

DISTRICT LEGAL SERVICES AUTHORITY UTTARKASHI

(Constituted under the Legal Services Authority Act, 1987)



Article 39-A of the Constitution of India, 1950 provides Equal Justice and Free Legal Aid - The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or scheme or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

The State of Uttarakhand has constituted the District Legal Services Authorities in all the 13 Districts under Section 9 of the Legal Services Authorities Act, 1987, to provide Free Legal Aid/Assistance, Organize Legal Literacy/ Awareness camps, to ensure that opportunities for securing justice are not denied to any citizens by reasons of economic or other disabilities, to organize Lok Adalats and performs any other functions conferred on, or assigned to the District Authority under the Act. The Chapters of II & III of the said Act lay down provisions for constitutions of the Legal Services Institutions at all level viz. National, State, District and Sub-division. The Act also provide for constitution of Supreme Court Legal Services Committee (SCLSC) and High Court Legal Services Committee (HCLSC) to provide Legal Aid to the Eligible Person in Legal Matters. These institutions have been established to ensure provisions of Legal Aid and Assistance to the marginalized and weaker section of the society at all levels.

The District Legal Service Authority is under the direct supervision of The District & Sessions Judge of the District who acts as the ex-officio Chairperson and is appointed by virtue of post. The State Authority appoints a person belonging to the cadre of Civil Judge (Senior Division) as full time secretary of DLSA or in his absence Civil Judge (Senior Division) or Chief Judicial Magistrate, as the case may be, as Secretary of the District Legal Services Authority.

DLSA Objectives-

DLSA Shall work on the moto of Nyay Chala Nirdhan Se Milne and ensure its reach to all sections of the society under its territorial jurisdictions via various means.

Functions of District Legal Services Authority-

Providing Free Legal services to the eligible person and Weaker section of the society.

- Providing free and competent legal aid and assistance in the nature of consultation.
- Providing free legal services in the conduct of cases before courts and tribunals.
- Organizing Regular Lok Adalats within the district and special Lok Adalats for special category of cases. Lok Adalats limit fees and delays. It ensure speedy justice.
- Taking responsibility for pre-litigation dispute resolution through conciliation mechanism by setting up Permanent Lok Adalats in each district where cases relating to public utility services are taken up for settlement.
- Organizing Legal Awareness Camps/Outreach Programmes/ Multi-Purpose Camps/ Mobile Van in Rural Areas, Remote and Far Flung Hilly Area, Slum Area of District.
- Spreading legal literacy and awareness amongst the Public at large on various issues of legal importance and educating weaker section of society about the rights, benefits and privileges granted by social welfare legislations.
- Spreading and Sensitizing School Childrens through Legal Literacy clubs established in Schools where they are sensitized on Drug abuse, cyber crime, girls empowerment, children rights and duties etc.
- Prisoners in India are entitled to free legal aid under the Legal Services Authorities Act, 1987. This include legal advice, drafting applications and helping them to file Jail appeals.
- Prison Legal Aid Clinics (PLACs) located in District Jail, New Tehri. Legal Services Clinics (PLACs) are located in prisons and provide legal services to prisoners.
- Making efforts to provide free legal aid/Assistants to the prisoners whose cases are pending in the courts.
- Legal Services are available at pre-arrest, remand, trial and appellate stages in criminal matters.
- organizing Medical Health Camps in Prison, School, Colleges and People living in Far-flung & remote area of Uttarkashi.

- Vocational Training Programms for inmates in prisons to help them in reintegrate and rehabilitate in the society after they come out of prisons.
- Organizing legal literacy camps/ awareness programmes, seminars, street play, competitions in School, colleges for girls/womens, children, senior citizens, mentally and physically challenged persons etc.
- Organizing Disaster Management Workshops with the help of Concerned Department for Masses, PLVs.
- Spreading legal literacy and awareness programmes amongst the people, to educate weaker section of society about the rights, benefits and privileges granted by social welfare legislations. Providing Legal Assistance through Legal Aid Clinics.
- organizing free Medical/ Health check up camps for Unorgainzed sectors, senior citizens, transgender persons, rag pickers, women,children etc. in all parts of district including rural and far flung remotest areas of district.
- Perform such other functions as the State Authority assign to it.

DLSA structure in Uttarkashi

- Chairperson/ District Judge - Mr. Gurubaksh Singh
- Secretary/ Civil Judge Senior Division –Smt Shweta Rana Chauhan.

Address and Contact Info of DLSA, Uttarkashi

The DLSA Uttarkashi office is located in the ADR Building, District Court complex in Uttarkashi.

The office phone number is 01374-222711.

The Secretary mobile number is 9412078165.

The official email address is uttarkashi.dlsa@gmail.com

Taluka Legal Services Committee

- The State Legal Services Authority establishes TLSCs to co-ordinate legal services in a taluk or mandal.
- In District Uttarkashi there are two TLSCs namely TLSC Purola and Barkot.
- The Civil Judge(J.D) Purola and Barkot is the chairman of the TLSC
- Tahsildar Purola and Barkot is ex-officio secretary of TLSC Purola and Barkot.

TLSC structure in District Uttarkashi

Purola

- Chairperson/ Civil Judge Judicial Magistrate Smt. Meenakshi Sharma
- Secretary–Tehsildar Purola
- The TLSC office is located in the Outline Court complex in Purola
- The TLSC official email address is ukdc.purola@uk.gov.in

Barkot

- Chairperson/ Civil Judge Judicial Magistrate Smt. Meenakshi Sharma
- Secretary- Tehsildar Barkot
- The TLSC office is located in the Outline Court complex in Barkot.
- The TLSC official email address is ukdc.barkot@uk.gov.in

What is Legal Aid?

- Legal Aid is the provision of free legal services to people who cannot afford alawyer.
- This includes representation in court, payment of fees, and preparation of legal documents.

Who is entitled to Free Legal Aid?

As per the statutory mandate under Section 12 of the Legal Services Authorities Act, 1987, the following sections of society are entitled to free legal services:-

- A member of a Scheduled Caste or Scheduled Tribe;
- A victim of trafficking in human beings or beggar as referred to in Article 23 of the Constitution.

- A woman or a child (irrespective of her income/financial status);
- A person with disability as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- A person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster or An industrial workman: or
- A person in custody, including in a protective home within the meaning of clause (g) of section 2 of the Immoral traffic (Prevention) Act, 1956, or in a Juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987; or
- Ex-serviceman
- Persons from Transgender Community
- Senior Citizen
- HIV/AIDS infected persons.
- Persons who have annual income from all sources less than rupees 3,00,000/- or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the Supreme Court.

Legal Aid in TLSC through Panel Lawyer-

A "Panel lawyer" in the District Legal Services Authority of Uttarakhand refers to an advocate nominated by the Uttarakhand State Legal Services Authority or recommendation of DLSA to provide free legal aid to eligible individuals who need legal assistance, essentially acting as a lawyer on the panel representing the DLSA in various legal matters within the District.

Who are Panel lawyers?

- Panel lawyers are legal practitioners who are empanelled by the Legal Services Authority.
- They may be part of separate panels for different area such as civil, criminal, or constitutional.

- Any lawyer having experience of minimum 03 years is eligible to become a panel lawyer.

Panel lawyers List and contact details-

- Shri Amit Rawat, Mobile Number- 9627212156.
- Shri Govind Singh, Mobile Number- 989703829.
- Shri Amit Aswal, Mobile Number- 8923307482,
- Shri Padam Dutt Joshi, Mobile Number- 9411331168.
- Shri Mohan Lal, Mobile Number- 9411109961,
- Shri Jaykrishan Bahuguna, Mobile Number- 8273700585.
- Shri Abhayraj Singh Bisht, Mobile Number-9634267754.
- Smt. Pamita Painuly Thapliyal, Mobile Number- 9927461125.
- Shri Anand Prakash, Mobile Number- 7464882435,
- Smt. Pushpa Gautam, Mobile Number- 7464882435,
- Shri Anoop Singh Bisht, Mobile Number-9897345679.
- Shri Vinod Singh, Mobile Number- 7895446221.
- Shri Prem Singh Rana, Mobile Number- 7060217751.
- Shri Arvind Bhandari, Mobile Number- 9410977344,
- Shri Praveen Kumar, Mobile Number- 9412934238.
- Shri Rajesh Kumar Rana, Mobile Number- 9412941410.
- Shri Kritam Singh Rautela, Mobile Number- 8791596929,

Legal Aid through LADCs

The Legal Aid Defense Counsel System(LADCS) provides legal aid to people accused or convicted of crimes. LADCS offers legal services at every stage of a criminal case, from pre- arrest to appeals.

How Legal Aid Defense Counsel System (LADCS) works

- Lawyers are employed full-time to work on legal aid cases
- They work with a support system
- They provide legal advice and assistance
- They conduct trials and appeals in Magistrate court and Sessions Courts as the case may be.
- They handle bail applications in Magistrate court and Sessions Courts as the case may be.
- They visit jails to help unrepresented inmates.

Who can use Legal Aid Defense Counsel System (LADCS)

- People who are in custody.
- People who meet the eligibility criteria set out in the Legal Services Authorities Act, 1987.

What Legal Aid Defense Counsel System (LADCS) provides

- Legal services at the pre-arrest, remand, trial, and appellate stages.
- Legal representation in criminal cases.
- Free Legal aid Advice.

Purpose of Legal Aid Defense Counsel System (LADCS)

- To provide free legal services to the weaker sections of society.
- To ensure that economic or other disabilities do not deny citizens access to justice.

LADCS Structure in District Uttarkashi

- Shri Badri Parsad Nautiyal (Chief Legal Aid Defence Counsel) Mobile No 9411771912.
- Shri. Arvind Singh Chauhan (Assistant Legal Aid Defence Counsel) Mobile No 9634466680
- The LADC's office is located in the ADR Building, District Court complex in Uttarkashi.
- The office phone number is 01374-222711.

Mediation

Mediation is a process of negotiation with the help of a neutral third party, called a mediator. It's a structured way to resolve conflicts between people.

List of Mediator and contact details

- Shri S.P. Nautiyal, Mobile Number-9411188147.
- Shri Amit Aswal, Mobile Number-8923307482, 812626085.
- Shri Abhayraj Singh Bisht, Mobile Number-9634267754.
- Shri Padam Dutt Joshi, Mobile Number- 9411331168.
- Shri Jaykrishan Bahuguna, Mobile Number-8273700585.
- Shri Vijaypal Singh Bisht, Mobile Number-9411143952.
- Shri Arvind Bhandari, Mobile Number-9410977344.

How does Mediation work?

- The mediator helps the parties to identify issues and explore options.
- The mediator encourages open communication and helps the parties find a mutually acceptable solution.
- The mediator uses a variety of techniques to guide the process.
- The mediator doesn't have the power to decide the outcome of the dispute.

When is Mediation used?

- Mediation is often used to resolve Civil disputes and disputes between separated families about their matrimonial and other related issues.
- Mediation can be used to resolve commercial disputes.

Benefits of Mediation

- Mediation is a flexible process that can be modified to the needs of each case.
- Mediation creates an informal and cordial environment for dispute resolution.
- Mediation allows the parties to carry on with their day-to-day activities.

Pre Institution Mediation in Commercial Disputes

Commercial mediation is a confidential process that helps businesses resolve disputes. It's a structured and flexible way to reach an agreement that's legally binding.

Commercial Mediator

In all commercial cases regarding which commercial court is having jurisdiction to try the case, it is mandatory to file Pre-institution mediation before filing DLSA.

List of Commercial Mediator and contact details

- Shri Amit Aswal, Mobile Number-8923307482
- Shri Abhayraj Singh Bisht, Mobile Number-9634267754,
- Shri Padam Dutt Joshi, Mobile Number- 9411331168.
- Shri Jaykrishan Bahuguna, Mobile Number-8273700585.
- Shri Arvind Bhandari, Mobile Number-9410977344.

How does Commercial Mediation work

- **Confidentiality:** Agreements protect what's discussed during mediation, so parties can communicate openly.
- **Stages:** The process usually has several stages, each build in upon the last.
- **Collaboration:** Parties work together to find a solution.
- **Reflection:** The mediator helps parties consider commercial and legal aspects of their positions.
- **Flexibility:** Either party can end the mediation at anytime.

Lok Adalat

Lok Adalat is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. The Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987. Under the said Act, the award made by the Lok Adalats is deemed to be the decree of a civil court and is final and binding on all parties and no appeal lies before any court against its award. It is also a benefit of resolving pending civil matters through Lok Adalat to get back the entire court fees paid by the plaintiff for the suit.

How it works

- Lok Adalats is a form of Alternative Dispute Resolution (ADR)
- They help to reduce the number of cases pending in courts
- They help to settle dispute at the pre-litigation stage
- Lok Adalat help for amicable settlement of disputes.

Types of Lok Adalats

- **State Lok Adalats**
Organized by Legal Services Authorities/Committees to settle pre-litigation and post-litigation cases.
- **National Lok Adalats**
Conducted quarterly to settle cases in all courts from the Supreme Court of India to the Taluk Courts.
- **Permanent Lok Adalats**
Set up to settle cases relating to Public Utility Services like transport, postal, telegraph etc.

Pre-litigation

Pre-litigation is the process of resolving a dispute before filing a lawsuit in court. It can involve gathering evidence, negotiating, and exchanging information with the other party.

How does pre-litigation work?

- The parties involved in the dispute work together to resolve the issue same as pending cases.

When is pre-litigation used?

- Pre-litigation can be used in a variety of cases, including commercial, domestic, property-related disputes and check dishonour cases.
- It's often recommended in family courts.

Legal Assistance through Para Legal Volunteers (PLV's)/AdhikarMitra

Para Legal Volunteers (PLVs) Provide legal assistance and awareness to people in their communities. They are not lawyers, but they have basic knowledge of laws and the legal process.

How Para Legal Volunteers help

- **Legal advice:** PLVs help people in rural and remote areas find legal advice and information.
- **Legal awareness:** PLVs educate people about laws and the legal system.
- **Dispute resolution:** PLVs help settle simple disputes between people.
- **Legal assistance for the arrested:** PLVs help people who are arrested get legal assistance.
- **Legal assistance for victims of crime:** PLVs help victims of crime get proper care and attention.
- Para-Legal Volunteers assist the DLSA/TLSC for organizing legal awareness camps in their area of operation.
- Report violations of child rights, child labour, missing children and trafficking of girl children to the nearest legal services institutions or to the child welfare committee.

Legal assistance through Awareness Camp and Special Drive

- DLSA/TLSC on direction of SLSA and NALSA organises awareness Camps or drive to aware the public at large.
- Legal awareness camps and special drives helps people to learn about their rights and to access legal services and government welfare schemes. These activities are part of the Legal Services Authority Act, 1987, which aims to provide free legal services to the underprivileged people.

How legal Awareness Camps and Special Drives are conducted

- Seminars and lectures
- Organizing Camps/Awareness Programmes
- Outreach Programmes/Sensitization Programmes.
- Awareness Rally/Prabhat Pheris
- Talk show, Television, Display Board.

- Organizing Workshops, Training Programmes of Stakeholders involved in the Process of dispensation of justice.
- Vocational programmes.
- Display and Distribution of Social Welfare Schemes Pamphlets.
- Door to door awareness campaigns /programmes.
- Affixing/Display of banners and flex boards.
- Display of Documentry, Legal Awareness Material Through Projector
- Distribution of pamphlets, Brochure.
- Television programs, Electronic Media, Social Media.
- Mobile vans
- Nukkad natak
- Short documentaries
- Cultural programs/Event
- Competitions like painting, essay writing, debates
- Distribution of Kanuni Saral Gyan Mala Books.

Victim Compensation Scheme

In state of Uttarakhand there is a victim Compensation Scheme for the victim of Crime Initially the victim Compensation Scheme was implemented by State of Uttarakhand with the name of “Uttarakhand (victim of crime) compensation scheme, 2013” and later on state of Uttarakhand also adopted and implemented the compensation Scheme framed by NALSA namely Compensation Scheme for Women victims/Survivors of Sexual Assault/Other Crimes, 2020 with effect from 2018.

Front office of DLSA

In the context of a District Legal Services Authority (DLSA), the "Front Office" refers to the primary point of contact for individuals seeking legal aid, where they can receive initial legal advice, file applications, and access information about legal services offered by the DLSA; essentially, it's the department that handles the first interaction with potential clients and manages the intake process for legal aid cases.

Key functions of a DLSA Front office:

- **Providing legal advice:** Answering basic legal questions and guiding individuals on appropriate legal actions.
- **Accepting legal aid applications:** Receiving and processing applications for legal assistance.

- **Maintaining records:** Keeping track of legal aid cases and related documentation.
- **Connecting with legal aid lawyers:** Referring cases to suitable lawyers within the DLSA network.
- **Raising legal awareness:** Providing information about legal rights and remedies to the public.

Front Office DLSA structure in District Uttarkashi.

The Front office is functioning in the ADR Building District Court complex in Uttarkashi.

- Retainer Lawyer
- Para Legal Volunteers/Adhikar Mitra