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I
The Legal Services Authorities Act, 1987 (No. 39 of 1987)
[As amended by The Legal Services Authorities (Amendment)
Act, 1994 (No. 59 of 1994)]
and
[Legal Services Authorities (Amendment) Act, 2002 (No. 37 of 2002)]

The 11th October, 1987

The 29th October, 1994

An Act to constitute legal services authorities to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity.

Be it enacted by Parliament in the thirty-eighth year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Legal Services Authorities Act, 1987. Short title, extent and commencement.
- (2) It extends to the whole of India¹.
- (3) It shall come into force on such date² as the Central Government may, by notification, appoint; and different dates may be appointed for different provisions of this Act and for different States, and any reference to commencement in any provision of this Act in relation to any State shall be construed as a reference to the commencement of that provision in that State.
2. (1) In this Act, unless the context otherwise requires,- Definitions.
- (a) “Case”³ includes a suit or any proceeding before a court;
- (aa) “Central Authority” means the National Legal Services Authority constituted under Section 3;
- (aaa) “Court” means a civil, criminal or revenue court and includes any tribunal or any other authority constituted under any law for the time being in force, to exercise judicial or quasi-judicial functions;

¹ Omitted by Act 34 of 2019 section 95 and the fifth schedule (w.e.f.31.10.2019).

² Whole Act except Chapter III. Came into force on 9.11.1995, vide S.O.893 (E) dated 9.11.1995.

³ Subs. by Act 59 of 1994 Sec.2, for clause (a) (w.e.f. 29.10.1994).

- (b) “District Authority” means a District Legal Services Authority constituted under Section 9;
- (bb) “High Court Legal Services Committee”⁴ means a High Court Legal Services Committee constituted under Section 8A;
- (c) “Legal Service” includes the rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matter;
- (d) “Lok Adalat” means a Lok Adalat organized under Chapter-VI;
- (e) “Notification” means a notification published in the Official Gazette;
- (f) “Prescribed” means prescribed by rules made under this Act;
- (ff) “Regulations”⁵ means regulations made under this Act;
- (g) “Scheme” means any scheme framed by the Central Authority, a State Authority or a District Authority for the purpose of giving effect to any of the provisions of this Act;
- (h) “State Authority” means a State Legal Services Authority constituted under Section 6;
- (i) “State Government” includes the administrator of a Union territory appointed by the President under article 239 of the Constitution.
- (j) “Supreme Court Legal Services Committee” means the Supreme Court Legal Services Committee constituted under Section 3A;
- (k) “Taluk Legal Services Committee” means a Taluk Legal Services Committee constituted under Section 11A.

(2) Any reference in this Act to any other enactment or any provision thereof shall, in relation to an area in which such enactment or provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.

⁴ Ins. by Act 59 of 1994, sec.2 (w.e.f. 29.10.1994).

⁵ Ins. by Act 59 of 1994, sec.2 (w.e.f. 29.10.1994).

CHAPTER II

THE NATIONAL LEGAL SERVICES AUTHORITY

3⁶. (1) The Central Government shall constitute a body to be called the National Legal Services Authority to exercise the powers and perform the functions conferred on, or assigned to the Central Authority under this Act.

Constitution of
the National
Legal Services
Authority.

- (2) The Central Authority shall consist of –
- (a) the Chief Justice of India who shall be the Patron-in- Chief;
 - (b) a serving or retired Judge of the Supreme Court to be nominated by the President, in consultation with the Chief Justice of India, who shall be the Executive Chairman; and
 - (c) such number of other members, possessing such experience and qualifications, as may be prescribed by the Central Government, to be nominated by that Government in consultation with the Chief Justice of India.

(3) The Central Government shall, in consultation with the Chief Justice of India, appoint a person to be the Member Secretary of the Central Authority, possessing such experience and qualification as may be prescribed by that Government, to exercise such powers and perform such duties under the Executive Chairman of the Central Authority as may be prescribed by that Government or as may be assigned to him by the Executive Chairman of that Authority.

(4) The terms of office and other conditions relating thereto, of members and the Member Secretary of the Central Authority shall be such as may be prescribed by the Central Government in consultation with the Chief Justice of India.

(5) The Central Authority may appoint such number of officers and other employees as may be prescribed by the Central Government, in consultation with the Chief Justice of India, for the efficient discharge of its functions under this Act.

(6) The Officers and other employees of the Central Authority shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the Central Government in consultation with the Chief Justice of India.

(7) The administrative expenses of the Central Authority, including the salaries, allowances and pensions payable to the Member-Secretary, officers and other employees of the Central Authority, shall be defrayed out of the Consolidated Fund of India.

(8) All orders and decisions of the Central Authority shall be,

⁶ Ins. by Act 59 of 1994, sec.3, for section 3 (w.e.f. 29.10.1994).

authenticated by the Member-Secretary or any other officer of the Central Authority duly authorized by the Executive Chairman of that Authority.

(9) No act or proceeding of the Central Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Central Authority.

Supreme Court
Legal Services
Committee.

3A. (1) The Central Authority shall constitute a committee to be called the Supreme Court Legal Services Committee for the purpose of exercising such powers and performing such functions as may be determined by regulations made by the Central Authority.

(2) The Committee shall consist of –

(a) a sitting Judge of the Supreme Court who shall be the Chairman; and

(b) such number of other members possessing such experience and qualifications as may be prescribed by the Central Government,

to be nominated by the Chief Justice of India.

(3) The Chief Justice of India shall appoint a person to be the Secretary to the Committee, possessing such experience and qualifications as may be prescribed by the Central Government.

(4) The terms of office and other conditions relating thereto, of the members and Secretary of the Committee shall be such as may be determined by regulations made by the Central Authority.

(5) The Committee may appoint such number of officers and other employees as may be prescribed by the Central Government, in consultation with the Chief Justice of India, for the efficient discharge of its functions.

(6) The officers and other employees of the Committee shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the Central Government in consultation with the Chief Justice of India.

Functions of the
Central Authority.

4. The Central Authority shall [****]⁷ perform all or any of the following functions, namely: -

(a) lay down policies and principles for making legal services available under the provisions of the Act;

(b) frame the most effective and economical schemes for the purpose of making legal services available under the provisions of this Act;

⁷ The words “subject to the general directions of the Central Government” omitted by Act 59 of 1994 sec. 4, (w.e.f. 29.10.1994).

- (c) utilize the funds at its disposal and make appropriate allocations of funds to the State Authorities and District Authorities;
- (d) take necessary steps by way of social justice litigation with regard to consumer protection, environmental protection or any other matter of special concern to the weaker sections of the society and for this purpose, give training to social workers in legal skills;
- (e) organize legal aid camps, especially in rural area, slums or labour colonies with the dual propose of educating the weaker sections of the society as to their rights as well as encouraging the settlement of disputes through Lok Adalats.
- (f) encourage the settlement of disputes by way of negotiations, arbitration and conciliation;
- (g) undertake and promote research in the field of legal services with special reference to the need for such services among the poor;
- (h) to do all things necessary for the purpose of ensuring commitment to the fundamental duties of citizens under Part IVA of the Constitution;
- (i) monitor and evaluate implementation of the legal aid programmes at periodic intervals and provide for independent evaluation of programmes and schemes implemented in whole or in part by funds provided under this Act;
- (j) provide⁸ grants-in-aid for specific schemes to various voluntary social service institutions and the State and District Authorities, from out of the amounts placed at its disposal for the implementation of legal services schemes under the provisions of this Act;
- (k) develop, in consultation with the Bar Council of India, programmes for clinical legal education and promote guidance and supervise the establishment and working of legal services clinics in universities, law colleges and other institutions;
- (l) take appropriate measures for spreading legal literacy and legal awareness amongst the people and, in particular, to educate weaker sections of the society about the rights, benefits and privileges guaranteed by social welfare legislations and other enactments as well as administrative programmes and measures;

⁸ Subs. by Act 59 of 1994 sec.4, for clause (j) (w.e.f 29.10.1994).

- (m) make special efforts to enlist the support of voluntary social welfare institutions working at the grass-root level, particularly among the Scheduled Castes and the Scheduled Tribes, women and rural and urban labour; and
- (n) coordinate and monitor the functioning of State⁹ Authorities, District Authorities, Supreme Court Legal Services Committee, High Court Legal Services Committees, Taluk Legal Services Committees and voluntary social services institutions and other legal services organization and give general directions for the proper implementation of the legal services programmes.

Central Authority to work in Coordination with other agencies.

5. In the discharge of its functions under this Act, the Central Authority shall, wherever appropriate, act in coordination with other governmental and non-governmental agencies, universities and others engaged in the work of promoting the cause of legal services to the poor.

CHAPTER III

STATE LEGAL SERVICES AUTHORITY

Constitution of State Legal Services Authority.

6¹⁰. (1) Every State Government shall constitute a body to be called the Legal Services Authority for the State to exercise the powers and perform the functions conferred on, or assigned to, a State Authority under this Act.

(2) A State Authority shall consist of-

- (a) the Chief Justice of the High Court who shall be the Patron-in-Chief;
- (b) a serving or retired Judge of the High Court to be nominated by the Governor, in consultation with the Chief Justice of the High Court, who shall be the Executive Chairman; and
- (c) such number of other members, possessing such experience and qualifications as may be prescribed by the State Government, to be nominated by that Government in consultation with the Chief Justice of the High Court.

(3) The State Government shall, in consultation with the Chief Justice of the High Court, appoint a person belonging to the State Higher Judicial Service, not lower in rank than that of a District Judge, as the Member Secretary of the State Authority, to exercise such powers and perform such

⁹ Subs. by Act 59 of 1994, Sec.4, for "state and District Authorities and other voluntary social welfare institution" (w.e.f. 29.10.1994).

¹⁰ Subs. by Act 59 of 1994, Sec.5, for section 6 (w.e.f. 29.10.1994).

duties under the Executive Chairman of the State Authority as may be prescribed by that Government or as may be assigned to him by the Executive Chairman of that Authority:

Provided that a person functioning as Secretary of a State Legal Aid and Advice Board immediately before the date of constitution of the State Authority may be appointed as Member-Secretary of that Authority, even if he is not qualified to be appointed as such under this sub-section, for a period not exceeding five years.

(4) The terms of office and other conditions relating thereby, of members and the Member-Secretary of the State Authority shall be such as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

(5) The State Authority may appoint such number of officers and other employees as may be prescribed by the State Government in consultation with the Chief Justice of the High Court, for the efficient discharge of its functions under this Act.

(6) The officers and other employees of the State Authority shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

(7) The administrative expenses of the State Authority, including the salaries, allowances and pensions payable to the Member-Secretary or any other officer of the State Authority shall be defrayed out of the consolidated fund of the State.

(8) All orders and decisions of the State Authority shall be authenticated by the Member Secretary or any other officer of the State Authority duly authorized by the Executive Chairman of the State Authority.

(9) No act or proceeding of a State Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the State Authority.

7. (1) It shall be the duty of the State Authority to give effect to the policy and directions of the Central Authority.

Functions of the
State Authority

(2) Without prejudice to the generality of the functions referred to in sub-section (1), the State Authority shall perform all or any of the following functions, namely:-

- (a) give legal service to persons who satisfy the criteria laid down under this Act;
- (b) conduct Lok Adalats, including Lok Adalats for High Court cases¹¹;

¹¹ Subs. by Act 59 of 1994, sec.6, for "Lok Adalats" (w.e.f. 29.10.1994).

- (c) undertake preventive and strategic legal aid programmes; and
- (d) perform such other functions as the State Authority may, in consultation with the Central Authority¹², fix by regulations.

8¹³. In the discharge of its functions the State Authority shall appropriately act in coordination with other governmental agencies, non-governmental voluntary social service institutions, universities and other bodies engaged in the work of promoting the cause of legal services to the poor and shall also be guided by such directions as the Central Authority may give to it in writing.

State Authority to act in coordination with other agencies, etc. and be subjected to direction given by the Look Adalat.

8A. (1) The State Authority shall constitute a committee to be called the High Court Legal Services Committee for every High Court, for the purpose of exercising such powers and performing such functions as may be determined by regulations made by the State Authority.

High Court Legal Services Committee

(2) The Committee shall consist of-

- (a) a sitting Judge of the High Court who shall be the Chairman; and
- (b) such number of other members possessing such experience and qualifications as may be determined by regulations made by the State Authority.

to be nominated by the Chief Justice of the High Court.

(3) The Chief Justice of the High Court shall appoint a Secretary to the Committee possessing such experience and qualifications as may be prescribed by the State Government.

(4) The terms of office and other conditions relating thereto, of the members and Secretary of the Committee shall be such as may be determined by regulations made by the State Authority.

(5) The Committee may appoint such number of officers and other employees as may be prescribed by the State Government in consultation with the Chief Justice of the High Court for the efficient discharge of its functions.

(6) The officers and other employees of the Committee shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

¹² Subs. by Act 59 of 1994, sec.6, for Central Government" (w.e.f. 29.10.1994).

¹³ Subs. by Act 59 of 1994, sec.7, for section 8 (w.e.f. 29.10.1994).

9¹⁴. (1) The State Government shall, in consultation with Chief Justice of the High Court, constitute a body to be called the District Legal Services Authority for every District in the State to exercise the powers and perform the functions conferred on, or assigned to, the District Authority under this Act.

Constitution of
District Legal
Services
Authority.

(2) A District Authority shall consist of-

- (a) the district Judge who shall be its Chairman; and
- (b) such number of other members, possessing such experience and qualifications, as may be prescribed by the State Government, to be nominated by that Government in consultation with the Chief Justice of the High Court.

(3) The State Authority shall, in consultation with the Chairman of the District Authority, appoint a person belonging to the State Judicial Service not lower in rank than that of a Subordinate Judge or Civil Judge posted at the seat of the District Judiciary as Secretary of the District Authority to exercise such powers and perform such duties under the Chairman of that Committee as may be assigned to him by such Chairman.

(4) The terms of office and other conditions relating thereto, of members and Secretary of the District Authority shall be such as may be determined by regulations made by the State Authority in consultation with the Chief Justice of the High Court.

(5) The District Authority may appoint such number of officers and other employees as may be prescribed by the State Government in consultation with the Chief Justice of the High Court for the efficient discharge of its functions.

(6) The officers and other employees of the District Authority shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

(7) The administrative expenses of every District Authority, including the salaries, allowances and pensions payable to the Secretary, officers and other employees of the District Authority shall be defrayed out of the Consolidated Fund of the State.

(8) All orders and decisions of the District Authority shall be authenticated by the Secretary or by any other officer of the District Authority duly authorized by the Chairman of that Authority.

(9) No act or proceeding of a District Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the District Authority.

¹⁴ Subs. by Act 59 of 1994, sec. 7, for section 9 (w.e.f. 29.10.1994).

Functions of
District Authority.

10. (1) It shall be the duty of every District Authority to perform such of the functions of the State Authority in the District as may be delegated to it from time to time by the State Authority.

(2) Without prejudice to the generality of the functions referred to in sub-section (1), the District Authority may perform all or any of the following functions, namely:-

- (a) coordinate¹⁵ the activities of the Taluk Legal Services Committee and other legal services in the District;
- (b) organize Lok Adalats within the District; and
- (c) perform such other functions as the State Authority may [****]¹⁶ fix by regulations.

District Authority
act in coordination
with other
agencies and be
subject to
directions given by
the Central
Authority, etc.

11. In the discharge of its functions under this act, the District Authority shall, wherever appropriate act in coordination with other governmental and non-governmental institutions, universities and others engaged in the work of promoting the cause of legal services to the poor and shall also be guided by such directions as the Central Authority or the State Authority may give to it in writing.

Taluk Legal
Services
Committee.

11A¹⁷. (1) The State Authority may constitute a Committee, to be called the Taluk Legal Services Committee, for each taluk or mandal or for group of taluks or mandals.

- (2) The Committee shall consist of ---
- (a) the “senior most judicial officer”¹⁸ operating within the jurisdiction of the Committee who shall be the ex-officio Chairman; and
 - (b) such number of other members, possessing such experience and qualifications, as may be prescribed by the State Government, to be nominated by that Government in consultation with Chief Justice of the High Court.

(3) The Committee may appoint such number of officers and other employees as may be prescribed by the State Government in consultation with Chief Justice of the High Court for the efficient discharge of its functions.

(4) The officers and other employees of the Committee shall be entitled to such salary and allowances and shall be subject to such other conditions of service as may be prescribed by the State Government in consultation with Chief Justice of the High Court,

¹⁵ Subs. by Act 59 of 1994, sec.8, for clause (a) (w.e.f. 29.10.1994).

¹⁶ The words “in consultation with the State Government”, omitted by Act 59 of 1994, sec.8 (w.e.f. 29.10.1994).

¹⁷ Ins. by Act 59 of 1994, sec.9 (w.e.f. 29.10.1994).

¹⁸ Subs. by Act 37 of 2002, sec.2, for “senior Civil Judge” (w.e.f. 11.6.2002).

(5) The administrative expenses of the Committee shall be defrayed out of the District Legal Aid Fund by the District Authority.

11B. The Taluk Legal Services Committee may perform all or any of the following functions, namely:-- Functions of Taluk
Legal Services
Committee.

- (a) coordinate the activities of legal services in the taluka;
- (b) organize Lok Adalats within the taluk; and
- (c) perform such other functions as the District Authority may assign to it.

CHAPTER IV

ENTITLEMENT TO LEGAL SERVICES

12. Every person who has to file or defend a case shall be entitled to legal services under this Act if that person is— Criteria for giving
legal services.

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or beggar as referred in article 23 of the Constitution;
- (c) a woman or a child;
- (d) a person with disability as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995¹⁹.
- (e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (f) an industrial workman; or
- (g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a Juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986, or in a psychiatric hospital or psychiatric nursing home within the meaning clause (g) of section 2 of the Mental Health Act, 1987; or
- (h) in receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the Supreme Court, and less than rupees twelve thousand or such other

¹⁹ Subs. by Act 1 of 1996, sec.74, for clause (d) (w.e.f . 7.2.1996)
Subs. by Act 59 of 1994, sec.10, for clause (h) (w.e.f. 29.10.1994)

higher amount as may be prescribed by the Central Government, if the case is before the Supreme Court.

Entitlement of legal services.

13. (1) Persons who satisfy or any of the criteria specified in section 12 shall be entitled to receive legal services provided that the concerned Authority is satisfied that such person has a prima-facie case to prosecute or to defend.

(2) An affidavit made by a person as to his income may be regarded as sufficient for making him eligible to the entitlement of legal services under this Act unless the concerned Authority has reason to disbelieve such affidavit.

CHAPTER V

FINANCE, ACCOUNTS AND AUDIT

Grants by the Central Government.

14. The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Central Authority, by way of grants, such sums of money as the Central Government may think fit for being utilized for the purposes of this Act.

National Legal Aid Fund.

15. (1) The Central Authority shall establish a fund to be called the National Legal Aid fund and there shall be credited thereto—

- (a) all sums of money given as grants by the Central Government under section 14;
- (b) any grants or donations that may be made to the Central Authority by any other person for the purposes of this Act;
- (c) any amount received by the Central Authority under the orders of any court or from any other source.

(2) The National Legal Aid Fund shall be applied for meeting—

- (a) the cost of legal services provided under this Act including grants made to State Authorities;
- (b) the cost of legal services provided by the Supreme Court Legal Services Committee;
- (c) any other expenses which are required to be met by the Central Authority.²⁰

State Legal Aid Fund

16. (1) A State Authority shall establish a fund to be called the State Legal Aid Fund and there shall be credited thereto —

²⁰ Subs. by Act 59 of 1994, sec.11, for clause (b) (w.e.f. 29.10.1994).

- (a) all sums of money paid to it or any grants made by the Central Authority for the purposes of this Act;
- (b) any grants or donations that may be made to the State Authority by the State Government or by any person for the purposes of this Act;
- (c) any other amount received by the State Authority under the orders of any court or from any other source.

(2) A State Legal Aid Fund shall be applied for meeting—

- (a) the cost of functions referred to in section 7;
- (b) the cost of legal services provided by the High Court Legal Services Committees;
- (c) any other expenses which are required to be met by the State Authority.²¹

17. (1) Every District Authority shall establish a fund to be called the District Legal Aid Fund and there shall be credited thereto— District Legal Aid Fund.

- (a) all sums of money paid or any grants made by the State Authority to the District Authority for the purposes of this Act;
- (b) any grants or donations that may be made to the District Authority by any person, with the prior approval of the State Authority, for the purposes of this Act;
- (c) any other amount received by the District Authority under the orders of any court or from any other source.²²

(2) A District Legal Aid Fund shall be applied for meeting—

- (a) the cost of functions referred to in section 10 and 11B²³;
- (b) any other expenses which are required to be met by the District Authority.

18. (1) The Central Authority, State Authority or the District Authority (hereinafter referred to in this section as ‘the Authority’), as the case may be, shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the income and expenditure account and the balance-sheet in such form and in such manner as may be prescribed by the Accounts and Audit.

²¹ Subs. by Act 59 of 1994, sec.12, for clause (b) (w.e.f. 29.10.1994)

²² Subs. by Act 59 of 1994, sec.13, for clause (b) (w.e.f. 29.10.1994)

²³ Ins. by Act 59 of 1994, sec. 13, (w.e.f.29.10.1994).

Central Government in consultation with the Comptroller and Auditor General of India.

(2) The accounts of the Authorities shall be audited by the Comptroller and Auditor General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority concerned to the Comptroller and Auditor General of India.

(3) The Comptroller and Auditor General of India and any other person appointed by him in connection with the auditing of the accounts of an Authority under this Act shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor General of India has in connection with the auditing of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authorities under this Act.

(4) The accounts of the Authorities, as certified by the Comptroller and Auditor General of India or any other person appointed by him in this behalf together with the audit report thereon, shall be forwarded annually by the Authorities to the Central Government or the State Governments, as the case may be.

²⁴(5) The Central Government shall cause the accounts and the audit report received by it under sub-section (4) to be laid, as soon as may be after they are received, before each house of Parliament.

(6) The State Government shall cause the accounts and the audit report received by it under sub-section (4) to be laid, as soon as may be after they are received, before the State Legislature.

CHAPTER VI

LOK ADALATS

Organisation of
Lok Adalats.

19. (1) Every State Authority or District Authority or the Supreme Court Legal Services Committee or every High Court Legal Services Committee or, as the case may be, Taluk Legal Services Committee may organize Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas as it thinks fit.

(2) Every Lok Adalat organized for an area shall consist of such number of-

- (a) serving or retired judicial officers; and
- (b) other persons, of the area as may be specified by the State Authority or the District Authority or the Supreme Court Legal Services Committee or the High Court Legal Services Committee or, as the case may be, the Taluk

²⁴ Ins. by Act 59 of 1994, sec.14 (w.e.f. 29.10.1994).

Legal Services Committee, organizing such Lok Adalat.

(3) The experience and qualifications of other persons referred to in clause (b) of sub-section (2) for Lok Adalats organized by the Supreme Court Legal Services Committee shall be such as may be prescribed by the Central Government in consultation with the Chief Justice of India.

(4) The experience and qualifications of other persons referred to in clause (b) of sub-section (2) for Lok Adalats other than referred to in sub-section (3) shall be such as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

(5) A Lok Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of—

- (i) any case pending before; or
- (ii) any matter which is falling within the jurisdiction of and is not brought before, any court for which the Lok Adalat is organized:

Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.

20²⁵. (1) Where in case referred to in clause (i) of sub-section (5) of section-19.

Cognizance of cases by Lok Adalats.

- (i) (a) the parties thereof agree; or
- (b) one of the parties thereof makes an application to the court, for referring the case to the Lok Adalat for settlement and if such court is prima facie satisfied that there are chances of such settlement; or

(ii) the court is satisfied that the matter is an appropriate one to be taken cognizance of by the Lok Adalat, the court shall refer the case to the Lok Adalat:

Provided that no case shall be referred to the Lok Adalat under sub-clause (b) of clause (i) or clause (ii) by such court except after giving a reasonable opportunity of being heard to the parties.

(2) Notwithstanding anything contained in any other law for the time being in force, the Authority or Committee organizing the Lok Adalat under sub-section (1) of section 19 may, on receipt of an application from any one of the parties to any matter referred to in clause (ii) of sub-section (5) of section 19 that such matter needs to be determined by a Lok Adalat, refer such matter to the Lok Adalat, for determination:

Provided that no matter shall be referred to the Lok Adalat except after

²⁵ Subs. by Act 59 of 1994, sec.15, for section 20 (w.e.f 29.10.1994).

giving a reasonable opportunity of being heard to the other party.

(3) Where any case is referred to a Lok Adalat under sub-section (1) or where a reference has been made to it under sub-section (2), the Lok Adalat shall proceed to dispose of the case or matter and arrive at a compromise or settlement between the parties.

(4) Every Lok Adalat shall, while determining any reference before it under this Act, act with utmost expedition to arrive at a compromise or settlement between the parties and shall be guided by the principles of justice, equity fair play and other legal principles.

(5) Where no award is made by the Lok Adalat on the ground that no compromise or settlement could be arrived at between the parties, the record of the case shall be returned by it to the court, from which the reference has been received under sub-section (1) for disposal in accordance with law.

(6) Where no award is made by the Lok Adalat on the ground that no compromise or settlement could be arrived at between the parties, in a matter referred to in sub-section (2), that Lok Adalat shall advise the parties to seek remedy in a court.

(7) Where the record of the case is returned under sub-section (5) to the court, such court shall proceed to deal with such case from the stage which was reached before such reference under sub-section (1).

Award of Lok
Adalats 7 of 1870.

21²⁶. (1) Every award of the Lok Adalat shall be deemed to be a decree of a civil court or, as the case may be, an order of any other court and where a compromise or settlement has been arrived at by a Lok Adalat in a case referred to it under sub-section (1) of section 20, the court-fee paid in such case shall be refunded in the manner provided under the Court-fees Act, 1870.

(2) Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute, and no appeal shall lie to any court against the award.

Powers of Lok
Adalats 5 of 1908.

22. (1) The Lok Adalat “or Permanent Lok Adalat”²⁷ shall, for the purposes of holding any determination under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:-

- (a) the summoning and enforcing the attendance of any witness and examining him on oath;
- (b) the discovery and production of any document;
- (c) the reception of evidence on affidavits;
- (d) the requisitioning of any public record or document or copy of

²⁶ Sub. by Act 59 of 1994, sec. 16, for sub-section (1) (w.e.f. 29.10.1994).

²⁷ Added by Legal Services Authorities (Amendment) Act No. 37 of 2002 published in Gazette of India vide notification No. 40 dated 11-6-2002.

such record or document from any court or office; and

(e) such other matters as may be prescribed

(2) Without prejudice to the generality of the powers contained in sub-section (1), every Lok Adalat “or Permanent Lok Adalat” shall have the requisite powers to specify its own procedure for the determination of any dispute coming before it.

(3) All proceedings before a Lok Adalat “or Permanent Lok Adalat” shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code 145 of 1860 and every Lok Adalat or Permanent Lok Adalat shall be deemed to be a civil court for the purpose of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

CHAPTER VIA

PRE-LITIGATION CONCILIATION AND SETTLEMENT

22A. In this Chapter and for the purpose of sections 22 and 23, unless the context otherwise requires;- Definition.

(a) “Permanent Lok Adalat” means a Permanent Lok Adalat established under sub-section (1) of section 22B;

(b) “Public Utility Service” means any-

- (i) Transport Service for the carriage of passengers or goods by air, road or water; or
- (ii) Postal, telegraph or telephone service; or
- (iii) Supply of power, light or water to the public by any establishment; or
- (iv) System of public conservancy or sanitation; or
- (v) Service in hospital or dispensary; or
- (vi) Insurance service.
- (vii) Housing and Estates²⁸
- (viii) Banking and Financial²⁹
- (ix) Education or Educational Institutions³⁰

²⁸ Notified by Haryana Government vide Notification No.20/1/2009-4JJ(1) dated 19.5.2009.

²⁹ Notified by Haryana Government vide Notification No.20/1/2009-4JJ(1) dated 19.5.2009.

³⁰ Notified by Ministry of Law and Justice Government of India vide notification No.S.O.495(E)dated 16.2.2016.

- (x) Housing & Real Estate³¹
- (xi) Supply of new connection of LPG or refills or its connected matter.³²

and includes any service which the Central Government or the State Government, as the case may be, may, in the public interest, by notification, declare to be a public utility service for the purposes of this chapter.

Establishment of Permanent Lok Adalats.

22B. (1) Notwithstanding anything contained in section 19, the Central Authority or, as the case may be, every State Authority shall, by notification, establish Permanent Lok Adalats at such places and for exercising such jurisdiction in respect of one or more public utility services and for such areas as may be specified in the notification.

(2) Every Permanent Lok Adalat established for an area notified under sub-section (1) shall consist of –

- (a) a person who is, or has been, a district judge or additional district judge or has held judicial office higher in rank than that of a district judge, shall be the Chairman of the Permanent Lok Adalat; and
- (b) two other persons having adequate experience in public utility service to be nominated by the Central Government or, as the case may be, the State Government on the recommendation of the Central Authority or, as the case may be, the State Authority,

appointed by the Central Authority or, as the case may be, the State Authority, establishing such Permanent Lok Adalat and the other terms and conditions of the appointment of the Chairman and other persons referred to in clause (b) shall be such as may be prescribed by the Central Government.

Cognizance of cases by Permanent Lok Adalat.

22C. (1) Any party to a dispute may, before the dispute is brought before any court, make an application to the Permanent Lok Adalat for the settlement of dispute:

Provided that the Permanent Lok Adalat shall not have jurisdiction in respect of any matter relating to an offence not compoundable under any law:

Provided further that the Permanent Lok Adalat shall not have jurisdiction in the matter where the value of the property in dispute exceeds one crore rupees:³³

Provided also that the Central Government, may, by notification,

³¹ Notified by Ministry of Law and Justice Government of India vide Notification No.S.O.495(E)dated 16.2.2016.

³² Notified by Haryana Government vide Notification No.S.O.-37/C.A. 39/1987/S. 22A/2017 dated 19th May, 2017.

³³ Substituted vide notification No.S.O.803(E) dated 20.3.2015 by Ministry of Law and Justice Government of India.

increase the limit of “one crore rupees” specified in the second proviso in consultation with the Central Authority.

(2) After an application is made under sub-section (1) to the Permanent Lok Adalat, no party to that application shall invoke jurisdiction of any court in the same dispute.

(3) Where an application is made to a Permanent Lok Adalat under sub-section (1), it—

- (a) shall direct each party to the application to file before it a written statement, stating therein the facts and nature of dispute under the application, points or issues in such dispute and grounds relied in support of, or in opposition to, such points or issues, as the case may be, and such party may supplement such statement with any document and other evidence which such party deems appropriate in proof of such facts and grounds and shall send a copy of such statement together with a copy of such document and other evidence, if any, to each of the parties to the application;
- (b) may require any party to the application to file additional statement before it at any stage of the conciliation proceedings;
- (c) shall communicate any document or statement received by it from any party to the application to the other party, to enable such other party to present reply thereto.

(4) When statement, additional statement and reply, if any, have been filed under sub-section (3), to the satisfaction of the Permanent Lok Adalat, it shall conduct conciliation proceedings between the parties to the application in such manner as it thinks appropriate taking into account the circumstances of the dispute.

(5) The Permanent Lok Adalat shall, during conduct of conciliation proceedings under sub-section (4), assist the parties in their attempt to reach an amicable settlement of the dispute in an independent and impartial manner.

(6) It shall be the duty of every party to the application to cooperate in good faith with the Permanent Lok Adalat in conciliation of the dispute relating to the application and to comply with the direction of the Permanent Lok Adalat to produce evidence and other related documents before it.

(7) When a Permanent Lok Adalat, in the aforesaid conciliation proceedings, is of opinion that there exist elements of settlement in such proceedings which may be acceptable to the parties, it may formulate the terms of a possible settlement of the dispute and give to the parties concerned for their observations and in case the parties reach at an agreement on the settlement of the dispute, they shall sign the settlement agreement and the

Permanent Lok Adalat shall pass an award in terms thereof and furnish a copy of the same to each of the parties concerned.

(8) Where the parties fail to reach at an agreement under sub-section (7), the Permanent Lok Adalat shall, if the dispute does not relate to any offence, decide the dispute.

Procedure of Permanent Lok Adalat 5 of 1908, 1 of 1872.

22D. The Permanent Lok Adalat shall, while conducting conciliation proceedings or deciding a dispute on merit under this Act, be guided by the principles of natural justice, objectivity, fair play, equity and other principles of justice, and shall not be bound by the Code of Civil Procedure, 1908 (5 of 1908) and the Indian Evidence Act, 1872 (1 of 1872).

Award of Permanent Lok Adalat to be final.

22E. (1) Every award of the Permanent Lok Adalat under this Act made either on merit or in terms of a settlement agreement shall be final and binding on all the parties thereto and on persons claiming under them.

(2) Every award of the Permanent Lok Adalat under this Act shall be deemed to be a decree of a civil court.

(3) The award made by the Permanent Lok Adalat under this Act shall be by a majority of the persons constituting the Permanent Lok Adalat.

(4) Every award made by the Permanent Lok Adalat under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding.

(5) The Permanent Lok Adalat may transmit any award made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court”.

CHAPTER VII

MISCELLANEOUS

Members and staff of Authorities, Committees and Lok Adalats to be public servants.

23³⁴. The members including Member-Secretary or, as the case may be, Secretary of the Central Authority, the State Authorities, the District Authorities, the Supreme Court Legal Services Committee, High Court Legal Services Committee, Taluk Legal Services Committees and officers and other employees of such Authorities, Committees “and the Members of the Lok Adalats or the persons Constituting Permanent Lok Adalats”³⁵ shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

Protection of action taken in good faith.

24. No suit, prosecution or other legal proceedings shall lie against—

³⁴ Subs. by Act 59 of 1994, sec. 17, for sections 23 and 24 (w.e.f. 29.10.1994).

³⁵ Substituted by Legal Services Authorities (Amendment) Act No. 37 of 2002 published in Gazette of India vide notification No. 40 dated 12-6-2002.

- (a) the Central Government or the State Government;
- (b) the Patron-in-Chief, Executive Chairman, Members or Member Secretary or officers or other employees of the Central Authority;
- (c) Patron-in-Chief, Executive Chairman, Member, Member Secretary or officers or other employees of the State Authority;
- (d) Chairman, Secretary, Members or officers or other employees of the Supreme Court Legal Services Committee, High Court Legal Services Committees, Taluk Legal Services Committees or the District Authority; or
- (e) Any other person authorized by any of the Patron-in-Chief, Executive Chairman, Chairman, Member, Member Secretary referred to in sub-clauses (b) to (d), for anything which is in good faith done or intended to be done under the provisions of this Act or any rule or regulation made thereunder.

25. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Act to have over-riding effect.

26. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty.

Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the date on which this Act receives the assent of the President.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

27³⁶. (1) The Central Government, in consultation with the Chief Justice of India may, by notification, make rules to carry out the provisions of this Act.

Power of Central Government to make rules.

(2) In particular, and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the number, experience and qualifications of other members of the Central Authority under clause (c) of sub-section (2) of section 3;
- (b) the experience and qualifications of the Member Secretary of the Central Authority and his powers and functions under sub-section (3) of section 3;

³⁶ Subs. by Act 59 of 1994, sec.18, for sections 27, 28 and 29 (w.e.f. 29.10.1994).

- (c) the terms of office and other conditions relating thereto, of Members and Member Secretary of the Central Authority under sub-section (4) of section 3;
- (d) the number of officers and other employees of the Central Authority under sub-section (5) of section 3;
- (e) the conditions of service and the salary and allowances of officers and other employees of the Central Authority under sub-section (6) of section 3;
- (f) the number, experience and qualifications of Members of the Supreme Court Legal Services Committee under clause (b) of sub-section (2) of section 3A;
- (g) the experience and qualifications of Secretary of the Supreme Court Legal Services Committee under sub-section (3) of section 3A;
- (h) the number of officers and other employees of the Supreme Court Legal Services Committee under sub-section (5) of section 3A and the conditions of service and the salary and allowances payable to them under sub-section (6) of that section;
- (i) the upper limit of annual income of a person entitling him to legal services under clause (h) of section 12, if the case is before the Supreme Court;
- (j) the manner in which the accounts of the Central Authority, the State Authority or the District Authority shall be maintained under section 18;
- (k) the experience and qualifications of other persons of the Lok Adalats organized by the Supreme Court Legal Services Committee specified in sub-section (3) of section 19;
- (l) other matters under clause (e) of sub-section (1) of section 22;
- (m) the other terms and conditions of appointment of the Chairman and other persons under sub-section (2) of section 22B³⁷,

Power of State Government to make rules.

28. (1) The State Government in consultation with the Chief Justice of the High Court may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the

³⁷ Inserted by Legal Services Authorities (Amendment) Act No. 37 of 2002 published in Gazette of India vide notification No. 40 dated 11-6-2002.

foregoing power, such rules may provide for all or any of the following matters, namely:--

- (a) the number, experience and qualifications of other Members of the State Authority under clause (c) of sub-section (2) of section 6;
- (b) the powers and functions of the member Secretary of the State Authority under sub-section (3) of section 6;
- (c) the terms of office and other conditions relating thereto, of Members and Member Secretary of the State Authority under sub-section (4) of section 6;
- (d) the number of officers and other employees of the State Authority under sub-section (5) of section 6;
- (e) the conditions of service and the salary and allowances of officers and other employees of the State Authority under sub-section (6) of section 6;
- (f) the experience and qualifications of Secretary of the High Court Legal Services Committee under sub-section (3) of section 8A;
- (g) the number of officers and other employees of the High Court Legal Services Committee under sub-section (5) of section 8A and the conditions of service and the salary and allowances payable to them under sub-section (6) of that section;
- (h) the number, experience and qualifications of Members of the District Authority under clause (b) of sub-section (2) of section 9;
- (i) the number of officers and other employees of the District Authority under sub-section (5) of section 9;
- (j) the conditions of service and the salary and allowances of officers and other employees of the District Authority under sub-section (6) of section 9;
- (k) the number, experience and qualifications of Members of the Taluk Legal Services Committee under clause (b) of sub-section (2) of section 11A;
- (l) the number of officers and other employees of Taluk Legal Services Committee under sub-section (3) of section 11A;
- (m) the conditions of service and the salary and allowances

of officers and other employees of the Taluk Legal Services Committee under sub-section (4) of section 11A;

- (n) the upper limit of annual income of a person entitling him to legal services under clause (h) of section 12, if the case is before a court, other than the Supreme Court;
- (o) the experience and qualifications of other persons of the Lok Adalats other than referred to in sub-section (4) of section 19;
- (p) any other matter which is to be, or may be, prescribed.

Power of Central Authority to make regulations.

29. (1) The Central Authority may, by notification, make regulations not inconsistent with the provisions of this Act and the rules made there under, to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:--

- (a) the powers and functions of the Supreme Court Legal Services Committee under sub-section (1) of section 3A;
- (b) the terms of office and other conditions relating thereto, of the members and Secretary of the Supreme Court Legal Services Committee under sub-section (4) of section 3A.

Power of State Authority to make regulations.

29A. (1) The State Authority may, by notification, make regulations not inconsistent with the provisions of this Act and the rules made there under to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters namely:--

- (a) the other functions to be performed by the State Authority under clause (d) of sub-section (2) of section 7;
- (b) the powers and functions of the High Court Legal Services Committee under sub-section (1) of section 8A;
- (c) the number, experience and qualifications of Members of the High Court Legal Services Committee under clause (b) of sub-section (2) of section 8A;
- (d) the terms of office and other conditions relating thereto, of the Members and Secretary of the High Court Legal Services Committee under sub-section (4) of section 8A.;

- (e) the terms of office and other conditions relating thereto, of the Members and Secretary of the District Authority under sub-section (4) of section 9;
- (f) the number, experience and qualifications of Members of the High Court Legal Services Committee under clause (b) of sub-section (2) of section 8A;
- (g) the other functions to be performed by the District Authority under clause (c) of sub-section (2) of section 10;
- (h) the terms of office and other conditions relating thereto, of the Members and Secretary of the Taluk Legal Services Committee under sub-section (3) of section 11A;

30. (1) Every rule made under this Act by the Central Government and every regulation made by the Central Authority there under shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Laying of rules and regulations.

(2) Every rule made under this Act by a State Government and every regulation made by a State Authority there under shall be laid, as soon as may be after it is made, before the State Legislature.

II

THE HARYANA STATE LEGAL SERVICES AUTHORITY RULES, 1996

Haryana Government Notification No. G.S.R. 16/C.A. 39/1987/S. 28/96¹.—In exercise of the powers conferred by section 28 of the Legal Services Authorities Act, 1987 (No. 39 of 1987), as amended by the Legal Services Authorities (Amendment) Act, 1994 (No. 59 of 1994), the Government of Haryana hereby makes the following rules regulating the constitution of Legal Services Authorities namely:-

1. Short title and commencement.—(1) These rules may be called “The Haryana State Legal Services Authority Rules, 1996.”

(2) They shall come into force on the date of their publication in the Haryana Government Gazette.

CHAPTER—I

DEFINITIONS

2. In these rules unless the context otherwise requires,--

- (a) “Act” means the Legal Services Authorities Act, 1987 (Central Act No. 39 of 1987) as amended by Legal Services Authorities Act, 1987 (Central Act No. 59 of 1994);
- (b) “Chairman” means the Executive Chairman of the State Authority, or the Chairman of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be;
- (c) Omitted**.
- (d) “District Authority” means the District Legal Services Authority constituted under Section 9 of the Act;
- (e) “High Court Legal Services Committee” means a High Court Legal Services Committee constituted under Section 8A of the Act;
- (f) “Joint Member Secretary” means the person so appointed as the Joint Member Secretary of the State Authority under rule 8;
- (g) “Member” means the member of the State Authority appointed under Section 6(2)(c); member of the District Authority appointed under Section 9(2); member of the High Court Legal Services Committee appointed under Section 8A(2) and member of the Sub-Divisional Legal Services Committee appointed under Section 11A(2) (b) of the Act, as the case may be;

¹ Published in Haryana Government Gazette on 27th February/26th April, 1996 and came into existence i.e. 3.4.1996 (VYSK 31, 1918 Saka).

- (h) “Member Secretary” means the Member-Secretary of the State Legal Services Authority appointed under Section 6 of the Act;
- (i) “Schedule” means schedules appended to these rules;
- (j) “Section” means the Section of the Act;
- (k) “Secretary” means the Secretary of the High Court Legal Services Committee constituted under Section 8A of the Act, the Secretary of the District Legal Services Authority constituted under Section 9 of the Act;²
- (l) “State Authority” means the State Legal Services Authority constituted under Section 6(1) of the Act;
- (m) “Sub-Divisional Legal Services Committee” means the committee constituted under Section 11A of the Act;
- (n) All other words and expressions used in these rules but not defined shall have the meaning, respectively assigned to them in the Act.

CHAPTER II

HARYANA LEGAL SERVICES AUTHORITY

3. The State Authority shall consist of the following namely:--
- (i). Chief Justice of High Court of Punjab and Haryana as the Patron-in-Chief;
 - (ii) Executive Chairman of the Haryana State Authority;
 - (iii) the Secretary in the Department of Administration of Justice;
 - (iv) the Secretary in the Department of Finance;
 - (v) the Secretary in the Department of Law and Legislative;
 - (vi) the Advocate General of the Haryana State;
 - (vii) the Director General of Police of the State of Haryana;
 - (viii) the Chairman, Bar Council of Haryana and Punjab;
 - (ix) the Director, Public Relations Department, Haryana;
 - (x) two Chairman of the District Authority as may be nominated by the State Government in consultation with the Chief Justice of Punjab and Haryana High Court;
 - (xi) Member-Secretary of the State Authority.

² Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

(2) The State Authority shall have the following nominated members in consultation with the Chief Justice of Punjab and Haryana High Court:--

- (i) One Representative of Women;
- (ii) One representative of Scheduled Castes;
- (iii) Dean/Chairman, Department of Law, M.D. University/ Kurukshetra University.

(3) The State Government may nominate, in consultation with the Chief Justice of the High Court of Punjab and Haryana, two persons as specified in sub-rule 2(i) & 2(ii) of this rule from amongst those possessing the qualifications and experience prescribed in sub-rule (4) of this rule.

(4) A person shall not be qualified for nomination as a member of the State Authority unless he is—

- (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children, Rural and Urban Labour;

OR

- (b) an eminent person in the field of law;

OR

- (a) a person of repute who is specially interested in the implementation of the Legal Services Schemes.
- (b) The number if members of State Authority shall not exceed fifteen.

(5) The Headquarter of the State Authority shall be located at the seat of the High Court of Punjab and Haryana or at Panchkula.

4. Terms of office and other conditions relating thereto of members of State Authority.-

(1) The Members of the State Authority nominated under sub-rule (1) (x) and (2) of rule 3 by the State Government shall continue for a term of two years and shall be eligible for renomination.

(2) A member of the State Authority nominated under sub-rules (1) (x) and (2) of rule 3 may be removed by the State Government in consultation with the Chief Justice of Punjab and Haryana High Court if in the opinion of State Government, he is not desirable to continue as a member.

(3) If any member nominated under sub-rules (1) (x) and (2) of rule 3 ceases to be a member of the State Authority for any reason, the vacancy shall be filled in, in the same manner as the original nomination and the person so nominated shall continue to be a member for the remaining term of the member in whose place he is nominated.

(4) All members, nominated under sub-rules (1) (x) and (2) of rule 3, shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the work of the State Authority and shall be paid by the State Authority in accordance with the rules as are applicable to the Group “A” officers, as amended from time to time.

(5) If the nominated member is a Government employee, he shall be entitled to claim travelling allowance and daily allowance from his parent department.

CHAPTER III

MEMBER SECRETARY

5. (1) There shall be a Member Secretary of the Haryana State Legal Services Authority in terms of Section 6 or its provision who will be appointed by the Government in consultation with the Chief Justice of the Punjab and Haryana High Court on the recommendations of the Executive Chairman of the Haryana State Legal Services Authority.

6. **The powers and functions of the Member Secretary of the State Authority-** The powers and functions of the Member Secretary of the State Authority, inter alia, shall be –

- (a) to give free legal services to the eligible and weaker sections;
- (b) to work out modalities of the Legal Services Schemes and programmes approved by the State Authority, and ensure their effective monitoring and implementation;
- (c) to exercise the powers in respect of Administrative, Housekeeping, finance and Budget matters as Head of the Department in the State Government;
- (d) to manage the properties, records and funds of the State Authority;
- (e) to maintain true and proper account of the State Authority including checking and auditing in respect thereof periodically;
- (f) to prepare Annual Income and Expenditure Account and Balance-sheet of the said Authority;
- (g) to liaison with the Social Action Groups and District and Sub-Divisional Legal Services Authorities/Committees;
- (h) to maintain up-to-date and complete statistical information including progress made in the implementation of various Legal Services Programmes from time to time;
- (i) to process proposals for financial assistance and issue Utilization Certificates thereof;

- (j) to organize various Legal Services Programmes as approved by the State Authority and convene Meeting/Seminars and Workshops connected with Legal Services Programmes and preparation of Reports and follow-up action thereon;
- (k) to produce video/documentary films, publicity material, literature and publications to inform general public about the various aspects of the Legal Services Programmes;
- (l) to lay stress on the resolution of Rural Disputes and to take extra measure to draw schemes for effective and meaningful legal services for settling Rural Disputes at the door steps of the rural people;
- (m) to perform such of the functions as are assigned to him under the Schemes formulated under section 4(b) of the Act; and
- (n) to perform such other functions as may be expedient for efficient functioning of the State Authority.

7. The terms of office and other conditions relating thereof Member- Secretary of the State Authority –

(1) The Member Secretary of the State Authority shall be the whole time employee and shall hold office for a term not exceeding five years.

(2) The Member Secretary of the State Authority shall be the Head of the office.

(3) In all matters like age of retirement, pay and allowances, benefits and entitlements, and disciplinary matters, the Member Secretary shall be governed by the State Government Rules and he shall be on deputation to the State Authority.

CHAPTER IV

8. Joint Member Secretary of the State Legal Services Authority,-- With a view to smooth functioning of the State Authority the State Government may on the recommendation of the Executive Chairman of the State Authority appoint one Joint Member Secretary of the State Authority who shall not be below the rank of Senior Subordinate Judge or Chief Judicial Magistrate.

9. The number of officers and other employees of the State Authority,--

(1) The State Authority shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule I to these rules or as may be notified by the State Government from time to time.

(2) On constitution of the State Authority, existing staff of the Haryana State Legal Service and Advice Committee as specified in Schedule II shall stand transferred to the said State Authority.

10. The conditions of service and the salary and allowances of officers and other employees of the State Authority,--

(1) The officers and other employees of the State Authority shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the Schedule I to these rules or at par with the State Government employees holding equivalent posts;

(2) In all matters like age of retirement, pay and allowances, benefits and entitlement and disciplinary matters, the officers and other employees of the State Authority shall be governed by the State Government Rules as are applicable to person holding equivalent posts.

(3) The officers and other employees of the State Authority shall be entitled to such other facilities, allowances and benefits as may be notified by the State Government from time to time.

Explanation.—The words “allowances”, “benefits”, “entitlement” and “facilities” occurring in sub-rules (1), (2) and (3) shall be deemed to include the entitlement to gratuity, provident fund, housing, medical benefits, pension, group insurance and such other benefits as are available to employees of the State Government holding equivalent posts.”³.

CHAPTER V

11. Omitted.⁴

CHAPTER VI

HIGH COURT LEGAL SERVICES COMMITTEE

12. Omitted.⁵

13.⁶ Experience and qualifications of Secretary of the High Court Legal Services Committee under sub-section (3) of section 8A .— A person shall not be qualified for appointment as Secretary of the High Court Legal Services Committee unless he is a member of the Punjab/Haryana Superior Judicial Service;

Provided that if no suitable person is available from amongst the members of the Punjab/Haryana Superior Judicial Service then an officer of the High Court not below the rank of Joint Registrar shall be eligible for appointment as Secretary of the aforesaid Committee.

14. The Composition of, and the experience and qualifications of the members of the High Court Legal Services Committee, shall be laid down by regulations made by the State Authorities of both the States.

³ Added by Haryana Government vide notification No. 20/5/2001-4JJ(I), dated 2-8-2002.

⁴ Omitted by Haryana Government vide notification No. 20/5/2001-4JJ(I), dated 2-8-2002.

⁵ Omitted by Haryana Government vide notification No. 20/5/2001-4JJ(I), dated 2-8-2002.

⁶ Substituted by Haryana Government vide notification No. 20/17/2000-4JJ(I), dated 12-7-2001.

CHAPTER VII

DISTRICT AUTHORITY

15. There shall be a District Legal Services Authority of each district in the State of Haryana.

(1) The District Legal Services Authority shall have not more than eight members.

(2) The following shall be ex-officio members of the District Legal Services Authority:--

(i) District and Sessions Judges as Chairman;

“Provided that where there is no District & Sessions Judge posted at the seat of headquarters of a district (as distinguished from a sessions division), in such eventuality the Senior Most Additional District & Sessions Judge/Senior Most Judicial Officer, as the case may be, posted there, shall be the Chairman of the District Legal Services Authority.”⁷

(ii) District Magistrate;

(iii) “Commissioner of Police/Superintendent of Police:

Provided that where Commissioner of Police is the Head of Police Force in a District the Commissioner of Police shall be the ex-officio member of District Legal Services Authority”⁸

(iv) District Attorney;

(v) Chief Judicial Magistrate/Additional Chief Judicial Magistrate/Senior Most Judicial Magistrate shall be Secretary⁹”.

(3) The following shall be the nominated members:--

(a) One Social Worker; and

(b) One Representative of Women.

(4) The State Government may nominate in consultation with the Chief Justice of the High Court of Punjab and Haryana, two persons as specified in sub-rule (3) of this rule from amongst those possessing the qualifications and experience prescribed in sub-rule (5) of this rule.

(5) A person shall not be qualified for nomination as a member of the District Legal Services Authority unless he is –

(a) an eminent Social Worker who is engaged in the upliftment of the

⁷ Substituted by Haryana Government vide notification No. 20/17/2000-4JJ(I) dated 19-10-2000.

⁸ Substituted by Haryana Government vide notification No.S.O.45/C.A.39/1987/S.28/2009 dated 29.5.2009.

⁹ Substituted by Haryana Government vide notification No.S.O.45/C.A.39/1987/S.28/2009 dated 29.5.2009.

weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Backward Classes, Women, Children and Rural Labour; or

- (b) an eminent person in the field of law; or
- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

16. The number of officers and other employees of the District Legal Services Authority. –

(1) The District Legal Services Authority shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule-I, Part-II to these Rules or as may be notified by the State Government from time to time.

(2) On constitution of the District Authority, the existing staff of the District Level Legal Services and Advice Committees as specified in Schedule-II, Part-II shall stand transferred to the said District Authorities.

17. The conditions of service and the salary and allowances of the officers and other employees of the District Legal Services Authority:-

(1) The officers and other employees of District Legal Services Authority shall be entitled to draw pay and allowances in the scale of pay indicated each against post in the Schedule-I, Part-II to these rules or at par with the State Government Employees holding equivalent posts.

(2) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the District legal Services Authorities shall be governed by the State Government rules as are applicable to persons holding equivalent posts.

(3) The officers and other employees of District Legal Services Authority shall be entitled such other facilities, allowances and benefits as may be notified by the State Government from time to time.

Explanation,-- The words “allowances”, “benefits”, “entitlement” and “facilities” occurring in sub-rule (1), (2) and (3) shall be deemed to include the entitlement to gratuity, provident fund, housing, medical benefits, pension, group insurance and such other benefits as are available to the employees of the State Government, holding equivalent posts¹⁰.

CHAPTER VIII

SUB-DIVISIONAL LEGAL SERVICES COMMITTEE

18. The number, experience and qualifications of members of the Sub-divisional Legal Services Committee.—

(1) The Sub-Divisional Legal Services Committee shall have not more than six

¹⁰ Inserted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

members.

(2) The following shall be ex officio members of the Sub-Divisional Legal Services Committee: -

- (i) “Senior most Judicial Officer”¹¹ of the Sub-Divisional as Chairman;
- (ii) Sub-Divisional Officer (Civil);
- (iii) Deputy Superintendent of Police;
- (iv) Civil Judge (Junior Division)”.

(3) The following shall be the nominated members:--

- (a) One Social Worker; and
- (b) One Representative of Women.

(4) The State Government may nominate in consultation with the Chief Justice of the High Court of Punjab and Haryana, two persons as specified in sub-rule (3) of this rule from amongst those possessing the qualifications and experience prescribed in sub-rule (5) of this rule.

(5) A person shall not be qualified for nomination as a member of the Sub-Divisional Legal Services Committee unless he is –

- (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Backward Classes, Women, Children and Rural Labour; or
- (b) an eminent person in the field of law; or
- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

*Note*¹²-- For the time being no clerical or ministerial staff shall be given. The existing staff of the “Senior most Judicial Officer of the Sub-Division shall look” after the work of the Sub-Divisional Legal Services Committee.

CHAPTER IX

ENTITLEMENT OF LEGAL SERVICE

19. Entitlement to Legal Service.-- Any citizen of India whose annual income from all sources does not exceed Rs.3,00,000 (Rupees three lacs)¹³ or such higher amount as may be notified by the State Government from time to time, shall be entitled to legal services under clause (h) of Section 12 of the Act:

¹¹ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

¹² Substituted by Haryana Government vide notification No. 20/17/2000-4JJ(I) dated 2-8-2000.

¹³ Substituted by Haryana Government vide notification No. 20/15/2009-4JJ(I) dated 25.6.2012.

The State Legal Services Authority, High Court Legal Services Committee, District Legal Services Authority and the Sub-Divisional Legal Services Committee, as the case may be, may grant legal services to any other person irrespective of his income:-

- (a) To a member of Scheduled Caste or Scheduled Tribe or Backward Classes;
- (b) To a victim of trafficking in human beings or beggar as referred in Article 23 of the Constitution;
- (c) To a woman;
- (d) To a child, i.e. person who has not attained the age of 18 years or if he is under the guardianship under the Guardians and Wards Act, 1890 the age of 21 years;
- (e) To a person with disability as defined in clause (i) of Section 2 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 (1) of 1996¹⁴;
- (f) To a person, under circumstances of undeserved want such as being victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (g) To an industrial workman; or
- (h) To a person in custody, including custody in a protective home within the meaning of clause (g) of Section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a “children’s home, observation home, shelter home and special home within the meaning of clauses (e), (o), (u) and (v) respectively of section 2 of Juvenile Justice (Care and Protection of Children) Act, 2000.¹⁵
- (i) To a person in a psychiatric hospital or psychiatric nursing home within the meaning of clause (q) of Section 2 of the Mental Health Act, 1987; or
- (j) In a test case, the decision of which is likely to effect cases of numerous other persons belonging to the poor and weaker sections of the society; or
- (k) To a person, in a special case, which for reasons to be recorded in writing is considered otherwise deserving of legal service where the means test is not satisfied; or
- (l) To a person in the case where the High Court or the Supreme Court provides legal service under any order in that case legal service would be deemed to have been provided by the Authority/Committee in relaxation of all the conditions laid down in this rule; or

¹⁴ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2.8.2002.

¹⁵ Substituted by Haryana Government vide notification No. 20/27/87-4JJ(I) dated 13.11.2002.

- (m) To a person in case of public interest litigation; or
- (n) To an ex-serviceman, and the families of such persons who have died in action; or¹⁶
- (o) To riot victims, and the families of such persons as well as terrorist victims and families of such persons; or¹⁷
- (p) To freedom fighters.¹⁸
- (q) Transgender people.¹⁹
- (r) Senior Citizen that is person who is citizen of India and has attained the age of 60 years or above.²⁰
- (s) HIV positive persons or AIDS patients.²¹

20. Matters on which Legal Service is admissible.—

(1) Free legal aid may be obtained in any court of law upto the Supreme Court and in any Tribunal, Revenue Court as well as all departments of Government and other bodies discharging quasi-judicial functions.

(2) The legal aid is available in all civil, criminal, revenue and administrative matters.

21. Modes of providing legal service.—Legal Service may be given in all or any one or more of the following modes, namely:--

- (a) By payment of court fee, process fee, expenses of witnesses, preparation of the paper book, lawyer's fee and all other charges payable or incurred in connection with any legal proceedings;
- (b) By representation by a legal practitioner in legal proceedings;
- (c) By supplying certified copies of judgments, orders, notes or evidence and other documents in legal proceedings;
- (d) By preparation of appeal, paper book, including printing, typing and translation of documents in legal proceedings; and
- (e) By drafting of legal documents.

¹⁶ Inserted by Haryana Government vide notification No.20/17/2000-4JJ(I) dated 3.3.2006.

¹⁷ Inserted by Haryana Government vide notification No.20/17/2000-4JJ(I) dated 3.3.2006.

¹⁸ Inserted by Haryana Government vide Notification No. 20/10/96-4JJ(I) dated 19.10. 2010.

¹⁹ Inserted by Haryana Government vide Notification No20/10/96-4JJ(1) dated 19.10.2010.

²⁰ Inserted by Haryana Government vide Notification No20/10/96-4JJ(1) dated 19.4.2011.

²¹ Inserted by Haryana Government vide Notification No20/10/96-4JJ(1) dated 12.8.2014.

PROCEDURE FOR PROVIDING LEGAL AID

22. Application for Legal Service.—

(1) Any person desiring to seek legal service may make an application addressed to the Member-Secretary of the State Authority, Secretary of the High Court Legal Services Committee, Secretary of the District Legal Services Authority, Chairman of the Sub-Divisional Legal Services Committee (hereinafter referred to as Member Secretary, Secretary or Chairman of the Authority/Committee concerned), as the case may be.²²

(2) The Member Secretary, Secretary or Chairman of the Authority/Committee concerned shall maintain a register of applications wherein all applications for legal service received under sub-rule (1) shall be entered.²³

23. Disposal of applications.—

(1) On receipt of an application under rule 22, the “Member Secretary, Secretary or Chairman of the Authority/Committee”²⁴ shall scrutinize the application for the purpose of deciding whether the applicant is entitled to get legal service in accordance with the provisions of these rules, and for the purpose of arriving at such decision he may require applicant to supply further information as may be necessary, and, if necessary, give personal hearing to the applicant and in doing so the Member-Secretary shall have regard to the fact that the applicant is a poor person or belonging to a weaker section of the society and deserves to be assisted in the matter of obtaining legal service. The application shall be processed as early as possible and preferably within fifteen days of its receipt.

(2) The decision of the ²⁵“Member Secretary, Secretary or Chairman of the Authority/Committee as the case may be” to provide legal service shall be final:

Provided that if the Member-Secretary, Secretary or the Chairman of the Authority/Committee, as the case may be, is of the opinion that the applicant is not deserving of legal service, he may reject the application but such rejection shall be brought to the notice of Executive Chairman of the State Authority by the Member-Secretary of the State Authority, to the Chairman of the High Court Legal Services Committee by the Secretary of the High Court Legal Services Committee, to the Chairman of the District Authority by the Secretary of the District Authority and to the Chairman of the District Legal Services Authority by the Chairman of the Sub-Divisional Legal Services Committee possibly within two weeks of rejection of application for legal service.²⁶

(3) Where it is decided not to give legal aid to an applicant the reasons for not doing so shall be entered in the register of applications maintained by the Authority/Committee and information in writing to the effect shall be communicated to the applicant.

²² Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

²³ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

²⁴ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

²⁵ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

²⁶ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

(4) No legal service shall be granted or continued after the legal service is granted, if the Authority/Committee is satisfied that:-

- (a) The applicant has knowingly made false statement or furnished false information as regards his means or place of residence; or
- (b) In proceedings other than the one relating to criminal prosecution there is no prima facie case to institute, or as the case may be, to defend the proceedings; or
- (c) The application is frivolous and fictitious; or
- (d) The applicant is not entitled to the same under rule 19 or any other provisions of the rule; or
- (e) Having regard to all the circumstances of the case, it is otherwise not reasonable to grant it.

24. Panel for Legal Service—

(1) The State Authority, District Authority, Sub-Divisional Legal Services Committee and High Court Legal Services Committee, shall prepare such number of panel of legal practitioners as it may consider necessary,

(2) Every panel prepared under sub rule (1) shall be continued for a period of two years from the date of its preparation.

(3) Appointment of legal practitioners for legal service shall be made as far as possible from the panel of legal practitioners prepared under sub-rule (1) by the Authority/Committee.

Provided that the Authority/Committee may appoint a legal practitioner not included in any panel in a case where it deems it necessary for imparting justice and may even appoint a legal practitioner of the choice of the applicant.

(4) Every person included in the panel shall be required to communicate, in writing to the Member-Secretary, “Secretary or Chairman of the Authority/Committee”²⁷ concerned as the case may be, his willingness to serve on the panel.

(5) Any vacancy in the panel caused by resignation or otherwise may be filled in by the Authority/Committee as soon as possible.

(6) If any person after having agreed to serve on a panel, neglects or refuse to discharge the duties properly the Authority/Committee may delete his name from the panel after giving him, opportunity to be heard.

(7) If any person after having agreed to serve on a panel is guilty of misconduct or violates any of the provisions of these rules, he shall be liable to be removed from the panel.

²⁷ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

(8) Save as otherwise directed by the Authority/Committee, a legal practitioner who ceases to be on the panel whether on account of resignation or otherwise, shall as soon as practicable, after he so ceases to be on the panel, deliver all the papers pertaining to cases entrusted to him, to the Member- Secretary, Secretary or Chairman of Authority/Committee concerned as the case may be.²⁸

25. Duties of Legal Practitioners on the Panel.—

(1) Legal practitioners appointed for rendering legal service to the aided person under these rules:--

- (a) If the case is not concerning any proceeding in a court of law, tribunal or administrative tribunal shall hear the aided person, or any other person representing him, and shall examine the papers and documents relating to the case and shall give his advice in writing to the aided person and also send a copy of the advice so recorded to the Member-Secretary, Secretary or Chairman of the Authority/Committee; as the case may be and²⁹
- (b) If the case relates to any legal proceedings, he shall represent the aided person and act and plead for him in the legal proceedings and shall forth-with make a report to Member-Secretary, Secretary or Chairman of the Authority/Committee as the case may be” on the action taken by him and also make monthly report to the Member Secretary in regard to the progress of the legal proceedings.³⁰

(2) The legal practitioner so long as he remains on the panel shall act in accordance with such instructions as may be given to him from time to time, by the Member-Secretary, Secretary or Chairman of the Authority/Committee as the case may be.³¹

26. Honorarium payable to legal practitioner on the panel. — The honorarium to the legal practitioners may be paid as may be notified by the State Authority from time to time.

27. Duties of aided person. — A person seeking legal service shall comply with any requisition or direction that may be made upon him by the Authority/Committee or any of its members from the date of application made for legal service till the completion or cessation of legal service or cancellation of eligibility.

27A³². Recovery of legal aid expenses from aided persons.—

(1) A person seeking legal service shall execute an agreement in the form appended to these rules wherein he shall undertake for the refund/recovery, in suitable cases, of such portion of the costs/charges which may have been borne by the State Legal Services Authority/High Court Legal Services Committee/District Legal Services Authority/Sub-Divisional Legal Services Committee, as the case may be, in funding the litigation and which litigation may have ultimately resulted in award of costs/charges by any Court/Tribunal in favour of an ‘aided person’. The said form shall also provide for authorization by the aided person, to the Court/Tribunal awarding such costs/charges in the litigation resulting in his favour to order refund of such costs/charges directly to the

²⁸ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

²⁹ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

³⁰ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

³¹ Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

³² Substituted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

respective Legal Services Authority/Committee, which may have funded his litigation. The aforesaid agreement to be executed by the aided person shall also contain a clause in the shape of an irrevocable power of attorney authorizing the Member-Secretary, Secretary or Chairman of the respective Authority/Committee concerned to do all such acts and things as may be necessary for recovery/realization of the amount decreed or ordered awarded to him by any Court/Tribunal. Where due to inadvertence or otherwise, any such costs are ordered by such courts to be recoverable by an aided person and released in his favour, the aided person shall be under legal obligation to deposit such costs/charges to the concerned Authority/Committee within one month of the receipt of such amount and on his failure to deposit the same within the stipulated period, the said costs/charges shall be recovered from the aided person as arrears of land revenue by the Collector of the district in which the aided person may be residing or holding property and upon recovery in such manner, the Collector shall remit the same to the concerned Authority/Committee:

Provided that where the amount of costs/charges awarded is less than Rs. 1000/- (One thousand rupees only) it shall be in the absolute discretion of the Member-Secretary, Secretary or Chairman of the respective Authority/Committee concerned whether or not to proceed for recovery of such amount.

Form³³

(See Rule 27A)

I, _____ son of/daughter of/wife of shri _____ resident of _____, hereby agree that in the event of the Court/Tribunal finally passing a decree or order in my favour awarding costs to me or other monetary benefit or advantage, the expenses of litigation borne by the Authority/Committee on my behalf shall remain the first charge on that monetary benefit/decreed. I further bind myself that for releasing the said benefit/decreed in my favour in order to recover the said expenses of litigation, Member-Secretary, Secretary or Chairman of the Authority/Committee, as the case may be, shall be legally entitled to act as my special attorney without any further legal document.

I, hereby also declare that in case of any benefit under a decree or order granted in my favour the Court/Tribunal shall be at liberty to divert such amount to the Authority/Committee, as may have been incurred by the Authority/Committee in giving me legal service and I shall also supply true information to the Authority/Committee in this regard.

I, hereby further declare that where due to inadvertence or otherwise, any such costs are ordered by such courts to be recoverable by me and released in my favour, I shall be under legal obligation to deposit such costs/charges to the concerned Authority/Committee within one month of the receipt of such amount and on my failures to deposit such amount within stipulated period, the said costs/charges shall be recoverable from me as arrears of land revenue by the Collector of district in which I reside or hold property.

Place: _____

Dated: _____

APPLICANT

³³ Added by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002.

28. The experience and qualifications of other persons of the Lok Adalats other than referred to in sub-section (4) of Section 19.—A person shall not be qualified to be included in the Bench of Lok Adalat unless he is:--

- (a) an eminent social worker who is engaged in the upliftment of the weaker section of the people; including Scheduled Castes, Scheduled Tribes, Women, children, Rural and Urban Labour; or
- (b) a lawyer of standing; or
- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes and programmes.

28A³⁴. Award of Lok Adalat—

1. Every award of the Lok Adalat shall be deemed to be a decree of a civil court or, as the case may be, an order of any other court and where a compromise or settlement has been arrived at, by a Lok Adalat in a case referred to it under sub-section (1) of Section 20, the Court-Fee paid in such case shall be refunded in the manner provided under the Court-Fees Act, 1870.

2. Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute and no appeal shall lie to any court against the award.

3. The awards passed by the Lok Adalats in respect of pending cases shall be executable by the courts in which those matters were pending prior to the passing of the awards by the Lok Adalats.

4. However, the petitions for execution or awards passed by the Lok Adalats regarding matters at pre-litigative stage shall be instituted before the Senior most Judicial Officer out of Civil Judges (Senior Division) at the District level; and before the Senior most Civil Judge (Senior Division) at the Sub-Divisional level who may either execute the same himself, or entrust it to any Judicial Officer junior to him and exercising pecuniary jurisdiction in respect of the amount settled at the pre-litigative stage.³⁵

CHAPTER X

MISCELLANEOUS

29. Repeal and Savings

1. The Haryana State Grant of Free Legal Service and Advice to the Poor Rules, 1982, are hereby repealed:

Provided that any action taken under the rules so repealed shall be deemed to have been taken under the corresponding provisions of these rules.

2. All notifications, regulations and orders made by the State Government will be valid unless they are inconsistent with Act and these Rules.

30. Interpretation.—If any question arises as to the interpretation of these rules, the decision of the Executive Chairman of State Legal Services Authority, shall be final.

³⁴ Inserted by Haryana Government vide notification No.20/4/2000-4JJ(I) dated 10.1.2001.

³⁵ Inserted by Haryana Government vide notification No.20/4/2000-4JJ(I) dated 4.6.2003.

**CHAPTER XI
TRANSITIONAL PROVISION**

31. Omitted.³⁶

32. The Secretarial staff of the Executive Director, Haryana State Level Legal Service and Advice Committee and of the District Attorney-cum- Member Secretary, District Level Legal Service and Advice Committees shall continue as the staff of the State Legal Service Authority and of the District Legal Service Authorities respectively.

SCHEDULE—I

[See rules 9(1), 10(1), 16, 17 (1)]

PART I A

Sr.	Designation of the post	Scale of pay	Number of posts required
1.	Member Secretary	3,950-125-4,700-150-5,000(After completion of 9 years service in the cadre) scale(3,950-125-4,700-150-5,000)(Selection Grade)scale 5,900-200-6,700 Special Pay Rs. 500	1
2.	Joint Member Secretary	3,000-100-3,500-125-5,000	1
3.	Omitted ³⁷		
4.	Superintendent Grade—I	2,000-60-2,300-EB-75-3,200-100-3,500 + Spl. Pay	1
5.	Deputy Superintendent	1,640-60-2,600-EB-75-2,900	1
6.	Accountant	1,400-40-1,600-50-2,300-EB-60-2,600	1
7.	Librarian	1,400-40-1,600-50-2,300-EB-60-2,600 + Spl. Pay	1
8.	Personal Assistant	1,640-60-2,600-EB-75-2,900 + Spl. Pay	1
9.	Senior Scale Stenographer	1,400-40-1,600-50-2,300-EB-2,600+ Spl. Pay	1
10.	Junior Scale Stenographer	1,200-30-1,560-EB-40-2,040 + Spl. Pay	1
11.	Steno Typist	950-20-1,150-EB-25-1,500 + Spl. Pay	1
12.	Assistants	1,400-40-1,600-50-2,300-EB-60-2,600	8
13.	Clerks	950-20-1,150-EB-25-1,500	7
14.	Restorer	950-20-1,150-EB-25-1,500	1
15.	Daftari	800-15-1,010-EB-20-1,150	1
16.	Drivers	1,200-30-1,560-40-2,040 + Spl. Pay	2

³⁶ Inserted by Haryana Government vide notification No.20/4/2000-4JJ(I) dated 2.8.2002.

³⁷ Omitted by Haryana Government vide notification No. 20/5/2001-4JJ(I) dated 2-8-2002

		Rs. 200	
17.	Peons	750-12-870-EB-14-940	5
18.	Chowkidars	750-12-870-EB-14-940	2
19.	Sweepers	750-12-870-EB-14-940	2

PART II

B

Requirement of the Staff of the District Legal Services Authority

Sr.	Designation of the post	Scale of pay	Number of posts required
1.	Assistant ³⁸	1,400-40-1,600-50-2,300-EB-60-2,600	1
2.	Clerk	950-20-1,150-EB-25-1,500	1
3.	Peon	750-12-870-EB-14-940	1
(Three posts in each of 17 districts of Haryana, total posts-51)			

SCHEDULE—II

[See rule 9(2)]

A

PART I

Existing Staff of the Haryana State Legal Service and Advice Committee

The following posts were sanctioned by the Haryana Government for the office of the Executive Director, Haryana State Level Legal Service and Advice Committee:-

Sr. No.	Name of the official working against the post	Name of the post	Date when the incumbent joined	Haryana Government communications
1.	Dr. Paras Diwan	Executive Director	1-3-1985	Memo No. 20/18/86-4JJ(I) dated 2-3-1995
2.	D.D. Vohra	Deputy Superintendent	5-6-1985	
3.	Rajiv Puri	P.A.	24-9-1992	
4.	A.S. Rana	Assistant	30-12-1986	
5.	Rishi Ram Bhatt	Assistant	17-4-1989	
6.	Tripta Malik	Clerk	14-2-1991	
7.	Kashmir Singh	Clerk	21-2-1991	
8.	Matbar Singh	Peon	8-1-1987	
9.	Bharat Singh	Peon	6-8-1993	

³⁸ 10 Posts of Junior Scale Stenographers were sanctioned vide memo No. 20/27/87-4JJ(I) dated 19-2-2001 by Haryana Government for District Level Lok Adalats in lieu of 10 posts of Assistants.

The Haryana State Legal Services Authority Rules, 1996

10.	Bhale Ram	Driver	11-2-1988	
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Since the posts of aforesaid officials were sanctioned by the Haryana Government for doing the work of providing free legal aid to poor under the Haryana State Grant of Free Legal Service and Advice to the Poor Rules, 1982, therefore, the aforesaid officials shall continue to work now in the office of the Haryana State Legal Services Authority and shall be entitled to draw pay and allowances in the scale indicated in schedule to these rules.

PART II
[See Rule 9(2)]

B

The following posts were sanctioned by the Haryana Government from time to time for the offices of the District Attorneys-cum-Member Secretaries of the District Level Legal Services and Advice Committees of Haryana as then existing in all the districts of Haryana.

Sr.	Name of the Official	Name of the post	Station	Date on which the incumbent joined
1.	Devinder Kumar	Clerk	Ambala	24-7-1992
2.	Shanti Devi	Clerk	Bhiwani	25-9-1985
3.	Neelam Kumari	Clerk	Faridabad	26-8-1985
4.	Kartar Singh	Clerk	Gurgaon	21-11-1985
5.	Bhanmati	Clerk	Hisar	17-9-1986
6.	Jai Gopal	Clerk	Jind	16-10-1985
7.	Ramesh Kumar	Clerk	Karnal	26-11-1985
8.	Vacant	Clerk	Kaithal	--
9.	Sheo Ram	Clerk	Kurukshetra	3-12-1985
10.	Pawan Kumar	Clerk	Narnaul	19-11-1993
11.	Avinash Gupta	Clerk	Panipat	11-8-1993
12.	Birender Kumar	Clerk	Rewari	1-10-1985
13.	Vijay Singh	Clerk	Rohtak	28-1-1986
14.	Rajwanti	Clerk	Sonipat	10-12-1985
15.	Shish Pal	Clerk	Sirsa	6-12-1985
16.	Ravinder Kumar	Clerk	Yamuna Nagar	27-5-1993

Since the posts of aforesaid officials were sanctioned by the Haryana Government for doing the work of providing free legal aid to poor to the Poor Rules, 1982, therefore, the aforesaid officials shall continue to work now in the office of the District Legal Services Authorities and shall be entitled to draw pay and allowances in the scale indicated in schedule to these rules.

Note: By virtue of Rule 32 of Haryana State Legal Services Authority Rules, 1996, the above named officials who were recruited as clerks in pursuance of Haryana Government letter No. 20/18-864JJ(I) dated 2-3-1995 stand absorbed in various District Legal Services Authorities.

III

HARYANA LEGAL SERVICES AUTHORITY (TRANSACTION OF BUSINESS AND OTHER PROVISIONS) REGULATIONS, 1998¹

In exercise of the powers conferred by Section 29-A of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) the Haryana Legal Services Authority hereby makes the following regulations:

CHAPTER I

Preliminary

1. (1) These regulations may be called the Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998. Short title and commencement

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. In these regulations, unless the context otherwise requires:- Definitions

- (a) “Act” means the Legal Services Authorities Act, 1987 (Central Act No. 39 of 1987) as amended from time to time;
- (b) “Aided Person” means a person to whom legal aid, legal advice or legal services has been provided in any form;
- (c) “Central Authority” means the National Legal Services Authority constituted under Section 3;
- (d) “Chairman” means the Chairman of the District Authority and Sub-Divisional Legal Services Committee, as the case may be;
- (e) “Chief Justice” means the Chief Justice of the Punjab and Haryana High Court;
- (f) “Court” means a Civil, Criminal or Revenue Court and includes any Tribunal or any other authority constituted under any law for the time being in force to exercise judicial or quasi-judicial functions;
- (g) “Committee” means the Sub-Divisional Legal Services Committee.
- (h) “District Authority” means the District Legal Services Authority constituted under section 9 of the Legal Services Authorities Act;
- (i) “Executive Chairman” means the Executive Chairman of the State Authority;
- (j) “High Court” means the Punjab and Haryana High Court at Chandigarh;

¹ Published in Haryana Government Gazette (Extra). Dated April 17,1998 (CHTR 27, 1920 SAKA).

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- (k) “Legal Practitioner“ shall have the meaning as assigned to the expression in the Advocate Act, 1961;
- (l) “Legal Service” includes rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or Tribunal and giving of advice on any legal matter;
- (m) “Lok Adalat” means a Lok Adalat organized under Chapter VI of the Act;
- (n) “Member” means a member of the State Authority, District Authority or Sub-Divisional Legal Services Committee as the case may be;
- (o) “Member Secretary” means Member Secretary of the State Authority;
- (p) “Nominated Member” means a member nominated to State Authority, the District Authority or the Sub-Divisional Committee, as the case may be;
- (q) “Patron-in-Chief” means the Chief Justice, Punjab and Haryana High Court;
- (r) “Rules” means the Haryana State Legal Services Authority Rules, 1996;
- (s) “Secretary” means the Secretary of the District Authority, or Sub-Divisional Legal Services Committee, as the case may be; (t) “Section” means a section of the Act;
- (u) “State Authority” means the Haryana Legal Services Authority constituted under section 6 (1) of the Act;
- (v) 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 there under.

CHAPTER—II

3. The Executive Authority of the State Authority shall vest in the Executive Chairman and may be exercised through the Member Secretary who shall act under the control of the Executive Chairman:

Vesting of
Authority

Provided that the Patron-in-Chief may give such advice as he may deem necessary in respect of any matter concerning the affairs of the State Authority.

The Executive Authority of the District Authority shall vest in its Chairman and may be exercised through its Secretary, who shall act under the control of the Chairman.

The Executive Authority of the Sub-Divisional Committee shall vest in its Chairman and may be exercised either by himself or through such other officer,

who is chosen for the purpose.

Provided that the Executive Chairman may give such advice as he may deem necessary in respect of any matter concerning the affairs of the District Authority and Sub-Divisional Committee.

CHAPTER—III

STATE LEGAL SERVICES AUTHORITY

Other functions of the State Authority

4. 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 such other functions, as may be fixed in consultation with the Central Authority, for carrying out schemes and programmes of promoting the cause of legal aid, legal literacy and conciliation in coordination with Governmental, non-Governmental Agencies, Voluntary Social Service Institutions, Universities and other bodies.

5. (1) The State Authority shall meet once in every three months provided that the Executive Chairman may convene a meeting of the State Authority whenever any business is to be transacted.

Meeting of the
State Authority

(2) A meeting of the State Authority shall ordinarily be held at Chandigarh. However, it may be held at such other place within the State, as may be directed by the Executive Chairman.

(3) Annual General Meeting of the State Authority shall be convened ordinarily in the month of April every year or in such other month as may be directed by the Executive Chairman. Besides other business annual statement of accounts, annual progress of performance report about the plans, programmes and schemes of the State Authority shall be placed before the State Authority for consideration and approval.

(4) A meeting of the State Authority shall be presided over by the Executive Chairman. In case, Patron-in-Chief is present in the meeting, then he shall preside over the meeting.

(5) The quorum for a meeting shall be five members including the Chairman.

(6) For every meeting of the State Authority, at least two weeks' notice shall be given to the Members to attend the meeting. However, an emergent meeting may be convened by the Member Secretary in accordance with the direction of the Executive Chairman on short notice.

(7) The State Authority may regulate its own procedure.

(8) One or more persons, who are engaged or interested in the upliftment of the weaker section of the society, who are considered suitable by the Executive Chairman, may be invited for any meeting in order to seek their views,

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cooperation and help. Such person shall have no right to vote at such meeting.

(9) All matters requiring confirmation from the State Authority under the Act or the Rules, shall be placed and all policy matters shall be placed or any specific matter as may be directed by the Executive Chairman shall be placed before the State Authority for consideration and decision.

(10) All the decisions of the State Authority shall be taken by majority of the members present and voting and in case of tie, the person presiding over the meeting shall have a second or casting vote;

Provided that in such matters as may be directed by the Executive Chairman of the State Authority, the decision of the State Authority may be taken by circulation.

(11) It shall be the duty of the Member Secretary to record or cause to be recorded the minutes of the meeting in the register to be maintained for the purpose.

(12) The non-official Members shall be entitled to payment of travelling allowance and daily allowance in respect of the journeys performed in connection with the work of the State Authority at the rates admissible to a Class-I officer of the State Government.

Powers of
Executive
Chairman

6. (1) Executive Chairman shall be competent to take all decisions as may be required on behalf of the State Authority.

(2) Legal Aid, Legal Advice or other legal services may be provided by the Executive Chairman to any person directly in respect of any matter before any court in Haryana.

(3) Executive Chairman may review the cases where legal services have been refused by the District Authority and Sub-Divisional Legal Services Committee.

Funds of the
State Authority

7. Funds of the State Authority shall comprise of State Legal Aid fund as per Section 16(1) of the Act and shall further be:--

(1) All such amounts as received by way of costs, charges and expenses recovered from the persons to whom legal service is provided or the opposite party.

(2) All the amounts credited to the State Legal Aid Fund shall be deposited in a Nationalized Bank.

Explanation:-- In this Sub-regulation “Nationalized Bank” means corresponding new Bank as defined in the Bank Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

(3) For the purpose of meeting incidental minor charges, such as court fee, stamps and expenditure necessary for obtaining copies of documents and contingent expenditure etc., a permanent

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- advance of rupees three thousand shall be placed at the disposal of the Member Secretary of the State Authority.
- (4) All expenditure necessary for carrying out the various functions of the State Authority including expenses required for meetings shall be incurred out of the funds of the State Authority with the approval of the Member Secretary of the State Authority;
- (i)² Expenditure on wages/salary of the employees appointed on DC rates/Contractual basis in the Administrative Office of HALSA, District Legal Services Authorities, Sub Divisional Legal Services Committee, Permanent Lok Adalats (Public Utility Services) and Mediation & Conciliation Centres.
- (i) Expenditure pertaining to Legal Aid Schemes launched by National Legal Services Authority/Haryana State Legal Services Authority as well as the expenditure auxiliary for the implementation of Legal Aid Programmes.
- (ii) Expenditure on acquiring any other infrastructural item required for the smooth functioning of State Authority, District legal Services Authorities, Sub Divisional Legal Services Committees, Permanent Lok Adalats (Public Utility Services), Mediation & Conciliation Centres and expenditure on other Administrative purposes, subject to prior approval of Executive Chairman/Member Secretary of State Legal Services Authority (as the case may be).
- (iii) For meeting day to day office expenditure *i.e.*, electricity bills, water bills, telephone bills etc. of newly constructed Administrative building of State Authority as well as ADR Centres in the State of Haryana.
- (iv) Any other expenditure with the prior approval of Hon'ble Executive Chairman/Member Secretary of HALSA as the case may be;
- (5) The Member Secretary shall have the accounts and other relevant records of the receipts and expenditure to be maintained properly in accordance with the rules and directions of the Central/State Government and Comptroller and Auditor General of India for the removal of doubts, it is clarified that the expenditure referred to in this sub-regulation includes the following expenses:-

Provided however, the expenditure shall be incurred for the above said purposes only in cases the funds are not provided by the NALSA, State Government or any other agency.

Provided that for an expense of more than

² Vide Notification No.MS/HALSA/2016/(Acctt.) 12454 dated 14th September, 2016.

Rs.1,00,000³, approval of the Executive Chairman shall be taken.

CHAPTER IV

DISTRICT LEGAL SERVICES AUTHORITY

Other functions
of the District
Authority

8. The District Authority, besides functions specified in section 10 shall perform the following functions, namely:--

- (1) give legal service within the District to persons who satisfy the criteria under the Act:

Provided that District Authority may assign the functions of providing legal services to Sub-Divisional Legal Services Committees within their respective jurisdictions within the District;

- (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 references to rural population, women, children, disabled, handicapped and the weaker sections of the society;
- (3) administer and implement the legal services programme in so far as it relates to the courts within the District and for this purpose, take all such steps as may be necessary and to act in accordance with the directions issued by the Central Authority or the State Authority from time to time;
- (4) conduct legal aid clinics in different parts of the District in collaboration with Law Colleges, Universities and other social service organizations;
- (5) supervise, direct and guide the working of the Sub-Divisional Committees in the district;
- (6) 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;
- (7) prepare and submit returns, reports and statistic information in regards to the legal services programme to the State Authority.

Terms and other
conditions of
members of the
District Authority

9. Terms of office and other conditions relating thereto of the members of the District Authority:--

1. The term of the office of a member of the District Authority, other than ex-officio member, shall be two years and they shall be

³ Substituted by Haryana State Legal Services Authority vide notification No.HALSA/1(5)2014/558 dated 5.6.2014.

- eligible for re-nomination;
2. A member of the District Authority nominated under clause (b) of rule 13 may be removed by the State Government, if—
 - (a) he fails, without sufficient cause, to attend three consecutive meetings of the District Authority or five meetings held within the span of two years; or
 - (b) has been adjudged as insolvent; or
 - (c) has been convicted of an offence which in the opinion of the State Authority involves moral turpitude; or
 - (d) has become physically or mentally incapable of acting as a member; or
 - (e) has not abused his position as to render his continuance in the District Authority pre-judicial to the public interest.
 3. Notwithstanding anything contained in sub rule (2), no member shall be removed from the District Authority on the grounds specified therein without consultation with the Chief Justice.
 4. A member may, by writing under his hand addressed to the Chairman, resign from the District Authority and such resignation, shall take effect on the expiry of a period of 30 days from the date of tendering resignation.
 5. If any nominated member ceases to be member of the District Authority for any reason, the vacancy shall be filled up in the manner and from the source from which the same was originally filled under clause (4) of rule 15.
 6. All nominated members shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the meetings of the District Authority and shall be paid by the District Authority in accordance with the rules as are applicable to the Class I officers of the Haryana Government as amended from time to time.
 7. The ex-officio members shall be entitled to travelling allowance and daily allowance from his parent department.

10. Powers & Functions of the Chairman of the District Authority

1. The Chairman of the District Authority shall be in overall in-charge of administration and implementation of the programme of the State Authority and that of the District Authority.
2. The Chairman shall call meetings of the District Authority convened through the Secretary of the District Authority at least once in a

period of three months.

3. The Chairman shall preside over the meeting of the District Authority.
4. The Chairman shall have all the residuary powers of the Authority.

11. Secretary of the District Authority

- (1) The Secretary appointed under sub-section (3) of Section 9 of the Act shall be the Principal Officer of the District Authority. He shall be paid Rs. 500/- as honorarium or at such rate as may be determined by the Executive Chairman of the State Authority and he shall be the custodian of all assets, accounts, records and funds at the disposal of the District Authority, and all other necessary records.

“**Note**⁴ 1. In exercise of the powers conferred under Regulation 11(1) of the Haryana State Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998 the Hon'ble Executive Chairman of this Authority has been pleased to revise the rates of honorarium payable to the Secretary, District Legal Services Authority, appointed under sub section (3) of Section 9 of the Legal Services Authorities Act, 1987 from Rs.500/- to Rs.1500/- per month with effect from 1.9.2008.”

- (2) The Secretary shall maintain or cause to be maintained true and proper accounts of receipts and disbursement of the funds of the District Authority.
- (3) The Secretary shall convene meetings of the District Authority with the previous approval of the Chairman of the District Authority and shall also attend meetings and shall be responsible for maintaining a record of the minutes of the proceedings of the meeting.

12. Meeting of the District Authority

- (1) The District Authority shall meet at least once in three months on such dates and at such place as the Chairman of the District Authority may direct.
- (2) A meeting of the District Authority shall be presided over by the Chairman.
- (3) The minute shall, as soon as may be, after the meeting, be forwarded to the State Authority.
- (4) The quorum for the meeting shall be three including the Chairman.

⁴ Issued vide Officer order No.13743/2008/MS/HSLSA, Dated ,Chandigarh the 22.8.2008.

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- (5) All questions which come up before any meeting of the District Authority shall be decided by the majority of votes of the members present and voting and in case of a tie, the Chairman shall also have casting vote.

Provided that in such matters as may be directed by the Chairman of the District Authority, the decision of the District Authority may be taken by circulation.

- (6) All matters requiring confirmation from the District Authority under the Act or the Rules, shall be placed before the said Authority from time to time.

13. Funds of the District Authority shall comprise of District Legal Aid Fund as per section 17(1) of the Act and shall further be:--

- (1) All such amounts as received by way of costs, charges and expenses recovered from the persons to whom legal service is provided or the opposite party.
- (2) All the amounts credited to the State Legal Aid Fund shall be deposited in a Nationalized Bank.

*Explanation:--*In this Sub-regulation “Nationalized Bank” means corresponding new Bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

- (3) All expenditure necessary for carrying out the various functions of the District Authority or Sub-Divisional Legal Services Committee including expenditure necessary for meetings shall be incurred out of the funds of the District Authority with the approval of the Chairman of the District Authority.
- (4) The funds of the District Authority may be utilized for meeting the expenses incurred on or incidental to journeys undertaken by the Chairman or other Members of the District Authority or the Secretary in connection with Legal Services activities. The travelling allowance and daily allowance payable to the Chairman, the Ex-officio Members and the Secretary shall be such as to which they are entitled by virtue of their respective office held.
- (5) The Secretary shall operate the Bank Accounts of the District Authority in accordance with the directions of the Chairman.
- (6) The District Authority shall cause to be kept and maintained true and correct accounts of all receipts and disbursements and furnish quarterly returns to the State Authority.

“(7)⁵ For the purpose of meeting incidental minor charges such as court fee, stamps and expenditure necessary for obtaining copies of documents etc., a permanent advance of Rs.2,000/- may be placed at the disposal of the Secretary, District Legal Services Authority out of the District Legal Aid Fund.”

CHAPTER IV

SUB-DIVISIONAL LEGAL SERVICES COMMITTEE

Terms and other conditions of members of Sub-Divisional Committee.

14. The term of the office and other conditions relating thereto of the members of the Sub-Divisional Committee.

- (1) The term of the office of a Member of the Sub-Divisional Committee, other than ex-officio members shall be two years and they shall be eligible for re-nomination;
- (2) A member of the Sub-Divisional Committee nominated under clause (b) of rule 18, may be removed by the State Govt. if –
 - (a) he fails, without sufficient cause to attend three consecutive meetings of the Sub-Divisional Committee or five meetings held within the span of two years; or
 - (b) has been adjudged as insolvent; or
 - (c) has been convicted of an offence which in the opinion of the Sub-Divisional Committee involves 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 Sub-Divisional Committee prejudicial to the public interest.
- (3) Notwithstanding anything contained in sub-rule (2) no member shall be removed from the Sub-Divisional Committee on the grounds specified therein without consultation with Chief Justice.
- (4) A member may, by writing under his hand addressed to the Chairman, resign from the Sub-Divisional Committee and such resignation shall take effect on the expiry of a period of 30 days from the date of tendering resignation.
- (5) If any nominated member ceases to be member of the Sub-Divisional Committee for any reason, the vacancy shall be filled up in the manner and from the source from which the same was originally filled under clause (4) of rule 18.

⁵ Added vide this Authority notification No. HSLA/1(5)/2000 dated 25-5-2000, published in Haryana Government Gazette (Extra) on May, 25, 2000.

- (6) All nominated members shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the meetings of the Sub- Divisional Committee and shall be paid by the District Authority in accordance with the rules as are applicable to the Class I officers of the Haryana Government as amended from time to time.
- (7) The ex-officio members shall be entitled to travelling allowance and daily allowance either from his parent department, or as the case may be, from the District Authority.

15. Additional functions of the Sub-Divisional Committee

In addition to the functions assigned to it under the Act and Rules, the Sub-Divisional Committee shall 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.

16. Meetings of Sub-Divisional Committee:

- (1) The Sub-Divisional Legal Services Committee shall ordinarily meet once in two months on such date, at such place, as the Chairman may decide.
- (2) The Chairman and in the absence of the Chairman, next senior most Civil Judge shall preside at the meeting of the Sub- Divisional Legal Services Committee.
- (3) The minutes of the proceedings of each meeting shall be maintained by the Chairman or any other person authorized by him and shall, as soon as may be, sent to the District Authority and the State Authority.
- (4) The quorum for the meeting shall be three including the Chairman.
- (5) All questions at the meeting of the Sub-Divisional Legal Services Committee shall be decided by a majority of the members present and voting and in case of a tie, the person presiding shall have second or casting vote:

Provided that in such matters as may be directed by the Chairman of the Sub-Divisional Legal Services Committee, the decision of the said Committee may be taken by circulation.

- (6) All matters requiring confirmation from the Sub-Divisional Legal Services Committee by virtue of the Act or Rules shall be placed before the said Committee from time to time.

17. Funds of the Sub-Divisional Legal Services Committee:

- (a) All the expenses of the Sub-Divisional Legal Services Committee, for performing its functions, shall be met out of

District Legal Aid Fund.

- (b) For the purpose of meeting incidental minor charges, such as court fee, stamps and expenditure necessary for obtaining copies of documents etc. a permanent advance of rupees one thousand may be placed at the disposal of the Chairman of the Sub-Divisional Legal Services Committee by the District Authority from District Legal Aid Fund.

CHAPTER V

LOK ADALAT

18. Procedure for organizing Lok Adalat

- (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall convene and organize Lok Adalats at regular intervals or on such dates, as may be directed by the State Authority:

Provided that in order to coordinate the holdings of Lok Adalats, Member Secretary of the Authority may, with the approval of the Executive Chairman, prepare a quarterly roster for holding Lok Adalats at different District and Sub-Division Head-quarters and circulate the same to different Authorities.

(2) Intimation to the State Authority.

The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee as the case may be, shall inform the State Authority about the proposal to organize the Lok Adalat well before the date on which the Lok Adalat is proposed to be organized.

19. Notice to the parties concerned.

The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, convening and organizing the Lok Adalat shall inform every litigant and his counsel, 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.

20. Composition of the Lok Adalat:

- (1) **At District Level:** The Secretary of the District Authority organizing the Lok Adalat shall with the approval of the Chairman constitute Benches of the Lok Adalats, each bench comprising two or three of the following:--
- (i) A sitting or retired Judicial Officer;
 - (ii) A member of the legal profession; and

- (iii) Any other eminent person in the field of law, medicine or a social worker.
- (2) **At Sub-Divisional Level :** The Chairman of the Sub-Divisional Legal Services Committee organizing the Lok Adalat shall constitute Benches of the Lok Adalat, each Bench comprising two or three of the following :-
 - (i) A sitting or retired Judicial Officer;
 - (ii) A member of the legal profession; and
 - (iii) A social worker, Medical practitioner or para legal of the area

21. Summoning of Records and the responsibility for its safe custody:

- (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services 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 matter is referred to the Lok Adalat on the pre-litigation stage, the version of each party shall be obtained by the Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, to be placed before the Lok Adalat.
- (3) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committees, 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 these are returned.
- (4) Each Judicial Authority to cooperate in transmission of the Court records.
- (5) The judicial records shall be returned immediately after holding the Lok Adalat, irrespective of whether or not the case is settled by the Lok Adalat with an endorsement about the result of the proceedings.

22. Functioning of the Lok Adalat:

- (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall assign cases to the benches of the Lok Adalat after obtaining orders from the Chairman, as the case may be.
- (2) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, may prepare a cause list for each bench of the Lok Adalat and the same shall be duly notified to all concerned.

- (3) Every Bench of the Lok Adalat shall make sincere efforts to bring about a conciliatory settlement in every case put before it without any duress threat or undue influence, allurement or misrepresentation.
- (4) In case any Bench of the Lok Adalat cannot take up, hear or dispose of any case/cases on that day, it may be in its discretion to take up such case/cases on the next day or on any such subsequent day as may be convenient, under intimation to the Secretary/Chairman of the Committee/Authority concerned. In that case, judicial record may be kept with permission of the Court concerned.

23. Holding of Lok Adalat:

Lok Adalat may be organised at such time and place, on closed Saturday, Sundays and holidays as the State Authority, District Authority, Sub-Divisional Legal Services Committee, as the case may be, organising the Lok Adalat deems appropriate.

24. Procedure for effecting compromise or settlement at Lok Adalat:

- (1) Every Award or order 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 Secretary/Chairman of the Committee/Authority concerned, free of costs.

25. Award/Order to be categorical and lucid:

- (1) Every Award or order of the Lok Adalat shall be categorical and lucid and shall be written in the language used in the local courts or English.
- (2) The parties to the dispute shall be required to affix their signatures or thumb impression as the case may be on the statements/compromise recorded by or placed before the Lok Adalat.
- (3) The Award of the Lok Adalat shall be based upon the statement of the parties to the compromise duly recorded by it.

26. Compilation of results:

At the conclusion of the sessions of the Lok Adalat, the Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall compile the results in the Annexed proforma for submission to the State Authority.

27. This regulation dealt with Remuneration of Permanent and Continuous Lok Adalat (Samjhuta Sadan) which is now discontinued.

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28. Procedure for maintaining record of cases referred under Section 20 of the Act or otherwise.

- (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall maintain a Register wherein all the cases received by him by way of reference to the Lok Adalat shall be entered giving particulars of the :-
 - (i) Date of receipt;
 - (ii) Category and subject wise 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 off by the Lok Adalat an appropriate entry will be made in the register.

29. Budget:

The expenditure for Lok Adalats organized by the District Authority or Sub-Divisional Legal Services Committee, shall be met out of District Legal Aid Fund. State Authority, may also make grants out of the State Legal Aid Fund to the District Authorities for this object.

30. Maintenance of Accounts:

- (1) The Chairman of the Authority or the Sub-Divisional Legal Services 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 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 Legal Services Committee shall render true and proper accounts to the District Authority every month.
- (4) After the Lok Adalat is organized, the Secretary of the District Authority or Chairman of the Sub-Divisional Legal Services Committee, shall forward the report in the following proforma prescribed for Disposal of Cases in Lok Adalats:

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FOR DISPOSAL IN NATIONAL LOK ADALAT HELD ON _____ (for the cases relating to _____) Name of the State Authority _____ Total No. of National Lok Adalats Benches Constituted _____									
	Pre-Litigation Cases			Pending Cases			Total		
Subject	Taken up	Disposed of	Settlement amount	Taken up	Disposed of	Settlement amount	Taken up	Disposed of	Settlement amount

31. Since one High Court Legal Services Committee under Section 8-A for the States of Punjab, Haryana and the Union Territory of Chandigarh, has been constituted, the Lok Adalats in the High Court shall be conducted in the manner as may be evolved by the Executive Chairman of the State Authorities of Punjab, Haryana, Union Territory of Chandigarh and Chairman of the High Court Legal Services Committee.

- 32.**
- (1) The appearance of lawyers on behalf of the parties at the Lok Adalat shall not be refused.
 - (2) No fee shall be payable by the parties in respect of matters or cases brought before or referred to a Lok Adalat.
 - (3) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall provide all assistance as may be necessary to the Lok Adalats.
 - (4) Every Bench of the Lok Adalat may evolve its own procedure for conducting the proceedings before it and shall not be bound by either the Civil Procedure Code or the Evidence Act or the Code of Criminal Procedure subject, however, to the principles of natural justice.

CHAPTER-VI

MISCELLANEOUS

33. Miscellaneous:

All notifications, regulations and orders made by the State Government will be valid unless they are inconsistent with Act, Rules made thereunder and these regulations.

34. Interpretation:

If any question arises as to the interpretation of these regulations, the decision of the Executive Chairman of the State Authority shall be final.

THE PERMANENT LOK ADALAT (OTHER TERMS AND CONDITIONS OF APPOINTMENT OF CHAIRMAN AND OTHER PERSONS) RULES, 2003¹

G.S.R. 3 (E). – In exercise of the powers conferred by clause (la) of sub-section (2) of section 27 of the Legal Services Authorities Act, 1987 (39 of 1987), the Central Government, in consultation with the Chief Justice of India, hereby makes the following rules, namely: -

1. Short title and commencement –

- (1) These rules may be called the Permanent Lok Adalat (Other Terms and Conditions of Appointment of Chairman and Other Persons) Rule, 2003.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions – In these rules, unless the context otherwise requires, -

- (a) “Act” means the Legal Services Authorities Act, 1987 (39 of 1987);
- (b) “Chairman” means a person appointed as Chairman of the Permanent Lok Adalat established by the Central Authority or a State Authority under sub-section (1) of section 22B of the Act;
- (c) “other person” means a person nominated under clause (b) of sub-section (2) of section 22B;
- (d) “Section” means a section of the Act;
- (e) “Permanent Lok Adalat” means a Permanent Lok Adalat established under sub-section (1) of section 22B;
- (f) words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Sitting Fee and other allowances of Chairman and other persons of Permanent Lok Adalat - (1) When a serving judicial officer is appointed as Chairman, he shall receive the salary, allowances and other perquisites as are admissible to a serving judicial officer;

(2)² When a retired Judicial Officer is appointed as Chairman, he shall be entitled to a monthly fee of last drawn salary less the amount of pension received by him.

¹ Framed vide notification No. G.S.R.3 (E) dated 2.1.2003 by Government of India, Ministry of Law & Justice, Department of Legal Affairs.

² Notification No.G.S.R.[E] dated 13.5.2008 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

(3)³ Any other person shall be entitled to a sitting fee of Rupees two thousand per sitting.

(4) The Chairman and other person shall be entitled to such traveling and daily allowances on official tour as are admissible to Group 'A' officers of the Central Government.

(5)⁴ For the purpose of attending the sittings of Permanent Lok Adalat, the Chairman and other person shall be entitled to conveyance allowance of rupees five thousand per month.

4. Terms and Conditions of Service of Chairman and other persons of Permanent Lok Adalat – (1) Before appointment, the Chairman and other person shall have to take an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as such Chairman or other person.

(2)⁵ The Chairman and other persons shall hold office for a term of five years or till the age of sixty five years, whichever is earlier.

(3) Notwithstanding anything contained in sub rule (2), Chairman or other persons may—

- (a) by writing under his hand and addressed to the Central Authority or, as the case may be, the State Authority, resign his office at any time;
- (b) be removed from his office in accordance with the provisions of rule 5.

(4) When the Chairman is unable to discharge his functions owing to absence, illness or any other cause, the senior-most (in order of appointment) person of Permanent Lok Adalat holding office for the time being shall discharge the functions of the Chairman until the day on which the Chairman resumes the charge of his functions.

(5) The Chairman or any other person ceasing to hold office as such shall not hold any appointment in, or be connected with, the management or administration of an organization which has been the subject of the proceeding under the Act during his tenure for a period of five years from the date on which he ceases to hold such office.

5. Resignation and removal – The Central Authority or State Authority, as the

³ Notification No. G.S.R.787(E) dated 22nd December, 2020 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

⁴ Notification No. G.S.R.618(E) dated 22nd June, 2016 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

⁵ Notification No. G.S.R.618(E) dated 22nd June, 2016 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

case may be, may remove from office, Chairman or other person who–

- (a) has been adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Authority, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as such Chairman or other person; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as Chairman or Other person; or
- (e) has or so abused his position as to render his continuance in office prejudicial to the public interest :

Provided that the Chairman or any other person shall not be removed from his office on the grounds specified in clauses (d) and (e), except on inquiry held in accordance with the procedure prescribed in rule 6.

6. Procedure for Inquiry – (1) Whenever the Central Authority or, as the case may be, State Authority is of the opinion that an allegation under clause (d) or clause (e) of Rule 5 is required to be inquired into, it may hold an inquiry against the Chairman or other person and shall draw or cause to be drawn up the substance of the allegation which shall contain a statement of relevant facts and a list of documents and witnesses.

(2) The Central Authority or, as the case may be, State Authority shall deliver or cause to be delivered to the Chairman or other person a copy of the allegation and a list of documents and witnesses and shall require him to submit within such time as may be allowed, a written reply or statement of his defence.

(3) If the allegations are admitted by the Chairman or other person, the Central Authority or, as the case may be, State Authority shall record reasons and remove the Chairman or other person.

(4) Where the charges have been denied by the Chairman or the other person, the Central Authority or, as the case may be, State Authority may appoint an officer to inquire into the truth of the allegations and it may also appoint a Presenting Officer to present the case on behalf of the Central Authority or, as the case may be, State Authority before the Inquiry Officer.

(5) The Inquiry Officer shall give an opportunity to the Presenting Officer to present the case within such time as may be allowed by the Inquiry Officer from time to time. After the evidence is closed by the Presenting Officer, the Chairman or other person, as the case may be, shall be given an opportunity to present his defence in respect of allegations within such time as may be allowed by the Inquiry Officer.

The Permanent Lok Adalat (Other Terms and Conditions of Appointment of Chairman and Other Persons) Rules, 2003

(6) The Inquiry Officer shall have power to call witnesses and record their statements or receive evidence on affidavits or call for production of documents or other relevant records, which may be necessary for the inquiry.

(7) The Inquiry Officer shall submit his report within a period of six months or within such time as may be extended by the Central Authority or, as the case may be, State Authority.

(8) If the Central Authority or, as the case may be, State Authority is satisfied that the charges are proved on the basis of the report submitted by the Inquiry Officer, it shall remove the delinquent Chairman or other person, as the case may be.

7. Place of sittings – (1) The Permanent Lok Adalat may sit at a place specified by the Central Authority or the State Authority, as the case may be.

(2) The working days and office hours of the Permanent Lok Adalat shall be the same as that of the Central Government or the State Government, as the case may be.

(3) The sitting of the Permanent Lok Adalat, as and when necessary, shall be convened by the Chairman.

8. Staff of Permanent Lok Adalat – The Central Government or the State Government, as the case may be, shall provide such staff as may be necessary to assist the Permanent Lok Adalat in its day-to-day work and perform such other functions as are provided under the Act and these rules or assigned to it by the Chairman. The salary payable to such staff shall be defrayed out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be.

Haryana Victim Compensation Scheme (2020)

HARYANA GOVERNMENT

ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

The 1st June, 2020

No. S.O. 24/C.A. 2/1974/S. 357A/2020.— In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Governor of Haryana in co-ordination with the Central Government, hereby frames the following schemes for providing funds for the purpose of compensation to the victim or his/her dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely :-

Part-I

Short title and application sexual

1. (1) This scheme shall be called the Haryana Victim Compensation Scheme, 2020. It shall apply to the victims except women victims/survivors of assault/other crimes.

Definitions

2. (1) In the scheme, unless the context otherwise requires,-
- (a) "Act" means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);
 - (b) "crime" means illegal act or omission or commission or an offence committed against the human body of the victim;
 - (c) "dependents" means wife/husband, father, mother, unmarried daughter, minor children and includes other legal heir of the victim who, on providing sufficient proof, is found fully dependent on the victim by the District Legal Services Authority ;
 - (d) "family" means parents, children and includes all blood relations living in the same household;
 - (e) "Schedule" means Schedule appended to this scheme ;
 - (f) "State" means the State of Haryana ;
 - (g) "Victim" means victim as defined under the Act

and also includes acid attack victim.

(2) Words and expressions used but not defined in this scheme, shall have the same meaning assigned to them in the Code of Criminal Procedure 1973 (Central Act 2 of 1974) and the Indian Penal Code 1860 (Central Act 45 of 1860).

Victim
Compensation
Fund

3. (1) There shall be constituted a fund namely victim compensation fund.
- (2) The victim compensation fund shall consist of,-
- (a) budgetary allocation for which necessary provision shall be made in the annual budget by the State ;
 - (b) receipt of amount of fines imposed under section 357 of the Act and ordered to be deposited by the courts in the fund.
 - (c) amount of compensation recovered from the wrongdoer/accused under clause 7 of the Scheme.
 - (d) donations/contributions from international/ national/ Philanthropist/ charitable institution/ organization and individuals.

The Administration of Justice Department shall be Nodal Department for regulating, administering and monitoring this scheme.

The State Legal Services Authority shall be accountable for its functions under the scheme and for furnishing periodical returns of the sums distributed to them by the State Government through the Nodal Department.

The fund shall be operated by the Member Secretary, State Legal Services Authority.

4. (1) A victim shall be eligible for the grant of compensation where,
- (a) A recommendation is made by the Court under sub-sections (2) and (3) of section 357-A of the Act, if no recommendation is made by the trial court, no compensation shall be granted by District Legal Services Authority except in the case when the offender is not traced out or identified ;
 - (b) the offender is not traced or identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act;

- (c) the victim/ claimant report the crime to the officer-in-charge of the police station or any senior police officer or Executive Magistrate or Judicial Magistrate of the area within 48 hours of the occurrence :

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting;

- (d) the offender is traced or identified, and where trail has taken place, the victim/claimant has cooperated with the police and prosecution during the investigation and trial of the case ;
- (e) where the offender is traced, the victim/claimant has co-operated during the investigation/trial and the offender dies before or after the commencement of trial, the victim may apply for grant of compensation.
- (f) The income of the family should not exceed four lakh fifty thousand rupees per annum ;
- (g) The crime on account of which the compensation which to be paid under this schemes should have been occurred within the jurisdiction of the State.

- (2) The employees of the Central or the State Government, Boards, Corporations and Public Undertaking and income tax payees shall not be eligible under this scheme.

5. (1) Whenever a recommendation is made by the Court under sub-section (2) of section 357-A of the Act or an application is made by any victim or his dependent under sub-section (4) of section 357-A of the Act to the District Legal Services Authority, the District Legal Services Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness of the claim. After verifying the claim and by conducting due enquiry, the District Legal Services Authority shall award compensation within two months, in accordance with provisions of this scheme.

(2) Compensation under this scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim/claimant shall remit an amount equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the compensation amount:

Provided that the compensation payable under this Scheme shall be in addition to the payment of the fine to the victim under section 326-A of the Indian Penal Code, 1860 (Central Act 45 of 1860).

(3) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.

(4) The quantum of compensation to be awarded to the victim or his dependents shall be as per Schedule-1.

(5) The amount of compensation decided, under the scheme shall be disbursed to the victim or his dependents, as the case may be, from the fund. While making payment of amount of compensation, the District Legal Services Authority shall ensure that all the provisions of this scheme are strictly complied with.

(6) Notwithstanding anything in this scheme, the Acid Attack Victim shall be paid an amount of Rs.1 Lakh rupees within fifteen days of the occurrence of the incident and the balance amount of Rs. 2 Lakh rupees shall be paid as expeditiously as may be possible and positively within two months.

(7) The compensation determined to be paid to minor shall be deposited in the fixed deposit.

(8) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or 'Rajiv Gandhi Pariwar Bima Yojna', or any other State-run scheme, shall be considered as part of the compensation amount under this scheme. The victim/claimant who has received compensation amount from collateral sources mentioned above shall be deemed to be compensated under this scheme and shall not be entitled to separate compensation under this scheme. If the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of fund.

(9) The cases covered under Motor Vehicle Act, 1988 (Central Act 59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the scheme.

(10) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned, or any other interim relief, as it may deem fit.

Haryana Victim Compensation Scheme (2020)

- Order to be placed on record 6. Copy of the order of compensation passed under this scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of section 357 of the Act.
- Recovery of compensation awarded to victim from wrongdoer/accused 7. The District Legal Services Authority, if deem it proper, may institute proceedings before the competent court of law for recovery of the compensation granted to the victim or his/her dependent(s) from the person responsible for causing loss or injury as a result of the crime committed by him.
- Limitation 8. No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of six months of the crime or six months from closure of investigation, whichever is later ?

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filling the claim.
- Appeal 9. Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days :

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filling the appeal.
10. The Haryana Victim Compensation Scheme, 2013 is hereby repealed:

Provided that any order made or action taken under the scheme so repealed shall be deemed to have been made or taken under the corresponding provisions of this scheme.

Schedule-I
{See clause 5(4)}

Sr. No.	Description of Injuries/loss	Minimum Amount of Compensation
1.	Acid attack	₹ 3 lakhs
2.	Physical abuse of minor	₹ 3 lakhs
3.	Rehabilitation of Victim of Human	₹ 1 lakh
4.	Sexual assault (Excluding rape)	₹ 50,000/-
5.	Death	₹ 2 lakhs
6.	Permanent Disability (80% or more)	₹ 2 lakhs
7.	Partial Disability (40 % to 80%)	₹ 1 lakh
8.	Burns affecting greater than 25% of the body (excluding Acid Attack cases)	₹ 2 lakhs

9.	Victims of cross border firing : (a) Death or Permanent Disability (80% or more) (b) Partial Disability (40% to 80%)	₹ 2 lakhs/₹ 1 lakh
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Note : If the victim is less than fourteen years of age, the compensation shall be increased by 50% over the amount specified above.

Part-II

Short title and Commencement and application.

1. (1) This scheme shall be called the Haryana Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes, 2020. and application.
- (2) It shall be deemed to have come into force with effect from the date of publication of the notification.
- (3) It shall apply to the victims and their dependent(s) who have suffered loss, injury, as the case may be, as a result of the offence committed and who require rehabilitation.

Definitions.

2. (1) In the scheme, unless the context otherwise requires:—
 - (a) **"Code"** means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);
 - (c) **"dependent"** includes husband, father, mother, grandparents, unmarried daughter and minor children of the victim as determined by the State Legal Services Authority or District Legal Services Authority on the basis of the report of the Sub-Divisional Magistrate of the concerned area/ Station House Officer/Investigating Officer or on the basis of material placed on record by the dependents by way of affidavit or on its own enquiry ;
 - (d) **"District Legal Services Authority"** means the District Legal Services Authority (DLSA) constituted under section 9 of the Legal Services Authorities Act, 1987(Central Act 39 of 1987);
 - (e) **"Form"** means form appended to the scheme ;
 - (f) **"Fund' means State fund"** i.e. victim compensation fund constituted under the State Victim Compensation Scheme;
 - (b) **"Central Fund"** means funds received from Central Victim Compensation Fund Scheme, 2015;
 - (0) **"Women Victim Compensation Fund"** means a fund

segregated for disbursement for women victim, out of State Victim Compensation Fund and Central Fund. [Within the State Victim Compensation Fund, a separate Bank Account shall be maintained as a portion of that larger fund which shall contain the funds contributed under Central Victim Compensation Fund Scheme by MHA, Government of India contributed from Nirbhaya Fund apart from funds received from the State Victim Compensation Fund which shall be utilised only for victims covered under this Chapter].

- (g) **"Government"** means 'State Government' wherever the State Victim Compensation Scheme or the State Victim Compensation Fund is in context and 'Central Government' wherever Central Government Victim Compensation Fund Scheme is in context and includes UTs;
- (h) **"injury"** means any harm caused to body or mind of a female
- (i) **"Minor"** means a girl child who has not completed the age of eighteen years;
- (j) **"offence"** means offence committed against women punishable under Indian Penal Code 1860 (Central Act 45 of 1860) or any other law ;
- (k) **"Penal Code"** means Indian Penal Code, 1860 (Central Act 45 of 1860);
- (l) **"Schedule"** means Schedule appends to this scheme ;
- (m) **"State Legal Services Authority"** means the State Legal Services Authority(SLSA), as defined in section 6 of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987);
- (n) **"Sexual Assault Victims"** means female who has suffered mental or physical injury or both as a result of sexual offence including sections 354 (A) to 354 (D), section 376 (A) to 376 (E) and section 509 of the Penal Code;
- (p) **"Woman Victim/ survivor of other crime"** means a woman who has suffered physical or mental injury as a result of any offence mentioned in the attached Schedule including sections 304 B, Section 326A, section 498A of the Penal Code (in case of physical injury of the nature specified in the schedule) including the attempts and abetment;

(2) Words and expressions used but not defined in this scheme shall have the same meaning as assigned to them in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and the Indian Penal Code, 1860 (Central Act 45 of 1860).

3. (1) There shall be a fund namely the Women Victims Compensation Fund from which the amount of compensation, as decided by the State Legal Services Authority or District Legal Services Authority shall be paid to the women victim or her dependent(s) who have suffered loss or injury as a result of an offence and who require rehabilitation.

(2) The Women Victims Compensation Fund shall comprise the following :-

(a) contribution received from Central Victim Compensation Fund Scheme, 2015.

(b) budgetary allocation in the shape of Grants-in-aid to State Legal Services Authority for which necessary provision shall be made in the Annual Budget by the Government;

(c) any cost amount ordered by Civil/Criminal Tribunal to be deposited in this fund.

(d) amount of compensation recovered from the wrongdoer/accused under clause 4 of the scheme;

(e) Donations/contributions from International/ National/ Philanthropist/ Charitable Institutions/ Organizations and individuals permitted by the State or the Central Government.

(f) Contributions from companies under Corporate Social Responsibility.

(3) The said fund shall be operated by the State Legal Services Authority.

4. A woman victim or her dependent (s) as the case may be, shall be eligible for grant of compensation from multiple schemes applicable to her. However, the compensation received by her in the other schemes with regard to section 357-B of the Code shall be taken into account while deciding the quantum in the such subsequent application.

5. Mandatory Reporting of FIRs: - SHO/SP/DCP shall mandatorily share soft/hard copy of FIR immediately after its registration with State Legal Services Authority/District Legal Services Authority qua commission of offences covered in this scheme which include sections 326A, 354A to 354D, 376A to 376E, 304B, 498A of the Penal Code (in case of physical injury covered in this Schedule), so that the State Legal Services Authority or District Legal Services

Authority can, in deserving cases, may suo-moto initiate preliminary verification of facts for the purpose of grant of interim compensation.

An application for the award of interim/ final compensation can be filed by the victim and/or her dependents or the SHO of the area before concerned State Legal Services Authority or District Legal Services Authority. It shall be submitted in Form T along with a copy of the First Information Report (FIR) or criminal complaint of which cognizance is taken by the Court and if available Medical Report, Death Certificate, wherever applicable, copy of judgment/ recommendation of court if the trial is over.

6. The application/recommendation for compensation can be moved either before the State Legal Services Authority or the concerned District Legal Services Authority or it can be filed online on a portal which shall be created by all State Legal Services Authorities. The Secretary of the respective District Legal Services Authority shall decide the application/ recommendation moved before him/her as per the scheme.

Explanation: In case of acid attack victim the deciding authority shall be Criminal Injury Compensation Board as directed by Hon'ble Supreme Court in Laxmi vs. Union of India W.P.CRML 129/2006 order dated the 10th April, 2015 which includes Ld. District and Sessions Judge, DM, SP, Civil Surgeon/CMO of the district.

7. The State Legal Services Authority or District Legal Services Authority may award compensation to the victim or her dependents to the extent as specified in the Scheduled.

Factors to be considered while awarding compensation.

8. While deciding a matter, the State Legal Services Authority or District Legal Services Authority may take into consideration the following factors relating to the loss or injury suffered by the victim ,-

- (i) gravity of the offence and severity of mental or physical harm or injury suffered by the victim ;
- (ii) expenditure incurred or likely to be incurred on the medical treatment for physical and/or mental health including counselling of the victim, funeral, travelling during investigation/ inquiry/ trial (other than diet money);
- (iii) loss of educational opportunity as a consequence of the offence, including absence from school/college due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason ;
- (iv) loss of employment as a result of the offence, including absence from place of employment due to mental trauma, bodily injury, medical treatment, investigation and trial of the

- offence, or any other reason ;
- (v) the relationship of the victim to the offender, if any ;
 - (vi) whether the abuse was a single isolated incidence or whether the abuse took place over a period of time ;
 - (vii) whether victim became pregnant as a result of the offence, whether she had to undergo Medical Termination of Pregnancy (MTP)/ give birth to a child, including rehabilitation needs of such child ;
 - (viii) whether the victim contracted a sexually transmitted disease (STD) as a result of the offence;
 - (ix) whether the victim contracted human immunodeficiency virus (HIV) as a result of the offence;
 - (x) any disability suffered by the victim as a result of the offence ;
 - (xi) financial condition of the victim against whom the offence has been committed so as to determine her need for rehabilitation and re-integration needs of the victim ;
 - (xii) in case of death, the age of deceased, her monthly income, number of dependents, life expectancy, future promotional/growth prospects etc ;
 - (xiii) any other factor which the State Legal Services Authority or District Legal Services Authority may consider just and sufficient.
9. (1) Wherever, a recommendation is made by the court for compensation under sub sections (2) and/or (3) of section 357A of the Code, or an application is made by any victim or her dependent(s), under sub-section (4) of section 357A of the Code, to the State Legal Services Authority or District Legal Services Authority, for interim compensation it shall prima-facie satisfy itself qua compensation needs and identity of the victim. As regards the final compensation, it shall examine the case and verify the contents of the claim with respect to the loss/injury and rehabilitation needs as a result of the crime and may also call for any other relevant information necessary for deciding the claim:

Provided that in deserving cases and in all acid attack cases, at any time after commission of the offence, Secretary, State Legal Services Authority or Secretary, District Legal Services Authority may sua moto or after preliminary verification of the facts proceed to grant interim relief as may be required in the circumstances of each case.

- (2) The inquiry as contemplated under sub-section (5) of section 357A of the Code, shall be completed expeditiously and the period in no case shall exceed beyond sixty days from the receipt of the claim/petition or recommendation :

Provided that in cases of acid attack an amount of One lakh rupees shall be paid to the victim within fifteen days of the matter being brought to the notice of District Legal Services Authority. The order granting interim compensation shall be passed by District Legal Services Authority within seven days of the matter being brought to its notice and the State Legal Services Authority shall pay the compensation within eight days of passing of the order. Thereafter, an amount of Two lakhs rupees shall be paid to the victim as expeditiously as possible and positively within two months of the first payment:

Provided further that the victim may also be paid such further amount as is admissible under this scheme.

- (3) After consideration of the matter, the State Legal Services Authority or District Legal Services Authority, as the case may be, upon its satisfaction, shall decide the quantum of compensation to be awarded to the victim or her dependent(s) taking into account the factors enumerated in clause 8 and Schedule-I. However, in deserving cases, for reasons to be recorded, the upper limit may be exceeded:

Provided, in case the victim is minor, the limit of compensation shall be deemed to be 50% higher than the amount mentioned in the Schedule-I.

- (4) The quantum of compensation to be awarded to the victim or his dependents shall be as per Schedule-I.

*** *Victims of acid attack are also entitled to additional compensation of Rs. 1 lakh rupees under Prime Minister's National Relief Fund vide memorandum no. 24013/94/Misc./2014-CSR-III/GoI/MHA dated the 9th November, 2016.***

*** *Victims of acid attack are also entitled to additional special financial assistance up to five Lakh rupees who need treatment expenses over and above the compensation paid by the respective State/VTs in terms of Central Victim Compensation Fund Guidelines-2016, no. 24013/94/Misc/2014-CSR.M,MHA/GoI.***

- (5) The State Legal Services Authority or District Legal Services Authority may call for any record or take assistance from any Authority/Establishment/Individual/ Police/Court concerned or expert for smooth implementation of the Scheme.

- (6) In case trial/appellate court gives findings that the criminal complaint and the allegation were false, then Legal Services Authority may initiate proceedings for recovery of compensation, if any, granted in part or full under this scheme, before the Trial Court for its recovery as if it were a fine.

10. Copy of the order of interim or final compensation passed under this scheme shall be placed on record of the Trial Court so as to enable the trial Court to pass an appropriate order of compensation under section 357 of the Code. A true copy of the order shall be provided to the 10 in case the matter is pending investigation and also to the victim/dependent as the case may be.

11. (1) The amount of compensation so awarded shall be disbursed by the State Legal Services Authority by depositing the same in a Bank in the joint or single name of the victim/dependent(s). In case the victim does not have any bank account, the District Legal Services Authority concern would facilitate opening of a bank account in the name of the victim and in case the victim is a minor along with a guardian or in case, minor is in a child care institution, the bank account shall be opened with the superintendent of the institution as guardian. However, in case the victim is a foreign national or a refugee, the compensation can be disbursed by way of cash cards.

Interim amount shall be disbursed in full. However, as far as the final compensation amount is concerned, 75% (seventy five percent) of the same shall be put in a fixed deposit for a minimum period of three years and the remaining 25% (twenty five percent) shall be available for utilization and initial expenses by the victim/dependent(s), as the case may be.

(2) In the case of a minor, 80% of the amount of compensation so awarded, shall be deposited in the fixed deposit account and shall be drawn only on attainment of the age of majority, but not before three years of the deposit:

Provided that in exceptional cases, amounts may be withdrawn for educational or medical or other pressing and urgent needs of the beneficiary at the discretion of the State Legal Services Authority or District Legal Services Authority.

(3) The interest on the sum, if lying in Fixed Deposit Receipt form, shall be credited directly by the bank in the savings account of the victim/dependent(s), on monthly basis which can be withdrawn by the beneficiary.

12. The State Legal Services Authority or District Legal Services Authority, as the case may be, may order for immediate first-aid facility or medical benefits to be made available free of cost or any other interim relief (including interim monetary compensation) as deemed appropriate, to alleviate the suffering of the victim on the certificate of a police officer, not below the rank of the officer-in-charge of the police station, or a Magistrate of the area concerned or on the application of the victim/ dependents or suo moto : Order to be placed on record.

Provided that as soon as the application for compensation is received by the State Legal Services Authority or District Legal Services Authority, a sum of five thousands rupees or as the case warrants up to ten thousands rupees shall be immediately disbursed to the victim through preloaded cash card from a Nationalised Bank by the Secretary, District Legal Services Authority or Member Secretary, State Legal Services Authority :

Provided further that the interim relief so granted shall not be less than twenty five percent of the maximum compensation awardable as per Schedule-I, which shall be paid to the victim in totality :

Provided further that in cases of acid attack a sum of One lakh rupees shall be paid to the victim within fifteen days of the matter being brought to the notice of State Legal Services Authority or District Legal Services Authority. The order granting interim compensation shall be passed by the State Legal Services Authority or District Legal Services Authority within seven days of the matter being brought to its notice and the State Legal Services Authority shall pay the compensation within eight days of passing of order. Thereafter an additional sum of two lakh rupees shall be awarded and paid to the victim as expeditiously as possible and positively within two months.

Recovery of compensation awarded to Victim or her dependent(s)

13. Subject to the provisions of sub-section (3) of section 357A of the Code, the State Legal Services Authority, in proper cases, may institute proceedings before the competent court of law for recovery of the compensation granted to the victim or her dependent(s) from person(s) responsible for causing loss or injury as a result of the crime committed by him/her. The amount, so recovered, shall be deposited in Woman Victim Compensation Fund.

Dependency Certificate

14. The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and, in no case, this period shall be extended :

Provided that the State Legal Services Authority or District Legal Services Authority in case of non-issuance of Dependency Certificate, after expiry of fifteen days, may proceed on the basis of an affidavit to be obtained from the claimant.

Minor Victims

15. That in case the victim is an orphaned minor without any parent or legal guardian the immediate relief or the interim compensation shall be disbursed to the bank account of the child, opened under the guardianship of the superintendent, child care institutions where the child is lodged or in absence thereof, DDO/SDM, as the case may be.

Limitations.

16. Under the Scheme, no claim made by the victim or her dependent(s), under sub-section (4) of section 357A of the Code, shall be entertained after a period of three years from the date of occurrence of the offence or conclusion of the trial;

However, in deserving cases, on an application made in this regard,

for reasons to be recorded, the delay beyond three years can be condoned by the State Legal Services Authorities or District Legal Services Authorities.

Appeal.

17. In case the victim or his dependents are not satisfied with the quantum of compensation awarded by the Secretary, District Legal Services Authority, they can file appeal within thirty days from the date of receipt of order before the Chairperson, District Legal Services Authority ;

Provided that, delay in filing appeal may be condoned by the Appellate Authority, for reasons to be recorded, in deserving cases, on an application made in this regard.

Special provisions.

18. (1) In case this scheme is silent on any issue pertaining to Victim Compensation to Women, the provisions of Victim Compensation Scheme of the State would be applicable.

(2) Nothing in this scheme shall prevent victims or their dependents from instituting any Civil Suit or Claim against the perpetrator of offence or any other person indirectly responsible for the same.

Explanation: It is clarified that this scheme does not apply to minor victims under the Protection of Children from Sexual Offences Act, 2012 (Central Act 12 of 2012) in so far as their compensation issues are to be dealt with only by the Ld. Special Courts under section 33 (8) of the Protection of Children from Sexual Offences Act, 2012 (Central Act 12 of 2012) and rule (7) of the Protection of Children from Sexual Offences Rules, 2012.

Haryana Victim Compensation Scheme (2020)

FORM-1

{See clause 5}

APPLICATION FOR THE AWARD OF COMPENSATION UNDER COMPENSATION
SCHEME FOR WOMEN VICTIMS/SURVIVORS OF SEXUAL ASSAULT/OTHER CRIMES,
2020 FOR INTERIM/ FINAL RELIEF FOR WOMEN

1.	Name of the Applicant Victim(s) or her Dependent(s)	
2.	Age of the Victim(s) or her Dependent(s)	
3.	(a) Father's Name (b) Mother's Name (c) Spouse's Name	
4.	Address of the Victim(s) or her/their Dependent(s)	
5.	Date and time of the Incident	
6.	Whether FIR has been lodged?	
7.	Whether medical examination has been done? If yes, enclose Medical Report/ Death Certificate /P.M. Report.	
8.	Status of trial, if pending. If over, enclose copy of judgment and order on sentence.	
9.	Has the applicant been awarded any compensation by the trial court or any other Govt, agency. If, yes give details.	
10.	Give details of financial expenditure/ loss incurred	
11.	Have you instituted any civil suit/ claim against the perpetrator of offence. If yes give details.	

Signature of the Victim/Dependent.

Haryana Victim Compensation Scheme (2020)

Schedule -1
{See clause 9(4)}

Serial Number.	Particulars of loss or injury	Minimum Limit of Compensation	Upper Limit of compensation
1	Loss of Life	₹ 5 Lakh	₹ 10 Lakh
2	Gang Rape	₹ 5 Lakh	₹ 10 Lakh
3	Rape	₹ 4 Lakh	₹ 7 Lakh
4	Unnatural Sexual Assault	₹ 4 Lakh	₹ 7 Lakh
5	Loss of any Limb or part of body resulting in 80% permanent disability or above	₹ 2 Lakh	₹ 5 Lakh
6	Loss of any Limb or part of body resulting in 40% and below 80% permanent disability	₹ 2 Lakh	₹ 4 Lakh
7	Loss of any limb or part of body resulting in above 20% and below 40% permanent disability	₹ 1 Lakh	₹ 3 Lakh
8	Loss of any limb or part of body resulting in below 20% permanent disability	₹ 1 Lakh	₹ 2 Lakh
9	Grievous physical injury or any mental injury requiring rehabilitation	₹ 1 Lakh	₹ 2 Lakh
10	Loss of Foetus i.e. Miscarriage as a result of Assault or loss of fertility.	₹ 2 Lakh	₹ 3 Lakh
11	In case of pregnancy on account of	₹ 3 Lakh	₹ 4 Lakh
12	Victims of Burning:		
a.	In case of disfigurement of case	₹ 7 Lakh	₹ 8 Lakh
b.	In case of more than 50%	₹ 5 Lakh	₹ 8 Lakh
c.	In case of injury less than 50%	₹ 3 Lakh	₹ 7 Lakh
d.	In case of less than 20%	₹ 2 Lakh	₹ 3 Lakh
13	Victims of Acid Attack-		
a.	In case of disfigurement of face.	₹ 7 Lakh	₹ 8 Lakh
b.	In case of injury more than 50%.	₹ 5 Lakh	₹ 8 Lakh
c.	In case of injury less than 50%.	₹ 3 Lakh	₹ 5 Lakh
d.	In case of injury less than 20%	₹ 3 Lakh	₹ 4 Lakh

Note: If a woman victim of sexual assault/acid attack is covered under one or more category of the schedule, she shall be entitled to be considered for combined value of the compensation.

VIJAY VARDHAN,
Additional Chief Secretary to
Government Haryana,
Administration of Justice
Department.

VIII

**THE HIGH COURT LEGAL SERVICES COMMITTEE
REGULATIONS, 1998¹**

In exercise of the powers conferred by Section 8A and 29-A of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) the Haryana State Legal Services Authority, Chandigarh hereby makes the following regulations:

CHAPTER 1

Preliminary

1. Short title extent and commencement - (1) These regulations may be called the High Court Legal Services Committee Regulations, 1998.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. In these regulations, unless the context otherwise requires:-

- (a) “Act” means the Legal Services Authorities Act, 1987;
- (b) “Aided Person” means a person to whom legal aid, legal advice or legal services have been provided in any form;
- (c) “Chief Justice” means the Chief Justice of the High Court;
- (d) “Chairman” means the Chairman of the High Court Legal Services Committee;
- (e) “Committee” means the High Court Legal Services Committee;
- (f) “Central Authority” means the National Legal Services Authority constituted under Section 3;
- (g) “High Court” means the High Court of Punjab and Haryana at Chandigarh;
- (h) “Legal Service” includes rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matter;
- (i) “Lok Adalat” means a Lok Adalat organized by the High Court under Chapter VI of the Act;
- (j) “Member” means a member of the Committee;

¹ Published in Haryana Government Gazette (Extra.) April 17, 1998 (CHTR.27, 1920 SAKA).

- (k) “Rules” means the State Legal Services Authorities Rules;
- (l) “Secretary” means the Secretary of the High Court Legal Services Committee;
- (m) “Section” means a Section of the Act;
- (n) “State Authority” means State Legal Services Authority constituted under Section 6.

CHAPTER II

3. Members of the High Court Legal Service Committee - (1) The Committee shall consist of the following ex-officio members;

- (a) Advocate General, Punjab.
 - (b) Advocate General, Haryana.
 - (c) Chairman, Bar Council for the States of Punjab and Haryana.
 - (d) President, High Court Bar Association, Chandigarh.
 - (e)² Home Secretary, Chandigarh Administration.
- (2) The Chief Justice may nominate other members not exceeding five, from amongst persons possessing the experience and qualifications specified in sub-regulation (3);
- (3) A person shall not be qualified for nomination as a member unless he is;
- (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the Society, including scheduled castes, scheduled tribes, women, children, rural and urban labour,
 - (b) an eminent person in the field of law or public administration,

OR

- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

4. Term of office and other conditions of the members - (1) The term of the office of the members nominated under sub-regulation (2) of regulation 3 shall be two years and such members shall be eligible for re-nomination.

² Inserted by Haryana State Legal Services Authority vide Notification No. 2692/HSLA/98, dated 20-8-1998 as published in Haryana Government Gazette (Extra) on 4-9-98.

(2) A member nominated under sub-regulation (2) of regulation 3 may be removed by the Chief Justice, if he;

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

Provided that no member shall be removed from the Committee under clauses (a), (d) or (e) without affording him an opportunity of being heard.

(3) A member may, by writing under his hand addressed to the Chairman, resign from the membership of the Committee and the resignation shall take effect from the date on which it is accepted by the Chairman.

(4) If any member nominated under sub-regulation (2) of the regulation 3 ceases to be a member for any reason, the vacancy shall be filled up in the manner provided in the regulations for the residue of the term of the person in whose place he is nominated.

(5) All non-official members nominated under sub-regulation (2) of regulation 3 shall be entitled to payment of such travelling allowance and daily allowance in respect of journeys performed in connection with the work of the Committee in accordance with the rules applicable to Class-I officers of the High Court.

5. Functions of the Committee -Subject to the general superintendence and control of the State Authority, the High Court Committees shall exercise the following powers and perform the following functions :-

(1) It shall be the duty of the Committee to give effect to such policies, programmes and schemes of the Legal Aid, Legal Advice and Legal Services as may be formulated and required by the Central Authority and the State Authority.

(2) The Committee shall perform all or any of the functions, namely:-

- (a) provide Legal Aid, Legal Advice and Legal Services to persons who are eligible for the purpose under the Act or the rules for High Court cases;
- (b) organize and conduct Lok Adalat for High Court cases; and

- (c) encourage settlement of cases by way of negotiations, arbitration and conciliation.
- (d) perform such functions as may be delegated to it from time to time by the State Authority.

6. Secretary of the Committee - (1) The Secretary of the aforesaid Committee will be paid honorarium of Rs.1,000/- per month or such amount as may be fixed by the Chairman for the performance of the functions and discharge of the duties as Secretary.

(2) The Secretary of the Committee shall be the principle officer of the Committee and shall:

- (a) be the custodian of all the assets, accounts, records and funds of the Committee and shall work under the supervision and direction of the Chairman;
- (b) maintain or cause to be maintained true and proper accounts of receipts and disbursements of the funds of the Committee in such form and in such manner as may be specified by the State Authority;
- (c) exercise such powers and perform such functions and discharge such duties as may be assigned to him by the Chairman; and
- (d) perform all other acts as may be expedient and necessary for efficient and proper performance of functions and discharge duties of the Committee.

7. Transaction of business of the Committee - (1) The Committee shall ordinarily meet once in every three months, on such date and at such place as may be fixed by the Secretary with the prior approval of the Chairman.

- (2) (a) All policy and other important matters shall be brought before the State Authority for consideration and decision;
- (b) Any specific matter or matters as may be desired or required by the Committee, generally or otherwise, to be placed before it, shall be brought before the Committee for its consideration and decision;
- (c) A meeting of the Committee shall be presided over by the Chairman.
- (d) The quorum for a meeting shall be five members including the Chairman.

- (e) For every meeting of the Committee, at least two weeks notice shall be given to the members to attend the meeting; however an emergent meeting may be convened by the Secretary, in accordance with the directions of the Chairman, on short notice;
- (f) In respect of emergent matters, the Chairman may exercise the powers and perform the functions and discharge the duties of the Committee. All such matters shall however be placed before the Committee for its information and approval.

(3) The Committee shall regulate its own procedure under the directions of the State Authority.

(4) All questions at the meetings of the Committee shall be decided by a majority of the members present and voting and in case of tie, the Chairman or the person presiding over the meeting, shall have a second or casting vote.

(5) The minutes of the proceedings of each meeting shall be truly and faithfully maintained by the Secretary. A copy of the minutes shall, as soon as may be after the meeting, be forwarded to the Member Secretaries of the State Authorities of Punjab, Haryana and Union Territory of Chandigarh.

8. Funds, Audit and Accounts of the Committee:

(1) The Committee shall maintain a Fund to be called the High Court Legal Services Committee Fund to which shall be credited:

- (a) Such amount as may be allocated and granted to it by the State Authorities of Punjab, Haryana and Union Territory of Chandigarh as per the apportionment made by the Hon'ble Chief Justice in consultation with the Executive Chairmen of the State Authorities of Punjab, Haryana and Union Territory of Chandigarh.
- (b) All such amounts as received by the Committee by way of donations; costs, charges and expenses recovered from the persons to whom legal service is provided or from the opposite party.

(2) All the amounts credited to the said Fund shall be deposited in a nationalized bank.

Explanation : In this sub-regulation "Nationalized Bank" means corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

(3) For the purpose of meeting incidental minor charges, such as court fee, stamps and expenditure necessary for obtaining copies of documents etc., a permanent advance of Rupees two thousand five hundred shall be placed at the disposal of the Secretary of the Committee.

(4) All expenditure on legal service, accommodation and staff of the committee as also expenditure necessary for carrying out the various functions of the Committee shall be incurred out of the funds of the Committee with the prior approval of the Chairman.

(5) The funds of the Committee may be utilized for meeting the expenses incurred on or incidental to journeys undertaken by the Chairman or other members of the Committee or the Secretary in connection with legal services activities. The travelling allowance and dearness allowance payable to the Chairman, the ex-officio members and the Secretary shall be such to which they are entitled by virtue of their respective offices.

(6) The Secretary of the Committee shall operate the bank accounts of the Committee in accordance with the directions of the Chairman.

(7) The Committee shall maintain regular accounts of receipts and disbursement of income and expenditure and submit annual returns to State Authorities of Punjab, Haryana and Union Territory of Chandigarh. The account shall be subject to audit as per Section-18 of the Act.

9. Special provision regarding Legal Services - (1) There being one High Court for the States of Punjab, Haryana and Union Territory of Chandigarh, one High Court Legal Services Committee for the High Court of Punjab and Haryana shall be constituted.

(2) For Legal Services originating or pertaining to Haryana State, Rules 19 to 27 of the Haryana State Legal Services Authority Rules, 1996, shall be followed.

10. Miscellaneous - All notifications, regulations and orders made by the State Government, will be valid unless they are inconsistent with Act, Rules made there under and these regulations.

11. Interpretation - If any question arises as to the interpretation of these regulations, the decision of the Executive Chairman of the State Authority shall be final.

THE NATIONAL LEGAL SERVICES AUTHORITY (LOK ADALAT) REGULATIONS, 2009

(As amended vide notification F.No. L/28/09/NALSA dated 28.08.2019
published in the Gazette of India on 6.9.2019)

In exercise of the powers conferred by Section 29 of the Legal Services Authorities Act, 1987, the Central Authority hereby makes the following regulations, namely:

1. Short title and commencement. – (1) These regulations may be called National Legal Services Authority (Lok Adalats) Regulations, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - In these Regulations, unless the context otherwise requires –

(a) ‘Act’ means the Legal Services Authorities Act, 1987 (39 of 1987).

(b) ‘Lok Adalat’ means Lok Adalats to be organized under Section 19 of the Act

(ba)¹ ‘Pre-Litigation matter’ means a dispute between the parties which is not filed before the court.

(c) All other words and expressions used but not defined in these regulations and defined in the Legal Services Authorities Act, 1987(39 of 1987) or the National Legal Services Authority Rules, 1995 shall have the meanings respectively assigned to them in the said Act or rules.

3. Procedure for organising Lok Adalats:- (1) Lok Adalat may be organised by the State Authorities or District Authorities or Supreme Court Legal Services Committee or High Court Legal Services Committee or, as the case may be, the Taluk Legal Services Committees at regular intervals and such Lok Adalats shall be organised for a definite geographical area as the aforesaid Authorities or Committees think fit:

Provided that, Special Lok Adalats shall be organised for all Family Courts at regular intervals.

(2) The Member-Secretary or Secretary of the High Court Legal Services Committee or District Authority, or the case may be, the Chairman of the Taluk Legal Services Committee may associate the members of the legal profession, college students, social organisations, charitable and philanthropic institutions and other similar organisations for organizing the Lok Adalats.

4. Intimation to the State Authority:- The Secretary of the High Court Legal Services Committee or District Authority or Chairman of the Taluk Legal Services Committee, as the case may be, shall inform the State Authority about the proposal to organize the 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, namely:-

(i) the place and the date on which the Lok Adalat is proposed to be organized;

¹ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

- (ii) whether any of the organisations as referred to in sub-regulation(2) of regulation 3 above have agreed to associate themselves with Lok Adalat;
- (iii) categories and nature of cases,viz., pending cases or pre-litigation disputes, proposed to be placed before the Lok Adalat;
- (iv) number of cases proposed to be brought before the Lok Adalat in each category;
- (v) any other information relevant to the convening and organizing of the Lok Adalat.

5. Notice to parties concerned:- The Member Secretary or Secretary of the High Court Legal Services Committee or District Authority or, as the case may be, the Chairman of the Taluk Legal Services Committee convening and organizing the Lok Adalat shall inform every party concerned whose case is referred to the Adalat, well in time so as to afford him an opportunity to prepare himself for the Lok Adalat:

Provided that such notice may be dispensed with, if the Court while referring the case to the Lok Adalat fixes or informs the date and time of the Lok Adalat in the presence of the parties, or their advocates:

Provided further that if a party is not willing to refer their case to Lok Adalat, the case may be considered on its merits by the Court concerned.

6. Composition of Lok Adalat:- (a) At State Authority Level.- The Member Secretary organising the Lok Adalat 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 any one or ²two of the following:-

- (i) a member of the legal profession;
- (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.
- (iii)³ a professional from the field related to the subject matter of the Lok Adalat; and
- (iv)⁴ a mediator or a professional or a serving or retired senior executive.

(b) At High Court Level:- The Secretary of the High Court Legal Services Committee organizing the Lok Adalat 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 any one or ²two of the following: -

- (i) a member of the legal profession;

² Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

³ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

⁴ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

(ii) a social worker belonging to the category as mentioned in item (ii) of sub-para (a) above;

³(iii) a professional from the field related to the subject matter of the Lok Adalat; and

⁴(iv) a mediator or a professional or a serving or retired senior executive.

(c) **At District Level:-** The Secretary of the District Authority organizing the Lok Adalats shall constitute benches of the Lok Adalats, each bench comprising of a sitting or retired judicial officer and any one or two of the following:-

(i) a member of the legal profession;

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

(iii) a professional from the field related to the subject matter of the Lok Adalat; and

(iv) a mediator or a professional or a serving or retired senior executive.

(d) **At Taluk Level :-** The Chairman of the Taluk Legal Services Committee organizing the Lok Adalat shall constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judicial officer and any one or two of the following:-

(i) a member of the legal profession;

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

(iii) a professional from the field related to the subject matter of the Lok Adalat; and

(iv) a mediator or a professional or a serving or retired senior executive.

6⁵ A. Payment of Special Duty Allowance:- If the Lok Adalat is organised on a holiday or organised beyond court hours on a working day, the ⁶presiding judges, other members and staff assisting the Lok Adalat shall be paid Special Duty Allowance as may be fixed by the concerned State Legal Services Authority:

Provided that such Special Duty Allowance shall not be less than the allowance recommended by the National Legal Services Authority.

7. Allotment of cases to Lok Adalats:- (1) The Member Secretary, the Secretary of the High Court Legal Services Committee, the District Authority or Chairman of the Taluk Legal Services Committee, as the case may be, shall assign specific cases to each bench of the Lok Adalat.

(2) The Member Secretary, the Secretary of the High Court Legal Services Committee

⁵ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

⁶ Substituted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

or the District Authority or Chairman of the Taluk Legal Services Committee, as the case may be, may prepare a cause list for each bench of the Lok Adalat and intimate the same to all concerned at least two days before the date of holding of the Lok Adalat.

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

8. Holding of Lok Adalats. - Lok Adalats may be organised at such time and place and on such days, including holidays as the State Authority, High Court Legal Services Committee, District Authority, or the Taluk Legal Services Committee, as the case may be, organising the Lok Adalat deems appropriate.

9. Jurisdiction of Lok Adalats.- Lok Adalats shall have the power only to help the parties to arrive at a compromise or settlement between the parties to a dispute and, while so doing, it shall not issue any direction or order in respect of such dispute between the parties.

10. Reference of cases and matters. - (1) Lok Adalat shall get jurisdiction to deal with a case only when a court of competent jurisdiction orders the case to be referred in the manner prescribed in Section 20 of the Act or under Section 89 of the Code of Civil Procedure, 1908 (5 of 1908).

(1A)⁷ A pre-litigation matter may be referred to the Lok Adalat by the concerned Legal Services Institution on the request of any of the parties after giving a reasonable opportunity of being heard to the other party.

(2) A mechanical reference of pending cases to Lok Adalat shall be avoided and the referring court shall, *prima facie* satisfy itself that there are chances of settlement of the case through Lok Adalat and the case is appropriate to be referred to Lok Adalat:

Provided that matters relating to divorce and criminal cases which are not compoundable under the Code of Criminal Procedure, 1973 (2 of 1974) shall not be referred to Lok Adalat.

(3) In a pending case where only one of the parties had made application to the court for referring the case to Lok Adalat, or where the court *suo motu* is satisfied that the case is appropriate to take cognizance by Lok Adalat, the case shall not be referred to the Lok Adalat except after giving a reasonable opportunity of being heard to the parties.

(4)⁸ The need based continuous Lok Adalats may be constituted in order to facilitate regular reference and timely disposal of cases.

11. Summoning of records and the responsibility for its safe custody. - (1) The Member Secretary, the Secretary of the High Court Legal Services Committee, the District Authority or, as the case may be, the Chairman of the Taluk Legal Services Committee may

⁷ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

⁸ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

call for the judicial records of pending cases which are referred to the Lok Adalat under Section 20 of the Act from the courts concerned.

(2) The officer duly authorised by the Member Secretary, the Secretary of the High Court Legal Services Committee, the District Authority or the Chairman of the Taluk Legal Services, as the case may be, shall be responsible for the safe custody of records from receiving of the same from court till they are returned.

(3) The judicial records shall be returned within ten days of the Lok Adalat irrespective of whether or not the case is settled by the Lok Adalat with an endorsement about the result of proceedings:

Provided that wherever it is appropriate, the court concerned from where the records are called may permit the records to be retained beyond the period of ten days.

(4) Every judicial authority is expected to co-operate in transmission of the judicial records.

12. Pre-Litigation matters. - (1) In a Pre-litigation matter it may be ensured that the court for which a Lok Adalat is organised has territorial jurisdiction to adjudicate in the matter.

(2) Before referring a Pre-litigation matter to Lok Adalat the Authority concerned or Committee, as the case may be, shall give a reasonable hearing to the parties concerned.

Provided that the version of each party, shall be obtained by the Authority concerned or, as the case may be, the Committee for placing it before the Lok Adalat,

(3) An award based on settlement between the parties can be challenged only on violation of procedure prescribed in section 20 of the Act by filing a petition under articles 226 and 227 of the Constitution of India.

13. Procedure in Lok Adalats.- (1) Members of Lok Adalat have the role of statutory conciliators only and have no judicial role and they, *mutatis mutandis*, may follow the procedure laid down in sections 67 to 76 of the Arbitration and Conciliation Act, 1996 (26 of 1996).

(2) Members of Lok Adalat shall not pressurise or coerce any of the parties, to compromise or settle cases or matters, either directly or indirectly.

(3) In a Lok Adalat the members shall discuss the subject matter with the parties for arriving at a just settlement or compromise and such members of the Lok Adalat shall assist the parties in an independent and impartial manner in their attempt to reach amicable settlement of their dispute:

Provided that if it found necessary the assistance of an independent person or a trained mediator may also be availed of the by Lok Adalat.

(4) Members of Lok Adalat shall be guided by principles of natural justice, equity, fairplay, objectivity, giving consideration to, among other things, the rights and obligations of the parties, custom and usages and the circumstances surrounding the dispute.

(5) The Lok Adalat may conduct the proceedings in such a manner as it considers appropriate taking into account the circumstances of the case, wishes of the parties including any request by a party to the Lok Adalat to hear oral statements, and the need for a speedy settlement of the dispute.

(6) The Lok Adalat shall not determine a reference, at its own instance, but shall determine only on the basis of a compromise or settlement between the parties by making an award in terms of the compromise or settlement arrived at:

Provided that no Lok Adalat has the power to hear the parties to adjudicate their dispute as a regular court:

Provided further that the award of the Lok Adalat is neither a verdict nor an opinion arrived at by any decision making process.

14. Administrative assistance. - Administrative assistance for facilitating Lok Adalat proceedings may be arranged by suitable institutions or persons engaged in providing legal services.

15. Formulating compromise or settlements. - The Lok Adalat may, at any stage of the proceedings, make proposal for a settlement of the dispute and such proposal need not be accompanied by a statement of the reasons therefor.

16. Communication between Lok Adalat and parties. - (1) A Lok Adalat may invite the parties to meet it or may communicate with it orally or in writing and it may meet or communicate with the parties together or with each of them separately. The factual information concerning the dispute received from a party may be disclosed to the other party in order that the other party may have the opportunity to present any explanation:

Provided that the Lok Adalat shall not disclose any information, if one of the party desires to keep it confidential.

(2) Each party may on his own initiative or at the invitation of the Lok Adalat, submit suggestions for settlement of the dispute.

(3) When it appears to the Lok Adalat that there exists elements of a settlement which may be acceptable to the parties, the terms of a possible settlement may be formulated by the Lok Adalat and given to the parties for their observations and modifications, if any, suggested by the parties can be taken into consideration and terms of a possible settlement may be re-formulated by the Lok Adalat.

(4) If the parties reach a compromise or settlement of the dispute, the Lok Adalat may draw up or assist the parties in drawing up the compromise or settlement.

17. Award. - (1) Drawing up of the award is merely an administrative act by incorporating the terms of settlement or compromise agreed by parties under the guidance and assistance from Lok Adalat.

(2) When both parties sign or affix their thumb impression and the members of the Lok Adalat countersign it, it becomes an award. (see a specimen at Appendix-I) Every award of the

Lok Adalat shall be categorical and lucid and shall be written in regional language used in the local courts or in English. It shall also contain particulars of the case viz., case number, name of court and names of parties, date of receipt, register number assigned to the case in the permanent Register (maintained as provided under Regulation–20) and date of settlement. Wherever the parties are represented by counsel, they should also be required to sign the settlement or award before the members of the Lok Adalat affix their signature.

- (3) In cases referred to Lok Adalat from a court, it shall be mentioned in the award that the plaintiff or petitioner is entitled to refund of the court fees remitted.
- (4) Where the parties are not accompanied or represented by counsel, the members of the Lok Adalat shall also verify the identity of parties, before recording the settlement.
- (5) Member of the Lok Adalat shall ensure that the parties affix their signatures only after fully understanding the terms of settlement arrived at and recorded. The members of the Lok Adalat shall also satisfy themselves about the following before affixing their signatures:
 - (a) that the terms of settlement are not unreasonable or illegal or one-sided; and
 - (b) that the parties have entered into the settlement voluntarily and not on account of any threat, coercion or undue influence.
- (6) Members of the Lok Adalat should affix their signatures only in settlement reached before them and should avoid affixing signatures to settlement reached by the parties outside the Lok Adalat with the assistance of some third parties, to ensure that the Lok Adalats are not used by unscrupulous parties to commit fraud, forgery, etc.
- (7) Lok Adalat shall not grant any bail or a divorce by mutual consent.
- (8) The original award shall form part of the judicial records (in pre-litigation matter, the original award may be kept with the Legal Services Authority or committee, concerned) and a copy of the award shall be given to each of the parties duly certifying them to be true by the officer designated by the Member-Secretary or Secretary of the High Court Legal Services Committee or District Legal Services Authority or, as the case may be, the Chairman of Taluk Legal Services Committees free of cost and the official seal of the Authority concerned or Committee shall be affixed on all awards.

18. Confidentiality.—(1) The members of the Lok Adalat and the parties shall keep confidential all matters relating to the proceedings in the Lok Adalat and the members of the Lok Adalat shall not be compelled to disclose the matter which took place in the Lok Adalat proceedings before any court of law, except where such disclosure is necessary for purposes of implementation and enforcement of the award. `

(2) The views expressed and discussions made by parties during the proceedings of Lok Adalat in respect of the possible settlement of a dispute and the proposals made by the members of Lok Adalat or admission made by any party or the conduct of the parties in the course of the proceeding before Lok Adalat shall not be brought in evidence or made use of in other court or arbitral proceedings.

(3) Members of the Lok Adalat shall not record the statement of any of the parties or record any conduct of the parties or express any opinion in such a manner as it would prejudice such party in any other proceedings before a court or arbitrator.

(4) If any member of the Lok Adalat violates the confidentiality and the ethical concerns which are akin to any other judicial proceedings, such member shall be removed from the panel of members of Lok Adalat.

19. Failure of Lok Adalat proceedings. – If a pre-litigation matter is not settled in the Lok Adalat, the parties may be advised to resort to other Alternative Dispute Resolution (ADR) techniques or to approach a court of law and in appropriate cases they may be advised about the availability of legal aid.

20. Compilation of results. – At the conclusion of session of the Lok Adalat, the officer designated by the Member-Secretary, the Secretary of the High Court Legal Services Committee, the District Authority or the Chairman of the Taluk Legal Services Committee, as the case may be, shall compile the results for submission to the State Authority in the proforma given in Appendix-II.

21. Maintenance of panel of names of Lok Adalat Members. – The Member-Secretary or Secretary of the High Court Legal Services Committee or District Authority or, as the case may be, the Chairman of the Taluk Legal Services Committee shall maintain a panel of names of retired judicial officers, advocates and social workers to work in Lok Adalats.

22. Procedure for maintain record of cases referred under Section 20 of the Act or otherwise. – (1) The officer designated by the Member-Secretary, the Secretary of the High Court Legal Services Committee, the District Authority or the Chairman of the Taluk Legal Services Committee, as the case may be, shall maintain a permanent register wherein all the cases and pre-litigation matters received by him by way of reference to the Lok Adalat shall be entered giving particulars of:

- (i) date of receipt;
- (ii) nature of the case or pre-litigation matter;
- (iii) other particulars, if any;
- (iv) date of compromise or settlement and the manner in which the case or matter was finally disposed of; and
- (v) date of return of the case file.

(2) A copy of the award, if passed, duly certified in the manner stated in regulation 17 shall be kept in the office of the Authority or Committee, as the case may be, as a permanent record.

(3) Records other than the original of the awards of pre-litigation Lok Adalats may be destroyed after a period of three years from the date of disposal of the matter by Lok Adalat.

23. Appearance of lawyers and the procedure to be followed in the cases before Lok Adalat. – The appearance of lawyers on behalf of the parties at the Lok Adalat shall not be barred and an effort shall be made to encourage the parties to be present personally. The lawyers may be advised to avoid wearing their robes and bands during the proceedings before the Lok Adalat.

24. **Application of regulation.** – The above regulations shall be applicable in the same manner with appropriate changes to the Lok Adalats organised by the National Legal Services and the Supreme Court Legal Services Committee.

APPENDIX–I

BEFORE THE LOK ADALAT

HELD AT _____

[Organized by _____ Authority/ _____ Committee under Section 19, of Legal Services Authorities Act 1987(Central Act)]

Petitioner/Plaintiff/Complainant :

Defendant/Respondent :

No. of proceedings of the _____ Court/Authority/Committee

Present:-

Name of Judicial Officer / Retired Judicial Officer :

Name of Members: (1)

(2)

AWARD

The dispute between the parties having been referred for determination to the Lok Adalat and the parties having compromised/settled the case/matter, the following award is passed in terms of the settlement :

.....
.....
.....
.....

The parties are informed that the court fee, if any, paid by any of them shall be refunded.

Petitioner/Plaintiff/Complainant

Defendant/Respondent

Judicial Officer

Member

Member

Date:

(Seal of the Authority/Committee)

APPENDIX-II

**PROFORMA
DISPOSAL OF CASES IN LOK ADALAT**

Place:			Date:		
			Nature of Cases disposed of		
Sl.No.	Case No.	Name of parties	Civil	Claims	Criminal
Total					

THE NATIONAL LEGAL SERVICES AUTHORITY (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS, 2010

(As amended vide notification F.No. L/61/10/NALSA dated 28.08.2019 and Addendum dated 18.9.2019 published in the Gazette of India on 06.09.2019 and 19.9.2019 respectively)

- In exercise of the powers conferred by section 29 of the Legal Services Authorities Act, 1987 (39 of 1987) and in pursuance of the provisions in section 4 of the Act to make available free and competent legal services to the persons entitled thereto under section 12 of the said Act, the Central Authority hereby makes the following regulations, namely: -

1. Short title, extent and commencement. – (1) These regulations may be called the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010.

(2) They shall be applicable to Supreme Court Legal Services Committee, State Legal Services Authorities, High Court Legal Services Committees, District Legal Services Authorities, and Taluk Legal Services Committees in India.

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions. – (1) In these regulations, unless the context otherwise requires, -

(a) “Act” means the Legal Services Authorities Act, 1987 (39 of 1987);

(b) “Form” means a Form annexed to these Regulations;

(c) “Front Office” means a room in the Legal Services Institution where legal services are made available;

(d) “Legal Practitioner” shall have the meaning assigned to it in clause (i) of section 2 of the Advocates Act, 1961 (25 of 1961);

(e) “Legal Services Institution” means the Supreme Court Legal Services Committee, a State Legal Services Authority, the High Court Legal Services Committee, District Legal Services Authority or the Taluk Legal Services Committee, as the case may be;

(ea)¹ “Monitoring and Mentoring Committee” means the Committees set up under regulation 10;

(eb) “Panel Lawyer” means a legal practitioner empanelled as a Panel lawyer under regulation 8;

(f) “Para-Legal Volunteer” means a para-legal volunteer trained² under the ‘National Legal Services Authority Scheme for Para Legal Volunteers’ and empanelled by a Legal Services Institution;

(fa)³ “Retainer Lawyer” means a Panel Lawyer designated as the Retainer Lawyer under sub-

¹ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

² Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

³ Inserted vide notification dated 31/07/2012, published in the Gazette of India on 25/8/2012.

regulation (9) of regulation 8;

(g) “Secretary” means the Secretary of the Legal Services Institution;

(h) “Section” means the section of the Act;

(i) “State regulation” means regulation made by the State Authorities under the Act.

2. All other words and expressions used but not defined in these regulations shall have the same meanings assigned to them in the Act.

3. **Application for legal services.-** (1) An application for legal services may be presented preferably in Form-I in the local language or English.

(2) The applicant may furnish a summary of his grievances for which he seeks legal services, in a separate sheet along with the application.

(3) An application, though not in Form-I, may also be entertained, if reasonably explains the facts to enable the applicant to seek legal services.

(4) If the applicant is illiterate or unable to give the application on his or her own, the Legal Services Institutions may make arrangement for helping the applicant to fill up the application form and to prepare a note of his or her grievances.

(5) Oral requests for legal services may also be entertained in the same manner as an application under sub-regulation (1) and (2).

(6) An applicant advised by the para-legal volunteers, legal aid clubs, legal aid clinics and voluntary social service institutions shall also be considered for free legal services.

(7) Requests received through e-mails and interactive on-line facility also may be considered for free legal services after verification of the identity of the applicant and on ensuring that he or she owns the authorship of the grievances projected.

4. **Legal Services Institution to have a front office.-**(1) All Legal Services Institutions shall have a front office to be manned by [a Retainer Lawyer on rotational basis and]⁴ one or more para-legal volunteers available during office hours.

Provided⁵ that persons with the qualification of Masters degree in Social Work or Diploma or Masters’ degree in psychiatry or psychology from any recognised institute or university may also be called to the front office as and when necessary.

(1A)⁶ The Front Offices shall act as one stop centres for legal aid seekers to receive legal aid and advice and all information about their cases and all legal services provided by the Legal Services Institutions.

(2)⁷ *****

⁴ Inserted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

⁵ Inserted vide notification dated 31/07/2012, published in the Gazette of India on 25/8/2012.

⁶ Inserted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

⁷ Omitted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

(3)⁸ *****

(4)⁹ The Para-Legal Volunteers or the panel lawyer or the retainer lawyer, as the case may be, in the front office may obtain secretarial assistance from the staff of the Legal Services Institutions.

(5)¹⁰ *****

5¹¹. Proof of entitlement of free legal services. – A self-certificate of the applicant, along with self-attested copy of relevant documents or certificates, if any, that he falls under the categories of persons entitled to free legal services under Section 12 of the Act shall ordinarily be sufficient.

(2)¹² *****

(3)¹³ *****

6. Consequences of false or untrue details furnished by the applicant. –The applicant shall be informed that if free legal services have been obtained by furnishing incorrect or false information or in a fraudulent manner, the legal services shall be stopped forthwith and that the expenses incurred by the Legal Services Institutions shall be recoverable from him or her.

7¹⁴. Scrutiny and evaluation of the application for free legal services.- (1) The application for legal services, for eligibility of the applicant and existence of a prima facie case to prosecute or to defend, shall be scrutinized by the Member-Secretary or Secretary, as the case may be, or any officer, deputed by him:

Provided that a defendant in a civil case and an accused or a convict in a criminal case shall be deemed to have prima facie case to defend or to file an appeal against his conviction and sentence:

Provided further that in case, there is some difficulty to determine the prima facie case to prosecute, the Member-Secretary or Secretary may for this purpose, seek opinion from a panel lawyer having more than seven years standing at the Bar:

Provided further that in case of the Supreme Court Legal Services Committee, the Secretary shall seek opinion from an Advocate having more than fifteen years standing at the Bar.

(2) A decision on application for legal services shall be taken immediately, but not more than seven days from the date of receipt of the application.

⁸ Omitted vide addendum dated 18/09/2019, published in the Gazette of India on 19/09/2019.

⁹ Inserted vide notification dated 31/7/2012, published in the Gazette of India on 25/8/2012.

¹⁰ Omitted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

¹¹ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

¹² Omitted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

¹³ Omitted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

¹⁴ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

(3) 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.

(4) The Legal Services Institution shall maintain a list of such agencies, institutions or persons who have expressed willingness to render free legal services.

(5) Any person aggrieved by the decision or order of the Member-Secretary or the Secretary, as the case may be, he may prefer appeal to the Executive Chairman or Chairman of the Legal Services Institution and the decision or order in appeal shall be final.

(6) In case the Member-Secretary or Secretary of the Legal Services Institution decides to provide legal services through a panel lawyer, the choice of the panel lawyer, if expressed by the applicant, may be considered.

8¹⁵. Selection of legal practitioners as panel lawyers. – (1) Every Legal Services Institution shall invite applications from legal practitioners for their empanelment as panel lawyers and such applications shall be accompanied with proof of the professional experience with special reference to the type of cases which the applicant-legal practitioners may prefer to be entrusted with.

(2) The applications received under sub-regulation (1) shall be scrutinised and selection of the panel lawyers shall be made by the Executive Chairman or Chairman of the Legal Services Institution in consultation with the Attorney General [for the Supreme Court], Advocate General [for the High Court], District Attorney or Government Pleader [for District and Taluka level] and the Monitoring and Mentoring Committee set up under regulation 10:

Provided that the Executive Chairman or Chairman of the Legal Services Institution may also suo moto empanel any legal practitioner;

Provided¹⁶ further that the size of panel should be optimised so that each lawyer can be allotted sufficient cases.

(3) No legal practitioner having less than three years' experience at the Bar shall ordinarily be empanelled.

(4) District Legal Services Authorities and Taluk Legal Services Committees shall get the panel approved from the Executive Chairman of the State Legal Services Authority.

(5) The Executive Chairman or Chairman of the Legal Services Institution shall take into consideration the competency, integrity, suitability, and experience of lawyers for the empanelment.

(6) There may be representation of the Scheduled Castes, the Scheduled Tribes, women and differently abled lawyers in the panel.

(7) The Executive Chairman or Chairman of the Legal Services Institution may maintain separate panels for dealing with different types of cases like Civil, Criminal, Constitutional Law,

¹⁵ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

¹⁶ Inserted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

Environmental Law, Labour Laws, Matrimonial disputes, Juvenile Justice, etc.

(8) The Member-Secretary or Secretary, as the case may be, may assign a case to a panel lawyer of a subject matter other than for which he has been empanelled.

(9) The Chairman of the Legal Services Institution may, in consultation with the Executive Chairman of the State Legal Services Authority or National Legal Services Authority, as the case may be, prepare a list of legal practitioners from among the panel lawyers to be designated as Retainers.

(10) The Retainer lawyers shall be selected for a period fixed by the Executive Chairman on rotation basis or by any other method specified by the Executive Chairman.

(11)¹⁷ The number of Retainer lawyers in the panel of each Legal Services Institution, should not exceed the minimal requirement as determined by the Executive Chairman or the Chairman, as the case may be.

(12) The honorarium payable to Retainer lawyer shall not be less than, -

- (a) rupees forty thousand per month in the case of Supreme Court Legal Services Committee;
- (b) rupees twenty five thousand per month in the case of State Legal Services Authority or High Court Legal Services Committee;
- (c) rupees fifteen thousand per month in the case of District Legal Services Authority;
- (d) rupees ten thousand per month in the case of the Taluk Legal Services Committee:

Provided that the honorarium specified in this sub-regulation is in addition to the honorarium or fee payable by the Legal Services Institution for each case entrusted to the Retainer lawyer.

Provided¹⁸ further that the State Legal Services Authority may decide to make the payment of honorarium to the Retainer Lawyers on the basis of number of days they man the Front Office. In such cases the honorarium so payable shall not be less than Rs. 1500 per day of sitting at the district and taluka court level and Rs. 2500 at the High Court level.

(13) The panel prepared under sub-regulation (2) for the period of three years shall also be reviewed and updated periodically by the Executive Chairman or the Chairman, as the case may be, keeping in view the performance of the panel lawyers.

(14) The Legal Services Institution shall be at liberty for withdrawing any case from a Retainer Panel Lawyer during any stage of the proceedings.

(15) If a panel lawyer is desirous of withdrawing from a case he shall state the reasons thereof to the Member-Secretary or the Secretary, as the case may be, and the panel lawyer may be permitted to do so by an order.

(16) The panel lawyers shall not ask for or receive any fee, remuneration or any valuable

¹⁷ Substituted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

¹⁸ Inserted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

consideration in any manner, from the person to whom he has rendered legal services under these regulations.

(17) If the panel lawyer engaged is not performing satisfactorily or has acted contrary to the object and spirit of the Act and these regulations, the Legal Services Institution shall take appropriate steps including withdrawal of the case from such lawyer and his removal from the panel.

(18) The panel lawyers shall undergo training periodically as per modules prepared by the National Legal Services Authority and the State Legal Services Authority.

(19) The participation in the training programme shall be a relevant consideration for the retention or continuation of panel lawyers.

9¹⁹. Legal services by way of legal advice, consultation, drafting and conveyancing. - (1) The Executive Chairman or Chairman of the Legal Services Institution may maintain a separate panel of senior lawyers, law firms, retired judicial officers, mediators, conciliators and law professors in the law universities or law colleges for providing legal advice and other legal services like drafting and conveyancing.

(2) The Executive Chairman or Chairman of the Legal Services Institution, as the case may be, may maintain a separate panel of retired senior bureaucrats, senior executives, retired police officials, doctors, engineers, psychiatrists, marriage counsellors, chartered accountants, educationists and other experts of the specialised field for legal services and honorarium payable to them shall be decided by the Executive Chairman of State Legal Services Authority or the Chairman of the Supreme Court Legal Committee, as the case may be.

(3) The Member-Secretary may send a request to Senior Advocates to volunteer their pro bono professional services for rendering advice as and when required.”.

10²⁰. Monitoring and Mentoring Committee. - (1) Every Legal Services Institution shall set up a Monitoring and Mentoring Committee for close monitoring of the court based legal services rendered and the progress of the cases in the legal aided matters and to guide and advise the panellawyer.

(2) The Monitoring and Mentoring Committee at the level of the Supreme Court shall consist of,-

(i) ²¹a Senior Advocate or an Advocate of at least 15 years of standing as nominated by the Chairman, Supreme Court Legal Services Committee;

(ii) Secretary, Supreme Court Legal Services Committee;

(iii) a renowned Academician or an Advocate-on-Record having ten years of practice to be nominated by the Chairman of the Supreme Court Legal Services Committee;

(iv) The Legal Service Counsel-cum-Consultant, Supreme Court Legal Services Committee.

¹⁹ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

²⁰ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018.

²¹ Substituted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

(3) The Monitoring and Mentoring Committee at the level of the High Court shall consist of, -

(i) a²² Senior Advocate or an Advocate of at least 15 years of standing as nominated by the Chairman, High Court Legal Services Committee;

(ii) Secretary, High Court Legal Services Committee.

(4) The Monitoring and Mentoring Committee at the State or District Legal Services Authority shall consist of, -

(i) Member-Secretary or Secretary of the Legal Services Institution, as the case may be;

(ii) one serving judicial officer from the State Higher Judicial Service;

(iii) one retired judicial officer or one Advocate of fifteen years' standing or more.

(5) The Monitoring and Mentoring Committee at the Taluk Legal Services Committee shall consist of, -

(i) Chairman of the Taluk Legal Services Committee;

(ii) one retired judicial officer or²³;

(iii) one advocate of 10 years standing or more.

(6) The members of the Monitoring and Mentoring Committee shall render their services on the days as may be required and fixed by the Executive Chairman or Chairman of the Legal Services Institution and the members except serving Judicial Officers shall be paid the honorariums fixed by the Executive Chairman.

11²⁴. Procedure of the Monitoring and Mentoring Committee. - (1) Whenever court based legal aid is provided to an applicant, the Member-Secretary or Secretary as the case may be, shall send the details in Form II to the Monitoring and Mentoring Committee at the earliest.

(2) The Legal Services Institution shall provide adequate staff and infrastructure to the Monitoring and Mentoring Committee for maintaining the records of the day-to-day progress of the legal aided cases.

(3) The Monitoring and Mentoring Committee shall assist the Legal Services Institution in organising training programmes for panel lawyers from time to time to enhance the skill of the panel lawyers.

(4) The Monitoring and Mentoring Committee shall mentor the panel lawyers and guide them in providing quality legal services.

(5) The Monitoring and Mentoring Committee shall maintain a register for legal aided

²² Substituted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

²³ Inserted vide notification dated 28/08/2019, published in the Gazette of India on 06/09/2019.

²⁴ Substituted vide notification dated 22/10/2018, published in the Gazette of India on 25/10/2018

cases for monitoring the day-to-day progress of the case and the end result (success or failure) in respect of cases for which legal aid is allowed and the said register shall be scrutinised every month by the Member-Secretary or Secretary or the Chairman, as the case may be.

(6) The Legal Services Institution may request the Presiding Officer of the court to allow access to the registers maintained by the court for ascertaining the progress of the cases.

(7) The Monitoring and Mentoring Committee shall keep a watch on the progress of the case by calling for reports from the panel lawyers within such time as may be determined by the Committee.

(8) If the progress of the case is not satisfactory, the Committee may advise the Legal Services Institution to take appropriate steps.

(9) The Committees shall meet at least once in a fortnight.

(10) The Monitoring and Mentoring Committee may meet as and when the meeting is convened by the Member-Secretary or the Secretary as the case may be.

12. Monitoring and Mentoring Committee to submit bi-monthly reports.— (1) The Monitoring and Mentoring Committee shall submit bi-monthly reports containing its independent assessment on the progress of each and every legal aid case and the performance of the panel lawyer or Retainer lawyer, to the Executive Chairman or Chairman of the Legal Services Institution.

(2) After evaluating the reports by the Committee, the Executive Chairman or Chairman of the Legal Services Institution shall decide the course of action to be taken in each case.

(3) It shall be the duty of the Member-Secretary or Secretary of the Legal Services Institution to place the reports of the Monitoring Committee before the Executive Chairman or Chairman of the Legal Services Institution and to obtain orders.

13. Financial assistance. — (1) If a case for which legal aid has been granted requires additional expenditure like payment of court fee, the fee payable to the court appointed commissions, for summoning witnesses or documents, expenses for obtaining certified copies etc., the Legal Services Institution may take urgent steps for disbursement of the requisite amount on the advice of the panel lawyer or Monitoring and Mentoring Committee.

(2) In the case of appeal or revision the Legal Services Institution may bear the expenses for obtaining certified copies of the judgment and case records.

14. Payment of fee to the panel lawyers. - (1) Panel lawyers shall be paid fee in accordance with the Schedule of fee, as approved under the State regulations.

(2) The State Legal Services Authority and other Legal Services Institution shall effect periodic revision of the honorarium to be paid to panel lawyers for the different types of services rendered by them in legal aid cases.

(3) As soon as the report of completion of the proceedings is received from the panel lawyer, the Legal Services Institution shall, without any delay, pay the

15. Special engagement of senior advocates in appropriate cases. - (1) If the Monitoring and Mentoring Committee or Executive Chairman or Chairman of the Legal Services Institution is of the opinion that services of senior advocate, though not included in the approved panel of lawyers, has to be provided in any particular case the Legal Services Institution may engage such senior advocate.

(2) Notwithstanding anything contained in the State regulations, the Executive Chairman or Chairman of the Legal Services Institution may decide the honorarium of such senior advocate.

[*****]²⁵

16. Evaluation of the legal aid cases by the National Legal Services Authority and State Legal Services Authorities. – (1) The Supreme Court Legal Services Committee shall send copies of the bi-monthly reports of the Monitoring and Mentoring Committee of the Supreme Court Legal Services Committee to the Central Authority.

(2) The High Court Legal Services Committees, the State Legal Services Authorities shall submit copies of the bi-monthly reports of their Monitoring and Mentoring Committees to their Patron-in-Chief.

(3) The District Legal Services Authorities and Taluk Legal Services Committees shall submit copies of the bi-monthly reports of their Monitoring and Mentoring Committees to the Executive Chairman of the State Legal Services Authority.

(4) The State Legal Services Authorities shall also send consolidated half- yearly reports of the Monitoring Committees, indicating the success or failure of each of the legal aided cases, to the Central Authority.

(5) In appropriate cases, the Executive Chairman of the National Legal Services Authority may nominate and authorise the members of its Central Authority to supervise, monitor or advise the Legal Services Institution for effective and successful implementation of these regulations.

²⁵ Omitted vide notification dated 6/8/2014, published in the Gazette of India on 18/10/2014.

***The National Legal Services Authority (Free And Competent Legal Services)
Regulations, 2010***

FORM –I

*National Legal Services Authority
(Free and Competent Legal Services) Regulations, -2010
(see regulation-3)*

The Form of Application for Legal Services
(This may be prepared in the regional language)

Registration No.

1. Name :
2. Permanent Address :
3. Contact Address with phone no. if any, e-mail ID, if any :
4. Whether the applicant belongs to the category
of persons mentioned in section -12 of the Act :
5. Monthly income of the applicant
:
6. Whether proof has been produced in support of
income/eligibility u/s 12 of the Act :
7. Nature of legal aid or advise required :
8. A brief statement of the case, if court based legal services
is required :

.....
Signature of the applicant

Place:

Date:

***The National Legal Services Authority (Free And Competent Legal Services)
Regulations, 2010***

Form-II

*National Legal Services Authority
(Free and Competent Legal Services) Regulation, 2010
(see regulation-11)*

Information furnished to the Monitoring and Mentoring Committee about the legal Services provided

- (i) Name of the Legal Services Institution :
- (ii) Legal aid application number and date on which legal aid was given. :
- (iii) Name of the legal aid applicant :
- (iv) Nature of case :
(civil, criminal, constitutional law etc.).
- (v) Name and roll number of the lawyer assigned to the applicant :
- (vi) Name of the Court in which the case is to be filed/defended :
- (vii) The date of engaging the panel lawyer :
- (viii) Whether any monetary assistance like, court fee, advocate commission fee, copying charges etc. has been given in advance? :
- (ix) Whether the case requires any interim orders or appointment of commission? :
- (x) Approximate expenditure for producing records, summoning of witnesses etc. :
- (xi) The expected time for conclusion of the proceedings in the Court :

MEMBER-SECRETARY / SECRETARY

Dated

THE NATIONAL LEGAL SERVICES AUTHORITY ([LEGAL SERVICES CLINICS]) REGULATIONS, 2011*

In exercise of the powers conferred by section 29 of the Legal Services Authorities Act, 1987 (39 of 1987) and in pursuance of the provisions in section 4 of the said Act the Central Authority hereby makes the following regulations, namely:—

1. Short title and commencement.—(1) These regulations may be called THE NATIONAL LEGAL SERVICES AUTHORITY (¹[LEGAL SERVICES CLINICS]) REGULATIONS, 2011.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—(1) In these regulations, unless the context otherwise requires,—

(a) “Act” means the Legal Services Authorities Act, 1987 (39 of 1987);

¹[(b) “District ADR Centre” means the District Alternative Dispute Resolution Centre established under the 13th Finance Commission and includes any other similar facilities like Nyaya Seva Sadans at the district level where facilities for Counselling, Mediation, Lok Adalat and Legal Services are provided under a single roof;]

¹[(c) “legal services clinic” means the facility established by the District Legal Services Authority to provide basic legal services to the people with the assistance of para-legal volunteers or lawyers, as the point of first contact for help and advice and includes legal services clinics set up under regulation 3 and regulation 24;]

(d) “legal services institution” means a State Legal Services Authority, District Legal Services Authority or the Taluk Legal Services Committee, as the case may be;

(e) “panel lawyer” means the panel lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010;

(f) “para-legal volunteer” means a para-legal volunteer trained as such by a legal services institution;

(g) “retainer lawyer” means a retainer lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010;

(h) “section” means the section of the Act.

(2) All other words and expressions used in these regulations but not defined shall have the same meanings as assigned to them in the Act.

¹[3. Establishment of legal services clinic.—Subject to the financial resources available, the District Legal Services Authority shall establish legal services clinics in,—

* *Vide* Noti. No. L/08/11 NALSA, dated 10-8-2011, published in the Gazette of India, Ext. Pt. III, S. 4, dated 18-8-2011.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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(a) all villages, or for a cluster of villages, depending on the size of such villages, which shall be called the Village Legal Care and Support Centre; and

(b) jails, educational institutions, community centres, protection homes, Courts, juvenile justice boards and other areas, especially where the people face geographical, social and other barriers for access to the legal services institutions.]

4. Eligibility criteria for free legal services in the ¹[legal services clinic].— Every person who fulfils the criteria specified in section 12 shall be eligible to get free legal services in the ¹[legal services clinics].

5. The personnel manning the ¹[legal services clinic].—(1) Every ¹[legal services clinic] established under regulation 3 shall have at least two para-legal volunteers available during the working hours of the ¹[legal services clinics].

(2) The legal services institution having territorial jurisdiction or the District Legal Services Authority may depute trained para-legal volunteers to the ¹[legal services clinics].

(3) When lawyers are deputed to the ¹[legal services clinic], it shall be the duty of the para-legal volunteers engaged in such clinic to assist the lawyers in drafting petitions, applications, pleadings and other legal documents.

(4) The State Legal Services Authority may encourage para-legal volunteers to obtain diploma or degree in law for betterment of their prospects in the long run.

6. Deputing lawyers to the ¹[legal services clinic].—(1) The nearest legal services institution having territorial jurisdiction may depute its panel lawyers or retainer lawyers to the legal services clinic].

(2) If the matter handled by any such lawyer requires follow-up and continuous attention for a long duration, the same lawyer who had handled the matter may be entrusted to continue the legal services.

7. Frequency of visit by lawyers in the ¹[legal services clinic].—Subject to the local requirements and availability of financial resources, the legal services institution having territorial jurisdiction may decide the frequency of the lawyers' visit in the ¹[legal services clinics] and if the situation demands for providing continuous legal services, such legal services institution may consider arranging frequent visits of lawyers in the ¹[legal services clinic].

8. Selection of lawyers for manning the ¹[legal services clinics].—(1) The Panel lawyers or retainer lawyers with skills for amicable settlement of disputes, shall alone be considered for being deputed to the ¹[legal services clinic]:

Provided that preference shall be given to women lawyers having practice of at least three years.

9. Legal services in the ¹[legal services clinic].—(1) Legal services rendered at the ¹[legal services clinic] shall be wide ranging in nature.

(2) The ¹[legal services clinic] shall work like a single-window facility for helping the disadvantaged people to solve their legal problems whenever needed.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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(3) Besides legal advice, other services like preparing applications for job card under the Mahatma Gandhi National Rural Employment Guarantee (MGNREG) Scheme, identity card for different Government purposes, liaison with the Government offices and public authorities, helping the common people who come to the clinic for solving their problems with the Government officials, authorities and other institutions also shall be part of the legal services in the ¹[legal services clinic]:

Provided that the ¹[legal services clinic] shall provide assistance by giving initial advice on a problem, assistance in drafting representations and notices, filling up of forms for the various benefits available under different Government schemes, public distribution system and other social security schemes:

Provided further that, in appropriate cases, the legal services sought for by the applicants in the ¹[legal services clinic] shall be referred to the legal services institutions for taking further action.

10. Functions of para-legal volunteers in the ¹[legal services clinic].—

(1) The para-legal volunteers engaged in the ¹[legal services clinic] shall provide initial advice to the persons seeking legal service, help such people, especially the illiterate, in drafting petitions, representations or notices and filling-up the application forms for various benefits available under the Government schemes.

(2) para-legal volunteers shall, if necessary, accompany the persons seeking legal services to attend the Government offices for interacting with the officials and for solving the problems of such persons.

(3) If services of a lawyer is required at the ¹[legal services clinic], the para-legal volunteers shall, without any delay, contact the nearest legal services institution to make available the services of a lawyer.

(4) In case of emergency, the para-legal volunteers may take the persons seeking legal services in the ¹[legal services clinic] to the nearest legal services institutions.

(5) para-legal volunteers shall distribute pamphlets and other materials in aid of legal education and literacy to the persons seeking legal services in the ¹[legal services clinic].

(6) para-legal volunteers shall take active part in the legal awareness camps organised by the legal services institutions in the local area of the ¹[legal services clinic].

11. Location of ¹[legal services clinic].—(1) ¹[legal services clinics] shall be located at places where the people of the locality can have easy access.

(2) The legal services institutions may request the local body institutions, such as the village panchayat, to provide a room for establishing ¹[legal services clinics]:

Provided that if no such rooms are available, the District Legal Services Authority may take a room on rent till alternative accommodation is available for establishing the ¹[legal services clinic].

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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12. Assistance of the local body institutions in obtaining a convenient room for the ¹[legal services clinic].—(1) The State Legal Services Authority shall call upon the local body institutions like the village panchayat, mandai or block panchayat, municipality and corporation etc, to provide space for the functioning of the ¹[legal services clinic].

(2) Since the ¹[legal services clinic] is for the benefit of the people in the locality, the State Legal Services Authority may impress upon the local body institution and the district administration the need to co-operate with the functioning of the ¹[legal services clinics].

¹[13. Signboard exhibiting name of legal services clinic.—(1) There shall be a signboard, both in English and in the local language, depicting the name of the legal services clinic including as Village Legal Care and Support Centre, wherever applicable, working hours and the days on which the legal services clinic will remain open.

(2) Working hours of the legal services clinic shall be regulated by the legal services institution having territorial jurisdiction, in consultation with the District Legal Services Authority:

Provided that subject to the local conditions and requirements of the people in the locality, legal services clinics shall function on all Sundays and holidays.]

14. Infrastructure in the ¹[legal services clinic].—(1) Every ¹[legal services clinic] shall have at least the basic and essential furniture like a table and 5 to 6 chairs.

(2) If the ¹[legal services clinic] is established in the building of the local body institutions, such local bodies may be requested to provide the essential furniture for use in the ¹[legal services clinic].

(3) If the ¹[legal services clinic] is established in hired premises, the District Legal Services Authority may provide the furniture required in the ¹[legal services clinic]:

Provided that if the District Legal Services Authority has its own building to establish ¹[legal services clinic], the infrastructural facilities shall be provided by such Authority.

15. Publicity.—(1) Local body institutions shall be persuaded to give adequate publicity for the ¹[legal services clinic].

(2) The elected representatives of the local body institutions may be persuaded to spread the message of the utility of ¹[legal services clinic] to the people in his or her constituency or ward.

16. Para-legal volunteers or lawyers in the ¹[legal services clinic] shall attempt to resolve disputes amicably.—(1) The para-legal volunteers or the lawyers engaged in the ¹[legal services clinics] shall attempt to amicably resolve the prelitigation disputes of the persons brought to the ¹[legal services clinics].

(2) If the para-legal volunteers or the lawyers feel that such dispute can be resolved through any of the ADR mechanisms, they may refer such disputes to

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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the legal services institution having territorial jurisdiction or to the District ADR centre.

17. Honorarium for the lawyers and para-legal volunteers rendering services in the ¹[legal services clinics].—(1) Subject to the financial resources available, the State Legal Services Authority in consultation with the National Legal Services Authority may fix the honorarium of lawyers and para-legal volunteers engaged in the ¹[legal services clinics]:

Provided that such honorarium shall not be less than Rs. 500 per day for lawyers and Rs. 250 per day for the para-legal volunteers.

(2) Special consideration may be given in cases where the ¹[legal services clinic] is situated in difficult terrains and in distant places where transport facilities are inadequate.

18. The nearest legal services institutions to organise lok adalats at the ¹[legal services clinic] or near to its premises.—(1) The nearest legal services institution having territorial jurisdiction or the District Legal Services Authority may organise ¹[lok adalats for pending and for pre-litigation disputes] at the ¹[legal services clinic] or in its vicinity.

(2) The lok adalats organised for pre-litigation settlement of the disputes sent from the ¹[legal services clinic] shall follow the procedure prescribed in sub-section (2) of section 20 and also the provisions in the National Legal Services Authority (Lok Adalats) Regulations, 2009.

19. Administrative control of the ¹[legal services clinic].—(1) ¹[legal services clinics] shall be under the direct administrative control of the District Legal Services Authority.

(2) The State Legal Services authority shall have the power to issue instructions and guidelines on the working of the ¹[legal services clinics].

20. Maintenance of records and registers.—(1) Lawyers and para-legal volunteers rendering service in the ¹[legal services clinic] shall record their attendance in the register maintained in the ¹[legal services clinic].

(2) There shall be a register in every ¹[legal services clinic] for recording the names and addresses of the persons seeking legal services, name of the lawyer or para-legal volunteer who renders services in the ¹[legal services clinic], nature of the service rendered, remarks of the lawyer or para-legal volunteer and signature of persons seeking legal services.

(3) The records of the ¹[legal services clinics] shall be under the control of the Chairman or the Secretary of the legal services institution having territorial jurisdiction over it.

(4) The District Legal Services Authority may require the ¹[legal services clinic] to maintain other registers also, as may be required.

(5) It shall be the duty of the para-legal volunteers and the lawyers in the ¹[legal services clinic] to hand over the registers to the legal services institution having territorial jurisdiction as and when called for.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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21. Use of mobile lok adalat vehicle.—(1) The lawyers rendering legal services in the ¹[legal services clinic] or the para-legal volunteers may request the District Legal Services Authority to send the mobile lok adalat van with members of the lok adalat bench to the ¹[legal services clinic] for settlement of the disputes identified by them.

(2) The mobile lok adalat van fitted with the facilities for conducting the proceedings of the lok adalat may also be used for conducting lok adalat at the ¹[legal services clinic] or at a place near to it or even at village congregations such as *melas* and other festive occasions.

22. ¹[legal services clinics] run by the law students.—The above regulations shall *mutatis mutandis* be applicable to the student ¹[legal services clinics] set up by the law colleges and law universities:

Provided that students of law colleges and law universities also may make use of the ¹[legal services clinics] established under these regulations with the permission of the District Legal Services Authority.

23. Law students may adopt a village for legal aid camps.—(1) Law students of the law colleges or law universities may adopt a village, especially in the remote rural areas and organise legal aid camps in association with the ¹[legal services clinic or Village Legal Care and Support System Centre] established under these regulations.

(2) The law students may, with the assistance of the para-legal volunteers engaged in the ¹[legal services clinics], conduct surveys for identifying the legal problems of the local people.

(3) The surveys referred to in sub-regulation (2) may include gathering information relating to the existing litigations and unresolved pre-litigation disputes also.

(4) The surveys referred to sub-regulation (2) may also focus on the grievances of the local people which would enable the National Legal Services Authority to take necessary steps by way of social justice litigation as provided in clause (d) of section 4.

(5) The law students conducting such surveys shall send reports to the State Legal Services Authorities with copies to the legal services institutions having territorial jurisdiction and also to the District Legal Services Authority.

24. ¹[legal services clinics] attached to the law colleges, law universities and other institutions.—(1) The law colleges, law universities and other institutions may set up ¹[legal services clinics], as envisaged in clause (k) of section 4 attached to their institutions as a part of the clinical legal education.

(2) The law colleges, law universities and other institutions establishing such ¹[legal services clinic] shall inform the State Legal Services Authority about the establishing of such ¹[legal services clinic].

(3) The State Legal Services Authority shall render the required technical assistance for the operation of such ¹[legal services clinics] and shall take measures to promote the activities of such ¹[legal services clinics].

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

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(4) The law students in the final year classes may render legal services in such ¹[legal services clinics] under the supervision of the faculty member of their institution.

(5) The State Legal Services Authority may organise alternative dispute resolution camps, including lok adalats, to resolve the problems of the people who seek legal aid in such ¹[legal services clinics].

(6) The District Legal Services Authority may issue certificates to the students who complete their assignment in such ¹[legal services clinics].

25. Services of para-legal volunteers trained by the Legal Services Authorities may be made available in the ¹[legal services clinics] run by the Law Colleges, Law Universities, etc.—Trained para-legal volunteers may be deputed to the ¹[legal services clinics] established under regulation 24 for assisting the persons seeking free legal services and for interacting with the students and the members of the faculty.

26. The State Legal Services Authorities to conduct periodical review of the functioning of ¹[legal services clinics].—(1) The State Legal Services Authority shall collect monthly reports from the District Legal Services Authorities, law colleges and law universities on the functioning of ¹[legal services clinics] working in their jurisdiction.

(2) The State Legal Services Authority shall conduct periodical review of the working of such ¹[legal services clinics] at least once in three months or more frequently.

(3) The State Legal Services Authority may issue directions from time to time for improving the services in the ¹[legal services clinics] to ensure that members of the weaker sections of the society are provided legal services in an efficient manner.

(4) The State Legal Services Authority shall send quarterly reports about the functioning of the ¹[legal services clinics] within their jurisdiction to the National Legal Services Authority.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

Notification

Government of India

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

Notification

New Delhi, the 9th November, 1995

S.O. 893(E). – In exercise of the powers conferred by sub-section (3) of Section 1 of the Legal Services Authorities Act, 1987 (39 of 1987), the Central Government hereby appoints the 9th November, 1995 as the date on which all the provisions of the said Act except Chapter III shall come into force.

[F.No.6(10)/89- CILAS]
Dr. V.K. Agarwal, Addl. Secy.

Government of India

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

New Delhi, the 3rd April, 1996

Notification

S.O.(E) – In exercise of the powers conferred by sub-section (3) of section 1 of the Legal Services Authorities Act, 1987 (39 of 1987), the Central Government hereby appoints 3rd April, 1996 as the date on which the provisions of chapter III of the said Act shall come into force in the State of Haryana.

(Dr. V.K. Agarwal)
Additional Secretary to the
Government of India
F.No.6(1)(7)/95-NALSA

HARYANA GOVERNMENT

ADMINISTRATION OF JUSTICE DEPARTMENT

NOTIFICATION

The 15th October, 1997

No.20/10/96-4JJ(I) – In exercise of the powers conferred by sub-section (1) of section 6 of the Legal Services Authorities Act, 1987 (Central Act No.39 of 1987) read with rule 3 of the Haryana State Legal Services Authority Rules, 1996 the Governor of Haryana hereby constitutes a body to be called the State Authority for the State of Haryana to exercise the powers and perform the functions conferred on, or assigned to, it under the aforesaid Act and rules and consisting of the following members, namely :-

1. Hon'ble Chief Justice of High Court of Punjab and Haryana.
Patron-in-Chief
2. Name of the Hon'ble Judge shall be notified separately.
Executive Chairman
3. Secretary to Government, Haryana Administration of Justice Department.
Member
4. Secretary to Government, Haryana, Finance Department.
Member
5. Secretary to Government, Haryana, Law and Legislative Department
Member
6. Advocate General, Haryana.
Member
7. Director General of Police, Haryana.
Member
8. Chairman, Bar Council of Haryana & Punjab.
Member
9. Director, Public Relations Department, Haryana.
Member
10. Member Secretary of the State Authority.
Member.
11. Chairman, District Legal Services Authority.
12. Chairman, District Legal Services Authority.
13. Chairperson, Haryana State Commissioner for women.
14. The Director, Welfare of Schedule Castes & Backward Classes, Haryana.
15. Chairman, Department of Law, Kurukshetra/MDU Rohtak.
16. Secretary, Education Secondary.
17. Secretary, Education Higher.

The names of nominated members of the State Authority shall be notified later on.

K.G.VARMA
Financial Commissioner &
Secretary to Government,
Haryana, Administration of
Justice Department.

HARYANA GOVERNMENT

Administration of Justice Department

Notification

The 15th October, 1997

No.20/10/96-4JJ(I) – In exercise of the powers conferred by sub-section (1) of section 9 of the Legal Services Authorities Act, 1987 (Central Act No. 39 of 1987) read with rule 15 of the Haryana State Legal Services Authority Rules, 1996, the Governor of Haryana, hereby constitutes a body for every district in the State of Haryana to be called the District Authority to exercise the powers and perform the functions conferred on, or assigned to it under the aforesaid Act, for the said district consisting of the following ex-officio members, namely :-

- | | |
|---|----------|
| 1. District & Sessions Judge | Chairman |
| 2. District Magistrate | Member |
| 3. Superintendent of Police | Member |
| 4. District Attorney | Member |
| 5. Chief Judicial Magistrate
Secretary | Member |

The names of nominated members of each District Legal Services Authority shall be notified later on.

K.G.VARMA
Financial Commissioner &
Secretary to
Government, Haryana,
Administration of
Justice Department.

HARYANA STATE LEGAL SERVICES AUTHORITY

NOTIFICATION

The 23rd December, 1997

No. MS/HLSA/2(18). – In the meeting of the Haryana State Legal Services Authority held on 15.12.97 under the Chairmanship of the Hon'ble Chief Justice, Punjab and Haryana High Court as Patron-in-Chief, it was decided that the Executive Chairman of the State Authority, shall have the power of general superintendence/direction, control and management for day to day working of the State Authority.

It is, therefore, ordered that the Executive Chairman of the State Authority shall have the powers of general superintendence, direction, control and management for day to day working of the State Authority.

By Order of the
Haryana State Legal
Services Authority,
Chandigarh.

HARYANA GOVERNMENT

Administration of Justice Department

Order

The Governor of Haryana is pleased to declare Member Secretary, Haryana State Legal Services Authority, as “Head of Department”.

Dated Chandigarh
29.7.1998.

K.G.VARMA
Financial Commissioner & Secretary to the
Government, Haryana, Administration
of Justice Department.

Endst. No. 20/7/97-4JJ (I)

Dated 29.7.98

PART-IV

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Correction Slip

The 27th August, 2014

No.177 Rules/II.D4 dated 22.8.14

Rule 4(6) of Chapter 17 of the Rules and Orders of Punjab and Haryana High Court, Volume-IV is amended as under:-

“4(6) Copies of records required by the Supreme Court Legal Aid Committee. High Court Legal Aid Committee, District Legal Service Authorities and Sub-Divisional Legal Services Committee constituted by the State Government/Union Territories, shall be supplied free of charge, provided that the application for copy is received from the Member Secretary/Secretary of such Committees/Authorities or any other person so authorized by them.”

BY ORDER OF HON'BLE THE ACTING CHIEF JUSTICE AND JUDGES.

Sd/-.....
Registrar Rules
For Registrar General

भाग-III**हरियाणा सरकार**

न्याय प्रशासन विभाग

अधिसूचना

दिनांक 29 जनवरी, 2016

संख्या का0आ0 3/के0आ0 39/1987/घा0 28/2016-& विधिक सेवा प्राधिकरण अधिनियम, 1987 (1987 का केन्द्रीय अधिनियम 39), की धारा 28 की उप-धारा (2) के खण्ड (ड), (ज) तथा (ड) के साथ पठित उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा मुख्य न्यायाधीश, पंजाब तथा हरियाणा उच्च न्यायालय के परामर्श से, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा राज्य विधिक सेवा प्राधिकरण, जिला विधिक सेवा प्राधिकरण, लोक उपयोगी सेवा हेतु स्थाई लोक अदालत तथा ताल्लुक (उपमण्डल) विधिक सेवा समिति में ग्रुप ख, ग तथा घ के पदों पर नियुक्त व्यक्तियों की भर्ती तथा सेवा शर्तों को विनियमित करने वाले निम्नलिखित नियम बनाते हैं, अर्थात् :-

भाग-1**सामान्य**

1. (1) ये नियम हरियाणा राज्य विधिक सेवा प्राधिकरण ग्रुप ख, ग तथा घ कर्मचारी (भर्ती तथा सेवा शर्त) नियम, 2016, कहे जा सकते हैं। संक्षिप्त नाम, लागूकरण तथा प्रारम्भ।
- (2) ये नियम हरियाणा राज्य विधिक सेवा प्राधिकरण, जिला विधिक सेवा प्राधिकरण, लोक उपयोगी सेवा हेतु स्थाई लोक अदालत तथा ताल्लुक (उपमण्डल) विधिक सेवा समिति के ग्रुप ख, ग तथा घ के सभी सेवा के सदस्यों को लागू होंगे।
- (3) ये नियम राजपत्र में प्रकाशन की तिथि से लागू होंगे।
2. इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,— परिभाषाएं।
 - (क) "अधिनियम" से अभिप्राय है, विधिक सेवा प्राधिकरण अधिनियम, 1987 (1987 का केन्द्रीय अधिनियम 39);
 - (ख) "नियुक्त प्राधिकारी" से अभिप्राय है, इन नियमों के नियम 6 के अधीन विभिन्न पदों के लिए नियुक्त प्राधिकारी के रूप में वर्णित कोई प्राधिकारी;
 - (ग) "अध्यक्ष" से अभिप्राय है, जिला विधिक सेवा प्राधिकरण का अध्यक्ष, लोक उपयोगी सेवा हेतु स्थाई लोक अदालत का अध्यक्ष या ताल्लुक (उपमण्डल) विधिक सेवा समिति का अध्यक्ष, जैसी भी स्थिति हो;
 - (घ) "समिति" से अभिप्राय है, ताल्लुक (उपमण्डल) विधिक सेवा समिति;
 - (ड) "सीधी भर्ती" से अभिप्राय है, सेवा में से पदोन्नति द्वारा या भारत सरकार या किसी राज्य सरकार या उच्च न्यायालय की सेवा में पहले से ही लगे किसी कर्मचारी के स्थानान्तरण/प्रतिनियुक्ति से अन्यथा की गई कोई नियुक्ति;
 - (च) "जिला प्राधिकरण" से अभिप्राय है, अधिनियम में यथा परिभाषित जिला विधिक सेवा प्राधिकरण;
 - (छ) "कार्यकारी अध्यक्ष" से अभिप्राय है, हरियाणा राज्य विधिक सेवा प्राधिकरण का कार्यकारी अध्यक्ष;
 - (ज) "सरकार" से अभिप्राय है, प्रशासकीय विभाग में हरियाणा राज्य की सरकार;
 - (झ) "संस्था" से अभिप्राय है, कोई संस्था जो सरकार द्वारा संस्था के रूप में घोषित की गई है;
 - (ञ) "सदस्य सचिव" से अभिप्राय है, हरियाणा राज्य विधिक सेवा प्राधिकरण का सदस्य सचिव;
 - (ट) "सेवा का सदस्य" से अभिप्राय है, हरियाणा राज्य विधिक सेवा प्राधिकरण, जिला प्राधिकरण, स्थाई लोक अदालत या समिति के ग्रुप ख, ग तथा घ सेवा में किसी पद पर भर्ती किया गया कोई व्यक्ति;
 - (ठ) "मुख्य संरक्षक" से अभिप्राय है, पंजाब तथा हरियाणा उच्च न्यायालय का मुख्य न्यायाधीश;

- (ड) "स्थाई लोक अदालत" से अभिप्राय है, अधिनियम के अध्याय VI-क के अधीन यथा स्थापित लोक उपयोगी सेवा हेतु स्थाई लोक अदालत;
- (ढ) "मान्यताप्राप्त विश्वविद्यालय" से अभिप्राय है, भारत के किसी राज्य में विधि द्वारा निगमित कोई विश्वविद्यालय;
- (ण) "सेवा" से अभिप्राय है, इन नियमों के अधीन ग्रुप ख, ग तथा घ सेवा, जैसी भी स्थिति हो;
- (त) "राज्य प्राधिकरण" से अभिप्राय है, अधिनियम में परिभाषित हरियाणा राज्य विधिक सेवा प्राधिकरण।

भाग - II सेवा में भर्ती

पदों की संख्या तथा उनका स्वरूप।

3. सेवा में, इन नियमों के परिशिष्ट क में दर्शाए गए पद शामिल होंगे:

परन्तु इन नियमों की कोई भी बात, राज्य प्राधिकरण के परामर्श से ऐसे पदों की संख्या में वृद्धि या कमी करने या विभिन्न पदनामों और वेतनमानों वाले नये पद स्थायी या अस्थाई रूप से बनाने के सरकार के अन्तर्निहत अधिकार पर प्रभाव नहीं डालेगी।

सेवा में नियुक्त किये गये उम्मीदवारों की राष्ट्रियता, अधिवास तथा चरित्र।

4. (1) कोई भी व्यक्ति, सेवा में किसी पद पर तब तक नियुक्त नहीं किया जाएगा जब तक वह निम्नलिखित न हो, -

- (क) भारत का नागरिक ; या
- (ख) नेपाल की प्रजा ; या
- (ग) भूटान की प्रजा ; या
- (घ) तिब्बत का शरणार्थी, जो पहली जनवरी, 1962 से पहले भारत में स्थाई रूप से बसने के आशय से आया हो :

परन्तु उपरोक्त खण्ड (ख), (ग) या (घ) से सम्बन्धित कोई व्यक्ति ऐसा होगा जिसके पक्ष में सरकार द्वारा पात्रता का प्रमाण-पत्र जारी किया गया हो।

(2) कोई भी व्यक्ति, जिसकी दशा में पात्रता का प्रमाण-पत्र आवश्यक हो, राज्य प्राधिकरण या किसी अन्य भर्ती प्राधिकरण द्वारा संचालित परीक्षा या साक्षात्कार के लिये प्रविष्ट किया जा सकता है, किन्तु नियुक्ति का प्रस्ताव उसे केवल सरकार द्वारा आवश्यक पात्रता प्रमाण-पत्र जारी किये जाने के बाद ही दिया जा सकता है।

(3) कोई भी व्यक्ति, सेवा में किसी पद पर सीधी भर्ती द्वारा तब तक नियुक्त नहीं किया जायेगा, जब तक वह अन्तिम उपस्थिति के विश्वविद्यालय, महाविद्यालय, विद्यालय या संस्था, यदि कोई हो, के प्रधान शैक्षणिक अधिकारी से चरित्र प्रमाण-पत्र और दो ऐसे अन्य जिम्मेदार व्यक्तियों से, जो उसके सम्बन्धी न हो, किन्तु उसके व्यक्तिगत जीवन में उससे भली-भांति परिचित हो और उसके विश्वविद्यालय, महाविद्यालय, विद्यालय या संस्था से संबंधित न हो और उसी प्रकार के प्रमाण पत्र प्रस्तुत न करें।

आयु।

5. कोई भी व्यक्ति, सेवा में किसी पद पर सीधी भर्ती द्वारा नियुक्त नहीं किया जाएगा जो राज्य प्राधिकरण को आवेदन-पत्र प्रस्तुत करने की अन्तिम तिथि को अठारह वर्ष से कम अथवा बयालीस वर्ष से अधिक की आयु का ना हो।

नियुक्ति प्राधिकारी।

6. (1) राज्य प्राधिकरण के ग्रुप ख पद पर नियुक्ति या तो पदोन्नति द्वारा या सीधी नियुक्ति द्वारा या हरियाणा सरकार के अन्य विभागों से या उच्च न्यायालय या हरियाणा के जिला न्यायालयों से प्रतिनियुक्ति/स्थानान्तरण द्वारा कार्यकारी अध्यक्ष द्वारा की जाएगी।

(2) राज्य प्राधिकरण के ग्रुप ग तथा घ पदों पर नियुक्तियां कार्यकारी अध्यक्ष के परामर्श से सदस्य सचिव द्वारा की जाएगी। ग्रुप ग पदों पर नियुक्ति या तो पदोन्नति द्वारा या सीधी भर्ती द्वारा या हरियाणा सरकार के अन्य विभागों से या उच्च न्यायालय या हरियाणा के जिला न्यायालयों से प्रतिनियुक्ति/स्थानान्तरण द्वारा की जाएगी तथा ग्रुप घ पदों पर नियुक्ति सीधी भर्ती द्वारा की जाएगी।

(3) स्थाई लोक अदालत के ग्रुप ग तथा घ पदों पर नियुक्तियां कार्यकारी अध्यक्ष के परामर्श से सदस्य सचिव द्वारा की जाएगी। ग्रुप ग पदों पर नियुक्ति या तो पदोन्नति द्वारा या सीधी भर्ती द्वारा या हरियाणा सरकार के अन्य विभागों से या उच्च न्यायालय या हरियाणा के जिला न्यायालयों से प्रतिनियुक्ति/स्थानान्तरण द्वारा की जाएगी तथा ग्रुप घ पदों पर नियुक्ति सीधी भर्ती द्वारा की जाएगी।

(4) जिला प्राधिकरण तथा समिति के ग्रुप ग तथा घ पदों पर नियुक्तियां राज्य प्राधिकरण के कार्यकारी अध्यक्ष की सिफारिश पर जिला प्राधिकरण के सम्बन्धित अध्यक्ष द्वारा की जाएगी। ग्रुप ग पदों पर नियुक्ति या तो पदोन्नति द्वारा या सीधी भर्ती द्वारा या हरियाणा सरकार के अन्य विभागों से या उच्च न्यायालय या हरियाणा के जिला न्यायालयों से प्रतिनियुक्ति/स्थानान्तरण द्वारा की जाएगी तथा ग्रुप घ पदों पर नियुक्ति सीधी भर्ती द्वारा की जाएगी

7. कोई भी व्यक्ति किसी भी पद पर परिशिष्ट ख में वर्णित ढंगों में से किसी एक के सिवाय सेवा में किसी पद पर तब तक नियुक्त नहीं किया जाएगा जब तक वह सीधी भर्ती की दशा में, इन नियमों के उक्त परिशिष्ट के खाना 3 में विनिर्दिष्ट और सीधी भर्ती से अन्यथा नियुक्ति की दशा में पूर्वोक्त परिशिष्ट के खाना 4 में विनिर्दिष्ट योग्यताएं तथा अनुभव न रखता हो:

नियुक्ति का ढंग तथा योग्यताएं।

परन्तु सीधी भर्ती की दशा में, यदि अनुसूचित जातियों, पिछड़े वर्गों, भूतपूर्व सैनिकों और शारीरिक रूप से विकलांग प्रवर्गों में उनके लिए आरक्षित रिक्तियों को भरने के लिए अपेक्षित अनुभव रखने वाले उम्मीदवारों की पर्याप्त संख्या उपलब्ध न हो, तो कार्यकारी अध्यक्ष के विवेक पर अनुभव सम्बन्धी योग्यताओं में पचास प्रतिशत की सीमा तक ढील दी जाएगी, ऐसा करने के लिए लिखित रूप में कारण दिए जाएंगे।

8. कोई भी व्यक्ति—

अयोग्यता।

(क) जिसने जीवित पति/पत्नी वाले व्यक्ति से विवाह कर लिया है या विवाह की संविदा कर ली है, या

(ख) जिसने पति/पत्नी के जीवित होते हुये किसी अन्य व्यक्ति से विवाह कर लिया है या विवाह की संविदा कर ली है,

सेवा में किसी भी पद पर नियुक्ति का पात्र नहीं होगा:

परन्तु यदि कार्यकारी अध्यक्ष की सन्तुष्टि हो जाये कि ऐसे व्यक्ति को लागू स्वीय विधि के आधीन ऐसा विवाह अनुज्ञेय है, तो वह किसी ऐसे व्यक्ति को इस नियम के लागू होने से छूट दे सकते हैं।

9. (1) जहां ग्रुप ख, ग या घ का कोई पद सीधी भर्ती द्वारा भरा जाना अपेक्षित है, तो कार्यकारी अध्यक्ष, सदस्य सचिव तथा राज्य प्राधिकरण या जिला प्राधिकरण से कोई दो अधिकारियों को मिलाकर चयन समित गठित करेगा। लिखित परीक्षा तथा साक्षात्कार में उम्मीदवारों के प्रदर्शन के आधार पर चयन समिति मैरिट के अनुक्रम में उम्मीदवारों की सूची तैयार करेगी तथा उसे इसकी सिफारिश सहित कार्यकारी अध्यक्ष को उसके अनुमोदन हेतु भेजेगी। कार्यकारी अध्यक्ष द्वारा दिए गए ऐसे अनुमोदन के बाद, नियमों के परिशिष्ट क में यथा वर्णित सेवा के पदों तथा सरकार द्वारा समय-समय पर, स्वीकृत सभी अन्य पदों पर सभी नियुक्तियां नियुक्ति प्राधिकारी द्वारा उक्त अनुमोदित सूची से की जाएगी।

भर्ती।

(2) सीधी भर्ती की चयन सूची परिणामों की घोषणा की तिथि से एक वर्ष की अवधि के लिए वैध होगी तथा इस अवधि के भीतर विज्ञापित पद किसी कारण से नहीं भरा जाता है या रिक्त रह जाता है, तो मैरिट के अनुसार प्रतीक्षा सूची, यदि कोई हो, के उम्मीदवारों में से भरा जाएगा। नियुक्ति हेतु अनुमोदन के मामले में कार्यकारी अध्यक्ष का निर्णय अन्तिम होगा।

10- (1) टंकण परीक्षा, लिपिकों, आशुलिपिकों, कनिष्ठ वेतनमान आशुलिपिकों तथा वरिष्ठ वेतनमान आशुलिपिकों के लिए सेवा शर्तों के भाग रूप में कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) से प्रतिस्थापित की जाती है। कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) बाद की अपेक्षित शर्त/अर्हता होगी जो सरकारी विभागों/संस्थाओं में सभी नए भर्ती/नियुक्त किए गए लिपिकों, आशुलिपिकों, कनिष्ठ वेतनमान आशुलिपिकों तथा वरिष्ठ वेतनमान आशुलिपिकों को अर्हक करनी होगी। वर्तमान लिपिक जो ग्रुप-घ तथा रेस्टोरर इत्यादि से पदोन्नत किए गए हैं, जिन्होंने सेवा नियमों के अधीन यथा अपेक्षित अब तक टंकण परीक्षा पास नहीं की है उन्हें या तो टंकण परीक्षा या कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) पास करने का विकल्प होगा। आशुलिपिकों, कनिष्ठ वेतनमान आशुलिपिकों तथा वरिष्ठ वेतनमान आशुलिपिकों को भी सेवा नियमों में यथाविहित आशुलिपि परीक्षा भी अर्हक करनी होगी।

(2) उम्मीदवार को सीधी भर्ती की दशा में एक वर्ष तक विस्तारयोग्य दो वर्ष की परिवीक्षा अवधि के भीतर कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) अर्हक करनी होगी। ग्रुप-ग में पदों के पूर्वोक्त प्रवर्गों के विरुद्ध नियुक्त उम्मीदवार तब तक अपने वेतनमान में कोई वेतनवृद्धि अर्जित करने के लिए हकदार नहीं होगा जब तक वह उक्त परीक्षा अर्हक नहीं कर लेता है, जिसमें असफल रहने पर ऐसे कर्मचारियों की सेवाएं समाप्त कर दी जाएंगी। व्यक्ति जो लिपिक तथा आशुलिपिक के पद पर पदोन्नत किए गए हैं, को भी एक वर्ष तक विस्तारयोग्य एक वर्ष की परिवीक्षा अवधि के भीतर कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) अर्हक करनी होगी, जिसमें असफल रहने पर उसे वापस प्रतिवर्तित कर दिया जाएगा।

(3) हरियाणा सरकार, इसके द्वारा, हरियाणा राज्य इलैक्ट्रॉनिक विकास निगम लिमिटेड (हारट्रोन) या सरकार द्वारा यथाविहित किसी अन्य एजेन्सी को इस नियम के उप नियम (4) में पहले से यथा उपबन्धित पाठयक्रम के अतिरिक्त जैसा सरकार समय-समय पर इस सम्बन्ध में विनिर्दिष्ट करें पाठयक्रम के अनुसार टाईपिंग स्पीड में परीक्षा सहित कम्प्यूटर अप्रेशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) आयोजित करने के लिए प्राधिकृत एजेन्सी के रूप में प्राधिकृत करती है। हारट्रोन या सरकार द्वारा यथा अनुमोदित किसी अन्य एजेन्सी द्वारा जारी किया गया पास प्रमाण-पत्र सेवा नियमों में विहित शर्त को पूरा करने के साक्ष्य के रूप में स्वीकार किया जाएगा।

(4) कम्प्यूटर अप्रेशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) के लिए पाठयक्रम में केवल वर्डप्रोसेसिंग, इन्टरनेट ब्राउजिंग तथा ई-मेल मनेजमेंट होंगे।

(5) लिपिकों की दशा में, दोनों मामलों में समकक्ष की (key) दबाने सहित बदलकर अंग्रेजी में प्रति मिनट 30 शब्द तथा हिन्दी में प्रति मिनट 25 शब्द की टाईपिंग स्पीड, चूंकि टाईपिंग स्पीड कम्प्यूटर पर परीक्षित की जाएगी।

(6) निम्नलिखित योग्यता रखने वाले कर्मचारियों को कम्प्यूटर अप्रेशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) देने से छूट दी जाती है :-

- (i) एम0टैक0/बी0टैक0 (कम्प्यूटर), एम0सी0ए0, बी0सी0ए0 या मान्यता प्राप्त संस्थान जैसे पोलिटैनिक्स से कम्प्यूटर में डिप्लोमा,
- (ii) राष्ट्रीय इलैक्ट्रॉनिक्स तथा सूचना प्रौद्योगिकी संस्थान (एन0आई0ई0एल0आई0टी0) (पूर्वी डी0ओ0ई0ए0सी0सी0 सोसाइटी) के अधीन स्थापित किसी मान्यताप्राप्त केन्द्र से बेसिक कम्प्यूटर साक्षरता प्रमाण पत्र,
- (iii) एच0के0सी0एल0 के प्राधिकृत शिक्षा केन्द्रों (ए0एल0सीज0) से सूचना प्रौद्योगिकी में हरियाणा राज्य प्रमाण-पत्र (एच0एस0सी0आई0टी0)
- (iv) उम्मीदवारों/कर्मचारियों जिन्होंने एस0ई0टी0सी0 पहले से ही पास कर रखी है तथा वह सेवा ग्रहण करते समय वैध है। किसी उम्मीदवार द्वारा पहले से ही पास कम्प्यूटर अप्रेशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) को हारट्रोन या सरकार द्वारा प्राधिकृत किसी अन्य एजेन्सी द्वारा ऐसा प्रमाण-पत्र जारी करने की तिथि से पांच वर्ष की अवधि के लिए वैध माना जाएगा; तथा
- (v) शारीरिक रूप से अशक्त उम्मीदवारों अर्थात् हाथ (बायां तथा दायां) का अंगच्छेदन ऊपरी अंगों का अंगच्छेदन, परैलइसिस आफ रेडयल नर्व: (रेडयल नर्व: पालसी) दोनों में से कोई एक ऊपरी अंग। नर्वस सिस्टम को प्रभावित करने वाला डेक्लिनेशन डिजेनरेटिव डिस्ऑर्डर जो हाथ के लकवे तथा इसकी मांसपेशियों की क्षीणता तथा आंखों की विकलांगता का कारण हो सकता है।

तथापि इन कर्मचारियों को उपरोक्त उप-पैरा (v) के अधीन वर्णित अपवाद सहित कम्प्यूटर अप्रेशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा (एस0ई0टी0सी0) की भागरूप टंकण परीक्षा पास करना अपेक्षित होगा।

पदोन्नति का ढग।

11. जहां कोई पद पदोन्नति द्वारा भरा जाना अपेक्षित हैं, तो यह कार्यकारी अध्यक्ष द्वारा गठित विभागीय पदोन्नति समिति द्वारा वरिष्ठता एवं मैरिट के आधार पर की जाएगी तथा उक्त समिति की पदोन्नति हेतु उपयुक्तता विचारने हेतु इसकी अपनी मरजी की प्रक्रिया हो सकती है।

परिवीक्षा।

12. (1) सेवा में सीधी भर्ती के लिए परिवीक्षा अवधि दो वर्ष के लिए होगी जो राज्य प्राधिकरण के ग्रुप ख के कर्मचारियों की दशा में कार्यकारी अध्यक्ष द्वारा और राज्य प्राधिकरण तथा स्थाई लोक अदालत के ग्रुप ग और घ के कर्मचारियों की दशा में सदस्य सचिव तथा जिला प्राधिकरण या समिति के कर्मचारियों की दशा में जिला प्राधिकरण या समिति के अध्यक्ष, जैसी भी स्थिति हो, की सिफारिश पर सदस्य सचिव द्वारा इस प्रकार बढ़ाई जा सकती है कि कुल अवधि तीन वर्ष से अधिक नहीं होगी।

(2) किसी व्यक्ति की परिवीक्षा अवधि पूरी होने पर, राज्य प्राधिकरण के ग्रुप ख के पद की दशा में कार्यकारी अध्यक्ष के अनुमोदन से सदस्य सचिव, राज्य प्राधिकरण तथा स्थाई लोक अदालत के ग्रुप ग तथा घ के पदों की दशा में सदस्य सचिव तथा जिला प्राधिकरण या समिति के कर्मचारियों की दशा में जिला प्राधिकरण या समिति के अध्यक्ष, जैसी भी स्थिति हो, की सिफारिश पर कार्यकारी अध्यक्ष के अनुमोदन से सदस्य सचिव,-

(क) यदि उसकी राय में उसका कार्य तथा आचरण संतोषजनक रहा हो तो,-

- (i) ऐसे व्यक्ति को, यदि वह स्थाई रिक्ति पर नियुक्त किया गया हो, तो उसकी नियुक्ति की तिथि से पुष्ट कर सकता है;
- (ii) ऐसे व्यक्ति को, यदि वह अस्थायी रिक्ति पर नियुक्त किया गया हो, तो स्थाई रिक्ति होने की तिथि से पुष्ट कर सकता है।

(3) कार्यकारी अध्यक्ष ग्रुप ख के पद की दशा में, यदि उसकी परिवीक्षा संतोषजनक नहीं पाई जाती है, तो उसका कोई कारण बताए बिना सीधी भर्ती द्वारा नियुक्त व्यक्ति की सेवा परिवीक्षा या विस्तारित परिवीक्षा, जैसी भी स्थिति हो, की अवधि के दौरान किसी भी समय समाप्त कर सकता है।

(4) कार्यकारी अध्यक्ष के परामर्श से सदस्य सचिव, राज्य प्राधिकरण या स्थाई लोक अदालत में ग्रुप ग अथवा घ की दशा में, यदि उसकी परिवीक्षा संतोषजनक नहीं पाई जाती है, तो उसका कोई कारण बताए बिना सीधी भर्ती द्वारा नियुक्त व्यक्ति की परिवीक्षा या विस्तारित परिवीक्षा जैसी भी स्थिति हो, अवधि के दौरान किसी भी समय समाप्त कर सकता है या जिला प्राधिकरण या समिति में सीधी भर्ती द्वारा नियुक्त व्यक्ति की सेवा समाप्त करने के लिए जिला प्राधिकरण के अध्यक्ष को निर्देश कर सकता है।

(5) जब तक पुष्टि का अभिवक्त आदेश पारित नहीं किया जाता है, तो नियुक्त व्यक्ति यदि परिवीक्षा अवधि या विस्तारित अवधि समाप्त हो गई हो, तब भी परिवीक्षा के अधीन समझा जाएगा।

13. सेवा के सदस्यों की परस्पर वरिष्ठता सेवा में किसी भी पद पर उसके लगातार सेवाकाल के अनुसार अवधारित की जाएगी : वरिष्ठता।

परन्तु सीधी भर्ती द्वारा नियुक्त सेवा के सदस्यों की दशा में, नियुक्ति प्राधिकारी द्वारा अवधारित मैरिट अनुक्रम वरिष्ठता नियत करते समय भंग नहीं किया जाएगा :

परन्तु यह और कि एक तिथि को समरूप पद पर नियुक्त दो या दो से अधिक सेवा के सदस्यों की दशा में, उनकी वरिष्ठता निम्न प्रकार अवधारित की जाएगी,—

- (क) पदोन्नति द्वारा नियुक्त सेवा का सदस्य सीधी भर्ती या स्थानान्तरण/प्रतिनियुक्ति द्वारा नियुक्त सदस्य से वरिष्ठ होगा;
- (ख) सीधी भर्ती द्वारा नियुक्त सेवा का सदस्य स्थानान्तरण/प्रतिनियुक्ति द्वारा नियुक्त सदस्य से वरिष्ठ होगा;
- (ग) स्थानान्तरण/प्रतिनियुक्ति द्वारा नियुक्त सेवा के सदस्यों की दशा में, वरिष्ठता विभाग, जिससे वे प्रतिनियुक्ति या स्थानान्तरित किए गए थे, में ऐसे सदस्य की वरिष्ठता के अनुसार अवधारित की जाएगी;
- (घ) विभिन्न संवर्ग से स्थानान्तरण द्वारा नियुक्त सेवा के सदस्यों की दशा में, उनकी वरिष्ठता वेतन के अनुसार अवधारित की जाएगी, अधिमान ऐसे सदस्य को दिया जाएगा जो अपनी पहले की नियुक्ति में उच्चतर वेतनमान ले रहा था, और यदि ले रहे वेतन की दर भी समान हो, तो तब ऐसे सेवा काल के अनुसार अवधारित की जाएगी और यदि सेवाकाल भी समान हो, तो आयु में बड़ा सेवा का सदस्य छोटे सेवा के सदस्य से वरिष्ठ होगा;
- (ङ) विभिन्न संवर्गों से प्रतिनियुक्ति द्वारा नियुक्त सेवा के सदस्यों की दशा में, उनकी वरिष्ठता वेतन के अनुसार अवधारित की जाएगी, अधिमान ऐसे सदस्य को दिया जाएगा जो अपनी पहले की नियुक्ति में उच्चतर वेतनमान ले रहा था, और यदि ले रहे वेतन की दर भी समान हो, तो तब ऐसे सेवा काल के अनुसार अवधारित की जाएगी और यदि सेवाकाल भी समान हो, तो आयु में बड़ा सेवा का सदस्य छोटे सेवा के सदस्य से वरिष्ठ होगा।

14. कार्यकारी अध्यक्ष के परामर्श से सदस्य सचिव समय-समय पर हरियाणा राज्य के भीतर कहीं भी या राज्य प्राधिकरण के मुख्यालय पर या विलोमतः किसी समकक्ष पद पर सेवा के सदस्य को स्थानान्तरित कर सकता है। स्थानान्तरण और तैनाती।

15. (1) जब कभी राज्य प्राधिकरण अधिकारी/अमला को प्रतिनियुक्त पर लाते हुए पद भरने का विनिश्चय करता है, तो प्रतिनियुक्ति अवधि समान्यतः दो वर्ष की होगी तथा उसके बाद, राज्य प्राधिकरण अपने विवेक पर मूल विभाग की सहमति से, जैसा वह आवश्यक समझे, ऐसी और अवधि के लिए प्रतिनियुक्ति अवधि बढ़ा सकता है : प्रतिनियुक्ति तथा समावेशन।

परन्तु कर्मचारी के आवेदन पर कार्यकारी अध्यक्ष अपने विवेक से तथा सन्तुष्ट होने पर, किसी भी अधिकारी या अन्य कर्मचारी जो किसी पद पर प्रतिनियुक्त पर है तथा प्रतिनियुक्ति की अवधि के दौरान राज्य प्राधिकरण या जिला प्राधिकरण में दो वर्ष या अधिक के लिए कार्यरत हो, के समावेशन के लिए आदेश कर सकता है तथा ऐसा समावेशन मूल विभाग जहां अधिकारी/ कर्मचारी उसकी प्रतिनियुक्ति की अवधि से पूर्व तुरन्त कार्य कर रहा था, की अनुमति प्राप्त करने के बाद प्रभावी होगा।

(2) जहां कर्मचारी किसी पद पर राज्य प्राधिकरण द्वारा इस प्रकार समावेशित किया गया है, तो ऐसे कर्मचारी के आने से पूर्व उस द्वारा की गई सेवा राज्य सरकार में विद्यमान नियमों के अनुसार विचारी जाएगी:

परन्तु कर्मचारी की वरिष्ठता समावेशन की तिथि से गिनी जाएगी।

वेतन, छुट्टी,
पेंशन तथा
अन्य मामले।

16. (1) वेतन, छुट्टी, पेंशन, अधिवर्षिता, सुनिश्चित जीविका प्रगति हेतु उपबंध तथा ऐसे सभी अन्य मामलों के सम्बन्ध में, जिनका इन नियमों में स्पष्ट रूप से उपबंध नहीं किया गया है, सेवा के सदस्य ऐसे नियमों तथा विनियमों द्वारा शासित होंगे जो सक्षम प्राधिकारी द्वारा भारत के संविधान के अधीन या राज्य विधानमण्डल द्वारा बनाई गई उस समय लागू किसी विधि के अधीन अपनाए या बनाये गये हो अथवा इसके बाद अपनाये या बनाये जाये।

(2) कोई व्यक्ति जो सेवा या पद से सेवानिवृत्त होता है, तो वह अधिवर्षिता पेंशन (किन्तु पेंशन की किसी अन्य श्रेणी के लिए नहीं) वास्तविक अवधि जो उसकी सेवा की अवधि से एक चौथाई से अधिक न हो या वास्तविक अवधि जिसकी भर्ती के समय उसकी आयु पच्चीस वर्ष से अधिक है या वास्तविक अवधि पांच वर्ष है, जो भी कम हो, यदि वह सेवा या पद—

(क) जिसके लिए वह वैज्ञानिक, शिल्पविज्ञानीय व्यवसायिक क्षेत्र में स्नातकोत्तर अनुसंधान या विशिष्ट अर्हता या अनुभव आवश्यक है, पर नियुक्त किया गया है ; तथा

(ख) जिस पर सामान्यतः पच्चीस वर्ष की अवधि की आयु के उम्मीदवार भर्ती किए गए हैं, के लिए अपनी अर्हक सेवा जुड़वाने के लिए पात्र होगा :

परन्तु यह छूट ऐसे किसी व्यक्ति को अनुज्ञेय नहीं होगी यदि उसकी वास्तविक सेवा, सेवा छोड़ते समय, दस वर्ष से कम हो :

परन्तु यह और कि यह छूट केवल ऐसे व्यक्ति को अनुज्ञेय होगी जो उक्त अर्हताएं तथा अनुभव रखता हो तथा सीधी भर्ती के द्वारा नियुक्त किया हो :

परन्तु यह और कि यह छूट उस व्यक्ति को, जो अधिवर्षिता पेंशन की अपनी पूर्व सेवा गिनने के लिए पात्र है, अनुज्ञात नहीं किया जाएगा, जब तक वह अपनी सेवानिवृत्ति की तिथि से पूर्व विकल्प का चुनाव नहीं करता है, पूर्व सेवा गिनते हुए पूर्वगामी सेवा के अधिमान हेतु, एक बार विकल्प का किया गया प्रयोग अन्तिम होगा।

अनुशासन
शास्तियां तथा
अपीलें।

17. (1) अनुशासन, शास्तियों तथा अपीलों से सम्बन्धित मामलों में, सेवा के सदस्य हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987 द्वारा शासित होंगे :

परन्तु ऐसी शास्तियों का स्वरूप जो लगाई जा सकती हैं, ऐसी शास्तियां लगाने के लिए सशक्त प्राधिकारी तथा अपील प्राधिकारी ऐसे होंगे जो इन नियमों के परिशिष्ट ग में विनिर्दिष्ट हैं।

(2) हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987के नियम 9 के उपनियम (1) के खंड (ग) या खंड (घ) के अधीन आदेश पारित करने के लिये सक्षम प्राधिकारी तथा अपील प्राधिकारी भी वह होगा जो इन नियमों के परिशिष्ट घ में यथाविनिर्दिष्ट है।

(3) अपील में पारित किया गया आदेश अन्तिम होगा।

(4) इन नियमों में दी गई किसी बात के होते हुए भी, कोई भी अपील,—

(i) अन्तर्वर्ती स्वरूप के किसी आदेश, जो अनुशासनिक कार्यवाहियों के अन्तिम निपटान के सहायक कदम के हैं, के विरुद्ध नहीं हो सकेगी ;

(ii) अन्तर्वर्ती हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987 के अधीन की गई किसी जांच के दौरान किसी जांच प्राधिकारी द्वारा पारित किसी आदेश के विरुद्ध नहीं हो सकेगी ;

(6) कोई भी अपील तब तक ग्रहण नहीं की जाएगी जब तक आदेश की प्रति जिसके विरुद्ध अपील की जानी है, अपीलार्थी को प्रदान करने की तिथि से तीस दिन की अवधि के भीतर नहीं की जाती है। अन्तिम ज्ञात पते पर संसुचित आदेश विधिवत् सूचित किए गए समझे जाएंगे, यदि जानबूझकर सेवा इन्कार या प्रत्याख्यान या अपवंचन किया गया है :

परन्तु अपील प्राधिकारी उक्त अवधि की समाप्ति के बाद भी अपील ग्रहण कर सकता है, यदि उसकी सन्तुष्टि हो जाती है कि अपीलार्थी के पास समय पर अपील दायर नहीं करने के पर्याप्त कारण थे।

- 18.** सेवा का प्रत्येक सदस्य स्वयं टीका लगवायेगा तथा जब सरकार किसी विशेष या साधारण आदेश द्वारा ऐसे निर्देश करे, पुनः टीका लगवाएगा। टीका लगवाना।
- 19.** सेवा के प्रत्येक सदस्य को, जब तक कि उसने पहले ही ऐसा न कर लिया हो, भारत के प्रति तथा विधि द्वारा यथा स्थापित भारत के संविधान के प्रति राजनिष्ठा की शपथ लेनी होगी। राजनिष्ठा की शपथ।
- 20.** यदि कार्यकारी अध्यक्ष की राय में, मुख्य संरक्षक से सम्यक् विचार-विमर्श के बाद, इन नियमों के किसी उपबन्ध में ढील देना आवश्यक या समीचीन हो, वहां वह ऐसे कारणों से जो अभिलिखित किए जाएंगे, आदेश द्वारा व्यक्तियों के किसी वर्ग या प्रवर्ग या इन नियमों के अन्तर्गत पदों के बारे में ऐसा कर सकता है। ढील देने की शक्ति।
- 21.** इन नियमों में दी गई किसी बात के होते हुए भी, नियुक्ति प्राधिकारी, यदि नियुक्ति आदेश में विशेष निबन्धन तथा शर्तें लगाना उचित समझे, तो वह ऐसा कर सकता है। विशेष उपबन्धता।
- 22.** सरकार द्वारा समय-समय पर आरक्षण, आयु में छूट, या अनुसूचित जनजातियों, अनुसूचित जातियों, अन्य पिछड़े वर्गों या किन्हीं अन्य विशेष प्रवर्ग के व्यक्ति के सम्बन्ध में किसी अन्य छूट के सम्बन्ध में जारी किया गया कोई आदेश/अधिसूचना ऐसी फेरफार, यदि कोई हो, जैसा राज्य प्राधिकरण विनिर्दिष्ट करें, के अधीन यथा आवश्यक परिवर्तन सहित लागू होगा/होगी : आरक्षण।
परन्तु ऐसी फेरफार इस सम्बन्ध में सम्पूर्ण पॉलिसी की उल्लंघना नहीं होगी।
- 23.** यदि इन नियमों के निर्वचन के सम्बन्ध में कोई प्रश्न उठता है, तो कार्यकारी अध्यक्ष का निर्णय अन्तिम होगा। निर्वचन।

परिशिष्ट क
(देखिए नियम 3)

भाग - 1

वेतनमान सहित हरियाणा राज्य विधिक सेवा प्राधिकरण में विभिन्न नाम पद्धति सहित पदों की संख्या दर्शाते हुए विवरण :

क्रम संख्या	पदनाम	वेतनमान	पदों की संख्या		
			रूपये	स्थायी	अस्थायी
ग्रुप ख					
1.	प्रशासनिक अधिकारी	9300-34800-5400 ग्रेड वेतन	—	1	1
2.	अधीक्षक	9300-34800-4200 ग्रेड वेतन	—	1	1
3.	विधि अधिकारी	9300-34800-4200 ग्रेड वेतन + 200 विशेष वेतन	—	1	1
ग्रुप ग					
4.	अनुभाग अधिकारी	9300-34800-4600 ग्रेड वेतन	—	1	1
5.	उप अधीक्षक	9300-34800-3600 ग्रेड वेतन	—	1	1
6.	निजी सहायक	9300-34800-3600 ग्रेड वेतन + 150 विशेष वेतन	—	1	1
7.	विधि सहायक	9300-34800-3300 ग्रेड वेतन	—	1	1
8.	लेखाकार	9300-34800-3200 ग्रेड वेतन	—	1	1
9.	सहायक	9300-34800-3200 ग्रेड वेतन	—	6	6
10.	वरिष्ठ वेतनमान आशुलिपिक	9300-34800-3200 ग्रेड वेतन	—	1	1
11.	आशुलिपिक	5200-20200-1900 ग्रेड वेतन	—	2	2
12.	लिपिक	5200-20200-1900 ग्रेड वेतन	—	4	4
13.	चालक	5200-20200-2400 ग्रेड वेतन	—	3	3
ग्रुप घ					
14.	सेवादार	4440-7440-1300 ग्रेड वेतन	—	6	6
15.	सेवादार-एवं-चौकीदार	4440-7440-1300 ग्रेड वेतन	—	1	1

भाग-II

वेतनमान सहित जिला विधिक सेवा प्राधिकरण में विभिन्न नाम पद्धति सहित पदों की संख्या दर्शाते हुए विवरण

क्रम संख्या	पदनाम	वेतनमान	पदों की संख्या		
			स्थायी	अस्थायी	कुल
ग्रुप ग					
1	सहायक	9300-34800-3200 ग्रेड वेतन	—	21	21
2	कनिष्ठ वेतनमान आशुलिपिक	5200-20200-1900 ग्रेड वेतन	—	31	31
3	लिपिक	5200-20200-1900 ग्रेड वेतन	—	40	40
4	चालक	5200-20200-2400 ग्रेड वेतन	—	9	9
ग्रुप घ					
5	सेवादार	4440-7440-1300 ग्रेड वेतन	—	31	31

भाग-III

वेतनमान सहित लोक उपयोगी सेवा हेतु स्थायी लोक अदालत में विभिन्न नाम पद्धति सहित पदों की संख्या दर्शाते हुए विवरण

क्रम संख्या	पदनाम	वेतनमान	पदों की संख्या		
			स्थायी	अस्थायी	कुल
ग्रुप ग					
1	आशुलिपिक	5200-20200-1900 ग्रेड वेतन	—	11	11
ग्रुप घ					
2	सेवादार	4440-7440-1300 ग्रेड वेतन	—	11	11

भाग-IV

वेतनमान सहित उपमण्डल विधिक सेवा समिति में विभिन्न नाम पद्धति सहित पदों की संख्या दर्शाते हुए विवरण

क्रम संख्या	पदनाम	वेतनमान	पदों की संख्या		
			स्थायी	अस्थायी	कुल
ग्रुप ग					
1	लिपिक	5200-20200-1900 ग्रेड वेतन	—	24	24

परिशिष्ट ख
(देखिए नियम 7)

क्रम संख्या	पदनाम	सीधी भर्ती के लिए शैक्षणिक योग्यताएं तथा अनुभव, यदि कोई हो	सीधी भर्ती से अन्यथा नियुक्ति के लिए शैक्षणिक योग्यताएं तथा अनुभव, यदि कोई हो
1	2	3	4
1.	प्रशासनिक अधिकारी	(क) किसी मान्यताप्राप्त विश्वविद्यालय से कम से कम 55 प्रतिशत अंकों सहित एम0बी0ए0 या एल0एल0बी0 या उसके समकक्ष; तथा (ख) किसी प्रशासनिक पद पर पांच वर्ष का अनुभव;	पदोन्नति अथवा स्थानान्तरण/ प्रतिनियुक्ति द्वारा – (क) अधीक्षक के रूप में पांच वर्ष का अनुभव;
2.	अधीक्षक	(क) 55 प्रतिशत अंकों सहित स्नातक; तथा (ख) किसी पर्यवेक्षक हैसियत में पांच वर्ष का अनुभव;	पदोन्नति अथवा स्थानान्तरण/ प्रतिनियुक्ति द्वारा – (क) स्नातक या समकक्ष; (ख) उप अधीक्षक या निजी सहायक के रूप में कम से कम पांच वर्ष का अनुभव या सहायक या लेखाकार के रूप में दस वर्ष का अनुभव या दस वर्ष का संयुक्त अनुभव;
3.	विधि अधिकारी	(क) 55 प्रतिशत अंकों सहित विधि स्नातक; (ख) बार में सात वर्ष का विधि व्यवसाय; (ग) हिन्दी की जानकारि;	(क) कम से कम दस वर्ष का अनुभव रखने वाले विधि सहायक में से पदोन्नति द्वारा ; (ख) कम से कम तीन वर्ष का अनुभव रखने वाले विधि अधिकारियों या कम से कम दस वर्ष का अनुभव रखने वाले विधि सहायक में से स्थानान्तरण/ प्रतिनियुक्ति द्वारा ;
4.	अनुभाग अधिकारी	एस0ए0एस0 अर्हक	खजाना तथा लेखा विभाग से प्रतिनियुक्ति द्वारा;
5.	उप अधीक्षक	(क) 55 प्रतिशत अंकों सहित स्नातक; तथा (ख) किसी पर्यवेक्षक हैसियत में तीन वर्ष का अनुभव;	कम से कम पांच वर्ष का अनुभव रखने वाले सहायकों/लेखाकारों में से पदोन्नति द्वारा;
6.	निजी सहायक	(क) 55 प्रतिशत अंकों सहित स्नातक; तथा (ख) वरिष्ठ वेतनमान आशुलिपिक के रूप में तीन वर्ष का अनुभव तथा अंग्रेजी आशुलिपि/टंकण में प्रति मिनट 100/20 शब्द और हिन्दी आशुलिपि/टंकण में 80/15 की शब्द की गति रखता हो;	(क) कम से कम पांच वर्ष का अनुभव रखने वाला वरिष्ठ वेतनमान आशुलिपिक में से पदोन्नति द्वारा ; (ख) कम से कम पांच वर्ष का अनुभव रखने वाला वरिष्ठ वेतनमान आशुलिपिक में से स्थानान्तरण/ प्रतिनियुक्ति द्वारा ;
7.	विधि सहायक	55 प्रतिशत अंकों सहित विधि स्नातक। बार में अनुभव रखने वाले उम्मीदवार को अधिमान दिया जाएगा;	कम से कम तीन वर्ष का अनुभव रखने वाले विधि स्नातक सहायकों/लेखाकारों या विधि स्नातक लिपिकों, जो पांच वर्ष का अनुभव रखते हों, में से पदोन्नति द्वारा ;

8.	लेखाकार	(क) कम से कम 55 प्रतिशत अंकों सहित वाणिज्य स्नातक और कंप्यूटर एपलिकेशन में डिग्री/डिप्लोमा धारक हो; (ख) लेखाकार के रूप में दो वर्ष का अनुभव;	कम से कम पांच वर्ष का अनुभव रखने वाले लेखाकार के पद पर कार्यरत वाणिज्य स्नातक में से स्थानान्तरण/ प्रतिनियुक्ति द्वारा;
9.	सहायक	कम से कम 55 प्रतिशत अंकों सहित किसी शिक्षण में स्नातक डिग्री और कंप्यूटर एपलिकेशन में डिग्री/ डिप्लोमा धारक हो ;	(क) वरिष्ठता-एवं- मैरिट के आधार पर पांच वर्ष के अनुभव सहित लिपिकों में से पदोन्नति द्वारा ; (ख) कंप्यूटर एपलिकेशन में डिग्री/ डिप्लोमा धारक सहायकों या पांच वर्ष के अनुभव सहित कंप्यूटर एपलिकेशन में डिग्री/ डिप्लोमा धारक लिपिकों या कंप्यूटर एपलिकेशन में डिग्री/ डिप्लोमा धारक सहायक तथा लिपिक के पद पर पांच वर्ष का संयुक्त अनुभव रखने वालों में से स्थानान्तरण/ प्रतिनियुक्ति द्वारा;
10.	वरिष्ठ वेतनमान आशुलिपिक	(क) किसी मान्यताप्राप्त विश्वविद्यालय से स्नातक; (ख) अंग्रेजी आशुलिपि/टंकण में प्रति मिनट 100/20 शब्दों तथा हिन्दी आशुलिपि/टंकण में प्रति मिनट 80/15 शब्द की गति रखता हो ;	(क) वरिष्ठता-एवं-मैरिट के आधार पर पांच वर्ष के अनुभव सहित कनिष्ठ वेतनमान आशुलिपिकों में से पदोन्नति द्वारा ; (ख) पांच वर्ष का अनुभव सहित कनिष्ठ वेतनमान आशुलिपिकों में से स्थानान्तरण/प्रतिनियुक्ति द्वारा ;
11.	कनिष्ठ वेतनमान आशुलिपिक	(क) किसी मान्यता प्राप्त विश्वविद्यालय से स्नातक; (ख) अंग्रेजी आशुलिपि/ टंकण में प्रति मिनट 100/20 शब्द तथा हिन्दी आशुलिपि/टंकण में प्रति मिनट 80/15 शब्द की गति रखता हो;	वरिष्ठता-एवं-मैरिट के आधार पर तीन वर्ष के अनुभव तथा अंग्रेजी आशुलिपि/टंकण में प्रति मिनट 100/20 शब्द तथा हिन्दी आशुलिपि/टंकण में प्रति मिनट 80/15 शब्द की गति सहित आशु टंककों में से पदोन्नति द्वारा;
12	आशुलिपिक	(क) किसी मान्यताप्राप्त विश्वविद्यालय से कला, विज्ञान, वाणिज्य में स्नातक डिग्री या उसके समकक्ष; (ख) अंग्रेजी आशुलिपि में प्रति मिनट 80 शब्द की गति तथा 15 शब्द प्रति मिनट से उसका प्रतिलेखन तथा हिन्दी आशुलिपि में प्रति मिनट 64 शब्द की गति तथा 11 शब्द प्रति मिनट से उसका प्रतिलेखन;	-
13	लिपिक(90 प्रतिशत सीधी भर्ती द्वारा तथा 10 प्रतिशत पदोन्नति द्वारा)	(1) किसी मान्यताप्राप्त विश्वविद्यालय से स्नातक डिग्री या उसके समकक्ष; (2) एक विषय के रूप में हिन्दी सहित मैट्रिकुलेशन ; उच्चतर अर्हता धारक व्यक्ति को अधिमान दिया जाएगा।	कम से कम मैट्रिक या उसके समकक्ष अर्हता रखने वाले ऐसे पदों पर 10 वर्ष का अनुभव रखने वाले सेवादार-एवं-चौकीदारों/सेवादारों में से पदोन्नति द्वारा।

		<p>टिप्पण:- उम्मीदवारों की निम्नलिखित विषयों में लिखित परीक्षा ली जाएगी:-</p> <table border="1"> <thead> <tr> <th>क्रम संख्या</th> <th>विषय</th> <th>अधिकतम अंक</th> <th>अर्हक अंक</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>अंग्रेजी कम्पोजिशन</td> <td>100</td> <td>50 प्रतिशत</td> </tr> <tr> <td>2.</td> <td>सामान्य ज्ञान</td> <td>100</td> <td>50 प्रतिशत</td> </tr> </tbody> </table> <p>कोई भी उम्मीदवार जब तक लिखित परीक्षा में कुलयोग में 55 प्रतिशत अंक प्राप्त नहीं करता है तथा 30 शब्द प्रति मिन्ट की गति से हिन्दी या अंग्रेजी में टाईप टेस्ट पास नहीं करता है, नियुक्ति के लिए विचारा नहीं जाएगा।</p>	क्रम संख्या	विषय	अधिकतम अंक	अर्हक अंक	1.	अंग्रेजी कम्पोजिशन	100	50 प्रतिशत	2.	सामान्य ज्ञान	100	50 प्रतिशत	
क्रम संख्या	विषय	अधिकतम अंक	अर्हक अंक												
1.	अंग्रेजी कम्पोजिशन	100	50 प्रतिशत												
2.	सामान्य ज्ञान	100	50 प्रतिशत												
14	चालक	<p>(क) मैट्रिक; (ख) कम से कम तीन वर्ष पुराना हल्का मोटर वाहन तथा मध्यम यात्रि मोटर वाहन वैद्य अनुज्ञप्ति होनी चाहिए; (ग) समिति द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (घ) वर्णान्ध नहीं होना चाहिए; (ङ) मैट्रिक या उच्चतर शिक्षा स्तर तक हिन्दी/संस्कृत ; (च) लापरवाही चालन हेतु किसी अपराध के लिए दोषसिद्ध नहीं होना चाहिए।</p>	-												
15	सेवादार या सेवादार-चौकीदार	मिडल स्तर की परीक्षा तथा हिन्दी का ज्ञान रखता हो।	-												

परिशिष्ट ग

[देखिए नियम 17(1)]

क्रम संख्या	पदनाम	नियुक्ति प्राधिकारी	शास्ति का स्वरूप	शास्ति लगाने के लिए सशक्त प्राधिकारी	अपील प्राधिकारी
1.	ग्रुप ख सेवा का कोई सदस्य	कार्यकारी अध्यक्ष	1 छोटी शास्तियां 2 बड़ी शास्तियां (हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987 में यथा विनिर्दिष्ट।)	कार्यकारी अध्यक्ष	मुख्य संरक्षक
2.	ग्रुप ग तथा घ सेवा का कोई सदस्य	नियम 6 के अनुसार सदस्य सचिव/ अध्यक्ष, जिला विधिक सेवा प्राधिकरण, जैसी भी स्थिति हो।	1 छोटी शास्तियां 2 बड़ी शास्तियां (हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987 में यथा विनिर्दिष्ट।)	नियम 6 के अनुसार सदस्य सचिव/ अध्यक्ष, जिला विधिक सेवा प्राधिकरण, जैसी भी स्थिति हो।	कार्यकारी अध्यक्ष

परिशिष्ट घ

{देखिए नियम 17 (2)}

क्रम संख्या	पदनाम	आदेश का स्वरूप	आदेश करने के लिए सशक्त प्राधिकारी	अपील प्राधिकारी
1.	ग्रुप ख सेवा का कोई सदस्य	(i) पेंशन को नियन्त्रित करने वाले नियमों के अधीन अनुज्ञेय साधारण या अतिरिक्त पेंशन की राशि में कमी करना या रोकना;	कार्यकारी अध्यक्ष	मुख्य संरक्षक
2.	ग्रुप ग या घ सेवा का कोई सदस्य	(ii) सेवा के सदस्य की उसकी अधिवर्षिता के लिए नियत आयु पूरी होने से अन्यथा नियुक्ति की समाप्ति।	नियम 6 के अनुसार सदस्य सचिव/ अध्यक्ष, जिला विधिक सेवा प्राधिकरण।	कार्यकारी अध्यक्ष

पी0के0 दास,
अपर मुख्य सचिव, हरियाणा सरकार,
न्याय प्रशासन विभाग।

[Authorized English Translation]

HARYANA GOVERNMENT**ADMINISTRATION OF JUSTICE DEPARTMENT****Notification**

The 29th January, 2016

No. S.O.3/C.A.39/1987/S.28/2016.— In exercise of the powers conferred by sub-section (1) read with clauses (e), (j) and (m) of sub-section (2) of section 28 of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987), the Governor of Haryana, in consultation with the Chief Justice of the Punjab and Haryana High Court, hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to the posts of Group B, C and D Services in Haryana State Legal Services Authority, District Legal Services Authority, Permanent Lok Adalat for Public Utility Services and Taluk (Sub-Divisional) Legal Services Committee, namely:-

**PART-I
GENERAL**

- 1.** (1) These rules may be called the Haryana Legal Services Authority Group B, C and D Employees (Recruitment and Conditions of Service) Rules, 2016. Short title, applicability and Commencement.
- (2) These rules shall be applicable to all members of service of Group B, C and D of the Haryana State Legal Services Authority, District Legal Services Authority, Permanent Lok Adalat for Public Utility Services and Taluk (Sub-Divisional) Legal Services Committee.
- (3) These rules shall come into force from the date of publication in the Official Gazette.
- 2.** In these rules, unless the context otherwise requires, - Definitions
- (a) “Act” means the Legal Services Authorities Act, 1987 (Central Act 39 of 1987);
- (b) “Appointing Authority” means an authority mentioned as appointing authority for different posts under rule 6 of these rules;
- (c) “Chairman” means the Chairman of the District Legal Services Authority, Chairman of Permanent Lok Adalat for Public Utility Services, or Chairman of the Taluk (Sub-Divisional) Legal Services Committee, as the case may be;
- (d) “Committee” means the Taluk (Sub-Divisional) Legal Services Committee;
- (e) “direct recruitment” means an appointment made otherwise than by promotion from within the Service or by transfer/deputation of an official already in the service of the Government of India or of any State Government or any High Court;
- (f) “District Authority” means the District Legal Services Authority as defined in the Act.
- (g) “Executive Chairman” means the Executive Chairman of Haryana State Legal Services Authority;
- (h) “Government” means the Government of the State of Haryana in Administrative Department;
- (i) “institution” means an institution, which is declared by the Government to be an institution;
- (j) “Member Secretary” means the member secretary of the Haryana State Legal Services Authority;
- (k) “Member of Service” means a person recruited against any post in Group B, C or D Service of the Haryana State Legal Services Authority, District Authority, Permanent Lok Adalat or a Committee;

- (l) "Patron-in-Chief" means the Chief Justice of the Punjab and Haryana High Court;
- (m) "Permanent Lok Adalat" means Permanent Lok Adalat for Public Utility Services as established under Chapter VI-A of the Act;
- (n) "recognized university" means any university incorporated by law in any State of India;
- (o) "Service" means the Group B, C and D Service as the case may be, under these rules;
- (p) "State Authority" means the Haryana State Legal Services Authority as defined in the Act.

PART-II

RECRUITMENT TO SERVICE

Number and character of posts

3. The Service shall comprise of the posts shown in Appendix A to these rules: Provided that nothing in these rules shall affect the inherent right of the Government to make additions to or reductions in the number of such posts with different designation and scales of pay either permanently or temporarily in consultation with the State Authority.

Nationality domicile and character of candidate appointed to service.

- 4.** (1) No person shall be appointed to any post in the Service, unless he is,-
- (a) a citizen of India; or
 - (b) a subject of Nepal; or
 - (c) a subject of Bhutan; or
 - (d) a Tibetan refugee, who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India:

Provided that a person belonging to clause (b), (c) or (d) above shall be a person in whose favour a certificate of eligibility has been issued by the Government.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the State Authority or any other recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the Service by the direct recruitment, unless he produces a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificate from two other responsible persons, not being his relatives, who are acquainted with him in his private life and are unconnected with his university, college, school or institution.

Age.

5. No person shall be appointed to any post in the Service by direct recruitment, who is less than eighteen years or more than forty two years of age on the last date of submission of application to the State Authority.

Appointing Authority.

6. (1) Appointment to a Group B post of State Authority shall be made by the Executive Chairman, either by promotion or by direct appointment or by deputation/transfer from other Departments of Haryana Government or from High Court or District Courts of Haryana.

(2) Appointments to Group C and D posts of State Authority shall be made by the Member Secretary in consultation with Executive Chairman. Appointment to Group C posts shall be made either by promotion or by direct recruitment or by deputation/transfer from other Departments of the Haryana Government or from High Court or District Courts of Haryana and appointment to Group D posts shall be made by direct recruitment.

(3) Appointment to Group C and D posts of Permanent Lok Adalat shall be made by the Member Secretary in consultation with Executive Chairman. Appointment to Group C posts shall be made either by promotion or by direct recruitment or by deputation/transfer from other Departments of the Haryana Government or from High Court or District Courts of Haryana and appointment to Group D posts shall be made by direct recruitment.

(4) Appointments to Group C and D posts of District Authority and Committee shall be made by the respective Chairman of District Authority on the recommendation of Executive Chairman of State Authority. Appointment to Group C posts shall be made either by promotion or by direct recruitment or by deputation/transfer from other departments of the Government or from the High Court or District Courts of Haryana and appointment to Group D posts shall be made by direct recruitment.

7. No person shall be appointed to any post in the Service except by any one of the modes mentioned in Appendix B against the said post, unless he is in possession of qualifications and experience specified in column 3 of the said Appendix to these rules in the case of direct recruitment and those specified in column 4 of aforesaid Appendix in the case of appointment other than by direct recruitment:

Method of appointment and qualifications.

Provided that in case of direct recruitment, the qualifications regarding experience shall be relaxable to the extent of fifty percent at the discretion of the Executive Chairman in case sufficient number of candidates belonging to Scheduled Caste, Backward Classes, Ex-Servicemen and Physically handicapped candidates possessing the requisite experience, are not available to fill up the vacancies reserved for them and after recording reason for so doing in writing.

8. No person;-

Disqualifications.

- (a) Who has entered into or contracted a marriage with a person having a spouse living; or
 - (b) Who having a spouse living, has entered into or contracted a marriage with any person,
- shall be eligible for appointment to any post in the Service:

Provided that the Executive Chairman may, if satisfied, that such marriage is permissible under the personal law applicable to such person exempt any such person from the operation of this rule.

9. (1) Where any post in Group B, C or D is required to be filled up by way of direct recruitment, the Executive Chairman shall constitute a Selection Committee comprising of Member Secretary and any two officers from State Authority or District Authority. The Selection Committee on the basis of performance of candidates in the written examination and interview, shall prepare a list of candidates in order of merit and forward the same with its recommendation to the Executive Chairman for his approval. After such approval is granted by the Executive Chairman, all appointments to the posts in Service as set out in Appendix A of the rules and all other posts sanctioned by the State Government from time to time, shall be made from the said approved list by the appointing Authority.

Recruitment

(2) The select list of direct recruitment shall be valid for a period of one year from the date of declaration of results and any advertised post remaining unfilled or falling vacant due to any reason within this period, shall be filled from the candidates from the waiting list, if any, as per merit. The decision of Executive Chairman in the matter of approval for appointment shall be final.

10. (1) Typing test is substituted with the State Eligibility Test in Computer Appreciation and Applications (SETC) as a part of service requirement for Clerks, Steno-typists, Junior Scale Stenographers and Senior Scale Stenographers. The State Eligibility Test in Computer Appreciation and Applications (SETC) shall be a post requisite condition/qualification which all the newly recruited/ appointed Clerks, Steno-typists, Junior Scale Stenographers and Senior Scale Stenographers in the Government Departments/Organizations shall have to qualify. The existing Clerks, who have been promoted from Group-D and Chowkidar and Peon etc. who have not passed the typing test till date as required under the Service Rules shall have an option either to pass the typing test or the State Eligibility Test in Computer Appreciation and Applications (SETC). The Steno-typists, Junior Scale Stenographers and Senior Scale Stenographers shall also have to qualify stenography test as prescribed in Service Rules.

State Eligibility Test in Computer Appreciation and Applications

(2) The candidate shall have to qualify the State Eligibility Test in Computer Appreciation and Applications (SETC) within the probation period of two years, extendable by one year in case of direct recruit. The candidate appointed against the aforesaid categories of posts in Group C shall not be entitled to earn any increment in his/her pay scale till he/she qualifies the said test, failing which the services of such employees shall be dispensed with. The persons who are promoted to the post of Clerk and Steno-typist shall also qualify the State Eligibility Test in Computer Appreciation and Applications (SETC) within the period of probation of one year extendable by one year, failing which he/she will be reverted back.

(3) The Government of Haryana hereby authorizes the Haryana State Electronic Development Corporation Limited (HARTRON) or any other agency as prescribed by the Government, as the authorized Agency for conducting the State Eligibility Test in Computer Appreciation and Applications (SETC), alongwith a test in typing speed in accordance with the syllabus as the State Government may specify in this regard from time to time, beside the syllabus already provided in sub-rule (4) of this rule. The 'pass' certificate issued by HARTRON or any other agency, as approved by the Government, would be accepted as an evidence of the fulfillment of the prescribed condition in the Service Rules.

(4) The syllabus for the State Eligibility Test in Computer Appreciation and Applications (SETC) would contain Word processing, Internet Browsing and E-mail management only.

(5) In the case of Clerks, typing speed of 30 words per minute in English and 25 words per minute in Hindi converted with equivalent key depressions in both cases as the typing speed, would be tested on computers.

(6) The employees possessing the following qualifications are exempted from taking the State Eligibility Test in Computer Appreciation and Applications (SETC):-

- (i) M.Tech./B.Tech. (Computers), M.C.A., B.C.A. or Diploma in Computers from the recognized institutions e.g. Polytechnics;
- (ii) Basic Computer Literacy Certificate from any recognized centre established under the National Institute of Electronics and Information Technology (NIELIT) {erstwhile DOEACC Society};
- (iii) Haryana State Certificate in Information Technology {HS-CIT} from the Authorized Learning Centers (ALCs) of the HKCL;
- (iv) Candidates/employees who have already passed the SETC and the same is valid at the time of joining the service. The State Eligibility Test in Computer Appreciation and Applications (SETC) passed by any candidate earlier shall be considered valid for a period of five years from the date of issue of such certificate by HARTRON or any other agency authorized by the Government; and

(v) Physically disabled candidates i.e. amputation of hand (Left and Right) Amputation of upper limbs, Paralysis of Radial Nerve (Radial Nerve Palsy) of either upper limb. Declination degenerative disorder effecting the nervous system which may cause paralysis and atrophy of the hand and its muscles and Visually Handicapped, However, these employees, with the exception of those mentioned under sub-para (v) above. Shall be required to clear the "typing test" being part of the State Eligibility Test in Computer Appreciation and Applications (SETC).

Method of promotion

11. Where a post is required to be filled up by way of promotion, it shall be made on the basis of seniority-cum-merit by a Departmental Promotion Committee constituted by the Executive Chairan and the said Committee may device its own procedure for considering suitability for promotion.

Probation

12. (1) Direct recruit to the Service shall remain on probation for a period of two years, which may be so extended by the Executive Chairman in case of Group B employees of State Authority and by Member Secretary in case of Group C or D employees of State Authority and Permanent Lok Adalat; and by Member Secretary in case of employees of District Authority or Committee, on the recommendation of the Chairman of District Authority or Committee, as the case may be, as not to exceed a total period of three years.

(2) On completion of period of probation of a person, the Member Secretary with the approval of Executive Chairman in case of Group B post of State Authority, Member Secretary in case of Group C and D posts of State Authority and Permanent Lok Adalat and Member Secretary in case of employees of District Authority or Committee on the recommendation of the Chairman of District Authority or Committee, as the case may be, with the approval of Executive Chairman may,

(a) if his work and conduct has, in his opinion been satisfactory,-
confirm such person from the date of his appointment, if appointed against a permanent vacancy;
confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy.

(3) The Executive Chairman may at any time during the period of probation or the extended probation, as the case may be, dispense with the services of a direct appointee, in case of Group B post, if the same has been found to be not satisfactory, without assigning any reason thereof.

(4) The Member Secretary in consultation with the Executive Chairman, may at any time during the period of probation or the extended probation, as the case may be, dispense with the services of a direct appointee in case of Group C or D in State Authority or Permanent Lok Adalat or direct the Chairman of District Authority to dispense with the services of direct appointee of District Authority or Committee, if the same has been found to be not satisfactory, without assigning any reason thereof.

(5) Until and unless express order of confirmation is passed, appointee shall be deemed to be under probation, even if probation period or extended period of probation has expired.

13. Seniority, *inter se* of members of Service shall be determined by the length of continuous service on any post in the Service: Seniority

Provided that in the case of members of Service appointed by direct recruitment, the order of the merit determined by the appointing authority shall not be disturbed in fixing the seniority;

Provided further that in the case of two or more members of Service being appointed to a similar post on the same date, their seniority shall be determined as follows,-

- (a) a member of Service appointed by promotion shall be senior to a member appointed by direct recruitment or transfer/deputation;
- (b) a member of Service appointed by direct recruitment shall be senior to a member appointed by transfer/deputation;
- (c) in the case of a members of Service appointed by transfer/deputation, seniority shall be determined according to the seniority of such member in the department from which they were sent for deputation or transferred;
- (d) in the case of members of Service appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing a higher scale of pay in his previous appointment, and if the rates of pay drawn are also the same, then by the length of such service, and if length of service is also the same, the older member of Service shall be senior to the younger member of Service; and
- (e) in the case of members of Service appointed by deputation from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing a higher scale of pay in his previous appointment, and if the rates of pay drawn are also the same, then by the length of such service, and if length of service is also the same, the older member of Service shall be senior to the younger member of Service.

14. The Member Secretary in consultation with the Executive Chairman, may from time to time, transfer a member of Service to any equivalent post anywhere within the State of Haryana or to the Head Office of the State Authority or vice-versa. Transfer and posting.

Deputation and
absorption.

15. (1) Whenever the State authority has decided to fill up a post by way of bringing an officer/staff on deputation, the period of deputation shall normally be two years and thereafter, the State Authority may at its discretion extend the period of deputation for such further period as it may consider necessary, with the concurrence of the parent department:

Provided that on the application of the employee, the Executive Chairman may in his discretion, and on being satisfied, order for absorption of any officer or other employee, who is on deputation to a post and has worked for two years or more with the State Authority or District Authority during the period of deputation and such absorption may be given effect after obtaining clearance of the parent department, where the officer/employee was working immediately preceding the period of his deputation.

(2) Where an employee has been thus absorbed by the State Authority on any post, the service of such employee rendered by him prior to his coming over shall be considered as per the rules prevailing in the State Government:

Provided that the Seniority of employee shall be counted from the date of absorption.

Pay, leave, pension
and other matters.

16. (1) In respect of pay, leave, pension, superannuation, provision for Assured Career Progression and all other matters, not expressly provided for in these rules, a member of the Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority under the Constitution of India or under any law for the time being in force made by the State Legislature.

(2) A person who retires from Service or post shall be eligible to add to his Service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeds twenty-five years or the actual period of five years, whichever ever is less, if the service of post to which he is appointed is one-

- (a) for which post graduate research or specialist qualification or experience in scientific, technological or professional fields, is essential; and
- (b) to which candidates of more than twenty five years of age normally recruited:

Provided that this concession shall not be admissible to a person if his actual qualifying Service at the time he quits Service is less than ten years:

Provided further that this concession shall be admissible only to a person who possess the aforesaid qualifications and experience and is appointed by direct recruitment:

Provided further that this concession shall not be admissible to a person who is eligible for counting his past service of superannuation pension, unless he opt before the date of his retirement, the option once exercised shall be final, for the weightage of service foregoing the counting of the past service.

Discipline, penalties
and appeals

17. (1) In matters relating to discipline, penalties and appeals, the members of the Service shall be governed by Haryana Civil Services (Punishment and Appeal) Rules, 1987:

Provided that the nature of penalties, which may be imposed, the authority empowered to impose such penalties and appellate authority shall be such as are specified in Appendix C to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub rule (1) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and appellate authority shall also be specified in Appendix D to these rules.

(3) Order passed in appeal shall be final.

(4) Notwithstanding anything contained in these rules, no appeal shall lie against,-

- (i) any order of interlocutory nature or an order which is a step-in-aid of the final disposal of disciplinary proceedings;
- (ii) any order passed by an inquiring authority in the course of an inquiry held under Haryana Civil Services (Punishment and Appeal) Rules, 1987.

(5) No appeal shall be entertained unless such appeal is preferred within a period of thirty days from the date on which a copy of the order appealed against is delivered to the appellant. The order communicated at the last known address shall be considered as duly conveyed, if there is a deliberate refusal or denial or evasion of service:

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

- 18.** Every member of the Service shall get himself vaccinated and revaccinated as and when the Government so directs by a special or general order. Vaccination
- 19.** Every member of the Service, unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India, as by law established. Oath of allegiance
- 20.** Where the Executive Chairman is of the opinion that it is necessary or expedient to do so, he may, after due consultation with the Patron-in-Chief by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or posts covered by these rules. Power of relaxation
- 21.** Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment, if it is deemed expedient to do so. Special provisions
- 22.** Any order/notification issued by the Government from time to time with regard to reservation, relaxation of age, or any other concession in respect of Scheduled Tribes, Scheduled Castes, Other Backward Classes or any other specific category of person shall apply mutatis mutandis subject to such variations, if any, as the State Authority may specify:
Provided that such variations shall not be in contravention of the over-all policy in this regard. Reservations
- 23.** If any question arises as to the interpretation of these rules, the decision of the Executive Chairman shall be final. Interpretation.

APPENDIX A*(See rule 3)***PART-I**

Statement showing the number of posts with different nomenclature in the Haryana State Legal Services Authority with pay scale.

Sr. No.	Post	Scale of pay (Rs.)	Number of posts		
			Permanent	Temporary	Total
Group B					
1.	Administrative Officer	9300-34800+5400 GP	-	1	1
2.	Superintendent	9300-34800+4200 GP	-	1	1
3.	Law Officer	9300-34800+4200 GP + 200 spl.	-	1	1
Group C					
4.	Section Officer	9300-34800+4600 GP	-	1	1
5.	Deputy Superintendent	9300-34800+3600 GP	-	1	1
6.	Personal Assistant	9300-34800+3600 GP + 150 spl. Pay	-	1	1
7.	Legal Assistant	9300-34800+3300 GP	-	1	1
8.	Accountant	9300-34800+3200 GP	-	1	1
9.	Assistant	9300-34800+3200 GP	-	6	6
10.	Senior Scale Stenographer	9300-34800+3200 GP	-	1	1
11.	Steno-Typist	5200+20200+1900 GP	-	2	2
12.	Clerk	5200+20200+1900 GP	-	4	4
13.	Driver	5200+20200+2400 GP	-	3	3
Group D					
14.	Peon	4440-7440+1300 GP	-	6	6
15.	Peon -cum- Chowkidar	4440-7440+1300 GP	-	1	1

PART-II

Statement showing the number of posts with different nomenclature in the District Legal Services Authorities with pay scale.

Sr. No.	Post	Scale of pay (Rs.)	Number of posts		
			Permanent	Temporary	Total
Group C					
1.	Assistant	9300-34800+3200 GP	-	21	21
2.	Junior Scale Stenographer	5200-20200+2400 GP	-	31	31
3.	Clerk	5200-20200+1900 GP	-	40	40
4.	Driver	5200-20200+2400 GP	-	9	9
Group D					
5.	Peon	4440-7440+1300 GP	-	31	31

PART-III

Statement showing the number of posts with different nomenclature in the Permanent Lok Adalat for Public Utility Services with pay scale.

Sr. No.	Post	Scale of pay (Rs.)	Number of posts		
			Permanent	Temporary	Total
Group C					
1.	Steno-Typist	5200-20200+1900 GP	-	11	11
Group D					
2.	Peon	4440+7440+1300 GP	-	11	11

PART-IV
Statement showing the number of posts with different nomenclature in the Sub Divisional Legal Services
Committees with pay scale.

Sr. No.	Post	Scale of pay (Rs.)	Number of posts		
			Permanent	Temporary	Total
Group C					
1.	Clerk	5200-20200+1900 GP	-	24	24

Appendix B*(See rule 7)*

Serial Number	Designation of posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	2	3	4
1	Administrative Officer	(a) Degree of MBA or LL.B or equivalent thereto from any recognized university with minimum 55% marks; and (b) Five years experience on any administrative post;	By promotion or transfer/deputation (a) Five years experience as Superintendent,
2	Superintendent	(a) Graduation with minimum 55% marks; and (b) Five years experience in any supervisory capacity;	By promotion or transfer/deputation (a) graduate or equivalent; (b) at least five years experience as Deputy Superintendent or Personal Assistant or ten years experience as Assistant or Accountant or combined experience of ten years;
3	Law Officer	(a) Law Graduate with at least 55% marks; (b) seven years practice at the Bar; (c) Knowledge of Hindi;	(a) By promotion from amongst Legal Assistant having experience of at least 10 years; (b) By transfer/ deputation from amongst Law Officers having experience of at least 3 years or Legal Assistant having experience of atleast 10 years;
4	Section Officer	Qualified SAS	By deputation from Treasury and Accounts Department.
5	Deputy Superintendent	(a) Graduation with minimum 55% marks; and (b) 3 years experience in any supervisory capacity;	By promotion from amongst Assistants/ Accountants having experience of at least 5 years;
6.	Personal Assistant	(a) Graduation with minimum 55% marks; and (b) 3 years experience as Senior Scale Stenographer and having a speed of 100/20 words per minute in English shorthand/ typewriting and 80/15 words per minute in Hindi Shorthand/typewriting;	(a) By promotion from amongst Senior Scale Stenographers having experience of at least 5 years; (b) By transfer/ deputation from amongst Senior Scale Stenographers having experience of at least 5 years;
7	Legal Assistant	Law Graduate with at least 55% marks. Preference will be given to candidates having experience at the Bar;	By promotion from amongst law graduate Accountant/ Assistants having experience of at least 3 years or law graduate Clerks having experience of at least 5 years on such post;

8	Accountant	(a) Commerce graduate or MBA with at least 55% marks and holding degree/diploma in computer application; (b) 2 years experience as Accountant;	By transfer/ deputation from amongst commerce graduates working on the post of Accountant having experience of at least 5 years;
9	Assistant	Bachelor degree in any discipline with at least 55% marks and holding degree/diploma in computer application;	(a) By promotion from amongst the Clerks with five years experience, on the basis of seniority-cum-merit; (b) By transfer/ deputation from amongst the Assistants holding degree/diploma in computer application or Clerks with five years experience holding degree/diploma in computer application or five years combined experience on the post of Assistant and Clerk holding degree/diploma in computer application;
10	Senior Scale Stenographer	(a) Graduation from a recognized university; (b) Speed of 100/20 words per minute in English shorthand/typewriting and 80/15 words per minute in Hindi shorthand/typewriting;	(a) By promotion from amongst the Junior Scale Stenographer with 5 years experience on the basis of seniority-cum-merit; (b) By transfer/ deputation from amongst the Junior Scale Stenographers with five years experience;
11	Junior Scale Stenographer	(a) Graduation from a recognized university; (b) Speed of 100/20 words per minute in English shorthand/typewriting and 80/15 words per minute in Hindi Shorthand/typewriting;	By promotion from amongst the Steno-typists with 3 years experience, on the basis of seniority-cum-merit and speed of 100/20 words per minute in English shorthand/typewriting and 80/15 words per minute in Hindi shorthand/typewriting;
12	Steno-Typists	(a) Degree of Bachelor of Arts, Science, commerce or equivalent thereto from a recognized university; (b) Speed of 80 words per minute in English Shorthand and 15 words per minute in Transcription of the same and Speed of 64 words per minute in Hindi Shorthand and 11 words per minute in Transcription of the same;	

13	Clerks (90% by direct recruitment; and 10 % by promotion)	<p>(a) Graduation degree or equivalent thereto from a recognized University;</p> <p>(b) Matriculation with Hindi as one of the subject; Preference shall be given to the person holding higher qualification.</p> <p>Note:- Candidates shall have to take a written examination in the following subjects:-</p> <table border="1" data-bbox="544 456 1091 645"> <thead> <tr> <th>Sr. No.</th> <th>Subject</th> <th>Maximum Marks</th> <th>Qualification marks</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>English Composition</td> <td>100</td> <td>50%</td> </tr> <tr> <td>2.</td> <td>General Knowledge</td> <td>100</td> <td>50%</td> </tr> </tbody> </table> <p>No candidate shall be considered for appointment unless he obtains 55% marks in aggregate in the written examination and qualifies the type test in Hindi or English with minimum speed of 30 words per minute;</p>	Sr. No.	Subject	Maximum Marks	Qualification marks	1.	English Composition	100	50%	2.	General Knowledge	100	50%	By promotion from amongst the Peon-cum-Chowkidar/ Peon possessing minimum matric qualification or equivalent thereto, having 10 years experience as such ;
Sr. No.	Subject	Maximum Marks	Qualification marks												
1.	English Composition	100	50%												
2.	General Knowledge	100	50%												
14	Driver	<p>(a) Matric;</p> <p>(b) should have a light motor vehicle and medium passenger motor vehicle valid driving licence, at least three years old;</p> <p>(c) should have passed the driving test conducted by the Committee;</p> <p>(d) should not be Colour blind;</p> <p>(e) Hindi/ Sanskrit upto Matric standard or higher education;</p> <p>(f) Should not have been convicted for any offence for negligent driving;</p>													
15	Peon Or Peon-cum-Chowkidar	Middle standard examination and possessing knowledge of Hindi													

Appendix C <i>[See Rule 17 (1)]</i>					
Sr.No.	Designation of Post	Appointing Authority	Nature of Penalty	Authority empowered to impose penalty	Appellate Authority
1	Any member of Group B Service	Executive Chairman	1. Minor Penalties 2. Major Penalties [As specified in Haryana Civil Services (Punishment and Appeal) Rules, 1987.]	Executive Chairman	Patron-in-Chief
2	Any member of Group C or D Service	Member Secretary/ Chairman, District Legal Services Authority (as the case may be), as per rule 6	1. Minor Penalties 2. Major Penalties [As specified in Haryana Civil Services (Punishment and Appeal) Rules, 1987.]	Member Secretary / Chairman, District Legal Services Authority (as the case may be), as per rule 6	Executive Chairman

Appendix D <i>[See Rule 17 (2)]</i>				
Sr. No.	Designation of Post	Nature of Order	Authority empowered to make the order	Appellate Authority
1	Any member of Group B Service	(i) reducing or with holding the amount of ordinary or additional pension admissible under the rules governing pension;	Executive Chairman	Patron-in-Chief
2	Any member of Group C or D Service	(ii) terminating the appointment of a member of service otherwise than on his attaining the age fixed for superannuation	Member Secretary / Chairman, District Legal Services Authority, as per rule 6	Executive Chairman

P. K. DAS,
Additional Chief Secretary to Government Haryana,
Administration of Justice Department.

NALSA TOLL FREE HELPLINE NUMBER

15100

HIGH COURT LEGAL SERVICES COMMITTEE

0172-2718223 & 2718339

HALSA TOLL FREE HELPLINE NUMBER

1800-180-2057

CHANDIGARH (U.T.) TOLL FREE HELPLINE NUMBER

1800-180-2058

Helpline Numbers of District Legal Services Authorities

Sr. No.	District	Telephone Number	Sr. No.	District	Telephone Number
1.	Ambala	0171-2532142	12.	Kaithal	01746-235759
2.	Bhiwani	01664-245933	13.	Mewat at Nuh	01267-271072
3.	Charkhi Dadri	01250-223890	14.	Narnaul	01282-250322
4.	Faridabad	0129-2261898	15.	Panchkula	0172-2585566
5.	Fatehabad	01667-231174	16.	Panipat	0180-2640125
6.	Gurgaon	0124-2221501	17.	Palwal	01275-298003
7.	Hissar	01662-270078	18.	Rohtak	01262-257304
8.	Jind	01681-245048	19.	Rewari	01274-220062
9.	Jhajjar	01251-252013	20.	Sirsa	01666-247002
10.	Kurukshetra	01744-220216	21.	Sonepat	0130-2220057
11.	Karnal	0184-2266138	22.	Yamuna Nagar	01732-220840



HARYANA STATE LEGAL SERVICES AUTHORITY, PANCHKULA

PROVIDES FREE LEGAL SERVICES TO THE DOWN TRODDEN POOR AND WEAKER SECTIONS OF SOCIETY.

"WHO ARE ELIGIBLE TO GET FREE LEGAL SERVICES"

Any citizen of India whose annual income from all sources does not exceed Rs.3,00,000/- or such higher amount as may be notified by the State Government from time to time, shall be entitled to legal services under clause (h) of Section 12 of the Legal Services Authority Act, 1987. The State Legal Services Authority, High Court Legal Services Committee, District Legal Services Authority and the Sub-Divisional Legal Services Committee, as the case may be, may grant legal services to any other person irrespective of his income:-

- To a member of Scheduled Caste or Scheduled Tribe or Backward Classes;
- To a victim of trafficking in human beings or beggar as referred in Article 23 of the Constitution;
- To a woman;
- To a child, i.e. person who has not attained the age of 18 years or if he is under the guardianship under the Guardians and Wards Act, 1890 the age of 21 years;
- To a person with disability as defined in clause (i) of Section 2 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 (1 of 1996);
- To a person, under circumstances of undeserved want such as being victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- To an industrial workman; or
- To a person in custody, including custody in a protective home within the meaning of clause (g) of Section 2 of the Immoral Traffic (Prevention) Act, 1956(104 of 1956), or "Children's Home, Observation Home, Shelter Home and Special Home within the meaning of clause (e), (o), (u) and (v) respectively of section 2 of Juvenile Justice (Care and Protection of Children) Act, 2000(56 of 2000)."
- To a person in a psychiatric hospital or psychiatric nursing home within the meaning of clause (q) of Section 2 of the Mental Health Act, 1987; or
- In a test case, the decision of which is likely to affect cases of numerous other persons belonging to the poor and weaker sections of the society; or
- To a person, in a special case, which for reasons to be recorded in writing is considered otherwise deserving of legal service where the means test is not satisfied; or
- To a person in the case where the High Court or the Supreme Court provides legal service under any order in that case legal service would be deemed to have been provided by the Authority/Committee in relaxation of all the conditions laid down in this rule; or
- To a person in case of public interest litigation.
- To an ex-serviceman, and the families of such persons who have died in action; or
- To riot victims, and the families of such persons as well as terrorist victims and families of such persons; or
- To freedom fighters; or
- Transgender people; or
- Senior Citizen that is person who is citizen of India and has attained the age of 60 years or above.
- HIV positive persons or AIDS patients.

"WHOM TO CONTACT TO GET FREE LEGAL SERVICES"

- At State/High Court Level : Member Secretary, Haryana State Legal Services Authority, Plot No.9, Sector-14, Panchkula or Secretary, High Court Legal Services Committee, Punjab & Haryana High Court, Chandigarh
- At District Level : Chairman/Secretary, District Legal Services Authority or any Legal Aid Clinic or Front Office of District Legal Services Authority.
- At Sub-Divisional Level : Chairman, Sub-Divisional Legal Services Committee or any Legal Aid Clinic or Front Office of Sub-Divisional Legal Services Committee.