



TRIPURA STATE LEGAL SERVICES AUTHORITY

Old District & Sessions Judge Court Complex:: AGARTALA

Phone : (0381) 232-2481
website : www.slsa.tripura.gov.in

e-mail : tslsa-tr@tripura.gov.in
tslsaagt@gmail.com

F.1 (48)-LAW/TLSA/AGT/ESTT/2022/ 2596-97

01st May, 2023

To
The Chairman
District Legal Services Authority
Khowai Tripura District
Khowai

Subject: Implementation of Legal Aid Defense Counsel System (LADCS) in remaining all DLSAs in the country –reg.

Sir,

Please refer to this Authority's letter dated 24.02.2023 and 08.03.2023 (copy enclosed along with communications received from NALSA) regarding implementation of Legal Aid Defense Counsel System in all the DLSAs Head Quarters as per LADCS modified Scheme – 2022.

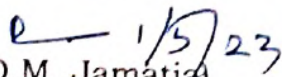
2. As per your respective reports required space is available for setting up of LADCS office in your district.
3. For setting up of LADCS office in West Tripura District, Tripura State Legal Services Authority has allotted two rooms (No. 9 & 10) available in the ground floor of the office of TSLSA.
4. The Tripura State Legal Services Authority has prepared a guideline for selection (copy enclosed) of Human Resources under LADCS scheme. Besides, a common specification of furniture, computers and its peripheral (copy enclosed) for each LADCS office is also prepared.
5. Further a chart is also prepared mentioning the number of Human Resources required to be selected along with the quantum of honorarium / salary to be paid to each Human Resources for a LADCs office (copy enclosed).
6. Honorable the Executive Chairman, TSLSA has been pleased to accord approval for implementation of Legal Aid Defense Counsel System (LADCS) in your respective district as per LADCS Modified Scheme-2022. It may be mentioned that the furniture and computers etc. will be purchased centrally for the office and it will be delivered to your office in due course.
7. I am therefore, directed to request you to make the LADCs functional (including selection of Human Resources) in the manner mentioned in the chart and in accordance with the selection guideline prepared by TSLSA maintaining the timeline for timely completion of the LADCS in your district as per LADCS Modified Scheme-2022 before 31.05.2023.

8. The Secretary, DLSA is requested to personally monitor the entire work so that the LADCS office can be set up in the aforesaid districts within the schedule target **by 31.05.2023 positively.**

This to your information and doing the needful.

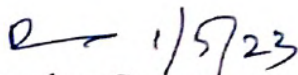
Encl: As stated.

Sincerely Yours


(D.M. Jamatia)
Member Secretary
TSLSA, Tripura

Copy to:-

1. The Secretary, DLSA, Khowai Tripura District for information and doing the needful.


Member Secretary
TSLSA, Tripura

OFFICE OF THE
TRIPURA STATE LEGAL SERVICES AUTHORITY
OLD DISTRICT & SESSIONS JUDGE COURT COMPLEX
NEAR FIRE BRIGADE CHOWHMUNI
AGARTALA: TRIPURA WEST

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No.1 (48)-LAW/TLSA/AGT/ESTT/22/1217-24

February 24, 2023

To
The District Secretary,
District Legal Services Authority
Dhalai/West/ Sepahijala/ North/ South/ Khowai/ Unakoti/ Gomati Tripura District.
Ambassa/Agartala/ Sonamura/ Dharmanagar/ Belonia/ Khowai/ Udaipur.

Sub:- Incremental expansion of Legal Aid Defense Counsel System(LADCS) to all the remaining DLSAs in the Country- reg.

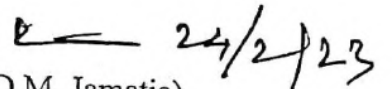
Madam/Sir,

Find enclosed email dated Feb.11,2023 as received from the Under Secretary, NALSA regarding Incremental expansion of Legal Aid Defense Counsel System (LADCS) to all the remaining DLSAs in the Country. In this regard a virtual meeting will be held on 28.02.2023 at 04.00pm to discuss and exchange ground reality in the terms of infrastructure and space etc for the implementation of the scheme.

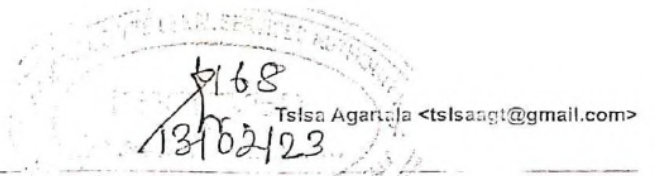
You are, therefore, requested to attend the aforesaid virtual meeting with the Chairman, for which separate letters are being sent to them. The link of the virtual meeting will be shared later on.

Enclosed: As stated above.

Yours sincerely,


(D.M. Jamatia)
Member Secretary
Tripura State Legal Services Authority
Agartala, West Tripura.

Gmail



Incremental expansion of Legal Aid Defense Counsel System (LADCS) in remaining all DLSAs in the Country- reg.

1 message

NALSA <nalsa-dla@nic.in> Sat, Feb 11, 2023 at 6:31 PM
To: Andaman <legalsect.secretariat@gmail.com>, Bijoyesh Ghosal <hcourt.and@nic.in>, Andaman Law secy <secy.law2016@gmail.com>, Andhra Pradesh SLSA <apslsaauthority@yahoo.com>, Arunachal Pradesh SLSA <apslsa2013@rediffmail.com>, Assam SLSA <assamslsa1@gmail.com>, Bihar SLSA <bslsa_87@yahoo.in>, Chandigarh SLSA <slsa_utchd@yahoo.com>, Chhattisgarh SLSA <cgslsa@gmail.com>, "District Court, Silvassa" <dj-dnh@nic.in>, Daman & Diu SLSA <damanecourt@gmail.com>, SLSA Daman and Diu <slsa-damandiu@daman.nic.in>, SLSA Daman and Diu <slsa-damandiu@ddd.gov.in>, "Member Secretary, Delhi SLSA" <dslsa-phc@nic.in>, Rajni Manro <estabwing-dlsa@nic.in>, Legal Literacy Wing <legallitwing-dlsa@nic.in>, Data Entry Operator <dataentry-dlsa@nic.in>, dsatthebest <dsatthebest@rediffmail.com>, "Member Secretary, Goa" <ms-gslsa.goa@nic.in>, "Member Secretary, GSLSA, Ahmedabad" <msguj.lsa@nic.in>, Haryana SLSA <hslsa.haryana@gmail.com>, HPSLSA Shimla <mslegal-hp@nic.in>, Jammu & Kashmir SLSA <jkslsa1234@gmail.com>, Jharkhand SLSA <jhalsaranchi@gmail.com>, KSLSA Bengaluru <mskar-slsa@hck.gov.in>, "Nisar Ahammed K.T" <kelsakerala@nic.in>, Ladakh SLSA <ladakhlsa1234@gmail.com>, Lakshadweep SLSA <lakshadweepjusticeforall@gmail.com>, mplsajab <mplsajab@nic.in>, MSLSA High Court Bombay <mkslsa-bhc@nic.in>, Manipur SLSA <maslsa.imphal@gmail.com>, mslsa <mkslsa-meg@nic.in>, Meghalaya SLSA <megshillong@gmail.com>, Mizoram SLSA <sksamizoram@gmail.com>, Nagaland SLSA <nkslsa.nagaland@yahoo.in>, "District Court, Silvassa" <dj-dnh@ddd.gov.in>, Odisha slsa <oslsa1997@gmail.com>, Orissa State Legal Services Authority Orissa <oslsa@nic.in>, Puducherry SLSA <msulpisa@gmail.com>, Punjab State Legal Services Authority <ms@punjab.gov.in>, Rajasthan SLSA <rsjsajp@gmail.com>, Rajasthan State Legal Services Authority Jaipur <rj-slsa@nic.in>, Sikkim slsa <sikkim_slsa@live.com>, Tamil Nadu SLSA <talslsa@gmail.com>, Telangana SLSA <talslsa2020@yahoo.com>, Telangana SLSA <telanganaslsa@gmail.com>, Tripura SLSA <talsagt@gmail.com>, Uttarakhand SLSA <ukslsanainital@gmail.com>, upslsa upslsa <upslsa@nic.in>, West Bengal SLSA <wbstatelegal@gmail.com>

NATIONAL LEGAL SERVICES AUTHORITY

F.No. L/20/2019-NALSA/
11.02.2023

To
The Member Secretary
All State Legal Services Authorities

Sub.: Incremental expansion of Legal Aid Defense Counsel System (LADCS) in remaining all DLSAs in the Country- reg.

Sir/Madam,

I am directed to state that after the successful implementation of pilot project of Legal Aid Defense Counsel System (LADCS), full time & exclusive engaged legal aid lawyers scheme, it has decided that for providing effective, qualitative & competent legal aid services to poor and needy persons, the Legal Services Institutions requires robust and accountable system. Hon'ble Executive Chairman, NALSA had apprised Hon'ble the Chief Justices of High Courts and Hon'ble Chief Ministers during CJ-CM conference on 29th and 30th April, 2022 at New Delhi about the Legal Aid Defense Counsel Project and incremental expansion plan.

2. I am directed to state that in response to the observations of the Departmental-related Parliamentary Standing Committee, NALSA had made a statement to adopt full time lawyers engagement system for providing qualitative, competent and effective legal services to poor and needy after comparing it with counsel assignment system (Panel Lawyers Scheme). LADC System is in line with Public defender System and will be fully operationalise in the current financial year 2022-23 in phased manner.

3. I am further directed to state that with the approval of the then Hon'ble Executive Chairman, NALSA, the First Phase, LADCS has been implemented in 377 Districts (including pilot districts) of 22 States viz, Andhra Pradesh, Assam, Bihar, Chattisgarh, Delhi, Gujarat, Haryana Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttarkhand, Uttar Pradesh and West Bengal.

4. I am further directed to request all SLSAs to implement LADCS in their all Districts as per LADCS- Modified Scheme 2022 (annexed herewith) in Second Phase.

Thanking you,

Yours sincerely,

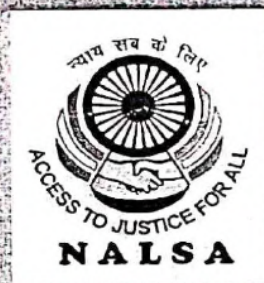
(KAMAL SINGH)
Under Secretary

NATIONAL LEGAL SERVICES AUTHORITY,
B BLOCK, GROUND FLOOR,
ADDITIONAL BUILDING COMPLEX
SUPREME COURT OF INDIA, NEW DELHI-110001
COMMUNICATION ADDRESS:
JAISALMER HOUSE
26, MAN SINGH ROAD, NEW DELHI-110011
PH. NO -011- 23332778, 23071450
FAX NO.-011-23382121

Modified Scheme 2022

Legal Aid Defense Counsel Scheme 2022

FOR PROVIDING LEGAL AID, ASSISTANCE & REPRESENTATION IN
CRIMINAL MATTERS IN LINE WITH "PUBLIC DEFENDER SYSTEM"



National Legal Services Authority

B-BLOCK, ADDITIONAL BUILDING, SUPREME COURT OF INDIA, NEW DELHI

Email: nalsa-dla@nic.in, ms-nalsa@gov.in Website: www.nalsa.gov.in

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1. Introduction

Legal Services Authorities provide legal services to accused/convicts, who are in custody or otherwise coming within the eligibility criteria spelt out in Section 12 of the Legal Services Authorities Act, 1987. Legal Services are being provided at pre-arrest, remand, trial and appellate stages in criminal matters. Legal representation is being provided by the Legal Services Authorities in approximately 2 lac criminal cases (trials) at the district level.

During Consideration of the Demands for Grants (2022-23) of the Department of Justice by the Department Related Parliamentary Standing Committee (DPRSC) on Personal, Public Grievances, Law and Justice observed in its 116th report that:

“NALSA has recently completed 25 years of its establishment; accordingly, it is also the right time to ponder over reforms which are required in NALSA and legal aid movement in India. Majority of Indians are eligible to receive legal aid, but the number of people actually receiving legal aid is a miniscule percentage of those entitled. In the previous chapter, the Committee has already recommended a significant increase in NALSA's budget and expects NALSA to make best use of it in performing its assigned mandate.”

At present, Assigned Counsel System of dispensation of Legal Aid is being followed in India. Under the said system, cases are assigned to panel lawyers by Legal Services Institutions. Such Panel lawyers to whom cases are assigned, also have private practices, and hence, they do not exclusively devote their time to the legal aid matters. Many times, their accessibility and availability remain an issue for timely client consultation and updating the legal aid seekers about the progress of their cases. There are few instances, wherein the lawyers were found harassing beneficiaries or demanding fee from them.

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The system of Court based legal services needs to be strengthened for providing effective and efficient legal services to weaker and marginalised sections of the society. To achieve the same, several steps have been taken such as capacity building of lawyers, enhancing the structure and effective functioning of monitoring & mentoring committees, upgradation of Front Offices etc.

In the said process of strengthening and making legal services more professional, NALSA thought of adopting another legal aid delivery-based model i.e. '*Legal aid Defense Counsel System*' for providing legal aid in criminal matters on the lines of public defender system on pilot basis for a period of two years in some districts to see how effective and successful such changes in approach will be.

It is pertinent to mention that in most countries, Legal Aid Delivery Models are combination of the Public Defender System, Assigned Counsel System and Contract Services System. Examples of diverse legal aid delivery systems can be found, among other countries, in Israel, the Republic of Moldova, Sierra Leone, South Africa and the United States of America. A number of jurisdictions have adopted a public defender scheme with offices throughout the country, including Argentina, Chile, Georgia, Mexico, Paraguay, Peru, the Philippines, the Republic of Moldova and South Africa¹.

NALSA, decided to implement LADCS as pilot project in 17 states/UTs but the same was made functional in 13 states namely Andhra Pradesh, Chhattisgarh, Delhi, Gujarat, Jharkhand, Karnataka, Kerala, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh.

As envisaged, Legal Aid Defense Counsel System involve full time engagement of lawyers with support system. The said unit deals exclusively with legal aid work in criminal matters at the district HQ, where it is established.

¹ Model Law on Legal Aid in Criminal Justice Systems with Commentaries(www.unodc.org)

Subject to feasibility, the services may be extended to Talukas or outline Courts. Initially, it was confined to cases before the Sessions, and now it will be expanded to all type of criminal courts with Lawyers engaged therein not allowed to take any private cases or any other retainership. This will create institutional capacity to effectively provide legal aid to poor and needy in criminal justice system. Some of the perceived advantages of the Legal aid Defense Counsel System vis-à-vis assigned counsel system may be mentioned as follows:

- Increase in Availability and accessibility of Legal Aid Defense counsels,
- Effective and efficient representation by experienced lawyers,
- Timely and lively Client Consultations,
- Effective monitoring and mentoring of legal aided cases,
- Professional management of legal aid work in criminal matters,
- Enhanced responsiveness leading to updating of legal aid seekers about the progress of their cases,
- Ensuring accountability on the part of the legal aid providers.

At the first instance, the Legal Aid Defense Counsel System was conceived to be implemented on a pilot project basis for providing legal aid in criminal matters in Sessions Courts in a few districts. After its success as a pilot project, it is being extended to other districts and to all criminal courts including Courts of executive Magistrates.

Objectives:

- To provide qualitative and competent legal services in criminal matters to all eligible persons.
- To manage and implement legal aid system in professional manner in criminal matters.

2. Scope of Work:

Legal Aid Defense Counsel Office shall be dealing exclusively with legal aided matters in criminal matters of the District or HQ, wherein it is established. It shall be providing legal services from the early stages of

criminal justice till appellate stage, and the same shall include visits to jails from catering to the legal needs of unrepresented inmates. Initially it shall not be dealing with all type of civil matters and cases of complainant, matters pending before Juvenile Justice Boards/CWCs, wherein present counsel assignment system (Panel Lawyers) will continue to be operational for the purpose but panels shall be resized according to work based model. The following end to end legal services shall be provided through the Legal Aid Defense Counsel Office:

- Legal Advice and Assistance to all individuals visiting the office,
- Representation/Conducting trials and appeals including all miscellaneous work in all criminal courts such as Sessions, Special and Magistrate Courts including executive courts,
- Handling Remand and Bail work,
- Providing legal assistance at pre-arrest stage as per need and also in accordance with NALSA's scheme for providing such assistance,
- Any other legal aid work related to District Courts or as assigned by the Secretary, DLSA,
- Periodic visit of Prisons of the district under the guidance of the Secretary, DLSA.

3. Infrastructure and Human Resource required in each Project district

• Infrastructure:

- Well-appointed office for Legal Aid Defense Counsels with separate cabin for Chief Legal Aid Defense Counsel and space for consultation.
- Space for ministerial staff, reception with waiting area.
- Total space requirement (suggestive):
 - Class A Cities 800 to 1000 sq. ft.
 - Class B Cities 700 to 800 sq. ft.
 - Class C Cities 500 to 600 sq. ft.
- Computers and printers with scanner, internet connection, telephone.

- Furniture consisting of tables, chairs, bookshelf and almirahs etc.

- **Human Resource:**

Human Resources for a Legal Aid Defense Counsel Office		
S. No.		No. required
1.	Chief Legal Aid Defense Counsel	01 ✓ 1
2.	Deputy Chief Legal Aid Defense Counsel	01-03 ✓ 1
3.	Assistant Legal Aid Defense Counsel	02-10. <i>Review (5)</i>
4.	Office Assistants/ Clerks	01-03 ✓ 2
5.	Receptionist-cum-Data Entry Operator (Typist)	01 (optional),
6.	Office peon (Munshi/Attendant)	01 (optional),

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Note: Number of Deputy and Assistant Legal aid Defense Counsel may be increased or decreased as per the requirement in individual districts, subject to prior approval of Hon'ble Executive Chairman, SLSA. Number of Legal Aid Defense Counsels shall be proportionate to the actual work and also requirement.

4. Selection Procedure:

After due publicity including public notice, applications will be invited and a fair, transparent and competitive selection process shall be adopted by DLSA under guidance of SLSA. Legal Aid Defence Counsels shall be engaged on contract basis in each place/district initially for a period of two years with a stipulation of extension on yearly basis subject to satisfactory performance. The performance of every human resource shall be assessed every six months by SLSA in consultation with DLSA concerned. The selection of Chief Legal Aid Defense Counsel, Deputy Chief Legal Aid Defense Counsels, Assistant Legal Aid Defense Counsels will be purely based on merit, taking into account the knowledge, skills, practice and experience of candidates. The selection shall be carried out by Selection committee under the Chairmanship of the Principal District & Sessions Judge (Chairman, DLSA) as envisaged in NALSA (Free and Competent Legal-Services)-Regulations-2010, subject to final approval by the Executive

Chairman, SLSA. In the selection committee at least three senior most judicial officers posted at HQ, dealing mainly with criminal cases preferably sessions cases shall be included. No person with conflict of interest shall be part of selection process. After approval by the Executive Chairman, SLSA, engagement contract shall be executed between the Secretary DLSA and the person so engaged.

The format of contract for engagement, as provided by NALSA to be used with required modifications.

The suggested eligibility criteria are as follows: -

a) Qualifications for Chief Legal Aid Defense Counsel:

- Practice in Criminal law for at least 10 years,
- Excellent oral and written communication skills,
- Excellent understanding of criminal law,
- Thorough understanding of ethical duties of a defense counsel,
- Ability to work effectively and efficiently with others with capability to lead,
- Must have handled at least 30 criminal trials in Sessions Courts, aforesaid condition of handling 30 criminal cases can be relaxed in appropriate circumstances,
- Knowledge of computer system is preferable.
- Quality to lead the team with capacity to manage the office.

b) Qualifications for Deputy Chief Legal Aid Defense Counsel:

- Practice in Criminal law for at least 7 years,
- Excellent understanding of criminal law,
- Excellent oral and written communication skills,
- Skill in legal research,
- Thorough understanding of ethical duties of defense counsel,

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- Ability to work effectively and efficiently with others,
 - Must have handled at least 20 criminal trials in Sessions Courts, may be relaxed in exceptional circumstances, by Hon'ble executive Chairman, SLSA,
 - IT Knowledge with proficiency in work.

c) Qualification for Assistant Legal Aid Defense Counsel:

- Practice in criminal law from 0 to 3 years.
- Good oral and written communication skills.
- Thorough understanding of ethical duties of defense counsel.
- Ability to work effectively and efficiently with others.
- Excellent writing and research skills.
- IT Knowledge with high proficiency in work.

d) Qualification for Office Assistant/ Clerks:

- Educational Qualification: Graduation,
- Basic word processing skills and the ability to operate computer and skills to feed data,
- Good Typing speed with proper setting of petition,
- Ability to take dictation and prepare files for presentation in the Courts,
- File maintenance and processing knowledge.

e) Qualification for Receptionist-cum-Data Entry Operator

- Educational Qualification: Graduation,
- Excellent verbal and written communication skills,
- Word and data processing abilities,
- The ability to work telecommunication systems (telephones, fax machines, switchboards etc),
- Proficiency with good typing speed.

Note: Qualifications may be reasonably relaxed in case of exceptional candidate or circumstances after the approval of the Executive Chairman, SLSA.

5. Work Profiles:

a) Chief Legal Aid Defense Counsel

- Conducting trials and appeals and bail matters in courts along with deputy chief & assistant legal Aid Defense Counsels,
- Assigning duties to deputy legal Aid Defense Counsels in the office,
- Assigning duties of Assistant legal Aid Defence Counsel for assisting him and Deputy Chief legal Aid Defense Counsel and for other work including legal research,
- Ensure proper legal research, planning effective defence strategy and thorough preparation in each and every legal aided case,
- Ensure maintenance of complete files of legal aid seekers,
- Ensure proper documentation with regard to legal aid assistance provided, ensure maintenance of up-to-date record of legal aided cases,
- Will be overall in charge of administration of the office of Legal Aid Defense Counsel Office.
- Ensure quality legal aid,
- Consultation and ensuring updation of the case progress to the client and his/her relative(s),
- Any work/duty assigned by Legal Services Authority.

b) Deputy Chief Legal Aid Defense Counsel.

- Conducting trials/ appeals/ Remand work /Bail applications/visits to prisons etc., as assigned by Chief Legal Aid Defense Counsel.
- Filing and arguing appeals and bail applications in Courts.
- Maintaining complete case files.
- Doing legal research in legal aided cases and guiding assistant legal Aid Defense Counsel and law students attached with the office in legal research.
- Proper client interviews at various stages for quality research work and representation at remand, trial and appellate stage.

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- All or any of the work of the Chief defence Counsel as per assignment,
 - Any work/duty assigned by Legal Services Authority.

c) Assistant Legal Aid Defense Counsel.

- Filing of cases, conducting trials in Magistrate trial cases,
- Remand/bail and other miscellaneous work,
- legal research in legal aided cases,
- Visits to Prison and Legal aid Clinics as per directions,
- Providing assistance at pre-arrest stage to suspects,
- Assisting Chief Legal Aid Defense Counsel and Deputy Legal Aid Defense Counsel(s) in conduct of legal aid cases,
- Assisting in developing a defence strategy after sifting through all of the evidence collected by the prosecution and after hearing the accused's version of what happened during the alleged crime in question,
- Visiting location/area of alleged crime, having discussions with family members etc, for effective and meaningful input of defense strategy,
- Handling queries of legal aid seekers,
- Updating legal aid seekers about the progress of their cases,
- Assisting in maintaining complete files of legal aided cases,
- Handling legal queries relating to criminal matters on telephone,
- Any other work related to legal aid assigned by Chief Legal Aid Defense Counsel,
- Any work/duty assigned by Legal Services Authority,

d) Office Assistant

- Keeping updated record of legal aided cases,
- Uploading the updated record/progress of the legal aided cases on NALSA portal and digital platforms as per directions,
- Maintaining complete files of legal aided cases and keeping files with proper index in a systematic manner,
- Typing applications, petitions, appeals etc.,

- Doing ministerial work related to cases such as filing applications for copies of orders, judgement etc.,
- Any other task assigned by the Chief Legal Aid Defense Counsel,
- Any work/duty assigned by Legal Services Authority,
- All duties assigned to Receptionist cum data entry operator.

e) Receptionist-cum-Data Entry Operator

- Greeting clients and visitors and answering visitor inquiries,
- Answering and routing incoming calls on a multi-line telephone system,
- Scheduling and routing legal aid seekers,
- Maintaining the waiting area, lobby or other office areas,
- Scanning, photocopying, faxing,
- Collecting and routing mail and hand-delivered packages,
- Answering face-to-face enquiries and providing information when required,
- Uploading, at the initial point, legal aided cases on NALSA portal & other platforms and updating the information from time to time,
- Any work/duty assigned by Legal Services Authority.

f) Office peon (Munshi/Attendant)

- General work of MTS, Munshi or Peon,
- Cleaning the office before the commencement of office hours,
- Ensuring that all places in the office are kept clean,
- Bringing and serving water, beverages to the visitors in the office,
- Carrying dak, misc. work etc.
- Any other work assigned by Legal Services Authority.

6. Termination of Services:

Services of any human resource including legal aid defense counsel engaged in the office of Legal Aid Defense Counsel can be terminated at any time without any prior notice in the following cases by the Chairman, DLSA on recommendation of the Secretary DLSA or on the directions by SLSA in writing:

- 015
- i. He/she substantially breaches any duty or service required in the office, or
 - ii. Seeks or accepts any pecuniary gains or gratification in cash or kind from the legal aid seekers or beneficiary or his friend or relative, or
 - iii. Charged or Convicted for any offence by any court of law, or
 - iv. Indulges in any type of political activities, or
 - v. Found incapable of rendering professional services of the required standards, or
 - vi. Failure to attend training programmes without any sufficient cause, or
 - vii. Indulges in activities prejudicial to the working of legal aid defense counsel office, or
 - viii. Uses his/her position in legal aid defense counsel office to secure unwarranted privileges or advantages for him/herself or others, or
 - ix. Acts in breach of code of ethics, or
 - x. Remains absent without leave for more than two weeks, or
 - xi. If services are found unsatisfactory during the six-monthly performance review by the SLSA or DLSA.

7. Code of Ethics:

Personnel engaged in the office of Legal Aid Defense Counsel shall observe the following code of ethics:

- No personnel shall act in any matter in which he/she has a direct or indirect personal or financial interest.
- No personnel shall wilfully disclose or use, whether or not for the purpose of pecuniary gain, any information that he/she obtained, received or acquired during the fulfilment of his/her official duties and which is not available to members of the general public.
- No personnel within the office of Legal Aid Defense Counsel shall make use of his/her office or employment for the purpose of promoting or advertising any outside activity.
- No personnel within the office of Legal Aid Defense Counsel shall engage in any outside activity or act as an independent practitioner.

- No personnel within the office of Legal Aid Defense Counsel shall solicit, agree to accept or accept, whether directly or indirectly, any gift, favour, service, or other thing of value under circumstances from which it might be reasonably inferred that such gift, service, or other thing of value was given or offered for the purpose of influencing him/her in, or rewarding him/her for, the discharge of his/her official duties.
- Legal Aid Defense Counsel shall devote his/her full time to his/her duties for the office of Legal Aid Defense Counsel and shall not engage in private practice of law during the term of employment.
- Every Personnel of the office of Legal Aid Defense Counsel shall strive to preserve the public's confidence in the office's fair and impartial execution of its duties and responsibilities.
- Legal Aid Defense Counsel shall also follow the code of ethics prescribed by Bar Council of India for lawyers.

8. Entitlement to Leave:

- Chief Legal Aid Defense Counsel and Deputy Legal Aid Defense shall be eligible for 15 days' leave in a calendar year on pro-rata basis.
- Assistant Counsel Legal Aid Defense Counsel and other staff persons shall be eligible for 12 days' leave in a calendar year on pro-rata basis.
- No remuneration for the period of absence in excess of the admissible leave will be paid to the human resource of Legal Aid Defense Counsel Office. Un-availed leave shall neither be carried forward to next year nor encashed.

9. Role of State Legal Services Authority and District Legal Services Authority

- Office space planning, and providing infrastructure for office preferably inside or in proximity to court complex.
- Providing Office furniture, Office equipment including computers, printer, internet connectivity and other equipment.
- Purchasing office supplies on need basis.
- Engaging human resource requirement for Legal aid Counsel System Office.
- Ensuring proper functioning of Legal aid Counsel System Office.

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- Ensuring effective monitoring and mentoring.
 - Periodical evaluation of legal services delivered through Legal aid Counsel System Office.
 - Regular trainings and refresher courses for legal aid counsel engaged in Legal aid Counsel System Office.
 - Renovation of office space when necessary.
 - Providing Books such as Bare Acts and Commentaries for Legal Aid Defense Counsel Office
 - Providing Legal Research Software.
 - Timely payment of monthly honorarium to legal aid counsel and all staff engaged for Legal aid defense counsel office.
 - Payment with regard to expert witnesses, if their services are taken.
 - Payment for incidental expenses such as travelling expenses etc.
 - Information/promotional campaigns/programmes with regard to Legal aid Defense counsel office.

10. Engagement with law schools

Law schools often send their students to legal Services Institutions for internship. Moreover, Clinics of Law Colleges also collaborate with Legal Services Institutions. Law students can be engaged with the Legal Aid Defense Counsel office as to give them meaningful exposure to practical aspects of criminal law including preparing a defense strategy and doing legal research in various factual scenarios. Law students may be so engaged in the following areas in Legal aid defense counsel office:

- Legal research in criminal cases,
- Visiting scenes of crimes,
- Interviewing accused and their family members and other relevant persons,
- Visits of Prisons and Legal Aid clinics,
- Associating in campaign undertaken,

- Assist in sifting through all of the evidence collected by the prosecution and providing effective input for preparing defense strategy.

The internship to law students can be offered for a period upto 3 months. The law students so engaged shall not be paid any stipend by the Legal Services Authorities but the certificate of work and period of work will be issued by the Chief Defense Counsel & Secretary, DLSA.

11. Monitoring and Evaluation

- The work and performance shall be closely monitored by the Secretary DLSA and a monthly review meeting will be organised under the chairmanship of the Chairman, DLSA. The Minutes of the meeting shall be sent to SLSA. A quarterly review meeting with every LADCS office and the Secretary, DLSA will also be organised by the Member Secretary, SLSA and minutes shall be sent to NALSA. On half yearly basis, review meeting shall be organised by NALSA. The formats for such data sharing will be shared at the time of launch. Monitoring shall be continuous process and at the end of six months the performance of every human resource shall be evaluated by the SLSA under the guidance of Hon'ble Executive Chairman, SLSA.
- Monitoring and Mentoring Committee shall monitor legal aid work of Legal Aid Defense Counsel Office.
- The Chief Legal Aid Defense Counsel shall be involved in monitoring & mentoring Legal Aid cases.

12. Financial Outlay

Primarily, finances are required for engaging Legal aid defense counsels, purchase of office furniture and equipment, monthly salaries, expenses incidental to litigation and other administrative expenses such as postal, stationary etc. Estimated outlay is given below:

A. Honorarium (Retainership fee) and salaries:

For Class-A towns (Population more than 10 lacs)

1.	Chief Legal Aid Defense Counsel	₹ 70,000 to 1,00,000/-
2.	Deputy Chief Legal Aid Defense Counsel	₹ 50,000 to 75,000/- each
3.	Assistant Legal Aid Defense Counsel	₹ 25,000 to 45,000/- each
4.	Monthly salary of Office Assistants	₹ 18,000 to 25,000/- each
5.	Monthly salary of Receptionist-cum-Data Entry Operator (Optional)	₹ 18,000 to 20,000/-
6.	Monthly salary of Office peon	₹ 12,500 to 15,000/-

For Class-B towns (Population more than 2 lacs but below 10 lacs)

1	Chief Legal Aid Defense Counsel	₹ 65,000 to 80,000/-
2	Deputy Chief Legal Aid Defense Counsel	₹ 40,000 to 60,000/- each
3	Assistant Legal Aid Defense Counsel	₹ 20,000 to 35,000/- each
4	Monthly salary of Office Assistants	₹ 15,000 to 20,000/- each
5	Monthly salary of Receptionist-cum-Data Entry Operator (Optional)	₹ 15,000 to 17,000/-
6	Monthly salary of Office peon	₹ 10,000 to 12,000/-

For class-C (Population below 2 lacs) or Remaining places

1	Chief Legal Aid Defense Counsel	₹ 60,000 to 70,000/-
2	Deputy Chief Legal Aid Defense Counsel	₹ 30,000 to 50,000/- each
3	Assistant Legal Aid Defense Counsel	₹ 20,000 to 30,000/- each
4	Monthly salary of Office Assistants	₹ 12,500 to 15,000/- each

5	Monthly salary of Receptionist-cum-Data Entry Operator (Optional)	₹ 12,000 15,000/-
6	Monthly salary of Office peon	₹ 10,000 12,000/-

Note: Provisions of the Minimum wages Act and orders issued therein by the State/UT Government will be complied and monthly salary of Office Assistant, Receptionist-cum-Data Entry Operator and Office peon shall not be less than minimum wages payable to such category at the place of LADCS. Retired Court or DLSA employees including experienced outsourced/ contractual personnel, if otherwise suitable may be preferred for the posts of Office Assistant, Receptionist-cum-Data Entry Operator and Office peon.

B. Infrastructure expenditure (If already not available)

1.	Four to six Computers (50% all in one system)	2,50,000/-
2.	Three Printers (one of them would be photocopier & scanner)	1,00,000/-
3.	Furniture (as per need)	Upto 2,00,000/-
4.	Books	Upto 50,000/-
5.	Law software	Provided by NALSA
6.	Facilities/utility items	25,000/-

Note: Online and offline law software will be provided under directions of NALSA.

C. Miscellaneous expenses per month as per the requirement subject to the following cap

1.	Office supplies/stationery	10,000/-
2.	Postal, internet, phone and other misc. expenses	5,000/-

Guidelines for selection committee Under LADCS Scheme

1. The Chairman of the Selection Committee will be the District & Sessions Judge (Chairman, DLSA) and other members will comprise – i) Addl. District & Sessions Judge (Senior most of the station), ii) Addl. District & Sessions Judge (Next in seniority if there are more than one in Station), iii) Chief Judicial Magistrate & iv) Asst. Sessions Judge-cum-Civil Judge (Sr. Div), if there is only one Addl. District & Sessions Judge in the Station.
2. After advertisement notified, a gap of 10 days may be kept for receipt of applications and then the office may sort out the applications and award the marks as per guideline noted below. Thereafter, a date is to be fixed for verbal interview. Once the Panel is prepared, it shall be sent to the State Authority for placing the list before the Hon'ble Executive Chairman, TSLSA for approval.
3. Once it is approved by the Executive Chairman, it will be transmitted to the Chairman, DLSA for issuing engagement order for 2 years, which may be extended in future based on the assessment to be conducted by the State Authority in consultation with the DLSA.
4. Total Marks allotted for interview is **50 each** for the Post of Chief Legal Aid Defence Counsel, Deputy Chief Legal Aid Counsel and Assistant Legal Aid Defence Counsel.

5. Calculation of Marks for the post of Chief Legal Aid Defence Counsel

5 (a). 10 (Ten) years practice in Sessions Courts	05
5 (b). 20 (Twenty) years plus odd of practice in Sessions Courts	05
5 (c). 30(Thirty) years plus odd of practice in Sessions Court	05 ** 01 mark is to be awarded for each two years practice after completion of ten years mandatory practice.
5(d). Handling of 30 cases in Sessions Court file	05
5 (e). Handling of additional 20 cases in Sessions Court file	05
5 (f). Handling of additional 20 cases plus odd in Sessions Court file	05 ** 01 mark is to be awarded for each four number of cases in access of mandatory 30 numbers of cases
5 (g). Legal acumen with special reference to the latest principle decided by the Supreme Court on ST Cases.	10
5 (h). Leadership quality, ability of oral communication and knowledge in IT /Computer etc.	10

6. Calculation of Marks for the post of Deputy Chief Legal Aid Defence Counsel

6 (a). 07 (Seven) years practice in Sessions Courts	05
6 (b). 17 (Seventeen) years plus odd of practice in Sessions Courts	05
6 (c). 27(Twenty Seven) years plus odd of practice in Sessions Court	05 ** 01 mark is to be awarded for each two years practice after completion of ten years mandatory practice.
6(d). Handling of 20 cases in Criminal /Sessions Court file	05
6 (e). Handling of additional 20 cases in Criminal / Sessions Court file	05
6 (f). Handling of additional 20 cases plus odd in Criminal / Sessions Court file	05 ** 01 mark is to be awarded for each four number of cases in excess of mandatory 30 numbers of cases
6 (g). Excellent understanding in criminal law, ability of oral communication and knowledge in IT/ Computer etc.	20

7. Calculation of Marks for the post of Assistant Legal Aid Defence Counsel

7(a). 03 (Three) years practice in Criminal cases	10
7 (b). 08 (Eight) years plus odd of practice in Criminal cases	10
7 (c). 13(Thirteen) years plus odd of practice in Criminal Court	10 * 02 mark is to be awarded for each one year practice after completion of 03 years mandatory practice.
7 (d). Legal acumen and ability to work effectively and efficiently with other team members / ability of oral communication and skill in legal research alongwith IT/Computer etc.	20

8. Legal Office Assistants / Clerks:

i) The minimum eligibility criteria for the post is graduation having knowledge in computer and skills to feed data. For the purpose walk-in-interview of 30 marks will be conducted to test the efficiency in GK, English & Computer of the candidate. Thereafter, Type Test in computer of 20 marks will be conducted.

9. Receptionist – cum –Data Entry Operator:

i) The minimum eligibility criteria for the post is graduation with excellent verbal written communication skill and knowledge in computer. For the purpose walk-in-interview of 30 marks will be conducted to test the efficiency in GK, English & Computer of the candidate. Thereafter, a Type Test in computer of the selected candidate will be conducted for 20 marks to test his typing speed. Total marks 50.

10. Group – D Employee:

i) Minimum eligibility criteria for the post is Class – VIII pass. Oral test of 25 marks will be conducted to know his ability in write in English and Bengali. Total marks 25.

**Common Specification for furniture, Computer
and its peripherals for each LADCs office**

Sl. No	Name of the office	Particulars of Item with maximum number of item	Maximum limit of expenditure including GST etc.
1.	LADCS office	i). Desktop Computer (AIO – 01 No.) ii) Desktop Computer – 01 No. iii) Printer with photocopier & scanner – 01 iv) HP Laser Printer (normal) – 01 v) Almirah (Godrej, Storewell Plain) vi) Book self (Godrej, Four door book case) - 01 vii) Half Secretariat Table (Godrej, T-8) - 05 viii) computer Table (Godrej, C-9)- 02 ix) Arm Chair (Godrej 9U 12) - 03 x) Chair for staffs & visitors (Plastic) - 10	i.) Rs. 60,000/- (per unit) ii) Rs. 50,000/- (per unit) iii) Rs. 30,000/- (per unit) iv) Rs. 20,000/- v) Rs. 30,400/- vi) Rs. 35,000/- vii) Rs. 18,000/- (per unit) viii) Rs. 9,300/- (per unit) ix) Rs. 8,700/- (per unit) x) Rs. 1,000/- (per unit)

Chart of Required Human Resources along with quantum of honorarium/salary for a Legal Aid Defence Counsel office

Human Resource for a Legal Aid Defense Counsel Office			
S.No	All the Districts	No. Required	Honorarium per month
1	Chief Legal Aid Defense Counsel	01	Rs. 80,000/-
2	Deputy Chief Legal Aid Defense Counsel	02 for West District & 01 each for the rest Districts.	Rs. 60,000/- each
3	Assistant Legal Aid Defense Counsel	03 for West Districts & 01 each for the rest Districts.	Rs. 35,000/- each
4	Office Assistants / Clerks	02	Rs. 15,000 /- each
5	Receptionist – cum- Data Entry Operator (Typist)	01	Rs. 15,000/-
6	Office Peon (Munshi / Attendant)	01	Rs. 10,000/-