

## <u>District Legal Service Authority</u> A.D.R. Bhawan, Roshnabad, Haridwar



## **DLSA-District Legal Service Authority**

Under Section 9 of the Legal Services Authorities Act, 1987, to provide free legal aid, organize LokAdalats, Legal literacy camps and to secure that opportunities for securing justice and fundamental rights are not denied to any citizens by reasons of poor economic conditions and other disabilities or performs any other functions conferred on, or assigned to the District Authority under the Act.

#### **DLSA structure in Haridwar**

- ➤ Chairperson- Shri Prashant Joshi (District Judge/President, D.L.S.A., Haridwar)
- Secretary Smt. Simranjit Kaur (Secretary)
- ➤ The DLSA office is located at District Court compound in Roshnabad, Haridwar
- ➤ The DLSA's office phone number is **01334-239780**
- ➤ The DLSA's Secretary mobile number is 9412071710
- > The DLSA's official email address is **dlsaharidwar@gmail.com**

#### **DLSA's functions**

- ➤ Providing free and competent legal aid in the nature of consultation and legal advice,
- ➤ Providing free legal services in the conduct of cases before courts and tribunals,
- ➤ Organizing regular LokAdalats every month for all types of pending cases and special LokAdalats for special category of cases,
- ➤ LokAdalats limit fees and delays and ensure speedy justice by overcoming legal technicalities,
- Taking responsibility for pre-litigation dispute resolution through conciliation mechanism by setting up permanent LokAdalats in each district where cases relating to public utility services are taken up for settlement,
- ➤ Spreading legal awareness among the public, especially targeting the beneficiaries of social legislations and the public at large on various issues of legal importance,
- ➤ Making efforts to provide free legal aid to undertrial prisoners whose cases are pending in the courts,
- ➤ Organizing legal literacy classes in colleges, prisons and legal awareness programmes for women and children in need of care and protection.

## Front offce 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.

#### Front Office Staff DLSA

➤ Retainer Lawyer- Smt. Sangeeta Bhardwaj

➤ Shri Pankaj Singh-➤ Shri Suraj Saini-StenographerJunior Assistant

➤ PLV/Adhikar Mitra ➤ Shri Bhupendra ➤ Shri Narpal Km. Swati
Maltitasking
Gardner

➤ Shri Pramod- Sweeper-cum- Watchman

## **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.

#### E-Sewa Kendra:

➤ PLV/Adhikar Mitra: Km. Damini 9045756844

#### TLSC:

The State Authority establishes TLSCs to coordinate legal services in a taluk or mandal.

#### TLSC structure in Roorkee, District Haridwar

- Chairperson: Shri Ramesh Singh (Additional District & Session Judge, Roorkee)
- ➤ Secretary: Shri Nawal Bishit (CJJD/JM, Roorkee)
- ➤ The TLSC office is located in the Civil Court compound, Ramnagar, Roorkee.
- ➤ The TLSC office phone number is NIL.
- ➤ The TLSC official email address is tlscroorkee@gmail.com
- > PLVs/Adhikar Mitra: Smt. Kavita Patwal (9917171483)

#### TLSC structure in Laksar, District Haridwar

- Chairperson: Shri M.M. Pandey (Additional District & Session Judge, Laksar)
- Secretary: Shri Anurag Tripathi (CJ/JD, Laksar)
- ➤ The TLSC office is located in the Civil Court compound, Laksar
- ➤ The TLSC office phone number is NIL.
- ➤ The TLSC official email address is **tlsclaksar@gmail.com**
- PLVs/Adhikar Mitra- Shri Nishant(9027581368)

## **Core Committees:**

- ➤ DLSA Monitoring and Mentoring Committee.
- > TLSC MMC
- ➤ Food and Drug Expiry Item Committee.
- ➤ Hit and Run Committee.
- District Unit Committee.
- > UTRC Committee.
- > Juvenile Committee.
- ➤ LSUC and LSUM Committee.
- > Terminally Ill old Prisoner Committee.
- ➤ Missing Child Cell Committee.
- > Purchase Committee.
- > Selection Committee.
- ➤ Board of Visitors Committee.
- > Special Drug Unit Committee.
- ➤ Empowered Committee for Support to Poor Prisoner Scheme.
- ➤ Victim Compensation Committee/Board etc.

## Legal aid or in TLSC through Panel Layer-

A "panel lawyer" in the DLSA (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 state.

## Who are panel lawyers?

- ➤ Panel lawyers are legal practitioners who are empaneled by the Legal Services Authority.
- They may be part of separate panels for different areas of law, such as civil, criminal, or constitutional.
- ➤ Any lawyer having experience of minimum 03 years is eligible to become a panel lawyer.

## What is legal aid?

- Legal aid is the provision of free legal services to people who cannot afford a lawyer.
- ➤ This includes representation in court, payment of fees, and preparation of legal documents.
- ➤ Competitions like painting, essay writing, debates and declamation

## **Entitlement to Free Legal Services**

- ➤ A member of Scheduled Caste or Scheduled Tribe
- A woman or a child
- ➤ A mentally ill or otherwise disable person
- 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
- ➤ In custody, including custody 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 psychiatric hospital of psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987
- > Ex-service man
- > Persons from Transgender Community
- > Senior Citizen
- ➤ HIV/AIDS infected persons.
- ➤ In receipt of 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.

#### **DUTY OF AIDED PERSON—**

Every aided person or his representative shall attend the office of the District Authority as and when required by the Secretary or by the advocate concerned and shall provide and furnish such particular or information as may be considered necessary and shall make full disclosure of the particular or information so required. He shall attend the court or proceedings at his own expense.

#### CERTIFICATE OF ELIIBILITY—

Where an application for Legal Aid, Legal Advice or Legal Services is allowed, a certificate of eligibility shall be issued in favour of the applicant entitling him to Legal Aid, Legal Advice or Legal Services in respect of a proceeding.

The certificate of eligibility shall stand cancelled if the Legal Aid, Legal Advice or Legal Services is withdrawn and in every such case the advocate to whom the case of the person concerned is assigned, as also the court or judicial or quasi-judicial Authority before which the case is pending, shall be informed accordingly in writing.

#### CANCELLATION OF CERTIFICATE OF ELIIBILITY—

The District Authority may either on its own motion or otherwise cancel the certificate of eligibility granted under regulation 41 in the following circumstances, namely:

- (a) in the event of being found that the certificate of eligibility was obtained by the aided person by misrepresentation or fraud;
- (b) in the event of any material change in the circumstances of aided person;
- (c) in the event of any misconduct, misdemeanor or negligence on the part of the aided person in the course of receiving legal aid;
- (d) in the event of aided person not cooperating with the District Authority or with the advocate provided by the District Authority,

- (e) in the event of the aided person engaging an advocate at his own expenses who in the opinion of the Secretary can suitably look after the matter,
- (f) in the event of death of the aided person except in the case of civil proceedings where the right or liability survives; in such event Legal Aid may be continued where the Legal representative is also eligible for such aid.
- (g) if the aided person does not cooperate with the counsel provided to him and does not provide any information necessary to contest/defend the case or to render any other kind of legal assistance including advice.

No certificate of eligibility shall be cancelled under clause (1) without giving due notice to the aided person or to his legal representative in the event of his death to show cause as to why the certificate should not be cancelled.

Where the certificate of eligibility of aided person is canceled under sub-regulation (1), legal aid, legal advice or legal services shall be discontinued and the amount already given for such legal aid, legal advice or legal service may be recovered in full or part as may be decided by the Secretary with the approval of the Chairman.

## **Panel lawyers List**

#### ➤ Haridwar:

1. Shri Anuj Kumar Sharma:	9837387718
2. Shri Anoop Prakash Bhardwaj:	9837163928
3. Shri Sanjay Kumar Chauhan:	9358672417
4. Shri Vikas Kumar Jain:	9368368085
5. Smt. Neelu Sharma:	9528183347
6. Shri Manish Kumar Asthana:	9319573279
7. Suman Kaushik:	9630334339
8. Shri Sanjay Kumar Saini:	9719638393
9. Smt. Seema:	9720868332
10. Smt. Sangeeta Bhardwaj:	9045527007
11. Shabana Khan:	8439342346
12. Shri Upendra Dutt Sharma:	9412978781

#### **Roorkee:**

1. Shri Pramod Kumar Sharma:	9837260039
2. Shri Dnesh Kumar:	9720770539
3. Shri Ravi Kumar Saini:	9927788651
4. Shri Satish Kumar:	9837877215
5. Shri Shrikant Dhiman:	9719411908
6. Shri Sushil Kumar Thapliyal:	7417847361
7. Shri Subhash Chand Verma:	9927271723
8. Shri Alok Singh Chaudhary:	9219717151
9. Mohd. Tahir:	7017340467
10. Shri Sushil Kumar Pal:	9897861056

### ➤ Laksar:

Langui.	
1. Shri Rishipal Singh:	9012359532
2. Shri Satish Kumar:	9759860874
3. Shri Amit Kumar:	9927243273
4. Shri Sushil Kumar Singhal:	9756883395
5. Shri Mageram:	9012059176

## **List of Pro-Bono Lawyer**

- Ms. Alvina Chauchan
- ➤ Shri Ramsaran
- ➤ Shri Mahesh Mishra
- ➤ Smt. Seema
- > Smt. Vishakha Singhal
- Ms. Anuradha
- ➤ Shri Shanazar
- > Shri Neelkanth
- ➤ Ms. Arti
- > Shri Pankaj
- > Shri Pankaj Dutt Sharma
- > Shri Siddharth Manchanda

## Legal aid through CLADCS(Chief Legal Aid Defence Counsel Systems)

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 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 LADCS

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

## What LADCS provides

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

## **Purpose**

- ➤ 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 Contact**

- ➤ Shri. Sudhir Kumar Tyagi (Chief Legal aid Defence Counsel) Mobile No.
- > Shri Raman Saini (Dy. Legal aid Defence Counsel) Mobile No.
- > Shri Arvind Kumar Srivastav (Dy. Legal aid Defence Counsel) Mobile No.
- ➤ Km. Razia Akhtar (Assistant Legal aid Defence Counsel) Mobile No.
- > Shri AadilAli (Assistant Legal aid Defence Counsel) Mobile No.

#### **LADC Office Staff**

Shri Pankaj Kumar-Km. Suvigya Dhasmana-Office Assistant/Clerk

➤ Shri Saddham: Office Peon

# LADCS structure of CLADC (Chief Legal aid Defence Counsel)in District Haridwar

- ➤ The LADC's office is located in the District Court compound in building of D.L.S.A. office, Roshnabad, Haridwar.
- ➤ The LADC's office phone number is **01334-239780**
- > The LADC's official email address is dlsaharidwar@gmail.com

## **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**

## **►** Haridwar

- Shri Narendra Singh Chauhan
- Shri Anuj Kumar Sharma
- Shri Rakesh Kumar Gupta
- Smt. Jamna Kaushik
- Shri Kushalpal Singh Chauhan
- Smt. Poonam Rathor
- Mohd. Vesh Aalam
- Shri Raj Kumar Chauhan
- Shri Rakesh Chauhan
- Shri Tershem Singh Chauhan
- Shri Pradeep Aggarwal

#### > Roorkee

- Shri Ashok Kumar
- Shri Prabhat Kumar
- Shri Yogendra Walia
- Shri Balbir Singh
- Shri Suman Sagar
- Shri Amresh Tyagi

#### > Laksar

- Shri Rajesh Kumar Vats
- Shri Harpal Panwar
- Shri Anil Kumar

## 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 Civildisputes 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 juries decision to try the case, it is mandatory to file Pre institution mediation before concern DLSA.

#### List of commercial mediator

Shri Kushalpal Singh: 9412017124
Mrs. Poonam Rathor: 7817916448
Ms. Jamna Kaushik: 9837829059
Shri Vaish Aalam: 9412991138
Shri Anuj Kumar Sharma: 9837387718

#### 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 building on 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 any time.

#### LokAdalat

LokAdalat is a forum where the disputes/cases pending in the court of law or at prelitigation stage are settled/compromised amicably. The LokAdalat has been given statutory status under the Legal Services Authorities Act, 1987. Under the said Act, the award made by the LokAdalats 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 LokAdalat to get back the entire court fees paid by the plaintiff for the suit.

#### How it works

- LokAdalats are a form of alternative dispute resolution (ADR)
- ➤ They help reduce the number of cases in courts
- ➤ They help settle disputes even at the pre-litigation stage
- > They help resolve disputes amicably

## Types of LokAdalats

#### > State LokAdalats

Organized by Legal Services Authorities/Committees to settle pre-litigation and post-litigation cases.

#### > National LokAdalats

Conducted quarterly to settle cases in all courts from the Supreme Court of India to the Taluk Courts.

## > Permanent LokAdalats

Set up to settle cases relating to Public Utility Services like transport, postal, telegraph etc.

## > Regular Lok Aadalt

Once in a month with consultation of Hon'ble Chairman, D.L.S.A., Haridwar.

#### **➤** Jail Lok Aadalt

Once in a month with consultation of Hon'ble Chairman, D.L.S.A., Haridwar.

## **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 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 PLVs 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 shall 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 NLSA organises awareness Camps or drive to aware the public
- ➤ Legal awareness camps and special drives help people learn about their rights and access legal services. These activities are part of the Legal Services Authority Act, 1987, which aims to provide free legal services to the underprivileged.

## How legal awareness camps and special drives are conducted

- > Seminars and lectures
- ➤ Multi Purpose Camp
- ➤ Distribution of pamphlets, Banners, Catalog etc.
- > Television programs
- ➤ Mobile vans
- ➤ Nukkad-nataks
- > Short documentaries
- Cultural programs

## **Victim Compensation Scheme**

In state of Uttrakhand there is a victim Compensation Scheme for the victim of Crime Initially the victim Compensation Scheme was implemented by State of Uttrakhand with the name of "Uttrakhand(victim of crime) compensation scheme, 2013" and later on state of Uttrakhand 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.

#### **Legal Aid Clinics in District Haridwar**

There are various legal aid clinics established at various places within district Haridwar. The details are as below-

> Prison Legal Aid Clinic, District Jail Roshnabad, Haridwar.

- ➤ Prison Legal Aid Clinic at Sub Jail Roorkee.
- ➤ Legal Aid Institutions at District Court, Haridwar and Sub Divisional Courts Roorkee and Laksar.
- ➤ Legal Aid Clinic at Observation Home.
- Legal Aid Clinic at Mela Hospital.
- Legal Aid Clinics at various Police Stations and Chowkie.
- ➤ Village Legal Aid Clinic at various block levels to be re-established.

## Legal Aid Clinics established at Law Colleges in District Haridwar

- ➤ Pandit Purnanad Tiwari Law College, Jwalapur, Haridwar
- ➤ Chaman Lal Law College, Landhaura, Haridwar
- ➤ B.S.M. Law Collgeg, Roorkee, Haridwar
- > Arihant Law College, Patanjali Yogpeeth, Haridwar
- ➤ Bishambharshahi Law Institute, Dehradun Road, Roorkee, Haridwar
- ➤ Institute of PrefessionalStudies, Berpur, Roorkee, Haridwar
- ➤ Amrit Law College, Dhanauri, Haridwar
- > Coer University, Roorkee Haridwar
- Quantum School of Law, Roorkee, Haridwar
- Motherhood University, Puhana, Roorkee, Haridwar