, NALSA in the august presence of **Hon'ble Mr. Justice P. Sathasivam**, Chief Justice, Supreme Court of India-cum-Patron-in-Chief, NALSA and other Hon'ble Judges of Hon'ble Supreme Court of India and Hon'ble High Courts.





"NYAYA SADAN"

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