

DISTRICT LEGAL SERVICES AUTHORITY, KAPURTHALA

<u>Applications are invited for following posts of full time Legal Aid Lawyers in Legal Aid Defense Counsel System, DLSA, Kapurthala.</u>	
1. Deputy Chief Legal Aid Defense Counsel	: 01
2. Assistant Legal Aid Defense Counsel	: 04

GUIDELINES

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 included 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, wherein present counsel assignment system (Panel Lawyers) will continue to be operational.** 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 trial 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 aided work related to District Courts or as assigned by the Secretary, DLSA,
- Periodic visit of Prisons of the district under the guidelines of the Secretary, DLSA.

2. 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 Defense Counsels shall be engaged on contract basis in each place/district initially for a period of one year or as per the directions of State Authority time to time. The performance of each human resource shall be assessed in every six months by SLSA in consultation with DLSA concerned. Selection of Deputy Chief Legal Aid Defense Counsels, Assistance 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, SLISA. In the selection committee at least three senior most judicial officers posted at HQ, dealing mainly criminal cases, preferably sessions cases, will also be included. No person with conflict of interest shall be part of selection process. After approval by the Executive Chairman, SLISA, engagement contract will be executed between the Secretary, DLISA and the person so engaged. The eligibility criteria are as follows:-

a) 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,
- Skills in legal research,
- Thorough understanding of ethical duties of a defense counsel,
- Ability to work, effectively and efficiently with others,
- **Must have handled at least 10 criminal trials in Sessions Court,**
- IT Knowledge with proficiency in work.

b) 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.

3. Work Profiles:

a) Deputy Chief Legal Aid Defense Counsel.

- Conducting trial/appeals/Remand work/Bail applications/visits to prisoners etc., as assigned by Chief Legal Aid Defense Counsel.
- Filing and arguing appeals and bail applications in Court.
- 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.

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

b) Assistant Legal Aid Defense Counsel.

- Filing of cases, conducting trial 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 in conduct of legal aided cases,
- Assisting in developing a defense strategy after sifting thorough 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 locations/area of alleged crime, having discussions with family members etc, for effective and meaningful input for 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 telephones,
- Any other work related to legal aid assigned by Chief Legal Aid Defense Counsel,
- Any work/duty assigned by Legal Services Authority,

4. Termination of Services:

Services of any 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 directions by SLISA in writing:

- 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. Charges 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. Using 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 or 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.

5. Code of Ethics:

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

- I. No personnel shall act in any matter in which he/she a direct or indirect personal or financial interest.
- II. No personnel shall willfully disclosed or use, whether or not for the purpose of pecuniary gain, any information that he/she obtained, received or acquired during the fulfillment of his/her official duties and which is not available to members of the general public.
- III. No personnel within the office or Legal Aid Defense Counsel shall make use or his/her office or employment for the purpose of promoting or advertising any outside activity.
- IV. No personnel within the office of Legal Aid Defense Counsel shall engaged in any outside activity or act as an independent practitioner.
- V. No personnel within the office of Legal Aid Defense Counsel shall solicit, agree to accept, whether directly or indirectly, any gift, favour, service, or other thing of value under circumstances from which is 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.
- VI. 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.
- VII. 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.
- VIII. Legal Aid Defense Counsel shall also follow the code of ethics prescribed by Bar Council of India for lawyers.

6. Entitlement to leave:

- Chief Legal Aid Defense Counsel and Deputy Legal Aid Defense Counsel shall be eligible for 15 days leave in a calendar year on pro-rate basis.
- Assistant Counsel Legal Aid Defense Counsel shall be eligible for 12 days leave in calendar year on pro-rate 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 en-cashed.

7. 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 needs basis.
- Engaging human resource requirement for Legal Aid Defense Counsel System Office.
- Ensuring proper functioning of Legal Aid Counsel System Office.
- Ensuring effective monitoring and mentoring.
- Periodical evaluation of legal services delivered through Legal Aid Counsel System Office.
- Regular trainings and refresher course for legal aid counsel engaged in Legal Aid Defense 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 expenses incidental such as travelling expenses etc.
- Information/promotional campaigns/programmes with regard to Legal Aid Defense Counsel office.

8. Engagement with law schools:

Law schools often send their students to legal services Institutions for internship. Moreover, Clinics or 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,
- Association 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 of 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 jointly by the Chief Defense Counsel & Secretary, DLSA.

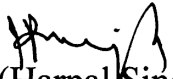
9. Monitoring and Evaluation:

- The work and performance shall be closely monitored by the Secretary, DLSA and a monthly review meetings will be organized under the chairmanship of the Chairman, DLSA. The minutes of meeting shall be send to SLSA. A quarterly review meeting with every LADCS office and the Secretary, DLSA will also be organized by the Member Secretary, SLSA and minutes shall be sent to NALSA. On half yearly basis review meetings shall be organized by NALSA. The formats for such data sharing will be shard 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 of Legal Aid cases of the district.

10. Honorarium(Retainership fee):

1	Deputy Chief Legal Aid Defense Counsel	₹ 50,000/- per month
2	Assistant Legal Aid Defense Counsel	₹ 30,000/- per month

The duly filled Application Form along with self-attested copies of documents be submitted either through speed post or in an envelope personally in the office of DLSA, Kapurthala on or before **15th December, 2025** upto 5:00 P.M only. Any application received after due date and time will not be considered under any circumstances.


(Harpal Singh)

District & Sessions Judge-cum-Chairman,
District Legal Services Authority,
Kapurthala.