

Andhra Pradesh State Legal Service Authority Regulations, 1996

CONTENTS

CHAPTER 1 :- CHAPTER I

1. Title And Commencement
2. Definitions

CHAPTER 2 :- VESTING OF EXECUTIVE AUTHORITY

3. Section 3

CHAPTER 3 :- State Authority

4. In Addition To The Functions To Be Performed By The State Authority, As Laid Down By Section 7(1) And (7) (A) (B) (C) Of The Act, The State Authority May Also Perform The Following Functions

CHAPTER 4 :-ITS POWERS AND FUNCTIONS HIGH COURT LEGAL SERVICES COMMITTEECONSTITUTION OF THE ANDHRA PRADESH HIGH COURT LEGAL SERVICES COMMITTEE

5. The State Authority Shall Constitute A Committee Called The High Court Legal Services Committee Consisting Of A Sitting Judge Of The High Court Who Shall Be Nominated By The Patron-In-Chief As Chairman And The Following Eight Other Members To Be Nominated The Patron-N-Chief
6. Term Of Office Of The Members And Secretary Of The High Court Legal Services Committee
7. Removal Of The Members Other Than Chairman Of The High Court Committee From Office In Certain Circumstances
8. Power And Functions Functions Of The High Court Committee

CHAPTER 5 :- DISTRICT AUTHORITY

9. Term Of Office Of The Members Of The District Authority
10. Removal Of The Member From Office In Certain Circumstances
11. Additional Functions Of The District Authority

CHAPTER 6 :- CHAPTER VI

12. Taluk Legal Services Committee
13. Removal Of The Member From The Office In Certain Circumstances
14. Additional Functions Of The Taluk Committee

CHAPTER 7 :- CONDUCT OF BUSINESS

- 15. Meetings
- 16. Minutes Of The Meeting
- 17. Decisions By Way Of Resolutions
- 18. Expenditure For The Meeting

CHAPTER 8 :- Chapter VIII

- 19. Receiving Of The Applications For Legal Service
- 20. Scrutiny Of Applications
- 21. Part Payment Of Fees To Advocates
- 22. Duty Counsel
- 23. Duty Of Legal Practitioner :To Take Further Action, After The Decision Of A Case By The Court
- 24. Modes Of Legal Services And Advice
- 25. Bar On Charging Remuneration By The Legal Practitioners From Persons To Whom Legal Services Are Rendered
- 26. Agreement
- 27. Limits Of Pecuniary Aid

CHAPTER 9 :- LOK ADALATS

- 28. Procedure For Organising Lok Adalats
- 29. Notice To The Parties Concerned
- 30. Composition Of The Lok Adalat
- 31. Summoning Of Records And The Responsibility For Its Safe Custody
- 32. Functioning Of The Lok Adalat
- 33. Holding Of Lok Adalat
- 34. Award To Be Categorical And Lucid
- 35. Compilation Of Results
- 36. Maintenance Of Panel Of Lok Adalat Judges
- 37. Remuneration To The Judge And Members Of The Lok Adalat
- 38. Procedure For Maintaining Record Of Cases Referred Under Section 20 Of The Act Or Other Wise
- 39. Budget
- 40. Maintenance Of Accounts
- 41. Miscellaneous
- 42. Permanent Advance

Andhra Pradesh State Legal Service Authority Regulations, 1996

In exercise of the powers conferred under the provisions of Section 29A of the Legal Services Authorities Act, 1987, and in Consultation with the Hon'ble Chief Justice of Andhra Pradesh wherever necessary, the State Legal Services Authority hereby makes the following Regulations:-

CHAPTER 1 CHAPTER I

1. Title And Commencement :-

These Regulations may be called the Andhra Pradesh State Legal Services Authority Regulations and they shall come into force from such date as may be fixed by the Authority.

2. Definitions :-

In these Regulations, unless the context otherwise requires :-

- (a) "Act" means, the Legal Services Authority Act, 1987 9 No. 39 of 1987);
- (b) "State Authority" means, the Andhra Pradesh, State Legal Services Authority;
- (c) "High Court Committee" means the Andhra Pradesh High Court Legal Services Committee constituted under Section 8A of the Legal Services Authorities Act;
- (d) "District Authority" means the District Legal Services Authority Constituted under Section 9 of the Legal Services Authorities Act and shall include the Metropolitan Legal Services Authority and the City Civil Court Legal Services Authority;
- (e) "Taluk Committee" means the Taluk Legal Services Committee constituted under Section 11 A of the Legal Services Authorities Act;
- (f) "Rules" means the Andhra Pradesh State Legal Services Authority Rules, 1995;
- (g) "Legal Practitioner" shall have the meaning assigned to that expression in the Advocates Act, 1961;
- (h) "Member" means a member of the State Authority, High Court Committee, District Authority or the Taluk Committee as the case may be;
- (i) "Nominated Member" means a member nominated to the State Authority, High Court Committee, the District Authority or the Taluk Committee, as the case may be;
- (j) all other words and expressions used in these Regulations but not defined shall have meaning respectively assigned to them in the Act and the Rules framed there under.

CHAPTER 2 VESTING OF EXECUTIVE AUTHORITY

3. Section 3 :-

The Executive Authority of the State Authority shall vest in the Executive Chairman and may be exercised through the Member-

Secretary who shall act under the control of the Executive Chairman.

Provided that in respect of any decision to be taken, the Patron-Chairman and may be exercised through its Secretary who shall act under the control of the Chairman.

The Executive Authority of the District Authority shall vest in its Chairman and may be exercised through its Secretary who shall act under the control of the Chairman.

The Executive Authority of the Taluk committee shall vest in its Chairman and may be exercised either by himself or thorough such other officer who is chosen for the purpose.

CHAPTER 3 State Authority

4. In Addition To The Functions To Be Performed By The State Authority, As Laid Down By Section 7(1) And (7) (A) (B) (C) Of The Act, The State Authority May Also Perform The Following Functions :-

(1) The State Authority may conduct legal literacy camps in different parts of the State, with a view to terminating knowledge about the legal aid schemes conducted in the State, or with a view to spreading consciousness about the legal rights and duties of citizens with special reference to the tribal and rural populations, women children, disabled, handicapped and the weaker sections of the Society.

(2) The State Authority may finance public interest litigations before appropriate courts in the State if it is satisfied that such litigations are for the general benefit of a large body or class of persons who cannot by themselves take recourse to large body or class of persons or other similar reasons.

(3) The State Authority may conduct legal aid clinics in different parts of the State in collaboration with Law Colleges, universities and other social service organizations.

(4) The State Authority may also establish or direct the District Authority to establish conciliation committees at various centers in the State with a view to providing permanent or quasi-permanent infrastructure for resolving legal disputes between the parties, whether they may be pending in course or may be in the offing. For establishing such Committee it will be open to the State Authority / or the District Authority to take active assistance / support of such social service organizations that have zeal for legal aid work.

(5) May review the case where legal services are refused by the

District Authority, on application.

CHAPTER 4 ITS POWERS AND FUNCTIONS
HIGH COURT LEGAL SERVICES COMMITTEE CONSTITUTION OF THE ANDHRA PRADESH
HIGH COURT LEGAL SERVICES COMMITTEE

5. The State Authority Shall Constitute A Committee Called The High Court Legal Services Committee Consisting Of A Sitting Judge Of The High Court Who Shall Be Nominated By The Patron-In-Chief As Chairman And The Following Eight Other Members To Be Nominated The Patron-In-Chief :-

- (1) The President of the A.P. High Court Advocates Association;
- (2) One Member of the A.P. High Court Advocates Association having not less than 15 years of standing at the bar;
- (3) One Member of the A.P. High Court Advocates Association having not less than 5 years and not more than 15 years of standing at the bar.
- (4) One Member of the Women Lawyers Association of High Court of A.P. Having not less than 10 years standing at the Bar;
- (5) One serving or retired eminent Law Teacher of a University;
- (6) An eminent social worker engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children and Rural Labour;
- (7) An eminent person in the field of a Law; and
- (8) A person of repute who is specially interested in the implementation of the Legal Services Schemes.

6. Term Of Office Of The Members And Secretary Of The High Court Legal Services Committee :-

- (1) The term of the office of the Secretary and members of the High Court Committee shall be for a period of Two Years unless earlier terminated by the Patron-in-Chief. All members of the Committee except the Secretary shall function in an honorary capacity
- (2) if any member including the Chairman ceases to be the member of the High Court Committee for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be the member or the Chairman, as the case may be, for the remaining term of the member or the Chairman in whose place he is nominated.

7. Removal Of The Members Other Than Chairman Of The

High Court Committee From Office In Certain Circumstances

:-

(1) The Patron-in-Chief in consultation with the Executive Chairman of the State Authority may remove any member nominated under Section 8A (2) (b) from the High Court Committee, who;

(a) fails without sufficient cause, to attend three consecutive meetings of the Committee; or

(b) has been adjudged insolvent ; or

(c) has been convicted of an offence which, in the opinion of the Patron-in-Chief of the State Authority, involves moral turpitude; or

(d) has become physically or mentally incapable of acting as a meeting ; or

(e) has so abused his position as to render his continuance in the Committee prejudicial to the public interest.

(2) Notwithstanding anything contained in Sub-Clause (1) of this Regulation, no member of the Committee shall be removed, on any of the grounds specified therein unless he has been given reasonable opportunity to be heard.

(3) A member of the High Court committee may resign his office by writing under his hand addressed to the Patron-in-Chief through the Executive Chairman of the State Authority and forwarded through the chairman of the High Court Committee. The resignation shall take effect from the date on which it is accepted by the Patron-in-Chief.

8. Power And Functions Functions Of The High Court Committee :-

Subject to the general superintendence and control of the State Authority, the High Court Committee shall exercise the following powers and perform the following functions;

(a) recommend to the State Authority for filling of Public Interest Litigation in the High Court for the general benefit of a large body or class of persons who cannot by themselves take recourse to law due to penury illiteracy or other similar reasons;

(b) convene and organise Lok Adalats at regular intervals in respect of High Court cases;

(c) receive applications for legal services in respect of cases pertaining to High Court of A.P.;

(d) ensure that the case of every applicant is promptly processed

and disposed of;

(e) consider the cases brought before it for legal services and decide as to what extent legal services can be made available to the applicant.

(f) Persuade the parties to appear before it and make efforts to bring about a just settlement between them and if necessary also refuse the legal services, if in its opinion, the conciliation has failed due to any fault on the part of the applicant;

(g) Encourage and promote conciliation and settlement in all legal proceedings;

(h) Take proceedings for the recovery of the costs awarded to a person to whom legal services are rendered;

(i) Submit recommendations and suggest improvements to the State Authority in the working of these Regulations;

(j) Prepare and submit such reports, returns and other statistics or information, as the State Authority may call for; and

(k) Perform and exercise such other functions and powers as may be determined by the State Authority from time to time.

CHAPTER 5 DISTRICT AUTHORITY

9. Term Of Office Of The Members Of The District Authority :-

(1) The term of the office of the members 1[xxx] of the District Authority shall be for a period of Two Years.

(2) If any member of the District Authority ceases to be the members for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be the member for the remaining term of the member in whose place he is nominated

(3) A member of a District Authority may resign his office by writing under his hand addressed to the State government through the Executive Chairman of the State Authority and forwarded through the Chairman of the District Authority. The resignation shall take effect from the date on which it is accepted.

10. Removal Of The Member From Office In Certain Circumstances :-

(1) on recommendation of the Patron-in-Chief in consultation with the Executive Chairman of the State Authority, the State Government shall remove any nominated member from the District

Authority, who-

- (a) fails, without sufficient cause, to attend three consecutive meetings of the District Authority;
- (b) has been adjudged insolvent; or
- (c) has been convicted of an offence which, in the opinion of the Patron-in-Chief, involves moral turpitude; or
- (d) has become physically or mentally incapable of acting as a member; or
- (e) has so abuses his position as to render his continuance in the District Authority prejudicial to the public interest.

(2) Notwithstanding anything contained in Clause (1) of this Regulation, no member shall be removed unless the recommendation for his removal has been made. On any of the grounds mentioned therein, only after affording him reasonable opportunity to be heard.

11. Additional Functions Of The District Authority :-

In addition to the functions assigned to it under the Act and Rules, the District Authority shall perform the following functions, subject to the general superintendence and control of the State Authority.

- (1) Shall perform such other functions as the State Authority may fix by Regulations from time to time and shall also be guided by such directions as Central Authority or the State Authority may give to it in writing from time to time;
- (2) Conduct legal literacy camps in different parts of the District with a view to transmitting knowledge about the legal aid schemes conducted in the State or with a view to spreading consciousness about tribal and rural population, women, children, disabled, handicapped and the weaker sections of the society;
- (3) Conduct legal aid clinics in different parts of the District in collaboration with Law Colleges. Universities and other social services organisations;
- (4) Supervise, direct and guide the working of the Taluk Committee in the District.
- (5) Call for from the Taluk Committees in the District such periodical reports, returns and other statistics or information as it may think fit, or as are required by the State Authority;
- (6) Prepare, consolidate and submit such reports, returns and other statistics or information in respect of District Authorities, as the State Authority may call for;
- (7) Receive applications for legal services and ensure that every

applications is promptly processed and dispose of

(8) Consider the cases brought it for legal services including pre-litigation matters and decide as to what extent legal services can be made available to the applicant;

(9) Persuade the parties to appear before it and make efforts to bring about a just settlement between them and if necessary also refuse the legal services, if in its opinion the conciliation has failed due to any fault on the part of the applicant.

(10) Encourage and promote conciliation and settlement in all legal proceedings, including pre-litigation matters.

(11) Take proceedings for recovery of costs awarded to a person to whom legal services are rendered;

(12) May review the cases where legal services are refused by the Taluk Committee, on application;

CHAPTER 6 CHAPTER VI

12. Taluk Legal Services Committee :-

Term of Office and other conditions relating thereto of Members of the Taluk Committee:-

(1) The term of Office of the Members of the Taluk Committee shall be for a period of two years.

(2) If any member of the said Committee ceases to be such member for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be the member for the remaining term of the member in whose place he is nominated.

(3) A member of the Taluk Committee may, resign his office by writing under his hand addressed to the Executive Chairman of the State Authority and forwarded through the Chairman of the District Authority under intimation to the Chairman of the Taluk Committee. Such resignation shall take effect from the date on which it is accepted by the Executive Chairman of the State Authority.

13. Removal Of The Member From The Office In Certain Circumstances :-

A nominated member of the Taluk Committee shall be removed by the State Government on the recommendation of the Executive Chairman of the State Authority for such removal on any of the grounds mentioned in Regulation 10 (1) (a) to (e) when the

recommendation is made after affording the member a reasonable opportunity to be heard.

14. Additional Functions Of The Taluk Committee :-

In addition to the functions assigned to it under the Act and rules, the Taluk Committee shall perform the following functions subject to the general superintendence of the District and State Authorities.

1. receive applications for legal services in respect of cases in all the Courts functioning in the Taluk area of the Committee;
2. ensure that the case of every applicant is promptly processed and disposed of.
3. Consider the cases brought before it for legal services including pre-litigation matters and decide as to what extent legal service can be made available to the applicant.
4. Persuade the parties to appear before it and make efforts to bring about a just settlement between them and if necessary also refuse the legal services, if in its opinion the conciliation has failed due to any fault on the part of the applicant.
5. Encourage and promote conciliation and settlement in all large proceedings including pre-litigation matters;
6. Take proceedings for the recovery of costs awarded to a person to whom the legal services were rendered.
7. Perform such other functions and discharge such other duties as the District Authority or the State Authority may entrust to it from time to time.

CHAPTER 7 CONDUCT OF BUSINESS

15. Meetings :-

The Member Secretary of the State Authority with the prior approval of the Executive Chairman of the State Authority shall convene meeting of the State Authority at least once in 1[three months] and as frequently as the business may warrant.

The Secretary of the High Court committee or of the District Authority with the prior approval of the Chairman of the respective authority , and the Chairman of the Taluk Committee, as the case may be shall Vincent meetings of the respective bodies at least once in two months and as frequently as the business may warrant. In the absence of the Executive Chairman of the State Authority or of the Chairman of the High Court Committee the District Authority

or the Taluk committee as the case may be, one of the Ex-officio Members chosen by the Members present at the meeting shall preside over the meeting of the respective bodies.

16. Minutes Of The Meeting :-

The minutes of the proceedings of every meeting shall be prepared by the Member Secretary or the Secretary of the High Court Committee or the District Authority, as the case may be, as soon as possible after the meeting and after obtaining the approval of the respective Chairman, thereto, he shall circulate the minutes to the members. The minutes shall be confirmed and signed by the respective Chairman unless any member who was present at the meeting been incorrectly or incompletely recorded and has communicated his objections in writing to the Member Secretary or the Secretary as the case may be, within seven days of the receipt of the minutes by him or her. Any objections received shall be considered by the respective Chairman of the bodies who may make such modifications in the minutes as are thought proper, and the modified minutes shall then be confirmed and signed by the respective Chairman.

The minutes of the proceedings of every meeting of the Taluk committee shall be prepared under the guidance of the Chairman by such officer as he directs. The minutes of the meeting shall be circulated to the member and be confirmed and signed by the Chairman in similar manner as is provided for the High Court Committee or the District Authority, as far as possible.

17. Decisions By Way Of Resolutions :-

All decisions of the State Authority, High Court Committee, District Authority, or the Taluk Committee shall be by way of resolutions passed in the meeting and in the event of any dissension the decision of the Executive Chairman or the Chairman of the different other bodies as the case may be, shall be final.

Provided that in such matters as may be directed by the Executive Chairman or the Chairman of the different other bodies as the case may be, the decision of the State Authority or of the High Court Committee, the District Authority or the Taluk Committee may be taken by circulation.

18. Expenditure For The Meeting :-

(a) The Member Secretary of the State Authority is authorized to spend an amount not exceeding 1[Rs. 500/- (Rupees Five Hundred Only) for a meeting of the State Authority, and an amount not exceeding 1 [Rs. 300/- (Rupees Three Hundred only)] for a meeting of any Sub-Committee, from out of the Legal Aid Fund.

b) The Member Secretary may sanction an amount not exceeding 1{Rs. 500/- (Rupees Five Hundred only) for each meeting of the High Court committee on the requisition of the Secretary of the Committee.

(c) The Chairman of the District Authority may incur an expenditure not exceeding 1{Rs. 300/- (Rupees Three Hundred only) for a meeting of the District Authority.

(d) The Chairman of the District Authority is authorized to sanction an amount not exceeding 1{Rs. 200/- (Rupees Two Hundred only) } from out of the District Legal Aid Fund for each meeting of the Taluk Committee on the requisition of the Chairman of the Taluk Committee.

CHAPTER 8 Chapter VIII

19. Receiving Of The Applications For Legal Service :-

A person seeking legal services by the High Court Legal Services Committee, District Authority or the Taluk Committee, as the case may be, shall send an application under affidavit containing the brief facts of the case, and where the applicant is a person as stipulated in Section 12(h) of the Act, not being one covered under any other of that Section, the affidavit shall also state the details of the properties possessed by him and his annual income from all sources.

20. Scrutiny Of Applications :-

The applications shall be scrutinized and disposed of by the Secretaries of the High Court Committee, District Authority and by the Chairman of the Taluk committee, as the case may be, giving such directions as to allowing of such legal services as are thought necessary;

Provided that all orders passed by the Secretaries of the High Court Committee or of the District Authority rejecting legal services shall be passed after obtaining order of the respective Chairman;

Provided further that all orders of grant of legal services by the

Secretary of the High Court Committee or the District Authority shall prepare 1[Two] panels of Advocates, for entrustment of the case for rendering legal services, as follows;

(1) Advocates who volunteer to render legal services gratuitously

(2) 1[Advocates who are willing to work on payment of honorarium / on payment of the amount of fee as prescribed in the schedule or such other fee as may be fixed by the executive Chairman of the State Authority or the Chairman of the District Authority or the Taluk Committee as the case, the matters other than those specified in the schedule].

Provided that the advocate members of the State Authority, High Court Committee, District Authority or the Taluk Committee may always volunteer to render legal services gratuitously;

Provided further that in choosing the panels care shall be taken to empanel Advocates of repute who are specially interested in implementation of legal services scheme.

21. Part Payment Of Fees To Advocates :-

In suitable cases Advocates may be paid one third of the fees at the commencement of the case or at intermediate stage.

22. Duty Counsel :-

The High Court Committee, the District Authority and the Taluk committee shall identify retired Judicial Officers or advocates of High reputation to act as Duty Counsel, whose duties and functions are to be specified by the Executive Chairman of the State Authority.

23. Duty Of Legal Practitioner :To Take Further Action, After The Decision Of A Case By The Court :-

The legal practitioner conducting a case on behalf of a person receiving the services shall, as soon as the case is decided, apply for a copy of judgment and decree if any and immediately on receipt of the copies shall submit them to the body appointing him together with his detailed comments. The Taluk Committee, the District Authority or the High Court Committee, as the case may be, shall take steps to recover the expenses of the services rendered from out of the costs if any, awarded by the court to the person concerned and received by him. Such bodies may also consider, where necessary, the feasibility of filing an appeal, revision or a

Writ Petition if-

1. the case has been decided against the person;
2. the case is prima facie fit taking to such remedies;
3. the aided person has applied for legal services for taking recourse to such remedies; provided that it will not be necessary to make a fresh enquiry as to eligibility under Section 12(h) of the Act , wherever applicable, unless the Taluk Committee, the District Authority or the High Court Committee, as the case may be, is of the opinion that a change of the circumstances has taken place since the grant of the legal services;

24. Modes Of Legal Services And Advice :-

The Legal Services admissible under these Regulations shall be in all or any of the following modes, namely:-

1. Legal advice by a legal practitioner on the list of legal practitioners maintained by the Taluk Committee, the District Authority and the High Court Committee, or of any voluntary organization sponsored and encouraged by the State Authority.
2. Legal Services in the form of
 - (I) Representation of an entitled person by a legal practitioner on the list in the legal proceedings;
 - (II) Payment to the entitled person or on his behalf-
 - a. of court fee;
 - b. of process fee and expenses of witnesses;
 - c. of charges for preparation of paper books, including charges for Printing and translation of documents;
 - d. of charges for the supply of certified copies of judgement, decrees, orders and other documents;
 - e. of any amount on any other account in any legal proceedings;

25. Bar On Charging Remuneration By The Legal Practitioners From Persons To Whom Legal Services Are Rendered :-

No. legal practitioner who is rendering legal services under these Regulations shall charge any remuneration in any form whatsoever from any person to whom legal services are rendered.

26. Agreement :-

The Taluk committee, the District Authority or the High Court committee, as the case may be, giving legal services, obtain from

such person an agreement containing such general conditions as the Taluk Committee, or the District Authority, or the High Court Committee, as the case may be, may consider fit to impose having regard to the special facts and circumstances of the case.

Provided that the agreement shall invariably contain the following condition, namely:- In consideration of the legal services received, the applicant hereby agrees to repay the same to the Taluk Committee / the District Authority / the High Court Committee, in the event of his ultimate success in the legal proceedings for which he was given the services, on realization of assets or costs either in the legal proceedings or in other connected legal proceedings yielding income more than the amount of service allowed.

27. Limits Of Pecuniary Aid :-

The High Court Committee, District Authority and the Taluk committee may sanction monetary aid to the applicants as fees of advocates, to the extent as provided for in the schedule of the Regulations.

With the previous sanction of the State Authority an Advocate may be engaged to conduct batch cases or similar class of cases at fixed consolidated fees per day or month.

The amounts sanctioned by the High Court Committee shall be aid by the State Authority from the State Legal Aid Fund. The amounts sanctioned by the Taluk committee shall be paid by the District Authority from the District Legal Aid Fund.

CHAPTER 9 LOK ADALATS

28. Procedure For Organising Lok Adalats :-

(1) The Secretary of the High Court Cmmittee or the District Authority or the Chairman of the Taluk Committee, as the case may be, shall convene and organise Lok Adalats at regular intervals;

Provided that the Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, shall convene a Lok Adalat as soon as about 30 cases referred to it under Section 20 of the Act or otherwise are available for being taken up.

(1) The Secretary of the High Court committee or the District Authority or the Chairman of the Taluk Committee as the case may be may associate the members of the legal profession, college students, social organisatins, charitable and philanthropic

institutions and other similar organisations with the Lok Adalats.

intimation to the State Authority :-

1. The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, shall inform the State Authority about the proposal to organise the Lok Adalat well before the date on which the Lok Adalat is proposed to be organised and furnish the following information to the State Authority :-

- a. the place and the date on which the Lok Adalat is proposed to be organised;
- b. whether some of the organizations referred to in Regulations 29 (2) have agreed to associate themselves with the Lok Adalat;
- c. categories and nature of case, viz. Pending cases or prelitigation disputes or both proposed to be placed before the Lok Adalat;
- d. number of cases proposed to be brought before the Lok Adalat;
- e. any other information relevant to the convening and organizing of the Lok Adalat.

29. Notice To The Parties Concerned :-

The Secretary of the High Court committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, convening and organizing Lok Adalat shall inform every litigant whose case is referred to the Lok Adalat, well in time so as to afford him an opportunity to prepare himself for the Lok Adalat.

30. Composition Of The Lok Adalat :-

(a) . At the High Court Level The secretary of the High Court Committee organising

the Lok Adalat shall constitute Benches of the Lok Adalats, each Bench comprising two or three of the following:-

1. a sitting or retired judge of the High Court.
2. A senior member of the Legal Profession ; and
3. A (local) social worker of repute who is engaged in the upliftment of the weaker sections of the people, including Scheduled Casts, Scheduled Tribes, Women, Children, Rural and Urban Labour and interested in the implementation of the Legal Services Schemes and Programmes.

(b) At District Level : - The Secretary of the District Authority organising the Lok Adalat shall constitute Benches of the Lok Adalats, each Bench comprising two or three of the following :-

1. a sitting or retired Judicial Officer;

2. a senior member of the Local Bar;
4. a (Local) social worker of repute who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children, Rural and Urban Labour and interested in the implementation of the Legal Services Schemes and Programmes.

(c) At Taluk Level :- The Chairman of the Taluk committee organizing the Lok Adalat shall constitute Benches of the Lok Adalat, each Bench comprising two or three of the following:-

1. a sitting or retired Judicial Officer;
2. a senior member of the local Bar; and

3. A social worker of repute who is engaged in the upliftment of the weaker sections of the people including schedule casts ,schedule tribes ,women and children, rural and urban labor and interested in the implementation of the legal services schemes and the programs

4. The Chairman of the High Court Committee, the District Authority and the Taluk Committee may directly supervise the Lok Adalat organised by the respective bodies.

. Solemnity in conducting Lok Adalat :- Every Lok Adalat shall be conducted with the solemnity attached to a court and avoiding any ostentatious show.

. Expenditure for the Lok Adalat:- The expenditure incurred for organising a Lok Adalat shall not exceed 1[Rs. 1000/- (Rupees One Thousand only)] including expenditure incurred for publicity etc., Necessary help from publicity media like press, Radio and television can be taken in giving publicity of the proposed Lok Adalat.

Non political and voluntary services institutions may partake in organising Lok Adalat by arranging free distribution of food packets to the public gathered at the Lok Adalat.

31. Summoning Of Records And The Responsibility For Its Safe Custody :-

1. The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, may call for the judicial records of those pending cases which are referred to that Lok Adalat under Section 20 of the Act from the Concerned Courts.
2. If any case is referred to the Lok Adalat at the Pre-litigation stage, the version of each party shall be obtained by the Secretary

of the High Court Committee, or the District Authority or the Chairman of the Taluk Committee, as the case may be, to be placed before the Lok Adalat

3. The Secretary of the High Court Committee or the District Authority or the chairman of the Taluk Committee, as the case may be shall be responsible for the safe custody of the records from the time he receives them from the Court till they are returned.

4. Every judicial authority is expected to cooperate in transmission of the Court records.

5. The judicial records shall be returned within ten days of the Lok Adalat irrespective of whether or not the case is settled by the Lok Adalat with an endorsement about the result of the proceedings.

32. Functioning Of The Lok Adalat :-

1. The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk committee, as the case may be, shall assign specific cases to each Bench of the Lok Adalat.

2. The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, prepare a cause list for each Bench of the Lok Adalat and intimate the same to all concerned at least two days before the date of the Lok Adalat.

3. Every Bench of the Lok Adalat shall make sincere efforts to bring about a conciliatory settlement in every case put before it without bringing about any kind of coercion, threat or undue influence, allurement or mis-representation.

33. Holding Of Lok Adalat :-

(a) A Lok Adalat may be organized at such time and place and on such days preferably on Saturdays, Sundays and Holidays and Holidays as the State authority, high Court Committee, District Authority, Taluk Committee, as the case may be, organizing the Lok Adalat deems appropriate.

(b) The Lok Adalat shall be held at a public place.

procedure for Effecting Compromise or Settlement at Lok Adalat :-

(1) Every Award of the Lok Adalat shall be signed by the panel constituting the Lok Adalat.

(2) The original Award shall form part of the judicial records and a copy of the Award shall be given to each of the parties 1 [duly

certifying them to be true by the Secretary of the High Court Legal Services Committee or the District Legal Services Authority or the Chairman of Mandal Legal Services Committees, as the case may be are authorised to sign the true copies of the Award].

34. Award To Be Categorical And Lucid :-

(1) Every Award of the Lok Adalat shall be categorical and lucid and shall be written in the language used in the local courts. The Award may be drawn up in English or in the Regional languages.

(2) The parties to the dispute shall be required to affix their signatures or, as the case may be, thumb impression on the Award of the Lok Adalat.

35. Compilation Of Results :-

At the conclusion of the session of the Lok Adalat the Secretary of the High Court Committee or the District shall compile the results for submission to the State Authority.

36. Maintenance Of Panel Of Lok Adalat Judges :-

The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk committee, as the case may be, shall maintain a panel of retired Judges, Advocates, Social Workers etc., possessing qualification and experience prescribed under Sec. 28(o) of the Act, who may work in Lok Adalats.

37. Remuneration To The Judge And Members Of The Lok Adalat :-

(1). The Judge of the Lok Adalat Bench if he is a retired Judicial officer members shall be provided with conveyance or their residence and the place of Lok Adalat.

(2) (I) Presiding Officer of the Lok Adalats held at District and Taluk Levels, who is not a serving judicial officer shall be entitled to honorarium / 1 remuneration of Rs. 200 Per day]

(II) The other members of the Lok Adalats held at District and Taluk levels shall be entitled to honorarium/ remuneration of 1Rs. 125 per day]

(III) The Presiding Officer of the Lok Adalats held at High Court level who is not a sitting Judge shall also be entitled to honorarium/remuneration 1Rs.300 per day.]

(IV) The other members of the Lok Adalat held at High Court level

shall be entitled to honorarium / remuneration 1 Rs. 300/- per day]

38. Procedure For Maintaining Record Of Cases Referred Under Section 20 Of The Act Or Other Wise :-

(1) The Secretary of the High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, shall maintain a Register wherein all the cases received by him by way of reference to the Lok Adalat shall be entered giving particulars of the .

- i. date of the receipt
- ii. nature of the case
- iii. such other particulars as may be deemed necessary ; and
- iv. date of settlement and return of the case file.

(II) When the case is finally disposed of by the Lok Adalat an appropriate entry will be made in the Register. Expenditure for holding Level Literacy Camp:- The expenditure for holding a Legal literacy Camp shall not exceed Rs. 2,000/- (Rupees two thousand only) by the State Authority district Authority and the Mandal Committee, as the case may be.

39. Budget :-

1. The High Court Committee and the District Authority shall submit the budget proposals to the State Authority on financial year basis in respect of the Lok Adalat Scheme.

2. The expenditure for Lok Adalat Scheme shall constitute Nonplan expenditure and may be met out of the grants received by the High Court Committee and the District Authority and the Taluk Committee as the case may be.

40. Maintenance Of Accounts :-

The Chairman of the High Court Committee or the District Authority or the Taluk Committee, as the case may be, shall exercise complete and full control over the expenditure to be incurred on the Lok Adalats.

1. The Secretary of the High Court Committee or the District Authority ,as the case may be, shall render true and proper accounts the State Authority every quarter.

2. The Chairman of the Taluk committee shall render true and proper accounts to the District Authority every month.

Funding :-

On a request received from the High Court committee or the District Authority or the Taluk Committee as the case may be, the State authority may release special grants for convening and holding of Lok Adalats, If considered necessary.

41. Miscellaneous :-

1. The appearance of lawyers on behalf of the parties at the Lok Adalat shall not be refused.
2. No fee shall be payable by the parties in respect of matters on cases brought before or referred to a Lok Adalat.
3. The Secretary of The High Court Committee or the District Authority or the Chairman of the Taluk Committee, as the case may be, shall provide all assistance as may be necessary to the Lok Adalats.
4. Every Bench of the Lok Adalat may evolve its own procedure for conducting the proceedings before it and shall not be bound by either the Civil Procedure Code or the Evidence Act or the Code of Criminal Procedure Subject, however, to the Principles of natural jus

42. Permanent Advance :-

1. The State Authority may permit the District Legal Services Authority to keep Rs.5000/- as Permanent Advance for meeting the permissible expenditure with a provision to recoup the same from the District Legal Aid Fund.
2. The State Authority may also permit the Mandal Legal Services Committees to keep Rs.2500/- as Permanent Advance for meeting the permissible expenditure with a provision to recoup the same from the District Legal Aid Fund.