

THE JHARKHAND STATE LEGAL SERVICES AUTHORITY

Notification No. 2 — dated 16.03.2002. — In exercise of the powers conferred under the provisions of section 29A of the Legal Services Authority Act, 1987 (Act No. 39 of 1987) as amended by the Legal Services Authorities (Amendment Act No. 59 of 1994) and in consultation with the Hon'ble chief Justice, Jharkhand High Court, wherever necessary to give effect to the provisions of the Act, Jharkhand State Legal Services Authority is pleased to make the following regulations, namely :

JHARKHAND LEGAL SERVICES AUTHORITY REGULATION, 2002

(As Amended by)

*Amendment Notification No. 12 dated 21.02.2013 and
Amendment Notification No. 13 dated 18.06.2013*

CHAPTER-1

- 1. Title and commencement.**—These Regulations may be called the Jharkhand State legal services Authority Regulations and they shall come into force from such date as may be fixed by the Authority.
- 2. Definitions**— In these Regulations, unless the context otherwise requires :
 - (a) “Act” means the Legal Services Authorities Act, 1987(No. 39 of 1987).
 - (b) “State Authority” means the Jharkhand Legal Services Authority.
 - (c) “High Court Committee” means the Jharkhand High Court Legal Services Committee constituted under section 8A of Legal Services Authority Act.
 - (d) “District Authority” means the District Legal Services Authority constituted under section 9 of Legal Services Authority Act.
 - (e) “Sub-divisional Committee” means the Sub-divisional Legal Services Committee constituted under section 11A of Legal Services Authority Act for each sub-division of the District in the State.
 - (f) “Rules” means the Jharkhand Legal services Authorities Rules, 2001.

- (g) "Legal Practitioner" shall have the meaning assigned to that expression in the Advocates Act, 1961.
- (h) "Member" means a member of the State Authority, High Court Committee, District Authority or the Sub-divisional Committee as the case may be.
- (I) "Nominated Member" means a member nominated to the State Authority, High Court Committee, District Authority or the Sub-divisional Committee as the case may be.
- (j) All other words and expressions used in these Regulations but not defined shall have the meaning respectively assigned to them in the Act and the Rules framed thereunder.

CHAPTER-II

- 3. Power and Functions of the Patron-in-Chief—** (1) The Patron-in-Chief shall have overall Supervision and control over the functioning of the State Legal Services Authority, High Court Legal Services Committee, District legal Services Authority and Sub-divisional Legal services Committees.
- (2) The Patron-in-Chief shall at any time call upon the Member Secretary of the State Legal Services Authority, Secretary of the High Court Legal Services Committee, the Chairman and the Secretary of the District Legal Services Authority and the Sub-divisional Committee, as the case may be and give such instruction from time to time to implement the Schemes of the Act.
 - (3) The Patron-in-Chief may undertake such tour throughout the State for promoting the Legal Services Programmes and the Schemes of the Act and to implement in the perspective manner. The expenses incurred by Patron-in-Chief, in respect of the tour and of other programmes, shall be met out by the funds of Jharkhand State Legal Services Authority.
 - (4) The Executive Chairman may also undertake such tour throughout the State for promoting the Legal Services Programmes and Schemes of the Act as proposed in the agenda of the meeting of the Authority or as desired by the Patron-in-Chief. The State Authority shall meet the expenses in respect of such tour and other programmes.

CHAPTER-III

- 4. Meetings of State Legal Services Authority—** 1. The State Authority shall meet atleast once in 3 months at the place, date and time specified by the Executive Chairman of the Authority.
2. The meetings of the State Authority shall be presided over by the Executive Chairman or in his absence by any member chosen by the members present and the quorum of the meeting of the State Authority shall be nine and no quorum shall be necessary for adjourning the meeting.
 3. All the subject matter of the agenda shall be decided in the meeting by the majority of the votes of the members present and in case of equal number of votes, the person presiding shall have a second or casting vote.
 4. Any 10 Members of the Authority may give a requisition in writing addressed to the Member- Secretary for convening a meeting of the Authority for consideration of the subjects or matters specified therein. On receipt of such requisition, the Member-Secretary shall, after obtaining the orders of the Executive Chairman, convene a meeting of the Authority within a month from the date of receipt of such requisition to consider the subjects or matters specified in the requisition.
 5. Any member of the State authority desiring consideration of any subject or matter at ant meeting of the State Authority, may intimate in writing such subject or matter to the Member-Secretary. If such intimation is received before issue of the notice of the meeting, the subject or matter shall if so directed by the Executive Chairman, be included in the Agenda of the meeting. If such intimation is received after issue of the notice, the subject or matter may be considered at the meeting with the permission of the person presiding at the meeting.
 6. The Member-Secretary of the State Authority shall prepare the Agenda of the meeting of the State Authority with final approval by the Executive Chairman. The notice of every meeting of the State Authority shall be given in writing by the Member-Secretary to the Members, at least 7 clear days before the date of the meeting. However, in urgent matters, the notice of only three days may be given or if necessary, may be communicated telephonically.

7. The Agenda of the meetings shall be sent to the members alongwith the notice.
8. The Member-Secretary shall draw up the minutes of the meeting of the State Authority and after it is approved by the Executive Chairman, send it to the other members of the Authority, as soon as possible but not later than the date of dispatch of the notice of the next meeting. Any member after receipt of the minutes of previous meeting may give any suggestion in the next meeting, which shall be considered accordingly.
9. The minutes shall contain a record of the decisions taken and resolutions passed at the meeting and the discussions at the meeting shall not ordinarily form part of the minutes, unless the Chairman of the meeting so directs. The minutes shall be recorded in a separate register maintained for that purpose in the office of the State Authority.
10. The Member-Secretary shall, at the commencement of the next meeting of the State Authority inform the Members, the action taken on the decisions taken in the previous meeting.
11. The signature of the Members present at the meeting shall be obtained in a register maintained for that purpose.
12. The Member-Secretary with the approval of the Executive Chairman may pass the T.A. Bills of all the Members of the State Authority and the Committees and also of others who have attended the meetings or programmes of the State Authority.
13. The State Authority shall meet the expenses of every meeting, which will be held quarterly as aforesaid or at any time.

- 5. Allowances payable to the Members of the State Authority —**
1. The sitting fee payable to the non-official Members of the State Authority for attending the meeting or of any Committee thereof as may be fixed by the Executive Chairman.
 2. No allowances is payable to the Patron-in-Chief, Executive Chairman and the Member-Secretary of the State Authority attending the meeting of the State Authority or of any Committee thereof, provided that any such meeting of any Committee thereof, provided that any such meeting of any Committee is held at Ranchi.

- 6. Removal of Member from Office in certain circumstances —** 1. On recommendation of the Executive Chairman, in consultation with the Patron-in-Chief of the State Authority, the State Government shall remove any nominated member of the State Authority, who—
- (a) fails, without sufficient cause, to attend three consecutive meetings of the State Authority; or
 - (b) has been adjudged insolvent; or
 - (c) has been convicted of an offence which in the opinion of the Executive Chairman, involved moral turpitude; or
 - (d) has become physically or mentally incapable of acting as a member; or
 - (e) has so abused his position as to render his continuance in the State Authority prejudicial to the public interest.
2. Notwithstanding anything contained in Clause (1) of this Regulation, no Member shall be removed unless the recommendation for his removal has been made on any of the grounds mentioned above and only after affording him reasonable opportunity to be heard.
- 7. Other functions to be performed by the State Authority—** In addition to the functions to be performed by the State Authority, as laid down by Section 7(1) and 7(2)(a)(b)(c) of the Act, the State Authority may also perform the following functions :
1. The State Authority may conduct legal literacy camps in different parts of the State, with a view to transmitting knowledge about the legal aid schemes conducted in the State, or with a view to spreading consciousness about the legal rights and duties of citizens with special reference to the tribal and rural populations, women, children, handicapped and the weaker sections of the society.
 2. The State Authority may finance public interest litigations before appropriate Courts in the State if it is satisfied that such litigations are for the general benefit of large body or class of persons who cannot by themselves take recourse to law due to poverty, illiteracy or other similar reasons.
 3. The State Authority may conduct legal aid clinics in different parts of the State in collaboration with Law Colleges, Universities and other social service organisations.

4. The State Authority may also establish or the direct the District Authority to establish conciliation Committees at various Centers in the State with a view to providing permanent or quasi-permanent infrastructure for resolving legal disputes between the parties, whether they may be pending in Courts or may be in offing. For establishing such Committee it will be open to the State Authority or the District Authority to take active assistance/support of such social service organisations that have zeal for legal aid work.
5. The State Authority may review the cases where legal services are refused by the District Authority, on application or suo moto.

8. Funds, Budget Accounts and Audit of the State Authority — 1.

The funds of the State Authority shall consist of such funds and grants as may be allotted and granted to it by the State Government, the Central Government and the National Legal Services Authority and also such other amount, grant received by way of donations or otherwise as provided under Section 16 of the Act.

2. The fund of the State Authority other than those provided under section 6(7) of the Act shall be maintained in a Nationalised Bank in the Name of Jharkhand State Legal Services Authority, Ranchi. The Member-Secretary shall operate the bank account of the Authority with the prior approval and direction of the Executive Chairman.
3. All expenditures of the State Authority including legal aid and services and other expenses for carrying out the various functions of the Authority, shall be met out of the funds of the State Authority. For this purpose, the State Authority shall prepare its annual budget before the beginning of the financial year and no expenditure shall be met out of the fund of the Authority unless it is provided for in the annual budget of the Authority;

Provided that in exceptional circumstances, the Patron-in-Chief and/ or the Executive Chairman may permit any expenditure even if it is not provided in the annual budget of the Authority.

CHAPTER-IV

9. **Constitution of the Jharkhand High Court Legal Services Committee—** The State Authority shall constitute a Committee called the High Court Legal Services Committee consisting of a sitting Judge of

the High Court who shall be nominated by the Patron-in-Chief as Chairman and the following members to be nominated by the Patron-in-Chief.

- (i) Secretary as defined under Sub-Section 3 of Section 8A of the Act.
- (ii) The President of the Jharkhand High Court Advocates' Association.
- (iii) One Member of the Jharkhand High Court Advocates' Association having not less than 15 years of standing practice at the Bar.
- (iv) One Lady Member of the Jharkhand High Court Advocates' Association having not less than 5 years of standing practice at the Bar.
- (v) Additional Legal Remembrancer (in Cadre of Addl. D.J.).
- (vi) I.G./D.I.G. (Human Rights), Ranchi City.
- (vii) State Public Prosecutor or the Government Advocate.
- (viii) One serving or retired eminent Law Teacher of a University.
- (ix) An eminent social worker engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children and Rural Labour.
- (x) A person of repute, who is specially interested in the implementation of the Legal Services Schemes.

10. Term of Office of the Members and Secretary of the high Court Legal Services Committee— 1. The term of the office of the Secretary and members of the High Court Committee shall be for a period of two years unless earlier terminated by the Patron-in-Chief.

All members of the Committee except the Secretary shall function in honorary capacity.

2. If any member including the Chairman ceases to be the member of the High Court Committee for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be the member or the Chairman, as the case may be, for the remaining term of the member or the Chairman in whose place he is nominated.

11. Meetings of the High Court Legal Services Committee— 1. Subject to the special or general instructions of the State Authority, the Chairman of the High Court Legal Services Committee may as frequently

as the business may warrant shall atleast once in three months, call a meeting of the High Court Legal Services Committee.

2. The Chairman of the High Court Legal Services Committee or in his absence a Member chosen by the Members present from among themselves shall preside over the meeting of the Committee.
3. The quorum for the meeting shall be 4 members, but this quorum is not required for the adjourned meeting.
4. All questions at a meeting shall be decided by majority of the votes of the members present and in case of equality of votes the person presiding shall have a second or casting vote.
5. Minutes shall contain the names of the Members present and of the proceedings of each meeting which shall be signed at the next ensuing meeting by the person presiding at such meeting and shall be open to inspection by any member.
6. A copy of the minutes shall be sent to the State Authority.
7. The non-official members of the High Court Legal Services Committee shall be paid a sitting as may be fixed by the Executive Chairman.
8. The expenses of the High Court Legal Services Committee, shall be met out by the funds provided by the State Legal Services Authority.
9. The High Court Legal Services Committee shall consist of the staff as per schedule I of Sub-Section (5) of Section 8A of the Act.

12. Powers and Functions of the High Court Committee— Subject to the general superintendence and control of the State Authority, the High Court Committee shall exercise the following powers and perform the following functions :

- (a) Recommend for filing of public interest litigation in the High Court for the general benefit of a large body or class of persons who cannot by themselves take recourse of law due to penury, illiteracy or other similar reasons.
- (b) Convene and organise Lok Adalats at regular intervals in respect of High Court Cases.
- (c) Receive applications for legal services in respect of cases pertaining to High Court of Jharkhand.

- (d) Ensure that the case of every applicant is promptly processed and disposed of.
- (e) Consider the cases brought before it for legal services and decide as to what extent legal services can be made available to the applicant.
- (f) Persuade the parties to appear before it and make efforts to bring about a just settlement between them and, if necessary, also refuse the legal services, if in its opinion, the conciliation has failed due to any fault on the part of the applicant.
- (g) Encourage and promote conciliation and settlement in all legal proceedings.
- (h) Take proceedings for the recovery of the costs awarded to a person to whom legal services are rendered.
- (i) Submit recommendations and suggest improvement to the State Authority in the working of these Regulations.
- (j) Prepare and submit such reports, returns and other statistics or information, as the State Authority may call for; and
- (k) Perform and exercise such other functions and powers as may be determined by Regulations made by the State Authority from time to time.

13. Powers and Functions of the Secretary of the High Court Legal Services Committee—

1. To implement the scheme to give free legal service to the eligible and weaker section.
2. To workout modalities of the Legal Services Schemes and Programmes.
3. To exercise the powers in respect of administration, house keeping, finance and budget matters.
4. To manage the properties, records and funds of the High Court Legal Services Committee.
5. To maintain true and proper accounts including checking and auditing in respect thereof.
6. To prepare Annual Income and Expenditure Account and Balance Sheet.

7. To maintain up-to-date and complete statistical information including progress made in the implementation of various Legal Service Programmes from time to time.
8. To process proposals for financial assistance and issue Utilization Certificate thereon.
9. To organize various Legal Services Programmes and convene Meeting/Seminars and Workshops connected with legal service programmes and preparation of reports and follow up action thereon.
10. To perform such of the functions as are assigned to him under the Schemes, formulated under the Act.
11. To perform such other functions as may be expedient for efficient functioning of the High Court Legal Services Committee.
12. To transmit the minutes of every such meeting of the committee alongwith the decisions taken, resolutions passed, directly to the State Authority.

14. Funds, Accounts and Audit of the Committee — 1. The funds of the Committee shall consist of such funds as may be allotted and granted to it by the State Authority and also such amount, as may be received by the Committee from time to time by way of donations or by way of cost, charges and expenses recovered from the legal aided persons or the opposite party or otherwise.

2. The funds of the Committee shall be maintained in a Scheduled Bank.
3. For the purpose of meeting the incidental minor charges such as court fee, stamps and expenditure necessary for obtaining copies of documents etc. permanent advance of Rs.3000/- shall be placed at the disposal of the Secretary of the Committee.
4. All expenditure on the legal aid and advice, provisions of other legal services as also expenditure necessary for carrying out the various functions of the Committee, shall be met out of the funds of the Committee. The Secretary shall operate the bank accounts of the Committee in accordance with the directions of the Chairman.
5. The Committee shall cause to keep and maintain true and correct accounts of all receipts and disbursements and furnish quarterly reports to the State Authority.

6. The accounts of the Committee shall be audited by the Accounts Officer as mentioned in Section 18 of the Act.

15. Panel of Advocates — (I) The High Court Legal Services Committee, District Authority and Sub-divisional Committee shall prepare a panel of advocates with the approval of their respective Chairman to conduct the cases referred to them.

¹(ii) [***]

²(ii) The Advocate on the respective panel, shall continue at the pleasure of the respective Chairman.

CHAPTER-V

District Authority

16. Term of Office of the Members and Secretary of the District Authority — 1. The term of the office of the members and Secretary of the District Authority shall be for a period of two years.

2. If any member of the District Authority ceases to be the member for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be the member for the remaining term of the member in whose place he is nominated.

3. A member of a District Authority may resign his office writing under his hand addressed to the State Government through the Executive Chairman of the State Authority and forwarded through the Chairman of the District Authority. The resignation shall take effect from the date on which it is accepted.

1 Deleted by Amendment Notification 13 dt 18.06.2013, sec. 3(B) (w.e.f. 18.06.2013), Sub -Regulation 15(ii), before deletion stood as under: (ii)

(a) The Legal Practitioner appearing in the High Court shall be paid consolidated fee as per Schedule I.

(b) The Legal Practitioner appearing in the matters arising out of the cases referred to by the District Authority, shall be paid consolidated fee as per Schedule II.

(c) The Legal Practitioner appearing in the matter referred to by the Sub-divisional Committee, shall be paid consolidated fee as per Schedule III.

(d) The Legal Practitioner representing in the cases referred to by the respective Authorities and Committees as the case may be pending before any Tribunals or Authorities or Forum, shall be paid as per Schedule I.

2 Sub Regulation 15(iii) renumbered as sub-regulation 15(ii) thereof by Amendment Notification 13 dt 18.06.2013, sec. 3(c) (w.e.f. 18.06.2013)

17. Removal of the Member from Office in certain circumstances—

1. On recommendation of the Patron-in-Chief in consultation with the Executive Chairman of the State Authority, the State Government shall remove any nominated member from the District Authority, who —

- (a) fails, without sufficient cause, to attend three consecutive meetings of the District Authority, or
- (b) has been adjudged insolvent; or
- (c) has been convicted of an offence which in the opinion of the Patron-in-Chief, involved moral turpitude ; or
- (d) has become physically or mentally incapable of acting as a member; or
- (e) has so abused his position as to render his continuance in the District Authority prejudicial to the public interest.

2. Notwithstanding anything contained in Clause (1) of this regulation, no member shall be removed unless the recommendation for his removal has been made on any of the grounds mentioned above and only after affording him reasonable opportunity to be heard.

18. Additional Functions of the District Authority — In addition to the functions assigned to it under the Act and Rules, the District Authority shall perform the following functions, subject to the general superintendence and control of the State Authority :

1. Shall perform such other functions as the State Authority may fix by Regulations from time to time and shall also be guided by such directions as Central Authority or the State Authority may give to it in writing from time to time.
2. Conduct legal literacy camps in different parts of the District with a view to transmitting knowledge about the legal aid schemes conducted in the State or with a view to spreading consciousness about the legal rights and duties of citizens with special reference to the tribal and rural population, women, children, disabled, handicapped and the weaker sections of the society .
3. Conduct legal aid clinics in different parts of the District in collaboration with Law Colleges, Universities and other social service organization.
4. Supervise, direct and guide the working of the Sub-Divisional Committees in the District.

5. Call for from the Sub-divisional Committees in the District such periodical reports, returns and other statistics or information as it may think fit, or as are required by the State Authority.
6. Prepare, consolidate and submit such reports, returns and other statistics or information in respect of the District Authorities, as the State Authority may call for.
7. Receive applications for legal services and ensure that every application is promptly processed and disposed of.
8. Consider the cases brought before it for legal services including pre-litigation matters and decide as to what extent legal services can be made available to the applicant.
9. Persuade the parties to appear before it and make efforts to bring about a just settlement between them and, if necessary, also refuse the legal services, if in its opinion the conciliation has failed due to any fault on the part of the applicant.
10. Encourage and promote conciliation and settlement in all legal proceedings, including pre-litigation matters.
11. Take proceedings for recovery of costs awarded to a person to whom legal services are rendered.
12. May review the cases where legal services are refused by the Sub-divisional committee, on application.
- ³13. *The expenditure incurred on any single Legal Awareness Camp/Legal Literacy Camp/Programmes etc. organized by District Legal Services Authority shall not exceed Rs. 5,000/-.*

CHAPTER-VI

Sub-divisional Legal Services committee

- 19. Term of Office and other conditions relating thereto of Members of the Sub-divisional Committee** — 1. The term of the office of the members of the Sub-Divisional Committee shall be for a period of two years.
2. If any member of the said Committee ceases to be such member for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue

to be the member for the remaining term of the member in whose place he is nominated.

3. A member of the Sub-Divisional Committee may, resign his office by writing under his hand addressed to the Executive Chairman of the State Authority and forwarded through the Chairman of the District Authority under intimation to the Chairman of the Sub-divisional Committee, such resignation shall take effect from the date on which it is accepted by the Executive Chairman of the State Authority.

20. Removal of the Member from the Office in certain circumstances— A nominated member of the Sub-divisional Committee shall be removed by the State Government on the recommendation of the Executive Chairman of the State Authority for such removal on any of the grounds mentioned in Regulation 15(1)(a) to (e) when the recommendation is made after affording the member a reasonable opportunity to be heard.

21. Additional functions of the Sub-divisional Committee — In additions to the functions assigned to it under the Act and Rules, the Sub-divisional Committee shall perform the following functions subject to the general superintendence of the District and State Authorities:

1. receive applications for legal services in respect of cases in all the Courts functioning in the Sub-Divisional area of the Committee.
2. ensure that the case of every applicant is promptly processed and disposed of.
3. consider the cases brought before it for legal services including pre-litigation matters and decide as to what extent legal services can be made available to the applicant.
4. persuade the parties to appear before it and make effects to bring about a just settlement between them and if necessary also refuse the legal services, if in its opinion the conciliation has failed due to any fault on the part of the applicant.
5. encourage and promote conciliation and settlement in all legal proceedings including pre-litigation matters.
6. take proceedings for the recovery of costs awarded to a person to whom the legal services were rendered.

7. perform such other functions and discharge such other duties as the District Authority or the State Authority may entrust to it from time to time.

CHAPTER-VII

Conduct of Business

22. **Meetings** — The Member-Secretary of the State Authority, with the prior approval of the Executive Chairman of the State Authority shall convene meeting of the State Authority at least once in three months or as frequently as the business may warrant.

The Secretary of the High Court Committee or of the District Authority, with the prior approval of the Chairman of the respective Authority, and the Chairman of the Sub-divisional Committee, as the case may be, shall convene meetings of the respective bodies at least once in two months or as frequently as the business may warrant.

In the absence of the Executive Chairman of the State authority or of the Chairman of the High court Committee, the District Authority or the Sub-divisional Committee as the case may be, one of the ex-officio members chosen be the Members present at the meeting shall preside over the meeting of the respective bodies.

23. **Minutes of the Meeting**—The minutes of the proceedings of every meeting shall be prepared by the Member-Secretary of the State Authority or the Secretary of the High Court Committee or the District Authority as the case may be as soon as possible after the meeting and after obtaining the approval of the respective Chairman thereto, he shall circulate the minutes to the members. The minutes shall be confirmed and signed by the respective Chairman unless any member who was present at the meeting to which the minutes relate and has objected to the minutes as having been incorrectly or incompletely recorded and has communicated his objections in writing to the Member-Secretary or the Secretary as the case may be, within seven days of the receipt of the minutes by him or her. Any objections received shall be considered by the respective Chairman of the bodies who may make such modifications in the minutes as are thought proper, and the modified minutes shall then be confirmed and signed by the respective Chairman.

The minutes of the proceedings of every meeting of the Sub-divisional Committee shall be prepared under the guidance of the Chairman by such

officer as he directs. The minutes of the meeting shall be circulated to the members and be confirmed and signed by the Chairman in similar manner as is provided for the High Court Committee or the District Authority, as far as possible.

- 24. Decisions by way of Resolutions—** All decisions of the State Authority, High Court Committee, District Authority, or the Sub-Divisional Committee shall be by way of resolutions passed in the meeting and in the event of any dissension, the decision of the Executive Chairman or the Chairman of the different other bodies as the case may be, shall be final.

Provided that in such matters as may be directed by the Executive Chairman or the Chairman of the different other bodies as the case may be, the decision of the State Authority or of the High court Committee, the District Authority or the Sub-divisional Committee may be taken by circulation.

- 25. Expenditure for the meeting—** (a) The Member-Secretary of the State Authority is authorised to spend an amount not exceeding ⁴Rs. 5000/- (*Rupees five thousand only*) for a meeting of the State Authority, and an amount not exceeding ⁵Rs. 2000/- (*Rupees two thousand only*) for a meeting of any Sub-Committee, from out of the Legal Aid Fund.
- (b) The Member-Secretary may sanction an amount not exceeding ⁶Rs. 3000/- (*Rupees Three thousand only*) for each meeting of the High Court Committee on the requisition of the Secretary of the Committee.
- (c) The Chairman of the District Authority may incur an expenditure not exceeding ⁷Rs. 2000/- (*Rupees Two thousand only*) for a meeting of the District Authority.
- (d) The Chairman of the District Authority is authorised to sanction an amount not exceeding ⁸Rs. 1000/- (*Rupees One thousand only*)

4 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 3(1), for "Rs. 600/- (Rupees six hundred only) (w.e.f 21.02.2013)

5 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 3(1), for "Rs. 200/- (Rupees two hundred only) (w.e.f 21.02.2013)

6 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 3(2), for "Rs. 400/- (Rupees four hundred only) (w.e.f 21.02.2013)

7 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 3(3), for "Rs. 250/- (Rupees Two hundred and fifty only) (w.e.f 21.02.2013)

8 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 3(4), for "Rs. 150/- (Rupees One hundred and fifty only) (w.e.f 21.02.2013)

from out of the District Legal Aid Fund for each meeting of the Sub-Divisional Committee on the requisition of the Chairman of the Sub-Divisional Committee.

CHAPTER-VIII

Legal Aid

26. Receiving of the Application for Legal Services — A person seeking legal services from the High Court Legal Services Committee, District Authority or the Sub-Divisional Committee as the case may be, shall send an application directly to the High Court Committee, District Authority or the Sub-Divisional Committee under affidavit containing the brief facts of the case, and where the applicant is a person as stipulated under section 12(h) of the Act, not being one covered under any other clauses of that section, the affidavit shall also state the details of properties possessed by him and his annual income from all sources:

Provided that if any such application as aforesaid, is received by the State Authority directly for seeking legal services, the Authority will send the same to the respective Committee or Authority for doing the needful.

27. *Scrutiny and evaluation of the application for free legal services.* — *“(1) There shall be a Committee to scrutinise and evaluate the application for legal services, to be constituted by the Legal Services Institution at the level of Taluk, District and State.*

(2) The Committee shall be constituted by the Executive Chairman or Chairman of the Legal Services Institution and shall consist of, -

(i) The Member Secretary or Secretary of the Legal Services Institution as its Chairman and two members out of whom one may be a Judicial Officer preferably having working experience in the Legal Services Institution and;

9 Subs. by Amendment Notification 13 dt 18.06.2013, sec. 5, (w.e.f. 18.06.2013). Regulation 27 before substitution, stood as under :-

Scrutiny of Applications — The application shall be scrutinised and disposed of by the Secretaries of the High Court Committee, District Authority and by the Chairman the Sub-Divisional Committee as the case may be, giving such directions as the allowing of such legal services as are thought necessary. Provided that all orders passed by the Secretaries of the High Court Committee or the District Authority rejecting legal services shall be passed after obtaining order of the respective Chairman.

Provided further that all orders of grant of legal services by the Secretaries of the High Court Committee or District Authority shall be subject to control and modifications by the Chairman of the respective bodies.

- (ii) *A legal professional having at least fifteen years standing at the Bar or Government pleader or Assistant Government Pleader or Public Prosecutor or Assistant Public Prosecutor, as the case may be.*
- (3) *The tenure of the members of the Committee shall ordinarily be two years which may be further extended for a maximum period of one year and the Member Secretary or Secretary of the Legal Services Institution shall, however, continue as the ex-officio Chairman of the Committee.*
- (4) *The Committee shall scrutinise and evaluate the application and decide whether the applicant is entitled to the legal services or not within a period of eight weeks from the date of receipt of the application.*
- (5) *If the applicant is not covered under the categories mentioned in section 12, he or she shall be advised to seek assistance from any other body or person rendering free legal services either voluntarily or under any other scheme.*
- (6) *The Legal Services Institution shall maintain a list of such agencies, institution or persons who have expressed willingness to render free legal services.*
- (7) *Any person aggrieved by the decision or order of the Committee, he or she may prefer appeal to the Executive Chairman or Chairman of the Legal Services Institution and the decision or order in appeal shall be final”.*

Provided further that all orders of grant of legal services shall be subject to control, modifications and final approval by the Chairman of the respective Legal Services Institutions.”

28. Preparation of Advocate Panel — The High Court Committee, the District Authority and the Sub-Divisional Committee shall prepare three panels of Advocates, for entrustment of the cases for rendering legal services, as follows :

- (i) Advocates who volunteer to render legal services gratuitously;
- (ii) Advocates of more than 15 years standing who can entrusted with important cases:
- (iii) Advocates with standing at the Bar between 5 and 15 years who can be entrusted with the cases :

Provided that the Advocate members of the State Authority, High court Committee, District Authority or the Sub-Divisional Committee may always venture to render legal services gratuitously:

Provided further that in choosing the panels care shall be taken to empanel Advocates of repute who are specially interested in implementation of legal services scheme.

¹⁰29. [***]

30. Duty of legal Practitioner to take further action, after the decision of a case by the Court — The legal practitioner conducting a case on behalf of a person receiving the services shall, as soon as the case is decided, apply for a copy of a judgment and decree, if any, and immediately on receipt of the copies shall submit them to the body appointing him together with his detailed comments. The Sub-Divisional Committee, the District Authority or the High Court Committee, as the case may be, shall take steps to recover the expenses of the services rendered from out of the costs, if any, awarded by the Court to the person concerned and received by him. Such bodies may also consider, where necessary, the feasibility of filing an appeal, revision or a writ petition if---

- (i) the case has been decided against the person;
- (ii) the case is prima facie fit taking to such remedies;
- (iii) the aided person has applied for legal services for taking recourse to such remedies.

Provided that it will not be necessary to make a fresh inquiry as to eligibility under section 12(h) of the Act, wherever applicable unless the Sub-Divisional Committee, District Authority or the High Court Committee, as the case may be, is of the opinion that a change of circumstances has taken place since the grant of legal services.

31. Modes of Legal Services and Advice — The legal services admissible under these Regulations shall be in all or in any of the following modes namely :

- (a) legal advice by a legal practitioner on the list of legal practitioners maintained by the Sub-Divisional Committee, the District Authority

10 Regulation 29 omitted by by Amendment Notification 12 dt 21.02.2013 , sec. 4, (w.e.f 21.02.2013). Regulation 29, before omission stood as under:

“Part Payment of Fees to Advocates ---- In suitable cases Advocates may be paid one third of the fees at the commencement of the case or at intermediate stage.”

or the High Court Committee or any of the voluntary organisation sponsored and encouraged by the State Authority.

- (b) legal services in the form of ---
 - (i) representation of an entitled person by a legal practitioner on the list in the legal proceedings.
 - (ii) 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 books, including charges for printing and translation of documents;
 - (d) of charges for the supply of certified copies of judgment, decision, order and other documents;
 - (e) of any amount on any other account in any legal proceedings.

LOK ADALATS

- 32. Procedure for Organising Lok Adalat** — The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall convene and organise Lok Adalat at regular intervals :

Provided that the Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall convene a Lok Adalat as soon as 30 cases preferred to it under section 20 of the Act or otherwise are available for being taken up.

The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, may associate the members of the legal profession, colleges, students, social organization, charitable and philanthropic institutions and other similar organizations with the Lok Adalats.

- 33. Intimation to the State Authority** — The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall inform the State Authority about proposal to organize Lok Adalat well before the date on which the Lok

Adalat is proposed to be organized and furnish the following information to the State Authority :

- (i) the place and the date on which the Lok Adalat is proposed to be organized;
- (ii) whether some of the organizations referred to in Regulation 30(2) have agreed to associate themselves with the Lok Adalat
- (iii) categories and nature of cases, pending cases or pre-litigation disputes or both proposed to be placed before the Lok Adalat;
- (iv) number of cases proposed to be brought before the Lok Adalat;
- (v) any other information relevant to the convening and organizing of the Lok Adalat.

34. Notice to the Parties concerned — The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, convening and organizing the Lok Adalat shall inform every litigant whose case is referred to the Lok Adalat well in time so as to afford him an opportunity to prepare himself for the Lok Adalat.

35. Composition of the Lok Adalat — *¹¹⁽¹⁾ At State Authority Level.- The Member-Secretary organizing the Lok Adalat shall constitute benches of the Lok Adalats, each bench comprising of a sitting or retired Judge of the*

11 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 5(a), for "1. At the High Court Level : The Secretary of the High Court Committee organising the Lok Adalat shall constitute Benches of the Lok Adalats, each bench comprising two or three of the following :

- (I) a sitting or retired Judge of the High Court;
- (ii) a senior member of the legal profession; and
- (iii) a (local) social worker of repute who is engaged in the upliftment of the weaker sections of the people, including scheduled castes, scheduled tribes, woman, children, rural and urban labour and interested in the implementation of the Legal Services Schemes and Programmes.

2. At District Level : The Secretary of the District Authority organising the Lok Adalat shall constitute Benches of the Lok Adalats, each bench comprising two or three of the following :

- (I) a sitting or retired Judicial Officer;
- (ii) a senior member of the Local Bar; and
- (iii) a (local) social worker of repute who is engaged in the upliftment of the weaker sections of the people, including scheduled castes, scheduled tribes, woman, children, rural and urban labour and interested in the implementation of the Legal Services Schemes and Programmes.

3. At Sub-Divisional Level : The Chairman of the Sub-Divisional Committee organising the Lok Adalat shall constitute Benches of the Lok Adalats, each bench comprising two or three of the following :

- (I) a sitting or retired Judicial Officer;
- (ii) a senior member of the Local Bar; and
- (iii) a (local) social worker of repute who is engaged in the upliftment of the weaker sections of the people, including scheduled castes, scheduled tribes, woman, children, rural and urban

High Court or a serving or retired judicial officer and anyone or both of the following:

- (i) a member from the legal profession; and*
- (ii) a social worker of repute who is engaged in the upliftment of the weaker sections of the people, including the Scheduled Castes, the Scheduled Tribes, women, children, rural and urban labour and interested in the implementation of legal services schemes or programmes.*

(2) At High Court Level.- *The Secretary of the High Court Legal Services Committee organising the Lok Adalats shall constitute benches of the Lok Adalats, each bench comprising of a sitting or retired Judge of the High Court or a serving or retired judicial officer and anyone or both of the following:*

- (i) a member from the legal profession;*
- (ii) a social worker belonging to the category as mentioned in item (ii) of sub-para (i) above.*

(3) At District Level.- *The Secretary of the District Authority organising the Lok Adalats shall constitute benches of the Lok Adalats, each bench comprising of a sitting or retired judicial officer and anyone or both of the following:*

- (i) a member from the legal profession;*
- (ii) a social worker belonging to the category as mentioned in item (ii) of sub-para (i) above or a person engaged in para-legal activities of the area, preferably a woman.*

(4) At Subdivision Level.- *The Chairman of the Subdivisional Legal Services Committee organising the Lok Adalats shall constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judicial officer and anyone or both of the following:*

- (i) a member from the legal profession; and*
- (ii) a social worker belonging to the category as mentioned in item (ii) of sub-para (i) above or a person engaged in para- legal activities of the area, preferably a woman.*

¹²(5) The Chairman of the High Court Committee, the District Authority and the Sub-Divisional Committee may directly supervise the Lok Adalat organised by the respective bodies.

36. Solemnity in conducting Lok Adalat — 1. Every lok Adalat shall be conducted with the solemnity attached to a Court and avoiding any ostentatious show.

37. Expenditure for the Lok Adalat — The expenditure incurred for organising Lok Adalat shall not exceed ¹³Rs. 5000/- (*Rupees Five Thousand Only*) including expenditure incurred for publicity etc.

Necessary help from publicity media like Press, Radio and Television can be taken in giving publicity of the proposed Lok Adalat.

Non political and voluntary services institutions may partake in organizing Lok Adalat by organising free distribution of food packets to the public gathered at the Lok Adalat.

¹⁴*However, DLSA shall be competent to spend an amount not exceeding Rs.25000/- (twenty five thousand only) for Mega Lok Adalat to be organized under guidelines of 13th Finance Commission . However, this shall be operational only till the 13th Finance Commission guidelines remain in force.(co-terminus with the period of 13th Finance Commission)*

38. Summoning of the Records and the Responsibility for its safe custody — 1. The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, may call for the judicial records of those pending cases which are referred to the Lok Adalat under section 20 of the Act from the concerned Courts.

2. If any case is referred to the Lok Adalat at the prelitigation stage, the version of each party shall be obtained by the Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, to be placed before the Lok Adalat.

12 Sub Regulation 35(4) renumbered as sub-regulation 35(5) by Amendment Notification 12 dt 21.02.2013 , sec. 5(b) (w.e.f 21.02.2013)

13 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 6(1), for "Rs. 500/- (Rupees Five hundred only (w.e.f 21.02.2013)

14 Ins. by Amendment Notification 12 dt 21.02.2013 , sec. 6(2), (w.e.f 21.02.2013)

3. The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall be responsible for the safe custody of the records from the time he receives them from the Court till they are returned.
4. Every judicial authority is expected to co-operate in transmission of the Court records.
5. The judicial records shall be returned within ten days of the Lok Adalat irrespective of whether or not the the case is settled by the lok adalat with an endorsement about the result of the proceedings.

39. Functioning of the Lok Adalat — The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall assign specific cases to each Benches of the Lok Adalat.

The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, prepare a “Cause List” for each Bench of the Lok Adalat and intimate the same to all concerned atleast two days before the date of Lok Adalat.

Every Bench of the Lok Adalat shall make sincere efforts to bring about a conciliatory settlement in every case put before it without bringing about any kind of coercion, threat or undue influence, allurements or misrepresentation.

40. Holding of Lok Adalat — (a) A Lok Adalat may be organised at such time and place and on such days preferably on Saturdays, Sundays and holidays as the State Authority, High Court committee, District Authority, Sub-Divisional Committee, as the case may be, organising the Lok Adalat deems appropriate.

(b) The Lok Adalat shall be held at a public place.

41. Procedure for effecting compromise or settlement at Lok Adalat — 1. Every award of the Lok Adalat shall be signed by the panel constituting the Lok Adalat.

2. The original award shall form part of the judicial records and a copy of the award shall be given to each of the parties duly certified to be true by the panel constituting the Lok Adalat.

42. Award to be categorical and lucid — 1. Every award of the Lok Adalat shall be categorical and lucid and shall be written in the language

used in the local courts. The award may be drawn up in English or in the Regional language.

2. The parties to the dispute shall be required to affix their signature or, as the case may be, thumb impression on the award of the Lok Adalat.

43. Compilation of Results — At the conclusion of the session of the Lok Adalat the Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall compile the results for submission to the State Authority.

44. Maintenance of the Panel of Lok Adalat Judges — The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall maintain a panel of retired Judges, Advocates, Social Workers etc, possessing qualifications and experience prescribed under section 28(o) of the Act, who may work in Lok Adalats.

¹⁵45[***]

46. Procedure for Maintaining Record of Cases Referred under section 20 of the Act or Otherwise — 1. The Secretary of the High Court Committee or the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, shall maintain a register

15 Regulation 45 omitted by by Amendment Notification 12 dt 21.02.2013 , sec. 7, (w.e.f 21.02.2013). Regulation 45, before omission stood as under: "Remuneration to the Judge and Members of the Lok Adalat ---- 1. The Judge of the Lok Adalat Bench, if he is retired Judicial Officer and other members shall be proived with conveyance or conveyance allowance as per actuals for to and fro journey between their residence and the place of Lok Adalat.

2. (i) The Presiding Officer of the Lok Adalats held at District and Sub-Division levels, who is not a serving Judicial Officer shall be entitled to honorarium at such rates as may be determined by the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, but not exceeding Rs. 20/- per case decided and subject to a maximum, of Rs. 100/- per day.
- (ii) The other members of the Lok Adalats held at the District and Sub-Divisional levels shall be entitled to honorarium at such rates as may be determined by the District Authority or the Chairman of the Sub-Divisional Committee, as the case may be, but not exceeding Rs. 15/- per case decided and subject to maximum, of Rs. 75/- per day.
- (iii) The Presiding Officer of the Lok Adalats held at High Court level, who is not a sitting Judge shall also be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Committee but not exceeding Rs. 40/- per case decided and subject to maximum, of Rs. 200/- per day."
- (iv) The other members of the Lok Adalat held at High Court level shall be untitled to honorarium at such rates as may he determined by the Chairman of the High Court Committee but not exceeding Rs. 25/- per case decided and subject to a maximum of Rs. 125/- per day.

wherein all the cases referred by him by way of reference to the Lok Adalat shall be entered giving particulars of the —

- (i) Date of Receipt;
- (ii) Nature of the Case
- (iii) Such other particulars as may be deemed necessary; and
- (iv) Date of settlement and return of the case file.

2. When the case is finally disposed of by the Lok Adalat, an appropriate entry will be made in the register.

47. Budget — 1. The High Court Committee and the District Authority shall submit the Budget proposals to the State Authority on financial year basis in respect of the Lok Adalat Scheme.

2. The Sub-Divisional Committee, shall submit the Budget proposals to the District Authority on financial year basis in respect of the Lok Adalat Scheme.

3. The expenditure for Lok Adalat Scheme shall constitute Non-plan expenditure and may be, met out of the grants received by the High Court Committee and the District Authority and the Sub-Divisional Committee, as the case may be.

48. Maintenance of Accounts — 1. The Chairman of the High Court Committee or the District Authority or the Sub-Divisional Committee, as the case may be, shall exercise complete and full control over the expenditure to be incurred on the Lok Adalats.

2. The Secretary of the High Court Committee or the District Authority, as the case may be, shall render true and proper accounts to the State Authority every quarter.

3. The Chairman of the Sub-Divisional Committee shall render true and proper accounts to the District Authority every month.

49. Funding — On a request received from the High Court Committee or the District Authority or the Sub-Divisional Committee, as the case may be, the State Authority may release special grants for convening or holding of

Lok Adalats, if considered necessary.

16 SCHEDULE A

(1) Consolidated fee for Legal Aid Counsel for High Court cases

<i>(a)</i>	<i>Writ petition, contempt, LPA, First Appeal, Second Appeal Cr. Revision ¹⁷Criminal Appeal Civil Revision</i>	<i>Up to admission stage Rs. 3000/- Drafting fee Rs. 1000/-</i>	<i>For final hearing Rs. 3000/-</i>
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16 Subs. by Amendment Notification 12 dt 21.02.2013 , sec. 8, for Schedule I, II and III upto para (a) and (b) (w.e.f. 21.03.2013), before omission Schedule I, II and III upto part (a) and (b) stood as under.

SCHEDULE-I

Consolidated Fee for the High Court Cases

Writ Petition	Rs. 500/-
L.P.A	Rs 750/-
Second Appeal	Rs 750/-
First Appeal	Rs 1000/-
Civil Misc. Appeal	Rs 500/-
Criminal Revision Appeal	Rs 500/-
Civil Revision	Rs 500/-
Any Other Legal Proceeding	Rs 500/-

SCHEDULE-II

Consolidated Fee for District Court Cases

Suit before Sub-Judge, Munsif	Rs 500/-
Suit and Appeals or any other proceeding before District Judge	Rs 500/-
Criminal Cases before Asstt. Sessions Judge or Sessions Judge (Including Revision & Appeal)	Rs. 500/-
In Uncontested Case	Rs 200/-

SCHEDULE-III

Consolidated Fee for the Other Cases

Criminal Case including Maintenance Case	Rs 500/-
Bail Petition if Counsel not paid Fee in Main Case	Rs 100/-
Cases before Member Board of Revenue, Commissioner, Collector, Addl. Collector, other courts of the same rank Including courts of settlement officers hearing cases Relating to survey cases	Rs. 700/-
Cases before SDM, Executive Magistrate, LRDC & other Courts of the same nature and rank in Subdivisions	Rs 500/-
All cases relating to Tribal Lands (for the Members of S.C. & S.T.)	Rs 700/-

In any case, for reasons to be recorded in writing, it is considered by the Chairman to be of such nature/importance requiring payment of higher fees to the legal practitioner, may pay the higher fee as it deems fit; Fees payable under Sub-Regulation (ii) shall be paid in two instalments as under :

- (a) 1/3rd of the fee on engagement of the legal practitioner after first hearing of the case.
- (b) The remaining 2/3rd fee after final decision of the case.

17 Ins. by Amendment Notification 13 dt 18.06.2013, sec. 2 (w.e.f. 18.06.2013)

(b)	<i>B.A., A.B.A. Quashing matter, CMP, Transfer Petition, Misc. Appeal, IA and any other similar application</i>	<i>Rs. 1500/- (One Time)</i>	
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Consolidated fee for Legal Aid Counsel for cases before State or Central Level Tribunal or Commission, Board of Revenue, Divisional Commissioner or other like Forum

(a)	<i>For matters like Original application, appeal etc.</i>	<i>Up to admission stage Rs. 2500/-</i>	<i>For final hearing Rs. 2500/-</i>
		<i>Drafting fee Rs. 1000/- shall be admissible</i>	
(b)	<i>For interlocutory application restoration, misc. or other like matter</i>	<i>Rs. 1000/- (One Time)</i>	

SCHEDULE B

Fee for Legal Aid Counsels in Subordinate Court

<i>CIVIL CASES</i>			
(1) Before District Judges including MACT, Family Court, Labour Court			
(a)	<i>For civil appeal</i>	<i>Up to admission stage Rs. 1000/-</i>	<i>After final disposal Rs. 2000/-</i>
(b)	<i>For original Civil, Labour, Matrimonial, , Probate, Succession, Letter of Administration, Arbitration, Land Acquisition, Insolvency or any other original proceeding</i>	<i>Rs. 4000/-</i>	<i>Rs 1000/- on framing of issues or points, Rs. 1500/- on closure of evidence and Rs. 1500 on final disposal</i>
		<i>Drafting fee Rs. 500/- for (a) & (b)</i>	
(c)	<i>For Misc. appeal, restoration application, Transfer application, misc. application etc.</i>	<i>Rs. 500/-</i>	<i>Rs. 1000/-</i>

(2) Before Civil Judge (Senior or Junior Divisions)		
(a)	For original suit	Rs. 4000/- (Rs. 1000/- at the stage of framing of issues or point, Rs. 1500/- after the closure of evidence and Rs. 1500/- on final disposal)
		Drafting fee Rs. 500/-
(b)	For Execution application	Rs. 2500/- (one time payment)
(c)	For any other application or proceeding	Rs. 1500/- (one time payment)

Criminal Cases

(1)	Before Sessions Court	
(a)	For cases involving sentence of death or life imprisonment or imprisonment exceeding 7 yrs.	Rs. 6000/- (1/3 on framing of charge, 1/3 on conclusion of evidence and 1/3 on final disposal)
(b)	For all other Sessions Cases including cases under Spl. Acts	Rs. 5000/- (1/3 on framing of charge, 1/3 on conclusion of evidence and 1/3 on final disposal)
(c)	Criminal Appeal or Criminal Revision	Rs. 2500/- (one time)
		Drafting fee Rs. 500/-
(d)	Bail or ABP	Rs. 1500/- (one time)
(e)	Any other application, IA etc requiring hearing in the case.	Rs. 500/- per case
(2)	Before CJM/ ACJM, JM 1st Class or any Judicial Magistrates under Special Act (Be it GR, Public or Private Complaint or the like)	Rs. 3000/- (1/3 payment at the stage of framing of charge, 1/3 at conclusion of evidence, 1/3 on final disposal)
	Bail application or any other application requiring hearing in the case	Rs. 500/- (one time)

SCHEDULE-C

<i>For cases before District Level Revenue Court or Executive Court i.e. Deputy Commissioner, Addl. Commissioner, DCLR, SDO/SDM, City Magistrates</i>			
1.	<i>Appeal or original proceeding</i>	<i>Up to admission stage Rs. 1000/-</i>	<i>For final hearing Rs. 2000/-</i>
2.	<i>Misc. appeal, restoration proceeding or other misc. proceeding</i>	<i>Rs. 800/-</i>	<i>Rs. 1700/-</i>

Expl.

1. *In batch matter with substantially similar pleading or nature or arising out of same FIR, order or common judgment one extra fee of Rs. 500/- for a set of three persons/cases shall be admissible subject to a maximum of 3 times of original fee*
2. *The court fee, clerkage (10% of the fee), Typing charges, photo copy and other misc. expenses shall be admissible on actual on production of genuine bill*
3. *Court fee through Legal Aid shall be payable by way of judicial stamp.*
4. *The Executive Chairman, JHALSA, Chairman, (HCLSC) or Chairman (DLSA or SDLSC) may in appropriate cases approve for availing the services of any Legal Practitioner other than those on the panel of JHALSA/HCLSC/DLSA or SDLSC.*
5. *Likewise, he may in appropriate cases approve for any Special Fee different from the above prescribed fee or remuneration in any special case to be paid to any legal Practitioner or Legal Aid Counsel.*

SCHEDULE-D
Fee for Mediation

<p>A. Honorarium/fee payable at the Level of High Court, JHALSA or HCLSC</p> <p>1. For successful Mediation/ Conciliation 2. For unsuccessful Mediation/Conciliation</p>	<p>Rs. 2000 per case Rs. 500 per case</p>
<p>B. Honorarium/ fee at the District or Sub Division Level.</p> <p>1. For successful Mediation/Conciliation 2. For unsuccessful Mediation/Conciliation</p>	<p>Rs. 1400 per case Rs. 350 per case</p>
<p><i>As the idea of enhancement of Mediation Fee was under consideration from Jan., 2010, we hereby fix the Mediation Fee for the Period from Jan., 2010 till Notification of the above, which is as follows:</i></p>	
<p>A. Honorarium/fee payable at the Level of JHALSA/ HCLSC</p> <p>1. For successful Mediation/ Conciliation, per case 2. For unsuccessful Mediation/Conciliation , per case</p>	<p>Rs. 600 Rs. 200</p>
<p>B. Honorarium/Fee payable at the District level or Sub Division Legal Services Authority Level</p> <p>1. For Successful Mediation or Conciliation, per case 2. For un Successful Mediation or Conciliation, per case</p>	<p>Rs. 500 Rs. 200</p>

¹⁸“provided that the fee for unsuccessful Mediation/Conciliation shall be admissible only after putting in efforts in atleast 3 sessions at three different dates.”

Note:1. Any Mediation or Conciliation proceedings in pre-litigation matters at any level of the Legal Services Authority or Committee shall be treated as taking place at the level of District Legal Services Authority.

1. The newly amended fee structure as above shall be made effective after the Notifications of the Resolution of this General Body Meeting

SCHEDULE E
Honorarium/Fee Payable

1	<i>Honorarium/Fee Payable</i> <i>a. to Presiding Officer (Retd.) of the Lok Adalat held U/s 19 of Legal Services Authorities Act, 1987 at the High Court Level</i>	Rs.2000/- per sitting of Lok Adalat
	<i>b. Payable to other Members</i>	<i>Rs.1000/- per sitting of Lok Adalat.</i>
2	<i>Honorarium/Fee Payable</i> <i>a. to Presiding Officer (Retd.) of the Lok Adalat held U/s 19 of Legal Services Authorities Act, 1987 at the District or Sub Divisional Level.</i>	<i>Rs. 100 per case subject to maximum of Rs.500 per sitting of Lok Adalat</i>
	<i>b. Payable to other Members</i>	<i>Rs.75 per case subject to Rs.375 per sitting of Lok Adalat.</i>
3.	<i>Honorarium/Fee payable to Retd Judicial Officers, Legal Aid Counsels or Panel lawyers attached to Legal Aid Clinics, to jails, Juvenile Justice Board, Remand Home, Observation Home, Probation Home, Shelter Home, if deputed by JHALSA, DLSA, HCLSC, SDLSC</i>	<i>Rs. 500/- per visit with detailed report of minimum of 5 cases or 5 inmates + expenses.*</i>
4.	<i>Honorarium/Fee payable to Legal Aid Counsels/ Panel lawyers other advocates, legal experts, social workers, law students, attending the Legal Aid Clinics, Literacy awareness, or mobile awareness camps in colleges, universities and other places if deputed specially by JHALSA, DLSA, HCLSC, DLSA.</i>	<i>Rs. 350/- per visit+ expenses*</i>
5.	<i>Honorarium/ Fee payable for utilization of specific services of the trained Para Legal Volunteers</i>	<i>Rs.250/- per visit + expenses*</i>
6.	<i>a. Honorarium /Fee payable to outstation lawyers, other legal experts as Resource Person approved by JHALSA/HCLSC/ DLSA/ SDLSC for imparting training of legal services.</i>	<i>Rs.1000/- per day + expenses*</i>

<p><i>b. Honorarium /Fee payable to local lawyers and other legal experts as Resource Person approved by JHALSA/HCLSC/ DLSA/ SDLSC for imparting training of legal services.</i></p> <p><i>Provided also that in appropriate cases with prior approval of the Hon'ble Executive Chairman of JHALSA, special honorarium/remuneration/fee and other expenses may be sanctioned in favour of any person being invited as Resource Person for any National, State or district Level Conference, Seminar, Workshop, Symposium etc.</i></p>	<p><i>Rs. 500/- per day+ expenses*</i></p>
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**Expenses:*

- 1. TA shall be admissible to outstation non-official participants at the rate of 3 Rs/Km.**
- 2. Rs. 75/- would be paid for local traveling per day within the jurisdiction of DLSA."**
- 3. With the prior approval of Executive Chairman, JHALSA; Chairman, HCLSC; Chairman, DLSA and SDLSC respectively; above expenses including bills for any other expenses may be sanctioned and passed by the Member Secretary or Secretary as the case may be.*
- 4. For organizing Awareness camps, Seminars, literacy programmes etc, or supervising any other activity, DLSA can arrange transport by hiring vehicle on need base locally with ceiling of 60 ltrs. Fuel per month. The Chairman of the DLSA/ SDLSC may approve extra fuel not exceeding 20 ltrs. in special case for such purposes the expenses to be met out of State Legal Aid fund of the DLSA/SDLSC as the case may be. The DLSA or SDLSC shall maintain proper Log Book for the same. Actual incidental expenditure including typing misc. charges incurred by the legal aid advocate will be reimbursed provided it is supported by the vouchers and a certificate is given to that effect by such Legal Aid advocates. Single set of honorarium shall be payable in cases in which more than one person is involved.*

Such legal practitioner to whom any case is assigned either for legal advice or for legal aid shall not receive any fee or remuneration, whether

19 Subs. by Amendment Notification 13 dt 18.06.2013, sec. 4, (w.e.f. 18.06.2013). Clauses 1 and 2 before substitution, as inserted by Amendment Notification 12 dt. 21.02.2013 stood as under.

"1. On actuals on production of Tickets by rail or by bus or on production of vouchers or Rs. 5/- per Km, whichever is less.

2. Rs.150/- would be paid for Local traveling within the jurisdiction of DLSA."

in cash or in kind or any other advantage, monetary or otherwise, from such person or from any other person on his behalf and he shall submit a certificate to that effect and in case it is found that he indulges in such activities, the matter will be referred to the Bar Council for necessary action.

Such legal practitioner on the panel, who has completed his assignment, shall submit a statement showing the fee due to him in connection with the legal proceeding conducted by him on behalf of such persons, to the Secretary of the District Authority/Committee who shall, after due scrutiny obtain sanction of the Chairman. And on such sanction being given, the remaining amount shall be paid by the Secretary to the legal practitioner.

CHAPTER-X

Legal Aid Clinic

- 50.** (1) For the purpose of rendering legal assistance to the poor and downtrodden, the State Legal Services Authority may establish Legal Aid Clinics in different district headquarters.
- (2) Such Legal Aid Clinics will be arranged at such place, time and intervals as may be fixed by the High Court Committee at Ranchi and the District Authorities in their respective district headquarters.
- 51.** There shall be a panel of lawyers approved by the High Court Committee and the District Committee for the Legal Aid Clinics who shall give honorary services to the clinic. In addition to the lawyers, legal experts, social workers and psychomedical experts shall also be actively associated with the clinic and law students would collaborate in its functioning.
- 52.** Legal Aid Clinic shall interalia perform following functions :
- (a) Interviewing with the clients.
 - (b) Property ascertaining facts of the case or problem.
 - (c) Counselling the clients
 - (d) Exposure of common people about mechanism of Legal Aid Schemes, Lok Adalat.
 - (e) Motivating the people to resolve their disputes through alternative redressal forum.

Services rendered by the lawyers and other active members in the Legal Aid Committee shall be free of cost.

53. Legal Aid Clinic shall operate by its regular office situated at a particular place and also time to time visit rural areas and serve the poor people. The Legal Aid Clinic will hear the problems of villagers relating to revenue, agriculture, bank loan, family matter and civil and criminal cases and advise them accordingly.

CHAPTER-XI

Miscellaneous

54. (i) The State Authority shall have the powers to make amendment in consultation with the Chief Justice in any of the provisions of the Regulations as and when situation arises.
- (ii) Any proposal of amendment in the Regulation shall be placed in the meeting of the State Authority by the Member-Secretary and for that purpose the meeting of the State Authority may be called at any time with the approval of the Executive Chairman.
55. Notwithstanding anything to the contrary contained in these Regulations, in case the Patron-in-Chief or the Executive Chairman of State Authority or the Chairman of the Authority/Committee is of the opinion that when such situation is arisen wherein immediate action is required to be taken or there is no possibility of immediately convening the meeting of the Authority/Committee then he may in anticipation of approval of the Committee/Authority concerned, take such decision as he may deem fit and thereafter he shall, as soon as possible send report of his action so taken to the Committee/Authority concerned.
56. If any difficulty arises in giving effect to the provisions of these Regulations, the Executive Chairman may in consultation with the Patron-in-Chief, by order published in the Official Gazette make such provision of the Regulations as appeared to him to be necessary or expedient for removing the difficulty.