

ADVERTISEMENT OF RECRUITMENT ON CONTRACT BASIS

Office Address : Room No.04. District & Sessions Court, Fort Area
Moti Daman, Daman (U.T.) 396 220

Reference No. :-

- 1) Email F.No. L/20/2019-NALSA/dated 11/02/2023 issued by Hon'ble NALSA New Delhi.
- 2) Email F.No. L/20/2019-NALSA/dated 14/02/2023 issued by Hon'ble NALSA New Delhi
- 3) Email F.No. L/20/2019-NALSA/dated 24/02/2023 issued by Hon'ble NALSA New Delhi
- 4) Email dated 27/03/2023 received from the Hon'ble MSLSA.
- 5) Legal Aid Defence Counsel Scheme 2022 (Modified Scheme 2022)

As per direction of National Legal Services Authority, New Delhi, State Legal Services Authority Daman-Diu hereby invite application from eligible candidates for the one post of Chief Legal Aid Defense Counsel and one post of Assistant Legal Aid Defense Counsel on purely **contract basis for a period of 2 years.**

1. (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 defence 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 of 30 criminal cases can be relaxed in appropriate circumstances,
- Knowledge of computer system, preferable.
- Quality to lead the team with capacity to manage the office.

(B) Qualifications 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 during of defence counsel.
- Ability to work effectively and efficiently with others.
- Excellent writing and research skills.
- IT knowledge with high proficiency in work.

NOTE: Qualifications may be reasonably relaxed in case of exceptional candidates or circumstances with the approval of the Executive Chairman SLSA.

2. (A) Work Profiles for Chief Legal Aid Defense Counsel:

- Conducting trials and appeals and bail matters in courts,
- 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 maintaining of up to date record of legal aided cases,
- Will be overall in charge of the administration of the office of Legal Aid Defense Counsel Office.
- Ensure quality of 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) Work Profiles for 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 Defence Counsel in conduct of legal aided 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 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 telephone,
- Any other work related to legal aid assigned by Chief Legal Aid Defense Counsel.
- Any work/duty assigned by Legal Services Authority.

3. Honorarium/Salary:

Chief Legal Aid Defence Counsel	Rs.80,000/- p.m.
Assistant Legal Aid Defence Counsel	Rs.35,000/- p.m.

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 the recommendation of the Secretary DLSA or on directions by SLSA 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. 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. 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 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.

5. Code of Ethics:

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

- i. No person shall act in any matter in which he/she has a direct or indirect personal or financial interest.
- ii. No personnel shall willfully disclose 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 of Legal Aid Defense Counsel shall make use of 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 engage 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 or accept, whether directly or indirectly, any gift, favour, service, or other things of value under circumstances from which it might be reasonably inferred that such gift, service, or other things 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 the 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 shall be eligible for 15 days' leave in a calendar year on pro-rata basis.
- Assistant Legal Aid Defense Counsel 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.

7. General Instructions:

1. No person shall be eligible for appointment for aforesaid posts:
 - i. If he/she is not a citizen of India;
 - ii. If he/she is compulsorily retired, removed or dismissed from Judicial Service or from service in Government or Statutory or Local Authority or failed to complete probation period in Judicial Service on any post, or in Government or Statutory or Local Authority; or
 - iii. If he/she has been convicted for an offence involving moral turpitude. or, he/she is or has been permanently debarred or disqualified by the High Court or the Union Public Service Commission or any State Public Service Commission for appearing for examination or selection conducted by it; or
 - iv. If he/she directly or indirectly influences the 'Selection Committee' by any means for his/her candidature.
 - v. If he is a man, he has more than one wife living and if a woman has married a man already having another wife; or
2. The candidate shall not be eligible to apply for the post more than one at a time. In such case his/her application will be consider only for highest post for which he/she will be found eligible.
3. The candidates shall along with the applications send self-attested copies of the following certificates/documents :-
 - i. Showing he/she is a citizen of India
 - ii. Showing his/her standing as legal practitioner in court
 - iii. A copy of the mark list and Degree Certificate of LLB Examination.
 - iv. A copy of Sanad issued by Bar Council.
 - v. Self-Attested copy of ITR for last 3 years (if available)
 - vi. Photocopies of judgments in 5 Sessions cases, represented as Defense lawyer, (for the post of Chief Legal Aid Defense Counsel).

- vii. Photocopies of at least 5 cross-examinations in Sessions cases (for the post of Chief Legal Aid Defense Counsel).
 - viii. The candidate shall produce original documents and Certificates for verification at the time of Viva-voce. Non production of any of the above documents may result in disqualifications and the decision of the selection committee in this regard is final.
4. For the purpose of shortlisting the candidates, State Legal Services Authority Daman- Diu may hold screening test/interview/viva-voce. The Number of Candidates shall be called for the Interviews, maintaining the ratio, as may be fixed by the State Legal Services Authority Daman- Diu.
 5. The candidates will have to appear for screening test/interview/viva-voce at their own cost and shall not be entitled to claim traveling allowance or any expenses from the office of the State Legal Services Authority Daman- Diu.
 6. The selected candidate will not be appointed unless he or she is found to be of good character and is in all respects suitable for appointment to the service.
 7. The decision of the State Legal Services Authority Daman- Diu to the eligibility or otherwise of a candidate for admission to the screening test/ Interview/viva-voce shall be final.
 8. Period of practice will be counted from date of enrollment till date of advertisement.
 9. The candidate may be download application form from the official website of District & Sessions Court Daman (<https://districts.ecourts.gov.in/daman>) and also from Notice board of District & Sessions Court Daman. The duly filled application form along with self-attested copies of documents may be submitted to SLSA Daman- Diu through speed post or in an envelope personally in the office of the Member Secretary, State Legal Services Authority Daman- Diu on or before **10/04/2023** by **17.00 hrs**. Any application received after the due date shall not be considered.
 10. The application containing incomplete/incorrect information shall be liable to the rejected. If any of the particulars furnished be found to be false to the knowledge of the Committee, he/she will not be allowed to participate in the selection process, and if appointed, will be liable to be dismissed. The willful suppression of any material fact will be treated similarly.

11. The selection will be made strictly on merit on the basis of the marks secured by the candidates in the screening test/ Interview/ Viva-voce and on the basis of performance of the candidates in the Pre-Personal Interview Assessment.
12. At the time of appointment, the selected candidates will have to give an undertaking that for a period of two years from the date on which he/she is appointed, he/she will not practice in any Court of Law except the matters assigned under the Legal Aid Defense Counsel System.
13. Success in the screening test/interview/ viva-voce examinations shall confer no right of appointment upon the candidate and unless the Daman & Diu, State Legal Services Authority is satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment, he or she will not be appointed to the post.
14. Success in the examinations/viva voce and resultant selection shall confer no right of appointment to the candidate and unless the Selection Committee, in consultation with the Daman & Diu State Legal Services Authority, is satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment, he/she will not be appointed to the post.
15. The State Legal Services Authority, Daman -Diu reserves the right to adopt appropriate method of short listing the candidates at any stage

Note: In case of any case of any discrepancy, please refer to approved scheme by NALSA.

By Order,

Members Secretary,
State Legal Services Authority,
Daman -Diu

**APPLICATION FOR ENGAGEMENT AS FULL TIME LEGAL AID
LAWYER IN LEGAL AID DEFENSE COUNSEL SYSTEM**

U.T.: Daman & Diu
District: Daman
Application No. _____

Photo
Passport
size

**APPLICATION FOR CHIEF/ASSISTANT LEGAL AID DEFENSE
COUNSEL**

1. Applicant's Name :
2. Father/Husband's Name :
3. Date of Birth :
4. Age (as on 01-08-2022) :
5. Gender :
6. Residential Address :
7. Office Address :
8. Chamber Address (if any) :
9. Telephone no. (O) :
10. Telephone No. (R) :
11. Mobile No. :
12. Fax No. :
13. E-mail ID :
14. PAN No. :
15. AADHAR No. :
16. Educational Qualification

(Please enclose self-attested copies of documents):

Course	Name of Board/ University	Year of Passing	Obtained Percentage (aggregate)
Graduation			
Professional Degree LL.B.			
LL.M.			
Any other (if any)			

17.	Date of Enrollment as Lawyer	:	
18.	Enrollment No. (Attach self-attested copy of enrollment certificate issued by Bar Council)	:	
19.	Experience in Bar (Duration of actual practice)	:	
	(Attach an experience certificate issued by the Bar Association/Council)		
	(a) Total no. of cases handled	:	
	(b) Nature of cases handled (Attach extra sheet, if required)	:	
	(c) Specialization, if any (The details of a few important cases, the Applicants have dealt with/handled and reported Judgment if any.)	:	
20.	Whether empanelled as Central/ State Government or Government undertaking counsel/pleader (Indicate period & attach documents)	:	
21.	The Courts where the Applicant is regularly practicing (Enclose Bar Association Membership Certificate)	:	
22.	Specify whether earlier remained on the panel of HCLSC/DLSA or TLSC (Indicate period, number of legal aid cases handled & result) (attach documents)	:	
23.	Whether any disciplinary case/Complaint is/was against the Applicant with any Bar Council (If yes, specify details of both disposed & pending with documents)	:	YES/NO
24.	Was any Court case filed against the Applicant or have ever been convicted/ arrested/ detained/ prosecuted/ acquitted/ facing any criminal prosecution by/ in a Court of Law/ Court for any offence? If yes, give details.		

(Signature)

DECLARATION

I hereby declare that, all the statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false/incorrect at any stage, my candidature is liable to be cancelled. I have read and understood the instructions and terms of the engagement and agree to abide by those. I declare that I fulfill the eligibility conditions for the category to which I am seeking engagement. I declare that, I have never been penalised by any Bar Council in any Disciplinary Proceedings. I also undertake to maintain absolute integrity and discipline as required thereunder. I agree with the remuneration structure and all the terms and conditions notified by SLSA Daman - Diu concerned.

(Name & Signature)

Place: _____

Date: _____