

H.P. STATE LEGAL SERVICES AUTHORITY



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28.02.2019

To

All the Chairmen,
District Legal Services Authorities,
In the State of HP.

Subject: Guidelines for preventive and strategic legal aid programme and creation of legal awareness about valuable rights of beneficiaries.

Sir,

'Jai Hind'

The HP State Legal Services Authority is taking earnest efforts to spread legal awareness and endeavoring hard to provide required legal aid to the beneficiaries. Nevertheless, it has been noticed during interaction of the functionaries of legal services institutions with legal aided beneficiaries and also during jail visits with jail inmates that there appears to be a little gap or disconnect in securing legal aid to the beneficiaries after decision of the cases. It is noticed more in cases of appellant jail inmates. At times, legal aid beneficiaries loose contact with legal services institutions to peruse the matter further for filing appeal(s). This results in delay in filling appeal(s).

Experience shows that in most of time barred appeals, especially being filed by under trials/convicts, one of the ground(s) is that funds were not available with the affected party.

In this background, there is a need to build up coherence and continuity in providing legal aid to the beneficiaries at all levels so as to protect the valuable rights of the beneficiaries at appellate stages also, enabling them to obtain certified copies of orders/judgments, documents and help them in preparation of appeal(s), paper book including printing and translation of documents etc.

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Thus, in view of the above, as approved by **Hon'ble the Patron-in-Chief, Hon'ble the Executive Chairman** has been pleased to issue the following guidelines as a matter of preventive and strategic legal aid

programme and creation of legal awareness about valuable rights of beneficiaries:-

1. At the time of pronouncement of judgment in any civil or criminal case, Reader of the concerned Court will guide/inform the parties to immediately approach to the Legal Services Institution(s)/Front Office situated in the premises of the court to obtain legal aid or advice to enable them to file appeal(s) promptly. All the Chairmen (District Judges), District Legal Services Authorities shall circulate necessary directions to Readers of each Court in their Civil & Sessions Division in this regard and direct them to maintain record of the same, which should be annexed with Part-B of case file.
 2. Thereafter, on contact of the parties, seeking legal aid or advice, any functionary of the Legal Services Institution(s)/Front Office(s) i.e. Secretary DLSA/SDLSC, Retainer Lawyer, PLV etc. shall assist them immediately and to ensure necessary legal assistance as per provisions of Legal Services Authorities Act, Rules, Regulations and Schemes.
 3. Retainer Lawyers/PLVs deputed in the Front Office(s) shall take note of the cases on daily basis fixed for pronouncement of judgments/orders from the cause lists of all the courts situated in the premises and on contacting the parties, will apprise them about right of appeal and right to legal aid and render all necessary assistance to legal aid beneficiaries and to ensure prompt legal aid after decision of the case, to enable them to file appeal(s). Necessary record shall be maintained in each Front Office regarding this.
 4. After the decision of the case, any legal aid beneficiary, convict-in-custody/Appellant Jail Inmates should immediately be given legal aid in all or any one or more of the following modes:-
 - a. Representation by legal practitioner.
 - b. Obtaining and supply of certified copies of orders/judgments and other documents in the legal proceedings.
 - c. Preparation of appeal, paper book including printing and translation of documents, in legal proceedings.
 - d. Payment of Court Fee, Process Fee and all other charges payable or incurred in connection with filing of appeal.
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5. All DLSAs will display these guidelines on conspicuous part of Front Office(s) and in the notice boards of all the courts for information to litigant public.
6. These guidelines will be displayed on the website of HPSLSA and District Courts in the State of H.P.

Please acknowledge receipt of this letter.

Yours faithfully,



(Prem Pal Ranta)
Member Secretary
28.02.2019

Endst.No: As above.

Dated Shimla-9

Copies forwarded to:-

1. The Secretary, High Court Legal Services Committee for information and necessary action.
2. All the Chairmen, Sub-divisional Legal Services Committees for information and necessary action.
3. All the Secretaries, District Legal Services Authorities in the State of HP for information and necessary action.


Member Secretary