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JAMMU AND KASHMIR
LEGAL SERVICES AUTHORITY
JDA Complex Janipur Jammu



Notification

Jammu, the 22nd February, 2021

No.01.- In exercise of the powers conferred by section 29A of Legal Services Authorities Act, 1987 (Central Act No.39 of 1987), the J&K Legal Services Authority hereby makes the Regulations called the Jammu and Kashmir Legal Services Authority Regulations, 2021, attached herewith as **annexure "A"**.

By Order.



(M.K.Sharma)
Member Secretary

No.SLSA/Estt/2021/02/253-260

Dated: 22 .02.2021

Copy for information to the:

1. Registrar General, Hon'ble High Court of J&K Jammu.
2. Secretary to Hon'ble the Chief Justice, High Court of J&K Jammu (Patron in Chief, J&K Legal Services Authority).
3. Secretary to Government, Department of Law Justice and Parliamentary Affairs J&K Jammu.
4. Secretary to Hon'ble Executive Chairman, J&K Legal Services Authority.
5. Secretary to Hon'ble Chairman, J&K High Court Legal Services Committee.
6. Chairmen District Legal Services Authorities / Tehsil Legal Services Committees.
7. General Manager, Government Press Jammu for publication in an extraordinary issue of Government Gazette. **150 copies** of the notification may kindly be furnished to this office within **10 days**.
8. Notification file.


(M. K.Sharma)
Member Secretary

J&K LEGAL SERVICES AUTHORITY

Notification No. 01
Jammu, the 22nd Feb, 2021

In exercise of the powers conferred by section 29A of Legal Services Authorities Act, 1987 (Central Act No.39 of 1987), the J&K Legal Services Authority hereby makes the following Regulations.

**THE JAMMU AND KASHMIR LEGAL SERVICES
AUTHORITY REGULATIONS, 2021.**

CHAPTER I

Preliminary

1. *Short title and commencement.*—(1) These regulations may be called the Jammu and Kashmir Legal Services Authority Regulations, 2021.
- (2) They shall come into force with effect from the date of their publication in the official gazette.
2. *Definitions.*—(1) In these regulations, unless the context otherwise requires—
- (a) "Act" means the Legal Services Authorities Act, 1987 (Central Act No.39 of 1987);
- (b) "Aided Person" means a person to whom legal service is provided in accordance with the provisions of the Act, rules and these regulations
- (c) "Committee" means in relation to the High Court, the High Court Legal Services Committee and in relation to the Tehsil, the Tehsil Legal Services Committee;
- (d) "District Authority" means the District Legal Services Authority constituted under section 9 of the Act;
- (e) "High Court" means the High Court of Jammu and Kashmir;
- (f) "Legal Service" includes rendering of any services in the conduct of any case or other legal proceedings before any court or any other authority or tribunal and giving of advice on any legal matter.
- (g) "Rules" means the Jammu and Kashmir Legal Services Authority Rules, framed under the Act.



(2) All other words and expressions used in these regulations, but not defined, shall have the same meanings as are assigned to them in the Act or the rules framed thereunder.

CHAPTER II

High Court Legal Services Committee

3. *Number, experience and qualification of member of the High Court Legal Services Committee.*—(1) The High Court Legal Services Committee shall, including Chairman and Secretary, have not more than seven members to be nominated by the Chief Justice.

(2) A person shall not be qualified for nomination as a member of the High Court Legal Services Committee unless he is—

- (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children, Rural and Urban Labour ; or.
- (b) an eminent person in the field of law or public administration ; or
- (c) a person of repute who is specially interested in the implementation of the legal services schemes.

4. *Term of office and other conditions of appointment of the High Court Legal Services Committee.*—(1) The term of office of the members of the High Court Legal Services Committee nominated under regulation 3 by the Chief Justice shall be two years and they shall be eligible for re-nominations.

(2) A member of the High Court Legal Services Committee under regulation 3 may be removed by the Chief Justice of the High Court, if—

- (a) he fails, without sufficient cause, to attend three consecutive meetings of the High Court Legal Services Committee ;
- (b) has been adjudged as insolvent; or
- (c) has been convicted of an offence, which in the opinion of the State Authority involves moral turpitude ; or
- (d) has become physically or mentally incapable of acting as a member ; or
- (e) has so abused his position as to render his continuance in the High Court Legal Services Committee, without prejudicial to the public interest :

Provided that, no member shall be removed from the High Court Legal Services Committee, without affording him reasonable opportunity of being heard.

(3) A member may by writing under his hand addressed to the Chairman, resign from the High Court Legal Services Committee and such resignation shall take effect from the date on which it is accepted by the Chief Justice or on the expiry of 30 days from the date of tendering resignation, whichever is earlier.

(4) If any member nominated under regulation 3 ceases to be member of the High Court Legal Services 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 a member for the remaining term of the member in whose place he is nominated.

(5) Subject to the provisions of sub-regulation (6) all members nominated under regulation 3 shall be entitled to payments of travelling allowance and daily allowance in respect of journeys performed in connection with the work of the High Court Legal Services Committee and shall be paid by the High Court Legal Services Committee in accordance with the rules as are applicable to the Class I Officers of the Government as amended from time to time.

(6) If a member is a Government employee, he shall be entitled to draw the travelling allowance and daily allowance at the rates to which he is entitled to under the service rules applicable to him and shall draw from the department, in which he is employed and not from the State Authority.

5. Functions of High Court Legal Services Committee.—(1) It shall be the duty of the High Court Legal Services Committee to give effect to the policy and directions of the State Authority.

(2) Without prejudice to the generality of the functions referred to in sub-regulation (1) the Committee shall, perform all or any of the following functions for the High Court, namely :—

- (a) provide legal services to persons who satisfy the criteria laid down under the Act and the rules framed there under ;
- (b) conduct Lok Adalats for High Court cases ; and
- (c) encourage the settlement of disputes by way of mediation, negotiations, arbitration and conciliation.

6. Functions of the Secretary.—(1) The Secretary shall be the custodian of all assets, accounts, records and funds placed at the disposal of the Committee and shall work under the supervision and directions of the Chairman of the Committee.

(2) The Secretary shall maintain or cause to be maintained true and proper accounts of the receipts and disbursement of the funds of the Committee.

(3) The Secretary shall convene meetings of the Committee with the previous approval of the Chairman and shall also attend meetings and shall be responsible for maintaining a record of the minutes of the proceedings of the meetings.

7. Meetings of the Committee.—(1) The Committee shall ordinarily meet once a month on such date, and at such place as the Secretary may, in consultation with the Chairman decide.

(2) The Chairman, and in the absence of the Chairman a member nominated by him shall preside over the meeting of the committee.

(3) The procedure at any meeting of the Committee shall be such as the Committee may determine.

(4) The minutes of the proceedings of each meeting shall be truly and faithfully maintained by the Secretary and such minutes shall be open to inspection at all reasonable times by the members of the Committee. A copy of the minutes shall, as soon as may be, after the meeting, be forwarded to the State Authority.

(5) The quorum for the meeting shall be four, including the Chairman or the member presiding over the meeting.

(6) All questions at the meeting of the Committee shall be decided by a majority of the members present and voting and in case of a tie, the person presiding shall have a second or casting vote.

8. *Funds, accounts and audit of the Committee.*—(1) The funds of the Committee shall consist of such amounts as may be allocated and granted to it by the State Authority as also such amounts as may be received by the Committee from time to time either by way of donations or by way of costs, charges and expenses recovered from the legal aided persons or the opposite party or otherwise.

(2) The funds of the Committee shall be maintained in a Scheduled Bank.

(3) For the purpose of meeting the incidental minor charges such as Court fee, stamps and expenditure necessary for obtaining copies of documents etc. a permanent advance of rupees five thousand shall be placed at the disposal of the Secretary of the Committee.

(4) All expenditure on legal aid and advice, provision of other legal services as also expenditure necessary for carrying out the various functions of the Committee, shall be met out of the funds of the Committee. Secretary shall operate the bank accounts of the Committee in accordance with the directions of the Chairman.

(5) The Committee shall cause to be kept and maintain true and correct accounts of all receipts and disbursements and furnish quarterly returns to the State Authority. The records shall be maintained in accordance with the provisions of the Financial Code. The accounts of the Committee shall be audited by the Local Audit Department at least once an year and any expenditure incurred in connection with such audit shall be paid by the Committee.

CHAPTER III

District Legal Services Authorities and ~~Tehsil~~ Legal Services Committees.

9. *Secretary District Legal Services Authority*.—(1) The Secretary of the District Legal Services Authority appointed under sub-section (3) of section 9 of the Act, shall act, exercise and perform the duties of the Secretary of the District Legal Services Authority..

(2) The Secretary of the District Authority shall be custodian of all assets, accounts, records and funds placed at the disposal of the District Authority.

(3) The Secretary shall maintain or cause to be maintained true and proper accounts of the receipts and disbursement, of the funds of the District Authority.

(4) The Secretary shall convene meetings of the District Authority with the previous approval of the Chairman and shall also attend meeting and shall be responsible for maintaining a record of the minutes of the proceeding of the meetings.

10. *Meeting of the District Authority*.—(1) The District Authority shall ordinarily meet once a month on such date, at such place, as the Secretary may, in consultation with the Chairman decide.

(2) The Chairman, and in the absence of the Chairman, a member nominated by the Chairman shall preside over the meeting of the District Authority.

(3) The procedure at any meeting of the District Authority shall be such as the District Authority may determine.

(4) The minutes of the proceedings of each meeting shall be truly and faithfully maintained by the Secretary and such minutes shall be open to inspection at all reasonable times by the members of the District Authority.

A copy of the minutes shall, as soon as may be after the meeting be forwarded to the Chairman of the District Authority and the Member Secretary of the State Authority.

(5) The quorum for the meeting shall be three including the Chairman or the member presiding over the meeting.

(6) All questions at the meeting of the District Authority shall be decided by a majority of the members present and voting and in a case of a tie, the person presiding shall have second or casting vote.

11. *The term of office and other conditions of members of the District Authority*.—The term of office of the members nominated under clause (b) sub-section (2) of section 9 of the Act, to the District Authority, shall be for two years, and they shall be eligible for re-nomination.

12. Subject to the regulation 13, all nominated members of the District Authority shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the District Authority and shall be paid by the District Authority in accordance with the rules as are applicable to Class II Officers of the Government as amended from time to time.

13. If a member is a Government employee, he shall be entitled to draw travelling allowance and daily allowance at the rates to which he is entitled under the Services Rules applicable to him and shall draw from the department in which he is employed, and not from the District Authority.

14. Funds of the District Authority.— (1) The funds of the District Authority established under section 17 of the Act, shall be maintained in a Scheduled Bank.

(2) For the purpose of meeting the incidental minor charges such as court fee, stamps and expenditure necessary for obtaining copies of the documents etc., a permanent advance of rupees three thousand shall be placed at the disposal of the Secretary of the District Authority.

(3) All expenditure on legal aid and advice, provisions of other legal services as also expenditure necessary for carrying out the various functions of the District Authority, shall be met out of the funds of the District Authority and in accordance with such rules as may be made by the District Authority with the prior approval of the State Authority.

(4) The Secretary shall operate the bank accounts of the District Authority.

(5) The District Authority shall cause to be kept and maintained true and correct accounts of all receipts and disbursements and furnish quarterly return to the State Authority. Such accounts shall be audited in accordance with the provisions of section 18 of the Act.

15. Secretary of the Tehsil legal Services Committee.—(1) The Secretary to the Tehsil Legal Services Committee appointed under sub-rule (3) of the rule 16 shall be part time Officer and for the discharge of the additional duties shall be paid honorarium as may be fixed from time to time by the State Authority in consultation with State Government.

(2) The Secretary shall be the custodian of all assets, accounts, records and funds.

(3) The Secretary shall maintain or cause to be maintained true and proper accounts of the receipts and disbursement of funds of the Tehsil Committee.

(4) The Secretary shall, with the previous approval of the Chairman, convene meetings of the Tehsil Committee and shall also attend meetings and shall be responsible for maintaining a record of the minutes of the proceedings of the meetings.

16. Meetings of Tehsil Committee.—(1) The Tehsil Committee shall ordinarily meet once a month on such date, at such place, as the Chairman may decide.

(2) The Chairman, and in the absence of the Chairman, a member nominated by the Chairman shall preside over the meeting of the Tehsil Committee.

(3) The procedure at any meeting of the Tehsil Legal Services Committee shall be such as the Tehsil Committee may determine.

(4) The minutes of the proceedings of each meeting shall be truly and faithfully maintained by the Secretary and such minutes shall be open to inspection at all reasonable time by the members of the Tehsil Committee. A copy of the minutes shall, as soon as may be, after the meeting, be forwarded to the District Authority as well as State Authority.

(5) The quorum of the meeting shall be three including the Chairman or the member presiding over the meeting.

(6) All questions at the meeting of the Tehsil Committee shall be decided by the majority of the members present and voting and in case of a tie, the person presiding shall have a second or casting vote.

17. *Funds, accounts and audit of the Tehsil Legal Services Committee.*—(1) The funds of the Tehsil Committee shall consist of such amounts as may be allocated and granted to it by the State Authority as also such amount as may be received by the Committee from time to time either by way of donations or by way of costs, charges and expenses recovered from the legal aided persons or the opposite party or otherwise.

(2) The funds of the Tehsil Committee shall be maintained in a Scheduled Bank.

(3) For the purpose of meeting the incidental minor charges such as court fee, stamps and expenditure necessary for obtaining copies of documents etc., a permanent advance of rupees two thousand shall be placed at the disposal of the Secretary of the Tehsil Committee.

(4) All expenditure on legal aid and advice, provisions of other legal services as also expenditure necessary for carrying out the various functions of the Tehsil Committee shall be met out of the funds of the Tehsil Committee.

(5) The Chairman / Secretary shall operate the bank accounts of the Committee.

(6) The Tehsil Committee shall cause to be kept and maintain true and correct accounts of all receipts and disbursements and furnish quarterly returns to the State Authority. The accounts of the Tehsil Committee shall be audited by the Local Audit Department at least once a year and any expenditure incurred in connection with such audit shall be paid by the Tehsil Committee.

18. *Term of office and other conditions of members of Tehsil Legal Services Committee.*—The provisions of regulations 11, 12 and 13 shall apply *mutatis mutandis* to the members of Tehsil Legal Services Committee nominated under clause (b), sub-section (1) of section 11A of the Act.

CHAPTER IV

Legal Aid.

19. *Criteria for giving legal services.*—In addition to the persons described in section 12 of the Act, the Legal Services Committee or Authority may grant legal aid :—

- (i) in a case of great public importance ; or
- (ii) in a test case, the decision of which is likely to affect cases of numerous other persons belonging to the weaker sections of the community ; or
- (iii) in any case, which for reasons to be recorded in writing, is, considered by the Chairman to be deserving of legal aid even where the main test is not satisfied.

20. *Legal aid not to be given in certain cases.*— Legal aid shall not be given in the following cases, namely :—

- (1) Proceedings wholly or partly in respect of—
 - (a) defamations ; or
 - (b) malicious prosecution ;
 - (c) a person proceeded for contempt of court.
- (2) Proceedings in relation to any elections ;

- (3) Proceedings incidental to any proceedings referred to in items (1) and (2);
- (4) Proceedings in respect of economic offences and offences against social laws:

Provided that the Chairman may in appropriate cases grant legal aid even in such proceedings for reasons to be recorded in writing.

- (5) Where a person seeking legal aid—
 - (a) is concerned with the proceedings only in official capacity; or
 - (b) if a formal party to the proceedings, not materially concerned in the outcome of the proceedings and his interests are not likely to be prejudiced on account of the absence of proper representation.

21. Application for legal aid or advice .—(1) Any person seeking legal aid or advice may make an application-cum-affidavit addressed to the Secretary to the Authority/Committee. But if the applicant is illiterate or not in a position to fill in the particulars required in the application, the Secretary or any other officer of the Committee or any legal practitioner whose name appears on the panel of legal aid lawyers of the Authority/Committee, as the case may be, shall gather the necessary particulars from the applicant and prepare the application on his behalf and after reading it out and explaining it to him obtain his signature or thumb mark on it.

(2) The application-cum-affidavit should be in the form annexed as "**Form A**".

(3) The application-cum-affidavit shall be accompanied with a certificate of the competent authority who for the purpose of clauses (a), (b), (c), (e) and (f) of section 12 of the Act shall be Tehsildar/any Gazetted Officer, for the purpose of clause (d) Medical Officer and for purposes of clause (g) of the section 12 shall be incharge of the custody and Superintendent Hospital, Nursing Home respectively. The certificate shall be in "**Form B**" annexed herewith or in the form prescribed under relevant rules governing that particular category.

22. Certificate of eligibility.—(1) Where an application for legal aid or advice is allowed, the Secretary of the Authority/Committee shall issue a certificate of eligibility to the applicant entitling him to legal aid or advice in respect of the proceedings concerned. The certificate shall be in shape of "**Form C**" annexed herewith.

(2) In case the legal aid is withdrawn, the lawyer to whom the case is assigned and the court/tribunal before which the case is pending shall be informed accordingly in writing.

23. Honorarium payable to legal practitioner on the panel.—(1) The Authority / the Committee shall prepare a panel of legal practitioners who are prepared to represent or prosecute the cases on behalf of the legal aided persons under these regulations. The legal practitioners on the panel shall be paid honorarium as set out in the Schedule.

Provided that where the matter is disposed of in less than five effecting hearings, the fee payable shall be 1/3 of the fee prescribed in the Schedule.

(2) No legal practitioner to whom any case is assigned either for legal advice or for legal aid shall receive any fee or remuneration whether in cash or in kind or any other advantage monetary or otherwise from the aided person or from any other person on his behalf.

(3) The legal practitioner on the panel, who has completed his assignment shall submit a statement showing the honorarium due to him in connection with the legal proceeding conducted by him on behalf of the

legally aided persons to the Secretary of the Authority/ Committee who shall, with the approval of the Chairman and after the scrutiny and counter-signature, place the same before the Authority/Committee for sanction and on such sanction being given by the Authority/Committee, the amount shall be paid by the Secretary to the legal practitioner. The legal practitioner, may, however, waive the honorarium in whole or part.

24. Cancellation of Certificate of Eligibility.— The Authority/ Committee may either on its motion or otherwise cancel the certificate of eligibility granted under regulation 22, under the following circumstances, namely:—

- (a) in the event of being found that the aided person was possessed of sufficient means and the certificate of eligibility was obtained by misrepresentation or fraud ;
- (b) in the event of any material change in the circumstances of the 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 the aided person not co-operating with the Committee/Authority or with legal practitioner assigned by the Committee/ Authority ;
- (e) in the event of the aided person engaging a legal practitioner other than the one assigned by the Committee/Authority ;
- (f) in the event of death of the aided person except in case of civil proceedings where the right of liability survives ;
- (g) a report has been received from the advocate assigned to the legally aided person that the legally aided person is not co-operating with the advocate and such report has been verified by the Chairman of the Legal Services Committee/ Authority :

Provided that no such certificate of eligibility shall be cancelled without giving due notice thereof to the aided person or to his legal representatives in the event of his death, to show cause as to why the certificate should not be cancelled.

(2) Where the certificate of eligibility is cancelled on the ground set out in clause (a) above, the Authority / Committee shall discontinue legal aid allowed and shall be entitled to recover from the aided person the amount of legal aid granted to him.

25. Proceedings by the Chairman in most urgent cases:— Notwithstanding anything to the contrary contained in these regulations, in case the Chairman of any Committee/Authority is of opinion that such a situation has arisen wherein immediate action is required to be taken, or there is no possibility of immediate convening the meeting of the Committee/Authority, then he may, in anticipation of the approval of the Committee/Authority concerned, take such action as he may deem fit, and thereafter, he shall, as soon as possible, send a report of his action so taken, to the Committee/ Authority concerned.

CHAPTER V

Appointment of Officers and Employees of the Legal Services Authorities and Committees

26. Appointment of Officers and Employees: (i) Appointment of Officers and Employees of the Legal Services Authorities and Committees shall be made by the Chief Justice / Patron-in-Chief on the basis of recommendations made in that behalf by the Executive Chairman.

(ii) With a view to achieving the objective as aforesaid in Regulation 26(i), the Chief Justice / Patron-in-Chief shall frame Recruitment Rules prescribing the qualifications, mode of recruitment and the allied matters therein.

27. Functions of the State Authority.—(1) In addition to the functions specified in section 7 of the Act, the State Authority shall exercise supervision and control including the disciplinary control over the employees of the State Legal Services Authority, High Court Legal Services Committee, District Authority and Tehsil Legal Services Committees under the prescribed rules/regulations for effecting such control.

(2) The State Authority shall exercise the supervision and control as mentioned in clause (1) through its Executive Chairman.

(3) Executive Chairman may in consultation with the Chief Justice delegate powers of supervision and control including power to initiate disciplinary proceedings against the officers/ employees of the State Legal Services Authority/ High Court Legal Service Committee/District Legal Services Authority/Tehsil Legal Services Committee to any person.

28. Posting and transfers.—In the interest of administration and smooth functioning of the Authorities/Committees, the Member Secretary, Legal Services Authority, on approval of the Executive Chairman, may order within and inter Authorities/Committees such transfers and postings, as are required from time to time.

29. The provisions of Jammu and Kashmir Employees (Conduct) Rules, 1971 and Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956 deemed to have been issued under proviso to Art. 309 of Constitution of India vide notification S.O. 04 dated 31.10.2019 and S.O. 18 dated 10.01.2020 respectively shall apply mutatis mutandis with respect to the matters covered by the said rules/regulations.

CHAPTER VI

Miscellaneous

30. Without prejudice to the powers of the Government to frame Rules regarding entitlement to Salary, Allowance and other conditions of services of the officers and the employees of the Authorities and Committees, these regulations shall be read supplemental to the Rules framed or to be framed by Government under sub-section (6) of section 6, sub-section (6) of section 8-A, sub-section (6) of section 9 and sub-section (4) of section 11-A of the Act in so far they are not inconsistent with the Rules.

31. The State Authority may, in case of absence of Member- Secretary/Secretary or in emergency authorize any Officer of the Legal Services Authorities/Committees to discharge functions of the Member Secretary /Secretary of a particular Authority /Committee.

SCHEDULE

Advocates engaged out of the panel as prepared for defending/protecting legal interest of a person granted free aid shall be entitled to the fee as under :—

A. High Court:

The panel Lawyers may be paid at High Court Level:-

1.	Civil/Criminal W.P, Criminal Appeals, FAOs/RFAs, Revision (Civil Criminal)	Rs.10,000/- per case
2.	Bail Applications and parole matters and other Civil/Criminal Cases not covered at Sr.No.1	Rs. 7,500/-
3.	Charges for drafting of substantive pleadings, applications and other Miscellaneous Charges:	Rs. 2,500/- maximum in one case.

B. STATE / CENTRAL TRIBUNALS

1.	All types of cases	Rs.10,000/-
2.	Drafting of Substantive pleadings, Miscellaneous applications.	Rs. 2,500/- maximum in one case .

C. The Panel Lawyers at Subordinate Courts at all levels including Tribunals at District level may be paid;-

1.	Sessions Trials	Rs.12,500/- per case inclusive of all other expenses.
2.	All other cases	Rs.7500/- inclusive of all other expenses.

Explanation.—For the purpose of these regulations ;—

- (1) "Court of Sub-Division Level/Tehsil Level" means the Court of Chief Judicial Magistrate, Sub-Judge, Judicial Magistrate, Court of Assistant Commissioner 1st Grade, Sub-Divisional Collector, Sub Divisional Magistrate, Tehsildar.
- (2) "District Level Court" shall mean the Court of District & Sessions Judge, Additional District and Sessions Judge, District Collector, Divisional Commissioner, District Consumer Forum and Labour and Industrial Tribunal.
- (3) "High Court Level" means the High Court of Jammu and Kashmir State Consumer Disputes Redressal Commission, the Financial Commissioner Revenue (Appeals), Central Administrative Tribunal and Special Tribunal.

II. Fee payable to a panel lawyer under these regulations shall be made in three installments as under :—

- (i) 1/3rd of the fee, on engagement of the lawyer, payable after first hearing of the case ;
- (ii) 1/3rd of the fee payable after 5th effective hearing of case ;
- (iii) remaining 1/3rd of the fee, payable after the final decision of the case.

Member Secretary


FORM A

Application-cum-Affidavit for free Legal Services under Rule 22, Jammu and Kashmir legal Services Authorities Rules, 2020 and regulation 21 (2) of J&K Legal Services Authority Regulations, 2020

To
Member-Secretary of the State Authority/Secretary of the High Court Legal Services Committee/Chairman/ Secretary of District Authority /Tehsil Legal Services Committee_____

(Strike out which is not applicable)

- 1. Name of the applicant_____ (Capital Letters)
- 2. Name of the father/husband/guardian/next friend_____
- 3. Place of residence village/city_____
 - Tehsil_____
 - District_____
 - P. O. _____
- 4. Occupation of the applicant_____
- 5. Whether permanent resident of J&K _____
- 6. (a) Whether applicant is a member of Scheduled Caste/Scheduled Tribe or OBC_____
 - (b) a victim of trafficking in human being or beggar referred to in Art. 23 of the Constitution _____
 - (c) a woman/child_____
 - (d) a victim of mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster_____
 - (e) an Industrial workman_____
 - (f) in custody, including custody in a protected home within meaning clause-of section 2 of Immoral Traffic (Prevention) Act, 1956 : or in psychiatric hospital/nursing home_____
 - (g) belongs to any other category/class which may entitle him/her to claim free legal service_____



Note : —Attach the certificate from prescribed authority, for belonging to the particular category, against which legal service is claimed

- 7. Whether you have received any legal service prior to this application from the authority/committee_____
- 8. Whether you have to institute a fresh case, if so, state the name of Court/Tribunal where the case is to be instituted giving the brief facts of the case_____ (use separate sheet for giving facts).

9. Whether case is pending, if so, state :

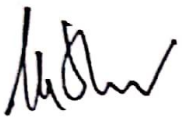
(a) Name of the Court/Tribunal where case is pending _____
(attach a certificate from the concerned Court/Tribunal)

(b) The Stage of legal proceeding _____ (c)

Nature of the case giving the brief facts of the case _____
(use separate sheet for giving facts)

Date _____

Place _____



Signature/Thumb impression of
the applicant.

FORM B

(Under Sub-Regulation (3) of Regulation 21)

(i) This is to certify that I am personally satisfied that
Shri/ Smt. _____ son/daughter/

widow/wife of Shri _____

R/o Tehsil _____ District _____ belongs to

_____ category/is a victim of natural calamity

like _____

(ii) That Shri/Smt. _____ son/

daughter/widow of Shri _____

R/o _____ Tehsil _____

District _____ suffering from _____ is

physically handicapped _____

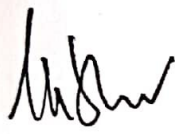
(iii) That Shri/Smt. _____ son/

daughter/widow of Shri _____

R/o _____ Tehsil _____

District _____ is in custody/protected home.

Note :—Strike out which is not applicable.



Dated: _____

Place: _____

Signature with Seal.

FORM C

(Under Regulation 22)

To be filled in by the Secretary of the Authority/Committee

(i) That Shri _____ son/
 daughter/widow/wife of Shri _____
 R/o _____ Tehsil _____
 District _____ has applied for legal service. His/her
 case was found to be genuine. Counsel Shri _____ is
 engaged on behalf of the :

(ii) Legal aid is given in favour of Shri _____
 son/daughter/widow/wife of Shri _____
 R/o _____ Tehsil _____
 District _____

Note :—Strike out which is not applicable.

Date _____

Place _____

Authority/Committee

The Regulations were adopted today on _____ by the State Authority.

Member Secretary,
 J&K Legal Services Authority.