

DLSA- District Legal Service Authority

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, organize Lok Adalats, 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. The District Authority is under the direct supervision of the District Judge who acts as the ex-officio Chairperson and is appointed by virtue of post. The State Authority in consultation with the Chairman of the District 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'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 Lok Adalats every month for all types of pending cases and special Lok Adalats for special category of cases,
- Lok Adalats 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 Lok Adalats 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 under trial 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.

DLSA structure in Bageshwar

- Chairperson- Shri Narendra Dutt (District Judge)
- Secretary – Shri Jayendra Singh (Secretary)
- The DLSA office is located in the District Court complex in Bageshwar.
- The DLSA's office phone number is 05963-221844.
- The DLSA's Secretary mobile number is 9412097865.
- The DLSA's official email address is dlsabgr1@gmail.com.

TLSC- Taluka Legal Services Committee

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

- In District Bageshwar there is only are TLSC namely TLSC Garur.
- The Civil Judge (J.D) Garur is the ex-officio chairman of the TLSC
- Tahsildar Garur is ex-officio secretary of TLSC Garur.

TLSC structure in District Bageshwar

- Chairperson- Ms. Jainab (Civil Judge /Judicial Magistrate)
- Secretary – Nisha Rani (Tehsildar)
- The TLSC office is located in the Tehsil complex in Garur.
- The TLSC office phone number is 05963-250021.
- The TLSC official email address is tlscgarurbageshwar@gmail.com.

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.

Panel lawyers List

- | | |
|------------------------------|----------------------|
| ➤ Sh. Mahip Kishor. | Mobile No 9568487835 |
| ➤ Sh. Girish C.S. Koranga | Mobile No 9411776721 |
| ➤ Ms. Ranjna Singh | Mobile No 8923730181 |
| ➤ Sh. Narendra Singh Koranga | Mobile No 9411525147 |
| ➤ Sh. Trilok Chandra Joshi | Mobile No 8923167897 |
| ➤ Sh. Pankaj Singh Dhapola | Mobile No 7409658929 |
| ➤ Sh. Om Prakash Tiwari | Mobile No 8979822448 |

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 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

- Sh. Chandra Shekhar Mishra (Chief Legal aid Defence Counsel) Mobile No 6396104859
- Sh. Mohan Ram Arya (Assistant Legal aid Defence Counsel) Mobile No 9411546200

LADCS structure in District Bageshwar

- Secretary – Shri Jayendra Singh (Secretary)
- Chief – Shri Chandra Shekhar Mishra (LADCS)
- ALADCS – Shri Mohan Ram Arya
- The LADC's office is located in the District Court complex in Bageshwar.
- The LADC's office phone number is 05963-297981
- The LADC's official email address is ladcsbageshwar@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

- Sh. Narendra Singh Koranga
- Sh. Harish Chandra Joshi
- Sh. Vinod Bhatt

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 concern DLSA

List of commercial mediator

- Sh. Narendra Singh Koranga
- Sh. Harish Chandra Joshi
- Sh. Vinod Bhatt

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.

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 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 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 PLV's/Adhikar Mitra

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
- Distribution of pamphlets
- Television programs
- Mobile vans
- Nukkad natak
- Short documentaries
- Cultural programs
- 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 or 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.

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 Bageshwar

- Secretary – Shri Jayendra Singh (Secretary)
- Retainer Lawyer– Shri Trilok Chandra Joshi. Mobile No-8923167897
- The Front office is located in the District Court complex in Bageshwar.
- PLV’s/Adhikar Mitra – Shri Sanjay Mehta. Mobile No-9012875724