

Supreme Court Legal Services Committee Rules, 2000

In exercise of the powers conferred by Section 27 of the Legal Services Authorities Act, 1987 (39 of 1987), the Central Government in consultation with the Chief Justice of India, hereby makes the following rules, namely:-

1. Short Title & Commencement : These rules may be called the Supreme Court Legal Services Committee Rules, 2000.

They shall come into force on the date of their publication in the Gazette of India.

2. Definitions : In these rules unless the context otherwise requires-

"Act" means the Legal Services Authorities Act, 1987 (39 of 1987);

"Member" means the Members of the Supreme Court Legal Services Committee nominated under clause (b) of sub-section (2) of section 3 A of the Act ;

"Secretary" means the Secretary of the Supreme Court Legal Services Committee appointed under sub-section (3) of section 3 A of the Act;

all other words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. The number, experience and qualifications of the Members of the Supreme Court Legal Services Committee under clause (b) of sub-section (2) of section 3 A : The Supreme Court Legal Services Committee shall consist of not more than nine Members.

The following shall be the ex officio Members of the Supreme Court Legal Services Committee:-

Attorney General of India;

Additional Secretary in the Department of legal Affairs, Ministry of Law, Justice and Company Affairs, Government of India or his nominee;

Additional Secretary in the Department of Expenditure, Ministry of Finance

, Government of India or his nominee; and

Registrar General of the Supreme Court of India.

The Chief Justice of India may nominate other Members from amongst those possessing the qualification and experience prescribed in sub-rule (4) of the rules.

A person shall not be qualified for nomination as a Member unless he is -

an eminent person in the field of law; or

a person of repute who is specially interested in the implementation of the Legal Services Schemes; or

an eminent social worker who is engaged in the upliftment of the weaker sections of the society including Scheduled Castes, Scheduled Tribes, women, children, rural and urban labour.

4. The experience and qualifications of Secretary of the Supreme Court Legal Services Committee under sub-section (3) of section 3A : A person shall not be qualified for appointment as Secretary unless he is -

an officer of the Supreme Court Registry not below the rank of Joint Registrar; or

an officer of the rank of Director in the Central Government and possessing a degree in Law.

5. The number of officers and other employees of the Supreme Court Legal Services Committee under sub-section (5) of section 3A : The Supreme Court Legal Services Committee shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in the Schedule to these rules or as may be notified by the Central Government from time to time.

6. The conditions of service and the salary and allowances payable to the officers and employees of the Supreme Court Legal Services Committee under sub-section (6) of section 3A : The officers and other employees of the

e Supreme Court Legal Services Committee shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the Schedule to these rules or at par with the Central Government employees holding equivalent posts.

In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and employees of the Supreme Court Legal Services Committee shall be governed by the Central Government rules as are applicable to persons holding equivalent posts.

The officers and other employees of the Supreme Court Legal Services Committee shall be entitled to such other facilities and benefits as may be notified by the Central Government from time to time.

Explanation - The words "benefits", "allowances", "entitlements", "facilities", occurring in these rules shall be deemed to include, the entitlement to gratuity, provident fund, housing, medical benefits, pension, group insurance, and all other benefits as are available to employees of the Central Government holding equivalent posts.

7. The upper limit of annual income of a person entitling him to legal services under clause (h) of section 12, if the case is before the Supreme Court : A person whose annual income from all sources does not exceed Rs.50,000 (Rupees fifty thousand) per annum shall be entitled to legal services under clause (h) of section 12 of the Act.

8. The experience & qualifications of other persons of the Lok Adalats organised by the SC Legal Services Committee specified in sub-section (3) of section 19 : A person shall not be qualified to be included in the Lok Adalat unless he is -

a member of the legal profession; or

a person of repute who is specially interested in the implementation of the Legal Services Schemes and Programmes; or

an eminent social worker who is engaged in the upliftment of the weaker sections of the society, including Scheduled Castes, Scheduled Tribes, women, children, rural and urban labour.

9. PROFORMAS

(As laid down by the Supreme Court Legal Services Committee, New Delhi)

APPLICATION FOR LEGAL AID

Supreme Court legal Aid Committee
109, Lawyers Chambers Post Office Wing,
Supreme Court Compound, New Delhi - 110001

Form No.....

To

The Member Secretary,
Supreme Court Legal Aid Committee,
Supreme Court Compound,
New Delhi

1. Name (In block letters) :
2. Father's Name :
Husbands Name :
3. Address
(a) Residential :
(b) Occupational :
4. (a) Age and Date of Birth :
(b) Education :
5. Status Single / Married / Divorced :
6. Number of dependents and their relation to the applicant :
7. Any other financial liabilities :
8. Occupation :
9. Income per month
(Please attach Income Certificate duly attested by competent Authority) :
10. Other sources of income if any :
11. Sources and monthly income of member in the family :
12. Details and value of movable and immovable asset held by the applicant, his dependent and other members of his family. :
13. Any other relevant information. :
14. Nature of legal aid and advice sought :
15. Whether belong to Scheduled Castes / Sheduled Tribes / Vimukta Jatis / Nomadic Tribes Women / Child.
(Please attach Certificate; if the applicant belongs to SC / ST / VJ / NT). :

16. Whether the matter in respect of which legal aid and advice is now sought, was filed previously in the Supreme Court? If so, the result. :
17. Whether opinion of any advocate has been sought in the matter? If so, the particulars of the advocate and his opinion :

Verified that the information given above is true and correct and if it is found to be incorrect, the Committee shall be at liberty to cancel the certificate of eligibility granted under E/1 No.13.

.....
Signature

Name.....

Address.....

.....

AGREEMENT

I, the undersigned applicant, hereby agree that in the event of the court passing a decree or order in my favour awarding cost to me or other monetary benefit or advantage. I shall repay by way of reimbursement to the committee all costs, Charges and expenses incurred by the Committee in giving me legal aid. I hereby also authorise the Member Secretary of the Committee to do all such acts and things as may be necessary for recovery of realisation of the amount decreed or ordered to be paid to me and to reimburse the same for the above mentioned purpose.

CONSENT

I agree that my case be listed before Lok Adalat in Hon'ble Supreme Court, if at any stage it is considered by Supreme Court Legal Aid Committee that my matter can be reconciled or settled through Lok Adalat.

Date :

(Applicant)
Office Report:

10. AFFIDAVIT :

AFFIDAVIT FOR LEGAL AID
SUPREME COURT LEGAL AID COMMITTEE
109, Lawyers Chambers, Post Office Wing,
Supreme Court Compound, New Delhi - 110001
AS PETITIONER/RESPONDENT
AND
IN THE MATTER OF:

.....Petitioner(s)

VERSUS

.....Respondent(s)

AFFIDAVIT of Sh./Smt./Kum.....

.....

Son/Widow/Daughter of.....Aged.....ye
ars,

Resident of.....

.....

1. I solemnly declare and affirm that I have applied for Legal Aid from the
Supreme Court Legal Aid from the Supreme Court Legal Aid Committee,
New Delhi in the above matter as Petitioner/Respondent vide my applicatio
n

dated.....

2. I solemnly declare and affirm that the contents of my above application fo
r

Legal Aid from the Supreme Court Legal Aid Committee, New Delhi in the
above matter are correct to the best of my knowledge.

3. I solemnly declare and affirm that I belong to/do not belong to Scheduled

Caste/Scheduled Tribe/Vimukta Jatis/Nomad Tribes (Delete whichever is no
t
applicable).

4. I solemnly declare and affirm that I have applied for Legal Aid from the Supreme Court Legal Aid Committee in the above matter as woman/child/indigent person. (Delete whichever is not applicable).

DEPONENT

Verification

I, Sh./Smt/Kum.....the above named deponent,

do hereby verify that the contents of the Paras 1 to 4 are true and correct to the best of

my knowledge; nothing stated herein is false and nothing has been concealed. So

help me God.

Verified on this day of.....2000.....at.....

DEPONENT

Not to be typed on Non-Judicial stamp paper: SCLAC Form 6

You are requested to supply your affidavit on non-judicial stamp paper of appropriate value under the Stamp Act of your State and sworn before any competent authority in this regard in your State e.g. 1st Class Magistrate or Oath Commissioner or Notary Public in the above matter in the proforma given above.

11. VAKALATNAMA :

VAKALATNAMA

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL/APPELLATE/ORIGINAL JURISDICTION

Criminal/Civil/Special Leave Petition/Appeal/Writ Petition No. of 20.....

.....Appellant(s)

Petitioner(s)

VERSUS

.....Respondent(s)

I/We, the Appellant(s) Petitioner(s) Respondent(s)

in the above Suit/Appeal/Petition/ Reference do hereby appoint and retain

.....Advocate, Supreme Court, on behalf of the S

ME COURT LEGAL AID COMMITTEE to act and appear for me/us in the above Suit/Appeal/Petition/Reference and on my/our behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including proceedings in taxation and Applications for REVIEW to file and obtain return of documents, and to deposit and receive money on my/our behalf in the said Suit/Appeal/petition/Reference and in Application for Revenue, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/we agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.

Dated this theday of.....20.....

Appellant (s)/petitioner(s)/Respondent(s)/Caveator

Accepted

Advocate on behalf of the Supreme Court Legal Aid Committee, 109,
Lawyer's Chambers, Post Officer Wing, Supreme Court Compound, and New Delhi -110001.