

KARNATAKA LEGAL AID BOARD REGULATIONS, 1983

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KARNATAKA LEGAL AID BOARD REGULATIONS, 1983

In exercise of the powers conferred by Section 31 of the Karnataka Legal Aid Board Act, 1981 (Karnataka Act 32 of 1981) and with the previous approval of the State Government, vide G.O. No. LAW 74 LAD 81, dated 20th April, 1983, the Karnataka Legal Aid Board

hereby makes the following regulations, namely.

CHAPTER 1

Preliminary

1. Title and commencement :-

(1) These regulations may be called the Karnataka Legal Aid Board Regulations, 1983.

(2) They shall come into force at once.

2. Definition :-

In these regulations unless the context otherwise requires.

(1) "Act" means the Karnataka Legal Aid Board Act, 1981;

(2) Words and expressions used in these regulations but not defined herein shall have the meaning respectively assigned to them in the Act.

CHAPTER 2

Karnataka Legal Aid Board

3. Meetings of the Board :-

(1) The meetings of the Board shall ordinarily be held in the premises of the office of the Board on the date and at the time fixed by the President.

(2) The Board may also meet at such other place within the State as the President may specify.

(3) Any ten members of the Board may give a requisition in writing addressed to the Secretary for convening a meeting of the Board for consideration of the subjects or matters specified therein. On receipt of such requisition the Secretary shall after obtaining the orders of the President convene a meeting of the Board within a month from the date of receipt of such requisition to consider the subjects or matters specified in the requisition.

(4) Any member of the Board desiring consideration of any subject or matter at any meeting of the Board, may intimate in writing such subject or matter to the Secretary. If such intimation is received before issue of the notice of the meeting the subject or matter shall if so directed by the President, be included in the Agenda of the meeting. If such intimation is received after issue of the notice, the subject or matter may be considered at the meeting with the permission of the person presiding at the meeting.

(5) The Executive Chairman shall with the approval of the President prepare the agenda of the meeting of the Board. The notice of every meeting of the Board shall be given in writing by the Secretary to the members at least ten clear days before the date of the meeting. In urgent cases however the notice of only three days may be given.

(6) The agenda of the meetings shall be sent to the members along with the notice.

(7) The quorum for meetings of the Board shall be seven. No quorum shall be necessary for adjourned meetings.

4. Minutes of the meetings of the Board :-

(1) The Secretary shall draw up the minutes of the meeting of the Board and after it is approved by the President or the person presiding at the meeting, send, as soon as possible but not later than the date of despatch of the notice of the next meeting copies of it to the members of the Board.

(2) The minutes shall contain a record of the decisions taken and resolutions passed at the meeting and the discussions at the meeting shall not ordinarily form part of the minutes unless the president of the meeting so directs. The minutes shall be recorded in a separate register maintained for that purpose in the office of the Board.

(3) The minutes shall be read over at the next meeting of the Board and any suggestion which may be made by any member of the Board may be considered.

(4) The Secretary shall at the commencement of the next meeting of the Board inform the members of the action taken on the decisions taken in the previous meeting.

(5) The signature of the members present at the meeting shall be obtained in a register maintained for the purpose.

CHAPTER 3

Executive Committee, Executive Chairman and other Committees

5. Meetings of the Executive Committee :-

(1) The Executive Committee shall meet at least once in two months.

(2) The meeting shall be held in the premises of the office of the Board on the date and at the time fixed by the Executive Chairman.

(3) The Secretary shall with the approval of the Executive Chairman prepare the agenda for the meeting of the Executive Committee and send it along with the notice of the meeting at least seven clear days before the date of the meeting: In urgent cases notice of only three days may be given.

(4) The quorum for the meetings shall be three. No quorum shall be necessary for adjourned meetings.

(5) All questions at the meeting shall be decided by the majority of the votes of members present and voting and in the case of equality of votes, the Executive Chairman shall have a second or casting vote.

(6) The Secretary shall draw up the minutes of the Committee and after its approval by the Executive Chairman send copies thereof to the members of the committee before the date of the next meeting. The minutes shall contain a record of the decisions taken. It shall be recorded in a separate register maintained for the purpose in the office of the Board.

(7) The minutes shall be read over at the commencement of the next meeting of the committee and any suggestion or correction proposed by any member may be considered.

(8) The Secretary shall, at the commencement of the next meeting of the committee, inform the members of the action taken on the decisions taken in the previous meeting.

(9) The Executive Committee shall submit to the Board a report of the actions taken by it. The Board may either rescind any action taken or approve the same with or without modification.

6. Powers and duties that may be conferred on the Executive Committee :-

(1) The Executive Committee shall be in overall charge of all matters connected with the powers, functions and administration of the Board.

(2) The Board may, subject to any conditions specified by it, confer on the Executive Committee all or any of the following powers and

duties, namely.

(a) to review the work of any committee constituted by the Board under Section 12 of the Act;

(b) to supervise the work of Legal Aid Committees in the State and to issue from time to time suitable instructions to such committees for their proper functioning and implementation of the objects of Board;

(c) to allocate necessary funds to the Legal Aid Committees;

(d) to review the financial position of the Board and to take appropriate actions to augment the resources of the Board;

(e) to recommend grant of funds to the voluntary organisations which undertake to implement legal aid schemes and programmes;

(f) to provide necessary staff, accommodation, furniture and the like to legal aid committees;

(g) to finalise and approve agreements for and on behalf of the Board;

(h) to scrutinise the annual budget and the annual report to be submitted to the Government and place the same before the Board with or without its remarks for approval;

(i) to exercise all or any of the powers of the Board under Section 15 of the Act; and

(j) to take all such actions as may be considered necessary and expedient for giving effect to the objects of the Board.

(3) The Executive Committee shall submit a report to the Board of its working and seek approval of the Board, wherever necessary, to any action taken by it.

7. Functions and powers of the Executive Chairman :-

(1) It shall be the duty of the Executive Chairman to see that all decisions taken by the Board and the Executive Committee are implemented.

(2) He shall supervise and review the work of legal practitioners appointed to render legal aid.

(3) He may undertake tours within the State for the aforesaid purpose and also for any other purpose connected with the work of

the Board. He may with the approval of the President visit places outside the State to study the working of legal aid schemes in such places.

(4) All cheques for an amount not less than ten thousand rupees, shall, except when he is on leave or away from headquarters, be countersigned by him.

(5) He shall have control over the Secretary and all the other employees of the Board in the discharge of their duties.

(6) In emergent cases, he may, without the approval of the Executive Committee, take such action as he may consider necessary and suitable for the proper functioning and implementation of the object of the Board. Any action taken in such cases shall be placed before the next meeting of the Executive Committee for ratification.

8. Standing Committee, etc :-

(1) The Board shall constitute a Finance Committee and such other standing committees and ad hoc committees as it may consider necessary.

(2) Each committee shall consist of five members including the Secretary of the Board, one of whom other than the Secretary, shall be nominated by the Board as Chairman.

(3) All the members of the Committee shall be nominated by the Board from among the members of the Board.

9. Meetings of standing or ad hoc committees :-

(1) The meetings of any standing or ad hoc committee shall be held within the premises of the office of the Board on the date and at the time fixed by the Chairman of the Committee and at such other places and times as the President or the Executive Chairman may determine.

(2) Notice of the meeting along with the agenda approved by the Chairman shall be sent by the Secretary of the Committee at least five days before the date of the meeting. In urgent cases, the period of five days may be dispensed with.

(3) The minutes of the Committee shall be prepared by the Secretary of the Committee and after approval by the Chairman be recorded in a separate register maintained for the purpose.

(4) All questions at the meeting shall be decided by the majority of the members present and voting and in case of equality of votes the Chairman shall have a second or casting vote.

(5) Every standing committee shall submit to the Board every quarter a report of the work done by it.

10. Functions of the Finance Committee :-

(1) The Finance Committee shall meet at least once in three months.

(2) It shall review the receipt and expenditure of the Board.

(3) It shall suggest ways and means to augment the resources of the Board.

(4) It shall consider the budget and the annual statement of accounts of the Board.

(5) The committee shall submit its report or recommendation in respect of all financial matters placed before it to the Executive Committee.

CHAPTER 4

Secretary and other Employees

11. Powers and functions of the Secretary :-

(1) The Secretary shall see that all employees of the Board maintain punctuality in attendance and carry out their duties honestly, sincerely and efficiently.

(2) He shall cause the accounts of the Board to be maintained in the prescribed manner and see that they are made available in time for audit.

(3) He shall scrutinise the statement of accounts submitted by Legal Aid Committees and submit the same to the Executive Chairman for perusal or approval, as the case may be.

(4) He shall check the accounts of the general and contingent expenditure and the vouchers for any payment made.

(5) He may pass all pay bills and TA Bills of all the other employees of the Board and Legal Aid Committees and the remuneration bills of legal practitioners.

(6) He shall submit his TA Bills for approval to the Executive Chairman.

(7) He may with the approval of the Executive Chairman pass the TA Bills of all members of the Board, the Executive Committee and other committees and others who are invited to attend the meetings or programmes of the Board or committees.

(8) He may sanction expenditure upto fifty rupees under contingency to each legal aid centre but not exceeding five hundred rupees per annum for purchase of stationery and other articles, required by it.

(9) He shall sign all cheques to be passed by the Board.

(10) He shall sign all orders and other communications to be issued by the Board.

(11) He shall exercise such other powers including financial powers as may be delegated to him by the Board or the Executive Chairman.

(12) He shall represent the Board in all legal proceedings by or against the Board.

(13) He shall execute and sign on behalf of the Board all agreements, contracts, deeds and other instruments after they are duly approved by the Executive Committee.

(14) He shall keep in his safe custody the seal of the Board.

(15) He may sanction all advances that are admissible to the employees of the Board according to the rules applicable to them.

12. Scales of pay, qualification and method of appointment of the Secretary and other employees of the Board :-

Scales of pay, method of appointment and qualifications of the Secretary and other employees of the Board shall be as specified in the Schedule annexed to these regulations:

Provided that any of the category of posts specified in the Schedule may be filled by deputation or transfer of officers of any of the State Civil Services or Officers and servants of the High Court or any of the Corporation owned or controlled by the State Government.

13. Conditions of service of the employees of the Board :-

¹[(l)]The provisions of.

- (a) the Karnataka Civil Services Rules;
- (b) the Karnataka Civil Services (General Recruitment) Rules, 1977;
- (c) the Karnataka Civil Services (Conduct) Rules, 1966;
- (d) the Karnataka Civil Services (Probation) Rules, 1977;
- (e) the Karnataka Government Servants' (Seniority) Rules, 1957;
- (f) the Karnataka Government Servants' (Medical Attendance) Rules, 1963;
- (g) the Karnataka Civil Services (Confidential Reports) Rules, 1976; and
- (h) the Karnataka Civil Services (Direct Recruitment) by Selection Rules, 1973;
- (i) all other rules made by the Governor under the proviso to Article 309 of the Constitution of India shall mutatis mutandis be

² [(2) The provisions of the Karnataka Civil Services (Service and Kan- nada Language Examinations) Rules, 1974 shall mutatis mutandis apply to the employees of the Board and the service examinations required to be passed by the employees specified in column (2) of Schedule II shall be those specified in the corresponding entries in column (3) of the said schedule.]

1. Rule 13 renumbered as sub-rule (1) thereof by Notification No. KLAB 20/8KM), dated 19-9-1985 w.e.f. 24-10-1985
2. Sub-rule (2) inserted by Notification No. KLAB 20/8KM), dated 19-9-1985 w.e.f. 24-10-1985

CHAPTER 5

Accounts

14. Receipt and custody of the funds of the Board :-

(1) All moneys received by the Board shall be credited to the account of the Board in a scheduled bank. Provided that not more than five hundred rupees may be kept in the office of the Board as 'imprest amount' for meeting contingent expenses.

(2) The funds of the Board shall be operated by means of cheques drawn on banks. All cheques for not more than twenty-five thousand rupees shall be signed jointly by the Secretary for in his

absence by the Additional Secretary] and the Accounts Officer¹ [or Accounts Superintendent]. Cheques for more than twenty-five thousand rupees shall also be signed by the Executive Chairman except when he is on leave or away from headquarters.

(3) At the end of each month, the entries in the pass book issued by the bank in which the funds of the Board are deposited, shall be verified with the general cash book of the Board and if any discrepancies are noticed, the same shall be rectified immediately.

1. Shall be and shall be deemed always to have been inserted by Notification No. KLAB 20/8KM), dated 19-9-1985

15. Maintenance of Accounts :-

(1) The Secretary shall ensure that the accounts of the Board are maintained regularly and accurately in the manner specified in the rules and these regulations.

(2) The commission or other administrative charges if any, charged by banks shall be taken as regular expenditure of the Board.

(3) In addition to the books, if any, prescribed under the Karnataka Legal Aid Board Rules, 1983, the following registers and forms shall be maintained regarding the accounts of the Board. Registers.

1. Receipt Book
2. General Cash Book
3. Office Cash Book
4. Acquittance Roll
5. Register of T.A.
6. Register of Bills
7. Register of Stamps
8. Register of Stock of Furniture
9. Register of Stationery/Bank Cheque
10. Cheques (Supplied by the Bank)
11. Classification Register of Expenditure
12. Register of funds received
13. Register of advances

14. Voucher Book

SCHEDULE 1

SCHEDULE

SCHEDULE I				
Sl. No.	Designation and Scale of pay	No. of Posts	Method of recruitment	Qualification
(1)	(2)	(3)	(4)	(5)
1.	Secretary 1725-75-2250-1 00-2350 (Civil Judge) 1950-75-2250-1 00-2450 (Deputy Secretary)	1	By deputation from the Cadre of Civil Judges of the Karnataka Judicial Service or from the Cadre of Deputy Secretary of the Karnataka Government Secretariat Services or a K.A.S. (Senior Scale) Officer.	Must be holder of degree in Law of a University established by law in India.
2.	Assistant Secretary 1200-60-1500-7 5-2175	2	By promotion from the cadre of Section Officer or by deputation from the cadre of Munsiffs of the Karnataka judicial Service or from the cadre of Under Secretaries to Government of Karnataka Secretariat Services.	For Promotion. Must have put in not less than three years of service in the cadre of Section Officer
3.	Section Officer 1050-50-1200-6 0-1500-75-1950	2	By promotion from the cadre of Senior Assistant	For Promotion. Must have put in not less than three years of service in the cadre of Senior Assistant.
4.	Senior Assistant 860-30-950-50-1200-60-1500-75-1650	3	By promotion from the cadre of Assistants and Stenographers.	For Promotion. Must have put in not less than three years of service in the cadre of Assistants or Stenographers. In the case of Stenographer, he should have worked as Assistant for a period of not less than one year.
5.	Accounts Superintendent 860-30-950-50-1 200-60-1500-75-1650	1	By deputation from the cadre of Accounts Superintendent of the Karnataka State Accounts Service.	
6.	Assistant 675-25-800-30-9 50-50-1200-60-1320	8	By Direct Recruitment Provided that [sixty per cent of the] posts may be filled by promotion from the cadre of Junior Assistants.	For Promotion. Must have put in not less than one year of service in the cadre of Junior Assistants.
				For Promotion. Must have passed Senior Typewriting

7.	Stenographers 675-25-800-30-9 50-50-1200-60-1320 + Spl. Pay as admissible by Government.	3	By Direct Recruitment. Provided that one post may be filled by promotion from the cadre of typists.	and Senior Shorthand examinations in English and Kannada languages conducted by the Karnataka Secondary Education Examination Board or must be holder of a diploma in Secretarial Practice granted by the Board of Technical Education in Karnataka or equivalent qualification.
8.	Junior Assistants 490-15-550-20-6 50-25-800-30-950	6	By Direct Recruitment Provided that one post 4[may be filled by promotion from the cadre of Attender-cum-Driver and if no suitable Attender-cum-Driver is available for promotion, by promotion from the cadre of Dalayats]	For Promotion. (1) Must have passed SSLC Examination or equivalent qualification; (2) Must have put in; not less than three years of service as dalayat.
9.	Typists 490-15-550-20-650-25-800-30-950 + Spl. pay	6	By direct recruitment	(1) Must have passed SSLC Examination (2) Must have passed Senior Typewriting in English and Kannada
[10-A]	Attender-cum-driver Rs. 410-10460-15-550-20-650-25-700 Special Pay			1. By promotion from the cadre of dalayats, If no suitable dalayat is available or promotion, by direct recruitment For Promotion. Must have put in not less than 3 years of service in cadre of dalayaths. For direct recruitment . Must be holder of a current Motor Vehicle Driving Licence. Must have passed VII Standard.]
10.	Driver 410-10-460-15-550-20-650-25-700 + Spl. pay	1	do	(1) Must be a holder of a current Motor Vehicle Driving Licence. (2) Must have passed VII Standard Examination
11.	Peons/Dalayats 390-5-410-10-46 0-15-550	5	do	Must have passed VII Standard Examination
12.	Watchman 390-5-410-10-46 0-15-550	1	do	Must have passed IV Standard Examination

SCHEDULE 2
SCHEDULE

SCHEDULE II			
Sl. No.	Name of the post	Service Examinations to be passed	
(1)	(2)	(3)	
		1	Accounts Higher

1.	Senior Assistant	1.	Accounts Higher
		2.	General Law Part I
		3.	General Law Part II
		4.	Registration
2.	Assistants and Stenographers	1.	Accounts Higher
		2.	General Law Part I
		3.	Registration
3.	Junior Assistants and Typists	1.	Accounts Lower
		2.	Registration.