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LAW DEPARTMENT

NOTIFICATION

The 22nd February, 2016

S.R.O. No.103/2016— In exercise of the power conferred by Section 28 of the Legal Services Authorities Act, 1987 (39 of 1987), the State Government in consultation with the Chief Justice of the Orissa High Court do hereby make the following rules further to amend the Odisha State Legal Services Authority Rules, 1996, namely:—

1. Short title and commencement:— (1) These rules may be called the Odisha State Legal Services Authority (Amendment) Rules, 2016.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha State Legal Services Authority Rules, 1996 (hereinafter referred to as the said rules) for rule 7A, the following rules shall be substituted, namely:—

“7A. Eligibility for appointment.— No person shall be eligible for appointment to any post under the Permanent Lok Adalat, District Authority and Taluk Legal Service Committee,—

(a) unless he or she is a citizen of India;

(b) if he or she has been convicted of an offence involving moral turpitude;

(c) if he or she has entered into or contracted a marriage with a person having a spouse living;

(d) if he or she having a spouse living and has entered into or contracted marriage with any person:

Provided that if the appointing Authority is satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of the rules.

7B. Officers and other employees of the Permanent Lok Adalat.— (1) The Officers and other employees of the Permanent Lok Adalat shall render assistance in day to day works and perform such other functions as may be assigned to them by the Chairman of the Permanent Lok Adalat.

(2) The Scale of Pay, number of posts, method of appointment, qualification and conditions of Service of the Officers and employees of the Permanent Lok Adalat shall be as specified in the Schedule-D to these rules.

(3) In the matter relating to leave, medical facility, disciplinary matters, conduct rules, provident fund, relaxation of age, concession (in appropriate cases,) age of retirement and pension and other retiral benefits and other conditions of service of the officers and other employees of the Permanent Lok Adalat shall be governed by Rules, Regulation, Resolution and Order as are applicable to the officers and employees holding equivalent post in the service of the State Government.

(4) Notwithstanding anything contained in these rules, the Member-Secretary of the State Authority shall consider for promotion of Junior Clerk-*cum*-Typists of the Taluk Legal Services Committees and Junior Clerks of the District Authorities appointed prior to the commencement of these rules to the posts of Senior Clerk (Accounts) in the Permanent Lok Adalat subject to their suitability.

3. In the said rules, for Rules 14 and 15, the following rules shall be substituted, namely:—

“14. Officers and other employees of District Authority and Taluk Legal Service Committee:— (1) The scale of pay, number of posts, method of appointment, qualification and conditions of service of the officers and other employees of the District Authority and Taluk Legal Services Committee shall be as specified in the Schedule-C to these rules.

(2) In the matter relating to leave, medical facility, disciplinary matters, conduct rules, provident fund, relaxation of age, concession (in appropriate cases,) age of retirement and pension and other retiral benefits and other conditions of service of the officers and other employees of the District Authority and Taluk Legal Service Committee shall be governed by Rules, Regulation, Resolution and order as are applicable to the officers and employees holding equivalent post in the service of the State Government.

(3) A gradation list of Junior Clerk of the District Authority and Junior Clerk-*cum*-Typists of the Taluk Legal Services Committees under the concerned District Authority shall be prepared on the basis of their position in the merit list:

Provided that where the candidates secured same marks, the candidate who is older in age shall be placed above the other:

Provided further that the gradation list of Junior Clerk-*cum*-Typist and Junior Clerks, if any, appointed prior to the commencement of the Odisha State Legal Services Authority (Amendment) Rules, 2016 shall be drawn in order of merit list in any Taluk.

Legal Services Committee and District Authority and shall, subject to their suitability, accordingly be considered for promotion to the posts of Senior Clerk (Account) in a District Authority by the Member Secretary till the said list is exhausted.

15. Transfer of Officers and other employees:— (1) The Chairman of the District Authority may make intra-district transfer if required on promotion to the post of Senior Clerk as specified in the Schedule-C.

(2) Notwithstanding anything contained in these rules, the State Authority may, in the larger interest of the State Authority, effect transfer of officers and other employees of the District Authority and Taluk Legal Services Committee and Permanent Lok Adalat to any District Authority, Taluk Legal Services Committee or to Permanent Lok Adalat:

Provided that the seniority of the officers and other employees of respective establishment where they initially joined shall be maintained.

15A. Reservation:— Notwithstanding anything contained in these rules, reservation of vacancies for,—

- (a) Schedule Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Schedules Tribes) Act, 1975 and the rules made thereunder; and
- (b) SEBC, Women, Sports persons, Ex-Serviceman and Person with Disabilities shall be made in accordance with the provisions made under such rules, orders, instructions or Resolution issued in this behalf by the Government from time to time".

4. In the said rules, for Schedules-C, D and E of these rules, the following Schedules shall be substituted, namely:—

“SCHEDULE-C
(See rule-14)
District Authority and Taluk Legal Service Committee

Sl. No.	Name of the Post & Scale of Pay	Classification	No. of Post	Appointing Authority	Method of Recruitment/ appointment	Age-limit for direct recruitment	Educational & other qualification for direct recruits/ promotees	Period of Probation, if any	Composition of DPC	Job Description
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	Secretary in the District Authority with own Scale of Pay.	Group-A	1 for each District Authority.	Member Secretary of the State Authority.	The State Authority shall appoint an officer in the cadre of Senior Civil Judge either on full time basis or on ex officio basis under section 9(3) of the Legal Services Authorities Act, 1987.	-	-	-	-	He will function as the Secretary as required under the Act.
2	Senior Stenographer, who shall be one of the existing Stenographer with own Scale of pay.	Group-B	1 for each District Authority.	Chairman of the District Authority.	-	-	-	-	-	He will function as the Steno to the Secretary.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
3	Senior Clerk (Accounts) 5200-20200/- + G.P. 2400/-	Group-C	1 for each District Authority.	Chairman of the District Authority.	By promotion from the Junior Clerk of the District Authority and Jr.Clerk-cum- Typists of Taluk Legal Service Committees of the concerned district.	-	5 years experience as Junior Clerk/Junior Clerk-cum- Typist having knowledge in Accounts.	One year	Chairman, Secretary of the District Authority and one officer of Judicial Service nominated by the Chairman of the District Authority.	He will remain in-charge of legal aid applications, will accompany to the Secretary to the place of Legal Aid Programmes like legal literacy camps and para legal training camps, He will also remain in-charge of register panel lawyers and deal with bills for sanction of advance expenditure in legal aid proceedings where legal aid has been granted, remain in charge of cash, cash registers, vouchers, stores, an stationery and all account matters will prepare all bills and deal with Bank and Treasury transactions and also prepare expenditure statements and Utilization Certificate.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
4.	Junior Clerk in the District Authority, 5200-20200/- + G.P. 1900/-	Group-C	1 for each District Authority.	Chairman of the District Authority.	By Direct recruitment to be made by the Chairman of the District Authority by open Advertisement / by Deputation from District Court not exceeding 3 years or regular appointment is made, which ever is earlier.	Not less than 18 years and not more than 32 years.	Should have passed at least +2 examination conducted by CHSE or equivalent examination and Odia as a subject at least of M.E. Standard and having Diploma in Computer Application from a recognized institution.	Two years	-	He will remain in-charge of register of legal aid applications, forms, furniture and library and maintain all correspondence files and papers, remain in charge of diary and dispatch and postal stamps and discharge such other duties as may be entrusted to him from time to time.
5.	Junior Clerk-cum-Typist for the Taluk Legal Service Committee, 5200-20,200/- + G.P. 1900/-	Group-C	1 for each Taluk Legal Service Committee.	Chairman of the District Authority.	By Direct recruitment to be made by the Chairman of the District Authority by open Advertisement / by Deputation from District Court not exceeding 3 years or regular appointment is made, which ever is earlier.	Not less than 18 years and not more than 32 years.	Should have passed at least +2 examination conducted by the CHSE or equivalent examination and Odia as a subject at least of ME standard and having Diploma in Computer Application from a recognized Institution and	-	-	He will deal with legal aid applications and all matters connected with organization of Lok Adalats and other legal services activities within the Taluk, maintain primary register, register of monthly meetings of the Committee, accounts register, register of panel lawyers, letters

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
							also having knowledge in Typing in English 40 words per minute and in Odia 20 words per minute.	Two years	-	received and issued. He will compile statistics, progress reports, deal with all Banks and Treasury transactions, prepare and submit Utilization Certificate, expenditure statements and maintain vouchers and be in charge of forms, stationery, furniture and library. He will maintain all files to letters received and issued and records and papers of the Committee. He will also accompany the Chairman to the place of Lok Adalat and other legal services activities when required.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
6.	Peon, 4,750- 14680/- + G.P.1500/-	Group-D	1 for each District Authority and Taluk Legal Service Committee.	Chairman of the District Authority.	By direct recruitment/shall be made by the Chairman of the District Authority by open advertisement.	Not less than 18 years and not more than 32 years.	Not below ME standard and shall know cycling.	Two years.	-	To assist and carry the files, registers and papers from one place to another in the office. To carry and distribute local daks and help the Accountant in respect of Bank and Treasury transactions. To serve notices and processes.

NOTE : —The *Ex officio* Officers and employees shall be entitled to annual honorarium equivalent to one month's basis pay.

SCHEDULE-D
(See rule-7B)
Permanent Lok Adalat

Sl. No.	Name of the Post & Scale of Pay.	Classification	No. of Post	Appointing Authority.	Method of Recruitment.	Age limit for direct recruitment.	Educational & other qualification for direct recruits/ promotes	Period of Probation, if any	Composition of DPC	Job Description
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	Senior Stenographer, 9300-34800/- + G.P. 4200/-	Group-B	1 (one) in each Permanent Lok Adalat	Member Secretary	Only on deputation from the District Court Establishment where the Permanent Lok Adalat is situated.	-	-	-	-	To function as the Stenographer to the Chairman and deal with confidential matters under the direction of the Chairman of the Permanent Lok Adalat.
2	Bench Clerk, 9300-34800/- + G.P. 4200/-	Group-B	1 (one) in each Permanent Lok Adalat.	Member Secretary.	By way of promotion/ deputation from the District Court where the Permanent Lok Adalat is situated till eligible candidate is available from among the cadre.	-	Three years experience as Senior Clerk in the Permanent Lok Adalat.	One year	(i) Member Secy.- Chairman (ii) Dy. Secy.- Member (iii) One officer to be nominated by the Member Secretary-Member.	To deal with the case records and place the same before the Permanent Lok Adalat and to perform such other duties as assigned to him by the Chairman of the Permanent Lok Adalat.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
3	Senior Clerk (Accounts), 5200-20200/-+G.P. 2400/-	Group-C	1 for each Permanent Lok Adalat.	Member Secretary.	By promotion from the post of Junior Clerk-cum-Typist.	-	Five years experience as Junior Clerk-cum-Typist of the Permanent Lok Adalat.	One year	Member Secretary, Dy. Secy. and one Officer to be nominated by the Member Secretary.	To deal with accounts and financial matters, remain in charge of all the Registers of Accounts, to remain in-charge.
4	Junior Clerk-cum-Typist, 5200-20200/-+G.P. 1900/-	Group-C	2 for each Permanent Lok Adalat.	Member Secretary.	By direct recruitment through open advertisement.	Not less than 18 years and not more than 32 years.	Should have passed at least +2 examination conducted by the CHSE or equivalent examination and Odia as a subject at least of ME standard and having Diploma in Computer Application from a recognized Institution and also having knowledge in Typing in English 40 words per minute and in Odia 20 words per minute.	Two years	-	(i) To receive and register applications/ petitions, maintain registers relating to them, to remain in custody of all office files, case records, prepare copies and maintain the connected registers and attend such other works as assigned to him by the Chairman. (ii) To remain in-charge of Process registers, Issue and

(1)	(2)	(3)	(4)	(5)		(7)	(9)	(9)	(10)	(11)
										assigned to him by the Chairman. (ii) The orderly peon will carry out the order of the Chairman.
6	Process Server,4,750 -14,680/- + G.P. 1500/-	Group-D	1 for each Permanent Lok Adalat .	Member Secretary.	By direct recruitment through open advertisement in local Newspapers and official Website.	Not less than 18 years but not more than 32 years.	Not below ME standard and shall know cycling.	Two years.	-	To carry and serve process and render assistance to Junior Clerk in-charge of process, Register in maintenance of the said Register.

ORDER

In exercise of the power conferred by the Note appended to the Schedule-C and Schedule-D of the Odisha State Legal Services Authority Rules, 1996, the State Authority do hereby rescind the orders No.227 and No.228, dated the 3rd February, 1997 respectively relating to the manner of recruitment and appointment of employees of the District Authority and Taluk Legal Service Committee.

[No. 1602–LSA-05/2016/L.]

By Order of the Governor

B.P. ROU TRAY

Principal Secretary to Government