

VAIKUNTA BALIGA COLLEGE OF LAW
(A UNIT OF Dr. T.M.A.PAI FOUNDATION, MANIPAL)
(PERMANENTLY AFFILIATED TO KARNATAKA STATE LAW UNIVERSITY, HUBBALLI)
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(Accredited by NAAC with 'B+' Grade)

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PRINCIPAL

INSTITUTIONAL DISTINCTIVENESS

HUMAN RIGHTS PROTECTION FOUNDATION

AND

ALTERNATIVE DISPUTE RESOLUTION CELL

Since many citizens are not actually aware about their rights, they are so accustomed with the life style where their rights are getting violated. A person may be a consumer, senior citizen, a farmer, women and other vulnerable sections of the society. They all have their rights but ignorance of their rights makes them of budge to the highhandedness of officials.

Therefore our institution has established an Alternative Dispute Redressal Cell which functions in association with Human Rights Protection Foundation, having following objectives.

1. To educate people about their rights and interests, by imparting them legal awareness.
2. To support a person who is the victim of any problem in his/her fight for justice.
3. To provide a viable alternative to over- burdened judiciary.
4. To provide an easy and inexpensive remedy to the poorer sections of the society.

Human Rights Protection Foundation of Udupi and Consumer's Forum, Basrur are the two organizations, which have been actively guiding people to get redressal of their grievances. The College Management has facilitated the functioning of these two NGOs to work smoothly with help and assistance from students and staff of our institution. So an Alternative Dispute Redressal Centre in the institution has been established in the premises of our college

A provision is made to the Law students to actively participate in Negotiation, Mediation and Conciliation. Students from various colleges have visited our centre batch by batch and training was given in our college for two days. This has provided an opportunity for all the students and staff of our college to interact with their counterparts.

More than three thousand case papers of resolved disputes have been fed into the computers and they are made available for students and interested citizens for reference. Case studies from the above said centre are helpful for our students to understand the subject. Workshops were conducted to train volunteers to establish Public Interest groups such as Consumer Organizations, Human Rights Organizations and Eco Clubs etc. After the ADR cell has been established in the college, students got the opportunity to witness so many heterogeneous cases.

Some recent cases of 2019-20 are:

John Montero Case

John Monthero, an engineer from Mulki of D.K.District passed away during imprisonment in Saudi Arabia. Nine months after his death, Human Rights Protection Foundation of Udupi assisted his family to bring the dead body to India.

Bhoja Shetty Case

Bhoja Shetty of Mudradi village in Karkala Taluk, in the year 1995, as per the advice of his wife, he divided and transferred his agricultural property and his residential house amongst his children. He entered into an agreement with his children that he would be given a monthly allowance for his maintenance by each son. But, his children neglected to take care of him.

Mr. Shetty approached Human Rights Protection Foundation in October 2018. A complaint was lodged with the Senior Citizens Tribunal in Kundapur seeking assistance to get relief. In the month of December 2019, the Tribunal gave the verdict directing each of the five sons to provide monthly maintenance of Rs. 2000/-

Bhoja Shetty's sons filed a Writ Petition at Karnataka High Court against the judgment delivered by the Tribunal. Human Rights Protection Foundation, Udupi invited all the children and other elders of the family for a discussion in this matter. After much persuasion, the children agreed to withdraw the case from High Court and also to make the payment as per the order of Tribunal. At present Bhoja Shetty is family spending his last days without worrying for food and shelter.

K S Bhat Case

When Dr. Bhat approached Basrur Consumer Forum, since he was a patient of KMC Hospital Manipal, who can be termed as a consumer within the definition of the Consumer Protection Act, 2019 and the Forum assisted him to approach Udupi District Consumer Disputes Redressal Commis-

sion against the gross acts of the opposite parties (Insurance Company) wherein they have committed serious deficiency of services and unfair trade practices.

After six months of enquiry, the Commission directed the MAHE & National Insurance Company Ltd. to pay Rs.1,58,787/- along with interest from 3.03.2020 till the date of payment at 12% p.a. to the Complainant. Also directed the opposite parties to pay an amount of Rs.75, 000/- towards damages and compensation for having caused physical pain, mental agony, harassment and trauma to the Dr.Bhat.

Victor Fernandis Case

Victor Fernandes was working as a Forest guard in Karnataka Forest Development Corporation. At present is retired. He had purchased 50 cents land out of his savings. After his retirement in July 2013, had constructed a house in the said land without any help from his children. When they refused to pay Rs.54, 000/- for his hospitalization, Victor approached Human Rights Protection Foundation for support. The Foundation assisted him to submit a petition to Senior Citizen Tribunal for justice. After the detailed enquiry the Tribunal ordered the children to pay Rs.9, 000/- per month to Victor. When children did not bother to pay the amount even after waiting for a year, now the District Administration has ordered the cancellation of the gift deed transferring the property to the children.

1. To provide information to the needy regarding various schemes of the Government available to the public.