

THE LEGAL SERVICES AUTHORITIES ACT, 1987

U.P. STATE LEGAL SERVICES AUTHORITY RULES, 1996



**UTTAR PRADESH STATE LEGAL SERVICES
AUTHORITY**

**JAWAHAR BHAWAN ANNEXE, 3RD FLOOR,
LUCKNOW**

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THE LEGAL SERVICES AUTHORITIES ACT, 1987

(NO. 39 OF 1987)

[As Amended by the Legal Services Authorities (Amendment)
Act, 1994 (No. 59 of 1994)]

INDEX

Chapter	Section	Contents	Page No.
1	2	3	4
I			
PRELIMINARY	1	Short title, extent and commencement	1
	2	Definitions	1—3
II			
THE NATIONAL LEGAL SERVICES AUTHORITY	3	Constitution of the National Legal Services Authority	3—5
	3-A	Supreme Court Legal Services Committee	5
	4	Functions of the Central Authority	6—8
	5	Central Authority to work in co-ordination with other agencies	8
III			
STATE LEGAL SERVICES AUTHORITY	6	Constitution of State Legal Services Authority	8—10
	7	Functions of the State Authority	10
	8	State Authority to act in co-ordination with other agencies, etc., and be subject to directions given by the Central Authority	10
	8-A	High Court Legal Services Committee	10—11
	9	District Legal Services Authority	12—13
	10	Functions of District Authority	13
	11	District Authority to act in co-ordination with other agencies etc. and be subject to directions given by the Central Authority etc.	14
	11-A	Taluk Legal Services Committee	14
	11-B	Functions of Taluk Legal Services Committee	15

INDEX (Contd.)

1	2	3	4
IV			
ENTITLEMENT TO	12	Criteria for giving legal services	15—16
LEGAL SERVICES	13	Entitlement to legal services	16
V			
FINANCE,	14	Grants by the Central Government	16
ACCOUNTS AND	15	National Legal Aid Fund	16-17
AUDIT	16	State Legal Aid Fund	17
	17	District Legal Aid Fund	18
	18	Accounts and Audit	18—19
VI			
LOK ADALATS	19	Organisation of Lok Adalats	19—20
	20	Cognizance of cases by Lok Adalats	21—22
	21	Award of Lok Adalat	22
	22	Powers of Lok Adalats	23
VII			
MISCELLANEOUS	23	Members and Staff of Authorities, Committees and Lok Adalats to be public servants	23—24
	24	Protection of action taken in good faith	24
	25	Act to have overriding effect	24
	26	Power to remove difficulties	25
	27	Power of Central Government to make rules	25—26
	28	Power of State Government to make rules	27—28
	29	Power of Central Authority to make regulations	29
	29-A	Power of State Authority to make regulations	29—30
	30	Laying of rules and regulations	30—31

**THE UTTAR PRADESH STATE LEGAL SERVICES
AUTHORITY RULES, 1996**

INDEX

RULE	SUBJECT	PAGE NO.
1	2	3
1	Short title and commencement	32
2	Definitions	32
3	Number, experience and qualifications of other members of the State Authority	33
4	Powers and functions of the Member Secretary	33—35
5	Service conditions of the Executive Chairman	35
6	Terms of office and other conditions of Members and Member-Secretary of the State Authority	35—36
7	Number of officers and other employees of the State Authority	36
8	Conditions of service, pay and allowances of the officers and other employees of the State Authority	36—37
9	Experience and qualifications of the Secretary to the High Court Legal Services Committee	37
10	Number of Officers and other employees of the High Court Legal Services Committee and their conditions of service, pay and allowances	37—38
11	Number, experience and qualifications of other members of District Authority	38—39
12	Number of Officers and other employees of District Authority	39
13	Conditions of service, pay and allowances of the officers and other employees of District Authority	39—40
14	Number, experience and qualifications of other members of Tehsil Legal Services Committee	40

(iv)

1	2	3
15	Number of officers and other employees of Tehsil Legal Services Committee	41
16	Upper-limit of annual income of a person entitling him to Legal Services if the case is before courts, other than the Supreme Court	41
17	Experience and qualifications of other persons under Sub-section (4) of section (19)	41—42

THE LEGAL SERVICES AUTHORITIES ACT, 1987
(NO. 39 OF 1987)

[As Amended by the Legal Services Authorities
(Amendment) Act, 1994
(No. 59 of 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 organise 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

Short title,
extent and
commencement

1. (1) This Act may be called the Legal Services Authorities Act, 1987.
- (2) It extends to the whole of India, except the State of Jammu and Kashmir.
- (3) It shall come into force on such date 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.

Definitions

2. (1) In this Act, unless the context otherwise requires,—
 - (a) “case” 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;

- (b) "District Authority" means a District Legal Services Authority constituted under section 9;
- (bb) "High Court Legal Services Committee" means a High Court Legal Services Committee constituted under section 8-A;
- (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 organised 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" 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 3-A;

(k) "Taluk Legal Services Committee" means a Taluk Legal Services Committee constituted under section 11-A.

- (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.

CHAPTER II

THE NATIONAL LEGAL SERVICES AUTHORITY

Constitution of
the National
Legal Services
Authority.

3. (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.
- (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 qualifications 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 authenticated by the Member-Secretary or any other officer of the Central Authority, duly authorised by the Executive Chairman of that Authority.

Supreme Court
Legal Services
Committee

- (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.

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 perform all or any of the following functions, namely :—
 - (a) lay down policies and principles for making legal services available under the provisions of this Act;
 - (b) frame the most effective and economical schemes for the purpose of making legal services available under the provisions of this Act;
 - (c) utilise 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) organise legal aid camps, especially in rural areas, slums, or labour colonies with the dual purpose 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) provide 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;
- (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) co-ordinate and monitor the functioning of State Authorities, District Authorities, Supreme Court Legal Services Committee, High Court Legal Services Committees, Taluk Legal Services

Committees and voluntary social service institutions and other legal services organisations and give general directions for the proper implementation of the legal service programmes.

Central Authority
to work in co-
ordination with
other agencies

5. In the discharge of its functions under this Act, the Central Authority shall, wherever appropriate, act in co-ordination with other governmental and non-governmental agencies, universities and other 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

- 6.(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 of a District Judge, as the Member-Secretary of the State Authority, to exercise such powers and perform such 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 thereto, 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 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, officers and other employees 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 officer of the State Authority duly authorised 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.
- Functions 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.
- (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 cases;
 - (c) undertake preventive and strategic legal aid programmes; and
 - (d) perform such other functions as the State Authority may, in consultation with the Central Authority, fix by regulations.
- State Authority to act in co-ordination with other agencies, etc., and be subject to directions given by Central Authority. 8. In the discharge of its functions the State Authority shall appropriately act in co-ordination 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.
- High Court Legal Services Committee. 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.

- (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.

District Legal
Services
Authority

- 9.(1) The State Government shall, in consultation with the 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.
- (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 services 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 authorised 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.

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) co-ordinate the activities of the Taluk Legal Services Committee and other legal services in the District;
 - (b) organise Lok Adalats within the District; and
 - (c) perform such other functions as the State Authority may fix by regulations.

District Authority
to act in co-
ordination 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 co-ordination 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

11A. (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 civil Judge 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 the 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 the 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 the Chief Justice of the High Court.

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

Functions of
Taluk Legal
Services
Committee.

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

- (a) co-ordinate the activities of legal services in the taluk;
- (b) organise 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

Criteria for giving
legal service

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

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution;
- (c) a woman or a child;
- (d) a mentally ill or otherwise disable person;
- (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 (i) of section 2 of the Juvenile Justice Act, 1986 in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987; or

104 of 1956,

53 of 1986,

14 of 1987

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

Entitlement to
legal services

13.(1) Persons who satisfy all 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 utilised 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.

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-

(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.

District Legal Aid
fund.

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

- (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.

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

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

Accounts and
audit.

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 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 there on, shall be forwarded annually by the Authorities to the Central Government or the State Governments, as the case may be.
- (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 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 organise Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas as it thinks fit.

(2) Every Lok Adalat organised 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 Legal Services Committee, organising such Lok Adalat.

(3) The experience and qualifications of other persons referred to in clause (b) of sub-section (2) for Lok Adalats organised 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 organised:

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.

Cognizance of cases by Lok Adalats.

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

- (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 organising the Lok Adalat under sub-section (i) of section 19 may, on receipt of an application from any one of the parties to any matter referred to 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 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, 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 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
Adalat.

21.(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.

7 of 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
Adalat.

5 of 1908.

45 of 1860

2 of 1974

22. (1) The Lok Adalat shall, for the purpose 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 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 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 shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code and every Code and every 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.

CHAPTER VII

MISCELLANEOUS

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

23. 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 committees, Taluk Legal Services

Committees and officers and other employees of such Authorities, Committees and the members of the Lok Adalats 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 proceeding shall lie against—

- (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 authorised 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.

Act to have
overriding
effect.

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.

Power to remove difficulties.

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:

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.

Power of Central Government to make rules.

27.(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.

(2) In particular, and without prejudice to the generality of the 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 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;
- (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 qualification 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 allowaces 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 experiece and qualifications of other persons of the Lok Adalats organised 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) any other matter which is to be, or may be, prescribed.

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 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 the 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 the Taluk Legal Services Committee under sub-section (3) of section 11A;
- (m) the conditions of service and the salary and allowances of the 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 thereunder, to provide for all matters for which provisions 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 thereunder, to provide for all matters for which provisions 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 High Court Legal Services Committee under sub-section (1) of section 8A;

- (c) the number, experience and qualification 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 condition 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) 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 members and Secretary of the Taluk Legal Services Committee under sub-section (3) of section 11A.

Laying of rules
and regulations

30.(1) Every rule made under this Act by the Central Government, and every regulation made by the Central Authority thereunder, 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, of 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.

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

THE UTTAR PRADESH STATE LEGAL SERVICES AUTHORITY RULES, 1996

In exercise of the powers conferred by section 28 of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) and in consultation with the Chief Justice, the Governor is pleased to make the following rules:

1. Short title and commencement

- (1) These rules may be called the Uttar Pradesh State Legal Services Authority Rules, 1996.
- (2) They shall come into force with effect from 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 (Act No. 39 of 1987);
- (b) 'Chief Justice' means Chief Justice of the High Court;
- (c) 'Executive Chairman' means Executive Chairman of the State Authority;
- (d) 'Governor' means the Governor of Uttar Pradesh;
- (e) 'Government' means the State Government of Uttar Pradesh;
- (f) 'High Court' means the High Court of Judicature at Allahabad;
- (g) 'Member' means member of the State Authority or member of the High Court Legal Services Committee or member of a District Authority or member of a Tehsil Legal Services Committee, as the case may be;
- (h) 'Member-Secretary' means Member-Secretary of the State Authority;
- (i) 'Section' means section of the Act;
- (j) 'Tehsil Legal Services Committee' means Taluk Legal Services Committee as defined in clause (k) of section 2.

3. Number, experience and qualifications of other members of the State Authority

- (1) Besides the Patron-in-Chief and the Executive Chairman, the State Authority shall have not more than seventeen members including Member-Secretary.
- (2) In addition to members nominated under sub-rule (3), the State Authority shall consist of the following other members—
 - (a) Advocate General, Uttar Pradesh;
 - (b) Secretary, Board of Revenue, Uttar Pradesh;
 - (c) Principal Secretary or Secretary, as the case may be, to the Government in the Finance Department;
 - (d) Principal Secretary or Secretary, as the case may be, to the Government in the Judicial Department;
 - (e) Director General of Police, Uttar Pradesh;
 - (f) Chairman, Uttar Pradesh Commission for the Scheduled Castes and Scheduled Tribes;
 - (g) Two District Judges nominated by the Government in consultation with the Chief Justice;
 - (h) Chairman, Bar Council, Uttar Pradesh;
- (3) The Government may, in consultation with the Chief Justice, nominate seven other members of the State Authority from amongst the persons possessing the experience and qualifications specified in sub-rule (4).
- (4) A person shall not be qualified to be nominated as 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 society, including Scheduled Castes, Scheduled Tribes, women, children, rural and urban labour;
 - (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.

4. Powers and functions of the Member-Secretary—

The powers and functions of the Member-Secretary shall be—

- (a) to provide legal services to a person entitled to legal services under the Act;

- (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 House-keeping, Finance and Budget matters as Head of the Department in the Government;
- (d) to manage the properties, records and funds of the State Authority;
- (e) to maintain true and proper accounts of the State Authority including periodical checking and auditing in respect thereof;
- (f) to prepare Annual Income and Expenditure Account and Balance Sheet of the State Authority;
- (g) to liaise with the Social Action Groups and District Authority and Tehsil Legal Services Committee;
- (h) to maintain uptodate and complete statistical information including progress made in the implementation of various Legal Services Programmes from time to time;
- (i) to process proposal for financial assistance and issue Utilisation Certificates thereof;
- (j) to organise various Legal Services programmes approved by the State Authority and to convene Meetings/Seminars and Workshops connected with Legal Services Programmes and to prepare reports of such Meetings/Seminars/Workshops and to ensure 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 framed under clause (b) of section 4;
- (n) to exercise effective control over the functioning of the High Court Legal Services Committee, the District Authority and the Tehsil Legal Services Committee and to provide

them guidance and necessary assistance in carrying out the programmes and schemes framed under the Act;

- (o) to exercise such power and perform such functions and duties as may be assigned to him by the Executive Chairman; and
- (p) to perform such other functions as may be expedient for efficient discharge of the functions of the State Authority.

5. Service conditions of the Executive Chairman—

The Service conditions of the Executive Chairman in case of his being a retired Judge of the High Court shall be such as may be determined by the Government, from time to time, in consultation with the Chief Justice.

6. Terms of office and other conditions of Members and Member-Secretary of the State Authority—

- (1) The terms of office of members of the State Authority nominated under sub-rule (3) of rule 3 shall be two years and such members shall be eligible for re-nomination.
- (2) A member of the State Authority nominated under sub-rule (3) of rule 3 may be removed by the Government, if in the opinion of the Government, it is not desirable to continue him as member.
- (3) If any vacancy occurs due to death or otherwise in the office of member of the State Authority, it shall be filled in the manner provided for in these rules for the residue of the term of his predecessor.
- (4) All members shall be entitled to payment of travelling allowance and daily allowance in respect of journey performed in connection with the work of the State Authority and shall be paid by the State Authority in accordance with the regulations made under section 29-A
*Explanation—*If a member is a Government employee, he shall be entitled to only one set of travelling allowance and daily allowance from his parent department or from the State Authority.
- (5) The Member Secretary shall be the whole time employee and shall hold office for a term not exceeding five year, which may be extended for a further period not exceeding one year by the Government in consultation with Chief Justice.

- (6) In all matters, like age of retirement, pay and allowances, benefits and entitlements, disciplinary matters and other conditions of service, the Member-Secretary shall be governed by the rules applicable to the members of the Uttar Pradesh Higher Judicial Service. The Member-Secretary shall be on deputation to the State Authority.

7. Number of officers and other employees of the State Authority—

- (1) The number of officers and other employees including Secretary II, Officer-on Special Duty and Deputy Secretary of the State Authority shall be such as may be determined by the Government, from time to time, in consultation with the Chief Justice.
- (2) The Number of officers and other employees including Secretary II, Officer-on-Special Duty and Deputy Secretary of the State Authority shall, until orders varying the same are passed under sub-rule (1), be as given in Appendix A.
- (3) All the Officers and other employees including Secretary II, Officer-on Special Duty and Deputy Secretary working immediately before the commencement of these rules, in the Uttar Pradesh Legal Aid and Advice Board shall, on such commencement, be the officers and other employees of the State Authority.

8. Conditions of service, pay and allowances of the Officers and other employees of the State Authority—

- (1) The Officers and other employees of the State Authority other than Secretary II, Officer-on Special Duty and Deputy secretary shall be entitled to such pay and allowances as may be determined by the Government, from time to time, in consultation with the Chief Justice.
- (2) The scales of pay at the time of the commencement of these rules are as given in the Appendix A.
- (3) The officers and other employees of the State Authority shall be entitled to such other facilities, allowances and benefits as may be determined by the Government, from time to time, in consultation with the Chief Justice.

- (4) Secretary II and Officer on Special Duty shall be appointed, in consultation with the Chief Justice, from amongst persons belonging to the Uttar Pradesh Higher Judicial Service for a term not exceeding five years.
- (5) Deputy Secretary shall be appointed, in consultation with the Chief Justice, from amongst persons belonging to the Uttar Pradesh Nyayik Sewa not below the Rank of Civil Judge (Senior Division).
- (6) In all matters, like age of retirement pay and allowances, benefits and entitlements disciplinary matters and other conditions of service Secretary II, Officer-on-Special Duty and Deputy Secretary shall be governed by the rules applicable to the service to which they belong. The Secretary II, Officer-on-Special duty and Deputy Secretary shall be on deputation to the State Authority.
- (7) Until the terms and conditions of service of officers and other employees of the State Authority other than the Secretary II, Officer-on-Special Duty and Deputy Secretary are prescribed, their qualifications, procedure for recruitment and other conditions of service including disciplinary matters, leave provident fund and other matters shall be the same as that of the officers and employees of similar category in the Government and rules relating thereto shall mutatis mutandis apply.

9. Experience and qualifications of the Secretary to the High Court Legal Services Committee—

A person shall not be qualified for appointment as Secretary to the High Court Legal Services Committee unless he is an officer of the High Court not below the Rank of Joint Registrar, belonging to the Uttar Pradesh Higher Judicial Service.

10. Numbers of Officers and other employees of the High Court Legal Services Committee and their conditions of service, pay and allowances—

- (1) The number of officers and other employees of the High Court Legal Services Committee shall be such as may be determined by the Government, from time to time, in consultation with the Chief Justice.

- (2) The number of officers and other employees of the High Court Legal Services Committee shall, until orders varying the same are passed under sub-rule (1), be as given in Appendix B.
- (3) All the officers and other employees other than the Secretary, working immediately before the commencement of these rules, in the High Court Legal Aid and Advice Committee, shall, on such commencement be the officers and employees of the High Court Legal Services Committee.
- (4) The Officers and other employees of the High Court Legal Services Committee shall be entitled to such pay and allowances as may be determined by the Government, from time to time, in consultation with the Chief Justice.
- (5) The scales of pay at the time of commencement of these rules are as given in the Appendix B.
- (6) Until the terms and conditions of service of officers and other employees of the High Court Legal Services Committee are prescribed, their qualifications, procedure for recruitment and other conditions of service including disciplinary matters, leave, Provident Fund and other matters shall be the same as that of the officers and employees of similar category in the Government and rules relating thereto shall *Mutatis Mutandis* apply.
- (7) The officers and other employees of the High Court Legal Services Committee shall be entitled to such other facilities, allowances and benefits as may be determined by the Government, from time to time, in consultation with the Chief Justice.

11. Number, experience and qualifications of other members of District Authority—

- (1) A District Authority shall have not more than twelve other members.
- (2) In addition to members nominated under sub-rule (3), a District Authority shall consist of the following other Members—
 - (a) District Magistrate;
 - (b) Senior Superintendent of Police or Superintendent of Police, as the case may be;

- (c) Chief Judicial Magistrate;
 - (d) District Government Counsel (Civil);
 - (e) District Government Counsel (Criminal);
 - (f) District Government Counsel (Revenue).
- (3) The Government may, in consultation with the Chief Justice, nominate six other members of a District Authority from amongst the persons possessing the experience and qualifications specified in sub-rule (4).
- (4) A person shall not be qualified to be nominated as member of a District Authority, 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
 - (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

12. Number of Officers and other employees of District Authority—

- (1) The number of officers and other employees of a District Authority shall be such as may be determined by the Government, from time to time, in consultation with the Chief Justice.
- (2) The number of officers and other employees of a District Authority shall, until orders varying the same are passed under sub-rule (1) be as given in Appendix C.
- (3) All the officers and other employees working, immediately before the Commencement of these rules, in a District Legal Aid and Advice Committee, shall on such commencement, be the officers and employees of the District Authority.

13. Conditions of service, pay and allowances of the officers and other employees of District Authority—

- (1) The officers and other employees of the District Authority shall be entitled to such pay and allowances as may be determined by the Government, from time to time in consultation with the Chief Justice.

- (2) The scales of pay at the time of the commencement of these rules are as given in Appendix C.
- (3) The officers and other employees of the District Authority shall be entitled to such other facilities, allowances and benefits as may be determined by the Government from time to time, in consultation with the Chief Justice.
- (4) Until terms and conditions of service of officers and other employees of the District Authority are prescribed, their qualifications, procedure for recruitment and other conditions of service including disciplinary matters, leave, Provident Fund and other matters shall be the same as that of the officers and employees of a similar category in the Government and rules relating thereto shall *mutatis mutandis* apply.

14. Number, experience and qualifications of other members of Tehsil Legal Services Committee—

- (1) A Tehsil Legal Services Committee shall have not more than five members.
- (2) In addition to members nominated under sub-rule (3) a Tehsil Legal Services Committee shall consist of the following other members—
 - (a) Sub-Divisional Officer of the Tehsil;
 - (b) Senior most Gazetted Police Officer posted within the local limits of the Tehsil.
- (3) The Government may in consultation with the Chief Justice, nominate three other members of a Tehsil Legal Services Committee from amongst the persons possessing the qualifications and experience specified in sub-rule (4).
- (4) A person shall not be qualified to be nominated as member of a Tehsil Legal Services Committee, unless he is—
 - (a) an eminent social worker who permanently resides within the local limits of the Tehsil concerned and 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
 - (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

15. Number of officers and other employees of Tehsil Legal Services Committee—

- (1) The number of officer and other employees of a Tehsil legal Services Committee shall be such as may be determined by the Government, from time to time, in consultation with the Chief Justice.
- (2) The Officers and other employees of a Tehsil Legal Services Committee shall be entitled to such pay and allowances as may be determined by the Government from time to time, in consultation with the Chief Justice.
- (3) The officers and other employees of a Tehsil Legal Services Committee shall be entitled to such other facilities, allowances and benefits as may be determined by the Government from time to time, in consultation with the Chief Justice.
- (4) Until terms and conditions of service of officers and other employees of Tehsil Legal Services Committee are prescribed, their qualifications, procedure for recruitment and other conditions of service including disciplinary matters, leave, Provident Fund and other matters shall be the same as that of the officers and employees of similar category in the Government and rules relating thereto shall *mutatis mutandis* apply.

16. Upper-limit of annual income of a person entitling him to Legal Services if the case is before court, other than the Supreme Court—

A person, whose annual income from all sources does not exceed rupees twelve thousand or such higher amount as may be determined by the Government, from time to time, if the case is before a Court other than the Supreme Court, shall be entitled to Legal Services under the Act.

17. Experience and qualifications for other persons under 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 sections of the society, 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 intersted in the implementation of the Legal Services Schemes and Progarammes.

APPENDIX 'A'**[See Rules 7(2) and 8 (2)]**

Sl. No.	Name of post	Number of post	Scales of pay
1	Secretary II	1	Scales of pay admissible to the members of the Uttar Pradesh Higher Judicial Service.
2	Officer on Special Duty	1	Ditto.
3	Deputy Secretary	2	Scale of pay admissible to Civil Judge (Senior Division)
4	Personnel Secretary	1	Rs. 2000-60-2300-E.B.-75-3200-100-3500.
5	Personnel Assistant	3	Rs.1640-60-2600-E.B.-75-2900.
6	Stenographer	2	Rs.1200-30-1560-E.B.-40-2040.
7	Administrative Officer	1	Rs.1640-60-2600-E.B.-75-2900.
8	Upper Division Assistant	3	Rs.1350-30-1440-40-1800-E.B.-50-2200
9	Accounts Clerk	1	Rs.1200-30-1560-E.B.-40-2040.
10	Senior Clerk	1	Rs.1200-30-1560-E.B.-40-2040.
11	Typist	2	Rs. 950-20-1150-E.B.-25-1500.
12	Junior Clerk	3	Rs. 950-20-1150-E.B.-25-1500.
13	Library Clerk	1	Rs. 950-20-1150-E.B.-25-1500.
14	Orderly/Peon	10	Rs. 750-12-870-E.B.-14-940.
15	Daftary/Machine Operator	1	Rs. 775-12-955-E.B.-14-1025.
16	Driver	3	Rs. 950-20-1150-E.B.-25-1500.
17	Sewak	1	Rs. 35.00 per day.
18	Sweeper-cum-Farrash	1	Rs. 500.00 per month fixed pay.

APPENDIX 'B'**[See Rules 10(2) and 10 (5)]**

Sl. No.	Name of post	Number of post	Scales of pay
1	Clerk	2	Rs. 950-20-1150-E.B.-25-1500.
2	Orderly/Peon	2	Rs. 750-12-870-E.B.-14-940.

APPENDIX 'C'**[See Rules 12(2) and 13 (2)]**

Sl. No.	Name of post	Number of post	Scales of pay
1	Clerk	66	Rs. 950-20-1150-E.B.-25-1500.
2	Peon	66	Rs. 750-12-870-E.B.-14-940.