

FREQUENTLY ASKED QUESTIONS

ON

NALSA

(Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015

Q.1. What is the objective of this Scheme?

Ans : The objective of the Scheme is to provide legal services to address the concerns of victims of trafficking including women of all age groups and at every stage: i.e. prevention, rescue and rehabilitation. Also to provide economic and social pathways for these marginalized groups so that they are socially included and thus get all social protections available to an ordinary citizen and to ensure the protection of dignity of the victims and their Fundamental Right to life.

Q.2. Who is a Victim ?

Ans : "Victim" means a person who has suffered loss or injury as a result of crime and require rescue and rehabilitation. The expression "Victim" includes his or her dependents.

Q.3. Who are entitled for the benefits of the Scheme ?

Ans : Victims of trafficking and sexual exploitation including children, young adults of whatever sex, women, sex workers and Transgenders are entitled for the benefits of the scheme.

Q. 4. What are the strategies in implementing the legal services schemes for the benefit of the victims ?

Ans : The strategy of the legal services must be guided by a 360 degree approach. Thus, children, young adults of whatever sex, adolescent girls, young women and older women should all be included in the action plan. The legal services authorities must also develop an action plan for prevention, rescue and rehabilitation and not merely for one of these aspects. Further the legal services authorities must document each case and carry out a follow up at least for three years so that reintegration of the victim into the society is complete.

Q.5. What are the Government schemes available for providing benefits to the victims of trafficking ?

Ans :

- Housing Scheme
- Health Scheme
- Food Security Schemes
- Social Security Schemes
- Education Schemes
- Livelihood or skill development schemes
- ICDS or Child Care Development Schemes.
- Other Schemes:
 - a) Jan Dhan Scheme
 - b) Adhar Scheme
 - c) Voter Card Scheme
 - d) Self Help Group Membership Scheme
- Legal services schemes:
 - a) Legal Aid Scheme
 - b) Para Legal Volunteers Scheme
 - c) Village Legal Care and Support Centres scheme
- Telangana State Victim Compensation Scheme, 2015.

For any other scheme and government orders, victims or interested persons may contact the responsible officials of Women Development and Child Welfare Department in the District and the Secretary, District Legal Services Authority.

Q.6. What are the functions of legal services institutions in the country?

Ans : The legal services institutions right from State Legal Services Authority to Mandal Legal Services Committee have been asked to discharge the following main functions -

- (i) to provide free and competent legal services to the eligible persons
- (ii) to organize Lok Adalats for amicable settlement of disputes
- (iii) to organize Legal Awareness Camps; and

(iv) to implement the Schemes and policy directed by NALSA through strategic and preventive Legal Service Programmes.

Q.7. What is free Legal Aid?

Ans : Legal advice by a legal practitioner

Representation on behalf of entitled person in any legal proceedings.

Payment to the entitled person or on his behalf;

- a) Of court fee;
- b) Of process fee and expenses of witnesses;
- c) Of charges for preparation of paper book, including charges for printing and translation of documents;
- d) Of charges for the supply of certified copies of judgments and other documents
- e) Of any amount on any other account in any legal proceedings.

Q.8. What is the role of legal services institutions in the implementation of various Government and NALSA schemes ?

Ans : The Legal Services institutions act as a bridge between the Government Departments and the victims of trafficking and commercial sexual exploitation. The legal services institutions conduct meetings with the community based organizations and sensitize all the stakeholders to remove the misunderstandings and misconceptions about the stigma attached to the victims. Takes steps for identification of victims for prevention, rescue and rehabilitation, and development of strategic plans for the use of Management Information System.

Q.9. How the Legal Services institutions help the trafficking victims ?

Ans : The Legal Services institutions may in coordination with NGOs, and other line Departments of Government, conduct various sensitization programmes and provide necessary help to the victims for prevention, rescue, reintegration and rehabilitation. Help from UNICEF and United Nations Office on drugs and crime (UNODC), Department of Women and Child Welfare and Rural Livelihood Missions can be taken to achieve the object of the Scheme. National Aids Control Organization, State Aids Control Society and District Programme Coordinator also extend their help to the victims of trafficking to achieve the object of the Scheme.

The District Legal Services Authority with the support of the concerned Department will facilitate the victim to full fill the procedure stipulated under each scheme and comply with all the due diligence process extending support to the victim to get the benefits of the Government schemes for rehabilitation and reintegration.

Q.10. what is the action plan to achieve the objective of the Scheme?

Ans : The DLSA will reach out the NGOs and community based organizations (CBO) working in the field, State Agencies such as Department of Women and Child, Rural Livelihood Missions. They must also seek assistance from National Aids Control Organization and the State Aids Control Society and the District Programme Coordinator for AIDS Control to obtain the information of Trafficking as well as sex workers.

The DLSA., will act as Nodal Agency for inters Department convergence at the District Level so that an inclusive and comprehensive response from the concerned Department and stake holders emerges to work in coordination to achieve the objective of the scheme.

Q.11. Who is a Panel Lawyer?

Ans : "Panel Lawyer" means a lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations 2010 to render free and competent legal services to the deserving and needy persons under the Scheme.

Q.12. What is the role of Panel Lawyer?

Ans : Panel Lawyers will help the victims to get their FIR registered and present during Remand Proceedings to oppose bail. Panel Lawyer should obtain Court orders for protection of witnesses wherever necessary and to counsel the victims before giving evidence and be present during the trial to protect the interest of the victim. Panel Lawyers and PLVs will help the victim to apply to the DLSA for release of Victim Compensation under the Telangana Victim compensation Scheme and to access other welfare schemes of the Government meant for rehabilitation of such victims and also in spreading awareness about the Scheme to the needy people.

Q.13. Who is a Para Legal Volunteer?

Ans : A person with basic knowledge of law and other available welfare measures and legislations with an inclination to assist their immediate neighbourhood is selected as Para Legal Volunteer by the concerned Legal Services Institution and trained to improve the legal services network.

Q.14. Who should be the Para Legal Volunteer?

Ans :

- Advocates, Teachers and lecturers of Government and Private Schools and Colleges of all levels.
- Anganwadi workers.
- Private or Government doctors and other Government employees.
- Field level officers of different departments and agencies of the State and Union Governments.
- Students of graduation and post graduation in Law, Education, social services of humanities.
- Members of apolitical service oriented Non Governmental Organizations and Clubs
- Members of Women Neighbourhood Groups, Maithri Sanghams Educated prisoners serving long terms sentences in Central Prison and District Prison.
- Social Workers and volunteers, volunteers of Panchayat Raj and Municipal institutions.
- Members of Cooperative Societies. Members of Trade Unions.
- Any other persons the District Legal Services Authority or Taluk Services Committee deems fit to be identified as Para Legal Volunteers

Q.15. What are the duties of trained Para Legal Volunteers and their Honorarium?

Ans. : PLVs shall

1. Educate people, specially those belonging to Weaker sections of the society,
2. Spread awareness among the people about their basic human rights, fundamental rights to enjoy all the constitutionally and statutorily guaranteed rights
3. PLVs shall also constantly keep watch on violators of law or acts of injustice in their operation.
4. They will also assist in conducting legal literacy camps
5. They will work by sitting in front offices
6. They are eligible for a Honorarium of Rs250/- per day when engaged for rendering services in Legal Aid Clinics and Front Offices

Q.16. Whether the work of the Para Legal Volunteers is monitored regularly?

Ans. : Yes. The Secretary of DLSA., shall monitor the work done by the PLVs every month and the PLVs shall maintain the prescribed Registers.

Q.17. Whether the Para Legal Volunteers can be disqualified and removed?

Ans. : Yes. Para Legal Volunteer is disqualified if he/she

1. Fails to evince interest in the scheme
2. Has been adjudged as insolvent
3. Has been accused of an offence
4. Has become physically and mentally incapable
5. Has abused his or her position or misconduct in any manner so as to render his / her continuance prejudicial to the public interest.
6. Affiliated to political parties

Such para legal volunteer can be removed by the Chairman DLSA and has to intimate the same to the State Legal Services Authority

Q. 18. How the Para Legal Volunteers help the victims of trafficking ?

Ans. : The Para Legal Volunteers will identify the grievances of the target groups and collect information and documents from the target groups and coordinate with the respective Government Departments to extend the benefits of Government Schemes. They interact with the Government Departments on behalf of the Victims of Trafficking and vulnerable persons in different target groups. The Para Legal Volunteers are also assigned to Police Stations for handling the cases of missing children and also to resolve the issues of trafficking, by reporting the matter to the Legal Services Authorities about the action taken by the police and the necessary directions to be issued to the Police and other departments for effective implementation of the Scheme and Acts.

Q.19 What is the plan of action to prevent trafficking ?

Ans. :

- i) The District Legal Services Authority in coordination with Anti Human Trafficking Units, NGOs, CBOs, Women Development and Child Welfare Department and other line Departments of the Government will map out the vulnerable areas and the vulnerable population within its jurisdiction. DLSA will prepare preventive strategies including spreading information about the schemes connecting vulnerable people to such schemes so that they are benefited from the same. DLSA will spread awareness about the law and about the dangers posed by the prospective traffickers.
- ii) Children and adolescent would be made aware of the dangers of strangers befriending them and the parents will be cautioned about the falsity of the promises made to them for better future of their children in Cities. Young adults would be warned about the false promises of jobs and better lives.
- iii) Legal Services Institutions will create a team of panel lawyers, social workers PLVs, members of village level child protection committees, student legal literacy clubs etc., to spread awareness about the welfare schemes of the government and the entitlement of stake holders. The services of PLVs will be used to ensure that all due diligence process including eligibility documents and proofs are collected to enable the vulnerable community to access the various schemes.

- iv) PLVs attached to or assigned to Police Stations, in compliance of orders of the Hon'ble Supreme Court of India to handle the cases of missing children will be trained on children issues and trafficking issues and they will be advised to report any such case of trafficking or arrest of sex worker to the concerned Legal Services Institutions.
- v) Legal services institutions will act as Nodal Agency in coordination with different line Departments like Integrated Child Development Department, etc., conducting various programmes for spreading awareness about the methods, which can be implemented for preventing trafficking.
- vi) Legal services institutions will also sensitize the teachers, students and their parents, Anganwadi workers, Health workers to create awareness among all sections of the society to prevent trafficking and sexual exploitation.

Q.20. What is the plan of action as to Rescue and Rehabilitation?

Ans. :

- i) Rescue and Rehabilitation : The protocol for the One Stop Crisis Centre would no doubt be available for the rescued victims of trafficking. Apart from ensuring compliance of the directions of the Supreme Court in Prajwala's case, the SLSAs/DLSAs must also follow up with the rehabilitation of the victim chiefly through access to government schemes to provide a stable alternate livelihood for the victims.
- ii) DLSAs should ensure that panel lawyers and PLVs help the victims to get their FIR registered and are present during remand proceedings to oppose bail etc. The Panel lawyers should obtain court orders for protection of witnesses wherever necessary and to counsel the victims before deposition and be present during trial including recording of the statement of the victim. The panel lawyers and PLVs should also help the victim to apply to the DLSAs for release of compensation under the Victims Compensation Scheme and also to access other welfare schemes of the Govt. meant for the rehabilitation of such victims.

Q. 21. Who will take the responsibility of spreading awareness about the welfare schemes ?

Ans. : As per the NALSA scheme, a team of panel lawyers, PLVs and social

workers would be constituted for spreading awareness on welfare schemes of NALSA and also various Government Schemes to the people.

Q.22. How the public hearings for marginal communities are being conducted ?

Ans. : The Legal Services Authorities conducts public hearing with all the stakeholders like sex workers, transgenders, MSMs and other marginal communities, the Government officials of the line departments such as Revenue, Police, Aids Control Societies, Medical and Health Department etc. The Legal Services institutions will organise public hearings to know the problems of the victims and to provide immediate relief to them.

Q. 23. Whether sensitization of Judicial Officers with regard to Legal Services Schemes and Programmes is essential?

Ans. : Yes. Once all the Judicial Officers in the Country are properly sensitized with regard to the relevance and importance of legal aid schemes they shall themselves start caring for the poor, backward and weaker sections of the society who are not in a position to engage their own counsel and look after their legal causes.

Q.24. Who is the Competent Authority for payment of victim compensation as per the Telangana Victim Compensation Scheme, 2015?

Ans. : The Member Secretary of the State Legal Services Authority is competent for payment of Victim Compensation as determined by the Court or as determined by the Legal Services Institutions on an enquiry.

Q.25. Whether the State Government is providing relief to the victims of trafficking?

Ans. : Yes. The State Government is providing relief to women, who are victims of rape, kidnap dowry harrasment and trafficking as per the following G.Os

G.O.Ms.No.28, WDCW&DW (Prog) Dept., Dt.04.07.2003 (Rs.5,000/- per victim)

G.O.Ms.No.13, WD&CW&DW (Prog) Dept., Dt.21.04.2006 (enhanced from Rs.5,000/- to Rs.10,000/- per victim).

G.O.Ms.No.28, WCD & SC(WP) Dept., Dt:13.06.2011.

G.O.Ms.No.28, WCD&SC (WP) Dept., Dt.15.10.2012 (enhanced from Rs.10,000/- to Rs.20,000/- per victim)

The Relief to victims on each case is as follows.

Gang Rape	Rs. 1,00,000/-
Rape Case	Rs. 50,000/-
Dowry Death	Rs. 50,000/-
Trafficking	Rs. 20,000/-
Kidnap	Rs. 20,000/-
Acid Attacks	Rs.1,00,000/-
Hacked or throat Slit	Rs. 50,000/-

As per the Telangana Victim Compensation Scheme, 2015, a rape victim is entitled to a maximum compensation of Rs.2,00,000/-. Women and child victims in cases like Human Trafficking, Kidnapping and Molestation etc., for loss of limb or injury causing severe mental agony entitled to Rs.50,000/- as compensation. However the victim / claimant who has received compensation amount from other sources / schemes mentioned above shall be deemed to be compensated under this Scheme.

Q.26. What is UJJAWALA Scheme?

Ans. : The ministry of Women and Child Development, New Delhi has formulated UJJAWALA a new comprehensive scheme for prevention of trafficking, rescue, rehabilitation and reintegration of victims of trafficking and commercial sexual exploitation.

The scheme will provide food, shelter, clothing, counseling and legal aid to inmates of UJJAWALA Homes.

Q.27. What is the role of Nodal Officer in implementing the NALSA Scheme?

Ans. : The Nodal Officer nominated in the District would be responsible for ensuring the convergence of NALSA Schemes with the policies, Schemes and Guidelines of the Government on the subject matter.

Q.28. At what place the victim can get the Services and Help for rehabilitation

Ans. : The Nirbhaya Centres (now called as Sakhi Centres) at each District level which is under the direct control of Project Director, Women and Child Welfare Department will provide all the necessary services and Help viz., Medical Help / Support, Counseling, Police & Legal Assistance to the Victims.

Q.29. What is the concept of Management Information System ?

Ans. : Management Information Systems : The SLSAs and DLSAs will have to develop a sound MIS so that every activity under this scheme is recorded, followed up and assessed. Similarly, the assistance of the PLVs and the Panel lawyers given to the victims will have to be recorded and monitored closely by the Secretary DLSA. Where the DLSA has facilitated the rehabilitation, there must be a tracking of the person for at least three years so that the rehabilitation is complete and there is no danger of re-trafficking.

Q.30. What is the Help Line Number to protect the Victims of Trafficking and Children?

Ans. : Child Line No. is 1098 Night and Day.
Dial 100 POLICE in our State.

For Legal Aid and further details of these schemes may contact the following:

Secretaries of District Legal Services Authorities and the Secretary of High Court Legal Services Committee

Adilabad	-	9440901043
Nizamabad	-	9440901057
Karimnagar	-	9440901049
Khammam	-	9440901050
Warangal	-	9440901063
City Civil Court Legal Services Authority, Hyd	-	9440901065
Nalgonda	-	9440901055
Ranga Reddy	-	9440901059
Mahaboobnagar	-	9440901053
Medak	-	9440901054
Metropolitan Legal Services Authority, Hyd	-	040-23442488
High Court Legal Services Committee, Hyd	-	9492358157

STOP TRAFFICKING

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- Immediate Relief and Rehabilitation to Rescued Girls & Women.
- Continue the Section 8 & 20 of ITPA.
- Enact the law to make traffickers to pay the compensation.
- Implement the GOMS No.1 & 28 of WDCW & DW.

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