

Tamil Nadu State Legal Services Authority

FAQs

1.What are State Legal Services Authorities? What are their roles and responsibilities?

A State Legal Services Authority (SLSA) is constituted for every State/Union Territory under Section 6 of the Legal Services Authorities Act, 1987. The SLSA is headed by the Chief Justice of the High Court of the respective State, as its Patron-in-Chief. SLSAs give effect to the policy and directions of NALSA, and are assigned the following functions under Section 7 of the Legal Services Authorities Act, 1987:

1. Give legal service to persons who satisfy the criteria laid down under Section 12 of the Legal Services Authorities Act, 1987;
2. Conduct Lok Adalats, including Lok Adalats for High Court cases;
3. Undertake preventive and strategic legal aid programmes; and
4. Perform such other functions as the State Authority may, in consultation with NALSA, fix by Regulations.

2.What is District Legal Services Authorities and Taluk Legal Services Committees? What are their roles and responsibilities?

Section 9 of the Legal Services Authorities Act, 1987, provides for the constitution of the District Legal Services Authorities (DLSAs) by the State Government, in consultation with the Chief Justice of the High Court, for every District in the State, to exercise the powers and perform the functions conferred on, or assigned to, the DLSA under Sections 10 and 11 of the Legal Services Authorities Act, 1987. The DLSA is headed by the District & Sessions Judge of the respective district as the Chairman, DLSA.

Similarly, Section 11A of the Legal Services Authorities Act, 1987, provides for the constitution of the Taluka Legal Services Committees (TLSC) by the State Authority for each Taluka or mandal or for a group of Talukas or mandals, to exercise the powers and perform the functions conferred on, or assigned to them, under Section 11B of the Legal Services Authorities Act, 1987. The TLSC is headed by the senior Civil Judge operating within its jurisdiction as the ex-officio Chairman.

As per Sections 10 and 11 of the Legal Services Authorities Act, 1987, it shall be the duty of every DLSA 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. The DLSA may perform all or any of the following functions, namely:

1. Coordinate the activities of the TLSC and other legal services in the District;
2. Organize Lok Adalats within the District;

3. Perform such other functions as the State Authority may fix by regulations.

The DLSAs are expected to act in coordination with other agencies and be subject to directions given by the NALSA, for promoting the cause of legal services to the poor.

As per Section 11B of the Legal Services Authorities Act, 1987, it shall be the duty of every TLSC to:

1. Co-ordinate the activities of legal services in the Taluka;
2. Organize Lok Adalats within the Taluka; and
3. Perform such other functions as the DLSA may assign to it.

3.What is High Court Legal Services Committees? What are their roles and responsibilities?

Section 8A of the Legal Services Authorities Act, 1987, provides that the SLSA shall constitute a Committee to be called the High Court Legal Services Committee (HCLSC) 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. It is headed by a sitting Judge of the concerned High Court, as the Chairman. HCLSCs have been established to provide free and competent legal services to weaker sections of the society who wish to file or defend a case in the concerned High Court of a State.

4.What is Supreme Court Legal Services Committee? What are its roles and responsibilities?

The Supreme Court Legal Services Committee (SCLSC) is constituted under Section 3A of the Legal Services Authorities Act, 1987, to provide free and competent legal services to those who fall within the purview of Section 12 of the Legal Services Authorities Act, 1987, in cases that fall under the jurisdiction of the Supreme Court of India.

5.What are Legal Services? What included in free legal aid provided by the Legal Services Institutions? What is the nature of free Legal Services?

According to Section 2(c) of the Act, “legal services” includes 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. It includes free legal services in civil and criminal matters for those poor and marginalized people who cannot afford the services of a lawyer for the conduct of a case or a legal proceeding in any Court, Tribunal or Authority. Provision of free legal aid may include:

1. Representation by an Advocate in legal proceedings;
2. Payment of process fees, expenses of witnesses and all other charges (charges such as court fees, stamp duty etc.) payable or incurred in connection with any legal proceedings in appropriate cases (provided that Court Fees will be payable only after

an application moved before the concerned Court for suing as an indigent has been disposed of and orders of the Court obtained thereon);

3. Preparation of pleadings, memo of appeal, paper book including printing and translation of documents in legal proceedings;
4. Drafting of legal documents, special leave petition etc.;
5. Supply of certified copies of judgments, orders, notes of evidence and other documents in legal proceedings.

Free Legal Services also include provision of aid and advice to the beneficiaries to access the benefits under the welfare statutes and schemes framed by the Central Government or the State Government and to ensure access to justice in any other manner.

6. How is free legal aid different from free legal advice and assistance?

Legal aid is the provision of legal representation to a person in the District Courts, High Courts and Supreme Court or tribunals, by a lawyer assigned by the Legal Service Authority concerned.

Legal Advice and Assistance is the provision of advice on general areas of law as governed by the laws of India by the lawyers employed with the Legal Services Institution concerned. For e.g. if a person has to file a case in court, he would be provided legal aid (in form of assignment of a Legal Services Advocate). However, if he only needs some help in drafting a legal notice to be sent prior to filing of a complaint under Section 138 of the Negotiable Instruments Act 1881, he would get legal consultation/ advice regarding the same. A person who does not come under the purview of Section 12 of Legal Services Authorities Act, 1987, to be eligible for free legal aid, can still avail legal advice and assistance from the Legal Services Institutions.