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GOVERNMENT OF ARUNACHAL PRADESH LAW AND JUDICIAL DEPARTMENT ITANAGAR

The 24th December, 1997

No. LAW-1/88 VOL-II.— In exercise of the powers conferred by section 28 of the Legal Services Authorities Act, 1987 (No. 39 of 1987), as amended by the Legal Services Authorities (Amendment) Act, 1994 (No. 59 of 1994), the Governor of Arunachal Pradesh hereby makes the following rules, namely :—

1. These rules may be called the Arunachal Pradesh State Legal Services Authorities Rules, 1997. Short title and commencement.
- (2) They shall come into force on the date of their publication in the official Gazette.
2. In these Rules unless the context otherwise requires— Definitions.
 - (a) "Act" means the Legal Services Authorities Act, 1987 (No. 39 of 1987) as amended by Legal Services Authorities Act, 1994 (No. 59 of 1994);
 - (b) "Chairman" means the Chairman of the State Authority, or as the case may be the Chairman of the District Authority, or as the case may be, the Chairman of the Sub-Divisional Legal Services Committee;
 - (c) "District Authority" means the District Legal Services Authority constituted under section 9 of the Act;
 - (d) "High Court Legal Services Committee" means a High Court Legal Services Committee constituted under section 8A of the Act;
 - (e) "Member" means the Member of the State Authority appointed under clause (c) of sub-section (2) of Section 6 of the Act, as the case may be;
 - (f) "Secretary" means the Member-Secretary of the State Authority constituted under section 6 of the Act or as the case may be, the Secretary of the High Court Legal Services Committee constituted under section 8A of the Act, or the Secretary of the District Authority constituted under section 9 of the Act;
 - (g) "State Authority" means the State Legal Services Authority constituted under section 6 of the Act;
 - (h) "Sub-divisional Legal Services Committee" means a Sub-divisional Legal Services Committee constituted under section 11A of the Act;
 - (i) all other words and expressions used in these Rules but not defined shall have the meaning respectively assigned to them in the Act.

The number, experience and qualifications of other Members of the State Authority under clause (c) of sub-section (2) of Section 6.

3. (1) The State Authority shall have not more than fifteen members.
- (2) The following shall be ex-officio members of the State Authority :
 - (i) Advocate General of the State ; or in his absence the Senior Government Advocate ;
 - (ii) The Secretary in the Department of Law and Judicial ;
 - (iii) The Secretary in the Department of Finance ;
 - (iv) The Inspector General of Police of the State ;
 - (v) Chairman, State Social Welfare Board ;
 - (vi) Two Chairman of the District Authority, as may be nominated by the State Government, in consultation with the Chief Justice of the High Court.
- (3) The State Government may nominate other members from amongst those possessing the experience and qualifications prescribed in sub-rule (4) of this rule.
- (4) A person shall not be qualified for nomination as a member of the State Authority unless he is :
 - (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, women, children, rural and urban labour ; or
 - (b) an eminent person in the field of law ; or
 - (c) a person of repute who is specially interested in the implementation of the legal services schemes.

The power and functions of the Member-Secretary of the State Authority, under sub-section (3) of Section 6.

4. The powers and functions of the Member-Secretary of the State Authority *inter alia* shall be—
 - (a) to give free legal services to the eligible and weaker sections ;
 - (b) to work out modalities of the Legal Services Schemes and Programmes approved by the State Authority and ensure their effective monitoring and implementation ;
 - (c) to exercise the powers in respect of administrative ; house keeping, Finance and Budget matters as Head of the Department in the State Government ;
 - (d) to manage the properties, records and funds of the State Authority ;
 - (e) to maintain true and proper accounts of the State Authority including checking and auditing in respect thereof periodically ;
 - (f) to prepare annual income and expenditure account and balance-sheet of the said authority ;
 - (g) to liaise with the Social Action Groups and District and Sub-Division Authorities ;
 - (h) to maintain up-to-date and complete statistical information including progress made in the implementation of various Legal Services Programmes from time to time ;
 - (i) to process proposals for financial assistance and issue utilisation certificate thereof ;
 - (j) to organise various Legal Services Programmes as approved by the State Authority and convene meetings/seminars and workshop connected with Legal Services Programmes and preparation of reports and followup 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 Programme ;

- (l) to lay stress on the resolution of rural disputes and take extra measures to draw schemes for effective and meaningful legal services for settling rural disputes at the door-steps of the rural people;
- (m) to perform such of the functions as are assigned to him under the schemes formulated under section 4 (b) of the Act; and
- (n) to perform other functions as may be expedient for efficient functioning of the State Authority.

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

(2) A member of the State Authority nominated under sub-rule (3) of rule 3 may be removed by the State Government if in the opinion of the State Government, he is not desirable to continue as a member.

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

(4) All members nominated under sub-rule (3) of rule 3 shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the work of the State Authority and shall be paid by the State Government in accordance with the rules as are applicable to the Grade "A" Officers of the State Government as amended from time to time.

(5) If the nominated member is a Government employee he shall be entitled to only one set of travelling allowance and daily allowance either from his parent department, or as the case may be from the State Authority.

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

(7) In all matters like age of retirement; pay and allowances; benefits and entitlements; and disciplinary matters the Member-Secretary shall be governed by the rules as are applicable to employees of the State Government and he shall be on deputation to the State Authority.

6. The State Authority shall have such number of officers and staff, employees rendering secretarial assistance and for its day to day functions as are set out in schedule to these rules or as may be notified by the State Government from time to time.

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

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

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

The terms of officers and other conditions relating thereto, of members and Member-Secretary of the State Authority under sub-section (4) of Section 6.

The number of officers and other employees of the State Authority under sub-section (5) of Section 6.

The conditions of services and the salary and allowances of officers and other employees of the State Authority, under sub-section (6) of Section 6.

65

The experience and qualifications of secretary of the High Court legal services committee under sub-section (3) of Section 8 (A).

8. A person shall not be qualified for appointment as Secretary of the High Court Legal Service Committee unless he is an officer of the High Court not below the rank of Joint Registrar.

The number of officers and other employees of the High Court legal services committee and the conditions of service and the salary and allowances payable to them under sub-section (5) of Section 8A and under sub-section (6) of Section 6 respectively.

9. (1) The High Court Legal Services Committee shall have such number of officers and other employees for its day-to-day functions as are set out in the schedule to these rules or as may be notified by the State Government from time to time.

(2) The officers and other employees of the High Court Legal Services Committee shall be entitled to draw pay and allowances in the scale of pay indicated against such post in the schedule to these rules or at par with the State Government employees holding equivalent posts.

(3) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the High Court Legal Services Committee shall be governed by the rules as are applicable to persons holding equivalent posts under the State Government.

(4) 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 notified by the State Government from time to time.

The number, experience and qualifications of members of the district authority under clause (b) of sub-section (2) of Section 9.

10. (1) The District Authority shall have not more than eight members.
- (2) The following shall be ex-officio members of the District Authority:
- (i) District Magistrate;
 - (ii) District Superintendent of Police;
 - (iii) Judicial Magistrate; and
 - (iv) A lawyer to be nominated from panel of lawyers by the Deputy Commissioner.
- (3) The State Government may nominate in consultation with the Chief Justice of the High Court other members from amongst those possessing the qualifications and experience prescribed in sub-rule (4) of this rule.
- (4) A person shall not be qualified for nomination as a member of the District Authority unless he is—
- (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, women, children and rural 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 Service Schemes.

11. The District Authority shall have such number of officers and other employees for its day to day functions as are set out in the Schedule to these rules or as may be notified by the State Government from time to time.

The number of officers and other employees of the District Authority under sub-section (5) of Section 9.

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

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.

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

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

13. (1) The Sub-Divisional Legal Services Committee shall have not more than five members.

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

(i) Sub-Divisional Officer ;

(ii) Sub-Divisional Police Officer ;

(3) The State Government may nominate, in consultation with the Chief Justice of the High Court, other members from amongst those possessing the qualifications and experience prescribed in sub-rule (4) of this rule.

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

(a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, women, children and rural labour ; and

(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.

14. The Sub-Divisional Legal Services Committee shall have such number of officers and other employees for rendering secretarial assistance and for its day to day functions as are set out in schedule to these rules or as may be notified by the State Government from time to time.

The number of officers and other employees of the Sub-Division Legal Services Committee under sub-section (3) of Section 11A.

15. (1) The officers and other employees of the Sub-Divisional Legal Services Committee shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the schedule to these rules or at par with the State Government employees holding equivalent posts.

The condition of service and the salary and allowances of officers and other employees of the Sub-Division Legal Services Committee under sub-section (4) of Section 11-A

(2) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the Sub-divisional Legal Services Committee shall be governed by the Rules as are applicable to persons holding equivalent posts under the State Government.

(3) The officers and other employees of the Sub-divisional Legal Services Committee shall be entitled to such other facilities and benefits as may be notified by the State Government from time to time.

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 Supreme Court:

The experience and qualifications of other persons of the Lok Adalat other than referred to in sub-section (4) of Section 19.

16. Any citizen of India whose annual income from all sources does not exceed Rs. 15,000 (Rupees fifteen thousand) only or such higher amount as may be fixed by the State Government from time to time, shall be entitled to legal services under clause (h) of Section 12 of the Act.

17. 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 people; including Scheduled Cast, Schedule Tribes, women, children, rural and urban labour; or

(b) a lawyer of standing; or

(c) a person of repute who is specially interested in the implementation of the Legal Services schemes and programmes.

Dr. D.C. Misra,
Chief Secretary,
Government of Arunachal Pradesh,
Itanagar.

SCHEDULE—I

(Refer to Rules 6) Officers and employees of the Legal Service Authority

Sl. No.	Nomenclature of the post	Scale of pay	Number of posts required
1.	Joint Secretary	Rs. 3200-4700	1
2.	Superintendent	Rs. 1640-2900	1
3.	Private Secretary to Executive, Chairman	Rs. 2000-3200	1
4.	P.A./Stenographer-II	Rs. 1400-2300	1
5.	Assistant	Rs. 1400-2300	1
6.	Upper Division Clerk	Rs. 1200-2040	2
7.	Lower Division Clerk	Rs. 950-1500	3
8.	Driver	Rs. 950-1500	2
9.	Despatch Rider	Rs. 950-1500	1
10.	Duftry	Rs. 775-1025	1
11.	Peon	Rs. 750-940	2
12.	Chowkidar	Rs. 750-940	1
13.	Sweeper	Rs. 750-940	1

SCHEDULE—II

(Refer to Rules 10 and 11) Officers and employees of District Legal Service Authority

Sl. No.	Nomenclature of the post	Scale of pay	Number of posts required
1.	Upper Division Clerk	Rs. 1200-2040	4
2.	Lower Division Clerk	Rs. 950-1500	6
3.	Process Server	Rs. 750-940	6
4.	Peon	Rs. 750-940	7

SCHEDULE—III

(Refer to Rule 9) Officers and employees of High Court Legal Service Committee

Sl. No.	Nomenclature of the post	Scale of pay	Number of posts required
1.	Upper Division Clerk	Rs. 1200-2040	2
2.	Lower Division Clerk	Rs. 950-1500	4
3.	Process Server	Rs. 750-940	2
4.	Peon	Rs. 750-940	1
5.	Chowkidar	Rs. 750-940	1

SCHEDULE—IV

(Refer to Rule 14) Officers and employees of Sub-Divisional Legal Service Committee

Sl. No.	Nomenclature of the post	Scale of pay	Number of posts required
1.	Lower Division Clerk	Rs. 950-1500	5
2.	Process Server	Rs. 750-940	5
3.	Peon	Rs. 750-940	5