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LEGAL SERVICES AUTHORITY
UNION TERRITORY, CHANDIGARH
NOTIFICATION

The 20th April, 1998.

No. SLSA/98/58.--In exercise of the powers conferred by Section 29-A of the Legal Services Authorities Act, 1987 (Act No.39 of 1987), the Legal Services Authority, Union Territory, Chandigarh, hereby makes the following regulations, namely:-

REGULATIONS
CHAPTER I
Preliminary

1. (1) These regulations may be called the Short title and commencement.
State Legal Services Authority, Union Territory,
Chandigarh (Transaction of Business and other Provisions)
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 Definitions
otherwise requires,

(a) 'Act' means the Legal Services Authorities Act, 1987 (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 have been provided in any form;

(c) 'Central Authority' means the National Legal Services Authority constituted under Section 3 of the Legal Services Authorities Act, 1987.

(d) 'Chairman' means the Chairman of the District Authority;

(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) 'District Authority' means the District Legal Services Authority constituted under Section 9 of the Legal Services Authorities Act, 1987;

(h) 'Executive Chairman' means the Executive Chairman of the State Authority;

(i) 'High Court' means the Punjab and Haryana High Court at Chandigarh;

(j) 'Legal Practitioner' shall have the meaning as assigned to the expression in the Advocates Act, 1961;

(k) '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;

(l) 'Lok Adalat' means a Lok Adalat organised under Chapter VI of the Act of 1987;

(m) 'Member' means a member of the State Authority or District Authority, as the case may be;

(n) 'Member Secretary' means the Member Secretary of the State Authority;

(o) 'Nominated member' means a member nominated to State Authority or the District Authority as the case may be;

(p) 'Patron-in-Chief' means the Chief Justice of the Punjab and Haryana High Court;

(q) "Rules" means the Chandigarh Legal Services Authorities Rules, 1997;

(r) "Secretary" means the Secretary of the District Authority;

(s) "Section" means a Section of the Act;

(t) "State Authority" means the Legal Services Authority, Union Territory, Chandigarh constituted under Section 6(1) of the Act of 1987;

(u) all other words and expressions used in these Regulations, but not defined, shall have the meaning as assigned to them in the Act and the Rules framed thereunder.

CHAPTER-II

3. (1) 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;

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

(2) 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;

Provided that the Executive Chairman, through Member Secretary may give such direction as he may deem necessary in respect of any matter concerning the affairs of the District Authority.

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 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 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.

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.

Meetings 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, 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 or 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. Patron-in-Chief shall preside the meeting in case he is present.

(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. 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 sections of the Society, who are considered suitably by the Executive Chairman, may be invited for any meeting in order to seek their views, 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 and all policy matters 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 the majority of votes of Members present and in case of tie, the person presiding over the meeting shall have a 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 journeys performed in connection with the work of the State Authority at the rates admissible to a Class-I officer of the State Government.

6. (1) The 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 the Union Territory, Chandigarh.

(3) Executive Chairman may review the cases where legal services have been refused by the District 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:-

Funds of the State Authority.

(1) all such amounts as received by way of 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 State Legal Aid Fund shall be deposited in a Nationalised Bank.

Explanation--- In this sub-regulation "Nationalised 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 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.

Provided that for an expense of more than Rs.5,000/-, approval of the Executive Chairman shall be taken.

(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.

CHAPTER-IV

DISTRICT LEGAL SERVICES AUTHORITY

Other functions of the District Authority;

Other functions of 8.
the District
Authority.

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 laid down under the Act;

(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 be 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 organisations;

(5) prepare and submit returns, reports and statistical information in regard to the legal services programme to the State 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 the ex-officio member, shall be two years and they shall be eligible for re-nomination;

Terms and other conditions of Members of the District Authority.

(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 so abused his position as to render his continuance in the District Authority pre-judicial to the public interest.

(3) Notwithstanding anything contained in sub regulation (2), no member shall be removed from the District Authority on the grounds specified therein without consulting the Chief Justice of the High Court.

(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(B) of rule 13.

(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 State Government as amended from time to time.

(7) The ex-officio members shall be entitled to travelling allowance and daily allowance from the Authority.

10. (1) The Chairman of the District Authority shall be overall in-charge of administration and implementation of the programme of the State Authority and that of the District Authority.

Powers and Functions of the Chairman of the District Authority.

(2) The Chairman shall call meetings of the District Authority convened through the Secretary of the District Authority atleast 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. (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

Secretary of the District Authority.

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.

(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 ^{be} responsible for maintaining a record of the minutes of the proceedings of the meeting.

Meetings of the District Authority.

12. (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 and in his absence by the Addl. District and Sessions Judge-I.

(3) The minutes 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.

(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 in case of a tie, the Chairman shall have a 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:-

Funds of the District Authority.

(1) all such amounts as received by way of 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 District Legal Aid Fund shall be deposited in a Nationalised Bank.

Explanation --- In this sub-regulation "Nationalised 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 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 utilised 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 the 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 to 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.

CHAPTER V

Lok Adalat

Procedure for organising Lok Adalat.

14. The Secretary of the District Authority shall convene and organise 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 District level and circulate the same.

15. The Secretary of the District Authority shall inform the State Authority about the proposal to organise the Lok Adalat well before the date on which the Lok Adalat is proposed to be organised.

Intimation to the State Authority.

16. The Secretary of the District Authority convening and organising 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.

Notice to the Parties concerned.

17. The Chairman of the High Court Legal Services Committee shall constitute Benches of the Lok Adalats. Each bench shall comprise of any two or three of the following, namely:-

Composition of the Lok Adalat at High Court Level.

(i) a serving or retired Judge of the High Court or any other retired Judicial Officer not below the rank of District Judge;

(ii) Member Secretary/Secretary of the High Court Legal Services Committee;

(iii) a member of the legal profession having not less than 10 years of practice;

(iv) a local social worker of repute who is engaged in the upliftment of the weaker sections of the Society.

Composition of the 18. The Member Secretary of the State Lok Adalat at District Level. Authority shall constitute Benches of the Lok Adalats, each Bench comprising two or three of the following, namely:-

- (i) Member Secretary/Secretary;
- (ii) a serving or retired Judicial Officer;
- (iii) a member of the legal profession having at least 10 years' of practice;
- (iv) a (local) social worker of repute who is engaged in the upliftment of the weaker sections of the Society;

Expenditure for the Lok Adalat. 19. The expenditure incurred for organising a Lok Adalat shall not exceed Rs.5000/-(Rupees Five thousand only). The expenditure incurred for publicity Food etc. will be ascertained keeping in view the public gathered at the Lok Adalat. The decision of the Executive Chairman in this regard shall be final.

Summoning of records and the responsibility for its safe custody. 20. (1) The Secretary of the District Authority 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, to be placed before the Lok Adalat.

(3) The Secretary of the District Authority shall be responsible for the safe

custody of the records from the time he receives it from the court till its return.

(4) Each Judicial authority shall cooperate in the 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.

21. (1) The Secretary of the District Authority shall assign cases to the Benches of the Lok Adalat after obtaining orders from the Chairman, as the case may be.

Functioning of
the Lok Adalat.

(2) The Secretary of the District Authority 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, 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 the permission of the Court concerned.

Holding of Lok Adalat.

22. Lok Adalat may be organised at such time and place, on Saturdays, as the State Authority/ District Authority, organising the Lok Adalat deems appropriate.

Remuneration to the Judge and Members of the Lok Adalat.

23. (1) The Judge of the Lok Adalat Bench if he is a retired Judicial Officer and other members shall be provided with conveyance or conveyance allowance as per actual fares to and fro journey between their residence and the place of Lok Adalat.

(2) (i) The Presiding Officer of the Lok Adalats held at High Court Level who is not ^{be} a sitting Judge shall also/entitled to honorarium at such rates as may be determined by the Chairman of the High Court Committee, but not exceeding Rs.50/- per case decided and subject to a maximum of Rs.500/- per day or as may be revised by the Executive Chairman from time to time.

(ii) The other members of the Lok Adalat held at High Court level shall be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Committee but not exceeding Rs.45/- per case decided and subject to a maximum of Rs.300/- per day or as may be revised by the Executive Chairman from time to time.

(iii) The Presiding Officer of the Lok Adalats held at District Level who is not a sitting Judge shall also be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Committee, but not exceeding Rs.50/- per case decided and subject to a maximum of Rs.500/- per day or as may be revised by the Executive Chairman from time to time.

(iv) The other members of the Lok Adalat held at District Court Level shall be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Committee but not exceeding Rs.45/- per case decided and subject to a maximum of Rs.300/- per day or as may be revised by the Executive Chairman from time to time.

24. (1) Every Award or order of the Lok Adalat, shall be signed by the panel constituting the Lok Adalat.

Procedure for effecting compromise or settlement at Lok Adalat.

(2) The original Award shall form part of the Judicial record 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. (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 in English.

Award/order to be categorical and lucid.

(2) The parties to be 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 be compromised duly recorded by it.

Compilation of results.

26. At the conclusion of the Sessions of the Lok Adalat, the Secretary of the District Authority shall compile the results in the Annexed proforma for submission to the State Authority.

27. Procedure for maintaining record of cases referred under Section 20 of the Act or otherwise:-

(1) The Secretary of the District Authority 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 of by the Lok Adalat, an appropriate entry will be made in the register.

28. The expenditure for Lok Adalats

Budget.

organised by the District Authority shall be met out of District Legal Aid Fund. The State Authority, may also make grants out of the State Legal Aid Fund to the District Authorities for this object.

29. (1) The Chairman of the District Authority shall exercise complete and full control over the expenditure to be incurred on the Lok Adalats.

Maintenance of Accounts.

(2) The Secretary of the District Authority, shall render true and proper accounts to the State Authority every quarter.

(3) The Secretary of the District Authority shall forward the report after the Lok Adalat is organised in the

following proforma:-

PROFORMA

For Disposal of cases in Lok Adalat.

| Sr.No. | Name of place | Date of holding of Lok Adalat. | No. of cases disposed of | | |
|--------|---------------|--------------------------------|--------------------------|--------|----------|
| | | | Civil | Claims | Criminal |
| (1) | (2) | (3) | (4) | (5) | (6) |
| Total | | | | | |

30. Since one High Court Legal Services Committee for the States of Punjab, Haryana and the Union Territory of Chandigarh has been constituted under Section 8-A

of the Act, 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, Chandigarh and the Chairman of High Court Legal Services Committee.

Lok Adalats. 31. (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. The State Authority may sanction monetary aid to the applicants as fee of Advocates, to the extent as provided for in the schedule of Regulations.

(3) Every Bench of the Lok Adalat may evolve its own procedure for conducting the proceedings before it and shall not 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.

STATE LEGAL SERVICES AUTHORITY, UNION
TERRITORY, REGULATIONS:

SCHEDULE

(See Regulation 31(2))

| High Court Legal Services Committee | Minimum | Maximum |
|--|---------|---------|
| Writ Petition in the High Court..... | | |
| Writ Appeal in the High Court | | |
| Letters Patent Appeal | | |
| Second Appeal in the High Court | 1500.00 | 2000.00 |
| First Appeal in the High Court | | |
| Civil Miscellaneous Appeal | | |
| Civil Revision Petition | | |
| Criminal Appeal & Criminal Revision... | | |
| Criminal Misc. Applications. | | |

A list of panel of lawyers for conducting cases at District Court Level and also at High Court Level as may be approved by the Executive Chairman shall be maintained by the Authority.

No separate fees is payable for miscellaneous petitions, interlocutory applications or any other kind of application filed or contested in the case for which the engagement is made.

CHAPTER-VI

32. 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. Miscellaneous.

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

No. SLSA/98/59.--In exercise of the powers conferred by Sections 8-A and 29-A of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) the State Legal Services Authority, Union Territory, Chandigarh, hereby makes the following regulations namely:-

REGULATIONS

CHAPTER-1

Preliminary

1. (1) These regulations may be called the High Court Legal Services Committee Regulations, 1998. Short title ext-ent and commencement
- (2) They shall come into force with effect from the date of their publication in the Official Gazette.

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

(a) "Act" means the Legal Services Authorities Act, 1987 (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 have been provided in any form;

(c) "Chief Justice" means the Chief Justice of the High Court of Punjab and Haryana;

(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 of the Legal Services Authorities Act, 1987;

(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 organised by the High Court under Chapter VI of the Act of 1987;

(j) "Member" means a member of the Committee;

(k) "Rules" mean the Chandigarh Legal Services Authorities Rules, 1997;

(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 of the Act of 1987.

CHAPTER-II

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

- (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.

(2) The Chief Justice may nominate other members not exceeding five , from amongst the 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. (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.

Term of office and other conditions of the members

(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 the 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 subregulation (2) of 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. Subject to the general superintendence and control of the State Authority, the High Court Committee shall exercise the following functions namely:-

Functions of
the Committee.

(1) It shall be the duty of the Committee to give effect to such policies, programmes and schemes of 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 following 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) organise and conduct Lok Adalats 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. (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 performances of the functions and discharge of the duties as Secretary.

Secretary of
the Committee.

(2) The Secretary of the Committee shall be the Principal officer of the Committee and shall;

(a) be the custodian of all the assets, accounts, record 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 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.

Transaction of business of the Committee. 7. (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 direction of the Chairman, on short notice; and

(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 approval.

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

(4) All questions at the meetings of the Committee shall be decided by a majority of votes of the members present and in case of tie, the Chairman or the person presiding over the meeting, shall have a 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 the Punjab, Haryana and Union Territory of Chandigarh as per the apportionment made by the Hon'ble Chief Justice in consultation with the Executive Chairman of the State Authorities of the 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 National Bank.

Explanation- In this sub-regulation "Nationalised 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 charge, 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 utilised 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.

8. 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.

9. 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.

10. 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.

No.SLSA-98/62 In exercise of the powers conferred by Section 8-A of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987), the State Authority, Union Territory, Chandigarh in consultation with the Chief Justice of the High Court of Punjab and Haryana at Chandigarh, hereby constitutes High Court Legal Services Committee consisting of the following official and non-official members to exercise the powers and perform the functions conferred on, or assigned to it under the said Act:-

Hon'ble Mr. Justice N.K. Sodhi Chairman

Ex-Officio Members:

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| 1. | Shri K.K. Garg, Registrar General, Punjab & Haryana High Court, Chandigarh. | Secretary |
| (2) | Advocate General, Punjab | Member |
| (3) | Advocate General, Haryana | Member |
| (4) | Chairman, Bar Council for the States of Punjab & Haryana. | Member |
| (5) | President, High Court Bar Association, Chandigarh. | Member |
| (6) | Ms. Narinder Sandhu, House No. 98, Sector-8, Chd. | Member |
| (7) | Mrs. Oshima Raikhy, House No. 3035, Sec. 28-D, Chd. | Member |
| (8) | Mrs. Rewa Gandhi, House No. 62, Sec. 2, Chd. | Member |

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| (9) | Dr. Balram Gupta, House No.730, Sec.11,Chd. | Member |
| (10) | Sh. S.S.Goindi, Director, Gandhi Samark Bhawan, Chandigarh. | Member |

The terms and conditions will be as per the provisions of Chandigarh Legal Services Authorities Rules, 1997.

S.K.SARDANA,
Member Secretary,
State Legal Services Authority,
Union Territory, Chandigarh.