

# The Journey of Change

June, 2013

#### June 2013

Content and design: The Lawyers for Change Academy facilitation team Pictures courtesy: Suadat Ahmad Kirmani and others

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#### Lawyers for Change Fellowships

A programme of ECONET Technical support by Centre for Social Justice

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# I. Two years of Lawyers for Change

The Lawyers for Change programme, through its 18 Fellows today has its presence over 14 states of the country. The Fellows of this programme, all young lawyers passionate about working on issues of social justice, are taking small steps towards their goals but making sure that they leave a mark wherever they go and whatever they do.

Among the work which has been done by the Fellows, there have been 7 PILs filed in High Courts and many more cases taken up in the lower courts, there have been endeavours to engage with law colleges to interact with students and inculcate the human rights perspective in them, there have been fact findings conducted in cases of custodial torture, there have been village visits and visits to slums where awareness sessions have been held – all of which you will find in the next pages.

While the Fellows have been and are being provided guidance by the Faculty and other resource persons who are invited to interact with the group whenever they meet, the group is also learning system within itself. Through interaction on online forums and in contact sessions, the Fellows, all of whom belong to diverse realities and circumstances, learn and unlearn, share ideas, strategies and collaborate to grow as a group. Thus the conscious effort made by the panel which selected the Fellows of choosing people from different parts of the country, belonging to different class backgrounds and having their expertise in different areas but all sharing the passion of working towards change in the society has paid off.

What is also interesting and unique about this programme is its pedagogy. While the Faculty facilitate and support the Fellows to construct their own academy which includes building its norms based on the values and articulate the curriculum based on their learning needs and design their own field commitments such that the praxis of theory and practice is balanced. Tasks to be carried out are chosen by the members of the group collectively which is then monitored by the Faculty. This brings ownership in the Fellows of the work that they do which is reflected in the way the work is done therefore completing the loop of learn to learn through naming, action, reflection leading to a higher level of action. They also get a taste of understanding collective as a living system and therefore imbibe the values of collective leadership as opposed to the individualistic approach to lawyering which is practiced out there.

Together with the successes that the programme has had in the last two years, it has also faced issues where the Fellowships of four Fellows had to be terminated because

of false reporting and non-disclosure of facts material to participation in the programme. The Fellows being spread across the country, it has been difficult to verify the work reported. It has also been difficult for the academy to get all members of the group together for the bimonthly contact sessions because of the travel involved. The academy has accepted this as its learning and is working with the group to minimize such occurrences.

# II. Geographical reach

The Lawyers for Change programme presently has Fellows in 14 states of the country. It is intended that through a larger coverage and these lawyers starting as pioneers in their area will work in a hub and spoke architecture by attracting other young lawyers and paralegals thus taking the culture of social justice lawyering at the grassroots. Lawyers for Change Fellows currently practice in the following states:

- 1. Jammu & Kashmir
- 2. Punjab
- 3. Haryana
- 4. Bihar
- 5. Assam\*
- 6. Jharkhand
- 7. Gujarat

\*Not supported by Ford Foundation

- 8. Chhattisgarh
- 9. Odisha
- 10. Gujarat
- 11. Karnataka
- 12. Tamil Nadu
- 13. New Delhi
- 14. Uttar Pradesh



**Image 1:** Geographical reach of the Lawyers for Change programme.

# III. Process of selection

Fellows for the Lawyers for Change Fellowships programme undergo a 4-stage process before selection. The elaborate process in which the number of applicants is almost halved at each stage is designed so as to be able to identify young lawyers who are not just bright but also demonstrate abilities of being a 'leader in law' two years down the line. The process of selection takes almost a full month to complete and is given utmost importance and attention because the pedagogy of the programme has a lot to do with the group that is formed which will work and learn together for the following two years. The pedagogical approach of the Lawyers for Change programme is discussed in detail in the following chapter.

#### A. Stages of selection

1. **Call for applications**: At the beginning of the process, applications are invited from lawyers below 32 years of age (the idea being to work with young lawyers; age limit is relaxed in exceptional cases) who are interested in working and litigating on socio-legal issues. The call for applications is sent to organizations across the country which work with lawyers, to state Bar Associations, to law schools across the country and is also published widely on online forums, blogs, email groups, etc. Applicants are asked to send their Curriculum Vitae along with a covering letter by email.

In our experience of two years, we have found that there are very few applications which are received from non-governmental organizations working on rights based issues in spite of us making efforts to get them to nominate lawyers working with them (if any) for the Fellowship. A study of this pattern made us realize that there are very few civil society organizations in the country which directly work with lawyers. This in a way made us reinforce one of the core objectives of this programme – to make trained and sensitized lawyers available to civil society organizations who can not only represent the organization in litigation at the grassroots but who can also design legal interventions for the organization.

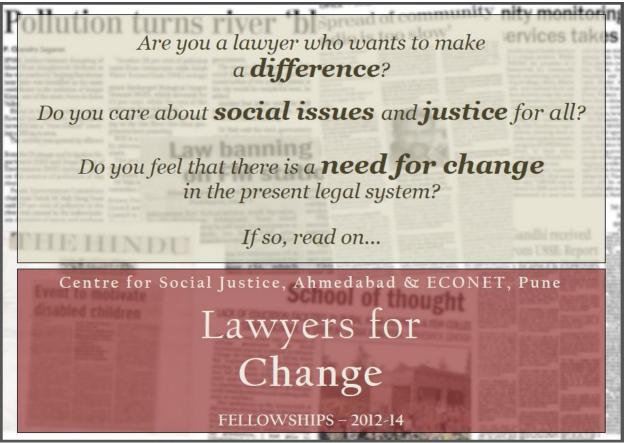


Image 2: Call for applications – Batch II

- 2. **Shortlisting Round 1:** All applicants are asked to answer a few questions and send them over email. The questions help us understand the objective and motivation of the applicant in applying for the programme. The first round of shortlisting happens here.
- 3. **Telephonic interviews Shortlisting Round 2:** A telephonic interview is carried out of the people shortlisted in Round 1. The same is carried out by the faculty mentors. Negotiations with candidates over the place from where we would like them to operate take place in this round. The applicant's knowledge of law is also tested in this round.
- 4. **Personal interaction and field visit:** Applicants shortlisted in the previous round are invited for a personal interaction session. A few group processes are carried out in this session and the responses are observed. Since it is envisaged that in the two years of the programme the group will work and learn together, it is important to identify the behavior of the applicant in the group. Thereafter, the group is sent to the rural field area of a chosen organization working on rights

based issues in that area to get an overview of how that organization works. The group spends their night in the village and returns the next day. A brief sharing of experiences takes place which brings to an end the two-day process.

#### **B. Final selection**

The final selection takes place from among the 30-odd candidates who make it to the 'personal interaction and field visit' round. A lot of thought beyond objective criteria goes into the selection of the final group of applicants who will be awarded the Fellowship. A conscious effort is made to come up with a group which is diverse in as many ways as possible – socially, academically, geographically, in the kind of work they do, their experience and their interests. This is done because one of the core ideas of the programme is that when put together, individuals from different backgrounds and experiences learn from each other thus growing individually as well as a group.

Presently, the two batches of the programme have people from 14 states of India. The group has a person who has as many as 7 years of experience in practice while there are others who have just graduated from law schools. There are people whose strength is their government school and local law college education and there are others who experienced education at premier institutes of the country. There are people who have been working with organizations, practicing in lower courts, some in the Naxal active belts of Chhattisgarh and Jharkhand while there are others who are into High Court litigation. There are people from vulnerable sections of society who bring in the richness of experiencing discrimination and others who are willing to transcend their elite backgrounds to do be a change makers.

# IV. Pedagogy

The pedagogical approach of the Lawyers for Change programme is what is most unique about the programme. We believe in an approach where the learning group with facilitation and guidance from faculty mentors frames the curriculum for itself, sets targets and as it moves ahead, shares its learnings with the group thus making it a learning system within itself and more importantly, bringing a sense of ownership to the process of learning. The approach, drawn from ideas of Paulo Freire, is proven to be a more effective method of learning than what is practiced in the education system prevalent in India. The pedagogy brings out in the individual a leader as opposed to a follower, a 'leader in law' from our perspective.

The curriculum of the programme combines learning about social issues from practitioners and readings, being exposed to the same through field visits and learning about the laws and how to strategically use them to address the issue. The academy focusses on a balance between law and leadership. It is neither about only law, nor about only leadership. It is about combining the two and this is what makes it unique. It has a balance between understanding self, society and '*my role as a lawyer thereby making me a leader in law*'. The programme, though individually designed, has linkages with the collective and therefore peer mentoring through online forums and work in subgroups is encouraged. The principle behind this is that adults learn differently than children and that building leadership in thought and action is like physical fitness - the more we practice, the more resilient we become.

#### A. Co-constructed academy

We like to call the Lawyers for Change programme as 'co-constructed academy'. The academy<sup>1</sup> begins with a new batch and is built from scratch with the batch in its first meeting to go on for the next two years. In its first contact session<sup>2</sup> the group sits together with the faculty mentors to build its academy – one which is specific to itself.

<sup>&</sup>lt;sup>1</sup> Dictionary meaning: A learned establishment for the advancement of knowledge

<sup>&</sup>lt;sup>2</sup> More on 'contact session' in the following pages

#### i. Steps of building the Lawyers for Change academy

- The process begins with the group getting to know each member through various group activities and games. The stress of the pedagogy being on group learning, group building activities in the beginning are important. In addition to that, the group is taken through other self-realization exercises like those on values and feelings. The group is also given an overview of the programme, its objective and other functional details.
- 2. The group is directed to brainstorm on the concept of a 'leader in law'. Specifically, the group is asked to define the concept and identify attributes of a person they think would be called a 'leader in law'. In the process the group comes up with their definition of a 'leader in law' and defines the activities, qualities and attributes of a person its thinks can be called a 'leader in law'. This process causes the group to internalize the concept and aspire to be leaders in law themselves.

#### DEFINITION OF "LEADER IN LAW"

"A leader in law has qualities that include a vision of Justice: Social, Economic and Political which arises from a deep rooted sensitivity towards the functioning of law in action which employs concrete strategies, diplomacy, strong analytical and positive thinking with utmost courage, honesty and integrity and is able to articulate and execute ideas of justice with a hope for change."

Box 1: 'Leader in Law' as defined by the 2012-14 Batch

3. The group then defines its VIMISTRA (Vision, Mission, Strategy) and comes up with its plan of action. The process which takes a full day is facilitated by the faculty mentors to ensure that the group is moving in the right direction. The VIMISTRA and plan of action once drafted are revisited if necessary to bring it in line with each other and with the definition of 'leader in law' so as to make it the VIMISTRA and plan of action of a leader in law. The plan of action is designed to have activities which result in a holistic growth of the lawyer and hence has activities beyond courtroom practice to ensure movement outside comfort zones and engagement of the Fellows in larger processes. (Box 2) The group also sets the values and norms it will adhere to as a Fellow of the programme and a leader in law, a result of the exercise on values carried out earlier. (Box 3 and 4)

[Plans of action of Batch I (2011-13) and Batch II (2012-14) are appended as **Annexures I** and II respectively]

#### VISION MISSION STRATEGIES AND PLAN OF ACTION

#### Vision

To bring social change by creating 'leaders in law' for the purpose of facilitating systemic change throughout India.

#### Mission

To bring social change through the processes of law by providing training and guidance to committed lawyers to make them 'leaders in law' to have just and equal world.

#### Strategies

- Use individual fellows to build linkages and networks with other stakeholders to ensure efficiency and meaningful participation, for pooling of resources for securing social justice.
- Use individual and group learnings in the pursuit of gaining and diffusing knowledge and use fellows located in different parts of the country as resource persons.
- To build individual and group capacities of LFC fellows by providing training, monetary support, intellectual resources.
- To provide a platform for interaction and capacity building.
- Assign deliverable and measurable individual and group tasks, and ensure accountability

#### PLAN OF ACTION FOR LFC FELLOWS

- Representing causes through comprehensive interventions through legal, political and other means, where rights violations have occurred.
- Filing applications under RTI Act and engage in fact finding process
- Organizing legal awareness sessions to various groups on specific legal issues
- Participating in the process of drafting syllabus of academic courses
- Engaging in the law making process by making suggestions and recommendations to proposed laws
- Engaging with District Planning Commissions, Bar Associations, Bar Councils, BCI and other legislative and executive bodies.
- Initiate Social Action Litigation proceedings in appropriate forums
- Engaging law students, legal academicians, legal practitioners and judges to sensitize them about various socio-legal issues via seminars, conferences, workshops, documentary screenings etc.

#### Box 2: VIMISTRA and Plan of Action drafted by the 2012-14 Batch

#### NORMS

 (a) That, the *minimum* number of days of our engagement in activities relating to LfC shall not be less than 10 working days<sup>1</sup> in the span of every 30 days.

(b) In the same context, the **desirable** number of days of our engagement in activities relating to LfC shall not be less than 15 working days in every 30 days.

(c) The *ideal* number of days of our engagement in activities relating to LfC would not be less than 20 days in every 30 days.

Provided that, in the two consecutive months in between contact sessions, a Fellow must dedicate the 'desirable' or 'ideal' number of working days for LfC work in **at least one** of the two months.

- 2. That, every task performed relating to LfC by the Fellows, shall be documented in a presentable manner. Such documentation could include photographs, copies of postal or electronic communication, applications, etc. A simple format, which should include the date, task carried out and number of hours spent for the work could be prepared and followed.
- 3. That, the Fellows shall engage in at least two 'group' Skype audio calls within the period of 60 days in between contact sessions and at least one individual Skype call each with the coordinators / mentors in the period of 60 days.
- 4. That, each Fellow shall give fortnightly updates as to the status of our work through emails to the LfC 2011-13 Google Group. Non-compliance to the same would result in assumption that no work has been carried out in the said period.
- 5. That, each Fellow shall strive to follow the time schedule prescribed during the contact session and otherwise. Non-compliance to the same, without valid reason, shall invite sanctions to be decided by the mentors.

Box 3: Norms set for themselves by Batch 2011-13

Values of LfC Fellows	
Team Work	Individuality
Commitment	Balance
Equality	Diversity
Acceptance/Sensitivity	Detachment/Professionalism
Responsibility	Practicality
Democratic	Decisiveness
(Un) learning	Analytical thinking
Integrity	Diplomacy
Leadership	Participation
Courage	Prudence

#### **Pointers for Fellows**

- Have Vision of social transformation
- Read and have positive exchange of ideas
- Network with people/organizations working on similar issue.
- Have sensitive understanding of others' realities
- Have conviction to do hard work consistently so as to be efficacious
- Be proficient in lawyering skills and social engineering and to stay updated/aware of developments which affect society
- Be up to be up to date in recent developments of local/National and International laws.
- Be accessible to stake holders (in particular may be called as clients)

Box 4: Values and pointers of the 2012-14 Batch

4. The Fellows then draw their personal workplans which they frame for the first year of the programme. This is done in the two month gap between the first and second contact sessions when the Fellows explore their local areas for socio-legal issues and identify organizations and institutions they want to work with.

The workplan has a mix of field work, court work, reading – both law and other issues – each categorized as tasks seen in the plan of action. The Fellows focus on specific types of human rights cases which then become the common learning agenda for the contact sessions. The workplan once made is shared with the Faculty and reviewed if needed after which it is finalized.

The design of the programme allows the Fellows to work in their local areas which is usually their place of residence. The academy expects the Fellows to give at least 10-15 days every month to tasks in their workplans. The work thus carried out is reported and presented by the Fellows in what we call 'contact sessions' held once every two months. (more about contact sessions in the next section) The work is reviewed by the Faculty, the Programme Anchor at one level and by the Fellows themselves in a peer review exercise. The peer review exercise which is moderated by the Faculty/Programme Anchor gives an opportunity to the Fellows to be inspired by, to learn from and to give feedback to the work done by other Fellows. While feedback is given both by the group and the faculty, the overall culture of camaraderie and deeper relationships is encouraged especially as the environment they actually practice is hostile to any form of ethical and human rights lawyering.

In between contact sessions, the Fellows share their work, ask for and share strategies and share reading material over an online forum of which each Fellow is a member.

#### **B.** Contact sessions

Contact sessions are thematic learning cum sharing events held once every two months when Fellows of a particular batch meet. The schedule for these sessions which go on for 4-6 days is decided at the beginning of the year in consultation with the Fellows. The sessions are held at different locations based on the need of the group for that particular session. Each contact session focuses on a broad socio-legal theme which is chosen by the Fellows in their individual workplans as an area of their interest or a topic on which they express need for learning. The 4-6 days of the session is designed by the Faculty such that the Fellows get an exposure to the realities of the issue as well as the law related to the theme so chosen – the idea being to integrate social issues and their remedies in the law. For this, interactions are organized in the contact session with practitioners in the field working on the socio-legal aspects of the issue. It is ensured that legal remedies of the issue and the working of the law (if any) on the issue is discussed so that while the Fellows are sensitized towards ground realities faced by people, they are also given legal strategies for addressing the same. In addition to this, the Fellows are also supplied with printed reading material on the particular theme for the session. The reading material is a compilation of scholarly articles, discussion paper, case-laws, etc. which open up discussion on the theme in the contact session. In addition to the reading material, movie screenings are also organized where movies produced on various issues or that on the life of a leader are shown.

While expert resource persons are invited to interact with the groups in each session, Fellows often organize brief learning and sharing session for themselves where a Fellow working in a particular area or an issue shares knowledge gained in practice with the group – thus creating a self-sustained learning system.

A typical day at a contact session begins at 7am with a presentation on a topic prepared by a Fellow followed by a brief discussion on the same. The sessions go on for the entire day with short breaks in between for food. The day usually ends at around 10pm with the screening of a movie.

Contact sessions till date have had the following resource persons:

- Mr. Bezwada Wilson, Safai Karmachari Andolan
- Ms. Madhu Mehra, Partners for Law in Development
- Ms. Arundhati Katju, Advocate, Delhi High Court and Supreme Court of India
- Ms. Vrinda Grover, Advocate, New Delhi
- Mr. Haritha Sarma, Human and Institutional Development Forum, Bangalore
- Mr. Prasad Chacko, Behavorial Sciences Centre, Ahmedabad
- Mr. Prasad Sirivella, National Dalit Movement for Justice
- Ms. Sudha Bharadwaj, Advocate, Bilaspur
- Mr. Sanjay Dave, Charkha Gujarat, Ahmedabad
- Mr. Mahesh Pandya, Paryavaran Mitra, Ahmedabad
- Ms. Sudha Ramalingam, Advocate, Chennai
- Ms. Geeta Ramaseshan, Senior Advocate, Chennai
- Ms. Mohan, Chennai

- Ms. Rama Priya, Advocate, Chennai
- Mr. P. Trinadh Rao, Advocate
- Mr. Traffic Ramaswamy, Activist, Chennai
- Mr. Shaukat, Advocate, Ahmedabad
- Mr. Ramesh Vaghela, Ex-Judge, Gujarat
- Ms. Shilpa Shah, Advocate, Ahmedabad
- Mr. Martin Macwan, Navsarjan, Ahmedabad
- Professor Satyakam Joshi, Centre for Social Studies
- Professor Chandragupt Sanon, Taleem Research Foundation
- Mr. Mohammed Suhail Muhammed Husain Tirmizi, Advocate, Ahmedabad

See:

**Box 5**: A typical day at a contact session (Actual schedule of contact session II of 2011-13 Batch)

**Box 6:** The design of a typical contact session (Actual schedule of contact session 5 of Batch II on Dalit Rights)

Image 3: Analysis of workplans - Batch II

#### C. Outreach mechanisms

Reaching out to a larger number of young lawyers, giving them a platform and motivating them to take up work on socio-legal issues has been one of the core mandates of the Lawyers for Change academy. The academy envisions a hub and spoke model where the Fellows will in the future act as hubs and guide and motivate other young lawyers in their local areas and across the country to take up work on socio-legal issues through demonstration of their own work.

#### i. National Meet of Social Justice Lawyers

To facilitate and achieve this end, the academy has an outreach strategy which aims at increasing engagement with the legal fraternity, especially young lawyers. A 3-day national event in association with National Campaign on Dalit Human Rights – National Dalit Movement for Justice (NCDHR-NDMJ) was in April 2012 where almost 80 young lawyers from across the country participated and heard eminent lawyers, academicians, practitioners, judges and other personalities of the socio-legal domain.

# Lawyers for Change Fellowships

Batch 2011-13

Second Session –  $17^{th}$  –  $22^{nd}$  February, 2011

#### **Daily Schedule**

Activity	Time				
I. Morning Seminar	7.30am to 8.30am				
2. Breakfast	8.30am to 9:00am				
3. Session – I 9:00am to 11:00am					
4. Tea	11:00am to 11:15am				
5. Session – II	11:15am to 1:30pm				
6. Lunch	1.00pm to 2.00pm				
7. Session – III	2:00pm to 3:00pm				
8. Tea	3:00pm to 3:15pm				
9. Session – IV	3:15pm to 5:00pm				
10. Snacks	5:30pm				
II. Dinner 8:30pm to 9:00pm					
Night Session     9:00pm onwards					

Box 5: A typical day at a contact session (Actual schedule of contact session II of 2011-13 Batch)

Law	yers for	Change		13 - 16 April, 2013	
	Batch II Contact	Session 5			
TIME/DATE	13/04/2013	14/04/2013	15/04/2013	16/04/2013	
7:00-8:00		Article presentation / Recap	Article presentation / Recap	Article presentation / Recap	
8:00-9:00		Breakfast	Breakfast	Breakfast	
9:00-10:00	Arrival + Breakfast et	c. Prasad Chacko (BSC)			
10:00-11:00	Brief of the day's program	me Prasad Chacko (BSC)	Kalpesh and Mohan (Navsarjan) - Fact finding	Review of work done	
11:00-11:15	and background	Break	Break	Break	
11:15-13:15	S Y	Shaukat (Navsarjan) - Criminal Trial	Prasad Sirivella (NCDHR)	Planning	
13:15-14:00	H A	Lunch	Lunch	Lunch	
14:00-15:30	ОТ	Shaukat (Navsarjan) - Criminal Trial	Review of work done		
15:30-15:45	BR	Break	Break	Recap of the day	
15:45-17:30	H A	Shaukat (Navsarjan) - Criminal Trial	Review of work done		
17:30-20:00	Break+Dinner	Break+Dinner	Break+Dinner		
20:00-22:00 Short films on Untouchability + discussion		<sup>ity +</sup> Movie - India Untouched			

Box 6: The design of a typical contact session (Actual schedule of contact session 5 of Batch II on Dalit Rights)

Lawyers for Change Fellowships - Batch II Anlaysis of work plans								
				-		• • • • •		
Names		Bro	ad themes	chosen (As	per workpla	an submitte	ed)	
Ankit Grewal	Rights of farmers - indiscriminate use of pesticides, protection of traditional knowledge	Rights of health	Right to social security / economic and social rights	Rights of workers - migrant workers, industrial workers	Rights of children - Education, health, nutrition, child labour, abuse	Rights of consumers	Rights of women protection from domestic violence, coparcenary rights, working women, female foeticide	Rights of the disabled - infrastructure
Gowthaman Ranganathan	Defending human rights defenders	<b>Rights of</b> farmers - as consumers, etc.	Sexuality and gender - Anti- discrimination bill	Regulations governing Civil Societies	Prison reforms			
Hiranya Kr. Basumatary								
Jashaswinee Panda	Right of slum dwellers (social security and economic and social rights)	Migration - causes, implementation of laws	Rights of forest dwellers - FRA	Rights of prisoners	Protection of environment	Rights of women	Water distribution for irrigation	
Kiran Kumari	Right to education	Right to water	Rights of prisoners	Female foeticide	Rights of tribals - land alienation	Police and human rights.		
Robin Christopher J.	Saffronization of education	Right to education	Cow slaughter	Workers rights	Health rights (engagement activity)	Gender and law (engagement activity)		
Sameer Prakash	Disaster Management - setting up of relief camps during flood.	Right to education	Rights of prisoners	Modernization of madarsas	Public Services Guarantee Act	Abortion, female foeticide, reproductive rights		
Shishir Dixit	Rights of undertrial prisoners - Tribals	Right to health	Land acquisition	Environment - pollution and deforestation	<b>Rights of forest</b> dwellers - FRA	Witch hunting		
Shadab Ansari	Education	Health - Primary health centres in tribal and minority concentrated areas.	Prisoners / Undertrials	<b>Women</b> - Sexual harassment at workplace	Environment (RTI)	Forest Rights Act (RTI)		
Shalini A. Hasinal	Issuing of ration card	Widow and old age pension	Fair price shops	Rights of the disabled	Issuing of income certificates	Right to education	<b>Child labour</b> (RTI)	Prisoner's rights (awareness camps)
Suadat Ahmad Kirmani	Mid-day meals - RTE							
Vaibhav Jain	Human rights violations - SCs and minorities	Land rights (SCs)	<b>Right to choose</b> - intercaste marriages	Mid-day meals - RTE	<b>Rights of workers</b> - MNREGA	<b>Slum dwellers</b> - RTI		
Legend:	Farmer's rights	Right to health	Right to social security	Rights of workers	Rights of children (esp. RTE)	Rights of women	Rights of the disabled	Sexuality and gender
(Broadly linked topics have been clubbed together)	Prison reforms	Rights of forest dwellers and land rights	Protection of environment					

10. Ms. Menaka Guruswami, Advocate, Supreme Court of India
11. Ms. Geeta Ramaseshan, Senior Lawyer, Madras High Court
12. Ms. Vrinda Grover, Human Rights Advocate, New Delhi
13. Ms. Sudha Bharadwaj, Advocate, Raipur, Chhattisgarh
14. Ms. Shruti Pandey, Programme Officer, Ford Foundation
15. Ms. Kajal Bhardwaj, Advocate 16. Ms. Veena Gowda, Advocate
17. Mr. Amitabh Behar, Executive Director, National Foundation for India
18. Mr. Arvind Narrain, Founder, Alternative Law Forum
19. Mr. Gagan Sethi, Vice Chairperson, Centre for Social Justice

Box 7: List of speakers at the National Meet of Social Justice Lawyers

#### ii. Law student exposure programme

Very recently, an exposure programme was organized by the Lawyers for Change academy in which law students and young lawyers not associated with the programme were taken on a 14-day field exposure trip to Odisha and Andhra Pradesh. The trip covered issues like violation of tribal land rights in Odisha, the POSCO land grabbing case, movement against thermal power plants in Andhra Pradesh, issues of Adivasi rights, climate change, etc. The idea behind the event was to give an exposure to the young minds on field realities which often do not come to the forefront. In the duration, guided tours to areas facing these issues were organized and interactions with activists and lawyers working in the field were held.

Although information about the programme was widely circulated, the response was not as good as expected. However, the trip went on with about 15 participants and the response received was encouraging.

#### iii. Social media

The academy also uses social media as an outreach strategy. The Lawyers for Change Fellows have a common blog where write-ups are published. The academy also has a Facebook page where information regarding the programme, posts by the Fellows and thought provoking articles are shared. The social media serves as an effective platform for engaging with young lawyers.

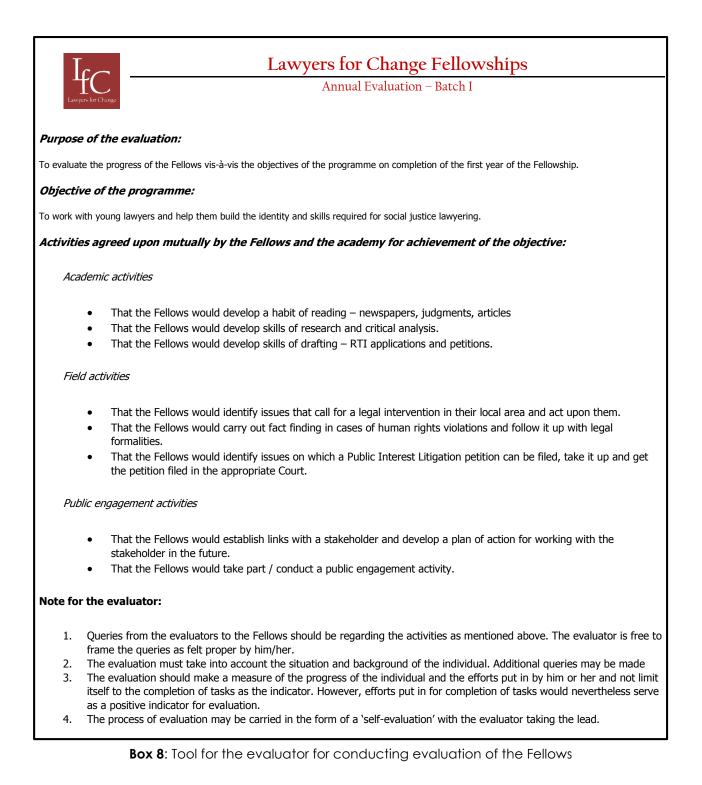
Taking ahead the strategy of using social media as a tool to reach out to young minds, the academy is planning to launch a newsletter very soon. There are also plans of setting up a 'campus ambassador' network in law schools across the country and to organize webinars (seminars broadcast live on the web) which will enable the academy to reach out to larger audiences.

#### D. Annual evaluation

At the end of the first year of a batch of the programme, the Fellows undergo a performance evaluation which determines their promotion to the second year. This is two tier process, one which is carried out by the Faculty and the Programme Anchor analyses the progress which a Fellow has been able to make in the first year vis-à-vis himself/herself before joining the programme and the other is a process in which the Fellows evaluate each other and also give feedback to the academy.

In the first process, that is the evaluation by the Faculty and Programme Anchor, while the workplan prepared in the beginning of the year and corresponding and other achievements of the Fellow does count, an objective analysis of the same is not given much weightage because that kills the spirit of leadership which is a core component of the programme. The review places more weightage on the development of the individual from a person who joined the programme as someone looking for guidance to someone who has started taking initiatives and is participating in larger processes. The evaluation is carried out in the form of personal interaction by visiting the place where the Fellow has been working, understanding the work which has been initiated and knowing the impact which the Fellow has been able to make. The evaluator is given a framework on which the evaluation has to be made and is asked to conduct the same such that the Fellow is able to evaluate his/her self through a process of selfrealization so that the exercise is constructive.

The second process, that is the evaluation which the Fellows carry out of themselves and the feedback they give to the academy, is carried out collectively and is facilitated by the Faculty. The report generated by the group then becomes part of the overall evaluation report. The report of the evaluation carried out by the 2012-14 Batch of themselves and the feedback given to the academy is appended as **Annexure III**.



#### E. Challenges

#### i. Programmatic challenges

In the last two years of the programme, one of the major challenges faced by the academy has been handling diversity in the group. While diversity in all forms brings with itself a beauty to the group which grows together and is introduced in a conscious manner, it poses its own challenges in the working of the group. As discussed earlier (Chapter III.A.), the two batches of the programme presently have people from 14 states, with different experiences in courtroom practice in terms of the number of years and place of work, different educational backgrounds, etc. The challenges which diversity poses are in the form of access, accountability and interaction.

- 1. Access: Getting people together for contact sessions once every two months has been a challenge. Since people are travelling long distances, getting reservations in train some becomes difficult. The academy, however, as a policy enforces compulsory attendance of all Fellows for all contact session. This is done because learning and sharing as a group from and with each other is part of the pedagogy and is hence non-negotiable. Absence in a contact session for any reason other than illness or bereavement in family is hence penalized. Even then, each contact session sees an absence of 1-2 people out of 12 on an average.
- 2. Accountability: In order to monitor the work progress of Fellows, the academy requires them to submit bi-monthly work reports. Sometimes, it becomes difficult to verify the content of the report produced by the Fellows because of the variety of spaces in which the Fellows are working where it is difficult to understand the realities of the field being an outsider. To tackle this, the academy has put in place a system of spot-checking in which the work being carried out by the Fellows is verified for its impact and authenticity by a local person. The Fellows are also asked to submit documents substantiating their report wherever possible. This mechanism has been fairly effective and has resulted in termination of fellowships of two Fellows.
- 3. Interaction: Having people in the group with varied educational backgrounds may sometimes cause a barrier in interaction within the group. With people who have studied in premier institutes, thirst for knowledge is less and there is an assumption that everything is available online and can be searched with the help of Google. This often causes the death of interactive discussion. To deal with this situation, the academy encourages Fellows to design learning sessions themselves on issues of their interest and to facilitate the session themselves. This

also causes the ownership of the learning to transfer to the group thus making the group a self-sustained learning system.

#### ii. Meta challenges

At the larger level, one of the primary challenges which the programme has faced is the lack of rights based civil society organizations which work with lawyers at the grassroots. In its first year, the programme envisaged working with lawyers nominated by civil society organization working at the grassroots. Hence organizations working with lawyers was the primary target group. However, the response received from civil society organizations was disappointing. Hence in the second year of the programme, the target group was shifted to young lawyers who are interested in working on socio-legal issues who can be linked up with organizations working on rights based issues if they were already not doing that. This shift worked in favour of the programme and the response received to the call for applications rose to almost six times the previous number.

Yet another challenge at the larger level is the decreasing interest in young law students to work with the civil society. While there are much bigger issues responsible for this such as the cost of legal education and the focus which the human rights based approach gets in law colleges, the Lawyers for Change programme is making its contribution to overcome this through its Fellows who are demonstrating their leadership and in turn inspiring scores of others to follow.

# V. Fellow profiles and their work

# 1. Shadab Ansari

#### **Brief Profile**

Shadab, 30, is a lean soft-spoken lawyer who has been practicing in the District Courts of Dhanbad since 2009. He graduated in law from Vinoba Bhave University, Hazaribagh in the year 2008. He, together with a few friends, runs a small organization with the



name Fight4Right. The organization together with taking up cases of rights violations also runs a school for children from underprivileged families.

#### Major work

- Is working on a case representing along with his senior three people falsely accused as being Naxals.
- Taken up a case of custodial torture of one Lal Mohan Yadav. He wrote to the National Human Rights Commission (NHRC) regarding this case and got the matter registered. In this case, the NHRC issued a notice Superintendent of Police. Shadab is following up the matter.
- Working on a case where a private hospital overcharged a patient. Has filed a case before the Consumer Forum and has also sent a formal complaint to the Medical Council of India
- Has taken up a case of a HIV+ woman under the Protection of Women from Domestic Violence Act.
- Has taken up work on the implementation of the Right of Children to Free and Compulsory Education (RTE) Act. He conducted a survey and has documented the status of 28 schools in the Tundi block of Jharkhand, which is a Naxal affected area and plans to approach the District Education Officer with a representation highlighting issues of the area.

#### Impact of the programme

Being selected as a Lawyers for Change Fellow has helped Shadab take up more cases of rights violations gratuitously. His practice before joining LfC dealt with Civil, Consumer, Motor Accidents Claims and Negotiable Instrument cases. He has been able to shift his focus to providing legal aid to the poor and taking up rights violation cases of tribals, Dalits and Minorities after joining LfC.



# 2. Shishir Dixit

#### Brief profile

Shishir, 28, graduated in law from Jiwaji University, Gwalior in the year 2007. He started his practice in the same year under Late Shri. P. Sadasivan Nair, Senior Advocate. Under him, he assisted, drafted and argued before the High Court in various matters including a matter of reinstatement of

3404 workers of Steel Authority of India Limited. He currently work with advocate Ms. Sudha Bharadwaj and is associated with Janhit – Peoples Legal Resource Centre, an organization working on rights of people at the grassroots. His areas of interest are prisoners' rights and tribal land rights.

#### Major work

- Documenting cases and collecting materials and information through RTIs such as the list of under-trials who have been in jail for more than 2 years and their trial has not completed and even not started for providing legal aid to the tribal's languishing in jails so as to see to it that they get fair and speedy trial.
- On the issue of right to forest land of Adivasis, has been working with Baiga Adivasis in the Pandariya forest area of district Kawardhaon on the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act and other laws and assisting them in legal problems which they have been facing them for long.
- Has been working on issues prevailing in prisons in the state of Chhattisgarh. Has been in talks and discussions of setting up of legal aid office in the Bastar area to provide legal help to tribals languishing in jails.
- Conducted fact finding on armed force brutalities of some tribal villages of Kanker and providing them legal help.
- In collaboration with "Chhattisgarh Bachao Andolan", a group of environmental activists, started an awareness campaign in villages of Janjgir district number of power plants are coming up on environment and land acquisition.

# 3. Buta Singh Bairagi

#### Brief profile

Buta, 34, practices in the Punjab and Haryana High Court and Chandigarh and other forums in the area. He completed his Bachelors in Law in the year 2006 from Punjab University, Patiala and Master of Arts in Human Rights and Duties from Centre for Human Rights and Duties from Panjab University, Chandigarh. A very active and self-motivated individual, he is



on the legal panel of a number of organizations and has been litigating on a number of social matters.

#### Major work

- Filed a PIL on behalf of residents Mahavir Kusht Ashram, a leprosy home, who had been issued a notice of eviction by the Government for broadening of a road. Received a favourable order in which the High Court directed that equivalent area of land should be allotted to Mahavir Kusht Ashram for housing leprosy patients and a new building shall also be constructed before dismantling/shifting the Ashram to a newly allotted place.
- Filed a PIL for provision of adequate infrastructure facilities and barrier free access for the disabled at Panjab University, Chandigarh according to the Persons with Disability Act, 1995.
- Filed a PIL for the proper implementation of Punjab Police Act, 2008 under which Crime against Women Cells exist in all districts of Punjab but State Government but there is no policy towards the functioning of these cells.
- Filed a petition of Habeas Corpus regarding release of bonded labourer and his family and a criminal complaint regarding organized crime of land grabbing by Developer in District Ludhiana
- Has been researching and collecting information on custodial torture and domestic violence in the State of Punjab. Plans to file petition on implementation of the Protection of Women from Domestic Violence Act soon.



# 4. Arjun Sheoran

#### **Brief Profile**

Arjun, 25, is a graduate from the National Law School of India University, Bangalore. He practices at the Punjab and Haryana High Court at Chandigarh and other forums. An articulate and

enterprising individual, Arjun has won a number of awards including a gold medal for being the 'Young Leader of the Year' at his university.

#### Major work

- Presented arguments and assisted in a case wherein a Full Bench of the High Court of Punjab and Haryana, among other issues, was deciding on the true import of the expression 'victim' within the meaning of proviso to Section 372 of the Code of Criminal Procedure.
- Represented and assisted Haryana Legal Service Authority (HLSA) in a matter where a victim of acid attack was seeking compensation from the State.
- Filed a PIL challenging the High Court of Punjab and Haryana RTI Rules, 2007 and the Punjab, Haryana, Chandigarh Subordinate Judiciary Rules for being ultra vires the RTI Act and the Constitution of India.
- Filed PIL challenging the Haryana Good Conduct Amendment Act, 2012 wherein a category of "hardened criminals" has been created who are precluded from being released on furlough or temporarily during the entire course of their incarceration.

#### Impact of the programme

Together with gaining perspective and being sensitized, a major way in which the Lawyers for Change programme has assisted Arjun is to help him get independent. While working under a senior did help him initially, it also meant that Arjun had to work on matters he would not have taken up otherwise. Arjun has been very active in High Court litigation and has taken up a number of cases. Recently, he was invited to speak the "Consultation on Articulating a Vision for Women in India in 2030" organized by the High Level Committee on the Status of Women (HLCSW) under the Government of India, as a Young Voice, representing the youth of India.

### 5. Ankit Grewal

#### **Brief Profile**

Ankit, 26, joined the Lawyers for Change Fellowships programme as a graduate from Jindal Global Law School, considered to be one of the most elitist law schools of India. He had a vision of working for the rights of farmers in Haryana. He is currently based in the Rohtak District of Haryana and practices in the District Court.



#### Major work

- Preparing a petition seeking the drafting of Rules under Unorganized Workers Social Security Act, 2008 Act in the State of Haryana
- Preparing a petition challenging a provision of the State of Haryana Right to Information Rules which prescribes a higher fee for a Right to Information Application than the fees prescribed in Central Government Right to Information rules
- Working with a senior advocate on getting the provision of 25% seats in private schools for underprivileged children the implementation of the Right of Children to Free and Compulsory Education (RTE) Act, 2009
- Organised Lok Adalat (as a member of the District Legal Services Authority) in Court Complex where 88 cases were resolved

#### Impact of the programme

After joining the programme, Ankit has been able to broaden the scope of his work and is not limited to farmers' rights. He has been able to link himself up with several grassroots organizations working in the area which has helped him gain knowledge about prevailing issues. As a strategy in order to gain knowledge, be known, and get to know like-minded people, he has been attending a number of meetings and seminars happening in and around the area. This has helped him in building his perspective which is evident from the work he is taking up.



## 6. Vaibhav Jain

#### Brief profile

Vaibhav, 28, practices at the Punjab & Hayrana High Court at Chandigarh. A resident of Chandigarh, he graduated in law in the year 2009 from Department of Laws, Panjab University, Chandigarh. He is empanelled with the State Legal Services Authority and is the counsel for a number of organizations with

which he got associated after joining the programme.

#### Major work

- Has started work with the State Human Rights Commission, Punjab specifically on the issue of human rights violations of people belonging to Scheduled Castes and Scheduled Tribes and minority communities. Has also started collecting information through interaction with people in villages by carrying out village visits.
- Has collaborated with the Department of Social Welfare and the Women and Child Development Department to spread awareness on the programmes and policies which the departments adopt for the vulnerable sections of the society. Is also working on issues faced by senior citizens.
- Has been working with students of Jat Law College, Hisar in order to convince them to open a legal aid clinic in their Department.
- Has been providing legal support to number of organizations in the Chandigarh area by being empanelled in their bodies.

#### Impact of the programme

Vaibhav thinks that the programme has given to him an identity of a social justice lawyer which he did not have earlier and that the identity is helping him in his work. Vaibhav thinks that the design of the programme which allows the Fellows to choose that work that they want to do has helped him collaborate with a number of social organizations in his area and to serve them as a legal advisor.

# 7. Gowthaman Ranganathan

#### **Brief Profile**

Gowthman, 25, graduated in 2010 from National Law School of India University, Bangalore. He took up a job at a corporate



law firm in Mumbai which he quit in 2012 and joined the Lawyers for Change Fellowships programme. He currently works in the offices of advocate Mrs. Sudha Ramalingam in Chennai and practices in the Madras High Court. Gowthaman's primary area of interest in work is 'sexuality' and 'gender'.

#### Major work

- Drafted, researched and filed a writ petition for compensation to family and proper enquiry in to the murder of an RTI activist.
- Drafted and filed an updated report on living condition of women prisoners in lieu of the 'Action Taken Report' filed by the Inspector General of Police, Prisons.
- Prepared a presentation and took a session on 'Queer rights' for students of 2nd and 3rd year Mass Media course at Khalsa College, Mumbai.
- Completed and circulated legal literacy programme on different topics including structure of courts Right to Information, Consumer Protection Act, legal aid, alternative dispute resolution mechanisms, etc. in Tamil.
- Organized and attended the discussion on 'Towards a Sexual Violence free world: Looking inwards for answers' with People's Union of Civil Liberties, Chennai.
- Presented a paper on 'Anti-Discrimination Laws Addressing Sexual Orientation and Gender Identities in India' at a Law and Social Sciences Network (LASSNET) event.

#### Impact of the programme

The programme has played a major role in enabling Gowthaman to make a shift from his corporate law career to litigation. He has been able to pursue his interest in research on issues of gender and sexuality and has participated in a number of conferences and workshops and has facilitated sessions on the same.

### 8. Jashaswinee Panda

#### **Brief Profile**

Jashaswinee is a 34 year old lawyer from Sonepur in Odisha. She completed her Bachelors in Law in the year 2005 and went on to do a Masters which she completed in 2008. Thereafter, she practiced with under Advocate Mr. Bibhu Prasad Tripathy in the



Bhubaneswar District Court dealing with civil and criminal matters. Jashaswinee is associated with the Association of Youth for Economic and Social Advancement (AYESA), an organization in Sonepur.

#### Major Work

- Has been working on the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in the tribal areas of Mundamahal, Kudapara, Gindirlamal in Odisha. She has been acting as the representative before Government authorities of 63 applicants under the Act from these areas. She has been able to get documents authenticated and has been following up with the authorities on the applications.
- Has been working with slum dwellers in the Sonepur district and educating them about the Mahatma Gandhi National Rural Employment Guarantee Act.
- Has worked with workers of a cotton mill of Sonepur where she held an awareness session on Minimum Wages. Has filed a representation before the District Labour Officer.
- Has organized and participated in a number of discussions and workshops including:
  - A programme on Convention to Eliminate All Forms of Discrimination Against Women organized by National Alliance for Women
  - A district-level programme on the issue of trafficking.
  - Group discussion on Gender was organized in Capital Law Collage, Bhubaneswar

#### Impact of the programme

Jashaswinee thinks that the biggest impact which the Fellowship has made is that it has given her a sense of belonging to a network of like-minded individuals. The programme has also helped her with its guidance and helped her focus better on issues of social justice. The independence which the programme provides to participants in carrying out work of their choice has helped her work on issues of local relevance, she thinks.



### 9. Kiran Kumari

#### **Brief profile**

Kiran graduated from Chanakya National Law University, Patna in the year 2011. She is currently practicing under a senior at the Patna High Court. Kiran belongs to an orthodox and conservative family. She has faced considerable amount of difficulty in

completing her education and continues to face that as she is in the profession. Her areas of interest in work are right to education, rights of prisoners and tribal rights.

#### Major work

- Has been working on the implementation of Right of Children to Free and Compulsory Education (RTE) Act, 2009. Has filed a Right to Information application seeking information on total numbers of teachers employed or appointed and students inducted in different level of school in the state of Bihar.
- Has been working on the implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Has filed an RTI application seeking information on the number of cases registered under the Act in the Patna district.
- Organized a 2-day legal aid camp which was attended by people from villages like Arah, Biharsharif, Muzafarpur, Samastipur, Buxar etc. Gave a talk on right to information, Consumer Protection Act, Bihar Public Service Guarantee Act, Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, women's rights, etc.
- Working with her alma mater Chanakya National Law University, Patna Law College, and J.D. Women's College by taking classes and organizing discussion with the objective to inculcate a human rights perspective in the students.
- Has been attending a number of seminars and workshops in order to build her own perspective on the issues of the area and to meet people with whom she can collaborate.

The programme has helped Kiran begin her career as a lawyer litigating on issues of social justice by supporting her financially. The programme has also helped her build perspective. Being in a group which has participants from different part of the country has exposed her to a variety of issues and ideas. Kiran thinks that she has been able to build the identity of a social justice lawyer for herself because of the programme.

## 10. Askari Naqvi

#### **Brief profile**

Askari is a 27 year old lawyer practicing in the lower courts and before the Lucknow Bench of the High Court of Allahabad. He graduated in law in the year 2010 from Lucknow University and has been into practice ever since. A poet at heart, Askari is



undertaking training in Indian Classical Music. His work mostly involves cases related to women and prisoners.

- Has been working with undertrials pro bono at women's jail in Lucknow and Banda jails. Has prepared a format for the women inmates to get the details related to them. Has collected information on more than 60 inmates and is filing bail applications on their behalf.
- Has been working on issues of women, mostly related to domestic violence by taking up individual cases. Has also been preparing for a PIL on the appointment of Protection Officers who need to be appointed under the Act. The petition is to be filed in the month of June.
- Had filed RTI applications to the Commissioner of persons with disability asking them about the appointments of the staff at their office. Has also conducted a photo documentation of various Government offices showing lack of barrier free access.
- Had taken a case of a woman victim of domestic violence. Drafted a petition under DV Act for protection, compensation and maintenance but the woman

changed her mind as she had immense pressure on her from the maternal side and went back to her husband after 3-4 days.



## 11. Robin Christopher

#### Brief profile

Robin is a 25 year old energetic and dynamic lawyers who graduated from Christ University in 2012. He is from Bangalore and practices in the courts of the city, including the High Court of Karnataka. He is associated with a number of organizations and has been working on social justice issues

since his college days. He has a number of publications to his name. His areas of interest are labour laws and issues related to communalism.

- Has been engaged with work which includes litigation in S Balan and Associates office, public education seminars/discussions, protests, lobbying and publications.
- Has been working with PUCL and several other organisations in relation to drafting of a PIL in the High Court of Karnataka on the issue of Saffronisation of Police Personnel in Dakshina Karnatka (Mangalore).
- Negotiated on behalf of the Casual and Contract Workers Association, Hindustan Aeronautics Limited as assisted them in entering into a settlement agreement with its management.
- Conducted a fact finding at Davanagere on the attack on DHM Church and collected the relevant documents for applying a bail application of Rev. Rajshekar. The bail application was thereafter filed.
- Filed RTI applications before the DG, IGP, Chief Secretary and State Human Rights Commission seeking information as to whether any action was taken and if so the nature of the action taken on the orders passed by the Karnataka State Human Rights Commission all of which were related to moral policing in Dakshina Kannada (Mangalore).

## 12. Suadat Ahmed Kirmani

### Brief profile

Suadat is a 24 year old lawyer who graduated in law from the University of Jammu in the year 2011. A resident of Srinagar, he started his practice under a senior lawyer thereafter in the courts of the city. A well-read and dynamic individual belonging to an affluent family, he started his work by collaborating with organizations and people's groups in nearby areas.



- Took up planned awareness initiatives in 5 villages of the area Akingam Distt Anantnag, Aasnur Distt Kulgam, Shurat Distt Kulgam, Nutnussa Distt Kupwara and Maidan Chogal Distt Kupwara. Has collaborated with other lawyers working in the area for more awareness programmes and has built a team of volunteers. Has tried to work with Sarpanches of the villages but has not been successful because of the political climate where Sarpanches have been receiving life threats.
- Has been working on the issue of implementation of the Mahatma Gandhi National Rural Employment Guarantee Scheme in which he found several issues.
   He, along with another advocate made a representation before the Block Development Officer on behalf of the people of the Achhabal village. Has been following up on the same.
- Has taken up the case of one Mr. Mohammad Younis Bhai who was detained in the year 2012 under the Public Safety Act. Has been working on this case with another advocate and has filed a writ for Habeas Corpus.
- Was approached by a group of 72 senior citizens who were denied allowances under employment which were earlier promised by the Government by an order. Has been preparing to file a writ in this regard.
- Has organized a couple legal awareness programmes in schools one a two day workshop on the Domestic Violence and the other on the National Food Security Bill.

Suadat thinks that the programme has helped him by putting him together with likeminded lawyers from different area in a group, thus allowing him to learn from different experiences. Suadat also gains from the interaction with resource persons during contact sessions. The independence which the programme gives to its participants by allowing them to pursue work of their choice is considered by Suadat to be the 'unique selling proposition' of this programme.



## 13. Dharmanna C. Konekar

#### Brief profile

Dharmanna is a 36 year old lawyer from the Gulbarga district of Karnataka. He graduated in law in the year 2004 and has been practicing ever since in the lower courts of the district. He has been the State Coordinator for National Campaign on Dalit Human Rights and National Dalit Movement for Justice.

- Has been working on the implementation of the Right of Children to Free and Compulsory Education Act by collecting data from villages in the Gulbarga district. Data collected is regarding the student teacher ratio, drinking water facilities, toilets, midday meal facility and play ground of which he is doing a photo documentation.
- Has been working on the implementation of the Protection of Women from Domestic Violence Act, 2005 and has filed a number of Right to Information applications seeking information on its implementation.
- Has conducted a photo documentation of Government establishments in the area which are not architecturally designed to provide barrier free access to person affected with disabilities.
- Has conducted a number of fact findings in cases of Dalit atrocities and has been following up with the same.
- Has been representing Dalits of the area in a number of cases.

A man of great determination and humility, Dharmanna undertook learning the English language in order to communicate with people not familiar with his mother tongue. He also made an effort to learn computers in which he has been quite successful. In order to increase his knowledge of the law, Dharmanna has been studying judgments delivered by the Supreme Court on which he prepares notes for his reference.

## 14. Akhilesh Dahiya

#### **Brief profile**

Akhilesh is a jovial and energetic person about 26 years of age. He graduated in law from the University of Delhi in 2011 and has been practising in the lower courts and High Court of Delhi with a senior ever since. Visually challenged by birth, Akhilesh is very



tech savvy and has excellent skills of legal research. While he practices on various issues, his primary area of interest is the rights of the disabled.

#### **Major Work**

- Had filed a writ petition in the Delhi High Court challenging the rules of Delhi University for hostel residents. The matter concerned a visually disabled woman who was denied an extension to reside in the hostel even though she was continuing education in the university because the outer limit of residency in the hostel was 6 years. The Court ordered in favour of the petitioner and directed the University to allot a room within 3 days.
- Making the most of his expertise, which are law and computers, Akhilesh is active in a number of online forums for the disabled where he responds to legal queries and assists other disabled individuals avail their rights. He responds to about 5 such queries every week. Some of them are:
  - Has been working on the case of a visually-impaired Government employee of Tamil Nadu which is pending in the Delhi High Court and is related to refusal of the information under the RTI Act.

- A pro bono case in which wife is litigating against her mentally retarded husband u/s 125 CR.PC and asking her husband, or his brother to provide the maintenance.
- Contributed to submission made to the Justice Verma Commission on behalf of Lawyers for Change.

The biggest impact which the programme has made in the life of Akhilesh is that it has given him the choice to work on areas of his liking which he was unable to do because of financial constraints. Akhilesh has been able to build an identity of a lawyer available to people from the disabled community by actively responding to their queries and concerns.



## 15. Niyati

### Brief profile

Niyati, 24, graduated from the Baroda School of Legal Studies, Maharaja Sayajirao University of Baroda in 2011. She has been working with Centre for Social Justice first as a team member of the Training and Capacity Building Unit where she was

responsible for conducting legal trainings & capacity building of various stakeholders, volunteers, paralegals etc. and then as the Zonal Officer of Bharuch district law centre. Her areas of interest are women's rights, human rights education and children's rights.

### Major Work

- Has played a major role in setting up a network of young lawyers in 4 districts of Gujarat namely Bharuch, Rajpipla, Surat and Vadodara. The lawyers who were from the different fields and experiences were brought together, trained and sensitized to take up cases of human rights violation in their districts.
- Has worked with our various forums like Nari Adalat, Workers Facilitation Centre based at the villages within the community.
- Played an important role in a law student's engagement programme in which the Bharuch district law centre tied up with the local law college and got a

credit course introduced in the syllabus. The Unit engaged with around 70 students for about 8 months gave them exposure on various legal issues. The students were also trained on how to conduct legal awareness campaigns.

• Dealt with a number of cases relating to Human Rights violation cases in the districts, fact finding, legal aid & support in the same.

#### Impact of the programme

Niyati thinks that the Lawyers for Change Fellowships programme gave her an opportunity not only to work on her thoughts and ideas but also opened new directions and ways to work on various social issues along with a great capacity building support while working. She thinks LfC serves as a platform for young lawyers to get quality training and transform their passions into reality through great mentorship.



## 16. Hiranya Kumar Basumatary

#### **Brief profile**

Hiranya is a 34 year old advocate practicing in Kokrajhar District Courts of the Bodoland Territorial Autonomous Districts in Lower Assam. He did his graduation from Janata College, Serfanguri, Gauhati University and finished his law from Kokrajhar Law College. He has been working as the General Secretary of North

Eastern Human Welfare Society (NEWS) since 2004.

- Post the July 2012 ethnic violence in Lower Assam districts, Hiranya has been providing legal assistance to people affected in the violence and also to a number of organizations in the local area. He has made a number of representations before district authorities on behalf of affected people demanding better compensation.
- He has also been conducting legal awareness camps in the Bodoland Districts on issues such as right to legal aid, Right to Information and right to education.
- Has been working on rape case where the accused are four soldiers of the Sashakta Seema Bal (SSB). He counselled the victim to go for the test

identification parade conducted by the police. The victim was able to identify the accused in this case.

• Has submitted and is following up on a representation filed on behalf of the affected families of the 2012 ethnic violence before the Chief Secretary of the state of Assam.

## 17. Roshan Kumar Saroliya

### Brief profile

Roshan, 31, is a graduate of Government Arts College, Ahwa and completed his law degree in 2011. He joined the Dang district law centre of Centre for Social Justice in the year 2005 as a paralegal and currently works as a junior lawyer. His interest in the rights of tribals motivated him to complete his law degree.



He brings his invaluable field experience of working in tribal areas to the Lawyers for Change programme.

#### Major work

- Has worked on the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in which the Dang district law centre got a number of applications for allotment of land made a number of which were rejected. Roshan is following up on the application status with the district authorities.
- Has the unique distinction of being a community radio producer as part of the Dang district law centre. The centre produces radio programmes on socio-legal issues which is then transmitted locally through narrow casting. He teamed to pioneer one of the first successful community radio programs in India at Ahwa, Dang.

#### Impact of the programme

The Lawyers for Change programme has enabled Roshan to broaden his horizons beyond tribal district of Dang in South Gujarat. He feels that the programme has given him an exposure to a number of socio-legal issues prevalent in other parts of India. The sharing of ideas and experiences in the programme has helped him gain perspective and motivation.



## 18. Kwrwmdao Wary

### Brief profile

Kwrwmdao (pronounced Karamdao), 29, did his graduation from Bongaigaon College, Gauhati University, Assam and thereafter went on to do a 5 year law degree from J.B. Law College, Gauhati University. A resident of Kokrajhar in the Bodoland Territorial Autonomous Districts of Assam, Kwrwmdao is an executive member of the All Bodo Students Union and holds the

position of Education Secretary. He is one of the few Fellows who was nominated by organization – he being nominated by 'the ant' with whom he carries out a number of acivities.

- Kwrwmdao has been assisting a number of organizations in the Bodoland Territorial Autonomous Districts with their work on ensuring legal entitlements to the people affected by the 2012 ethnic clashes in Lower Assam. With his excellent knowledge of the local demographics, he has lead the process of data collection and analysis in entire Kokrajhar district to be used for the advocacy on better compensation.
- Has filed representation before state and district authorities demanding better facilities in relief camps and better compensation to those affected in the July 2012 ethnic violence.
- Has been working with National Council for Protection of Child Rights team on Right to Education, Child Labour, Child trafficking and other child rights issues.
   He is responsible for monitoring the implementation of schemes in his area.
- Conducted a number of seminars and consultations including those on protection of child rights, women's rights and forest rights. Has been working on the capacity building of school monitoring committees (SMCs).

### ANNEXURE I – PLAN OF ACTION BATCH I

## Lawyers for Change Fellowships

Memorandum of norms, targets and consequence management

We, the Lawyers for Change (LfC), on this \_\_\_\_ day of (month), 2012 having felt the need of:

- (i) laying down norms to be followed by ourselves,
- (ii) setting targets to be achieved, and
- (iii) enlisting consequences to be imposed upon not following the stated norms and targets,

after a detailed discussion on the same amongst ourselves and after consultation with the mentors, do hereby agree upon the following:

#### NORMS

1. (a) That, the *minimum* number of days of our engagement in activities relating to LfC shall not be less than 10 working days<sup>3</sup> in the span of every 30 days.

(b) In the same context, the **desirable** number of days of our engagement in activities relating to LfC shall not be less than 15 working days in every 30 days.

(c) The *ideal* number of days of our engagement in activities relating to LfC would not be less than 20 days in every 30 days.

Provided that, in the two consecutive months in between contact sessions, a Fellow must dedicate the 'desirable' or 'ideal' number of working days for LfC work in **at least one** of the two months.

2. That, every task performed relating to LfC by the Fellows, shall be documented in a presentable manner. Such documentation could include photographs, copies of postal or electronic communication, applications, etc. A simple format, which should include the date, task carried out and number of hours spent for the work could be prepared and followed.

<sup>&</sup>lt;sup>3</sup>A 'working day' being of at least 8 hours.

- 3. That, the Fellows shall engage in at least two 'group' Skype audio calls within the period of 60 days in between contact sessions and at least one individual Skype call each with the coordinators / mentors in the period of 60 days.
- 4. That, each Fellow shall give fortnightly updates as to the status of our work through emails to the LfC 2011-13 Google Group. Non-compliance to the same would result in assumption that no work has been carried out in the said period.
- 5. That, each Fellow shall strive to follow the time schedule prescribed during the contact session and otherwise. Non-compliance to the same, without valid reason, shall invite sanctions to be decided by the mentors.

#### TASKS

#### Minimum

- 1. That, completion of tasks assigned by the Academy shall be mandatory.
- 2. That, each member shall carry out regular newspaper scans and try to identify issues which call for an intervention in their local area and otherwise on a daily basis and maintain a database of relevant newspaper clippings / URLs.
- 3. That, each member shall take upon at least 2 social justice issues in their region and act upon it in the time span of 60 days.
- 4. That, each member shall study and prepare a short note (of at least 250 words) on 4 relevant Judgments of the HC/SC on human right issues, each judgment being approximately not more than 10 pages of length<sup>4</sup>.
- 5. That, each member shall conduct fact finding on at least one human rights violation cases and follow it up with the legal formalities.
- 6. That, each member shall establish a link and develop a plan of action for the future with any stakeholder, which could include law colleges, legal services authorities, commissions, government bodies, etc.

**Desirable** [To be in addition to the tasks mentioned in the 'Minimum' category]

<sup>&</sup>lt;sup>4</sup> Clarification: The total number of pages of study must be at least 40 pages irrespective of the number of Judgments studied.

- 1. That, each member shall study, research on and critically analyse an Act/Bill/Order/Article or any other legal material (except for Judgments) relating to social justice issues and prepare a note/article/critique of at least 500 words on the same.
- 2. That, each member shall engage himself/herself in organizing/conducting ANY one public engagement activity, which could include:
  - i. Human Rights Seminar/Workshop/Camp
  - ii. Human Rights Lectures in local colleges/university
  - iii. Presenting a paper at a seminar / workshop / conference on social justice issues
  - iv. Etc.
- 3. That, each member shall take upon at least 2 (in addition to the two in the 'minimum' category) social justice issues in their region and act upon it in the time span of 60 days.
- 4. That, each member shall study and prepare a short note (of at least 250 words) on two relevant judgments of the HC/SC (in addition to the four in the 'minimum' category) on human rights issues, each judgment being approximately not more than 10 pages of length<sup>5</sup>.
- 5. That, each member shall file at least one RTI application in the span of 60 days on issues relevant to his / her work.
- 6. That, each member shall prepare/draft a petition on issues of social justice/human rights /other relevant issues by conducting legal research.

**Ideal** [To be in addition to all of the tasks mentioned in the 'Minimum' category and at least 3 of the 'Desirable' category]

- 1. That, each member shall study, research and critically analyse an Act/Bill/Order/Article (in addition to the one in the 'desirable' category) relating to social justice issues and prepare a note/article/critique of at least 500 words each on the same.
- 2. That, each member shall engage himself/herself in organizing/conducting one public engagement activity (in addition to the one in the 'desirable' category) which could include:
  - i. Human Rights Seminar/Workshop/Camp
  - ii. Human Rights Lectures in local colleges/university
  - iii. Presenting a paper at a seminar / workshop / conference on social justice issues
  - iv. Etc.

<sup>&</sup>lt;sup>5</sup> Clarification: The total number of pages of study must be at least 20 pages irrespective of the number of Judgments studied.

- 3. That, each member shall identify at least one PIL worthy issue, conduct research, collect data and then if possible, draft the petition on that issue, and get it filed in the HC/SC.
- 4. That, each member shall be required to either argue a case before any court with a senior lawyer or himself, or brief the senior lawyer on any human right issue in which a possible intervention could be a PIL.

#### **Consequence Management:**

- 1. To be entitled for the full fellowship, the Fellow shall accomplish at least 3 of the tasks falling in the 'desirable' category together with all of the tasks mentioned in the 'minimum' category, which includes tasks assigned by the Academy.
- 2. If a Fellow has completed all of the tasks mentioned in the 'minimum' category but has completed less than three tasks in the 'desirable' category, he/she shall only be awarded a partial fellowship, to be decided on a case to case basis.
- 3. If a Fellow has not been able to complete all of the tasks mentioned in the 'minimum' category, he/she shall not be entitled to receive any fellowship for that particular period of 60 days.
- 4. The Fellowship of a particular fellow shall be terminated if the Fellow is not able to achieve the minimum target as set for three times in one calendar year.
- 5. Fellowship deducted under 2 and 3 above shall be awarded to the Fellow in the next subsequent contact session if he/she is able to complete his/her tasks pending from the previous contact session together with completing the tasks in the 'ideal' category for the ongoing contact session.
- 6. A special recognition shall be awarded to every Fellow who is able to complete tasks mentioned in the 'Ideal' category in the period of two months.

### **ANNEXURE II – PLAN OF ACTION BATCH II**

## Lawyers for Change Fellowships

Batch II – 2012-14

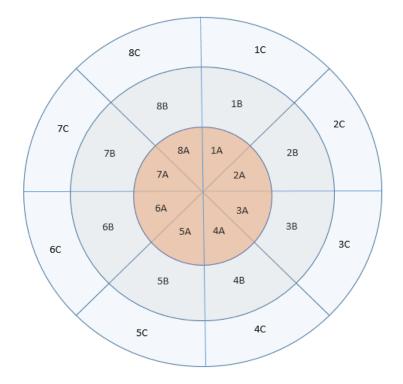
#### THE TASK WHEEL – Year 1

**Key:** Category A tasks (1-8) indicate the minimum non-negotiable and is common for all.

Category B (1-8) tasks indicates the 'desirable'.

Category C (1-8) tasks indicates 'ideal'.

Expected no. of days of engagement in a year – 15 days per month x 12 months = 180 days



**PLAN OF ACTION – YEAR 1** 

### Tasks to be accomplished in the first year (180 days):

**Task I:** Representing causes through comprehensive interventions<sup>6</sup> through legal, political and other means, where rights violations have occurred.

- IA. Six comprehensive interventions on separate issues.
- IB. Eight comprehensive interventions on separate issues.
- IC. Ten comprehensive interventions on separate issues.

 Task 2: Filing applications under the RTI Act

2A. Six RTI applications on separate issues to be filed.

2B. **Eight** RTI applications on separate issues to be filed.

2C. Ten RTI applications on separate issues to be filed.

Task 3: Fact finding on cases of human rights violation<sup>7</sup>

- 3A. Fact finding to be carried out in **three** cases of human rights violation.
- 3B. Fact finding to be carried out in **five** cases of human rights violation.
- 3C. Fact finding to be carried out in **seven** cases of human rights violation.

Task 4: Organizing legal awareness sessions for groups on specific legal issues<sup>8</sup>

- 4A. Conduct three legal awareness sessions on different legal issues or different groups.
- 4B. Conduct five legal awareness sessions on different legal issues or different groups.
- 4C. Conduct seven legal awareness sessions on different legal issues or different groups.

<sup>&</sup>lt;sup>6</sup> A 'comprehensive intervention' includes identification of the cause, collection of data, filing of applications, making representations before appropriate authorities, following up on the applications made and related activities until the intervention reaches its logical end.

<sup>&</sup>lt;sup>7</sup> Explanation: Filing applications under the RTI Act may not be carried out as a separate task – it has to be carried out as part of a larger plan or intervention.

<sup>&</sup>lt;sup>8</sup> 'Groups' may include any social group, vulnerable communities, etc. but may not include law students, legal academicians, legal practitioners and judges.

**Task 5:** Participating in the process of drafting syllabus of academic courses taught in law schools with the objective to introduce a clinical or credit course on relevant subjects.

5A. Initiate the process and design the syllabus for **one** law school/university.

5B. Initiate the process and design the syllabus for two law schools/universities.

5C. Initiate the process and design the syllabus for three law schools/universities.

**Task 6:** Engaging in the law making process by making suggestions and recommendations to proposed laws<sup>9</sup>.

6A. Critique **two** bills pending in the Parliament or State Legislature for which suggestions have been invited.

6B. Critique **four** bills pending in the Parliament or State Legislature for which suggestions have been invited.

6C. Critique **six** bills pending in the Parliament or State Legislature for which suggestions have been invited.

**Task 7:** Engaging and building linkages with legislative and executive bodies<sup>10</sup>, law schools, legal academicians, legal practitioners, judges and other stakeholders to sensitize them about various socio-legal issues through seminars, conferences, workshops, consultations documentary screenings etc. with the purpose to achieve any of our objectives.

7A. Engaging and building linkages for long term association with any **three** stakeholders.

7B. Engaging and building linkages for long term association with any **four** stakeholders.

7C. Engaging and building linkages for long term association with any **five** stakeholders.

Task 8: Initiate Social Action Litigation proceedings in appropriate forums

8A. Initiate two Social Action Litigation proceedings.

8B. Initiate three Social Action Litigation proceedings.

8C. Initiate **four** Social Action Litigation proceedings.

<sup>&</sup>lt;sup>9</sup> Participation or conducting a regional or State level consultation of stakeholders before preparing the critique is ideal.

<sup>&</sup>lt;sup>10</sup> District Planning Commissions, Bar Associations, Bar Councils, BCI, etc.

### ANNEXURE III – INTERNAL GROUP EVALUATION REPORT BATCH II

# Trust in Balance

A review of Lawyers for Change Batch – II by Gagan Sethi

As the first year of the Lawyers for Change Fellowships programme Batch II ended, it was felt that there was a need to review the performance of the group in the first year. The same was carried out by the Faculty Mentor Mr. Gagan Sethi in a framework of 'Trust in Balance'.

#### THE PROCESS

The process began with a discussion on the connotation of the word 'trust' and how it is a word around which institutions are built. Further, the discussion moved on to how the word 'trust' is a much used and abused work in the realm of personal relationship, social and political relations and institution building. The components of the word were then discussed – which are concern, results and integrity. Each component was discussed briefly after which the foundation on which these components are based was discussed – which are leadership, architecture and culture. The process was carried out with the help of a slideshow.

#### THE TASK

- The group was asked to personalize the presentation with the help of a buddy.
  45 minutes were allowed for the same.
- Thereafter, each person in the group was asked to make a 7 min presentation on the exercise. Key highlights were to be areas where trustworthiness was perceived and evidence available, trust deficit areas and recommendations for improvement.
- The larger group was then broken into two smaller ones which were asked to prepare a feedback report for each individual of the other group.
- The groups were also asked to prepare in the same framework a feedback to the LfC as a system with specific recommendations for themselves as a group and to the academy's facilitation structure.

• The group was allowed one and a half hours for this exercise.

#### THE OUTCOME

#### General comments:

- Some of the presentations evaluated the PPT on 'Trust in Balance' and did not sufficiently personalize it with their own experience. For instance there were comments like 'there should be trust', 'trust is very important' but questions such as 'how trustworthy am I', 'how much trust have I developed' were not addressed.
- The presentations were inadequate to carry out a detailed evaluation of trust and we had to rely on our experiences with the Fellow during the course of the year.

#### Individual evaluations:

- 1. Shishsir:
  - The group felt that Shishsir is not involved in in-depth sharing of his knowledge and experiences.
  - He has lot of work experience, but that does not get reflected in interaction with others since he has a minimal interaction with the group.
  - However the kind of work he is involved in shows that he is trusted by his clients, bar members, the people he works with.
  - There gap between him and the LfC set up needs to be bridged which can be done by more interaction and effective involvement.
  - Being the fellow with maximum experience at bar, he can help other fellows who are mostly freshers.

#### **Recommendations**

- He needs to interact more.
- He should act as a resource person in some sessions and share his work with others.
- He can help other fellows in honing their advocacy skills also given his experience at bar.

- 2. Kiran
  - The group felt that Kiran is getting properly involved in whatever she is doing.
  - She is too sentimental which eventually hampers her work performance.
  - She takes on something but then leaves it midway and thus does not take her work beyond the initial enthusiasm.
  - She has the ability to reach and to talk to some marginalized sections of the people which she should use.

#### Recommendations

- She should take her work full cycle.
- She should use more legal recourses that other ways to deal with problems which will have a larger impact.

#### 3. Hiranya

- He is not completely and actively involved with the group.
- Of all the fellows, he is the one who has least interaction with others.
- He has a political leaning which shows that he is trusted by people he works.
- He seems to have a communication problem with the LfC set up.

#### Recommendations

- He should interact more with us.
- He must disclose the work he is involved in is and we should know what he is upto.
- He should work on his communication skills and the group shall also see where we lack in communicating with him.
- He should send the group a mail every week and atleast one of the fellows shall reply to his mail so that by the time next session is conducted he will have interacted with everyone in detail atleast once.

#### 4. Gowthaman

- He seems to have a sense of discomfort with the group.
- There seems to be a trust deficit between him and the LfC set up. It seems like he does not trust the set up.

- We are comfortable with him and thus it needs to be looked into as to why he feels discomfort with others.
- The work that he is doing is phenomenal and he is quite passionate about what he does.
- The areas that he has chosen for himself are making him trustworthy amongst the people he works with. He is building an identity for himself and that shows that out of the LfC set up his trust equations are good.

#### Recommendations

- He needs to follow up the work he takes.
- He should take only that amount of work which he can cater to and give his 100%.
- Quality should be the benchmark and not the quantity.

#### 5. Arjun

- He seems to be in a dilemma regarding the whole LfC setup.
- It seems that he has a conflict within himself and he is not able to decide which side of the fence he is.
- He seems to be struggling with his identity and he is not clear as to how he should be identified.
- He seems to think that LfC is beneficial to him since it caters to his academic needs.

#### Recommendations

- He should sort out any conflicts he has within himself.
- He should work on his identity so that he is more focussed on whatever he does and it does not hamper his integrity

#### 6. Jashaswinee:

- Lot of trust in herself subsequent to joining LFC;
- Elaborated by the Sonpur migration case;

#### Recommendations

• Try translating moral grievances into legal ones, put yourself as a lawyer first.

#### 7. Robin:

• Is reflective and self-critical about his work;

- Trust deficit towards the LFC set up;
- Unable to open up fully and withholding something;

#### Recommendations

• Open up and put forth your concerns to the group.

#### 8. Roshan:

- Tied up his work into the framework of trust very well;
- Reflective and creative;
- Immense trust in the self and the architecture;

#### Recommendations

• Can be more participatory, often takes the role of a silent observer.

#### 9. Suadat:

• Presentation was generic (evaluation not complete and detailed);

#### **Recommendations**

• More work on issues like disappearances and state violence maybe taken up.

#### Analysis of the whole batch:

- 1. The whole batch as such is not cohesive. We have become good friends but essentially not good colleagues.
- 2. Even though much of work done is done by fellows individually, but as a batch it doesn't get reflected.
- 3. The amount of knowledge sharing amidst the fellows is poor. The amount of work all of us do on individual levels is collectively a solid body of work and we could have created our own database with it. However we have not been able to do so. Thus more cohesiveness as a team is required.
- 4. The fellows are report oriented and whether each of us as such are evolving with our work is something to be examined.
- 5. The fellows are not bent upon helping each other. There have been many instances when some of the fellows have asked for help regarding any case that they are taking up but mostly no one has responded even though we are all capable.
- 6. The fellows are inclined more towards individualistic rather than collective efforts.

- 7. There not much of an honest self critiquing. Since beginning it has been like "scratching each other's back" which is not a healthy approach. We must come out of our complacency and comfort zones and face the realities.
- 8. The work sessions give us a good platform to work and interact with each other. Whatever little interaction we have is also good and as such sessions are important.
- 9. The batch does share its ideas when it meets and we do discuss with each other a lot of legal issues and ideas. However that needs to go beyond the sessions and become a routine affair in both real and virtual spaces.

#### Feedback of the LfC architecture and facilitators:

- It is difficult to segregate the two and evaluate and hence a conversation around both was carried out.
- LFC is/ought to be a self governing group with minimal interference with the facilitators. There is absolute liberty to carry out work by individual Fellows and the facilitators guide you.
- However, there were also opinion that juxtaposed the facilitators and the group vis-à-vis each other. There criticisms with regard to not enough guidance being provided. A sense of some kind of an obligation owed to the facilitators etc.
- The way forward maybe to find a midway between absolute liberty and control from the facilitators.
- They have given us the needed space to carry out our work.
- They have made us feel enthusiastic about our work and have pitched in to help us when needed.
- There is sort of an "employer employee" relationship which exists amidst us.
- Guidance offered by them is hampering our autonomy.
- The "one size fits all" approach is not helping. Along with the batch characteristics as a whole we need to capitalise on the individual strengths also and reduce the rigidity of the work wheels



### Lawyers for Change Fellowships

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