



Ensuring Free, Competent & Speedy Legal Services to Jail Inmates

Modalities of :

- (i) duties of Jail PLVs &
- (ii) duties of jail authorities and Legal Services Institutions

Pursuant to :

Order dated 5th May, 2015 passed in W.P. (PIL) No. 2774 of 2013
By Division Bench of Hon'ble High Court of Jharkhand

Coram : Hon'ble Mr. Justice Virender Singh
The Chief Justice, High Court of Jharkhand
&
Hon'ble Mr. Justice P.P. Bhatt
Judge, High Court of Jharkhand

In tune with

Order dated 4th July, 2013 passed in I.A. No. 974 of 2013
in Cr. Appeal (DB) No. 104 of 2013
By Division Bench of Hon'ble High Court of Jharkhand

Coram : Hon'ble Mr. Justice D.N. Patel
Judge, High Court of Jharkhand
&
Hon'ble Mr. Justice Shree Chandrashekhar
Judge, High Court of Jharkhand

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Jharkhand State Legal Services Authority

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Modalities of duties to be assigned to the Jail Inmates enrolled as PLV

Pursuant to :

**Order dated 5th May, 2015 passed in W.P. (PIL) No. 2774 of 2013
By Division Bench of Hon'ble High Court of Jharkhand**

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The Chief Justice, High Court of Jharkhand**

&

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Duties

1. Since PLVs in jail are those prisoners who are serving long term sentences, therefore they know the legal services-needs of other inmates and he has to act as bridge between the Legal Services Institutions and the 'prisoners in need of legal aid/services.
2. They shall make the inmates aware about the aim and objectives of DLSA regarding free legal aid available to the inmates.
3. They shall inform the DLSA regarding the legal aid required to all the inmates with respect to appointment of lawyer from defence panel of DLSA.
4. They shall write applications on behalf of inmates for seeking legal aid from DLSA.
5. They shall enquire about the period of detention of inmates/under trial prisoners from the office of concerned Jail and also about the nature of offence and inform the DLSA regarding the under trial prisoners who may get benefit of provisions U/s. 436 A Cr. P.C.
6. They shall inform the DLSA regarding filing of appeal/revision on behalf of inmates
7. They shall inform the DLSA regarding the inmates who were enlarged on bail but are languishing in Jail due to non-availability of bailers.
8. They shall constantly keep a watch on the transgressions of law or acts of injustice inside the jail and bring them immediately to the notice of DLSA for effective remedial actions.
9. When the new inmate comes inside the jail, it is the duty of PLVs to interact with him/her and get aware whether he/she has a lawyer or not and inform the same to the DLSA.
10. In case when any convict states about filing about appeal on his behalf before the Hon'ble Court, it is the duty of PLVs to get collected the number of appeal filed on his behalf and if no such number has been provided by such convict, they have to report the matter to the DLSA.

11. The PLVs shall generate awareness amongst the inmates about the benefits of settlement of disputes through Lok Adalats, Mediation, Conciliation, Arbitration, Negotiation & Judicial Settlement.
12. The PLVs shall inform about the under trial prisoners who are languishing in jail in the offences which are compoundable in nature, so that their matter may be compounded with the help of panel lawyers.
13. The PLVs shall assist the Jail Authority on behalf of DLSA/SDLSC for organising Legal awareness Camps in the Jail.
14. Such PLVs have to inform the other inmates about their right to file bail application in higher courts if same is rejected by a court and for this he/she is entitled to free legal aid.
15. Such PLVs have to inform the other inmates about their right to file Appeal/Revision in the higher courts if he has been convicted by the Trial Court / Appellate Court and for this he/she is entitled to free legal aid.
16. Such PLVs will be informed about their basic right as jail inmates so that they may be able to make the other inmates aware about the same.

Monitoring and Coordination

- ✓ It shall be the duty of Secretary, DLSA to monitor the work of Jail PLV.
- ✓ For monitoring purpose cross checking with person benefitted by Jail PLV at random basis is essential.
- ✓ The Secretary, DLSA at regular interval, preferably once in a fortnight visits the jail. The Jail superintendent will fully cooperate with him in monitoring purpose.
- ✓ Jail PLV through Jail Superintendent shall coordinate with Secretary DLSA/SDLSC in urgent matter or preferably all matters should also be sent through mail so that effective aid may be given at the earliest.
- ✓ Jail PLV shall be informed with the visiting days and hours of the Panel Lawyer deputed at LAC of that particular jail so that if needs arise the Jail PLV may inform fellow jail convict for legal advise from the Panel Lawyer.

Working Days

Out of the total Jail PLVs in a particular Jail, half may be asked to do their duty from Monday to Wednesday and remaining half from Thursday to Saturday.

Registers

1. Two Registers in prescribed format should be maintained, one for the UTPs and the other for the Convicts duly certified by Secretary, DLSAs and Jail Superintendent. The specimen of prescribed format is Appendix A & B for Under Trial Prisoner (UTPs) and convicts respectively.
2. The Jail Superintendent or a person, authorized by him should be the custodian of the said Registers. The said registers should be made available to the PLVs during working hours .
3. Entry should be made on daily basis, in case of noservice on a day, it should be maintained as NIL.
4. The said register shall be inspected by the Jail Superintendent and also the Secretary, DLSA every 15 days and report submitted to Chairman, DLSA on monthly basis .
5. The annual Report should be prepared by Secretary, DLSA, Jail Superintendent & Advocate of Legal Aid Clinic to be placed before Chairman, DLSA and for onward transmission to Hon'ble JHALSA, Ranchi .
6. Stationary items like pen, glue, paper, pin etc should be provided by the DLSA on requisition submitted by Jail Superintendent.
7. The PLVs shall maintain a diary to record the daily activity and such diary shall be verified and endorsed by the Secretary, DLSA or SDLSC as the case may be.

| Sl. No. | Name of District | Jail Inmates enrolled as PLV | Sl.No. | Name of District | Jail Inmates enrolled as PLV |
|---------|------------------|------------------------------|--------|------------------|------------------------------|
| 1 | Bokaro | 14 | 13 | Jamtara | 3 |
| 2 | Chaibasa | 10 | 14 | Khunti | 6 |
| 3 | Chatra | 10 | 15 | Koderma | 0 |
| 4 | Deoghar | 3 | 16 | Latehar | 5 |
| 5 | Dhanbad | 5 | 17 | Lohardagga | 2 |
| 6 | Dumka | 2 | 18 | Pakur | 4 |
| 7 | Garhwa | 4 | 19 | Palamau | 5 |
| 8 | Giridih | 2 | 20 | Ranchi | 10 |
| 9 | Godda | 6 | 21 | Sahibganj | 6 |
| 10 | Gumla | 2 | 22 | Seraikella | 6 |
| 11 | Hazaribagh | 6 | 23 | Simdega | 1 |
| 12 | Jamshedpur | 11 | | Total | 123 |

Over riding effect over the guidelines

In case of any guideline mentioned above being in conflict with Jail Manual, the provision of Jail manual shall prevail.

NB:- Aforesaid guidelines are only indicative and not exhaustive in nature.

Modalities of duties of Jail Authorities and Legal Services Institutions

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Duties of Jail Authority

1. All the Superintendents of the Central Jails as well as Heads of other Jails of the State of Jharkhand shall intimate to the Jharkhand State Legal Service Authorities for the demand of legal aid of any convict/under-trial prisoner by email address of Jharkhand State Legal Services Authority. The email address of Jharkhand State Legal Services Authority is as **jhalsaranchi@gmail.com**.
2. All the Superintendents of Central jail as well Heads of other Jails of the State of Jharkhand that no sooner did they receive any demand from the convict/under-trial prisoner for getting legal aid for preferring any bail application, Writ petition, criminal appeal, Criminal Miscellaneous Petition or such other proceedings to be filed in any competent Court of State of Jharkhand, they shall immediately intimate to the Jharkhand High Court Legal Services Committee whose email address is **hclsc_ranchi@yahoo.com**.
3. All the Superintendents of Central jails and Heads of other Jails of the State of Jharkhand to intimate the demand of legal aid by any convict/under-trial prisoner to the District Legal Services Authorities, whose email addresses are :

| Sl.No. | District | Email Address |
|--------|------------|----------------------------------|
| 1 | Bokaro | dlsabokaro@gmail.com |
| 2 | Chaibasa | dlsachaibasa@gmail.com |
| 3 | Chatra | dlsachatra@gmail.com |
| 4 | Deoghar | deoghardlsa@gmail.com |
| 5 | Dhanbad | dlsa.dhanbad@gmail.com |
| 6 | Dumka | dlsadumka@gmail.com |
| 7 | Garhwa | dlsagarhwa@gmail.com |
| 8 | Giridih | dlsagiridih@gmail.com |
| 9 | Godda | dalsagodda@gmail.com |
| 10 | Gumla | dlsagml38@gmail.com |
| 11 | Hazaribag | dlsahazaribag@gmail.com |
| 12 | Jamshedpur | jamshedpurdlsa@gmail.com |
| 13 | Jamtara | dlsajamtara@gmail.com |
| 14 | Koderma | dlsakoderma@gmail.com |
| 15 | Latehar | dlsalatehar@gmail.com |
| 16 | Lohardagga | dlsalohardaga@gmail.com |
| 17 | Pakur | dlsapakur@gmail.com |
| 18 | Palamau | dlsapalamu123@gmail.com |
| 19 | Ranchi | dlsaranchi@gmail.com |
| 20 | Sahibganj | dlsasahibganj@gmail.com |
| 21 | Seraikella | dlsaseraikellakharswan@gmail.com |
| 22 | Simdega | dlsasimdega@gmail.com |
| 23 | Khunti* | sur353@rediffmail.com |

* The Constitution of DLSA Khunti was made in 2014.

Duties of Legal Services Institutions

1. Secretaries of District Legal Services Authorities shall get their email verified on day to day basis either by themselves or through legal retainer or through para-legal volunteers appointed at Legal Services Authorities.
2. It shall be duty of the Secretaries, District Legal Services Authorities as well as Jharkhand State Legal Services Authorities at Ranchi to bring to the notice of the concerned authority to provide legal aid either through lawyer or otherwise to the convict or under trial prisoner so that they may institute proper proceedings before the proper forum and quickly justice may be done to the convict or under trial prisoner.

Committed to provide Access to Justice for All

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