

District Legal Services Authority, Mandi, District Mandi H.P.



Office : 01905-235428
 Phone Fax : 01905-235428
 Address : District Legal Services
 Authority, Vipasha Sadan, Bhiuli
 Mandi, (HP)-175001
 Email: cha-dlsa-man-hp@nic.in
 secy-dlsa-man-hp@nic.in

No. DLSA -MND/-LADCS. 2024...1142-1169

Dated: 22nd April, 2024.

**NOTICE INVITING APPLICATIONS FOR ENGAGEMENT AS FULL TIME
 LEGAL AID LAWYERS IN LEGAL AID DEFENSE COUNSEL OFFICE AT
 DISTRICT COURTS MANDI UNDER SLISA.**

Applications are hereby invited from eligible lawyers having requisite qualification for Contractual Full Time Engagement for the post (s) of Assistant Legal Aid Defense Counsel at LADCs Office Mandi, the details of which are as follows:-

1. Details of Post (s) /Number of Post (s) / Honorarium / Qualification and eligibility criteria / Period of Contractual engagement as under:-

Sr. No.	Name of Post.	Number of Post.	Period of Contractual engagement.	Qualification/ eligibility criteria	Honorarium (Retainership fee)
01.	Assistant Legal Aid Defense Counsel.	01	Contract basis initially for a period of two years with a stipulation of extension on yearly basis on satisfactory performance.	-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.	- Rupees 30,000/- P.M.

3. The Selection Process will be done on interview basis by a Selection Committee headed by the respective Chairperson of DLSA as envisaged in NALSA (Free and Competent Legal Services) Regulations 2010. Selection of Assistant Legal Aid Defense Counsel will be purely based on merit, taking into account the knowledge, skills, practice and experience of candidates. The Lawyers so engaged therein will not be allowed to take any other private cases or any other retainership.

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4. General Directions:-

- i) The Scheme of engagement along with application form may be downloaded from the official website of District Courts Mandi H.P. (<https://mandi.dcourts.gov.in/>).
- ii) Duly filled application forms with self attested copies of the documents must be delivered in the O/o the Secretary, DLSA, Mandi at Bhiuli near Vipasha Sadan **on or before 8th May, 2024 either personally or through Speed Post**. An application received after due date shall not be entertained.
- iii) The applicants are not required to pay any fee along with their applications.
- iv) Any corrigendum/addendum to the Advertisement, if made in future shall be treated to be part of the advertisement. The Candidates are advised to keep regularly visiting the website of the District Courts, Mandi H.P. (<https://mandi.dcourts.gov.in/>) for details and updates regarding interview and other relevant information.
- v) The engaged counsel shall deal exclusively with legal aid work in Criminal matters at every stage starting from the pre-arrest, arrest & remand stage to the conclusion of trials and appeals etc.
- vi) The number of engagement positions may vary, depending upon actual need as projected by this Authority.
- Vii) Applying for engagement does not create any right/ assurance whatsoever.

Note: - Any information with respect to Modified Legal Aid Defense Counsel Scheme, 2022 can be obtained from the Website (<https://nalsa.gov.in/>) and also from the office of District Legal Services Authority, Mandi H.P on any working day.

(Vivek Kaisth)
Secretary,
District Legal Services Authority,
Mandi, District Mandi H.P.
Dated: 22nd April, 2024.

Endst. No. As above. 1142-1169

Copy forwarded to:-

1. The Ld. Member Secretary, HP State Legal Services Authority Kasumpti Shimla-09 w.r.t. letter No. 47-A/LSA/LADCS/2024 971-972 dated 03.04.2024. (through e-mail)
2. All the Ld. Courts in Sessions Division Mandi with the request to affix this notice on the notice board of their respective Court.
3. The Ld. President, Bar Association, (Sadar) Mandi, Sundernagar, Sarkaghat, Karsog, Thunag, Gohar, Padhar and Jogindernagar with the request to affix this notice on the notice board of their respective Bar Association.
4. The Assistant Programmer O/o Ld. District & Sessions Judge Mandi H.P. with the request to upload this notice on the website to District Courts Mandi H.P. for wide publicity.
5. The Peon of this office with the direction to affix this notice on the notice board of this Authority.
6. Guard File.

Secretary,
District Legal Services Authority,
Mandi, District Mandi H.P.

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

STATE: **HIMACHAL PRADESH**

Photo

DLSA:

Application No. _____
(For Office use)

APPLICATION FOR CHIEF/DEPUTY/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 LLB			
LLM			

Any other (if any)			
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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 judgement 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 practising :

(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 : YES NO

(If yes, specify details of both disposed & pending with documents)

24. List of the documents to be attached.

1. Self-Attested copy of Certificates in support of educational qualifications.
2. Self-Attested copy of Certificate in Enrollment issued by the Bar Council under the Advocates Act, 1961.
3. Self-Attested copy of Photo Identity Card, Address Proof.
4. Self-Attested copy of ITR for last 3 years (if available).
5. Photo copies of judgments in 5 Sessions cases, represented as Defense lawyer, (for the post of Chief/Deputy Legal Aid Defense Counsel).
6. Photocopies of at least 5 cross examinations in Sessions cases (for Chief/Deputy Legal Aid Defense Counsel).

(Signature)

DECLARATION.

I have read the advertisement carefully before filling up the form. I hereby affirm and state that the mentioned information in the application form is true and correct to the best of my knowledge and belief. In case of any wrong information furnished by me, my candidature shall be cancelled.

Date :

Place:

Signature of Candidate with full address.



GUIDELINES FOR ENGAGEMENT AS FULL TIME LEGAL AID LAWYERS IN LEGAL AID DEFENSE COUNSELS IN DLSAs

1. 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, o 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, o Periodic visit of Prisons of the district under the guidance of the Secretary, DLSA.
- Periodic visit of Prisons of the district under the guidance 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 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 on satisfactory performance. The performance of each human resource shall be assessed in every six months by SLSA in consultation with DLSA concerned.



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 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, SLSA, engagement contract will be executed between the Secretary DLSA 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,
- Skill in legal research,
- Thorough understanding of ethical duties of defence counsel,
- 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.

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 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.



3. Work Profiles :

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

b) 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 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,



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 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 personnel shall act in any matter in which he/she has a direct or indirect personal or financial interest.
- ii. 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.



- 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 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.
- 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:

- Deputy Legal Aid Defense Counsel shall be eligible for 15 days' leave in a calendar year on pro-rata basis.
- Assistant Counsel 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. 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.
- 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 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 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 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 meeting will be organised under the chairmanship of the Chairman, DLSA. The Minutes of the meeting shall be send 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 send 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 of Legal Aid cases of the district.

10. Honorarium (Retainership fee):

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

1.	Deputy Chief Legal Aid Defense Counsel	₹ 50,000 to 75,000/- each
2.	Assistant Legal Aid Defense Counsel	₹ 25,000 to 45,000/- each

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

1	Deputy Chief Legal Aid Defense Counsel	₹ 40,000 to 60,000/- each
2	Assistant Legal Aid Defense Counsel	₹ 20,000 to 35,000/- each



For class-C (Population below 2 lacs) or Rest of the towns

1	Deputy Chief Legal Aid Defense Counsel	₹ 30,000 to 50,000/- each
2	Assistant Legal Aid Defense Counsel	₹ 20,000 to 30,000/- each

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