

CHRI 2016

LEGAL AID FOR PRISONERS

STATUS REPORT ON THE IMPLEMENTATION OF THREE SCHEMES IN RAJASTHAN



CHRI

Commonwealth Human Rights Initiative
working for the practical realisation of human rights in
the countries of the Commonwealth

Commonwealth Human Rights Initiative

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ISBN: 978-93-81241-30-1

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“There can be no equal justice where the kind of a trial a man gets depends on the amount of money he has.”

United States Supreme Court Justice Hugo Black, 1964

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ACKNOWLEDGEMENTS

The Commonwealth Human Rights Initiative (CHRI) wishes to thank all the individuals who enriched this study with their knowledge and experience.

We would like to extend our deep appreciation to Hon’ble Mr Justice Ajay Rastogi, Executive Chairman Rajasthan State Legal Services for entrusting us with the responsibility to develop a status report on the implementation of legal aid schemes in Rajasthan. Our sincere thanks go to CHRI Director, Maja Daruwala for her invaluable editorial support.

CHRI is grateful to Mr Raja Bagga for his commitment and rigour in the preparation of the report. Our thanks also go to the other team members of the Prisons Reforms Programme, especially Ms Sana Das for her vital suggestions and continued support throughout the study; Ms Sugandha Shankar for designing the template of the report cards and for her suggestions throughout the making of this report and Ms Mrinal Sharma for her valuable inputs. We also wish to thank Ms Kakoli Jadala and Ms. Aphune Kezo for procuring and collating the information; Mr. Mohan Sundaram for facilitating coordination; Prakhar Pandey, Utkarsh Tiwari, Ashmita Chandela, Faisal Mohammed, Sanghmitra Singh and other interns who assisted us in data compilation and computation.

Finally, this study and report would not have been possible without the generous financial support of the Open Society Institute.

Report designed by: Mr. Gurnam Singh

GLOSSARY

ABBREVIATIONS USED: JLAC: Jail Legal Aid Clinics | JVL: Jail Visiting Lawyers | LAC: Legal Aid Clinics | L.S.I: Legal Services Institution | MC: Monitoring Committees | NALSA: National Legal Services Authority | PLV: Paralegal Volunteers | R&B lawyers: Remand and Bail Lawyers | SLSA: State Legal Services Authority | N.A: Not Applicable | N.R.: No Response | I.N.A.: Information Not Available | N.C.: Not Constituted | N.M.: Not Mentioned | U.P.: Under Process |

A. NALSA (Free and Competent Legal Services) Regulations, 2010

Panel Lawyer: Panel lawyers are appointed by the legal services institution for three years to represent those who are in need of free and competent legal services and are entitled¹ to legal aid.

Retainer Lawyer: Retainer lawyers are drawn from among the panel lawyers for a fixed period by the Executive Chairman of the legal services authority. They shall devote their time exclusively for legal aid work.

Monitoring Committee: Monitoring committees are set up by every legal services institution to monitor the progress of the court-based legal services rendered by the panel lawyers in legal aid cases. The committee for the district or taluka legal services institution shall be constituted by the Executive Chairman of the SLSA and shall consist of a) the senior-most member of the higher judicial services in the district, b) member secretary or secretary of the legal service institution and c) a legal practitioner with more than 15 years’ experience at the local bar, to be nominated in consultation with the president of the local bar association.

Completion Report: The panel lawyer has to submit the report of completion of proceedings to the legal services institution upon which the payment is made to the lawyer for the services rendered.

B. NALSA (Legal Aid Clinics) Regulations, 2011

Jail Visiting Lawyer: Jail visiting lawyers are panel lawyers appointed by the legal services institution to visit jail legal aid clinics every fortnight.² They are mandated to provide legal advice, draft applications, letters and petitions for inmates inside the jail.

Prison Paralegal Volunteer: Prison paralegal volunteers are long-term convicts nominated by the prison department and appointed by the legal services institution. They are mandated to manage the jail legal aid clinic twice a week; draft bail applications, appeals, parole and other applications; and maintain the records and registers.

Community Paralegal Volunteer: Community paralegal volunteers are appointed by the legal services institution to maintain legal aid clinics, give legal advice, resolve disputes through lok adalats, implement various schemes of the State Legal Services Authority (SLSA), and other activities.

C. RSLSA’s Legal Assistance to Persons in Custody Scheme, 2012

Remand & Bail Lawyer/ Legal Aid Counsel: Remand & bail lawyers are appointed by the legal services institution under the “Legal Assistance to Persons in Custody Scheme”. They are appointed for a period of six months and are assigned to each magistrate court to oppose remand, apply for bail and move miscellaneous applications for those who are in custody.

¹ As per Section 12 of the Legal Services Authorities Act, 1987.
² As per the Rajasthan State Legal Services Authority Guidelines, 2012.

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BANSI'S LONG JOURNEY TO GET A LEGAL AID LAWYER

DAY 0 ► Bansi was arrested on charges of theft on 3th January 2016 and was produced in front of the magistrate on 4th morning. Bansi signed the order sheet and then was taken to the jail. Bansi was a daily wage earner. In jail, Bansi was housed in the *nayi amad* (new admission) ward. He had never been to a jail before and did not talk to anyone for the first two days. Then on the third day he started talking to people around him and they asked him if he had a lawyer. He told them that he does not have the money to afford a lawyer. They asked him to meet Sanjay, the prisoner paralegal volunteer who could get him a '*sarkari vakil*' (legal aid lawyer) for free. Bansi recalled that the magistrate did mention the words *sarkari vakil* but in that few seconds peshi, he did not understand anything the magistrate said.

DAY 4 ► On 7th January, Bansi met Sanjay and told him that he didn't have a lawyer. Sanjay suggested that he should wait till Saturday and check with his family at *mulakat* (visit) if they have appointed a lawyer for him. On Saturday Bansi's mother visited him in jail and mentioned that they had gone to several lawyers but could not afford any of them.

On Sunday, Bansi requested Sanjay to help him get a *sarkari vakil* and Sanjay filled his application form, got his signature on the form. But when he went to get the necessary attestation and signature from the jailor on the form, the jailor was not in the office. The assistant jailor was busy. By the time the jailor came back it was time for Sanjay to be back and locked up in his barrack.

DAY 8 ► The next day Sanjay got the form attested, took it to the guard and asked him to take it to the DLSA office. The DLSA Secretary received the application forms the same day but the office staff was busy preparing for a *lok adalat* so the form remained on his table. Two days later, the secretary noticed that the forms were still lying on his table and told the staff to take action. The next day the forms were entered in the register and later given to the clerk to take them to the respective courts and check from court files if the person already has a lawyer. The court readers were busy and asked the clerk to come later. The files were in the record room and it would take them time to retrieve the files.

DAY 14 ► Meanwhile in jail Bansi has been following up with Sanjay but Sanjay did not have any answers to give. At the DLSA office, after following up with the court reader for two days, DLSA staff were finally informed that the court records do not reflect any information about Bansi's lawyer. The same day, Bansi was again produced in front of the magistrate. The magistrate asked if he had a lawyer. He nods and began to explain that he had applied for a *sarkari vakil* but... Before he could finish his sentence, the magistrate turned to a witness in another case going on in the court at the same time and asked him a question. Bansi's explanation was left ignored and his moment lost. He was again remanded for 7 days and taken out of court by the police.

DAY 17 ► Its 20th January now, and at the DLSA, the staff made a list of all the applications received along with Bansi's and decide on the lawyer to be assigned. In jail, Bansi again meets Sanjay and shouts at him for giving him false hopes that he would get a lawyer. He now believes what others have told him – that the legal aid system exists only on paper.

At the DLSA office, the next day, the appointment letter is typed out and signed by the Secretary. One copy is sent to the lawyer and one to the inmate. The jail receives the letter the same day but the letters are kept along with other documents at the office section of the jail for two days without informing Bansi that he now has a lawyer. Bansi has been in judicial custody for 17 days and has had two appearances in court without any legal representation and still understands nothing of the process. No one has heard anything from him in his own defence and he knows nothing of his rights.

DAY 21 ► On 24th when Sanjay asks if any letters have been received from the DLSA, the section incharge hands over the DLSA letters. Sanjay after finishing all his work, goes to the *nayi amad* ward to give Bansi the letter but is told that Bansi has been now shifted to another ward. On 25th a jail visiting lawyer hears Bansi's story for the first time. The jail visiting lawyer fills out the legal aid form, gets it signed and attested and delivers it to the DLSA the next day.

DAY 25 ► Sanjay meets Bansi on 28th January and tells him that the DLSA has assigned him a lawyer and hands over the letter. The DLSA on the other hand is furious that Bansi has again sent a legal aid application form even though they have already appointed a lawyer for him. Does Bansi know anything about the client lawyer relationship; does he know the name of the lawyer; does the lawyer discuss anything with him. Does he get the *vakalatnama* signed; does he take Bansi's next date of hearing; does Bansi even know the next date of hearing.

The story above is true. It is also typical. It points to all that is wrong in the system. The system is geared not for upholding the law nor for the benefit of the majority of poor people who get caught up in it but for the convenience of the officials who run it. It has long ago lost the purpose behind the legal aid statutes which is to ensure a fair trial. While Bansi was struggling to get to the very first essential of a fair trial, getting legal representation several provisions created solely to protect constitutional rights had been breached: he had appeared twice before the magistrate without legal representation; at first appearance he had not been explained to about his rights; he had not been asked if he had a lawyer; if he had been in custody for more than 24 hours; if he had been mistreated. The magistrate had not looked into the memo of arrest to see if the arrest was justified; he had not taken any plea; he could not argue against his remand and there was no justification for a remand of 14 days as opposed to any lesser time. As it was a case of theft in most cases the police would likely have asked for police remand to 'effect recovery' which is a euphemism for rough treatment which substitutes for investigation in our system. Usual practice is to ask for such remand for several days which is cut down by way of a bargain by the magistrate but given nevertheless. In our experience even when there is a lawyer present the lawyer hardly ever protests the remand nor seeks bail at the first instance.

We point out that the system persists because no single functionary, police, lawyer, magistrate, jailor, is held accountable for breaches in procedure and the burden and suffering of delay and dysfunction fall squarely on the accused. For those who say too much attention is given to his rights we point out that if justice is not delivered in accordance with the rules laid down at law it can be - and is - manipulated to the benefit of the most powerful and to the lasting disadvantage of the victims of crime as much as to the accused.

PREFACE

As on 31 December 2015, 12.7 lakh cases³ were pending in the 1,372 trial and session courts in Rajasthan, of which 68% are criminal cases (8.6 lakhs). Of these, 46,061 cases have been pending for more than 10 years. With perpetual vacancies in courts, the enormous backlog of cases and the poor functioning of the review committees set up to monitor long periods of detentions, there does not seem to be a light at the end of the tunnel. The burden of this malfunctioning does not fall on the authorities but on the hapless users of the system, with the greatest ramifications on the undertrials who must bear the burden of the sum of the faults of the entire system. Unfortunately this is the story of the majority of the accused in Rajasthan as two-thirds of the prison population are undertrials. Many of them are illiterate and most (82%) belong to Schedule Castes, Schedule Tribes and other backward classes. While they are in judicial custody, they are the responsibility of the court in Rajasthan. However, more than one-third of these undertrials are not even produced at court for their trial on the dates ordered by the court.

With these systemic challenges, the only way an accused can dream of a fair trial is if he/she has a competent lawyer who is ready to “battle” through the broken system at every step and safeguard their rights as provided by the Constitution. The UN Legal Aid Principles⁴ recognise legal aid as an “essential element of a functioning criminal justice system”. The principle states that the right to legal aid should be recognised by the states at the highest possible level, and where applicable, in the constitution. India gave right to legal aid constitutional status in 1976 through the 42nd Amendment by inserting Article 39A. To extend the reach of legal aid, the government gave legal aid statutory recognition in 1987 through the Legal Services Authority Act. Various committees and judgements also underscored the importance of legal aid. Yet none of this has ensured access to legal aid for all.

In the last ten years, less than 1% (0.72%)⁵ of jail inmates in Rajasthan were provided legal aid services. Despite the constitutional mandate, statutory provisions, structured legal aid bodies, myriad committees and judgements, and detailed legal aid schemes, access to legal aid is still an illusion. Access is neither timely, nor effective. This report looks at the access to legal aid for prisoners through three schemes. These schemes mandate access to legal aid in police stations, courts and prisons. It looks at the mandate of legal aid lawyers in various avatars who are assigned specific roles, paralegal volunteers, legal aid bodies, the prisons, and the courts. The study then compares the mandate with actual practices on ground, classified under appointments, representation, reporting and monitoring.

The study shows that the chasm between the mandate and practice is extremely wide. It is only through robust and practical structures, defined mandates, orientation and training, transparent procedures, a culture of accountability and constant monitoring, that this gap can be bridged and the constitutional right to legal aid be realised.

³ <http://ecourts.gov.in/services/>

⁴ United Nations principles and guidelines on Access to Legal Aid in Criminal Justice Systems.

⁵ In the last ten years, 24, 36,533 persons were arrested in Rajasthan, so on an average about 2, 40,000 people were arrested every year. In the same period, 17,505 persons in custody were provided legal aid in Rajasthan, which translates to an average 1,750 inmates per year.

EXECUTIVE SUMMARY

The report has been divided into three segments. The first segment, an executive summary, second the mandate and third the findings. The executive summary provides the backdrop on legal aid, the purpose and process of the report, the key findings of the study and the recommendations following thereof. The mandate details the duty of each actor in order to ensure responsibility with respect to the legal aid scheme in question. The findings detail “on the ground” implementation of the legal aid schemes in question. There were 27 parameters divided into five themes that were chosen as indicators for the implementation. This segment is divided into two parts: first, the state level performance and second, the district level report cards. The district level report cards are in easy-to-read infographic format. The recommendations are provided on the basis of the parameters formulated.

Section 12 of the LSA Act⁶, 1987 provides the category of persons eligible for legal aid and “persons in custody” is one such category.⁷ This report is prepared with the aim of assisting the State Legal Services Authority (SLSA), Rajasthan to get a worm’s eye view of early and effective access to counsel for unrepresented prisoners in Rajasthan. In order to assess this, the study looked at the implementation and monitoring of three legal aid schemes that are operative in the state to benefit prisoners. Two are regulations of the National Legal Services Authority (NALSA). These are: **the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 (NALSA 2010 Regulations)**; and the **National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 (NALSA 2011 Regulations)**; and the **Rajasthan State Legal Services Authority (RSLSA) Guidelines, 2012**. The third is a state-level guideline of the State Legal Service Authority (SLSA) called the **Rajasthan State Legal Service Authority’s Legal Assistance to Persons in Custody Scheme, 2012 (RSLSA 2012 Guidelines)**. Of the three schemes, while NALSA 2010 and 2011 regulations were not specific only to prisoners, the RSLSA 2012 scheme is only to decent persons in custody through timely and effective use of remand and bail laws.

The 2010 NALSA regulations provide for a pool of panel lawyers selected by the legal services institution (LSI). When the legal services institution receives the application for legal aid from the prison (or are referred by the court), the institution appoints a legal aid lawyer from the panel. The letter of appointment is to be sent to the lawyer and the prisoner. The legal services institution is also mandated to constitute a monitoring committee (MC) to oversee the day-to-day progress of legal aid cases and record the same in registers. At the completion of the case, the panel lawyer is expected to submit a report of completion of proceeding upon which he receives the remuneration for the case.

The 2011 NALSA regulations provide for the constitution of legal aid clinics (LACs) in order to ensure wider access to legal aid to vulnerable sections of society. The 2012 RSLSA guidelines, based on the 2011 NALSA regulations, specifically prescribe for the constitution of legal aid clinics in central, district and sub-jails. These clinics are supposed to be operational regularly and manned by prisoner paralegal volunteers (PLVs) who are trained specifically for this activity. Jail visiting lawyers (JLVs) are also expected to visit the jail periodically and render free legal aid. The working of the clinic is recorded in work and attendance registers maintained by the PLV.

The RSLSA 2012 guidelines on remand and bail were introduced to safeguard rights at the pre-trial stage. The scheme formulates the appointment of a remand & bail lawyers (R&B) in magistrate courts, who are expected to be present during remand hours in their designated courts to oppose remand, apply for bail and file other applications for those who need a legal aid lawyer. These lawyers are expected to submit their monthly work reports to the District Legal Services Authority (DLSA) and the courts have to issue monthly attendance certificates for the lawyers.

The legal aid delivery mechanism in Rajasthan constitutes 182 taluka legal services committees, 35 district legal services committees, two High Court legal services committees (in Jaipur and Jodhpur) and the state legal services authority (SLSA). CHRI filed RTI requests to the 33 district legal services authorities (DLSAs) and the SLSA between August 2014 and January 2015. For details, refer to the table below. The information regarding the implementation of the NALSA 2010 regulations as well as RSLSA, 2012 at the district and the taluka level were sought from the DLSAs. Compared to the district-level information, the information from talukas was extremely limited. Further, the information provided was mostly on appointments. With respect to the NALSA, 2011 regulations, the information on the functioning of legal aid clinics at central, district and sub-jails was sought. Most of the information received was from central and district jails. Sub-jail information was limited. In total 102 RTI requests were filed, of which responses were received for 84. First appeals were filed in 17 cases. Phone calls were made to 13 districts. Some of the respondents answered only limited queries of the RTI filed. As the information received about talukas and sub-jails was limited, the report primarily deals with the district level and central and district jail information whereas the taluka and sub-jail information has been discussed separately.

⁶ Legal Services Authorities Act 1987.

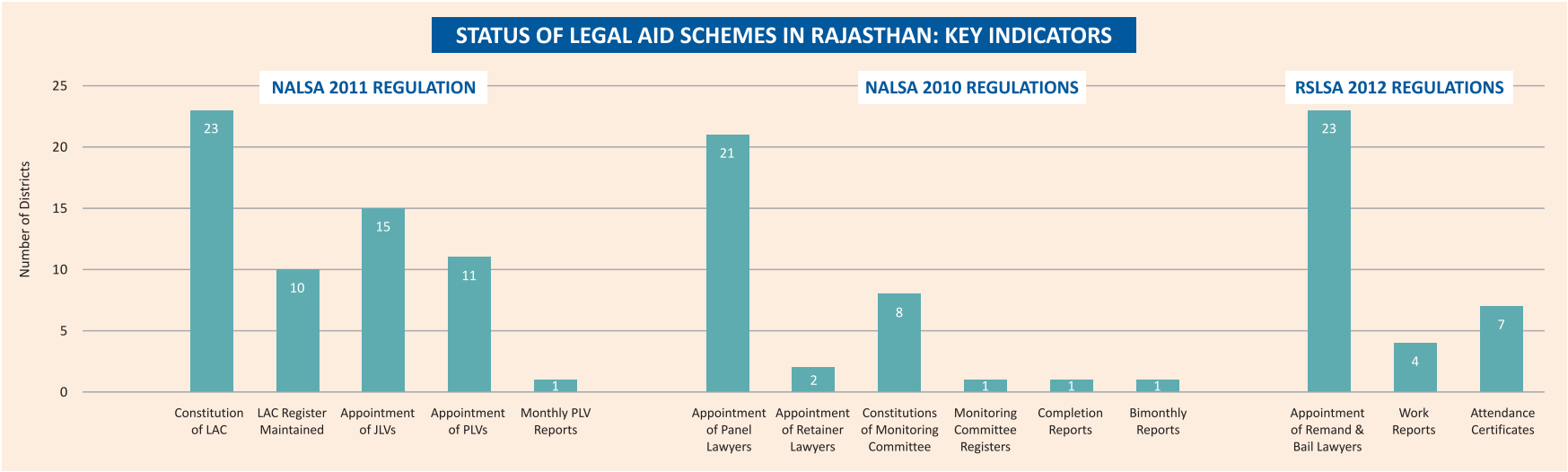
⁷ Section 12(g) of the LSA Act, 1987.

RTI	Schemes	Date of filing the RTI	Time period for which information sought	No. of responses received (out of 33 plus 1 ⁸)
Panel Lawyers RTI	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010	23 December 2014	December 2013 to December 2014	32 ⁹ + 1
Remand & Bail RTI	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	7 August 2014	February 2012 to July 2014	23 ¹⁰ +1
Legal Aid Clinic RTI	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines, 2012	12 January 2015	December 2012 to December 2014	26 ¹¹ +1

KEY FINDINGS

The intent of the legal aid delivery mechanism is to improve access to justice for the most vulnerable and marginalised section of the society. According to the report, there is a complete disregard for these mechanisms. The implementation of the schemes is dismal as only eight out of the 33 districts in the state have complied with even 40% of the provisions mandated.

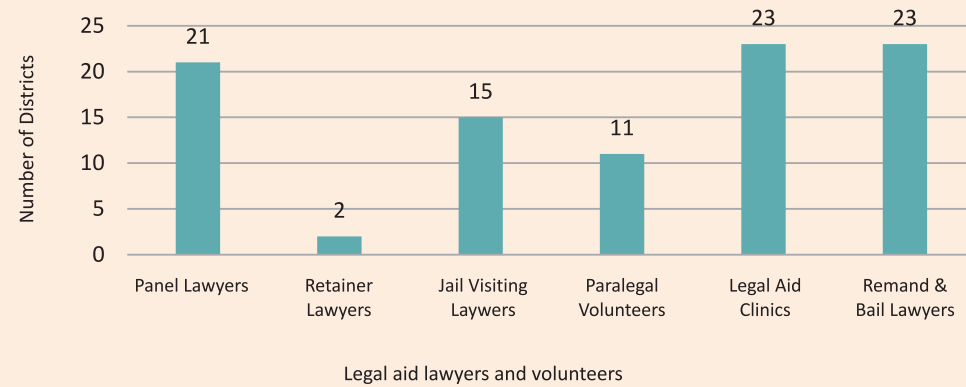
With regards to the implementation of the NALSA 2010 regulations, while appointment of panel lawyers have been made in most districts, the structural mechanisms to record their work, ensure their reporting and monitor their performance are non-existent in most cases. Monitoring committees have not been established in most districts, and even where established, the required infrastructure and procedural mechanism appear to be completely lacking. Retainer lawyers have been appointed in only two districts. The report also looked at the NALSA 2011 regulations and the corresponding RSLSA 2012 guidelines. The RTI responses revealed that while most central and district jails have legal aid clinics, the majority of the sub-jails are still denied this basic mechanism to ensure legal representation and advice. Even where legal aid clinics are established, they are hardly operational as paralegal volunteers to man these clinics have not been appointed, jail visiting lawyers do not visit as mandated, and the legal aid institutions do not ensure reporting and monitoring of the work done in the clinics through constant review of registers. Lastly, the report looked at the implementation of the Rajasthan SLSA's model scheme (2012) which focuses on access to legal aid at the pre-trial stage. The study reveals that appointment of remand and bail lawyers under the scheme in most districts are not regular. Also, while the scheme has formulated reporting mechanisms, they are rarely used. Some districts like Ajmer and Sikar give a glimmer of hope, but the systemic failure of the justice delivery actors in assuring the right to legal aid is evident. It is the collective responsibility of the legal aid institutions, the judiciary, the bar, the prisons and the police departments to ensure the practical realisation of this crucial right.



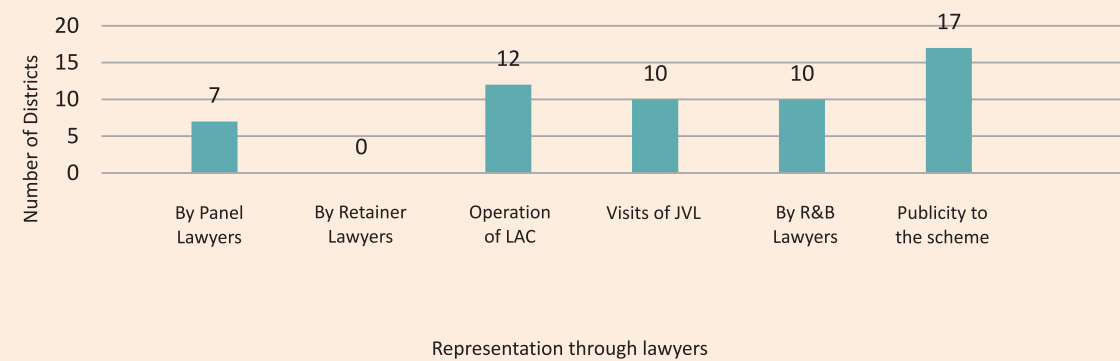
8 33 DLSAs and SLSA.
9 Jaisalmer did not respond to the RTI request.
10 Alwar, Banswara, Barmer, Sawai Madhopur, Jaisalmer, Jhalawar, Jaipur, Karauli, Nagaur and Pratapgarh did not respond to the RTI request.
11 Alwar, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh, and Tonk did not respond to the RTI request.

STATUS OF LEGAL AID SCHEMES IN RAJASTHAN: THEME-WISE

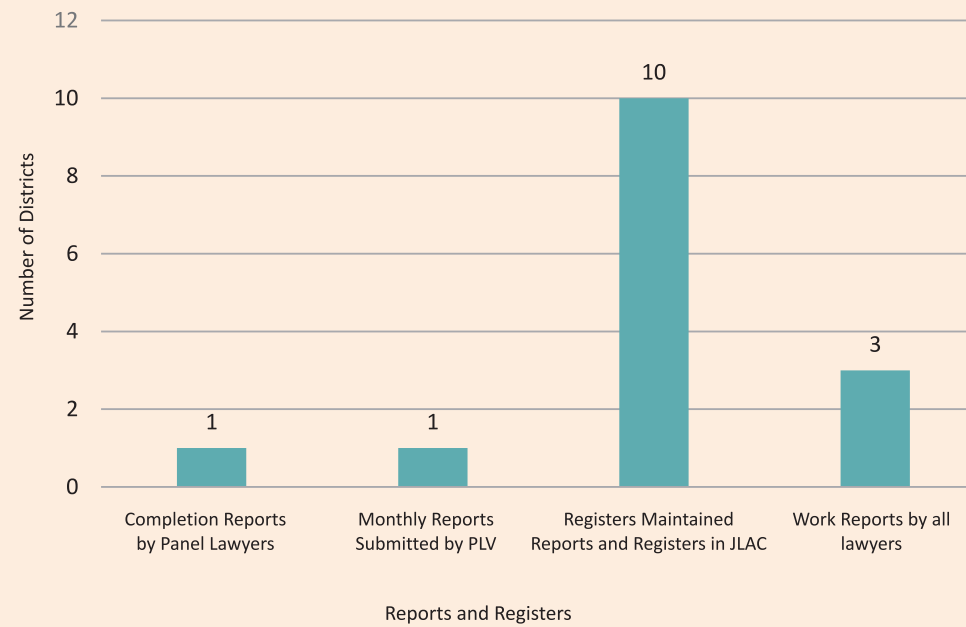
APPOINTMENT



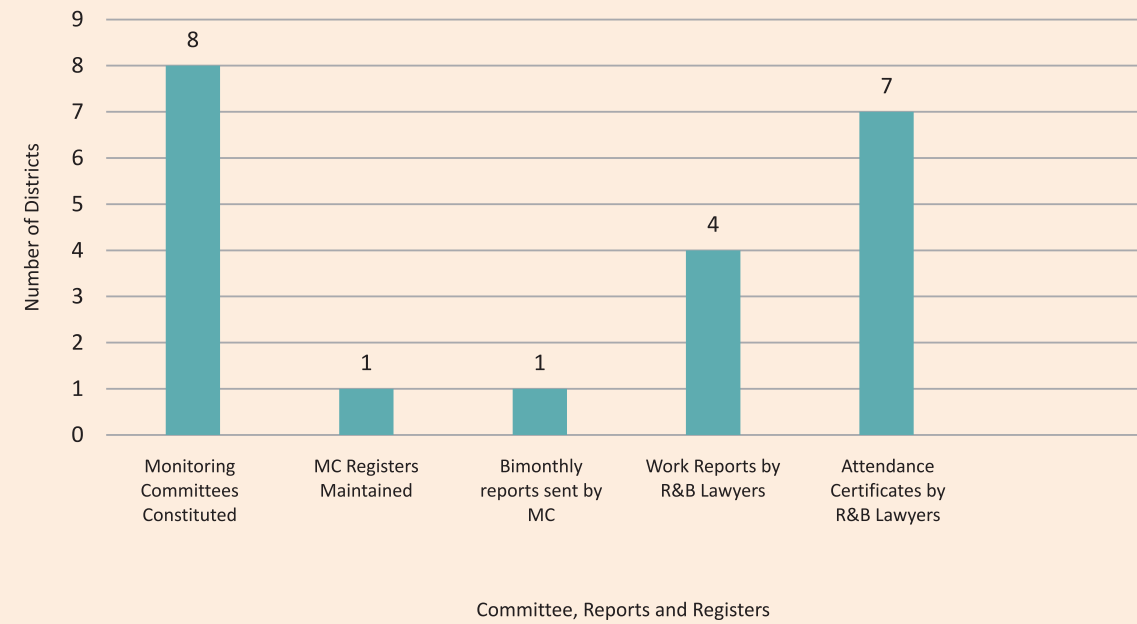
REPRESENTATION



REPORTING



MONITORING



STATUS OF COMPLIANCE OF THE LEGAL AID SCHEMES IN RAJASTHAN: OVERALL RANKING

Rank	Scheme	NALSA 2010	NALSA 2011	RSLSA 2012	Total	Compliance (in %)	Compliance Status
	Score	(Out of 45)	(Out of 55)	(Out of 35)	(Out of 135)		
1	Ajmer	21	50	9	80	59	GOOD (1 out of 33 districts)
2	Sikar	21	29	18	68	50	FAIR (4 out of 33 districts)
3	Jodhpur	16	27	18	61	45	
4	Sirohi	3	35	22	60	44	
5	Jhunjunu	24	20	13	57	42	
6	Bikaner	11	22	21	54	40	MINIMUM (12 out of 33 districts)
7	Churu	5	33	16	54	40	
8	Hanumangarh	15	16	23	54	40	
9	Udaipur	10	29	14	53	39	
10	Bhilwara	0	32	14	46	34	
11	Baran	5	25	11	41	30	
12	Rajasmand	0	21	20	41	30	
13	Chittorgarh	10	22	8	40	30	
14	Sri Ganganagar	0	20	19	39	29	
15	Banswara	11	25	0	36	27	
16	Dungarpur	16	5	13	34	25	
17	Dausa	5	10	14	29	21	POOR (14 out of 33 districts)
18	Bharatpur	0	10	13	23	17	
19	Jalore	0	10	13	23	17	
20	Dholpur	8	5	9	22	16	
21	Jhalawar	5	14	0	19	14	
22	Kota	5	5	8	18	13	
23	Pali	0	0	18	18	13	
24	Tonk	5	0	13	18	13	
25	Bundi	0	0	13	13	10	
26	Alwar	10	0	0	10	7	
27	Barmer	0	10	0	10	7	
28	Nagaur	8	0	0	8	6	
29	Jaipur	5	0	0	5	4	
30	Karauli	5	0	0	5	4	
31	Pratapgarh	5	0	0	5	4	
32	Jaisalmer	0	0	0	0	0	NO COMPLIANCE (2 out of 33 districts)
33	Sawai Madhopur	0	0	0	0	0	
Total		16%	26%	29%	1044 (out of 4455)	23	
		229 (out of 1485)	475 (out of 1815)	340 (out of 1155)			

GOOD	FAIR	MINIMUM	POOR	NO COMPLIANCE
51-60%	41-50%	21-40%	1-20%	0

The legal services institutions in Rajasthan have been compliant with only 23% of provisions mandated by the legal aid schemes in question. In half of the districts, the compliance is less than even 20%.

Even with dismal 29% compliance, the Rajasthan SLSA guidelines on remand & bail has been most complied with compared to the other two schemes. The NALSA 2010 Regulation at 16% was the least complied with. The table below further corroborates that.

COMPLIANCE BY DISTRICTS	NALSA 2010	NALSA 2011	RSLSA 2012
Above 40%	3	9	9

Not even a single district fully complied with the mandate of all the three schemes or even one of the schemes in toto. Ajmer with 59% compliance was the best performing DLSA in the State. Ajmer DLSA was awarded the best DLSA¹² in Western Zone (among Rajasthan, Maharashtra, Gujarat and M.P) in Nov’ 14.

As the information received about talukas and sub-jails was limited, the scoring and thus the ranking does not capture the working of the schemes in talukas and sub-jails.

12 Rajasthan High Court , Newsletter Volume 5, Part No. IV, Page 15 <http://hcraj.nic.in/newsletter-volume-5-part-IV.pdf>

STATUS OF COMPLIANCE OF THE LEGAL AID SCHEMES IN RAJASTHAN: SCHEME-WISE RANKING

District	NALSA 2010		NALSA 2011		RSLSA 2012		Overall Rank
	Ranking	Compliance (%)	Ranking	Compliance (%)	Ranking	Compliance (%)	
Ajmer	2	47	1	91	20	26	1
Sikar	3	47	5	53	6	51	2
Jodhpur	4	36	7	49	7	51	3
Sirohi	23	7	2	64	2	63	4
Jhunjunu	1	53	13	36	13	37	5
Bikaner	7	24	10	40	3	60	6
Churu	14	11	3	60	9	46	7
Hanumangarh	6	33	15	29	1	66	8
Udaipur	9	22	6	53	10	40	9
Bhilwara	24	0	4	58	11	40	10
Baran	15	11	8	45	19	31	11
Rajasmand	25	0	12	38	4	57	12
Chittorgarh	10	22	11	40	22	23	13
Sri Ganganagar	26	0	14	36	5	54	14
Banswara	8	24	9	45	24	0	15
Dungarpur	5	36	21	9	14	37	16
Dausa	16	11	17	18	12	40	17
Bharatpur	27	0	18	18	15	37	18
Jalore	28	0	19	18	16	37	19
Dholpur	12	18	22	9	21	26	20
Jhalawar	17	11	16	25	25	0	21
Kota	18	11	23	9	23	23	22
Pali	29	0	24	0	8	51	23
Tonk	19	11	25	0	17	37	24
Bundi	30	0	26	0	18	37	25
Alwar	11	22	27	0	26	0	26
Barmer	31	0	20	18	27	0	27
Nagaur	13	18	28	0	28	0	28
Jaipur	20	11	29	0	29	0	29
Karauli	21	11	30	0	30	0	30
Pratapgarh	22	11	31	0	31	0	31
Jaisalmer	32	0	32	0	32	0	32
Sawai Madhopur	33	0	33	0	33	0	33

Top 5 District



Ajmer, Sikar and Jodhpur DLSA's have performed distinctly better than the rest of the districts in implementing these schemes.

While Ajmer has almost fully complied with the NALSA 2011 Regulations, and implemented the NALSA 2010 scheme better than the other districts in the State; Jodhpur and Sikar have ensured decent implementation of all the three schemes.

Pali & Tonk whose overall performance relative to the other districts has been poor, it has performed reasonably better at the implementation of the RSLSA 2012 Guidelines.

Bundi, Dholpur, Alwar, Barmer, Nagaur, Jaipur, Karauli, Pratapgarh, Sawai Madhopur, and Jaisalmer stand at the bottom of the list. 6 of the 33 districts did not respond to at least two of three RTIs (Jaisalmer, Pratapgarh, Nagaur, Karauli, Jaipur, and Sawai Madhopur). Of those who responded, Bundi, Dholpur, Alwar, and Barmer were the worst performers.

COMPLIANCE	NALSA 2010	NALSA 2011	RSLSA 2012
0-10%	11	13	10
11%-20%	11	4	-
21%-30%	5	2	4
31%-40%	3	5	10
41-50%	2	3	1
51% -60%	1	4	6
61% -70%	-	1	2
71%-80%	-	-	-
81%-90%	-	-	-
91-99%	-	1	-
100%	-	-	-
Total Districts	33	33	33

THE CONCEPT

Equality before the law demands that those who cannot afford to engage a lawyer, for reasons of impoverishment, should be provided legal representation by the state, at its cost. Equal access to justice can be realised only if all those who come into conflict with the law, either by their actions or through abuse of power to arrest by the police, are placed in a position wherein their liberty is not compromised unnecessarily and illegally owing to lack of resources or ignorance of the law. The Supreme Court in the landmark *Hussainara Khatoon*¹³ case interpreted the right to legal aid as implicit under Article 21 of the Constitution and stated: “The right to free legal services is therefore, clearly an essential ingredient of ‘reasonable, fair and just’ procedure for a person accused of an offence and it must be held implicit in the guarantee of Article 21.”

THE EVOLUTION

The earliest national regulation on legal aid in independent India was drawn up in 1960. This provided guidelines on legal aid schemes. Major developments on legal aid in the country were made in the 1970s and 80s with a national conference on legal aid in 1970¹⁴. In 1970, a committee on free legal aid, under the chairmanship of Justice P. N. Bhagwati, was appointed by the government of Gujarat. The report of the Gujarat committee led to the constitution of an expert committee in 1972 under the chairmanship of Justice V. R. Krishna Iyer was formed and it produced the celebrated 275-page report in 1973¹⁵. Three years later in 1976, Article 39A was introduced as a directive principle of state policy providing right to legal aid at the state’s expense. In the same year, the Juridicare Committee was constituted, comprising Justices P. N. Bhagwati and V. R. Krishna Iyer and it gave its report in 1977¹⁶. The next year, the Supreme Court in the *M. H. Hoskot*¹⁷ judgement opined that absence of statutory provisions for free legal aid would negate the principle of “fair legal procedure” implicit in Article 21. This statutory provision came about almost ten years later. But before that, in 1980, CILAS (Committee for Implementing Legal Aid Schemes) was constituted to oversee and supervise legal aid programmes throughout the country under the chairmanship of Justice P. N. Bhagwati. In 1981, in *Khatri*¹⁸ and *Bachan*¹⁹ the Supreme Court stated that the state is under a constitutional mandate to provide a lawyer to an accused person and it cannot avoid its constitutional obligation by pleading financial or administrative liability. In 1986, the Supreme Court in *Suk Das*²⁰ went a step further to say that given the widespread lack of legal awareness in India among both literate and illiterate persons, just because an accused person did not apply for legal aid, his rights to a lawyer cannot be denied. Eventually in 1987, legal aid received statutory status with the enactment of the Legal Services Authorities Act (LSA Act) to give a statutory base to legal aid programmes throughout the country in a uniform pattern. The Act was enforced in 1995. With the enforcement of the Act, legal services institutions at the national, state, district, taluk, Supreme Court and high court levels were constituted. While NALSA brought out rules in 1995 and 2000, the state bodies also laid down regulations for the implementation of the LSA Act. NALSA as well as SLSAs have developed multiple schemes in order to provide legal aid to various vulnerable sections of society.

13 Hussainara Khatoon & Ors vs Home Secretary, State Of Bihar 1979 AIR 1369

14 http://shodhganga.inflibnet.ac.in/bitstream/10603/12650/9/09_chapter%205.pdf Page 130

15 <http://reports.mca.gov.in/Reports/15-Iyer%20committee%20report%20of%20the%20expert%20committee%20in%20legal%20aid,%201973.pdf>

16 http://shodhganga.inflibnet.ac.in/bitstream/10603/7785/8/08_chapter%201.pdf Page 10

17 Madhav Hayawadanrao Hoskot vs State Of Maharashtra 1978 AIR 1548

18 Khatri And Others vs State Of Bihar & Ors 1981 SCC (1) 627

19 Bachan Singh Etc. Etc vs State Of Punjab 1982 AIR 1325

20 Suk Das & Anr vs Union Territory Of Arunachal 1986 AIR 991

RECOMMENDATIONS

I - National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010

POLICY RECOMMENDATIONS

- 1. Early access to legal aid:** The early stages of a trial are crucial for people in custody as it safeguards them against violations and has an impact on the entire trial. Regulation 7(4)²¹ of the NALSA 2010 regulations allows the legal services authority eight weeks to determine whether a legal aid applicant is entitled to the aid. It is nothing short of injustice to make undertrials wait in prison until the committee decides whether the person is entitled to legal aid. Section 12(g) of the LSA Act categorically entitles people in custody to receive legal aid. Keeping liberty paramount, a legal aid lawyer should be appointed to an inmate as soon as an application is received by the Legal Services institution. Therefore we recommend an addition to Regulation 7(4) of the NALSA 2010 Regulation stating, “in case the application has been received from a person in custody, the evaluation whether the person is entitled or not should be done the same day.” Also the legal services authority shall also ensure that the lawyer visits the person in custody within 24 hours..
- 2. Access to legal aid at Police Stations:** The scheme and guidelines should be amended to clearly specify that persons are entitled to legal aid at the police station. Person in custody should mean person in police custody as well. The policy of placing hoardings on the police stations indicates the intent of the policy to enable access to legal aid in police custody. The scheme and guidelines should be amended to mandate appointment of PLVs at police station under the NALSA PLV Scheme so that they can inform the person about their right to legal aid.
- 3. Allocation of cases among Panel Lawyers:** The allocation of legal aid cases should be based on needs of the case in question and the expertise knowledge of specific laws of the panel lawyers rather than by the alphabetical list.
- 4. Visits by Panel Lawyers to Jails and Police stations:** The scheme should make it mandatory for the panel lawyer to visit the inmate at least twice a month and the police station as soon as he is intimated by the paralegal volunteer stationed in the police station. The appointment letter for the panel lawyer should lay down the duties he is expected to perform. This should include jail and police station visits. The report panel lawyers are supposed to submit to the monitoring committee should include the dates on which he met the accused in prison.
- 5. Appointment of Retainer Lawyers:** There should be an assessment of the real obstacles in the appointment of Retainer lawyers, whether it is monetary, or simply impractical to expect their ‘exclusive’ time for legal aid as expected under provision 8(10) of the scheme. An alternative could be to decide fixed hours for Retainer lawyers with payment commensurate to those hours, the city or taluka in question, and the years of experience of the lawyer.
- 6. Role of Retainer Lawyers:** The minimum eligibility criteria to be appointed as Retainer lawyer needs to be revisited. Currently it is the same as that of the Panel lawyers which is three years. The policy needs to make a clearer distinction in the role and responsibilities of the Panel lawyers and the Retainer lawyers to justify the remuneration to Retainer lawyers.
- 7. Panel Lawyers to submit reports as and when called by the MC:** The scheme mandates strict monitoring of the legal aid cases by the monitoring committee. In order to ensure that the panel lawyer is accountable to the client, the regulations have mandated the monitoring committee to call reports from the lawyer ‘as and when’ required. However this stipulation keeps the ground open for lapses. Therefore with the need of a time based standard, CHRI recommends that panel lawyers should submit monthly reports to the committee. SLSA should create a standardised format for submitting these reports.
- 8. Monitoring by the SLSA:** Under the scheme the SLSA is mandated to play an important role in suggesting the next course of action on the legal aid cases based on the bi-monthly report of the monitoring committee. However as per 12(2)²² of the NALSA 2010 regulations, the SLSA is expected to give its advice on every legal aid matter taken by the legal services authority. This seems impractical and would overburden the SLSA who is expected to monitor various schemes in the state. To remedy the impractical provision of the Executive Chairman of the LSI giving advice on each and every legal aid case, it is suggested that only two types of cases be sent from the monitoring committee to the SLSA : (i) As the Executive Chairman of the SLSA is part of the appointing authority for Panel and Retainer lawyers, the first type of cases could be those that require action on their non-performance and continued lack of progress on their cases; (ii) The second category of cases could be those whose progress can be ensured effectively through intervention at High Court level as the Executive Chairman is empowered under this scheme to specially engage special advocates.
- 9. Bail releases and acquittals:** The number of releases and acquittals under the scheme is an important indicator of the quality of implementation of the scheme. The findings show that this information is either not being maintained and when maintained, it’s meagre. In order to monitor the statistics, the bi-monthly report submitted by the monitoring committee to the SLSA shall also mention the number of bail releases and acquittals.

21 “The Committee shall scrutinise and evaluate the application and decide whether the applicant is entitled to the legal services or not within a period of eight weeks from the date of receipt of the application.”

22 “After evaluating the reports by the Committee, the Executive Chairman or Chairman of the Legal Services Institution shall decide the course of action to be taken in each case. “

IMPLEMENTATION RECOMMENDATIONS

APPOINTMENTS ARE STILL A CONCERN IN SOME DISTRICTS. IN MOST DISTRICTS THERE IS HARDLY ANY REPORTING. MONITORING COMMITTEE IS STILL UNDER PROCESS IN MANY DISTRICTS.

1. Appointment of Panel Lawyers

Eleven districts, namely Barmer, Bharatpur, Bundi, Dholpur, Sawai, Madhopur, Sri Ganganagar, Jalore, Rajasmand, Sirohi and Bhilwara did not appoint panel lawyers. SLISA to direct the DLSAs to ensure appointment of panel lawyers in these districts as soon as possible. Jaisalmer did not respond to the RTI requests. SLISA to enquire if appointments have been made by the Jaisalmer DLSA.

2. Appointment of Retainer Lawyers

Retainer lawyers have not been appointed in any district in Rajasthan except Alwar and Hanumangarh. Four districts, namely Ajmer, Dholpur, Jhunjunu and Nagaur mentioned that the appointment of retainer lawyers was under process. SLISA to check whether the appointments have been made in these districts. SLISA to ensure the appointment of retainer lawyers in the remaining 28 districts.

3. Representation by Panel Lawyers

At least in 17 of the 33 districts panel lawyers did not represent even a single person under the scheme. This can be attributed to lack of legal awareness, lack of information about the scheme in police station and courts and jails; unreasonably long time taken in appointing lawyers, non-accountable lawyers due to lack of infrastructure to monitor their cases. Until all the infrastructural mechanisms are not put in place, even though people may not have the means to engage a private lawyer, the representation numbers would be low.

4. Information on bail releases and acquittals

Information on releases and acquittals are not being maintained by the DLSAs. From the records available, there were 110 bail releases from Kota and one acquittal from Dungarpur under the scheme. Bail release information must plough back to the DLSAs so that effective representation can be assessed, and case results are known to both DLSA and monitoring committee. This information not being maintained means there is no monitoring and no regard for one of the key reasons for representation.

5. Report of completion of proceedings

Completion reports were not submitted by lawyers in any district in Rajasthan except Dungarpur. SLISA to direct the DLSAs to ensure that completion reports are submitted by every district in Rajasthan. Also the report of completion of proceedings should include the case details, the interventions made by the lawyer and the decision of the court. A copy of the judgment should also be attached.

6. Constitution of Monitoring Committee

Twelve districts, namely Barmer, Baran, Bhilwara, Bundi, Churu, Chittorgarh, Dausa, Kota, Rajasmand, Udaipur, Sri Ganganagar, and Jhalawar have not constituted monitoring committees. SLISA to direct the DLSAs to expedite their constitution. Two districts, Dungarpur and Sirohi, mentioned that the constitution of monitoring committees is under process. SLISA to check if they have been constituted. Eleven districts, namely Alwar, Bharatpur, Sawai Madhopur, Jaisalmer, Jalore, Jaipur, Karauli, Nagaur, Pratapgarh, Pali and Tonk did not respond to the query. SLISA to check if monitoring committees have been established or not.

7. Registers maintained by the Monitoring Committees

Registers have not been maintained by any monitoring committee in Rajasthan except Sikar. SLISA to ensure that monitoring committees are established in each district and the remaining 32 districts maintain the register to record and keep a check on the day-to-day operation of the legal aid cases.

8. Bi-Monthly reports sent by Monitoring Committees to the SLISA

Bi-monthly reports have been sent only by the monitoring committees constituted in Jhunjunu. SLISA to ensure that these work reports be submitted bi-monthly as mandated by the remaining 32 districts in Rajasthan.

II - Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012

POLICY RECOMMENDATIONS

- Tenure of the Scheme:** The short tenure of the scheme disadvantages the client if she has to find another lawyer during the trial. Accountability (reporting and tracking) is also far more difficult in short tenure. Lawyers had also suggested that remand and bail lawyers maintain a case diary to hand over to the lawyer who then takes on the case after them. This obligation should be mentioned in the scheme. The parent NALSA Model scheme also does not mandate such a small duration. CHRI recommends that the tenure of the term be two years.

2. **Applicability of the scheme in Executive Magistrate cases:** Given the quantum of arrests under preventive detention cases in Rajasthan, the scheme should accommodate a lawyer for preventive arrest cases under section 151 and related provisions of the CrPC
3. **Regular appointment of lawyers:** In order to ensure regular appointments given the short tenure of the lawyers, a standardized appointment process from receiving applications, selecting the lawyers and confirmation of the list should be initiated a month in advance. Also a standardized schedule/calendar for appointment of lawyers in the entire state would help SLISA monitor the implementation of the schemes.
4. **Role of Remand and Bail lawyers:** The State Legal Services must clarify the role and tenure of Counsels under the scheme - should it be ad hoc, should it be only till first production, should it be for the entire trial; when does the duty of a remand and bail lawyer begin and when does it end.
5. **Presence of the lawyer in court:** Fixing 'remand hours' has been considered and attempted in some jurisdictions and its viability should be seriously considered as it will streamline the processes to ensure effective production and representation. Until that is not in place, the lawyer should visit the court every day and as and when called by the magistrate and when an unrepresented person from custody is produced, the court reader should be duty bound to call the lawyer attached to the court.
6. **Alternative arrangements in lawyer's absence:** The lawyer should also nominate a back- up lawyer which should be informed to the DLSA and the court. When a person is produced at the Magistrate's residence, first the R&B lawyer of his court is to be informed by him, and if he can't be reached or is unable to appear, the backup lawyer may be informed. During court holidays productions take place in a few courts. A roster system for presence in the production court be set up for this by the DLSA.
7. **Format for recording work and presence of the lawyer:** There are no standardized formats for work reports. In order to ensure standardization and completeness of information, CHRI and DLSA Jodhpur developed²³ a format which incorporates both work reports and attendance certificates.
8. **Timely submission of work reports and attendance certificates:** There should be a standardised report which records both the work done and the attendance of the lawyer. The appointment letter issued by the LSI should mention the format of the report and issue directions for the report to be received by the first week of the next month.
9. **Attendance Register at the Court:** Every magistrate court should maintain a register recording the daily presence and work done by the lawyer. The register should be filled in by the lawyer and checked by the reader. CHRI has developed²⁴ a format for the same.
10. **Orientation of the Lawyers:** The lawyers should be oriented about their specific responsibilities under the scheme within the first week of their appointment. Their appointment letter should also lay down the responsibility of the lawyers. If the reports are not submitted within the first week of the next month for two months, the lawyer may be removed from the panel.
11. **Orientation of the Magistrates:** The legal services authority should ensure that the magistrates are oriented about their duties with regard to the scheme. CHRI has issued responsibility notes for each actor under the scheme.

IMPLEMENTATION RECOMMENDATIONS

FREQUENCY OF APPOINTMENT IS A CONCERN IN MOST DISTRICTS. REPORTING AND MONITORING IS EITHER MINIMAL OR NON-EXISTENT IN MOST DISTRICTS.

1. Appointment of Remand and Bail Lawyers

Remand & bail lawyers are appointed for a period of six months and then another batch of lawyers is appointed. Appointments were made regularly only in five districts (Regular appointments here means appointments made for four or five out of five terms in questions). In six districts namely, Baran, Bharatpur, Ganganagar, Jalore, Pali, and Jodhpur appointments were not regular. SLISA to direct these DLSAs to ensure appointment of remand & bail lawyers regularly. In 12 districts, namely Bhilwara, Bundi, Churu, Chittorgarh, Dungarpur, Hanumangarh, Jhunjunu, Kota, Rajasmand, Sikar, Udaipur and Tonk, the term of appointment of the lawyers was not mentioned in the RTI response. SLISA to check if the appointments are being made on a regular basis and to formulate a mechanism whereby the DLSA reports to the SLISA in advance before the term of R&B lawyers comes to an end and when the new batch is to be appointed. We did not receive any response from 10 districts namely Alwar, Banswara, Barmer, Sawai Madhopur, Jaisalmer, Jhalawar, Jaipur, Karauli, Nagaur, Pratapgarh. SLISA to check if R&B lawyers are appointed in these districts on a regular basis.

2. Submission of Work Reports by Lawyers

Only seven districts namely Sri Ganganagar, Hanumangarh, Rajasmand, Jodhpur, Udaipur, Chittorgarh and Sirohi submitted work reports. In 14 districts, legal aid lawyers have not submitted work reports at all. These districts are: Ajmer, Bharatpur, Bikaner, Bhilwara, Bundi, Churu, Dausa, Dholpur, Dungarpur, Jhunjunu, Jalore, Pali, Sikar, and Tonk. SLISA to direct the DLSAs in these districts to ensure that the appointed lawyers submit work reports regularly. In 12 districts, the DLSAs did not respond to this query. These districts are: Alwar, Banswara, Barmer, Baran, Sawai Madhopur, Jaisalmer, Jhalawar, Jaipur, Karauli, Kota, Nagaur and Pratapgarh. SLISA to check whether work reports are submitted on a monthly basis in these districts. Majority of the reports submitted by the lawyers and courts in different districts are issued either quarterly or half yearly. All the reports

²³ Refer Formats, page no. 76

²⁴ Refer Formats, page no. 76

were submitted to the DLSA after the completion of their term as Remand & Bail Lawyers. SLISA to direct the DLSAs to ensure that reports are submitted monthly as mandated. Also, while the lawyers in other districts have submitted monthly reports, only lawyers in Sikar district have submitted case based reports. This seems to be an effective way to ensure reporting

3. Issuance of Attendance Certificate by the Court

Attendance certificates for the legal aid lawyers have been issued by court in only eleven districts. In ten districts, namely Baran, Bharatpur, Bundi, Dungarpur, Sri Ganganagar, Jalore, Pali, and Sirohi, no attendance certificates were issued by the court. SLISA to direct the DLSAs to ensure that magistrates issue certificates on a monthly basis. If the appointed legal aid lawyers do not appear in front of the magistrate, the same should be mentioned in these certificates. This could be because the magistrates are unaware of the scheme, or they are not complying, or lawyers do not appear in the court²⁵. Majority of the reports and certificates submitted/issued by the lawyers and courts in different districts are issued either quarterly or half yearly. All the reports and certificates were submitted to the DLSA after the completion of their term as Remand & Bail Lawyers. The work reports are not standardized, but the attendance certificates are.

III - National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines, 2012

POLICY RECOMMENDATIONS

- 1. Constitution of LACs in Jails and Police Stations:** The NALSA 2011 scheme recommends the constitution of the legal aid clinics (LACs) in places with barriers to access making police stations and jails the most eligible place to set up a legal aid clinic. In jails, it is well known that most of the population comprises of undertrial prisoners. It is also well known that they are from the lower economic strata. They have little or no awareness of rights nor of legal process. They do not know that they are entitled to effective representation. Because there is no explicit mandate to hold legal clinics in police stations and jails most legal aid authorities do not in fact hold clinics in these places and a major aim of the statute is defeated. Therefore NALSA Regulations should be amended to clearly specify that legal aid clinics should be constituted in jails and police stations.
- 2. Appointment and Training of PLVs:** The prison in-charge of every prison must assist the DLSA in identifying convict paralegal volunteers keeping in mind the educational qualifications and stay in prison. The SLISA could issue directions that the PLVs be trained within two weeks of their appointment. The handing over of the responsibilities of the former PLV should be a part of the training. During the training of the PLVs, recording the cases on the registers in detail as well as systematically should be given attention as the entire functioning of the clinic hinges on the registers.
- 3. Tenure of the PLVs:** The tasks of the prisoner paralegal volunteer entails advising inmates about their legal queries, drafting applications, managing registers and reports. These activities involve skill and commitment and the paralegals are supposed to undergo training to perform their tasks. In order to capitalize on the training and experience, the tenure of the PLVs should be for a short period. CHRI recommends appointment of a PLVs for at least one year.
- 4. Regular visits of the JVLs:** The RSLSA Guidelines should be amended to mandate jail visiting lawyers to visit prisons at least twice a week. The prison in-charge must make proper arrangements for the lawyers to work at the prison which includes providing them with a table and chair and a designated place to carry on their tasks. . If the prison is located far from the court complex, then the lawyer may visit the prison once a week and interact with the inmates through video-conferencing once a week. The appointment letters of the jail visiting lawyer should detail these and other responsibilities under the scheme.
- 5. Reviewing the registers:** The PLVs and JVLs are expected to maintain the registers in the jail legal aid clinic (JLAC). The register records the work done in the clinic and the quality of the maintenance of the register impacts the operation of the clinic itself. CHRI recommends that the legal services institutions should review the register monthly. It should be categorically mentioned in the policy that all columns of the register should be mandatorily filled. Also, proper filing of the 'action taken column' helps the LSI to suggest the PLVs and JVLs what course of actions can be taken in future. The legal services institutions should ensure through the jail visiting lawyers that monthly reports regarding the work done in the clinic is received from the PLVs.
- 6. Other register to be maintained by the LACs:** LACs should maintain a dispatch register and an inward register. While the dispatch register would keep a record of all the letters, applications, petitions that have been sent through the clinic, the inward register would keep a record of the responses, appointment letters and other information received.
- 7. Honorarium to paralegals:** To make its prisoner paralegal scheme successful SLISA could write to the Prison Department to consider remission against paralegal work done.

²⁵ CHRI conducted small roundtables with R&B lawyers of different batches to identify the problems. Subsequent to this, CHRI conducted an information campaign for magistrates on the scheme supported by the DLSA in Jodhpur.

IMPLEMENTATION RECOMMENDATIONS

LEGAL AID CLINICS HAVE BEEN ESTABLISHED IN MOST DISTRICTS. HOWEVER THE MAJORITY ARE NON-OPERATIONAL AS JAIL VISITING LAWYERS AND PRISONER PARALERGALS HAVE NOT BEEN APPOINTED, AND WHERE APPOINTED, REPORTING AND MONITORING IS MINIMAL.

1. Constitution of Legal Aid Clinics

Among central district and jails, legal aid clinics (LAC) have not been constituted in two jails: Bundi and Pali. SLSA to direct the DLSAs to constitute jail legal aid clinics in these districts as soon as possible. Nine districts did not respond to the query. These are Alwar, Dholpur, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk. SLSA to check if LACs have been constituted in these jails.

Out of 60 sub-jails, only 21 have a legal aid clinic, while 12 sub-jails do not have a legal aid clinic. These are Naima, Bhadra, Khetri, Ramganj, Mandi, Sangod, Nimbahera, Jhadole, Kanore, Kotra, Mavli, and Salumber. SLSA to direct the DLSAs to ensure the constitution of clinics in these jails. The DLSAs did not respond to the query in the remaining 27 sub-jails. SLSA to check whether LACs are appointed in these jails.

2. Working of Legal Aid Clinics

In ten districts, even though legal aid clinics were constituted, they have not been working. These districts are Banswara, Bharatpur, Dausa, Dungarpur, Sri Ganganagar, Jhunjunu, Jodhpur, Jalore, Kota and Rajasmand. SLSA to direct the DLSAs in these districts to ensure regular working of the legal aid clinics. Eight districts did not respond to this query. These are Alwar, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk. SLSA to check if LACs are working regularly.

3. Appointment of Jail Visiting Lawyers (JVL)

Jail visiting lawyers were not appointed in 10 districts. These are Barmer, Bharatpur, Bikaner, Bundi, Dholpur, Dungarpur, Sri Ganganagar, Jhalawar, Kota and Pali. SLSA to direct the DLSAs to appoint jail visiting lawyers in these districts. Eight districts, namely Alwar, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk did not respond to this query. SLSA to check if JVLs have been appointed in the jails in these districts.

4. Visits by Jail Visiting Lawyer (JVL)

JVLs are mandated to visit jails fortnightly. JLVs appointed in Baran, Chittorgarh, Rajasmand, Sikar and Sirohi district jails and Jodhpur and Udaipur central jails visited the prisons, but not as frequently as mandated. JLVs appointed in Banswara, Dausa, Hanumangarh, Jhunjunu and Jalore district jail did not visit the jails at all. All of these jails except Hanumangarh do not maintain JLAC registers. SLSA to direct the DLSAs to monitor the visits of JVLs by ensuring the attendance registers are maintained in the clinic and are checked on a regular basis. Further, payment of an honorarium would be an incentive for JVLs to visit jails on a regular basis.

5. Appointment of Prisoner Paralegal Volunteers

Paralegal volunteers (PLVs) have not been appointed in 14 districts. These are Barmer, Baran, Bharatpur, Bundi, Chittorgarh, Dausa, Dholpur, Dungarpur, Sri Ganganagar, Hanumangarh, Jalore, Jhalawar, Kota and Pali. SLSA to direct the DLSAs to appoint paralegal volunteers in the jails of these districts. Eight districts, namely Alwar, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk did not respond to the query. SLSA to check if PLVs have been appointed in the jails in these districts.

6. Monthly Report submitted by Prisoner Paralegal Volunteers

Only Ajmer PLVs have submitted reports to the DLSA about the functioning of the legal aid clinic. SLSA to direct the DLSA of the remaining 32 districts to ensure that PLVs submit monthly reports to them.

7. Registers Maintained

Registers have not been maintained by jail legal aid clinics in 14 districts. These are Banswara, Bharatpur, Bundi, Dausa, Dholpur, Dungarpur, Sri Ganganagar, Jhunjunu, Jodhpur, Jalore, Kota, Pali, Rajasmand and Sikar. SLSA to direct the DLSAs to ensure that registers are maintained by PLVs in the jail legal aid clinics in these districts. Eight districts, namely Alwar, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk did not respond to the query. SLSA to check whether registers are being maintained in the jail legal aid clinics in these districts.

8. PLV Trainings

In five districts, paralegal volunteers were appointed but were not trained during this period. These districts are Jodhpur, Rajasmand, Sirohi, Churu and Udaipur. SLSA to direct the DLSAs in these districts to ensure PLVs are trained. Eight districts, namely Alwar, Sawai Madhopur, Jaisalmer, Jaipur, Karauli, Nagaur, Pratapgarh and Tonk did not respond to the query. SLSA to check whether PLVs are trained in the jails of these districts.



THE MANDATE

THE MANDATE

SCHEME - I	ACTORS					
National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010	LEGAL SERVICES INSTITUTIONS	MONITORING COMMITTEE	PANEL LAWYERS	RETAINER LAWYERS	STATE LEGAL SERVICES AUTHORITY	NATIONAL LEGAL SERVICES AUTHORITY

LEGAL SERVICES INSTITUTIONS				
S. No.	Type	Periodicity	Mandate	Provision
1	Structural	Continuous	To make available legal aid application forms (Form I) in the local language or English through their office, legal aid clinics, paralegal volunteers, voluntary social service institutions and others.	Regulation 3(1) & (6)
SETTING UP THE INFRASTRUCTURE				
2	Structural	Once every three years	To constitute a panel of legal aid lawyers based on the qualifications mentioned in the scheme.	Regulation 8
3		Once every three years	To maintain separate panels for dealing with different type of cases.	Regulation 8(5)
4		Once every three years	To maintain a separate panel of senior lawyers, law firms, retired judicial officers, mediators, conciliators and law professors for providing legal advice and other legal services.	Regulation 9(1)
5		Continuous	To maintain a list of such agencies, institutions or persons who are willing to render free legal services.	Regulation 7(6)
6		Period as fixed	To prepare a list of legal practitioners from among panel lawyers to be designated as retainers.	Regulation 8(6)
7		One-time constitution	To constitute monitoring committees to oversee progress of cases taken up by panel lawyers.	Regulation 10(1)
8		Continuous	To appoint adequate staff and infrastructure to the monitoring committee to monitor day-to-day progress of legal aid cases.	Regulation 11(2)
9	Procedural	Continuous	To send the details of the legal services provided in Form-II to the monitoring committee as soon as legal services are provided.	Regulation 11(1)
10		Continuous	To request the presiding officer of the court to have access to the registers maintained by the court to ascertain the proceedings of the case.	Regulation 11(3)
11		As and when required	To pay fees and expenses to panel lawyers as soon as the report of completion of the proceedings is received.	Regulation 14(3)
12		As and when required	To take urgent steps for disbursement of the requisite amount for additional expenditure such as payment of court fees, expenses for obtaining certified copies, etc.	Regulation 13(1)
13	Monitoring	As and when required	To take appropriate steps including withdrawal of the case and removal from the panel of such lawyers who do not perform satisfactorily or act contrary to the objectives and spirit of the LSA Act and these regulations.	Regulation 8 (15)
14	Reporting	Once every two weeks	To place bi-monthly reports of the monitoring committee before the Executive Chairman/Chairman of the SLSA and to obtain orders based on the report.	Regulation 12(3)

MONITORING COMMITTEE				
S. No.	Type	Periodicity	Mandate	Provision
1	Primary work	Daily	To oversee progress of cases taken up by panel lawyers.	Regulation 10(1)
2	Application of mind	Continuous	To advise the legal service institution to take appropriate steps if the progress of the case is not satisfactory.	Regulation 11(5)
3	Procedural	Daily	To maintain the records for day-to-day progress of legal aid cases.	Regulation 9(1)
4		Continuous	To call for reports from the panel lawyers within such time as may be determined by the committee.	Regulation 11(5)
5		Continuous	To call for court registers to ascertain the progress of cases.	Regulation 11(3)
6		As and when required	To engage senior advocates in appropriate cases.	Regulation 15(1)
7	Recording	Daily	To maintain a register for legal aid cases to record day-to-day postings, progress of cases and the end results.	Regulation 11(4)
8	Reporting	Monthly	To submit the register to the chairman of the committee every month.	Regulation 11(4)
9		Once every two weeks	To submit bi-monthly reports to the executive chairman or chairman of the legal services institution	Regulation 12(1)

PANEL LAWYER				
S. No.	Type	Periodicity	Mandate	Provision
1	Primary work	Continuous	To represent the person in court.	Regulation 8
2		Continuous	To visit the client in prison.	Implicit
3	Reporting	As and when sought	To submit reports whenever called for by the monitoring committee.	Regulation 11(5)
4		On completion of the case	To submit report of completion of proceeding	Regulation 14(3)
5	Reporting	Always	Not to ask for or receive any fee or consideration from the person to whom legal services are rendered.	Regulation 8(14)
6		As and when required	To provide reasons to the member secretary/secretary if desirous of withdrawing from a case assigned.	Regulation 8(13)

RETAINER LAWYER		
S. No.	Mandate	Provision
1	To devote their time exclusively for legal aid work.	Regulation 8(10)
2	To be always available to deal with legal aid cases and to man the front office of consultation office.	Regulation 8(10)
3	All the regulations that the panel lawyers are mandated to follow.	Regulation 11(5)

STATE LEGAL SERVICES AUTHORITY				
S. No.	Type	Periodicity	Mandate	Provision
1	Monitoring	Bi-monthly	To receive reports from the monitoring committee.	Regulation 12(1)
2	Application of mind	Bi-monthly	To decide course of action to be taken in each case.	Regulation 12(2)
3		Bi-monthly	To give orders based on the report of the monitoring committee.	Regulation 12(3)
4		Once in six months	To send consolidated half-yearly reports of the monitoring committee indicating the success and failure of each legal aid case to NALSA.	Regulation 16(4)
5	Reporting	As and when deemed fit	To effect periodic revision of the honorarium to be paid to panel lawyers.	Regulation 14(2)

NATIONAL LEGAL SERVICES AUTHORITY				
S. No.	Type	Periodicity	Mandate	Provision
1	Monitoring	Every six months	To receive consolidated half-yearly reports of the monitoring committee indicating the success and failure of each legal aid case.	Regulation 16(4)
2		As and when deemed fit	To nominate and authorise NALSA members to supervise, monitor or advice the legal services institution for effective and successful implementation of the NALSA, 2010 regulations.	Regulation 16(5)

SCHEME - II		ACTORS				
Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012		REMAND AND BAIL LAWYERS	COURTS	LEGAL SERVICES INSTITUTIONS	POLICE STATIONS	STATE LEGAL SERVICES AUTHORITY

REMAND AND BAIL LAWYERS				
S. No.	Type	Periodicity	Mandate	Provision
1	Duties of Remand and Bail Lawyers	Daily	To be present during "remand hours".	Guideline 7
2		Daily	To visit the designated police station on a daily basis and check whether any inmate in custody is unrepresented.	Implicit in Guideline 5
3		As and when required	To oppose unnecessary remand: to question the type and duration of remand.	Guideline 6
4		As and when required	To file bail applications and other necessary applications.	Guideline 6
5	Reporting	Monthly	To maintain a record of the work done and submit a report to the court at the end of the month.	Guideline 15
6		Monthly	To submit attendance certificate issued by the court on a monthly basis.	Guideline 8 & RLSA letter
7	Procedural	As and when required	To ensure being able to be contacted by the court when an unrepresented inmate is produced, if there are no designated remand hours.	Implicit in Guideline 6
8		Once	To ensure that the lawyers' names and phone numbers are displayed outside the designated court, police stations and prison. Also not to prepare and display any personal board or nameplate or misuse the position.	Guideline 10
9	Secondary Work	As and when required	To assist the district authority and taluka committee to implement other schemes.	Guideline 13
10	Ethics	Always	Not to demand remuneration from aided persons.	Guideline 11

COURTS				
S. No.	Type	Periodicity	Mandate	Provision
1	Structural	Every six months	To ensure that the name and phone numbers of lawyers are displayed outside the designated court.	Guideline 10
2		Once	To maintain an attendance register for the designated remand and bail lawyer	Flows from Guideline 8
3		Daily	To ensure the presence of the remand and bail lawyer during “remand hours”.	Flows from Guideline 7
4		As and when required	If there are no fixed remand hours, contact the lawyer designated whenever an unrepresented inmate comes to the court.	Flows from Guideline 7
5	Reviewing	Monthly	To forward the work report submitted by the lawyer to the legal services institution.	Guideline 15
6	Recording	Monthly	To issue attendance certificates of the designated lawyers.	Guideline 8

LEGAL SERVICES INSTITUTIONS				
S. No.	Type	Periodicity	Mandate	Provision
1	Structural	As deemed fit	To ascertain the number of remand and bail lawyers required in each court based on the number of productions.	Guideline 5
2	Primary Work	Every six months	To give wide publicity to the scheme and ensure that the name and phone numbers of the lawyers are displayed outside the designated courts, police stations and prisons.	Guideline 10
3		Every six months	To appoint remand and bail lawyers.	Guidelines 3(a) & 12
4	Monitoring	Every month	To insist on attendance certificates from magistrates.	Guideline 8
5		Every month	To receive work reports from lawyers.	Guideline 15
6	Reporting	Every three months	To submit consolidated statistical information at the end of every quarter to the SLSA.	Regulation 15
7	Procedural	As and when required	To remove the lawyer from the panel if the lawyer demands remuneration from aided persons or misuses his position.	Guideline 10
8		Every month	To pay remuneration and incidental charges to remand and bail lawyers.	Guideline 9
9	Secondary Work	As and when required	To seek assistance from the lawyers for the implementation of other legal aid schemes.	Regulation 13

POLICE STATIONS				
S. No.	Type	Periodicity	Mandate	Provision
1	Structural	Every six months	To display the names and phone numbers of the designated remand and bail lawyers.	The RSLSA letter attached to the scheme
2	Primary Work	Always	To inform the remand and bail lawyer if an unrepresented inmate is in their custody.	Implicit in Guideline 5

SCHEME - III		ACTORS		
National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines, 2012		LEGAL SERVICES INSTITUTIONS	PARALEGAL VOLUNTEERS	JAIL VISITING LAWYERS
				STATE LEGAL SERVICES AUTHORITY

LEGAL SERVICES INSTITUTIONS				
S. No.	Type	Periodicity	Mandate	Provision
1	Primary & Structural	Once	To constitute a legal aid clinic in every jail.	Guideline 5(2) RLSA, 2012 & Regulation 3 NALSA, 2011
2		Once	To display a signboard exhibiting the name, working hours and days of the legal aid clinic in English and the local language.	Regulation 13 NALSA, 2011
3		Every six months	To appoint long-term convicts as paralegals volunteers in every jail.	Regulation 5 NALSA, 2011 & Guideline 11 RLSA, 2012
4			To assign jail visiting lawyers for every jail. Preference to be given to women lawyers having a practice of at least three years.	Regulation 6 & Regulation 8 NALSA, 2011
5		Continuous	To ensure that there are work register and attendance registers in the legal aid clinic.	Regulation 20(2) NALSA, 2011
6		Twice/once a week	To ensure legal aid clinics are operational twice a week in central and district jails and once a week in sub-jails.	Guideline 2 RLSA, 2012
7	Primary & Regular Work	Every six months	To train prisoner paralegal volunteers.	RLSA, 2012 Guideline
8		Continuous	To ensure that the work and attendance registers are up-to-date.	Regulation 20(2) & (3) NALSA, 2011
9		As and when required	To call for the registers maintained in the clinic through the paralegals or jail visiting lawyers.	Regulation 20(5) NALSA, 2011
10	Reporting	Monthly	To submit monthly work reports to the State Legal Services Authority.	Regulation 26(1) NALSA 2011
11	Operational	Every six months	To issue identity proof for paralegal volunteers	RLSA, 2012 Guideline
12		Continuous	To provide adequate infrastructure and other resource for the smooth functioning of the clinic.	Regulation 14 NALSA, 2011
13		Monthly	To pay an honorarium to the paralegal volunteers and jail visiting lawyers.	Regulation 17 NALSA, 2011

PARALEGAL VOLUNTEERS				
S. No.	Type	Periodicity	Mandate	Provision
1	Primary Work	Continuous	To draft bail applications, appeals, parole applications or any other information. Formats of these applications would be provided by RLSA.	Regulation 11 RLSA, 2012
2		Twice/once a week	To ensure operationalisation of the clinic twice a week in central and district jails and once in a week in sub-jails.	RLSA, 2012 Guideline 2
3	Primary Work/ Reporting	Twice/once a week	To maintain attendance registers to record the working of the legal aid clinic.	NALSA, 2011 Regulation 20(1) & RLSA, 2012 Guideline
4		Twice/once a week	To maintain a work register recording the names and addresses of the persons seeking legal services, name of the lawyer or paralegal volunteer who renders services in the legal aid clinic, nature of the service rendered, remarks of the lawyer or paralegal volunteer and signature of persons seeking legal services	NALSA, 2011 Regulation 20 (2) & RLSA, 2012 Guideline
5	Secondary Work	Twice/once a week	To maintain any other register asked by the DLSA	NALSA, 2011 Regulation 20(4)
6	Reporting	As and when sought	To hand over the legal aid clinic registers to the legal services institutions as and when called for	NALSA, 2011 Regulation 20(5)
7	Operational	Continuous	To dispatch applications to the legal services institutions or any other relevant authority	RLSA, 2012 Implicit in Guideline2
8		As and when received	To receive legal aid lawyer appointment letters, replies from legal service institution and other authorities and give it to the concerned prisoner	Practice

JAIL VISITING LAWYER				
S. No.	Type	Periodicity	Mandate	Provision
1	Primary Work	Fortnightly	To visit jails once a fortnight.	RSLSA, 2012 Guideline 10 & NALSA, 2011 Regulation 7
2		During every jail visit	To provide legal awareness to inmates.	RSLSA, 2012 Guideline
3		During every jail visit	To draft petitions, letters and applications as requested by the inmates.	NALSA, 2011 Regulation 5(3) & RSLSA, 2012 Guideline
4	Primary Work/ Reporting	During every jail visit	To record the presence and work done during the visit in the register maintained by the paralegal volunteer.	NALSA, 2011 Regulation 20 & RSLSA, 2012 Guideline
5		As and when sought	To hand over the legal aid clinic registers to the legal services institutions as and when called for.	NALSA, 2011 Regulation 20(5)
6	Secondary Work	As and when required	To work on any other activity given by the legal services institution.	RSLSA, 2012 Guideline

STATE LEGAL SERVICES AUTHORITY				
S. No.	Type	Periodicity	Mandate	Provision
1	Monitoring	Monthly	To collect monthly reports from DLSAs on the functioning of legal aid clinic in their jurisdiction.	NALSA, 2011 Regulation 26(1)
2		At least quarterly	To conduct periodical reviews of the working of legal aid clinics at least once every three months or more frequently.	NALSA, 2011 Regulation 26(2)
3	Operational	Continuous/periodically	To issue directions periodically to ensure that the weaker sections of society are provided legal services in an efficient manner.	NALSA, 2011 Regulation 26(3)
4		As and when required	To fix the honorarium of visiting lawyers and paralegal volunteers attached to the clinic in consultation with NALSA.	NALSA, 2011 Regulation 17
5	Reporting	Quarterly	To send quarterly reports on the functioning of LACs to NALSA.	NALSA, 2011 Regulation 26(4)



FINDINGS

*National Legal Services
Authority (Free and
Competent Legal Services)
Regulations, 2010*

*Rajasthan State Legal
Service Authority's Legal
Assistance to Persons in
Custody Scheme, 2012*

*National Legal Services
Authority (Legal Aid
Clinics) Regulations,
2011 and Rajasthan State
Legal Services Authority
Guidelines, 2012*



RAJASTHAN REPORT CARD

Ajmer, Sikar, Jodhpur and Sirohi implemented the legal aid schemes better than the other districts. While most of the districts have appointed panel lawyers they have not gone beyond the appointments, thus rendering the scheme redundant. Most districts do not have a monitoring committee, and those that do, have them only on paper. Not even half the jails in the state have a legal aid clinic. In those that do have legal aid clinics, the clinics are either not operational or do not have the paralegals to maintain them or jail visiting lawyers to provide legal aid. The local remand & bail lawyers scheme appears to have performed relatively better in terms of appointments, but like the other schemes, there were hardly any representations or releases. The complete absence of monitoring and reporting mechanisms appears to be the apparent reason for this state of affairs. The schemes, if implemented meticulously and in the right spirit can ensure access to legal aid for all. For now, the destination is a long way ahead.



SCHEME - I : National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010					(32 Responses)
Theme	Appointment	Representation	Releases	Monitoring Committee	Completion Reports
No. of Districts	21	7	3	8	1

At the district level, 11 districts²⁶ have not even appointed a panel of legal aid lawyers and therefore, there has been zero implementation of the scheme in these districts. In the 21 district that have appointed a panel of lawyers, in only seven²⁷ of them, have cases been assigned to these lawyers. Hence, the appointment of the panel in the remaining 14²⁸ districts have served no purpose. In the seven districts where cases were assigned, just four²⁹ have monitoring committees to review the cases taken up by the lawyers. Only one of these committees³⁰ has maintained a separate register and a staff member to ensure monitoring of cases. Information about the ultimate outcome for which the legal aid machinery under this scheme was put in place, releases and acquittals are not maintained. From the records available, there were 110 bail releases from Kota and one acquittal from Dungarpur.

Appointment of Panel Lawyers (as on 1st December 2014)	(32 Responses)
Yes: 21	No: 11

As on 1 December 2014, there were a total of 617 panel lawyers appointed in 21³¹ districts. Of these, Churu had the largest panel of 80 lawyers and Jaipur of 79 lawyers. Of the 21 districts, 10³² had a panel of less than 20 lawyers, some³³ even less than ten. Bikaner, surprisingly had appointed only one panel lawyer. Jalore and Pali had no panel lawyers on 31 December 2014, but appointed 20 and 10 panel lawyers on 31 January 2015 and 28 January 2015 respectively. While the eligibility criteria prescribes that the lawyer should have at least three years of practice, lawyers with long years of experience were also appointed. The senior-most panel lawyer appointed in the period analysed was Mr Prakash Chand Jain from Dausa who has been practising for more than 37 years.

Of the 32 DLSAs, only two, Alwar and Hanumangarh have appointed retainer lawyers. Four districts, namely Ajmer, Dholpur, Jhunjunu and Nagaur mentioned that appointments are under process. The remaining either do not have retainer lawyers or have not responded to the query.

Representation and Releases by Panel Lawyers (as on 1st December 2014)	(24 Responses)
Yes: 7	No: 17

Of the 21 districts that appointed panel lawyers, seven³⁴ also took up legal aid cases, eight³⁵ did not respond to this query and six³⁶ did not take up any legal aid cases. The remaining 11 that did not appoint panel lawyers naturally did not have any representations. Therefore at least 17 of the 33 districts did not represent even a single person under the scheme.

In total, 1,343 people were represented by the 229 lawyers in the seven districts where representations were made. Of these, 1,000 case were taken up in Ajmer and Jodhpur with 585 and 415 cases respectively. Out of these seven districts, six did not provide the number of bail releases that took place through the representation. While Udaipur and Jodhpur mentioned that this information is not available with them, Ajmer, Chittorgarh, Dungarpur, and Sikar answered with a “-” which probably means that they also did not maintain this information. The one district that provided information about bail releases was Jhunjunu, however, it had “Nil” releases. Kota, which had not responded to the query on representation, stated that there were 110 bail releases under the scheme. Incredibly, there was information about one acquittal (from Dungarpur) from the entire state.

26 Barmer, Bharatpur, Bhilwara, Bundi, Dholpur, Sawai Madhopur, Sri Ganganagar, Jalore, Pali, Rajasmand and Sirohi.
27 Some districts have not responded to the query, so there may be a few more districts that have made appointments. The seven districts mentioned here are Ajmer, Chittorgarh, Dungarpur, Jhunjhunu, Jodhpur, Sikar and Udaipur.
28 Alwar, Banswara, Baran, Bikaner, Churu, Dausa, Hanumangarh, Jhalawar, Jaipur, Karauli, Kota, Nagaur, Pratapgarh, and Tonk
29 Ajmer, Jhunjhunu, Jodhpur and Sikar.
30 Sikar
31 Ajmer, Alwar, Banswara, Baran, Bikaner, Churu, Chittorgarh, Dausa, Dungarpur, Hanumangarh, Jhunjhunu, Jodhpur, Jhalawar, Jaipur , Karauli, Kota, Nagaur, Pratapgarh, Sikar, Udaipur, and Tonk
32 Alwar, Baran, Bikaner, Chittorgarh, Dungarpur, Hanumangarh, Jhunjhunu, Jhalawar, Pratapgarh, and Sikar
33 Bikaner, Sikar
34 Ajmer, Chittorgarh, Dungarpur, Jhunjhunu, Jodhpur, Sikar and Udaipur.
35 Alwar, Banswara, Baran, Karauli, Kota, Nagaur, Pratapgarh and Tonk.
36 Bikaner, Churu, Dausa, Jaipur, Jhalawar and Pali

Constitution of Monitoring Committee (as on 1st December 2014)				(22 Responses)		
Yes: 8		U.P.: 2		No: 12		
District	Date of Constitution of MC	Members	Separate staff for MC	Register maintained by the MC	Bi-monthly reports sent by the MC	Senior advocates appointed by the MC
1 Ajmer	Not provided	District and Sessions Judge, Ajmer and one lawyer	No	No	Nil	Nil
2 Banswara	15-11-2014	District and Sessions Judge and Chief Judicial Magistrate, Banswara and one lawyer	Nil	No	Nil	Nil
3 Bikaner	17-11-2014	District and Sessions Judge and Additional District Judge-1, Bikaner; Full time member Secy., Bikaner DLSA; One lawyer	No	No cases thus no need for a register	Nil	Nil
4 Dholpur	Not provided	District and Sessions Judge and one lawyer	Nil	No	Nil	Nil
5 Hanumangarh	Not provided	Senior judicial officer; Full time secy., DLSA and one lawyer	1	No request received so no need for a register	Not Available	Nil
6 Jhunjunu	31-07-2014	Upper District and Sessions Judge, Additional Chief Judicial Magistrate, Chair and secy. bar association; and mediation lawyer	Nil	Nil	Yes	Two
7 Jodhpur	21-05-2014	District and Sessions Judge, Judge in charge, Chair and Secy. bar association; mediation judicial officer, mediation lawyer, Chair DLSA	Nil	Nil	Nil	Nil
8 Sikar	14-11-2014	District and Sessions Judge and Chief Judicial Magistrate, Sikar and one lawyer	1	Yes (Attached)	No	1

Though the scheme came into force in 2010, the monitoring committees have not been established in a majority of the districts. Further, in the eight districts where they have been constituted, they came up in 2014. Also, the composition of members of the MC in Jhunjunu and Jodhpur clearly indicates that it refers to the mediation committee and not the monitoring committee. Interestingly, the designated lawyer in the MC in Ajmer was also a part of the panel of lawyers. The infrastructure, in terms of the staff and registers maintained by these committees, is also non-existent. Bikaner and Hanumangarh in their honest yet unfortunate response mentioned that as no requests for legal aid were made, no registers were maintained. Sikar is the only district which maintained a register. However the purpose of the register is to record the day-to-day proceedings of the cases, but the register maintained by Sikar only has the details of the cases taken up by the authority with no details of any subsequent hearings. A bi-monthly report on the implementation of the scheme is mandated to be sent by every DLSA to SLA. Of the 33 districts, only Jhunjunu mentioned that the report is sent regularly, but it was not attached. Also, it is not clear whether these reports are related to mediation or monitoring of legal aid cases.

Payments (between December 2013 & December 2014)	Completion Reports (between December 2013 & December 2014)	(20 Responses)
Yes: 5	Yes: 1	No: 19

Legal aid lawyers are supposed to submit a report of completion of proceedings. Dungarpur was the only district in the state which mentioned that completion reports were submitted. However the copy of the same was not attached with the RTI response. The surprising response from Chittorgarh was that completion reports were not submitted as the monitoring committee was not established. The scheme mandates that payments should be made to the panel lawyers after they submit the report of the proceedings. However payments to panel lawyers for their services were disbursed in five districts: Chittorgarh (Rs. 95,500), Dungarpur (Rs. 68,750), Jodhpur (Rs. 2,99,150), Sikar (Rs. 63,700) and Sirohi (Rs. 67,800).

TALUKA LEVEL INFORMATION FROM THE DLSAs

DLSAs response on the TLSC level information	DLSAs	Number of TLSCs
DLSAs which did not respond to the RTI	Jaisalmer	1
DLSAs which provided no taluka level information	Barmer, Bharatpur, Bhilwara, Bundi, Churu, Dausa, Dholpur, Sawai Madhopur, Sri Ganganagar, Jodhpur, Jaipur, Kota, Pali, Rajasmand, and Sirohi	84
DLSAs which provided information from some talukas	Ajmer, Alwar, Chittorgarh, Udaipur, and Tonk	39
DLSAs which provided information from all the talukas	Banswara, Baran, Bikaner, Dungarpur, Hanumangarh, Jhunjhunu, Jalore, Jhalawar, Karauli, Nagaur, Pratapgarh and Sikar	58
Total	33	182

Limited information was received from the talukas. Talukas from 15 districts have appointed 568 panel lawyers. Talukas in Tonk, Nagaur and Hanumangarh have appointed the maximum number of panel lawyers with 101, 82 and 71 lawyers respectively. Hanumangarh is the only district to have appointed 6 retainer lawyers at the taluka level. Chittorgarh and Sikar are the only districts with information on releases from the talukas. While three people were represented in Sikar, 424 were represented in Chittorgarh. There were no releases or acquittals. No completion reports have been received from the panel lawyers. However, payments have been made to panel lawyers in Chittorgarh (Rs. 3,45,324), Dungarpur (Rs. 6,000) and Sirohi (Rs. 76,250). The monitoring committee has been constituted in 25 talukas only. The details regarding the committees are mentioned below.

CONSTITUTION OF MONITORING COMMITTEE (AS ON 1ST DECEMBER 2014)

Districts	Date of Constitution of MC	Number of Talukas with MC	Members	Separate staff personnel for the Monitoring Committee	Register maintained by the MC	Bi-monthly reports sent by the MC	Senior advocates appointed by the MC
Ajmer	Not provided	8	Upper District Judicial Magistrate/Additional Chief Judicial Magistrate/Judicial Magistrate & one lawyer	No	No	Nil	Nil
Banswara	15-11-2014	4	Additional Chief Judicial Magistrate/Chief Judicial Magistrate, junior clerk, and a lawyer	Nil	Not provided	Nil	Nil
Bikaner	17-11-2014	5	Judicial Magistrate & one lawyer	Nil	Nil	Nil	Nil
Dholpur	Not provided	2	Upper District Judicial Magistrate/Judicial Magistrate and one lawyer	Nil	No	Nil	Nil
Hanumangarh	Not provided	6	Senior judicial officer; Chair, TLSC and one lawyer	No	Not provided	Not provided	Not provided

Lawyers designated in the MC in Gadi, Ghatol and Kushalgarh talukas of Banswara district; Bhadra, Ravatsar and Pilibanga of Hanumangarh district and Kolayat, Lunkaransar and Nokha of Bikaner district were also the part of the panel of lawyers. Further, the talukas of Bikaner district only had one panel lawyer each.

SCHEME - II: Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012							(23 Responses)
Theme	Appointment	Representation	Bail Releases	Work Reports	Attendance Certificates	Statistical Reports	Publicity to the scheme
No. of Districts	23	10	4	7	11	2	14

Appointments of remand & bail lawyers are expected to be done every six months. This was actually done in only one of the 23 districts. In the remaining 22 districts, appointments were made in four, three or even fewer months during the 28 months under study. Not even a single case was taken up in at least 12 districts³⁷ and there was no information of a single release or acquittal from at least 18 districts under the scheme in 28 months. This reflects the sorry state of the implementation of the scheme. Sri Ganganagar, Jodhpur, Rajasamand and Hanumangarh performed better than the other districts in the implementation of the scheme. Ajmer, Banswara and Chittorgarh who had implemented the other schemes reasonably well, were among the worst performers as far as the Model Scheme was concerned.

37 Ajmer, Baran, Bharatpur, Bundi, Churu, Chittorgarh, Dausa, Dholpur, Dungarpur, Jhunjhunu, Jalore and Kota.

Appointment of R&B Lawyers (between February 2012 & July 2014)		(23 Responses)
Regularly: 5 ³⁸	Irregular: 6 ³⁹	Term not clear: 12

Between February 2012 and July 2014, just 400 remand & bail lawyers were appointed in 23 districts of Rajasthan. While 71 of them were from Ajmer, nine districts⁴⁰ have appointed less than 10 lawyers. Of the 23 districts, 12⁴¹ have not mentioned the period for which the remand & bail lawyers were appointed. Some districts have also not provided a court-wise list of lawyers and thus it is difficult to ascertain if appointments were made in all the courts and for all the time periods. Sikar is the only district where appointments were made for all the five terms. There is no standardisation regarding the time period of the appointment of the remand & bail lawyers in the districts. This would make it extremely difficult for the SLSA to monitor timely appointments of lawyers.

Bail Releases (between April 2014 & June 2014)		(21 Responses)	Representation made (between February 2012 & July 2014)		(19 Responses)
Yes: 4	Nil: 12	INA: 5	Yes: 10	INA: 3	Nil: 5 Others: 1

In ten districts,⁴² the remand & bail lawyers took up 616 legal aid cases, more than half of which were from Rajasamand (229) and Bhilwara (99), whereas six⁴³ of the ten districts had taken up less than 50 cases in 28 months. In five districts, the appointed remand & bail lawyers were not assigned any legal aid cases or did not take up any. These districts were Baran, Dungarpur, Jalore, Kota and Tonk. Three districts, Bharatpur, Chittorgarh and Dausa mentioned that as no registers were maintained for the remand & bail lawyers scheme, information regarding representation cannot be made available. Jhunjunu seems to have misunderstood the question as it responded “*is scheme ke tehat adhvakta ke alava anya kisi vyakti ki niyukti nahi ki jaa sakti*”. (Under this scheme, no one other than advocates can be appointed)

Of the ten districts, only Bikaner, Bhilwara and Sri Ganganagar provided information on bail releases. While no information on representation was provided, Churu has provided information on the releases under the scheme. Four inmates were released from Bikaner, 82 from Ganganagar and 745 from Churu under the scheme. In Bhilwara, 1756 inmates were released from judicial custody and 557 from police custody.

Baran, Chittorgarh, Dholpur, Dungarpur, Hanumangarh, Jalore, Kota, Pali, Rajasamand, Sikar, Sirohi and Tonk mentioned that no releases have taken place under the scheme. Dausa, Udaipur and Jodhpur stated that they have not maintained any separate register to record bail releases under the scheme and hence do not have any information on bail releases. Bharatpur and Jhunjunu mentioned that as no information was received from the court, no information on bail release was available. While the court may maintain information about bail releases, it is the responsibility of the legal services authority to maintain registers and work reports from the lawyers.

Monthly Work Report ⁴⁴ (between April 2014 & June 2014)	(21 Responses)
Submitted: 7	Not Submitted: 14

Work reports are to be submitted by the lawyers to the presiding officer of the court which is then forwarded to the chairman of the legal services institution at the end of every month. Work reports were actually submitted only in seven districts: Sri Ganganagar, Hanumangarh, Rajasamand, Jodhpur, Udaipur, Chittorgarh and Sirohi. Only four⁴⁵ of them pertain to the time period (April 2014 to June 2014) for which they were sought in the RTI request. Most of the work reports were submitted as a consolidated report for six or three months. Only a few were monthly. All of them were issued much after the completion of the term of the lawyer.

Lack of deadlines for submission of reports could be one of the reasons for this delay. Without periodical submission of the work reports the legal services institution would be unable to review the work done by the lawyers.

Eleven districts⁴⁶ mentioned that they did not receive monthly work reports from the lawyers. Of these, Bhilwara, Jalore and Tonk did not cite any reason for this. Baran, Bharatpur, Chittorgarh and Pali stated that the presiding officers did not send them the reports. Bikaner, Dausa, Dungarpur and Jhunjunu stated that the reports are not available with them as the lawyers do not send the work reports to the court. The work report attached by Sikar was case-wise and not month-wise. It seems to be an effective way to record the work done. It is the responsibility of the legal services institution to ensure that the lawyers appointed by them perform their duties. If the lawyers do not submit their reports and in time, or they are not forwarded by the court, it is the duty of the legal services institution to ensure that they receive these reports every month by getting in touch with the lawyers and the courts.

38 Ajmer, Bikaner, Dausa, Dholpur and Sirohi.
39 Baran, Bharatpur, Jalore, Jodhpur, Pali and Sri Ganganagar.
40 Baran, Bundi, Chittorgarh, Dholpur, Dungarpur, Hanumangarh, Kota, Sikar and Tonk.
41 Bhilwara, Bundi, Churu, Chittorgarh, Dungarpur, Hanumangarh, Jhunjunu, Kota, Rajasmand, Sikar, Udaipur and Tonk.
42 Bikaner, Bhilwara, Sri Ganganagar, Hanumangarh, Jodhpur, Pali, Rajasmand, Sikar, Sirohi, and Udaipur.
43 Hanumangarh, Jodhpur, Pali, Sikar, Sirohi, Udaipur.
44 As per Guideline 15 of RLSA, 2012.
45 Sri Ganganagar, Hanumangarh, Rajasmand and Sirohi.
46 Baran, Bharatpur, Bhilwara, Bikaner, Chittorgarh, Dausa, Dungarpur, Jalore, Jhunjunu, Pali and Tonk.

Monthly Attendance Certificates ⁴⁷ (between April 2014 & June 2014)		(21 Responses)
Issued: 11	Not Issued: 10	

Monthly attendance certificates are to be issued by the court to lawyers which are then submitted to the DLSA. Attendance certificates were issued only in 11 districts: Bikaner, Baran, Bhilwara, Churu, Chittorgarh, Hanumangarh, Jodhpur, Rajasamand, Sikar, Sri Ganganagar and Udaipur. Udaipur, Sikar and Bikaner shared the most number of attendance registers. Udaipur also shared absence certificates. Only seven districts⁴⁸ shared attendance certificates which pertain to the time period (April 2014 to June 2014) for which they were sought.

Most of the attendance certificates were issued as a consolidated document for six or three months. Only some were monthly. The ones issued were also done after the completion of the term. Lack of insistence of the same from the DLSA as well as use of the certificate only as a proof for seeking the honorarium for the work done could be the probable reasons for this practice.

Ajmer and Baran did not provide any information about attendance certificates. Bharatpur and Sirohi stated that there were no appointments, and thus, no attendance certificates. Dausa, Tonk and Jhunjunu mentioned that the certificates were attached, but could not be seen. Dungarpur and Pali stated that the attendance certificates were not sent to their office. Jalore mentioned that it has received no attendance certificates. Dholpur did not provide the information as the photocopy fee was not attached. The legal services authority has all the powers under the scheme to ensure submission of attendance certificates.

Statistical Report to SLSA		(18 Responses)
Sent: 2	Not Sent: 16	

Only Chittorgarh and Hanumangarh sent the statistical report to SLSA. Both of these were sent after CHRIs RTI request were filed. Both maintain the same format: information on the number of cases the lawyers represented and the amount of honorarium disbursed. While no representations and payments were made in Chittorgarh, in Hanumangarh, 309 inmates were represented by remand and bail lawyers but only Rs. 6,000 was paid as honorarium between February 2012 (commencement of the scheme) and July 2014.

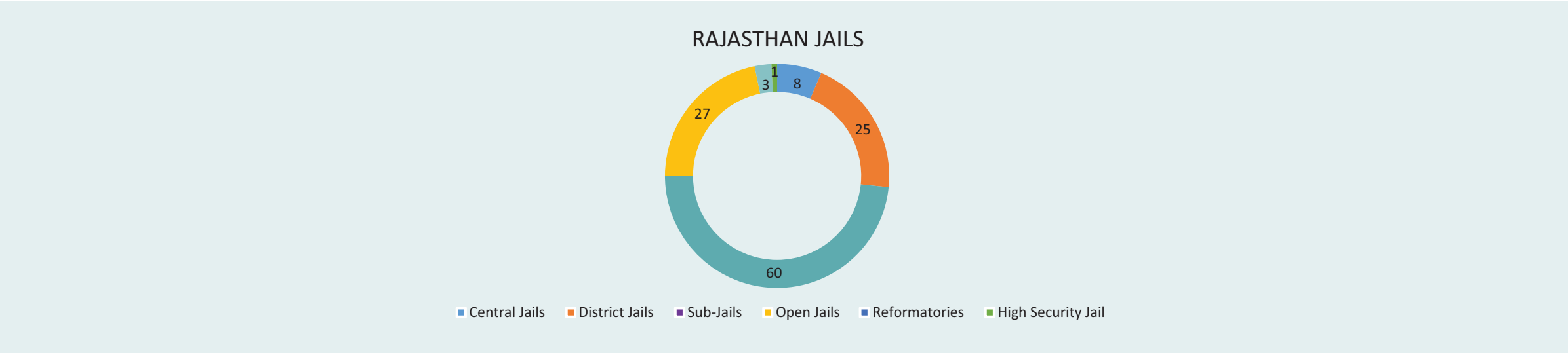
Baran, Bikaner, Bharatpur, Dausa and Jhunjunu stated that as the courts did not send any information to them, they did not send it to SLSA. Bhilwara, Sri Ganganagar, Jalore, Pali, Rajasamand, Sikar, Sirohi, Udaipur and Tonk have not sent the completion report to SLSA. According to Dungarpur, as lawyers are not present during remand hours, they do not submit monthly reports to the DLSA and the quarterly reports are not sent to SLSA. Dholpur did not provide the information, as the photocopy fee was not attached. The statistical report plays a crucial role in providing a snapshot of the implementation of the scheme to the SLSA every quarter. Further, the information in the statistical report should include the number of representation, releases, number of work reports and attendance certificates received and the disbursements made.

Publicity to the scheme		(19 Responses)
Done: 17 ⁴⁹	Not Done: 2	

The DLSA is expected to give wide publicity to the scheme. Ten⁵⁰ DLSAs mentioned that they publicised the scheme through legal awareness camps. Some also used pamphlets to advertise the scheme. Four⁵¹ DLSAs displayed boards outside courts, one displayed boards outside the DLSA office and the courts, one⁵² outside jails and police stations, and one mentioned that the publicity was as per the SLSA guidelines. Bharatpur mentioned that they not only used legal awareness camps, displayed boards outside the bar association office but also advertised the scheme in print and electronic media. It would be incorrect to imply from the disappointing representation figures that there is no “demand” for remand and bail lawyers. Among other factors, the information about the availability of the remand and bail scheme at the right time and the right place is extremely important in order to assess the true “need” for legal aid.

⁴⁷ As per Guideline 15 of RSLSA, 2012.
⁴⁸ Bikaner, Bhilwara, Churu, Hanumangarh, Rajasmand, Sirohi and Udaipur.
⁴⁹ Barmer, Baran, Bharatpur, Bikaner, Churu, Dausa, Dungarpur, Sri Ganganagar, Hanumangarh, Jhunjunu, Jodhpur, Jalore, Pali, Rajasmand, Sikar, Sirohi, and Tonk
⁵⁰ Baran, Bharatpur, Churu, Dausa, Hanumangarh, Jhunjunu, Jodhpur, Rajasmand, Sirohi, and Tonk
⁵¹ Bharatpur, Bikaner, Dungarpur, and Sri Ganganagar
⁵² Pali

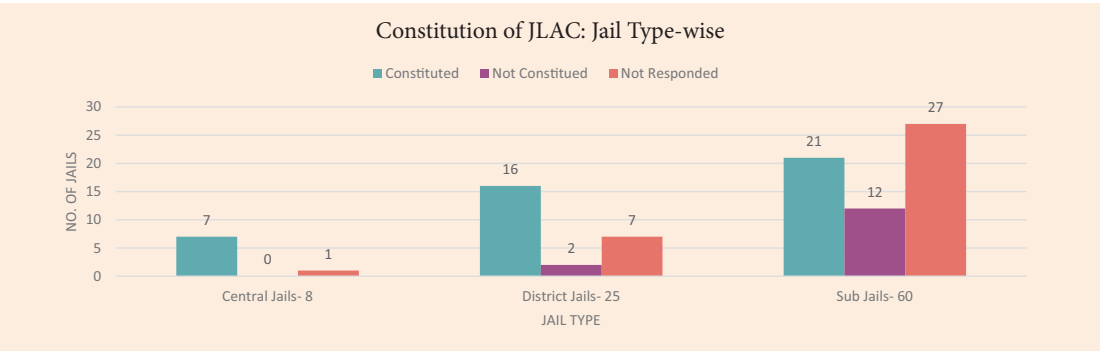
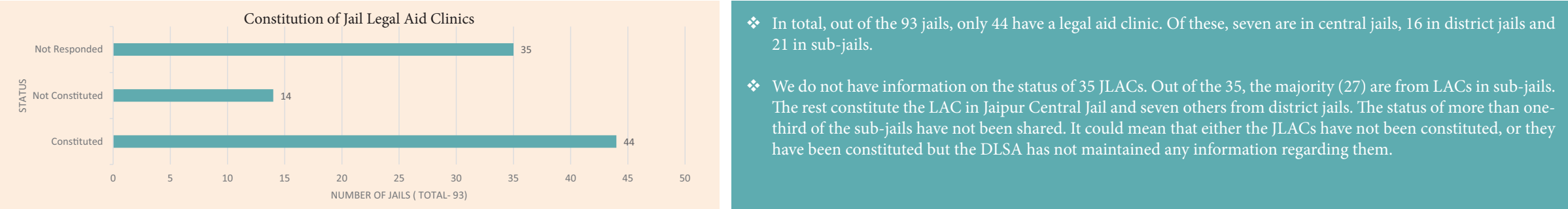
SCHEME -III: National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan SLSA Guidelines, 2012							(55 Responses)		
Theme No. of jails (out of 93)	JLAC Constitution 44	Operational as per Mandate 3	JLVs Appointed 20	Visits by JLVs as per Mandate 3	PLVs Appointed 12	PLVs Trained 6	Registers Maintained 14	JVL Honorarium 10	PLV Honorarium 3



There are 124 jails in the 33 districts of Rajasthan. Every central, district and sub jail in Rajasthan is mandated to constitute a legal aid clinic. The RTIs filed looked at responses from the 93 jails (8 central jails, 25 district jails and 60 sub-jails). Only 44 of them have a legal aid clinic. These clinics are supposed to operate twice a week. Of these 44 jails, 10 have not had operational clinics for a single day. Only 3 have operational clinics as per the mandate. Prisoner paralegals are responsible to manage these clinics. Only 12 of these 44 clinics have a prisoner paralegal volunteer. The DLSA has the responsibility to train these paralegals so that they can perform their tasks. Only 6 of these 12 volunteers have been trained. They maintain the work and attendance (*roz namcha* and *upasthtiti*) registers which record the activities of the clinic. The *upasthtiti* register and *roz namcha* maintained by Churu and Sirohi district jails are the most detailed and provide a clear depiction of the healthy state of the clinics in these two jails. The paralegals are also expected to submit a monthly report of the activities of the clinic. Only one jail (Ajmer Central Jail) submits the report. The DLSA is mandated to also appoint jail visiting lawyers who visit jails twice a month to provide legal advice, and draft applications and petitions for the inmates. JVLs were appointed in only 20 of the 44 jails with LACs. Five of the 20 did not visit the prison even once. Only 3 of the 20 visited as mandated. The DLSA remunerates both the PLVs and JVLs for the services rendered. JVLs in 10 jails and PLVs in three jails have received honorariums.

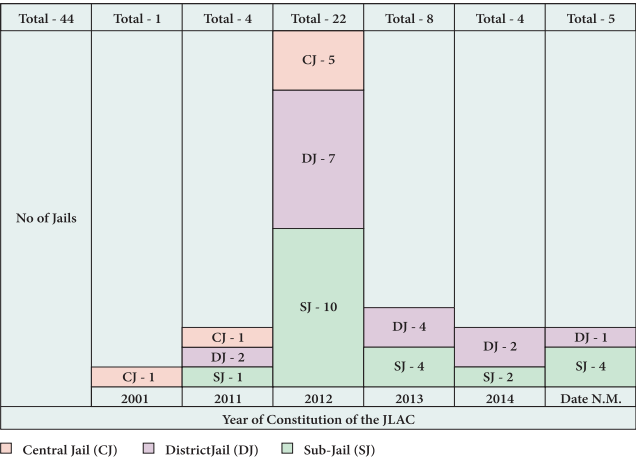
A. Constitution of Legal Aid Clinics

DLSAs have not provided the status of LAC in more than one-third of the jails. Only 44 of the 93 jails have a legal aid clinic. However, 7 out of 8 central jails have an LAC.



B. Year of Constitution of LACs:

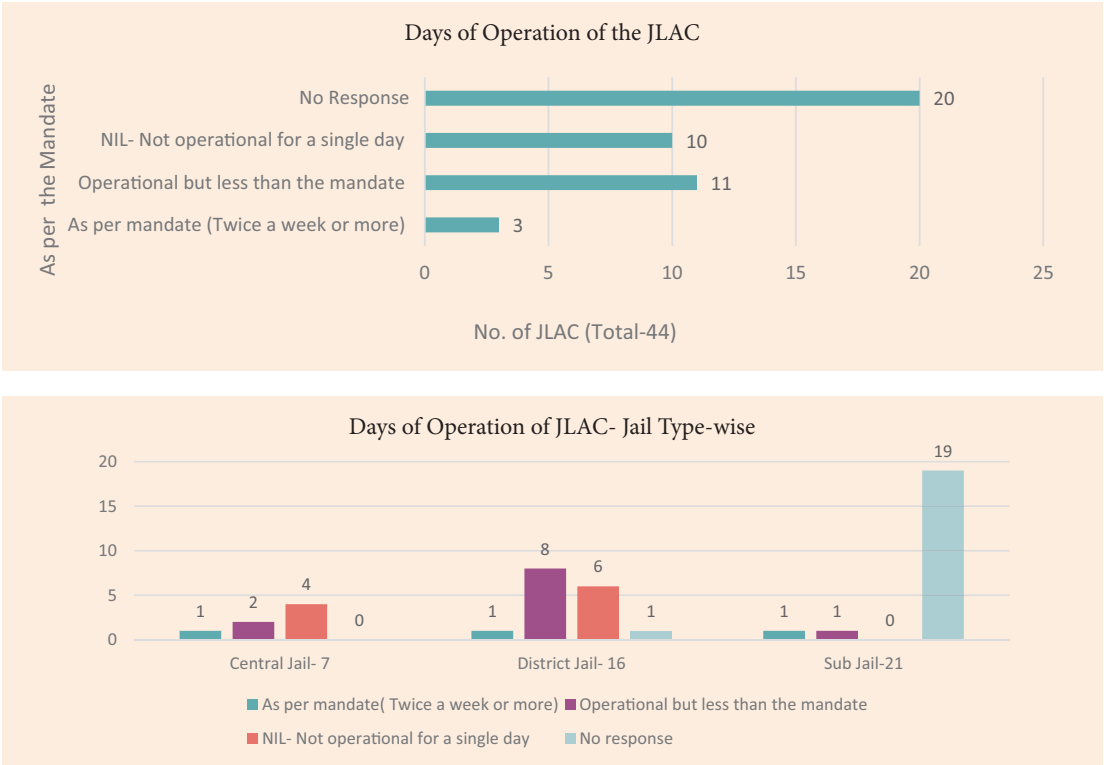
At least half of the JLACs have been constituted in 2012. Bharatpur Central Jail constituted the LAC in 2001.



- ❖ The NALSA (Legal Aid Clinics) Regulations were issued in 2011. The Rajasthan SLSA Guidelines on Legal Aid Clinics were issued in 2012.
- ❖ Out of the 44 JLACs constituted, five did not mention the date of its constitution. Four of the five were sub-jails.
- ❖ Out of the remaining 39, 22 JLACs were constituted in 2012. All of them were constituted post May 2012. Five of the 7 LACs in central jails were constituted this year. The Rajasthan SLSA guidelines were dated 2 May 2012. A status report on the implementation of the guidelines was directed to be sent to the SLSA by 15 May 2012.
- ❖ Five JLACs were constituted prior to 2012. Bharatpur deserves a special mention on account of having constituted the JLAC on 28 January 2001. Out of the remaining four, one was constituted in June, two in November and one in December 2011.
- ❖ 12 JLACs were constituted post 2012. Four of them in early 2013, four in late 2013 and four before July 2014.

C. Days of Operations of LAC

Only 3 of the 44 JLACs were operational as per the mandate. Two were from Ajmer. Ten JLAC were not operational for even a single day.

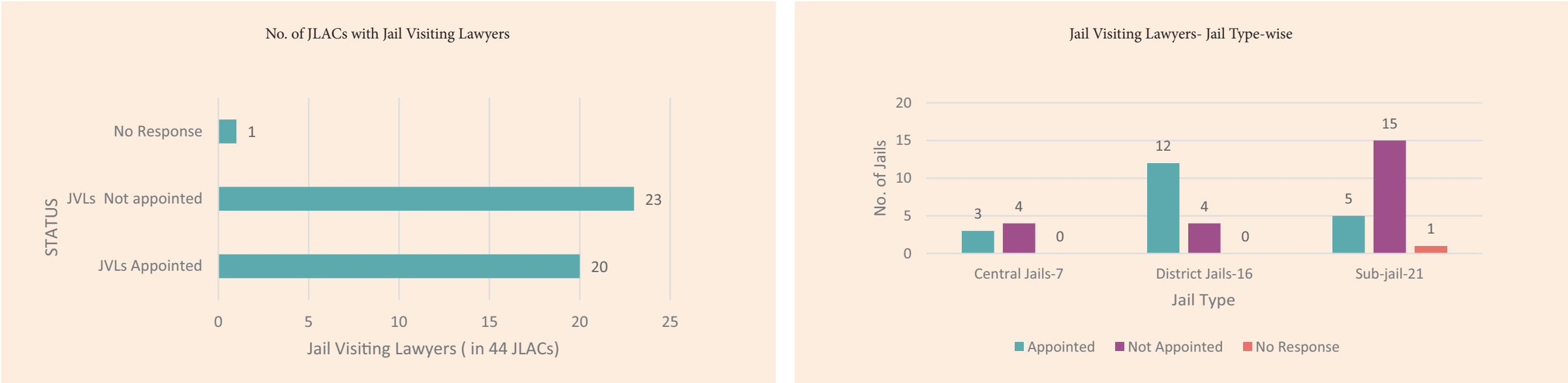


- ❖ According to the Rajasthan SLSA Guidelines, LACs in central and district jails are mandated to operate twice a week, and in sub-jails, once a week.
- ❖ Out of the 44 jails which had a legal aid clinic, in 20 the DLSA did not mention the number of days it operated. Of these, 19 LACs are from sub-jails which is an area of concern. This could be because the LACs have been non-operational, registers have not been maintained, or if registers are maintained, the information is not available with the DLSAs.
- ❖ Out of the 24 which mentioned the days of operation, only 3 were operational as per the mandate. These were Ajmer Central Jail, Beawar Sub-Jail (in Ajmer District) and Barmer District Jail. While the JLAC in Barmer was operational as per the mandate, the LACs in both jails in Ajmer were operational for almost twice the number of days mandated.
- ❖ The remaining 21 JLACs were not operational as per the mandate. 10 of these 21 were not even operational for a single day. Six of the 10 LACs were in district jails and four in central jails. Such a situation is only possible when the DLSAs after constituting the clinics have completely abrogated their responsibility to make the clinics operational.

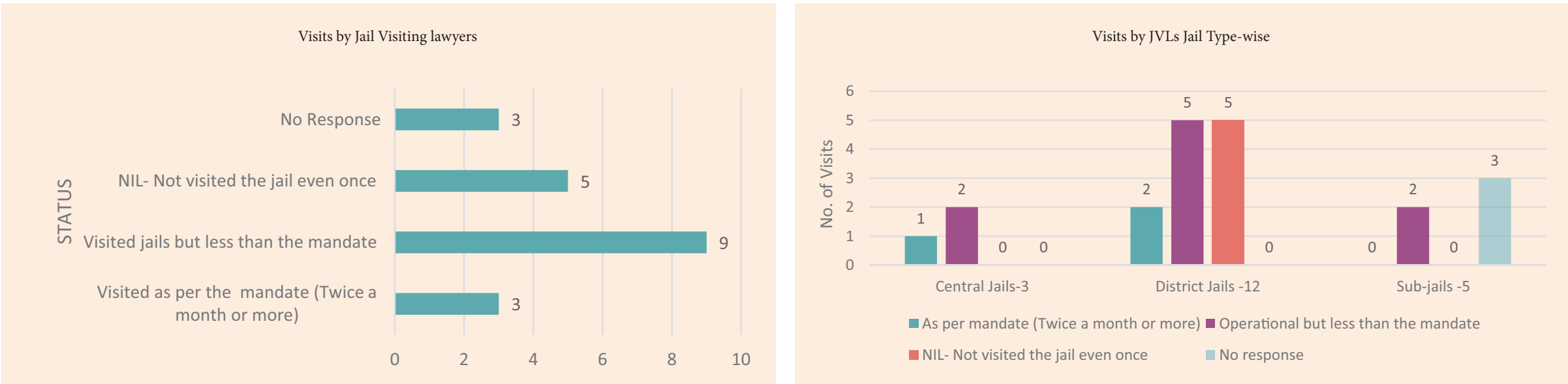
D. Appointments and Visits by Jail Visiting Lawyers (JVLs)

JVLs were appointed in only 20 JLACs. Visits as mandated took place in only 3 jails. No visits even for a single day took place in 5 Jails. Visits were made to only 2 of the 60 sub-jails in the state.

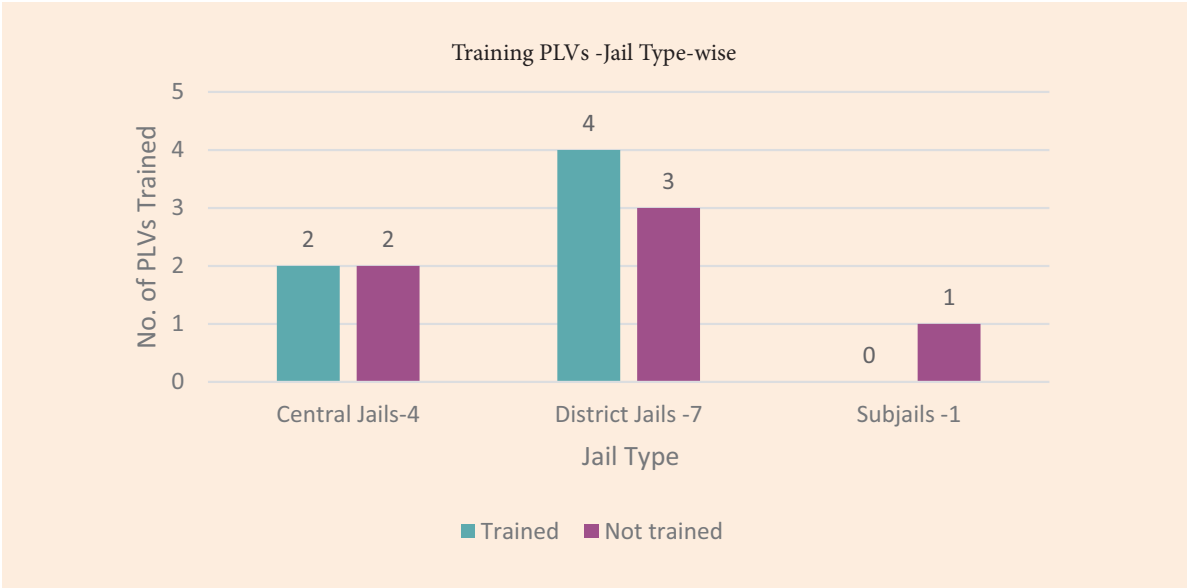
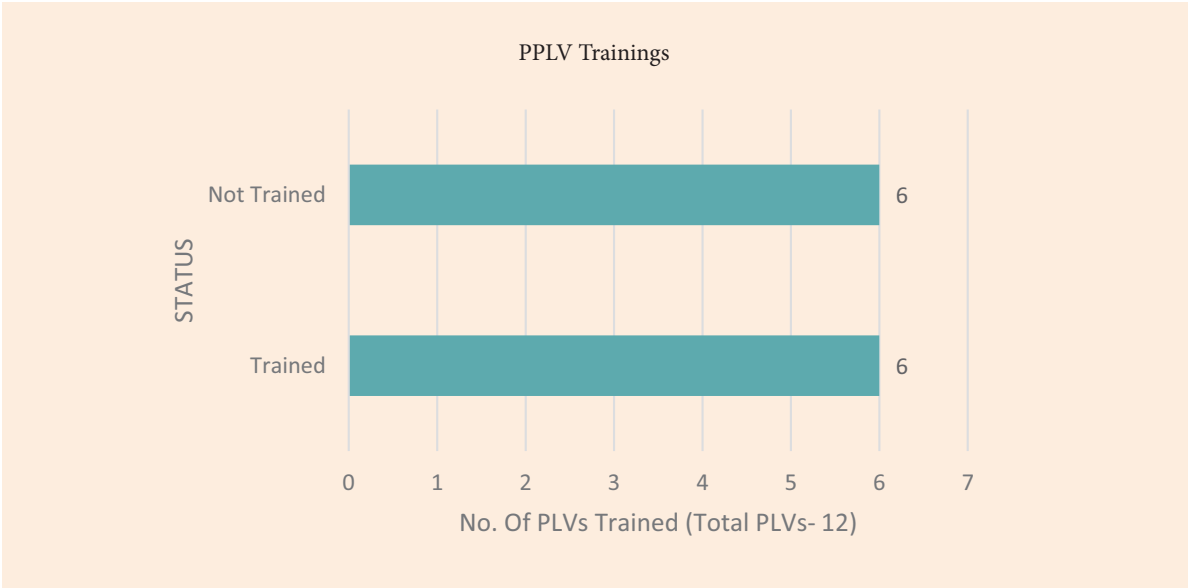
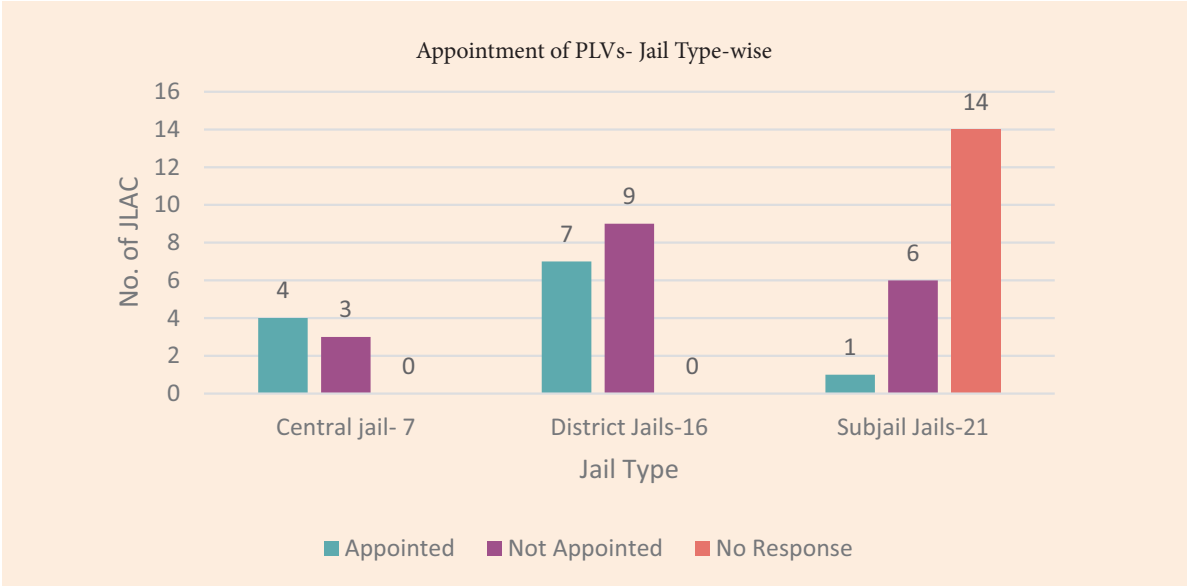
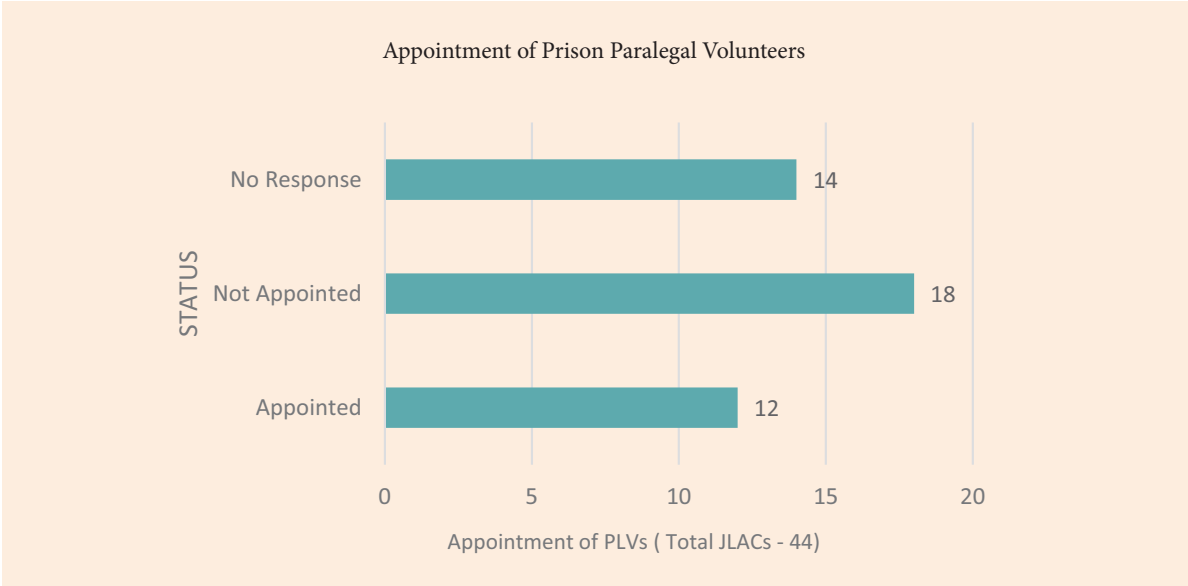
APPOINTMENTS OF JAIL VISITING LAWYERS



VISITS BY JAIL VISITING LAWYERS



E. Appointment and Training of Prisoner Paralegal Volunteers (PLVs)



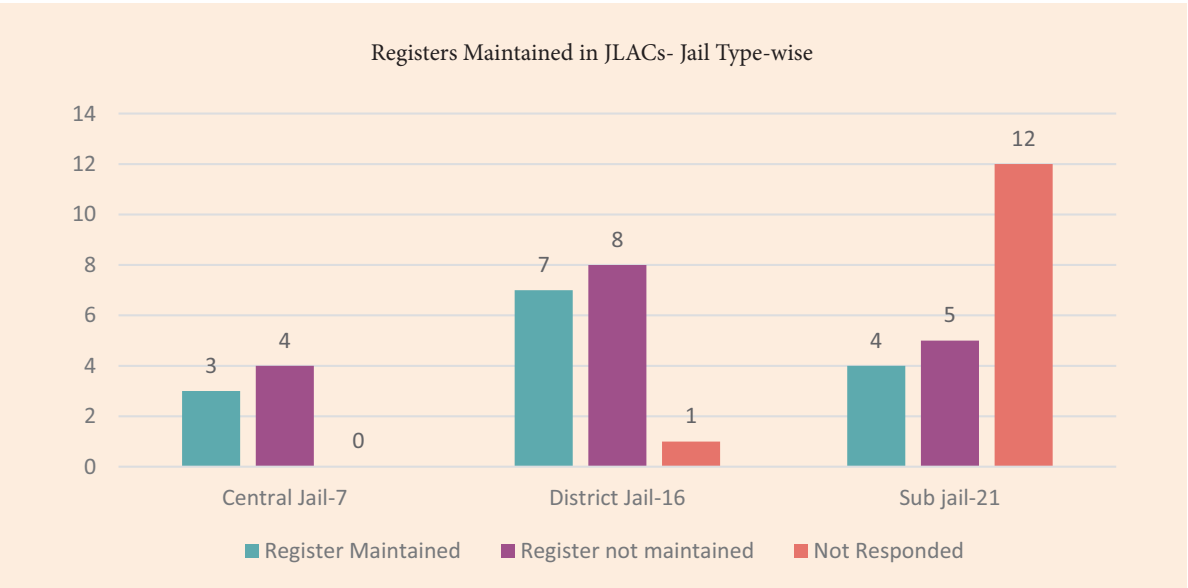
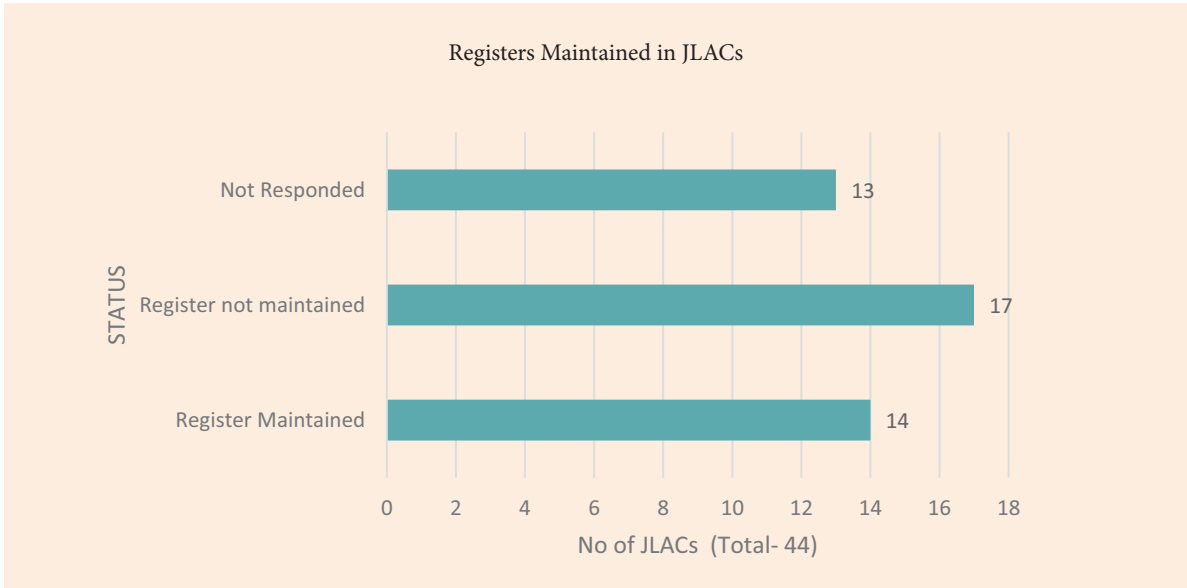
Appointments and Visits by Jail Visiting Lawyers (JVLs)

- ❖ Out of the 44 JLACs, information about 43 JVLs was made available.
- ❖ A total of 23 of the 43 JLACs have not appointed a JVL; four each from central and district jails and 15 in sub-jails.
- ❖ So, out of 93 jails, jail visiting lawyers have been appointed in 20 jails.
- ❖ The RSLSA, 2012 Guidelines on legal aid clinics mandates the jail visiting lawyer to visit the jail once every fortnight. This we believe is insufficient to meet the needs of legal aid inside prisons. The findings however show that even this fortnightly mandate was not met at all.
- ❖ JVLs appointed in five out of the 20 jails have not visited the jails even once. All five belong to district jails.
- ❖ Three DLSAs did not mention whether JLVs visited the jails or not. All three belong to sub-jails.
- ❖ JLVs appointed in nine jails visited the jails, but less than the mandated fortnightly visits.
- ❖ Only three JLACs had Jail visiting lawyers who visited the jail as per the mandate. These were Ajmer, Bhilwara and Churu. The JVLs in Bhilwara and Churu visited the jail on every occasion when the JLAC was operational.

Appointment and Training of Prisoner Paralegal Volunteers (PLVs)

- ❖ The NALSA Guidelines as well the RSLSA Guidelines details the crucial role of paralegals in ensuring the operation of the LACs. The paralegal scheme also details their role. Only 12 of the 93 jails have PLVs. Only one (Nohar Sub Jail in Hanumangarh) out of 60 sub-jails in the state has a paralegal volunteer. It shows the unfortunate state of legal aid clinics in the state.
- ❖ Out of these 12 PLVs, only 6 have been trained for the work they are expected to perform.

F. Registers Maintained in Jail Legal Aid Clinics (JLACs)



i. Jail Legal Aid Clinic (JLAC) Registers

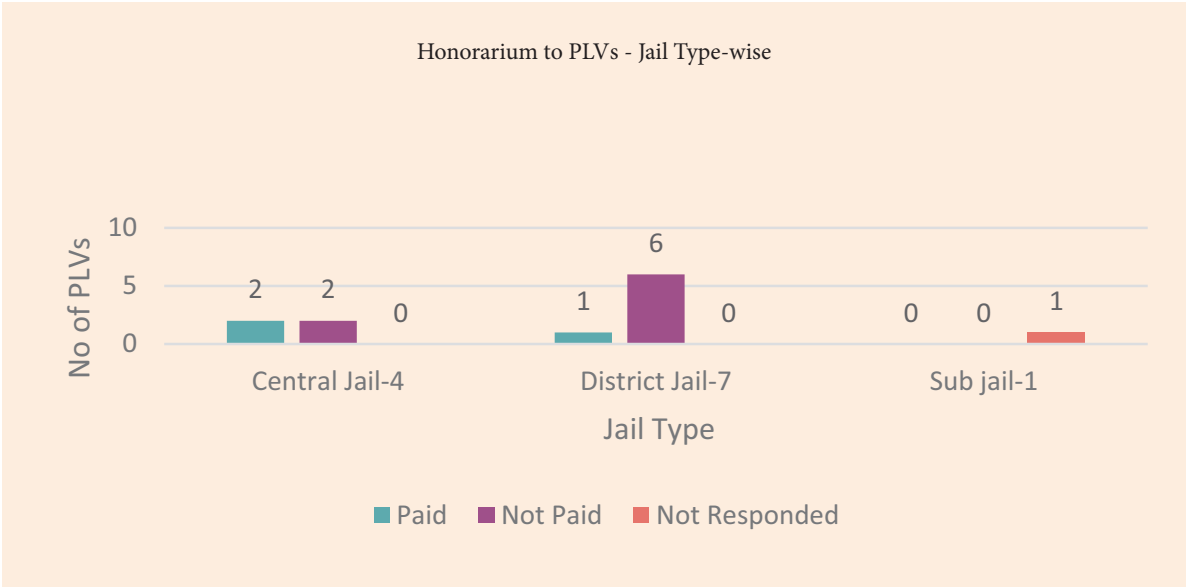
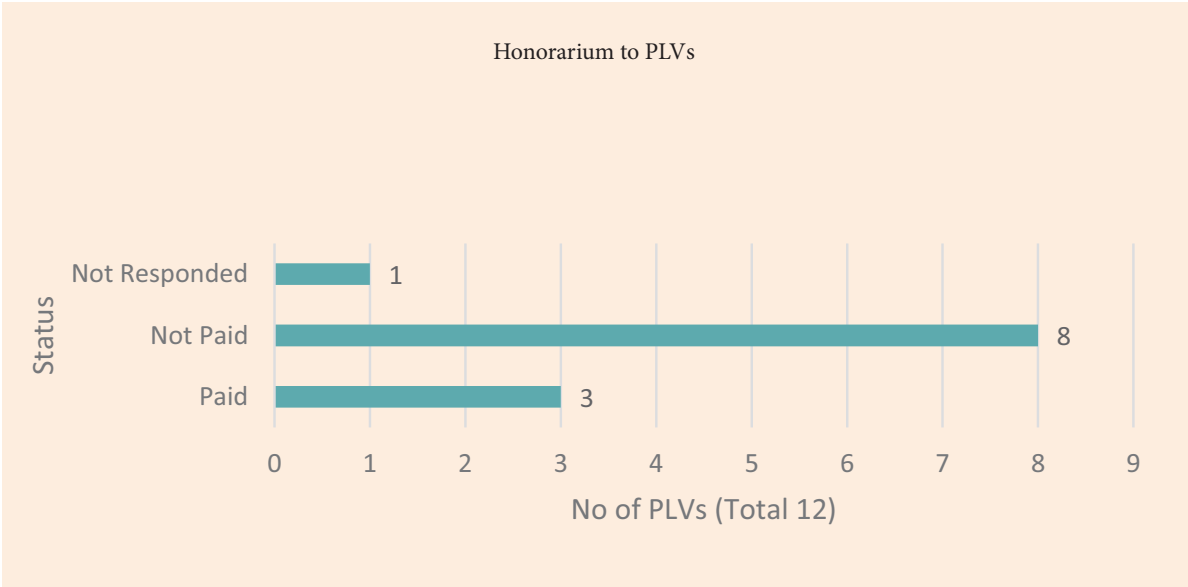
- ❖ Registers were maintained by 14 JLACs. Half of them were in district jails. Only four of the 60 sub-jails have maintained registers.
- ❖ Surprisingly, even though the DLSAs had not appointed PLVs in Baran, Chittorgarh, Jhalawar and Hanumangarh district jails, JLAC registers were maintained.

ii. Monthly Reports to be Submitted by PLVs

- ❖ Out of the 12 jails where PLVs were appointed, only the PLVs in Ajmer have submitted monthly reports.

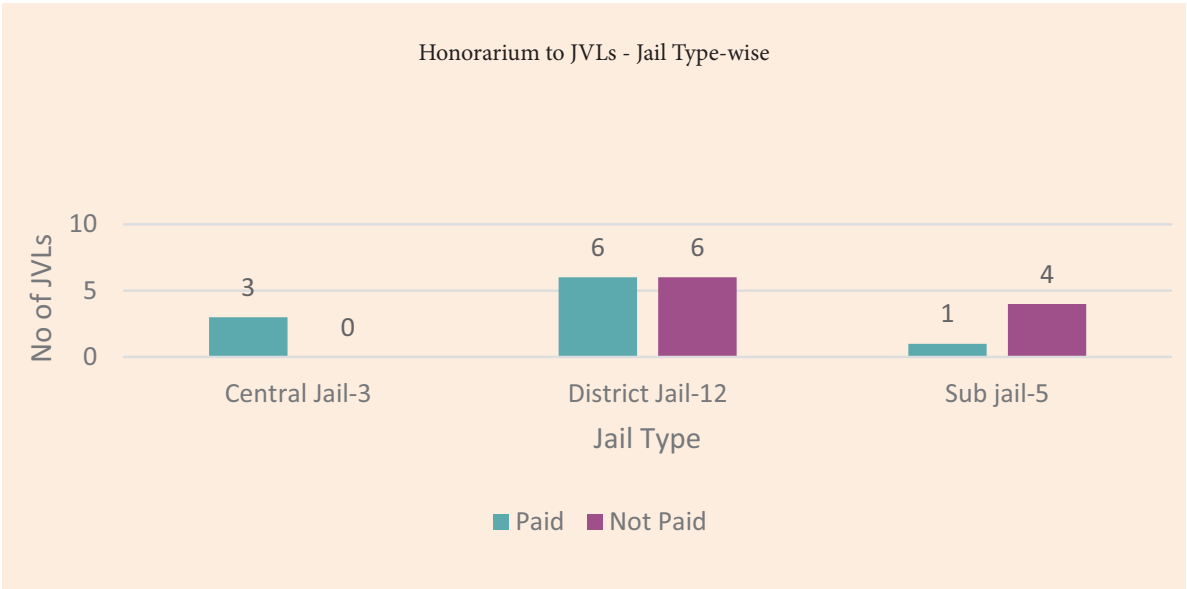
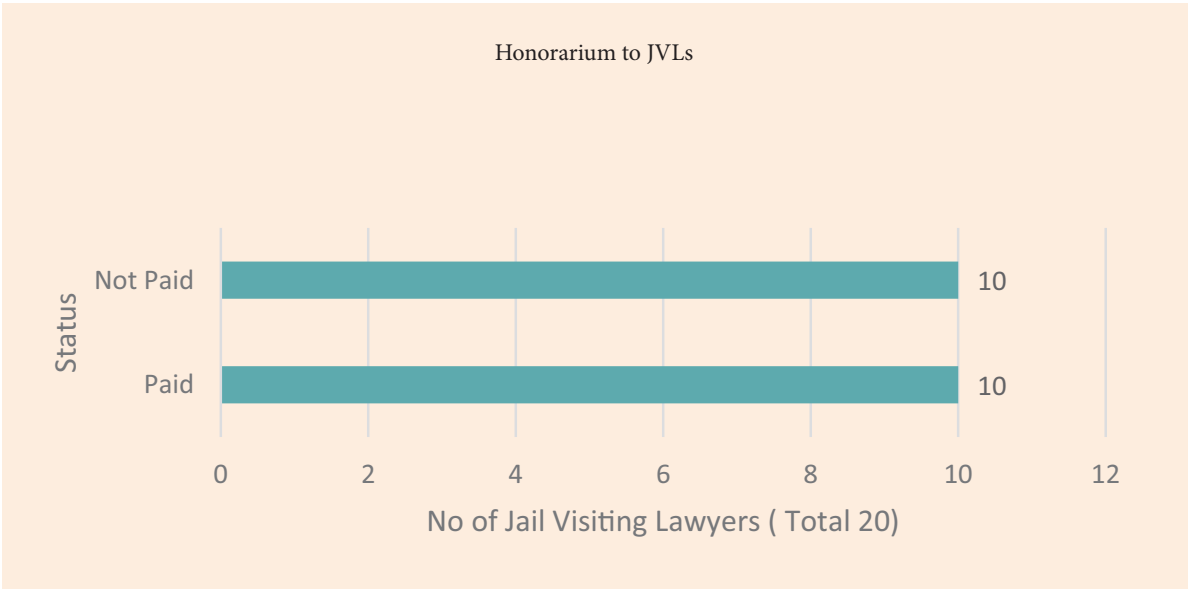
G. Payments and Incentives

i. Honorarium to Prisoner Paralegal volunteers



- ❖ Out of the 12 PLVs appointed, only three were paid honorarium. The one PLV appointed in a sub-jail was not paid any honorarium.
- ❖ Besides the three PLVs who were paid an honorarium, Sri Ganganagar DLSA paid honorariums worth Rs. 86,250. However, interestingly, they had mentioned in the RTI that they had not appointed any PLVs.

ii. Honorarium to Jail Visiting Lawyers (JVLs)



- ❖ Half of the JVLs appointed were paid honorarium.
- ❖ All the JVLs appointed in central jails were paid an honorarium.
- ❖ Besides the 10 JVLs who were paid honorariums, Sri Ganganagar DLSA paid honorariums worth Rs 34,500. However, interestingly, they mentioned in the RTI that they had not appointed any JVLs.

THE ROLE OF THE SLSA IN THE MONITORING OF THE THREE SCHEMES

Mandate	Findings	Recommendation
A. Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme 2012		
The Chairman, District Authority will send consolidated statistical information at the end of every quarter to the State Authority	From the reply received from the SLSA it appears that the information being maintained is mainly about the total number of cases under which representation was provided and payment made under the scheme.	The DLSAs may be benefited by guidelines from the SLSA on making their quarterly statistical reports comprehensive and appropriate for assessment of early and effective interventions in the opposition of remand. The information of only number of cases represented and payment made under the scheme may be quite inadequate for this purpose. As CHRI has been training legal aid lawyers appointed under this scheme since 2013 CHRI could assist in preparation of suitable formats, indicators and guidelines for gathering this statistical or other information.
B. National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010		
The High Court Legal Services Committees, the State Legal Services Authorities shall submit copies of the bi-monthly reports of their Monitoring Committees to their Patron-in-Chief.	The reply received from SLSA on 9th Feb 2015 mentions that the constitution of Monitoring Committees is under process.	SLSA could take stock of the current status in the districts if monitoring committees have been constituted and seek their bi-monthly reports accordingly. CHRI could assist in the preparation of reporting formats.
The District Legal Services Authorities and Taluk Legal Services Committees shall submit copies of the bi-monthly reports of their Monitoring Committees to the Executive Chairman of the State Legal Services Authority.	Reply from SLSA mentioned that the constitution of monitoring committees was under process.	SLSA could consider sending periodic reminders to the monitoring committees to ensure the submission of their bi-monthly reports to DLSAs and to itself. This may need to be preceded by a circular to DLSAs asking, first and foremost, for the constitution of monitoring committees in districts and Talukas where they do not exist.
The State Legal Services Authorities shall also send consolidated half-yearly reports of the Monitoring Committees to NALSA, indicating the success or failure of each of the legal aided cases, to the Central Authority.	Reply from SLSA mentioned that the constitution of monitoring committees was under process.	
C. National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines 2012		
The State Legal Services Authority shall collect monthly reports from the District Legal Services Authorities, law colleges and law universities on the functioning of legal aid clinics working in their jurisdiction.	"The information sought is not being maintained in this office"	Maintaining this information would generate accountability of legal aid clinic functionaries. SLSA could ensure that the work reports on the functioning of legal aid clinics in jail are submitted by DLSAs, law colleges and law universities every month
The State Legal Services Authority shall conduct periodical review of the working of such legal aid clinics at least once in three months or more frequently	"The information sought is not being maintained in this office"	SLSA could consider conducting periodic review of the working of legal aid clinics at least once in three months which will surely improve their efficiency. CHRI's experience in aiding and monitoring the legal aid clinic in Jodhpur central Jail under its 'Swadhikar' project enables it to assist the SLSA and DLSAs in the preparation of appropriate review formats and indicators.
The State Legal Services Authority shall send quarterly reports about the functioning of the Legal Aid Clinics within their jurisdiction to the National Legal Services Authority.	"The information sought is not being maintained in this office"	

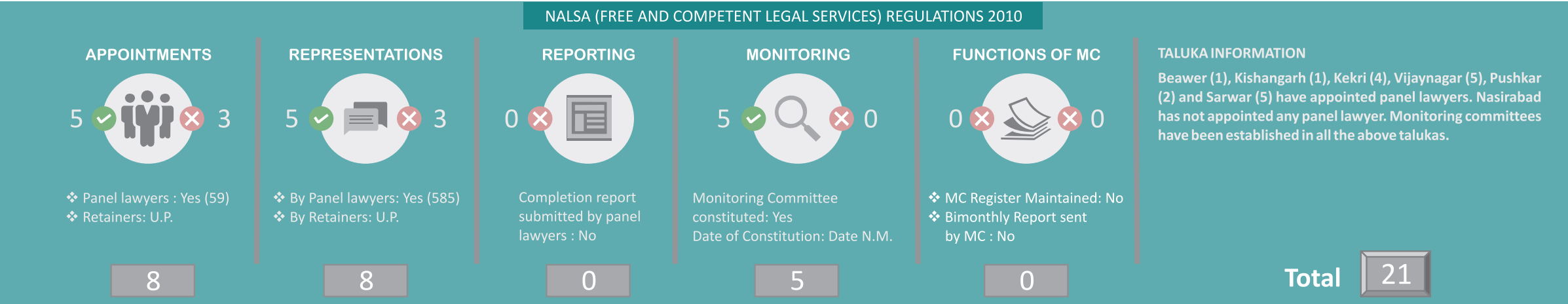
The background of the entire page is a dense, overlapping collection of brown ceramic pots or jars. These vessels vary in size and shape, with some featuring decorative patterns like leaf-like motifs or horizontal ridges. The lighting creates soft shadows, giving the scene a three-dimensional feel.

DISTRICT REPORT CARDS

HOW TO READ THE DISTRICT REPORT CARDS AND THE SCORING RATIONALE

- ❖ Each report card is divided into three sections and each section details the implementation of a scheme. The left side of each section contains the status of implementation of the schemes at the district level/ central or district jail. The right side of each section has two sub-sections, one for the notable findings and the other for taluka level/ sub-jail information.
- ❖ The maximum score for each parameter is 5 and the minimum is 0. The tick sign (✔) implies full compliance and a score of 5. The cross sign (✘) implies partial or no compliance and a score of 0, 1, 2, 3 or 4.

THE FIRST SECTION: This section looks at the implementation of the NALSA (Free and Competent Legal Services) Regulations, 2010. The section has 9 parameters grouped in 5 themes. The maximum score for the section is 45 (9*5 = 45).



THE SCORING RATIONALE:


NALSA (Free and Competent Legal Services) Regulations, 2010									
Theme	Appointment		Representation		Reporting	Monitoring			
Parameter	Appointment of panel lawyer	Appointment of retainer lawyer	Representation by panel lawyer	Representation by retainer lawyer	Completion reports submitted	Monitoring committee constituted	Date of Constitution	Registers Maintained	Bi-Monthly Reports sent by MC
Responses	Yes, No	Yes, U.P., No	Yes, No	Yes, No	Yes, No	Yes, U.P., No	2010-2015	Yes, No	Yes, No
Score	5, 0	5, 3, 0	5, 0	5, 0	5, 0	5, 3, 0	5,4,3,2,1,0	5,0	5,0

THE SECOND SECTION: The second section (orange) looks at the implementation of the NALSA (Legal Aid Clinics) Regulations, 2011 and Rajasthan SLSA Guidelines 2012. The section has 11 parameters grouped in 4 themes. The maximum score for the section is 55 (11*5 = 55)

LEGAL AID CLINIC

5

✓



✓

5

❖ LAC constituted : Yes (18-08-2012)


❖ Days of Operation: 343/192

10

JAIL VISITING LAWYERS

5

✓



✓

5

❖ Lawyers Appointed: Yes(1)


❖ No. of Visits: 48/48

10

PRISONER PARALEGALS

5

✓



✗

0

❖ PLVs Appointed: Yes(18)

❖ Monthly Reports submitted: Yes


❖ Registers Maintained: No

10

ROLE OF DLSA

5

✓



✓

5

❖ PLV Trainings Conducted : Yes (8)

❖ Honorarium Paid to PLV: Yes (Rs. 87,250/-)

❖ Honorarium Paid to JVL: Yes (Rs. 15,000/-)

❖ Reports submitted by PLV: Yes

20

NOTABLE FINDINGS

The RTI response mentions that both attendance registers and work registers are maintained by the PLVs and have been attached. The attachment was not found.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Beawer	Constituted	16 September 2013

Total 50

THE SCORING RATIONALE:

NATIONAL LEGAL SERVICES AUTHORITY (LEGAL AID CLINICS) REGULATIONS, 2011											
Theme	LAC		JVL		PLV			DLSA			
Parameter	Constitution of the LAC	Days of operation	Appointment of jail visiting lawyer (JVL)	No of visits	Appointment of PLV	Monthly report submitted by PLV	Registers maintained	PLV trainings	Honorarium paid to PLVs	Honorarium paid to JLVs	PLV reports
Responses	Yes, No	(81-100%, 61-80%, 41-60%, 21-40%, 1-20%, 0)	Yes, No	(81-100%, 61-80%, 41-60%, 21-40%, 1-20%, 0)	Yes, No	Yes, No	Yes, No	Yes, No	Yes, No	Yes, No	Yes, No
Score	5,0	5, 4, 3, 2, 1, 0	5,0	5, 4, 3, 2, 1, 0	5,0	5,0	5,0	5,0	5,0	5,0	5,0

37

THE THIRD SECTION: The third section (dark pink) looks at the implementation of the NALSA (Free and Competent Legal Services) Regulations, 2010. The section has 7 parameters grouped in 4 themes. The maximum score for the section is 35 (7*5 = 35)



1 CENTRAL JAIL AND 1 SUB JAIL 7 TALUKA LEGAL SERVICES COMMITTEES

AJMER

GRAND TOTAL : 80

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (59)
- ❖ Retainers: U.P.

8

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (585)
- ❖ By Retainers: U.P.

8

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: Date N.M.

5

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

Beawer (1), Kishangarh (1), Kekri (4), Vijaynagar (5), Pushkar (2) and Sarwar (5) have appointed panel lawyers. Nasirabad has not appointed any panel lawyer. Monitoring committees have been constituted in all the above talukas.

Total 21

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (18-08-2012)
- ❖ Days of Operation: 343/192

10

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes(1)
- ❖ No. of Visits: 48/48

10

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes(18)
- ❖ Monthly Reports submitted: Yes
- ❖ Registers Maintained: Yes, but not submitted hence not scored

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (8)
- ❖ Honorarium Paid to PLV: Yes (Rs. 87,250/-)
- ❖ Honorarium Paid to JVL: Yes (Rs. 15,000/-)
- ❖ Reports submitted by PLV: Yes

20

NOTABLE FINDINGS

The RTI response mentions that both attendance registers and work registers are maintained by the PLVs and have been attached. The attachment was not found.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Beawer	Constituted	16 September 2013

Total 50

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (71)
- ❖ Number of Terms of Appointment (out of 5) : 4

9

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/54 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/54 (0%)

0

TALUKA INFORMATION

Appointment of lawyers were made in seven talukas. These were: Beawer (5), Kishangarh (3), Kekari (3), Nasirabad (2), Vijaynagar (1), Pushkar (1) and Sarvad (1).

No responses were received on other queries.

Total 9

1 DISTRICT JAIL AND 2 SUB JAILS 6 TALUKA LEGAL SERVICES COMMITTEES

SIKAR

GRAND TOTAL : 68

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (38)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (20)
- ❖ By Retainers: No

5

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: 11/14/2014

6

FUNCTIONS OF MC



- ❖ MC Register Maintained: Yes
- ❖ Bimonthly Report sent by MC : No

5

NOTABLE FINDINGS

A register is maintained for the monitoring committee. The date, name, caste, occupation, income, case details, lawyers' details, and the honorarium are mentioned. The register in its current form basically records the legal aid cases taken up and cannot be used for monitoring purposes.

TALUKA INFORMATION

Five panel lawyers were appointed in each of the six talukas, namely Dantaramgarh, Neem ka Thana, Shrimadhopur, Fatehpur, Laxmangarh and Reengus.

Total

21

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

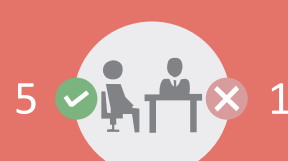
LEGAL AID CLINIC



- ❖ LAC constituted : Yes (21-09-2012)
- ❖ Days of Operation: 96/192

8

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (8)
- ❖ No. of Visits: 1/48

6

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (3)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (2)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Yes (Rs 37,000/-)
- ❖ Reports submitted by PLV: No

10

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Fatehpur	Constituted	5 July 2012
Neem ka thana	Constituted	28 June 2012

Total

29

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (6)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (46)
- ❖ Publicity To The Scheme: Boards outside Courts

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/18 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/18 (0%)

0

NOTABLE FINDINGS

The only district where work reports were not duration-wise but case-wise. Forty work reports were shared. Only three from 2014, none of them for the period asked for.

TALUKA INFORMATION

Information was received about appointments in six talukas, namely Dantaramgarh (1), Fatehpur (1), Ringas, Lakshmangarh (1), Neemkathana and Shrimadhopur. A total of 441 inmates were represented (Dantaramgarh - 3, Fatehpur - 1 and Laxmangarh - 437). All of these cases were taken up by advocate Virender Singh Dodasra. Lakshmangarh had 437 releases (253 PC, 184 JC).

Total

18

1 CENTRAL JAIL AND 1 SUB JAIL
5 TALUKA LEGAL SERVICES COMMITTEES

JODHPUR

GRAND TOTAL : 61

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (65)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (415)
- ❖ By Retainers: No

5

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: 5/21/2014

6

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

Members of the monitoring committee:
D&S Judge – Chairman;
Judge In charge of Mediation – Member;
Chairman, Bar Association – Member; Secretary General, Bar Association – Member;
Prashikshit Judicial Officer, Mediation – Member;
Prashikshit Lawyer, Mediation – Member;
Full-Time Secretary, DLSA – Secretary.

This committee does not appear to be the monitoring committee under the NALSA, 2010 Scheme, rather to be a different committee to oversee mediation cases.

Total 16

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (22-10-2012)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (8)
- ❖ No. of Visits: 17/48

7

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (5)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: Yes (Rs 11,750/-)
- ❖ Honorarium Paid to JVL: Yes (Rs 8,500/-)
- ❖ Reports submitted by PLV: No

10

SUB-JAIL INFORMATION

No response received.

Total 27

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (23)
- ❖ Number of Terms of Appointment (out of 5) : 3

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (7)
- ❖ Publicity To The Scheme: Legal Literacy Camps, Hoardings

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/69 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/69 (0%)

0

TALUKA INFORMATION

No response received.

Total 18

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: U.P.
- ❖ Date of Constitution: N.R.

3

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

Total

3

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLSA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (12-03-2013)
- ❖ Days of Operation: 58/176

7

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (1)
- ❖ No. of Visits: 30/44

8

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (1)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: Yes (Rs 1,750/-)
- ❖ Honorarium Paid to JVL: Yes (Rs 3,550/-)
- ❖ Reports submitted by PLV: No

10

NOTABLE FINDINGS

Only two pages of the roz namcha were shared. The column for the problem of the applicant and the comments column were filled in considerable detail. The upasthiti register is filled properly. It has separate demarcated areas for signature of the lawyer and the volunteer.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Abu Road	Constituted	24 November 2011

Total

35

RAJASTHAN SLSA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (10)
- ❖ Number of Terms of Appointment (out of 5) : 5

10

REPRESENTATIONS



- ❖ Persons Represented: Yes (21)
- ❖ Publicity To The Scheme: Legal Awareness Camps

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: 1/6 (17%)
- ❖ Number of Attendance Certificates Issued by the court: 1/6 (17%)

2

NOTABLE FINDINGS

One work report submitted two months after the completion of the term which mentioned that no representations were made and the lawyer did not even present himself in court.

TALUKA INFORMATION

Information was received about the appointment of lawyers in five talukas, namely Aburoad, Sheoanj, Mount Abu, Pindwara and Reodar. A total of 753 inmates were represented. Aburoad (483), Sheoganj (253), Mount Abu (17), Pindwara (nil), Reodar (nil).

Total

22

1 DISTRICT JAIL AND 1 SUB JAIL
5 TALUKA LEGAL SERVICES COMMITTEES

JHUNJHUNU

GRAND TOTAL : 57

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (13)
- ❖ Retainers: U.P.

8

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (14)
- ❖ By Retainers: No

5

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: 7/31/2014

6

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : Yes

5

NOTABLE FINDINGS

Panel lawyers were appointed in 2015.

TALUKA INFORMATION

Panel lawyers have been appointed in 2015 by TLSC Khetri, Udaipurvati, Chirawa, Nawalgarh and Buhana. No representations have been made.

Total

24

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (30-06-2012)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (8)
- ❖ No. of Visits: Nil/48

5

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (5)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (1)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

5

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Khetri	N.C.	-

Total

20

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (15)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Legal Literacy Camps, Banners, Pamphlets, Hoardings

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/9 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/9 (0%)

0

TALUKA INFORMATION

Information was received about the appointment of lawyers from two talukas, Udaipurwati (3) and Khetri (3).

Total

13

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (1)
- ❖ Retainers: N.R.

5

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: 11/17/2014

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

In Nokha, Loonkaransar and Kolayat talukas the panel lawyer appointed was also a member of the monitoring committee.

TALUKA INFORMATION

5 panel lawyers were appointed in each taluka – Dungargarh, Nokha, Lunakransar, Kolayat and Khajuwala.

Total

11

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (13-06-2012)
- ❖ Days of Operation: 69/192

7

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil/48

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (19)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (1)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

5

NOTABLE FINDINGS

The action taken column in the roz namcha was never filled. The upasthiti register was maintained quite well. It contained the name, the work done and signature of the PLVs and JVLs.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Nokha	Constituted	18 June 2012

Total

22

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (55)
- ❖ Number of Terms of Appointment (out of 5) : 4

9

REPRESENTATIONS



- ❖ Persons Represented: Yes (53)
- ❖ Publicity To The Scheme: Boards outside the DLSA and the Courts Literacy Camps

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/45 (0%)
- ❖ Number of Attendance Certificates Issued by the court: 10/45 (31%)

2

NOTABLE FINDINGS

The attendance certificates have the bank details of the lawyers. The attendance certificates relating to April, May and June were issued in July. In response to the query on representation, the DLSA stated that monthly reports are not submitted to the presiding officers of the courts by legal aid counsel so no information is received in this regard.

TALUKA INFORMATION

Information was received from five talukas namely Dungargarh, Nokha, Kolayat and Loonkaransar. Nineteen lawyers were appointed in these talukas. In Dungargarh, 10 inmates were represented and all of them were released. In Nokha, 135 inmates were represented and 85 were released. There were 30 releases in Loonkaransar. In Khajuwala, 58 inmates were represented and released. Attendance certificates were maintained in Dungargarh and Nokha TLSCs.

Total

21

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (80)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

Nil

Total

5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (29-09-2012)
- ❖ Days of Operation: 85/192

8

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (6)
- ❖ No. of Visits: 85/48

10

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (Number N.M.)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : 0
- ❖ Honorarium Paid to PLV: 0
- ❖ Honorarium Paid to JVL: Yes (Rs 28,750/-)
- ❖ Reports submitted by PLV: 0

5

NOTABLE FINDINGS

The only JLAC where even the timings of the operations in the clinic were mentioned in the upasthiti register. From January 2013 to May 2013 the timings were mostly 10 am to 5 pm. Post May 2013, the duration of the clinic was recorded as one hour. The roz namcha was very detailed. The problem of the applicant and the action taken columns were filled in detail.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Rajgarh	Constituted	9 January 2013
Ratangah	N.C.	-

Total

33

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (10)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: Legal Literacy Camps, Boards in the Bar Association, Informed Police Officers

5

REPORTING



Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil
- ❖ Number of Attendance Certificates Issued by the court: 10

3

TALUKA INFORMATION

No response received.

Total

16

1 DISTRICT JAIL AND 2 SUB JAILS
6 TALUKA LEGAL SERVICES COMMITTEES

HANUMANGARH

GRAND TOTAL : 54

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (18)
- ❖ Retainers: Yes (5)

10

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: Date N.M.

5

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

In response to the query on MC registers, the DLSA stated that the register was not maintained because they have not received any applications as yet.

TALUKA INFORMATION

Panel lawyers were appointed in six talukas namely Bardra (20), Nohar (2), Sangaria (14), Rawatsar (9), Pilibanga (24) and Tibbi (3). A Monitoring Committee has been established in all six talukas.

Total

15

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (21-01-2014)
- ❖ Days of Operation: 26/92

6

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (2)
- ❖ No. of Visits: Nil/23

5

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

NOTABLE FINDINGS

Letter dated 27 February 2015 from the Hanumangarh district jail to DLSA was provided which mentions that the two appointed JLVs have not visited the jails. PLVs have been part of the JLAC every week.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Nohar	Constituted	26 January 2014
Bardra	N.C.	-

Total

16

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (4)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (23)
- ❖ Publicity To The Scheme: Legal Literacy Camps

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: 6/12 (50%)
- ❖ Number of Attendance Certificates Issued by the court: 3/12 (25%)

5

NOTABLE FINDINGS

Consolidated monthly work reports of two lawyers for the work done in 2013 and 2014 were issued by the court in January 2015 and September 2014.

TALUKA INFORMATION

Information from six talukas was provided. Three talukas (Tibbi, Sanaria and Pilibanga) do not have a remand & bail lawyer. Bardra has eight remand & bail lawyers. Nohar and Rawatsar have three remand & bail lawyers. Totally, 260 inmates were represented (all from Bhadra).

Total

23

1 CENTRAL JAIL AND 5 SUB JAILS
10 TALUKA LEGAL SERVICES COMMITTEES

UDAIPUR

GRAND TOTAL : 53

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (50)
- ❖ Retainers: N.R.

5

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (181)
- ❖ By Retainers: No

5

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

There were 35 panel lawyers appointed in four talukas, namely Mavli (12), Salumber (10), Sarada (1), Vallabh Nagar (12) and Kherwara (nil).

Total 10

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (22-05-2012)
- ❖ Days of Operation: 30/192

6

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (1)
- ❖ No. of Visits: 26/48

8

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (1)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Yes (Rs 7,500/-)
- ❖ Reports submitted by PLV: No

5

NOTABLE FINDINGS

The upasthiti register shared was maintained properly. The number of visits per month by the lawyer and PLV were mentioned in the register. The roz namcha shared was maintained in a detailed manner for a particular period, but the action taken and comments section were not filled at all.

SUB-JAIL INFORMATION

Not Constituted.

Total 29

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (32)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

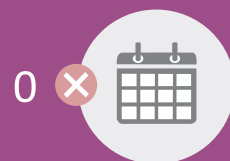
REPRESENTATIONS



- ❖ Persons Represented: Yes (46)
- ❖ Publicity To The Scheme: Nil

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/63 (0%)
- ❖ Number of Attendance Certificates Issued by the court: 1/63 (2%)

1

NOTABLE FINDINGS

Of the 48 attendance certificates, 14 were issued to indicate absence. Only one pertained to the time period asked for.

TALUKA INFORMATION

No response received.

Total 14

1 DISTRICT JAIL AND 5 SUB JAILS
9 TALUKA LEGAL SERVICES COMMITTEES

BHILWARA

GRAND TOTAL : 46

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

Appointments were made in 2011. No renewed appointments.

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLSA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (24-11-2011)
- ❖ Days of Operation: 64/192

7

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (5)
- ❖ No. of Visits: 64/48

10

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (2)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

10

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (1)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

5

NOTABLE FINDINGS

Only two pages of the roz namcha were filled in six months. No records of the applications were maintained. The only action taken was "giving legal advice".

SUB-JAIL INFORMATION

No response received.

Total

32

RAJASTHAN SLSA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (35)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (99)
- ❖ Publicity To The Scheme: No

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/33 (0%)
- ❖ Number of Attendance Certificates Issued by the court: 4/33 (12%)

1

NOTABLE FINDINGS

Total releases under the scheme: 2,313 (police custody: 1,756 + judicial custody: 557). Of these, 2,285 releases (1756+ 529) were from one court (CJM). The remaining 28 were from four courts. Four attendance certificates from February to July were issued in August 14, September 14, October 14, and January 15.

TALUKA INFORMATION

No response received.

Total

14

1 DISTRICT JAIL AND 2 SUB JAILS 7 TALUKA LEGAL SERVICES COMMITTEES

BARAN

GRAND TOTAL : 41

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (10)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

A panel of five lawyers have been appointed in each of the talukas: Chhabara, Shahbad, Anta, Mangrol, Kishanganj, Chhipabarod, and Atru.

Total

5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (22-09-2012)
- ❖ Days of Operation: 114/192

8

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (2)
- ❖ No. of Visits: 20/48

7

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Yes (Rs. 6,500/-)
- ❖ Reports submitted by PLV: No

5

NOTABLE FINDINGS

The roz namcha notings were very basic and general. The comments column was always blank. The column on problems of the applicant was used to mention the offences under which he was charged. The action taken column was either blank or had basic notings such as, information about legal aid/law was given. The signature of the applicant was always present. The upasthiti register is filled properly; it has separate demarcated areas for the signature of the lawyer and the volunteer. This was the only jail, where the absence of the paralegal volunteer was also mentioned in the upasthiti register.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Chhabara	N.C.	-
Atru	N.C.	-

Total

25

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (8)
- ❖ Number of Terms of Appointment (out of 5) : 1

6

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Legal Literacy Camps

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

NOTABLE FINDINGS

The attendance certificate from the court mentioned that the lawyer was also present at the police station.

TALUKA INFORMATION

Appointment of 16 lawyers were made in six talukas, namely Chhabara, Atru, Shahbad, Chhipabarod, Mangrol and Anta. These lawyers represented 96 inmates, 39 of whom were released. Work reports and attendance certificates were maintained in Chhabra and Chipabdaud.

Total

11

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: No

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (13-02-2013)
- ❖ Days of Operation: Nil/183

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (3)
- ❖ No. of Visits: 10/46

6

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (1)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Yes (Rs 5,000/-)
- ❖ Reports submitted by PLV: No

5

SUB-JAIL INFORMATION
No response received.

Total

21

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (12)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (229)
- ❖ Publicity To The Scheme: Legal Awareness Camps

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: 2/9 (22%)
- ❖ Number of Attendance Certificates Issued by the court: 2/9 (22%)

2

NOTABLE FINDINGS

Six work reports were submitted. Most did not pertain to the time period asked for. The format followed for the case details in the work report was quite detailed. It included the FIR number, the police station, the sections, case number, date of first production, date of challan and next date of hearing.

TALUKA INFORMATION

Information was received about the appointment of 16 lawyers in six talukas namely Nathdwara, Bhim, Railmagra Deogarh, Kumbalgarh, and Amet. In total 107 inmates were represented, all from Deogarh. There were no representation in the other five talukas.

Total

20

1 DISTRICT JAIL
8 TALUKA LEGAL SERVICES COMMITTEES

CHITTORGARH

GRAND TOTAL : 40

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (19)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (91)
- ❖ By Retainers: No

5

REPORTING



Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

Panel lawyers were appointed in seven talukas, namely Nimbahera (6), Badi Sadri (3), Kapasan (1), Begun (21), Rashmi (1), Gangrar (1) and Mandfiya (5). In total 424 inmates were represented.

Total

10

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (19-05-2012)
- ❖ Days of Operation: 44/192

7

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (3 (CUMM.))
- ❖ No. of Visits: 44/48

10

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Kapasana	Constituted	7 June 2012
Begun	Constituted	19 May 2012
Nimbahera	N.C.	-

Total

22

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (5)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/15 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/15 (0%)

0

NOTABLE FINDINGS

The statistics sent by DLSA Chairman to the Rajasthan SLA mentioned that there were no representations in any case by the R&B lawyer from February 2012 to July 2014 and no payments were made to lawyers appointed during this time period as the courts did not issue any attendance certificates.

TALUKA INFORMATION

Seventeen lawyers were appointed in nine talukas. These were Nimbahera (6), Badi Sadri (2), Kapasna (2), Begun (2), Rawatbhata (1), Dungla (1), Mandfiya (1), Gangrar (1) and Rashmi (1).

Total

8

1 CENTRAL JAIL AND 4 SUB JAILS
8 TALUKA LEGAL SERVICES COMMITTEES

SRI GANGANAGAR

GRAND TOTAL : 39

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (02-11-2012)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (1)
- ❖ Honorarium Paid to PLV: Yes (Rs 86,250/-)
- ❖ Honorarium Paid to JVL: Yes (Rs 34,500/-)
- ❖ Reports submitted by PLV: N.R.

15

SUB-JAIL INFORMATION

No response received.

Total

20

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (19)
- ❖ Number of Terms of Appointment (out of 5) : 3

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (87)
- ❖ Publicity To The Scheme: Boards outside Courts

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: 3/18 (17%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/18 (0%)

1

TALUKA INFORMATION

Remand & bail scheme has not been implemented at the taluka level.

Total

19

1 DISTRICT JAIL AND 1 SUB JAIL
4 TALUKA LEGAL SERVICES COMMITTEES

BANSWARA

GRAND TOTAL : 36

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (20)
- ❖ Retainers: N.R.

5

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: 11/15/2014

6

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

5 panel lawyers each have been appointed in Kushalgarh, Bagidora, Gadi and Ghatol talukas. Monitoring committees have been established in all the four talukas.

Total

11

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (July 2011)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes(2)
- ❖ No. of Visits: Nil/48

5

PRISONER PARALEGALS



- ❖ PLVs Appointed: Yes (1)
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (2)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Yes (Rs. 9,000/-)
- ❖ Reports submitted by PLV: No

10

SUB-JAIL INFORMATION

No response received.

Total

25

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total

0

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (15)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: Yes (37)
- ❖ By Retainers: No

5

REPORTING



- Completion report submitted by panel lawyers : Yes

3

MONITORING



- ❖ Monitoring Committee constituted: U.P.
- ❖ Date of Constitution: N.R.

3

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

Panel lawyers were appointed in three talukas namely Sagwara (9), Simalwara (4) and Aaspur(5).

Total 16

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (24-06-2011)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil/48

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

No response received.

Total 5

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (3)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Boards outside Courts

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/9 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/9 (0%)

0

TALUKA INFORMATION

Six lawyers were appointed. No other information was provided.

Total 13

1 DISTRICT JAIL AND 1 SUB JAIL
4 TALUKA LEGAL SERVICES COMMITTEES

DAUSA

GRAND TOTAL : 29

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (62)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

The panel lawyers were appointed in August 2014.

Total 5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (21-06-2014)
- ❖ Days of Operation: Nil/51

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (2)
- ❖ No. of Visits: Nil/13

5

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Bandikui	Constituted	23 June 2014

Total 10

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (12)
- ❖ Number of Terms of Appointment (out of 5) : 4

9

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Legal literacy camps

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/9 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/9 (0%)

0

TALUKA INFORMATION

No response received.

Total 14

1 CENTRAL JAIL AND 2 SUB JAILS
7 TALUKA LEGAL SERVICES COMMITTEES

BHARATPUR

GRAND TOTAL : 23

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: Nil
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (28-01-2001)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil/48

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : Yes (1)
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

5

NOTABLE FINDINGS

The oldest JLAC in Rajasthan, it was established in 2001. In January 2015, after the RTI was filed, 20 PLVs were appointed. There were no PLVs before the RTI.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Deeg	Constituted	Date N.M.
Bayana	Constituted	Date N.M.

Total

10

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (27)
- ❖ Number of Terms of Appointment (out of 5) : 3

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Legal Literacy Camps, Court Boards, Electronic & Print Media, Appointment letters to Bar Association Literacy Camps

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/27 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/27 (0%)

0

NOTABLE FINDINGS

In response to the query on representation , the DLSA stated that the courts do not maintain any registers in the R&B scheme hence it is not possible to provide any information about representation.

TALUKA INFORMATION

Information from three talukas, Roopbas, Nadbai and Wier were received. Roopbas TLSC appointed two lawyers but they did not represent any person under the scheme. Nadbai TLSC mentioned that no lawyer was appointed, but also mentioned that 22 individuals were represented and released (8 in police custody) and work reports were sent to DLSA. The Wier TLSC also appointed two lawyers who represented 104 individuals but there were no releases.

Total

13

1 DISTRICT JAIL AND 2 SUB JAILS
3 TALUKA LEGAL SERVICES COMMITTEES

JALORE

GRAND TOTAL : 23

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: Nil
- ❖ By Retainers: N.R.

0

REPORTING



Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

NOTABLE FINDINGS

As on 1 December 2014, no appointments of panel or retainer lawyers were made at the district and taluka levels. As per the direction from RSLSA on 31 January 2015, Jalore appointed 20 panel lawyers.

TALUKA INFORMATION

Panel lawyers have been appointed in 3 talukas namely Bhinmal(5), Sanchore (10) Raniwada (5).

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (August 2013)
- ❖ Days of Operation: Nil/138

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: Yes (1)
- ❖ No. of Visits: Nil/34

5

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

NOTABLE FINDINGS

Prisoner paralegal volunteers were not appointed but community paralegal volunteers were. The RTI response stated: "As appointed paralegals have not been present in the JLAC hence no work has happened."

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Bhinma	Constituted	August 2013
Sanchore	Constituted	August 2013

Total

10

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (12)
- ❖ Number of Terms of Appointment (out of 5) : 3

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Legal Literacy Camps

5

REPORTING



Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/12 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/12 (0%)

0

TALUKA INFORMATION

Information was received from three talukas – Bhinmal, Raniwada and Sanchore; four courts; and 4 RB lawyers. The lawyers appointed have not presented themselves in court at all.

Total

13

1 DISTRICT JAIL
2 TALUKA LEGAL SERVICES COMMITTEES

DHOLPUR

GRAND TOTAL : 22

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: U.P.

3

REPRESENTATIONS



- ❖ By Panel lawyers: Nil
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: Yes
- ❖ Date of Constitution: N.M.

5

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION

Lawyers were not appointed, but monitoring committees were constituted in Bari and Rajakhera.

Total 8

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes
- ❖ Days of Operation: Nil

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

No response received.

Total 5

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (5)
- ❖ Number of Terms of Appointment (out of 5) : 4

9

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/15 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/15 (0%)

0

TALUKA INFORMATION

Lawyers were appointed in Rajakhera (2) and Bari (2). No other information was provided.

Total 9

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (10)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: No
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : No

0

MONITORING



- ❖ Monitoring Committee constituted: No
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: No
- ❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS

Senior lawyers were appointed as panel lawyers both at the district and taluka level.

TALUKA INFORMATION

Panel lawyers were appointed in Aklera (5), Bhawanimandi (5) Khanpur (5), Pirawa(5), and Chaumohalla (5).

Total 5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (17-04-2013)
- ❖ Days of Operation: 136/166

9

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil/42

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: Yes

5

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

No response received.

Total 14

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total 0

1 CENTRAL JAIL AND 2 SUB JAILS
5 TALUKA LEGAL SERVICES COMMITTEES

KOTA

GRAND TOTAL : 18

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (23)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: No

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

TALUKA INFORMATION

Nil

Total

5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : Yes (01-12-2011)
- ❖ Days of Operation: Nil/192

5

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil/48

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

No response received.

Total

5

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (3)
- ❖ Number of Terms of Appointment (out of 5) : N.R.

8

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total

8

1 DISTRICT JAIL AND 3 SUB JAILS 7 TALUKA LEGAL SERVICES COMMITTEES

PALI

GRAND TOTAL : 18

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : No
- ❖ Retainers: No

0

REPRESENTATIONS



- ❖ By Panel lawyers: Nil
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

Total 0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : No
- ❖ Days of Operation: Nil

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: No
- ❖ No. of Visits: Nil

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: No
- ❖ Monthly Reports submitted: No
- ❖ Registers Maintained: No

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : No
- ❖ Honorarium Paid to PLV: No
- ❖ Honorarium Paid to JVL: Nil
- ❖ Reports submitted by PLV: No

0

NOTABLE FINDINGS

The RTI response mentioned that the appointments will be made in due course. RSLSA has given direction for the implementation of the NALSA, 2010 Scheme. Names of the panel lawyers have been sent to RSLSA. Post confirmation from the SLISA, appointments will be made in the courts and JLAC

SUB-JAIL INFORMATION

No response received.

Total 0

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (18)
- ❖ Number of Terms of Appointment (out of 5) : 3

8

REPRESENTATIONS



- ❖ Persons Represented: Yes (5)
- ❖ Publicity To The Scheme: Boards outside Jails and Police Stations

10

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/18 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/18 (0%)

0

TALUKA INFORMATION
No response received.

Total 18

1 DISTRICT JAIL AND 1 SUB JAIL
5 TALUKA LEGAL SERVICES COMMITTEES

TONK

GRAND TOTAL : 18

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (40)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

TALUKA INFORMATION

A total of 101 panel lawyers were appointed.

Total

5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLSA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION

No response received.

Total

0

RAJASTHAN SLSA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: Yes (9)
- ❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



- ❖ Persons Represented: No
- ❖ Publicity To The Scheme: Notice Board of the Court Room

5

REPORTING



- Monthly Reports Prepared By All Lawyers: No

0

MONITORING



- ❖ Number of Work Reports submitted: Nil/9 (0%)
- ❖ Number of Attendance Certificates Issued by the court: Nil/9 (0%)

0

TALUKA INFORMATION

Information was received about five talukas with 11 lawyers.

Total

13

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



❖ Panel lawyers : No
❖ Retainers: No

0

REPRESENTATIONS



❖ By Panel lawyers: No
❖ By Retainers: No

0

REPORTING



Completion report submitted by panel lawyers : No

0

MONITORING



❖ Monitoring Committee constituted: No
❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



❖ MC Register Maintained: No
❖ Bimonthly Report sent by MC : No

0

NOTABLE FINDINGS
The implementation of the scheme is under process.

TALUKA INFORMATION
Nil

Total 0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



❖ LAC constituted : No
❖ Days of Operation: Nil

0

JAIL VISITING LAWYERS



❖ Lawyers Appointed: No
❖ No. of Visits: Nil

0

PRISONER PARALEGALS



❖ PLVs Appointed: No
❖ Monthly Reports submitted: No
❖ Registers Maintained: No

0

ROLE OF DLSA



❖ PLV Trainings Conducted : No
❖ Honorarium Paid to PLV: No
❖ Honorarium Paid to JVL: Nil
❖ Reports submitted by PLV: No

0

NOTABLE FINDINGS
The register provided was not related to JLAC.

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Nainwa	N.C.	-

Total 0

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



❖ Lawyers Appointed: Yes (6)
❖ Number of Terms of Appointment (out of 5) : N.M.

8

REPRESENTATIONS



❖ Persons Represented: N.R.
❖ Publicity To The Scheme: As per directions of SLA

5

REPORTING



Monthly Reports Prepared By All Lawyers: No

0

MONITORING



❖ Number of Work Reports submitted: Nil/18 (0%)
❖ Number of Attendance Certificates Issued by the court: Nil/18 (0%)

0

TALUKA INFORMATION
Appointment of remand & bail lawyers were made in five talukas namely Nainva (2), Lakheri (1), Keshoraipatan (1), Talera (1) and Hindoli (1).

Total 13

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (11)
- ❖ Retainers: Yes (8)

10

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

NOTABLE FINDINGS

No response was received on the primary RTI. In response to the RTI filed to SLA which was forwarded to Alwar DLSA, Alwar mentioned that panel & retainer lawyers have been appointed in both the district and taluka level.

TALUKA INFORMATION

15 panel lawyers and 25 retainer lawyers have been appointed in the talukas.

Total

10

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION

No response received.

Total

0

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total

0

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



❖ Panel lawyers : No
❖ Retainers: No

0

REPRESENTATIONS



❖ By Panel lawyers: No
❖ By Retainers: No

0

REPORTING



Completion report submitted by panel lawyers : No

0

MONITORING



❖ Monitoring Committee constituted: Yes
❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



❖ MC Register Maintained: N.R.
❖ Bimonthly Report sent by MC : No

0

TALUKA INFORMATION
NIL

Total 0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLA GUIDELINES 2012

LEGAL AID CLINIC



❖ LAC constituted : Yes (September 2012)
❖ Days of Operation: 200/192

10

JAIL VISITING LAWYERS



❖ Lawyers Appointed: No
❖ No. of Visits: Nil/48

0

PRISONER PARALEGALS



❖ PLVs Appointed: No
❖ Monthly Reports submitted: No
❖ Registers Maintained: N.R.

0

ROLE OF DLSA



❖ PLV Trainings Conducted : No
❖ Honorarium Paid to PLV: No
❖ Honorarium Paid to JVL: Nil
❖ Reports submitted by PLV: No

0

SUB-JAIL INFORMATION

Jail	Constitution of JLAC	Date of Constitution
Balotra	Constituted	June 2012

Total 10

RAJASTHAN SLA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



❖ Lawyers Appointed: N.R.
❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



❖ Persons Represented: N.R.
❖ Publicity To The Scheme: N.R.

0

REPORTING



Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



❖ Number of Work Reports submitted: N.R.
❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION
No response received.

Total 0

1 DISTRICT JAIL AND 3 SUB JAILS
9 TALUKA LEGAL SERVICES COMMITTEES

NAGAUUR

GRAND TOTAL : 8

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (26)
- ❖ Retainers: U.P.

8

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

TALUKA INFORMATION

Panel Lawyers were appointed in Nagaur (15), Deedwana (7), Parbatsar (20), Makrana (5), Ladnu (5), Degana (5), Kuchaman (13), Nawa (7) and Jayal (5).

Total

8

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION

No response received.

Total

0

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total

0

1 CENTRAL JAIL AND 2 SUB JAILS
9 TALUKA LEGAL SERVICES COMMITTEES

JAIPUR

GRAND TOTAL : 5

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (79)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: Nil
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

TALUKA INFORMATION
NIL

Total 5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION
No response received.

Total 0

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION
No response received.

Total 0

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (20)
- ❖ Retainers: No

5

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

TALUKA INFORMATION

Panel Lawyers were appointed in Hindaun (13), Shri Mahavir Ji (5) and Todabhim (22).

Total

5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION

No response received.

Total

0

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION

No response received.

Total

0

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



- ❖ Panel lawyers : Yes (10)
- ❖ Retainers: N.R.

0

REPRESENTATIONS



- ❖ By Panel lawyers: N.R.
- ❖ By Retainers: N.R.

0

REPORTING



- Completion report submitted by panel lawyers : N.R.

0

MONITORING



- ❖ Monitoring Committee constituted: N.R.
- ❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



- ❖ MC Register Maintained: N.R.
- ❖ Bimonthly Report sent by MC : N.R.

0

Total 5

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012

LEGAL AID CLINIC



- ❖ LAC constituted : N.R.
- ❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



- ❖ Lawyers Appointed: N.R.
- ❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



- ❖ PLVs Appointed: N.R.
- ❖ Monthly Reports submitted: N.R.
- ❖ Registers Maintained: N.R.

0

ROLE OF DLSA



- ❖ PLV Trainings Conducted : N.R.
- ❖ Honorarium Paid to PLV: N.R.
- ❖ Honorarium Paid to JVL: N.R.
- ❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION
No response received.

Total 0

RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



- ❖ Lawyers Appointed: N.R.
- ❖ Number of Terms of Appointment (out of 5) : N.R.

0

REPRESENTATIONS



- ❖ Persons Represented: N.R.
- ❖ Publicity To The Scheme: N.R.

0

REPORTING



- Monthly Reports Prepared By All Lawyers: N.R.

0

MONITORING



- ❖ Number of Work Reports submitted: N.R.
- ❖ Number of Attendance Certificates Issued by the court: N.R.

0

TALUKA INFORMATION
No response received.

Total 0

NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010

APPOINTMENTS



❖ Panel lawyers : N.R.
❖ Retainers: N.R.

0

REPRESENTATIONS



❖ By Panel lawyers: N.R.
❖ By Retainers: N.R.

0

REPORTING



Completion report
submitted by panel
lawyers : N.R.

0

MONITORING



❖ Monitoring Committee
constituted: N.R.
❖ Date of Constitution: N.R.

0

FUNCTIONS OF MC



❖ MC Register Maintained: N.R.
❖ Bimonthly Report sent
by MC : N.R.

0

Total

0

NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLSA GUIDELINES 2012

LEGAL AID CLINIC



❖ LAC constituted : N.R.
❖ Days of Operation: N.R.

0

JAIL VISITING LAWYERS



❖ Lawyers Appointed: N.R.
❖ No. of Visits: N.R.

0

PRISONER PARALEGALS



❖ PLVs Appointed: N.R.
❖ Monthly Reports submitted: N.R.
❖ Registers Maintained: N.R.

0

ROLE OF DLSA



❖ PLV Trainings Conducted : N.R.
❖ Honorarium Paid to PLV: N.R.
❖ Honorarium Paid to JVL: N.R.
❖ Reports submitted by PLV: N.R.

0

SUB-JAIL INFORMATION
No response received.

Total

0

RAJASTHAN SLSA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012

APPOINTMENTS



❖ Lawyers Appointed: N.R.
❖ Number of Terms of
Appointment (out of 5) : N.R.

0

REPRESENTATIONS



❖ Persons Represented: N.R.
❖ Publicity To The Scheme: N.R.

0

REPORTING



Monthly Reports Prepared By
All Lawyers: N.R.

0

MONITORING



❖ Number of Work Reports
submitted: N.R.
❖ Number of Attendance Certificates
Issued by the court: N.R.

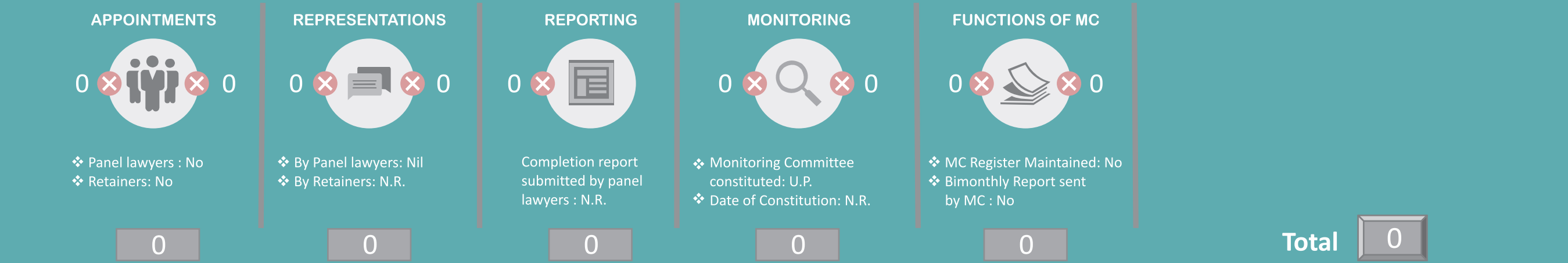
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TALUKA INFORMATION
No response received.

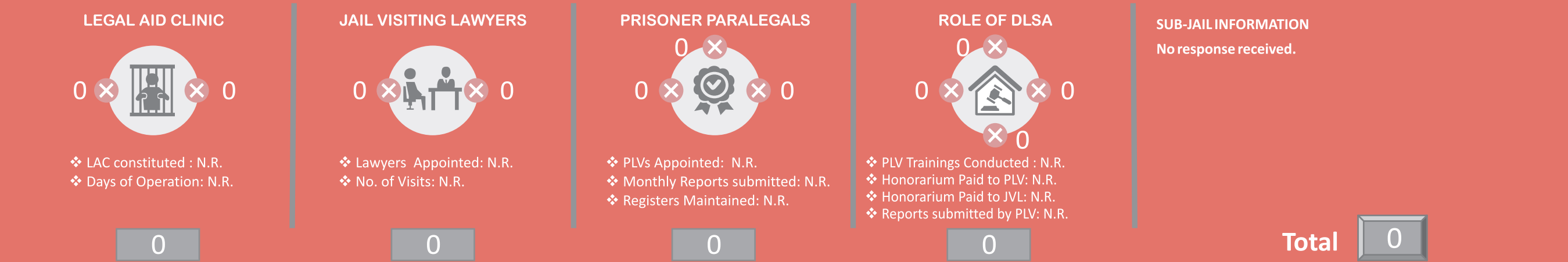
Total

0

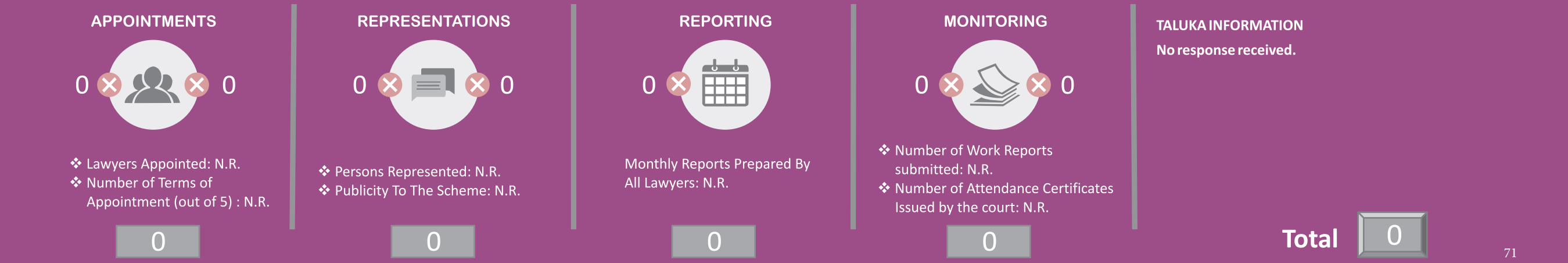
NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010



NALSA (LEGAL AID CLINICS) REGULATIONS 2011 & RAJASTHAN SLISA GUIDELINES 2012



RAJASTHAN SLISA's LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME 2012





THE FORMATS



THE FORMATS

I FORMATS SHARED BY DISTRICTS

SCHEME 1 : National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010

The format of the monitoring committee register was studied. The monitoring committee shall maintain a register for legal aid cases to record the day-to-day postings, progress of the case and the end result (success or failure) in respect of cases for which legal aid is allowed. The register shall be scrutinised by the chairman of the committee every month. No specific format for the registers to be maintained by the monitoring committee is mentioned or provided in the scheme. Only the monitoring committee of the Sikar DLSA has maintained a register. Dholpur and Ajmer have not shared the certified copies or format of their register. The format of the Sikar monitoring committee register was attached but it does not appear to be the appropriate as it does not track the day to day proceedings of cases which the register is expected to maintain under the scheme.

SIKAR MONITORING COMMITTEE REGISTER					
S. No.	Subject	Year/Month	Civil	Criminal	Total
1	No. of Panel lawyers				
2	No. of cases assigned to Panel lawyers				
3	No. of cases decided after examining all witnesses				
4	No. of cases in which disposal was granted after examining only the witness				
5	No. of cases disposed of after recording more than 1 witness but not all witnesses				
6	Time taken in disposal from time of assignment of case to panel lawyers				
7	No. of adjournments sought by the panel lawyer and for what reason				
8	No. of cases disposed of on first hearing on plea of guilt (criminal)				
9	No. of cases disposed of favourably (civil)				
10	No. of cases decided ex parte (civil)				
11	No. of cases ending in acquittals (criminal)				
12	No. of cases ending in conviction (criminal)				
13	No. of cases in which appeals were filed by the panel lawyers				
14	No. of cases in which appeal was filed with delay with average period (range of delay)				
15	No. of cases in which parties approached legal services in appellate courts including sessions, High Court and Supreme Court where trial was by private counsels				
16	No. of cases in which appeal was disposed of favourably				
17	No. of cases in which appeal was dismissed				
18	No. of hearings in appellate courts				
19	No. of adjournments in appellate courts by panel lawyers and reasons thereof				
20	No. and nature of complaints, if any, against panel lawyers.				
21	How were these complaints dealt with?				
22	No. of legal aid cases dealt under plea bargaining after assignment to panel lawyer				
23	No. of cases dealt under mediation after assignment to panel lawyer				
24	No. of legal aid cases dealt with under lok adalat after assignment to panel lawyer				

SCHEME 2: National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines, 2012

The format of the attendance register and work registers maintained in legal aid clinics were studied. The scheme says, lawyers and paralegal volunteers rendering service in legal aid clinics shall record their attendance in the register maintained in the legal aid clinic. There shall be a register in every legal aid clinic to record the names and addresses of persons seeking legal aid services, the names of lawyers or paralegal volunteers who render services in the legal aid clinic, the nature of the services rendered, remarks of the lawyers or paralegal volunteers and signatures of the persons seeking legal aid services. The records of the legal aid clinics shall be under the control of the chairman or the secretary of the legal services institution that has territorial jurisdiction over it. No format for the registers are provided in the schemes. However, some DLSAs seem to have innovated on their own and have developed some parameters and formats. However these are neither standardized nor complete, and there is a requirement for guidance on the part of both NALSA and SLA. CHRI offers a few recommendations in this area.

Attendance Register: The format of the attendance register was available from five districts. Sirohi, Churu and Bikaner used the same format. The register was in the form of a grid/calendar with defined spaces to mark the attendance of lawyers and paralegal volunteers. Such a format ensures easy and quick monitoring. We suggest the register maintained by Sirohi.

Work Register: The format of the work register was received from 11 districts. Of these, six had detailed registers with columns for details of the applicant, problems of the application, his signature, action taken on the problem and comments (Baran, Bikaner, Churu, Sirohi, Bundi and Hanumangarh). Bundi has an extra column – date of disposal. Bhilwara had a very basic register with only one column, and the format of Chittorgarh was not clear. Kota, Barmer and Ganganagar had monthly reports and not monthly registers.

SIROHI'S ATTENDANCE REGISTER

In Tabular Format:

1	S.No.
2	Date
3	Names of the paralegal volunteers
4	Name of the panel lawyer
5	Signature
6	Description of the work/remedy provided

BARAN'S WORK REGISTER

In Tabular Format:

1	S. No.
2	Date
3	Name of the applicant, father's name, caste, full address & telephone number if any
4	Detail of the problems of the applicant in brief
5	Description of the action taken against the problem of the applicant
6	Signature of the applicant
7	Comments

SCHEME 3: Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012

The format of the lawyers’ monthly work reports and attendance certificate were studied. The scheme does not prescribe any standardised format for these two documents. Work reports are to be submitted by the lawyers to the court, which are then forwarded to the DLSA. Monthly attendance certificates are to be issued by the court to lawyers, which are then forwarded to the DLSA. The certified copies of work reports and attendance certificates were shared by only four⁵³ and nine⁵⁴ districts respectively. Ten districts shared their formats for their attendance certificates, seven shared work report formats, and one (Udaipur) appears to have combined both into one report.

Attendance Certificates: A common format has been used by most districts. The document basically certifies the presence of the lawyers in the courts. It does not mention the number of days the lawyers were present, whether they were present during the “remand hour” every day or appeared when they were called by the courts. The format basically mentions that the lawyers were “regularly present”. CHRI’s observations in Jodhpur were that the courts did not maintain any attendance registers for remand & bail lawyers. In the absence of a register, certifying the attendance of a lawyer would not be possible. Also, as the name and presence of lawyers are usually not noted in order sheets, the documentation on presence of lawyers is missing.

BARAN'S ATTENDANCE CERTIFICATE

Date

Attendance certificate

S. No. | Name of the legal aid counsel | Term of presence | Details of work done

Work Reports: Very few districts maintain work reports, and these have more or less a similar format. The work reports CHRI studied have three segments. The first one is the basic information regarding the case details taken up by the lawyer. Most have this segment. The second one is a checklist to classify the beneficiaries, i.e. vulnerable categories such as SC, ST or children. Some districts have this segment. The third is specific to the scheme and mentions information about remand opposition and bail application. Only the Chittorgarh and Sikar work report formats have this segment. However none of them actually used this format in the work reports shared. The elements in the three work reports can be brought together in one work and attendance report.

BARAN'S WORK REPORT

Legal aid provided to the offenders in custody by the legal aid counsel in _____ (Month) _____ (Year)

1	Serial number
2	FIR number
3	Name of the police station
4	Offence
5	Name of the offender
6	Date

Certified by the concerned authority.

SRI GANGANAGAR'S WORK REPORT

S. No. | Month |

Number of persons benefitted
|SC|ST|OBC| in custody| women| children| others| total

Signature
Name of the counsel
Name of the court

SIKAR'S WORK REPORT

Tabular data under following heads

1	Whether panel lawyers attended the hearing in remand cases?
2	In how many cases was police remand opposed successfully?
3	How many bail applications were moved by the remand advocates in a month?
4	How many persons were granted bail in a month?
5	How long did it take to present the bail bond after the bail orders?
6	Whether the jail visiting advocates collect information about existing bail orders in favour of the accused?
7	Whether information is received from DLSAs / TLSCs by SLAS?
8	How many jail visiting advocates identified juveniles in the other jails?
9	What action has been initiated in this regard?

53 Sri Ganganagar, Hanumangarh, Rajasamand and Sirohi.
54 Bikaner, Bhilwara, Churu, Chittorgarh, Hanumangarh, Jodhpur, Rajasamand, Sikar and Udaipur.

II CHRI’s SUGGESTED FORMAT

1. **Attendance Certificate and Work Report:** CHRI in consultation with Jodhpur DLSA formulated a common format for the attendance certificate and work report Rajasthan State Legal Service Authority’s Legal Assistance to Persons in Custody Scheme, 2012. Based on the Sikar’s work reports which are case based, CHRI can further develop this format.

Name of the Court _____

Name of the Presiding officer _____

Name of the Remand & Bail Lawyer _____

This is to certify that the Adv. _____ who is appointed as the remand and bail lawyer in Court _____ has been/not been regularly attending the court. He/ She has extended his/her legal services in the cases below:

S.No	Title of the Case	Case. No.	Dates of the hearings in the month	Interventions in the Case	Applications Filed

Signature of the Presiding Officer

2. CHRI has also formulated the format for the register to be maintained at the court to record the work and attendance of the lawyer. The format is as below:

Date	Time	Called/ Visited	Name of the Case represented	Intervention Made	Signature of the Lawyer	Signature of the Court

3) Taking inputs from the formats of work registers maintained by some of the Jail Legal Aid Clinics under Rajasthan State Legal Services Authority Guidelines, 2012, CHRI has devised a format as mentioned below:

WORK REGISTER	
In Tabular Format:	
1	S. No.
2	Date
3	Name of the applicant, father’s name, caste, full address & telephone number if any, Date on which action taken ; date on which application was made by UTP. Date on which application was presented to DLSA; Date on which lawyer appointed; Date on which UTP was informed about appointed/assigned lawyer
4	Detail of the problems of the applicant in brief
5	Description of the action taken against the problem of the applicant
6	Date of appearance
7	Decision
8	Date of Disposal
9	Signature of the applicant
10	Comments



ANNEXURES

A. District wise Recommendations

B. National Legal Services Authority and State Legal Services Authority Schemes

- 1. Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012**
- 2. National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010**
- 3. National Legal Services Authority (Legal Aid Clinics) Regulations, 2011**
- 4. Rajasthan State Legal Services Authority Guidelines, 2012**

C. Right to Information Applications Filed

- 1. RTI application on the implementation of Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012**
 - 2. RTI application on the implementation of National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010**
 - 3. RTI application on the implementation of National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012**
- 

A. DISTRICT WISE RECOMMENDATIONS

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Districts/ Parameters	<ul style="list-style-type: none"> ► Appointment of R&B lawyers ► Publicity for the scheme ► Work reports submitted ► Attendance certificate issued by the court 	<ul style="list-style-type: none"> ► Constitution of the LAC ► LAC operational ► Prisoner paralegal volunteers (PLV) appointed ► Jail visiting lawyers (JVL) appointed ► Registers maintained in the LAC ► PLV trainings ► PLV reports 	<ul style="list-style-type: none"> ► Appointment of panel lawyer ► Appointment of retainer lawyer ► Completion reports submitted ► Monitoring committee (MC) constituted ► Bi-monthly reports sent by MC ► MC register maintained
Ajmer	<ul style="list-style-type: none"> ► Publicity to the scheme: DLSA has not responded to this RTI query. The R&B scheme should be given publicity if it has not been done already. ► Submission of work reports: To ensure submission of the work reports regularly. ► Issuance of attendance certificate: To ensure issuance of attendance certificate 		<ul style="list-style-type: none"> ► Appointment of Retainer Lawyers: In response to this query DLSA had mentioned that the appointment of Retainer lawyers was under process. SLISA should check if the same has been appointed ► Completion Reports: To ensure submission of Completion Reports ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Alwar	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Banswara	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► LAC Registers: To maintain LAC Registers ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyers: DLSA has not responded to the query. Appoint Retainer Lawyers if they have not been appointed ► Completion Reports: To ensure submission of Completion Reports ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Barmer	<ul style="list-style-type: none"> ▶ Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ▶ Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ▶ Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ▶ Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ▶ Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ▶ Appointment of JVLs: To appoint Jail Visiting Lawyers ▶ LAC Registers: To maintain LAC Registers ▶ PLV Training: To train PLVs ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Panel Lawyer: To appoint Panel Lawyers ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: To ensure submission of Completion Reports ▶ Constitution of MC: To constitute Monitoring Committee (MC) ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC
Baran	<ul style="list-style-type: none"> ▶ Submission of Work Reports: To ensure submission of the work reports regularly ▶ Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ▶ Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ▶ PLV Training: To train PLVs ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: To ensure submission of Completion Reports ▶ Constitution of MC: To constitute Monitoring Committee (MC) ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC
Bharatpur	<ul style="list-style-type: none"> ▶ Submission of Work Reports: To ensure submission of the work reports regularly ▶ Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ▶ Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ▶ Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ▶ Appointment of JVLs: To appoint Jail Visiting Lawyers ▶ LAC Registers: To maintain LAC Registers ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Panel Lawyer: To appoint Panel Lawyers ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ▶ Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ▶ PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ▶ MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Bikaner	<ul style="list-style-type: none"> ▶ Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ▶ Appointment of JVLs: To appoint Jail Visiting Lawyers ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Retainer Lawyers: DLSA has not responded to the query. Appoint Retainer Lawyers if they have not been appointed ▶ Completion Reports: To ensure submission of Completion Reports ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Bhilwara	<ul style="list-style-type: none"> ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Bundi	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Constitution of LAC: To constitute Legal Aid Clinics ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Churu	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ► PLV Reports: To ensure PLV reports are being submitted ► PLV Training: To train PLVs 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Chittorgarh	<ul style="list-style-type: none"> ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► PLV Reports: To ensure PLV reports are being submitted ► PLV Training: To train PLVs 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Dausa	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► LAC Registers: To maintain LAC Registers ► PLV Reports: To ensure PLV reports are being submitted ► PLV Training: To train PLVs 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Dholpur	<ul style="list-style-type: none"> ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyers: In response to this query DLSA had mentioned that the appointment of Retainer lawyers was under process. SLSA should check if the same has been appointed ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV
Dungarpur	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► In response to the RTI DLSA had mentioned that the constitution of the Monitoring Committee is under process. To confirm whether the same has been constituted ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Sawai Madhopur	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: To give publicity to the scheme ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Sri Ganganagar	<ul style="list-style-type: none"> ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Hanumangarh		<ul style="list-style-type: none"> ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Jhunjunu	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► LAC Registers: To maintain LAC Registers ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyers: In response to this query DLSA had mentioned that the appointment of Retainer lawyers was under process. SLSA should check if the same has been appointed ► Completion Reports: To ensure submission of Completion Reports ► MC Reports: To ensure Bi-Monthly submission of Reports by MC
Jodhpur	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► LAC Registers: To maintain LAC Registers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Jaisalmer	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyers: DLSA has not responded to the query. Appoint Panel Lawyers if they have not been appointed ► Appointment of Retainer Lawyers: DLSA has not responded to the query. Appoint Retainer Lawyers if they have not been appointed ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Jalore	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► LAC Registers: To maintain LAC Registers ► PLV Training: To train PLVs ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Panel Lawyer: To appoint Panel Lawyers ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Jhalawar	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Jaipur (DLSA)	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Karauli	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Kota	<ul style="list-style-type: none"> ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: To ensure submission of Completion Reports ► Constitution of MC: To constitute Monitoring Committee (MC) ► Monthly PLV Reports: To ensure submission of Monthly Report by PLV ► MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Nagaur/ Merta City	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyers: In response to this query DLSA had mentioned that the appointment of Retainer lawyers was under process. SLSA should check if the same has been appointed ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Pratapgarh	<ul style="list-style-type: none"> ► Appointment of R&B lawyers: DLSA has not responded to this query. Appoint R&B Lawyers regularly if they have not been appointed ► Publicity to the Scheme: DLSA has not responded to this RTI query. The R&B Scheme should be given publicity if it has not been done already. ► Submission of Work Reports: DLSA has not responded to this query. Ensure submission of work reports if they are not being submitted regularly ► Issuance of Attendance Certificate: DLSA has not responded to the query. Ensure issuance of Attendance Certificate if they are not being issued regularly 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent
Pali	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Constitution of LAC: To constitute Legal Aid Clinics ► Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ► Appointment of PLVs: To appoint Prisoner Paralegal Volunteers ► Appointment of JVLs: To appoint Jail Visiting Lawyers ► LAC Registers: To maintain LAC Registers ► PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Rajasmand		<ul style="list-style-type: none"> ▶ Operationalization of LAC: To ensure that the Legal Aid Clinics are operational ▶ LAC Registers: To maintain LAC Registers ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Panel Lawyer: To appoint Panel Lawyers ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: To ensure submission of Completion Reports ▶ Constitution of MC: To constitute Monitoring Committee (MC) ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC
Sikar	<ul style="list-style-type: none"> ▶ Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ▶ LAC Registers: To maintain LAC Registers ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: To ensure submission of Completion Reports ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV
Sirohi	<ul style="list-style-type: none"> ▶ Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Panel Lawyer: To appoint Panel Lawyers ▶ Appointment of Retainer Lawyer: To appoint Retainer Lawyers ▶ Completion Reports: To ensure submission of Completion Reports ▶ In response to the RTI DLSA had mentioned that the constitution of the Monitoring Committee is under process. To confirm whether the same has been constituted ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC
Udaipur	<ul style="list-style-type: none"> ▶ Publicity to the Scheme: To give publicity to the scheme ▶ Submission of Work Reports: To ensure submission of the work reports regularly 	<ul style="list-style-type: none"> ▶ PLV Reports: To ensure PLV reports are being submitted 	<ul style="list-style-type: none"> ▶ Appointment of Retainer Lawyers: DLSA has not responded to the query. Appoint Retainer Lawyers if they have not been appointed ▶ Completion Reports: To ensure submission of Completion Reports ▶ Constitution of MC: To constitute Monitoring Committee (MC) ▶ Monthly PLV Reports: To ensure submission of Monthly Report by PLV ▶ MC Reports: To ensure Bi-Monthly submission of Reports by MC

	Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012	National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 & Rajasthan State Legal Services Authority Guidelines, 2012	National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
Tonk	<ul style="list-style-type: none"> ► Submission of Work Reports: To ensure submission of the work reports regularly ► Issuance of Attendance Certificate : To ensure issuance of Attendance Certificate 	<ul style="list-style-type: none"> ► Constitution of LAC: To check whether Legal Aid Clinics were constituted as DLSA has not responded to the query ► Operationalization of LAC: To check whether the Legal Aid Clinics are operational as DLSA has not responded to the query ► Appointment of PLVs: To check whether Prisoner Paralegal Volunteers have been appointment as DLSA has not responded to the query ► Appointment of JVLs: To check whether Jail Visiting Lawyers are appointed as DLSA have not responded to the query ► LAC Registers: To check whether LAC Registers are being maintained as DLSA has not responded to the query ► PLV Training: To check whether PLVs are being trained as DLSA has not responded to the query ► PLV Reports: To check whether PLV reports are being submitted as DLSA has not responded to the query 	<ul style="list-style-type: none"> ► Appointment of Retainer Lawyer: To appoint Retainer Lawyers ► Completion Reports: DLSA has not responded to the query. Ensure submission of Completion reports if they are not being submitted regularly ► Constitution of MC: DLSA has not responded to the query. Constitute a Monitoring Committee if it has not been constituted already ► PLV Monthly Reports: DLSA has not responded to the query. Ensure submission of PLV Monthly reports if it is not being submitted every month ► MC Reports: DLSA has not responded to the query. Ensure bi-monthly submission of MC Reports if it is not being sent

B. NATIONAL LEGAL SERVICES AUTHORITY AND STATE LEGAL SERVICES AUTHORITY SCHEMES

LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME GUIDELINES

**RAJASTHAN STATE LEGAL SERVICES AUTHORITY
RAJASTHAN HIGH COURT CAMPUS, JAIPUR BENCH, JAIPUR**

No. RSLSA/ Legal Aid Council Scheme/ 13th F.C./2011

Date: 17-2-2012

To,
The Chairman
District Legal Services Authority
(District & Sessions Judge)
All Rajasthan.

Sub: Regarding Model Scheme for Legal Aid Counsel in Rajasthan.

Sir,

While enclosing copy of the Model Scheme for Legal Aid Counsel in all the Courts of Magistrate, I am directed to request you that as per the Scheme the District Legal Services Authority may prepare a panel of Legal Aid Counsel preferably with a minimum standing of 5 years on criminal side. The Advocates from this panel may be attached to the Courts of Magistrates and may be called the “Legal-Aid Counsel”. The remuneration for trial of the case, fee schedule for acting as a defense counsel, appointed by District Legal Services Authority/ Taluk Legal Services Committee, as the case may be for added person shall be separately as per Regulation 22 of the Rajasthan State Legal Services Authority Regulations, 1999. All payments to the Legal Aid Counsel may be made after submitting monthly report regarding attendance of the Legal Aid Counsel at the time of remand bail or miscellaneous application as the case may be to the concerned judicial officer. The names of the Legal Aid Counsel may be displayed outside the Court to which he is attached and also affix hoardings in the Police Stations and Jails. The Printed Proforma of nomination letters to be issued to Legal Aid Counsel is also attached for ready reference. These instructions may be complied with in letter and spirit and compliance report of implementation of the model scheme shall be sent by 24th February, 2012.

Remuneration payable to Legal Aid Counsel under this scheme will be paid from the funds allocated to your District Legal Services Authority under recommendation of the Finance Commission under head Legal Aid to eligible persons.

Yours sincerely
(K.B.Katta)
Member Secretary

Date: 17-2-2012
Encl.As above

No: 18734-18737

Copy forwarded to the following for information:

1. Registrar-cum-Principal Secretary to the Hon’ble the Chief Justice, Rajasthan High Court, Jodhpur.
2. Secretary, Rajasthan High Court Legal Services Committee, Jodhpur/Jaipur.
3. District & Sessions Judge, Jodhpur District, Jodhpur.

(K.B.Katta)
Member Secretary.

LEGAL ASSISTANCE TO PERSON IN CUSTODY SCHEME GUIDELINES

In exercise of the powers conferred by clause (g) of section 2 read with clause (a) of sub-section (2) of Section 7 and Section 12(g) of the Legal Services Authorities Act, 1987, the state authority hereby makes the following scheme guidelines, namely:-

1. The Scheme may be called the Legal Assistance to Person in Custody Scheme.
2. (a) Act means Legal Services Authority Act, 1987 (No. 39 of 1987).
(b) District Authority means District Legal Services Authority constituted under Section 9 of the Act.
(c) Person in custody shall have the same meaning as defined in the Section 12(g) of the Act.
3. The District Authority or Taluk Committee, as the case may be, shall prepare
 - a) Panel of counsels for nomination of Legal Aid Counsel for each Court of Magistrate or more, depending upon the quantum of remand cases received each day, for defending persons in custody.
4. Such Legal Aid Counsel should have put at least 5 years of practice at the Bar.
5. The District Authority or Taluk Committee, as the case may be, shall nominate one Legal Aid Counsel from the panel of Counsels prepared by them, for each court of Magistrate or more, depending upon the quantum of remand cases received each day, for defending persons in Custody.
6. It would be the duty of the Legal Aid Counsel so nominated to oppose remand, apply for bail and remove miscellaneous applications as may be required.
7. It shall be the duty of the Legal Aid Counsel so nominated to remain present during remand hours and such as may be directed by Courts concerned.
8. The District Legal Services Authority or Taluk Committee, as the case may be, shall insist upon certificate from the Court concerned about the regular attendance of the Legal Aid Counsel Concerned.
9. A Legal Aid Counsel so nominated shall be paid a fixed honorarium of Rs. 1000/- per month for discharging his functions, in addition to incidental charges.
10. The District Authority or Taluk Committee, as the case may be, shall give wide publicity to this scheme and display boards outside the Court room. The Boards should also disclose the names of Legal Aid Counsel and his address and that no payment is required to be made by the persons in custody for availing of the services of the Legal Aid Counsel. The Legal Aid Counsel shall not prepare and display any personal board or name plate at anywhere and misuse his capacity as Legal Aid Counsel.
11. Any Legal Aid Counsel demanding remuneration from the aided persons or misuse his capacity shall be liable to be removed from panel and his nomination shall be cancelled immediately.
12. The District Authority or Taluk Committee, as the case may be, shall change the nomination of Legal Aid Counsel after every six months and to nominate to another counsel from the panel so prepared for this purpose, as per rotation.
13. The District Authority or Taluk Committee, as the case may be, can take services of such Legal Aid Counsel for other legal services programmes and schemes implemented by them. It would be the duty of the Legal Aid Counsel so nominated to assist concerned authority or committee for implementation of legal services programmes or schemes.
14. After the stage of bail/ remand, if the accused desires and entitled for legal aid, his application form, for providing legal aid, can be sent to concern District Legal Services Authority/ Taluk Legal Services Committee for necessary action.
15. The Legal Aid Counsel will keep details of the case in which he has extended his legal services in the concern Court in this regard and by the end of the month, he will submit it to the concern Presiding Officer of the Court, which will be forwarded to the Chairman, Taluk Committee or Chairman, District Authority as the case may be. The Chairman, District Authority will send consolidated statistical information at the end of every Quarter to the State Authority.

(K.B.Katta)
Member Secretary.

NATIONAL LEGAL SERVICES AUTHORITY (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS, 2010

New Delhi, dated 9th September, 2010

No.L/61/10/NALSA. - In exercise of the powers conferred by section 29 of the Legal Services Authorities Act, 1987 (39 of 1987) and in pursuance of the provisions in section 4 of the Act to make available free and competent legal services to the persons entitled thereto under section 12 of the said Act, the Central Authority hereby makes the following regulations, namely: -

1. **Short title, extent and commencement.** - (1) These regulations may be called the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010.
 - (2) They shall be applicable to Supreme Court Legal Services Committee, State Legal Services Authorities, High Court Legal Services Committees, District Legal Services Authorities and Taluk Legal Services Committees in India.
 - (3) They shall come into force 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 (39 of 1987);
 - (b) "Form" means a Form annexed to these Regulations;
 - (c) "front office" means a room in the Legal Services Institution where legal services are made available;
 - (d) "legal practitioner" shall have the meaning assigned to it in clause (i) of section 2 of the Advocates Act, 1961 (25 of 1961);
 - (e) "Legal Services Institution" means the Supreme Court Legal Services Committee, a State Legal Services Authority, the High Court Legal Services Committee, District Legal Services Authority or the Taluk Legal Services Committee, as the case may be;
 - (f) "Para-Legal Volunteer" means a para-legal volunteer trained as such by a Legal Services Institution;
 - (g) "Secretary" means the Secretary of the Legal Services Institution;
 - (h) "section" means the section of the Act;
 - (i) "State regulation" means regulation made by the State Authorities under the Act.

2. All other words and expressions used but not defined in these regulations shall have the same meanings assigned to them in the Act.
3. **Application for legal services.** - (1) An application for legal services may be presented preferably in Form-I in the local language or English.
 - (2) The applicant may furnish a summary of his grievances for which he seeks legal services, in a separate sheet along with the application.
 - (3) An application, though not in Form-I, may also be entertained, if reasonably explains the facts to enable the applicant to seek legal services.
 - (4) If the applicant is illiterate or unable to give the application on his or her own, the Legal Services Institutions may make arrangement for helping the applicant to fill up the application form and to prepare a note of his or her grievances.
 - (5) Oral requests for legal services may also be entertained in the same manner as an application under sub-regulation (1) and (2).
 - (6) An applicant advised by the para-legal volunteers, legal aid clubs, legal aid clinics and voluntary social service institutions shall also be considered for free legal services.
 - (7) Requests received through e-mails and interactive on-line facility also may be considered for free legal services after verification of the identity of the applicant and on ensuring that he or she owns the authorship of the grievances projected.

4. Legal Services Institution to have a front office.- (1) All Legal Services Institutions shall have a front office to be manned by a panel lawyer and one or more para-legal volunteers available during office hours.
 - (2) In the case of court based legal services, such lawyer shall after consideration of the application, forward the same to the Committee set up under regulation 7 and for other types of legal services, the panel lawyer in the front office may provide such legal services.
 - (3) The panel lawyer in the front office shall render services like drafting notices, sending replies to lawyers' notices and drafting applications, petitions etc.
 - (4) The panel lawyer in the front office may obtain secretarial assistance from the staff of the Legal Services Institutions.
 - (5) In case of urgent matters, the panel lawyer in the front office may in consultation with the Member-Secretary or Secretary of the Legal Services Institutions provide legal assistance of appropriate nature: Provided that the Committee set up under regulation 7 may consider and approve the action taken by the panel lawyer in the front office.
5. Proof of entitlement of free legal services. -- (1) An affidavit of the applicant that he falls under the categories of persons entitled to free legal services under section 12 shall ordinarily be sufficient.
 - (2) The affidavit may be signed before a Judge, Magistrate, Notary Public, Advocate, Member of Parliament, Member of Legislative Assembly, elected representative of local bodies, Gazetted Officer, teacher of any school or college of Central Government, State Government or local bodies as the case may be.
 - (3) The affidavit may be prepared on plain paper and it shall bear the seal of the person attesting it.
6. Consequences of false or untrue details furnished by the applicant. - The applicant shall be informed that if free legal services has been obtained by furnishing incorrect or false information or in a fraudulent manner, the legal services shall be stopped forthwith and that the expenses incurred by the Legal Services Institutions shall be recoverable from him or her.
7. Scrutiny and evaluation of the application for free legal services. - (1) There shall be a Committee to scrutinise and evaluate the application for legal services, to be constituted by the Legal Services Institution at the level of Taluk, District, State and above.
 - (2) The Committee shall be constituted by the Executive Chairman or Chairman of the Legal Services Institution and shall consist of, -
 - (i) the Member Secretary or Secretary of the Legal Services Institution as its Chairman and two members out of whom one may be a Judicial Officer preferably having working experience in the Legal Services Institution and;
 - (ii) a legal professional having at least fifteen years' standing at the Bar or Government pleader or Assistant Government Pleader or Public Prosecutor or Assistant Public Prosecutor, as the case may be.
 - (3) The tenure of the members of the Committee shall ordinarily be two years which may be further extended for a maximum period of one year and the Member Secretary or Secretary of the Legal Services Institution shall, however, continue as the ex-officio Chairman of the Committee.
 - (4) The Committee shall scrutinise and evaluate the application and decide whether the applicant is entitled to the legal services or not within a period of eight weeks from the date of receipt of the application.
 - (5) If the applicant is not covered under the categories mentioned in section 12, he or she shall be advised to seek assistance from any other body or person rendering free legal services either voluntarily or under any other scheme.
 - (6) The Legal Services Institution shall maintain a list of such agencies, institutions or persons who have expressed willingness to render free legal services.
 - (7) Any person aggrieved by the decision or order of the Committee, he or she may prefer appeal to the Executive Chairman or Chairman of the Legal Services Institution and the decision or order in appeal shall be final.
8. Selection of legal practitioners as panel lawyers. - (1) Every Legal Services Institution shall invite applications from legal practitioners for their empanelment as panel lawyers and such applications shall be accompanied with proof of the professional experience with special reference to the type of cases which the applicant-legal practitioners may prefer to be entrusted with.
 - (2) The applications received under sub-regulation (1) shall be scrutinised and selection of the panel lawyers shall be made by the Executive Chairman or Chairman of the Legal Services Institution in consultation with the Attorney-General (for the Supreme Court), Advocate-General (for the High Court), District Attorney or Government Pleader (for the District and Taluk level) and the respective Presidents of the Bar Associations as the case may be.
 - (3) No legal practitioner having less than three years' experience at the Bar shall ordinarily be empanelled.
 - (4) While preparing the panel of lawyers the competence, integrity, suitability and experience of such lawyers shall be taken into account.

- (5) The Executive Chairman or Chairman of the Legal Services Institution may maintain separate panels for dealing with different types of cases like, Civil, Criminal, Constitutional Law, Environmental Law, Labour Laws, Matrimonial disputes etc.
 - (6) The Chairman of the Legal Services Institution may, in consultation with the Executive Chairman of the State Legal Services Authority or National Legal Services Authority as the case may be prepare a list of legal practitioners from among the panel lawyers to be designated as Retainers.
 - (7) The Retainer lawyers shall be selected for a period fixed by the Executive Chairman on rotation basis or by any other method specified by the Executive Chairman.
 - (8) The strength of Retainer lawyers shall not exceed, -
 - (a) 20 in the Supreme Court Legal Services Committee;
 - (b) 15 in the High Court Legal Services Committee;
 - (c) 10 in the District Legal Authority;
 - (d) 5 in the Taluk Legal Services Committee.
 - (9) The honorarium payable to Retainer lawyer shall be, -
 - (a) Rs.10,000 per month in the case of Supreme Court Legal Services Committee;
 - (b) Rs.7,500 per month in the case of High Court Legal Services Committee;
 - (c) Rs.5,000 per month in the case of District Legal Services Authority;
 - (d) Rs.3,000 per month in the case of the Taluk Legal Services Committee;

Provided that the honorarium specified in this sub-regulation is in addition to the honorarium or fee payable by the Legal Services Institution for each case entrusted to the Retainer lawyer.
 - (10) The panel lawyers designated as Retainers shall devote their time exclusively for legal aid work and shall be always available to deal with legal aid cases and to man the front office or consultation office in the respective Legal Services Institution.
 - (11) The panel prepared under sub-regulation (2) shall be re-constituted after a period of three years but the cases already entrusted to any panel lawyer shall not be withdrawn from him due to re-constitution of the panel.
 - (12) The Legal Services Institution shall be at liberty for withdrawing any case from a Retainer during any stage of the proceedings.
 - (13) If a panel lawyer is desirous of withdrawing from a case he shall state the reasons thereof to the Member-Secretary or the Secretary and the latter may permit the panel lawyer to do so.
 - (14) The panel lawyer shall not ask for or receive any fee, remuneration or any valuable consideration in any manner, from the person to whom he had rendered legal services under these regulations.
 - (15) If the panel lawyer engaged is not performing satisfactorily or has acted contrary to the object and spirit of the Act and these regulations, the Legal Services Institution shall take appropriate steps including withdrawal of the case from such lawyer and his removal from the panel.
9. Legal services by way of legal advice, consultation, drafting and conveyancing. - (1) The Executive Chairman or Chairman of the Legal Services Institution shall maintain a separate panel of senior lawyers, law firms, retired judicial officers, mediators, conciliators and law professors in the law universities or law colleges for providing legal advice and other legal services like drafting and conveyancing.
- (2) The services of the legal aid clinics in the rural areas and in the law colleges and law universities shall also be made use of.
10. Monitoring Committee. - (1) Every Legal Services Institution shall set up a Monitoring Committee for close monitoring of the court based legal services rendered and the progress of the cases in legal aided matters.
- (2) The Monitoring Committee at the level of the Supreme Court or the High Court, as the case may be, shall consist of, -
 - (i) the Chairman of the Supreme Court Legal Services Committee or Chairman of the High Court Legal Services Committee;
 - (ii) the Member-Secretary or Secretary of the Legal Services Institution;
 - (iii) a Senior Advocate to be nominated by the Patron-in-Chief of the Legal Services Institution.
 - (3) The Monitoring Committee for the District or Taluk Legal Services Institution shall be constituted by the Executive Chairman of the State Legal Services Authority and shall consist of, -
 - (i) the senior-most member of the Higher Judicial Services posted in the district concerned, as its Chairman;
 - (ii) the Member-Secretary or Secretary of the Legal Services Institution;
 - (iii) a legal practitioner having more than fifteen years' experience at the local Bar-to be nominated in consultation with the President of the local Bar Association:

Provided that if the Executive Chairman is satisfied that there is no person of any of the categories mentioned in this sub-regulation, he may constitute the Monitoring Committee with such other persons as he may deem proper.

11. Functions of the Monitoring Committee. - (1) Whenever legal services are provided to an applicant, the Member-Secretary or Secretary shall send the details in Form-II to the Monitoring Committee at the earliest.
 - (2) The Legal Services Institution shall provide adequate staff and infrastructure to the Monitoring Committee for maintaining the records of the day-to-day progress of the legal aided cases.
 - (3) The Legal Services Institution may request the Presiding Officer of the court to have access to the registers maintained by the court for ascertaining the progress of the cases.
 - (4) The Monitoring Committee shall maintain a register for legal aided cases for recording the day-to-day postings, progress of the case and the end result (success or failure) in respect of cases for which legal aid is allowed and the said register shall be scrutinised by the Chairman of the Committee every month.
 - (5) The Monitoring Committee shall keep a watch of the day-to-day proceedings of the court by calling for reports from the panel lawyers, within such time as may be determined by the Committee.
 - (6) If the progress of the case is not satisfactory, the Committee may advise the Legal Services Institution to take appropriate steps.
12. Monitoring Committee to submit bi-monthly reports. - (1) The Monitoring Committee shall submit bi-monthly reports containing its independent assessment on the progress of each and every legal aid case and the performance of the panel lawyer or Retainer lawyer, to the Executive Chairman or Chairman of the Legal Services Institution.
 - (2) After evaluating the reports by the Committee, the Executive Chairman or Chairman of the Legal Services Institution shall decide the course of action to be taken in each case.
 - (3) It shall be the duty of the Member-Secretary or Secretary of the Legal Services Institution to place the reports of the Monitoring Committee before the Executive Chairman or Chairman of the Legal Services Institution and to obtain orders.
13. Financial assistance. - (1) If a case for which legal aid has been granted requires additional expenditure like payment of court fee, the fee payable to the court appointed commissions, for summoning witnesses or documents, expenses for obtaining certified copies etc., the Legal Services Institution may take urgent steps for disbursement of the requisite amount on the advice of the panel lawyer or Monitoring Committee.
 - (2) In the case of appeal or revision the Legal Services Institution may bear the expenses for obtaining certified copies of the judgment and case records.
14. Payment of fee to the panel lawyers. - (1) Panel lawyers shall be paid fee in accordance with the Schedule of fee, as approved under the State regulations.
 - (2) The State Legal Services Authority and other Legal Services Institution shall effect periodic revision of the honorarium to be paid to panel lawyers for the different types of services rendered by them in legal aid cases.
 - (3) As soon as the report of completion of the proceedings is received from the panel lawyer, the Legal Services Institution shall, without any delay, pay the fees and expenses payable to panel lawyer.
15. Special engagement of senior advocates in appropriate cases. - (1) If the Monitoring Committee or Executive Chairman or Chairman of the Legal Services Institution is of the opinion that services of senior advocate, though not included in the approved panel of lawyers, has to be provided in any particular case the Legal Services Institution may engage such senior advocate.
 - (2) Notwithstanding anything contained in the State regulations, the Executive Chairman or Chairmen of the Legal Services Institution may decide the honorarium for such senior advocate:
Provided that special engagement of senior advocates shall be only in cases of great public importance and for defending cases of very serious nature, affecting the life and liberty of the applicant.
16. Evaluation of the legal aid cases by the National Legal Services Authority and State Legal Services Authorities. - (1) The Supreme Court Legal Services Committee shall send copies of the bi-monthly reports of the Monitoring Committee of the Supreme Court Legal Services Committee to the Central Authority.
 - (2) The High Court Legal Services Committees, the State Legal Services Authorities shall submit copies of the bi-monthly reports of their Monitoring Committees to their Patron-in-Chief.
 - (3) The District Legal Services Authorities and Taluk Legal Services Committees shall submit copies of the bi-monthly reports of their Monitoring Committees to the Executive Chairman of the State Legal Services Authority.
 - (4) The State Legal Services Authorities shall also send consolidated half- yearly reports of the Monitoring Committees, indicating the success or failure of each of the legal aided cases, to the Central Authority.
 - (5) In appropriate cases, the Executive Chairman of the National Legal Services Authority may nominate and authorise the members of its Central Authority to supervise, monitor or advise the Legal Services Institution for effective and successful implementation of these regulations.

(U. Sarathchandran)
Member-Secretary

National Legal Services Authority
(Free and Competent Legal Services) Regulations, -2010
(see regulation-3)
The Form of Application for Legal Services
(this may be prepared in the regional language)

Registration No. : _____

1. Name : _____

2. Permanent Address : _____

3. Contact Address with phone no. if any,
e-mail ID, if any. : _____

4. Whether the applicant belongs to the category
of persons mentioned in section -12 of the Act : _____

5. Monthly income of the applicant : _____

6. Whether affidavit/proof has been produced
in support of income/eligibility u/s 12 of the Act : _____

7. Nature of legal aid or advise required : _____

8. A brief statement of the case, if court based
legal services is required. : _____

Signature of the applicant

Place:

Date:

National Legal Services Authority
(Free and Competent Legal Services) Regulation, 2010
(see regulation-11)

Information furnished to the Monitoring Committee about the legal Services provided

- (i) Name of the Legal Services : _____
- (ii) Legal aid application number and date on which legal aid was given. : _____
- (iii) Name of the legal aid applicant. : _____
- (iv) Nature of case (civil, criminal, constitutional law etc.). : _____
- (v) Name and roll number of the lawyer assigned to the applicant. : _____
- (vi) Name of the Court in which the case is to be filed / defended. : _____
- (vii) The date of engaging the panel lawyer. : _____
- (viii) Whether any monetary assistance like, court fee, advocate commission fee, copying charges etc. has been given in advance? : _____
- (ix) Whether the case requires any interim orders or appointment of commission? : _____
- (x) Approximate expenditure for producing records, summoning of witnesses etc. : _____
- (xi) The expected time for conclusion of the proceedings in the Court. : _____

MEMBER-SECRETARY / SECRETARY

NATIONAL LEGAL SERVICES AUTHORITY (LEGAL AID CLINICS) REGULATIONS, 2011

New Delhi, dated 10th August, 2011

In exercise of the powers conferred by section 29 of the Legal Services Authorities Act, 1987 (39 of 1987) and in pursuance of the provisions in section 4 of the said Act the Central Authority hereby makes the following regulations, namely: -

1. **Short title and commencement.**- (1) These regulations may be called the National Legal Services Authority (Legal Aid Clinics) Regulations, 2011.
(2) They shall come into force 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 (39 of 1987);
 - (b) “District ADR centre” means the District Alternative Dispute Resolution Centre established with the funds of the 13th Finance Commission and includes any other similar facilities like Nyayaseva Sadans at the district level;
 - (c) “legal aid clinic” means the facility established by the District Legal Services Authority to provide basic legal services to the villagers with the assistance of Para-Legal Volunteers or Lawyers, on the lines of a primary health centre providing basic health services to the people in the locality and includes the legal aid clinic run by the law colleges and law universities;
 - (d) “legal services institution” means a State Legal Services Authority, District Legal Services Authority or the Taluk Legal Services Committee, as the case may be;
 - (e) “panel lawyer” means the panel lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations 2010;
 - (f) “para-legal volunteer” means a para-legal volunteer trained as such by a legal services institution;
 - (g) “retainer lawyer” means a retainer lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations 2010;
 - (h) “section” means the section of the Act;

2. All other words and expressions used in these regulations but not defined shall have the same meanings as assigned to them in the Act.
3. Establishment of legal aid clinic.-, Subject to the financial resources available, the District Legal Services Authority shall establish legal aid clinics in all villages, or for a cluster of villages, depending on the size of such villages, especially where the people face geographical, social and other barriers for access to the legal services institutions.
4. Eligibility criteria for free legal services in the legal aid clinic.- Every person who fulfils the criteria specified in section 12 shall be eligible to get free legal services in the legal aid clinics.
5. The personnel manning the legal aid clinic.- (1) Every legal aid clinic established under regulation 3 shall have at least two para-legal volunteers available during the working hours of the legal aid clinics.
 - (2) The legal services institution having territorial jurisdiction or the District Legal Services Authority may depute trained para-legal volunteers to the legal aid clinics.
 - (3) When lawyers are deputed to the legal aid clinic, it shall be the duty of the para-legal volunteers engaged in such clinic to assist the lawyers in drafting petitions, applications, pleadings and other legal documents.
 - (4) The State Legal Services Authority may encourage para-legal volunteers to obtain diploma or degree in law for betterment of their prospects in the long run.
6. Deputing lawyers to the legal aid clinic. - (1) The nearest legal services institution having territorial jurisdiction may depute its panel lawyers or retainer lawyers to the legal aid clinic.

- (2) If the matter handled by any such lawyer requires follow-up and continuous attention for a long duration, the same lawyer who had handled the matter may be entrusted to continue the legal services.
7. Frequency of visit by lawyers in the legal aid clinic. – Subject to the local requirements and availability of financial resources, the legal services institution having territorial jurisdiction may decide the frequency of the lawyers’ visit in the legal aid clinics and if the situation demands for providing continuous legal services, such legal services institution may consider arranging frequent visits of lawyers in the legal aid clinic.
8. Selection of lawyers for manning the legal aid clinics.- (1) The Panel lawyers or retainer lawyers with skills for amicable settlement of disputes, shall alone be considered for being deputed to the legal aid clinic:
Provided that preference shall be given to women lawyers having practice of at least three years.
9. Legal services in the legal aid clinic. - (1) Legal services rendered at the legal aid clinic shall be wide ranging in nature.
(2) The legal aid clinic shall work like a single-window facility for helping the disadvantaged people to solve their legal problems whenever needed.
(3) Besides legal advice, other services like preparing applications for job card under the Mahatma Gandhi National Rural Employment Guarantee (MGNREG) Scheme, identity card for different government purposes, liaison with the government offices and public authorities, helping the common people who come to the clinic for solving their problems with the government officials, authorities and other institutions also shall be part of the legal services in the legal aid clinic:
Provided that the legal aid clinic shall provide assistance by giving initial advice on a problem, assistance in drafting representations and notices, filling up of forms for the various benefits available under different government schemes, public distribution system and other social security schemes:
Provided further that, in appropriate cases, the legal services sought for by the applicants in the legal aid clinic shall be referred to the legal services institutions for taking further action.
10. Functions of para-legal volunteers in the legal aid clinic.- (1) The para-legal volunteers engaged in the legal aid clinic shall provide initial advice to the persons seeking legal service, help such people, especially the illiterate, in drafting petitions, representations or notices and filling-up the application forms for various benefits available under the government schemes.
(2) para-legal volunteers shall, if necessary, accompany the persons seeking legal services to attend the government offices for interacting with the officials and for solving the problems of such persons.
(3) If services of a lawyer is required at the legal aid clinic, the para-legal volunteers shall, without any delay, contact the nearest legal services institution to make available the services of a lawyer.
(4) In case of emergency, the para-legal volunteers may take the persons seeking legal services in the legal aid clinic to the nearest legal services institutions.
(5) para-legal volunteers shall distribute pamphlets and other materials in aid of legal education and literacy to the persons seeking legal services in the legal aid clinic.
(6) para-legal volunteers shall take active part in the legal awareness camps organised by the legal services institutions in the local area of the legal aid clinic.
11. Location of legal aid clinic. – (1) Legal aid clinics shall be located at places where the people of the locality can have easy access.
(2) The legal services institutions may request the local body institutions, such as the village panchayat, to provide a room for establishing legal aid clinics:
Provided that if no such rooms are available, the District Legal Services Authority may take a room on rent till alternative accommodation is available for establishing the legal aid clinic.
12. Assistance of the local body institutions in obtaining a convenient room for the legal aid clinic. – (1) The State Legal Services Authority shall call upon the local body institutions like the village panchayat, mandal or block panchayat, municipality and corporation etc, to provide space for the functioning of the legal aid clinic.
(2) Since the legal aid clinic is for the benefit of the people in the locality, the State Legal Services Authority may impress upon the local body institution and the district administration the need to co-operate with the functioning of the legal aid clinics.
13. Sign-board exhibiting the name of the legal aid clinic. – (1) There shall be a sign-board, both in English and in the local language, depicting the name of the legal aid clinic, working hours and the days on which the legal aid clinic shall remain open.
(2) Working hours of the legal aid clinic shall be regulated by the legal services institution having territorial jurisdiction, in consultation with the District Legal Services Authority:
Provided that subject to the local conditions and requirements of the people in the locality, legal aid clinics shall function on all Sundays and holidays.

14. Infrastructure in the legal aid clinic. – (1) Every legal aid clinic shall have at least the basic and essential furniture like a table and 5 to 6 chairs.
(2) If the legal aid clinic is established in the building of the local body institutions, such local bodies may be requested to provide the essential furniture for use in the legal aid clinic.
(3) If the legal aid clinic is established in hired premises, the District Legal Services Authority may provide the furniture required in the legal aid clinic:
Provided that if the District Legal Services Authority has its own building to establish legal aid clinic, the infrastructural facilities shall be provided by such Authority.
15. Publicity. – (1) Local body institutions shall be persuaded to give adequate publicity for the legal aid clinic.
(2) The elected representatives of the local body institutions may be persuaded to spread the message of the utility of legal aid clinic to the people in his or her constituency or ward.
16. Para-legal volunteers or lawyers in the legal aid clinic shall attempt to resolve disputes amicably. – (1) The para-legal volunteers or the lawyers engaged in the legal aid clinics shall attempt to amicably resolve the pre-litigation disputes of the persons brought to the legal aid clinics.
(2) If the para-legal volunteers or the lawyers feel that such dispute can be resolved through any of the ADR mechanisms, they may refer such disputes to the legal services institution having territorial jurisdiction or to the District ADR centre.
17. Honorarium for the lawyers and para-legal volunteers rendering services in the legal aid clinics.- (1) Subject to the financial resources available, the State Legal Services Authority in consultation with the National Legal Services Authority may fix the honorarium of lawyers and para-legal volunteers engaged in the legal aid clinics:
Provided that such honorarium shall not be less than Rs. 500/- per day for lawyers and Rs. 250/- per day for the para-legal volunteers.
(2) Special consideration may be given in cases where the legal aid clinic is situated in difficult terrains and in distant places where transport facilities are inadequate.
18. The nearest legal services institutions to organise lok adalats at the legal aid clinic or near to its premises. – (1) The nearest legal services institution having territorial jurisdiction or the District Legal Services Authority may organise lok adalats for pre-litigation disputes at the legal aid clinic or in its vicinity.
(2) The lok adalats organised for pre-litigation settlement of the disputes sent from the legal aid clinic shall follow the procedure prescribed in sub-section (2) of section 20 and also the provisions in the National Legal Services Authority (Lok Adalats) Regulations, 2009.
19. Administrative control of the legal aid clinic.- (1) legal aid clinics shall be under the direct administrative control of the District Legal Services Authority
(2) The State Legal Services authority shall have the power to issue instructions and guidelines on the working of the legal aid clinics.
20. Maintenance of records and registers.- (1) lawyers and para-legal volunteers rendering service in the legal aid clinic shall record their attendance in the register maintained in the legal aid clinic.
(2) There shall be a register in every legal aid clinic for recording the names and addresses of the persons seeking legal services, name of the lawyer or para-legal volunteer who renders services in the legal aid clinic, nature of the service rendered, remarks of the lawyer or para-legal volunteer and signature of persons seeking legal services.
(3) The records of the legal aid clinics shall be under the control of the Chairman or the Secretary of the legal services institution having territorial jurisdiction over it.
(4) The District Legal Services Authority may require the legal aid clinic to maintain other registers also, as may be required.
(5) It shall be the duty of the para-legal volunteers and the lawyers in the legal aid clinic to hand over the registers to the legal services institution having territorial jurisdiction as and when called for.
21. Use of mobile lok adalat vehicle. – (1) The lawyers rendering legal services in the legal aid clinic or the para-legal volunteers may request the District Legal Services Authority to send the mobile lok adalat van with members of the lok adalat bench to the legal aid clinic for settlement of the disputes identified by them.
(2) The mobile lok adalat van fitted with the facilities for conducting the proceedings of the lok adalat may also be used for conducting lok adalat at the legal aid clinic or at a place near to it or even at village congregations such as melas and other festive occasions.

22. Legal aid clinics run by the law students. – The above regulations shall mutatis mutandis be applicable to the student legal aid clinics set up by the law colleges and law universities: Provided that students of law colleges and law universities also may make use of the legal aid clinics established under these regulations with the permission of the District Legal Services Authority.
23. Law students may adopt a village for legal aid camps. – (1) Law students of the law colleges or law universities may adopt a village, especially in the remote rural areas and organise legal aid camps in association with the legal aid clinic established under these regulations.
- (2) The law students may, with the assistance of the para-legal volunteers engaged in the legal aid clinics, conduct surveys for identifying the legal problems of the local people.
- (3) The surveys referred to in sub-regulation (2) may include gathering information relating to the existing litigations and unresolved pre-litigation disputes also.
- (4) The surveys referred to sub-regulation (2) may also focus on the grievances of the local people which would enable the National Legal Services Authority to take necessary steps by way of social justice litigation as provided in clause (d) of section 4.
- (5) The law students conducting such surveys shall send reports to the State Legal Services Authorities with copies to the legal services institutions having territorial jurisdiction and also to the District Legal Services Authority.
24. Legal aid clinics attached to the law colleges, law universities and other institutions. – (1) The law colleges, law universities and other institutions may set up legal aid clinics, as envisaged in clause (k) of section 4 attached to their institutions as a part of the clinical legal education.
- (2) The law colleges, law universities and other institutions establishing such legal aid clinic shall inform the State Legal Services Authority about the establishing of such legal aid clinic.
- (3) The State Legal Services Authority shall render the required technical assistance for the operation of such legal aid clinics and shall take measures to promote the activities of such legal aid clinics.
- (4) The law students in the final year classes may render legal services in such legal aid clinics under the supervision of the faculty member of their institution.
- (5) The State Legal Services Authority may organise alternative dispute resolution camps, including lok adalats, to resolve the problems of the people who seek legal aid in such legal aid clinics.
- (6) The District Legal Services Authority may issue certificates to the students who complete their assignment in such legal aid clinics.
25. Services of para-legal volunteers trained by the Legal Services Authorities may be made available in the legal aid clinics run by the Law Colleges, Law Universities etc. – Trained para-legal volunteers may be deputed to the legal aid clinics established under regulation 24 for assisting the persons seeking free legal services and for interacting with the students and the members of the faculty.
26. The State Legal Services Authorities to conduct periodical review of the functioning of legal aid clinics.-(1) The State Legal Services Authority shall collect monthly reports from the District Legal Services Authorities, law colleges and law universities on the functioning of legal aid clinics working in their jurisdiction.
- (2) The State Legal Services Authority shall conduct periodical review of the working of such legal aid clinics at least once in three months or more frequently.
- (3) The State Legal Services Authority may issue directions from time to time for improving the services in the legal aid clinics to ensure that members of the weaker sections of the society are provided legal services in an efficient manner.
- (4) The State Legal Services Authority shall send quarterly reports about the functioning of the Legal Aid Clinics within their jurisdiction to the National Legal Services Authority.

File No.L/08/11/NALSA

(Phone: 0141-2227481, 2227555, 2227602 FAX, 2385877 Help Line)

क्रमांक: रालसा/सामान्य/2012/3121-3338

दिनांक :- 2-5-2012

प्रेषिति :-

अध्यक्ष,
जिला विधिक सेवा प्राधिकरण,
(जिला एवं सेशन न्यायाधीष)
समस्त राजस्थान

अध्यक्ष,
तालुक विधिक सेवा समिति,
(ए.डी.जे./ए.सी.जे.एम./जे.एम)
समस्त राजस्थान।

विषय: राष्ट्रीय विधिक सेवा प्राधिकरण द्वारा जारी स्कीम National Legal Services Authority Legal Aid Clinic Regulation 2011के प्रभावी क्रियान्वयन के क्रम में।

महोदय,

उपरोक्त विषयान्तर्गत निर्देशानुसार निवेदन है कि राष्ट्रीय विधिक सेवा प्राधिकरण द्वारा समय-समय पर जारी पत्र दिनांक 24-5-2010, 27-9-2010, 9-6-2011 द्वारा इस क्रम में जारी राष्ट्रीय विधिक सेवा प्राधिकरण Legal Aid Clinic Regulation 2011, Para Legal Volunteer Scheme rFkk Annual Action Plan- 2011.12ए 2012.13 द्वारा प्रत्येक Legal Services Institution (जहां कि जिला प्राधिकरण, तालुक समिति स्थापित है) ग्राम पंचायत अथवा Cluster of villages, जेल, विधि महाविद्यालय, विधि विश्व-विद्यालय, नगर पालिका, नगर निगम अथवा अन्य स्थान जहां जिला विधिक सेवा प्राधिकरण अथवा तालुक विधिक सेवा समिति के अध्यक्ष उचित समझे, विधिक सहायता क्लिनिक (Legal Aid Clinic) खोले जाकर प्रभावी रूप से संचालित किये जाने हेतु निर्देशित किया हुआ है। इस संबंध में विस्तृत प्रावधान राष्ट्रीय विधिक सेवा प्राधिकरण (Legal Aid Clinic) Regulation 2011 के विनियम 14 में राज्य विधिक सेवा प्राधिकरण द्वारा इस हेतु राज्य में दिशानिर्देश जारी किया जाना अपेक्षित किया हुआ है।

वर्णित Regulation 2011 एवं संबंधित Para Legal Volunteer Scheme की प्रतियां यद्यपि इस कार्यालय द्वारा आपको पूर्व में प्रेषित की जा चुकी है किन्तु पत्र के सन्दर्भ में पुनः संलग्न कर पालनार्थ प्रेषित की जा रही है।

वर्णित रेगूलेषनस के क्रियान्वयन हेतु प्रावधान, प्रक्रिया, विस्तृत गाईड लाईनस्, संधारित किये जाने वाले अभिलेख एवं इस क्रम में पैरा लीगल वोलेंटीयरो के चयन, पात्रता, कर्तव्य, उनकी ट्रेनिंग की विषयवस्तु आदि बाबत उल्लेख संबंधित संलग्न रेगूलेषन 2011 एवं पी.एल.वी.स्कीम (Para Legal Volunteer Scheme) में किया हुआ है फिर भी इस क्रम में प्राथमिक स्तर पर अपनाई जाने वाली आवश्यक प्रक्रिया व सुविधा हेतु निर्देशानुसार पृथक से कुछ दिशानिर्देश भी जारी किये जा रहे हैं जो निम्नानुसार हैं:-

1. प्रारम्भिक तौर पर वर्णित एक-एक विधिक सहायता क्लिनिक ;स्महंस।पक बसपदपबद्ध प्रत्येक जिला प्राधिकरण, तालुक समिति, सेन्ट्रल जेल, जिला जेल, तथा सब-जेल पर खोला जावेगा। इसके अतिरिक्त प्रत्येक जिले में चार-चार अन्य स्थानों पर कि जिसमें विधि महाविद्यालय, विधि विष्व विद्यालय, ग्राम पंचायत अथवा Cluster of villages, नगर पालिका, नगर निगम, पंचायत समिति आदि ऐसे स्थानों पर भी खोले जा सकते हैं कि जहां इन क्लिनिकों की उपयोगिता अध्यक्ष, जिला विधिक सेवा प्राधिकरण को अधिकाधिक प्रतीत हो। ऐसे क्लिनिक खोले जाने के लिये यह अपेक्षा की गई है कि एक कमरा, संबंधित संस्था अथवा कार्यालय उपलब्ध करावेंगे। ग्रामीण क्षेत्र में प्रषासन के सहयोग से ऐसा क्लिनिक राजीव गांधी सेवा सदन में भी, उपयोगिता को ध्यान में रखते हुये, खोला जा सकता है।
2. Legal Aid Clinic (विधिक सहायता क्लिनिक) जिला प्राधिकरण तथा तालुक समिति मुख्यालय पर फ्रन्ट ऑफिस के रूप में भी कार्य करेंगे तथा उपरोक्त वर्णित अन्य क्लिनिक सामान्यतः ऐसे स्थानों पर खोले जावेगें जहां पर आम-जन बिना कठिनाई के पहुंच सके।
3. उक्त स्कीम के क्लाज-13 मुताबिक क्लिनिक के बाहर एक साईन बोर्ड, जिसमें क्लिनिक का नाम, कार्य घण्टे, कार्य दिवस, तथा पृथक से एक साइन बोर्ड में क्लिनिक पर उपलब्ध विभिन्न सेवाओं का उल्लेख होगा, लगाया जावेगा।
4. वर्णित क्लिनिक, संबंधित क्षेत्र के जिला प्राधिकरण अथवा तालुक समिति के नियंत्रणाधीन कार्य करेंगे तथा संबंधित प्राधिकरण/समिति इन क्लिनिकों पर वांछित सामग्री की उपलब्धता की सुनिश्चितता करेंगे कि जिससे व्यक्ति को वांछित जानकारी प्राप्त होकर उसकी समस्या का निदान हो सके। कारागृह में खोले जाने वाले वर्णित क्लिनिक के लिये स्थान उपलब्ध करवाये जाने बाबत संबंधित जेल अधीक्षक को निवेदन कर क्लिनिक स्थापित किया जावेगा। इसके लिये आधारभूत सुविधाएँ संबंधित संस्था/कार्यालय/जेल आदि द्वारा ही उपलब्ध कराये जावेगें कि जिनमें एक टेबल आवश्यकतानुसार कुर्सियां, अलमारी आदि अन्य आवश्यक सामग्री उपलब्ध करवाये जावेगें तथा यदि किन्ही परिस्थितियों में किसी संस्था, कार्यालय द्वारा वर्णित आवश्यक सामग्री उपलब्ध कराये जाने में असमर्थता प्रकट की जाती है तो स्कीम के क्लॉज-14

मुताबिक जिला प्राधिकरण/तालुक समिति द्वारा इनकी व्यवस्था करवाई जा सकेगी।

5. प्रारम्भिक तौर पर वर्णित क्लिनिक के कार्य दिवस निम्नानुसार निर्धारित किये जाते हैं:-
- (1) जिला प्राधिकरण/तालुक समिति मुख्यालय पर क्लिनिक/फ्रन्ट ऑफिस न्यायालय के कार्य दिवसों व समय के अनुसार खोले जावेंगे।
 - (2) केन्द्रीय/जिला कारागृह पर खोले जाने वाले क्लिनिक प्रति सप्ताह दो दिन कार्यशील रहेंगे तथा आवश्यकतानुसार सब-जेल पर प्रति सप्ताह एक दिन कार्यशील रहेंगे जिन्हें कि संबंधित जिला प्राधिकरण/तालुक समिति, संबंधित जेल प्रशासन से विचार-विमर्श कर अधिकतम उपयोगिता दिवस को ध्यान में रखते हुये, निर्धारित करेगे।
 - (3) उपरोक्त के अतिरिक्त जिले के पूरे न्यायक्षेत्र में अन्य खोले जाने वाले चार-चार विधिक सेवा क्लिनिक सप्ताह में दो दिन कार्यशील रहेंगे जिनके लिये भी अधिकतम उपयोगिता दिवस का निर्धारण संबंधित जिला प्राधिकरण द्वारा किया जावेगा।
वर्णित क्लिनिक पूर्णतः संबंधित जिला प्राधिकरण अथवा संबंधित तालुक विधिक सेवा समिति के नियंत्रणाधीन कार्य करेंगे तथा क्लिनिक का कार्य समय सुबह 9 बजे से सांय 5 बजे तक रहेगा।

6. वर्णित क्लिनिक पर प्रचार-प्रसार, विधिक जानकारी संबंधित सामग्री, आवश्यक स्टेपनरी खर्च, पैरा लीगल वोलेंटीयरों को देय मानदेय राशि आदि संबंधित क्षेत्र के जिला प्राधिकरण/तालुक समिति द्वारा उपलब्ध करवाये जा सकेंगे। इस क्रम में राज्य सरकार की ओर से जारी व प्रभावी विभिन्न जन-कल्याणकारी योजनाओं बाबत सामग्री अध्यक्ष, जिला प्राधिकरण/तालुक समिति द्वारा, जिला प्रशासन से सम्पर्क करते हुये, इन क्लिनिकों पर उपलब्ध करवाने की व्यवस्था की जावेगी।

7. इस प्रकार के क्लिनिक के संचालन के लिये प्रत्येक जिला प्राधिकरण/तालुक समिति द्वारा पूर्व प्रेषित निर्देशानुसार पैरा लीगल वोलेंटीयरों का पैनल, संबंधित पैरा लीगल वोलेंटीयर स्कीम अनुसार तैयार कर रखा जावेगा जिसकी संख्या प्रारम्भिक तौर पर अधिकतम संख्या, जिला मुख्यालय पर 20 तथा तालुक मुख्यालय पर 10 की होगी। यद्यपि जिला प्राधिकरण/तालुक समिति द्वारा पूर्व में पैरा लीगल वोलेंटीयरों के नामों से संबंधित कुछ सूचियां इस कार्यालय को प्रेषित की गई थी किन्तु वर्णित स्कीम के प्रभावी क्रियान्वयन के क्रम में स्कीम में निर्धारित दिशानिर्देशों को ध्यान में रखते हुये पैरा लीगल वोलेंटीयरों का चयन स्व-विवेक से जिला प्राधिकरण/तालुक समिति के अध्यक्ष द्वारा प्रक्रियानुसार अपने-अपने मुख्यालय पर करने की अधिकारिता होगी। इसके लिये क्षेत्र विशेष के लिये स्वेच्छिक सेवा देने वाला वोलेंटीयर, उस क्षेत्र का निवासी उपयुक्त व्यक्ति, शासकीय/अर्द्धशासकीय/स्वायत्त शासन सेवा, विष्व विद्यालय, महाविद्यालय आदि के सेवा निवृत्त व्यक्ति, आंगन बाड़ी कार्यकर्ता, सामाजिक कार्यकर्ता, विधि छात्र-छात्राएँ, महिला संगठनों के सदस्य, महिला स्वयं सेवा समूह के सदस्य, पंचायत राज और नगर पालिका/निगम संस्थाओं के स्वेच्छिक कार्यकर्तागण, एन.एस.एस. यूनिट के कार्यकर्तागण आदि ऐसे व्यक्ति, जो जिला प्राधिकरण/तालुक समिति द्वारा पैरा लीगल वोलेंटीयर के रूप में पहचाने या चयनित किये जाने के लिये उपयुक्त समझे जावें, हो सकते हैं।

(राष्ट्रीय विधिक सेवा प्राधिकरण के निर्देशानुसार पैरा लीगल वोलेंटीयरों के चयन में यह विशेष ध्यान रखा जावे कि ऐसा व्यक्ति राजनैतिक एवं वकालत क्षेत्र से जुड़ा हुआ व्यक्ति नहीं होना चाहिये)

8. पैरा लीगल वोलेंटीयर का कार्यकाल प्रारम्भिक तौर पर सामान्यतः 6 माह का रखा जावे जो कि उस वॉलेंटीयर द्वारा दी जाने वाली सन्तोषप्रद सेवाओं एवं व्यवहार आदि पर निर्भर होगा तथा जिला प्राधिकरण/समिति के अध्यक्ष के अनुसार, वोलेंटीयरों की सेवाएँ सन्तोषजनक पाये जाने पर, आगामी जमात के लिये संबंधित वोलेंटीयर के कार्यों को त्मअपमू कर बढ़ाया जा सकेगा। संबंधित चयनित पैरा लीगल वोलेंटीयर के नाम, पते, टेलिफोन नम्बर फोटोग्राफ आदि विवरण प्राधिकरण/समिति में रखा जावेगा तथा इसकी सूची पृथक से अविलम्ब राज्य प्राधिकरण को भी भेजी जावेगी।

9. प्रत्येक विधिक सेवा क्लिनिक पर फिलहाल एक-एक पैरा लीगल वोलेंटीयर की नियुक्ति की जावेगी किन्तु उसके किसी कारणवश मुख्यालय पर नहीं रहने की स्थिति में अन्य प्रशिक्षित पैरा लीगल वोलेंटीयर को निर्दिष्ट किया जा सकेगा।

10. संबंधित जिला प्राधिकरण/तालुक समिति स्तर पर रखे जाने वाले अधिवक्ताओं के पैनल में से एक अधिवक्ता को, जो क्लिनिक अनुसार पृथक-पृथक हो सकते हैं, बतौर पैनल अधिवक्ता पाक्षिक रूप से ऐसे क्लिनिक पर विधिक सेवा/राय देने हेतु विजिट के लिये निर्दिष्ट किया जावेगा जो इस हेतु अपना दिवस निश्चित कर क्लिनिक पर उपयोगिता व आवश्यकतानुसार विधिक सेवा, विधिक सलाह भी देगा।

11. प्रत्येक जिला/उप कारागृह में खोले जाने वाले क्लिनिक पर selected long term prisoners को भी, उनकी उपयोगितानुसार, बतौर पैरा लीगल वोलेंटीयर नियुक्त किया जा सकेगा। ऐसे selected long term prisoners पैरा लीगल वॉलेंटीयर, संबंधित अध्यक्ष, जिला प्राधिकरण/तालुक समिति के द्वारा, संबंधित जेल अधीक्षक की सलाह से मनोनित किये जा सकेंगे। ऐसे selected long term prisoners पैरा लीगल वॉलेंटीयर, संबंधित जेल क्लिनिकों पर, उपरोक्त निर्देशानुसार अपनी सेवाएँ देंगे, जिनका उद्देश्य जेल में बन्द under trial/सजायाप्ता व्यक्तियों के लिये, आवश्यकतानुसार जमानत प्रार्थना पत्र, अपील आवेदन, पैरोल आवेदन या अन्य वांछित सूचना (जिसके लिये प्रपत्र तैयार कर राज्य प्राधिकरण द्वारा पृथक से जेलों में उपलब्ध करवाये गये हैं) भरवाई जाकर, उनकी समस्याओं का समाधान उपलब्ध करवाने का प्रयास करेंगे व आवश्यकतानुसार विभिन्न कानूनी बिन्दुओं पर सलाह के लिये पैनल अधिवक्ता की सेवाएँ भी उपरोक्तानुसार जेल क्लिनिकों पर उपलब्ध करवाई जावेगी। यहां यह स्पष्ट किया जाना उचित होगा कि जेल क्लिनिकों पर selected long term prisoners के अतिरिक्त, उपरोक्तानुसार पैरा लीगल वोलेंटीयर, पृथक से क्लिनिक के प्रभावी क्रियान्वयन के लिये जोड़ा जाना प्राधिकरण/समिति द्वारा आवश्यक समझा जाता है, तो वह भी पृथक से जोड़ा जा सकता है। इन जेल क्लिनिकों पर भी उपरोक्तानुसार वांछित सूचना के साईन बोर्ड व अन्य आवश्यक सामग्री उपलब्ध रहेगी।

12. पैरा लीगल वोलेंटीयर द्वारा दी जाने वाली सेवाओं/कर्तव्यों का उल्लेख, संबंधित पैरा लीगल वोलेंटीयर स्कीम तथा रेगुलेशन के क्लॉज 9, 10 व 16 में उल्लेखित किये गये हैं फिर भी सुविधा को ध्यान में रखते हुये इनका संक्षिप्त उल्लेख निम्नानुसार किया जाता है:-

पैरा लीगल वोलेंटीयर के कर्तव्य:-

- 1- पैरा लीगल वोलेंटीयर, अपने गांव, मौहल्ले एवं आस-पास के नागरिकों को सम्मानित जीवन व्यतीत करने के लिये, उनके अधिकारों एवं संवैधानिक अधिकारों और उनके कर्तव्यों के बारे में जानकारी देकर या शिक्षित कर जागरूक करेगा।
- 2- पैरा लीगल वोलेंटीयर, नागरिकों को विवादों/समस्याओं की प्रकृति के संबंध में जागरूक कर उन्हें विधिक सेवा प्राधिकरणों के माध्यम से अपने प्रकरणों/विवादों को निराकरण हेतु सम्पर्क करने हेतु प्रोत्साहित/जागरूक करेगा।
- 3- पैरा लीगल वोलेंटीयर, अपने कार्य क्षेत्र में विधि व नियमों को भंग करने वाले या अन्याय करने वाले व्यक्तियों के विरुद्ध, संबंधित जिला प्राधिकरण/तालुक समिति को दूरभाष पर या लिखित सूचना देगा या ऐसे व्यक्ति के माध्यम से जो प्रतिकार करने वाला हो, तुरन्त कार्यवाही

करने हेतु सूचित करेगा।

- 4— पैरा लीगल वोलेन्टीयर, जिला विधिक सेवा प्राधिकरण/तालुक विधिक सेवा समिति को, विधिक जागरूकता शिविर आयोजित करने में सहयोग देगा।
- 5— पैरा लीगल वोलेन्टीयर, आम नागरिकों को राज्य प्राधिकरण/जिला प्राधिकरण/तालुक समिति/उच्च न्यायालय विधिक सेवा समिति एवं उच्चतम न्यायालय विधिक सेवा समिति द्वारा किये जा रहे कार्यों की जानकारीयां देगा। उक्त संस्थाओं के पत्र व्यवहार के पत्तों की जानकारी देगा तथा निःशुल्क विधिक सेवाओं का लाभ प्राप्त करने हेतु आवश्यक जानकारीयां उपलब्ध कराते हुये जागरूक करेगा।
- 6— पैरा लीगल वोलेन्टीयर, मुकदमा पूर्व विवादों को, जिला प्राधिकरण/तालुक समिति के माध्यम से निपटाने के लिये प्रोत्साहित करेगा तथा यह प्रचार-प्रसार करेगा कि मुकदमा पूर्व विवाद बिना किसी व्यय व समय खर्च किये, लोक अदालतों के माध्यम से निपटाये जा सकते हैं, जिसमें किसी प्रकार की कोई कोर्ट फीस भी देय नहीं है।
- 7— पैरा लीगल वोलेन्टीयर, आम नागरिकों को जानकारी देकर जागरूक करेगा कि न्यायालय में विचाराधीन प्रकरणों को, लोक अदालत अथवा मध्यस्थता केन्द्र के माध्यम से, समझौते के आधार पर निपटा लिये जाने पर, उन प्रकरणों में पूर्व में जमा की गई कोर्ट फीस वापिस पाने के हकदार है तथा लोक अदालत में निर्णित प्रकरणों की कोई अपील आदि नहीं होती है।
- 8— पैरा लीगल वोलेन्टीयर, आम नागरिकों को जन-उपयोगी सेवाओं, जैसे यातायात, डाक, तार, या टेलीफोन सेवा, विद्युत, प्रकाश या जल का प्रदाय, स्वच्छता संबंधी सेवा, अस्पताल या औषधालय या बीमा संबंधी सेवाओं से संबंधित विवादों को, स्थाई लोक अदालत के माध्यम से, बिना खर्च के निपटाया जा सकता है, जागरूक करेगा।
- 9— पैरा लीगल वोलेन्टीयर, विधिक सेवा योजनाओं से संबंधित तथा शासन द्वारा आम नागरिकों के कल्याण के लिये चलाई जा रही कल्याणकारी योजनाओं एवं कार्यक्रमों के संबंध में जानकारी देगा एवं वृहद प्रचार-प्रसार हेतु प्रचार सामग्री का प्रदर्शन, महत्वपूर्ण, प्रसिद्ध लोक स्थानों, मेलों आदि में करेगा।
- 10— पैरा लीगल वोलेन्टीयर, संबंधित जिला प्राधिकरण/तालुक समिति के अध्यक्ष के निर्देशन एवं पर्यवेक्षण के अधीन कार्य करेगा तथा अपने कार्यकलापों का मासिक प्रतिवेदन या रिपोर्ट प्रस्तुत करेगा।
- 11— पैरा लीगल वोलेन्टीयर, अपने क्षेत्र में स्थापित विधिक सहायता क्लिनिकों के प्रभावी कार्य सम्पादन में सक्रिय सहयोग देगा।

पैरा लीगल वोलेन्टीयर को पदच्युत किया जाना या हटाया जाना:- पैरा लीगल वोलेन्टीयर को निम्नलिखित परिस्थितियों में हटाया जा सकेगा:-

- 1— विधिक सेवा योजनाओं के क्रियान्वयन में सहयोग नहीं देना तथा रूची नहीं रखना,
- 2— दिवालिया घोषित हो जाना,
- 3— किसी अपराध का अभियुक्त होना,
- 4— पैरा लीगल वोलेन्टीयर के रूप में कार्य करने के लिये शारीरिक या मानसिक रूप से असमर्थ हो जाना,
- 5— राजनैतिक पार्टीयों से संबंध रखना,
- 6— अपनी स्थिति का इस प्रकार दुरुपयोग कर चुका हो कि उसका पैरा लीगल वोलेन्टीयर के रूप में कार्य करना लोकहित में प्रतिकूल प्रभाव डालने वाला हो।

पैरा लीगल वोलेन्टीयर का पहचान पत्र:-

संबंधित अध्यक्ष, जिला प्राधिकरण/तालुक समिति द्वारा, उनके द्वारा चयनित किये गये पैरा लीगल वोलेन्टीयरस् को फोटो युक्त पहचान पत्र, राज्य प्राधिकरण द्वारा निर्धारित प्रपत्र में जारी किया जावेगा जिसमें उसका नाम, पिता का नाम, स्थाई व अस्थायी पता, जन्म तिथि, शैक्षणिक योग्यता, पदस्थापन स्थान का नाम, कार्यक्षेत्र का विवरण तथा पहचान पत्र की वैधता की अवधि आदि अंकित किये जावें।

विधिक सहायता क्लिनिक/फ्रन्ट ऑफिस पर कार्यरत पैरा लीगल वोलेन्टीयर व विजिट करने वाले पैनल अधिवक्ता को देय मानदेय :-

विधिक सहायता क्लिनिक/फ्रन्ट ऑफिस पर कार्य करने वाले पैरा लीगल वोलेन्टीयर को प्रति कार्य दिवस हेतु 250/— रुपये एवं विधिक सहायता क्लिनिक/फ्रन्ट ऑफिस पर विजिट करने वाले पैनल अधिवक्ता को प्रति विजिट 500/— रुपये मानदेय देय होगा । इसके लिये सम्बंधित क्लिनिक पर एक उपस्थिति रजिस्टर होगा जिसमें पैरा लीगल वोलेन्टीयरों एवं पैनल अधिवक्ता अपनी उपस्थिति दर्ज करेगा।

पैरा लीगल वोलेन्टीयर एवं पैनल अधिवक्ता के कार्य दिवसों के सम्बन्ध में, राज्य प्राधिकरण द्वारा समय-समय पर जारी किये गये निर्देशों की पालना की जावें तथा उन्ही निर्देशों के अनुरूप मानदेय का भुगतान किया जावे।

विधिक सहायता क्लिनिक के पैनल अधिवक्ता के कर्तव्य:-

- 1. संबंधित विधिक सहायता क्लिनिक पर आवश्यकतानुसार वांछित विधिक जानकारी उपलब्ध कराना।
- 2. आवश्यकतानुसार ड्राफ्ट, वांछित विभिन्न आवेदन, पत्राचार, याचिकाओं आदि को तैयार करना।
- 3. क्लिनिक पर उपस्थिति आवेदकों के लिये पैरा लीगल वोलेन्टीयर द्वारा की जाने वाली सेवाओं में वांछित सहयोग प्रदान करना तथा राज्य प्राधिकरण/जिला प्राधिकरण के द्वारा समय-समय पर निर्दिष्ट अन्य कार्य करना।

विधिक सहायता क्लिनिक/फ्रन्ट ऑफिस पर प्राप्त होने वाले आवेदन पत्रों एवं उन पर की गई कार्यवाही के इन्द्राज हेतु रजिस्टर का संधारण :-

विधिक सहायता क्लिनिक/फ्रन्ट ऑफिस में प्राप्त होने वाले आवेदन पत्रों एवं उन पर की गई कार्यवाही के इन्द्राज करने के लिये रजिस्ट्रारों का संधारण, राज्य प्राधिकरण द्वारा निर्धारित प्रपत्र में, पैरा लीगल वोलेन्टीयर द्वारा रखा किया जावेगा। इस रजिस्टर में उपस्थित होने वाले व्यक्ति का नाम, पता, टेलिफोन नम्बर, यदि कोई हो, उसके द्वारा प्रकट समस्या का संक्षिप्त विवरण तथा समस्या के निराकरण हेतु की गई कार्यवाही का संक्षिप्त विवरण का उल्लेख तथा आवेदक के हस्ताक्षर होंगे। यदि समस्याग्रस्त व्यक्ति को विधिक सेवाओं की आवश्यकता रही हो तो विधिक सेवाओं के लिये उसका आवेदन पत्र कहीं भेजा गया आदि का भी उल्लेख किया जावेगा।

इसी प्रकार विधिक सहायता क्लिनिक के लिये मनोनित पैनल अधिवक्ता भी, स्वयं की उपस्थिति मय दिनांक व समय के दर्ज करने के साथ ही, उसके द्वारा क्लिनिक पर किये जाने वाले विभिन्न कार्यों का उल्लेख, क्लिनिक पर संधारित रजिस्टर में करेगा।

पैरा लीगल वोलेंटीयर व पैनल अधिवक्तों की सेवायें कहीं-कहीं ली जा सकेगी :-

पैरा लीगल वोलेंटीयर व पैनल अधिवक्ता की सेवायें, जिला अथवा तालुक स्तर पर आयोजित होने वाले विभिन्न विधिक सेवा कार्यक्रमों में, विधिक जागरूकता शिविरों तथा विधिक सेवा कार्यक्रमों के प्रचार-प्रसार हेतु भी ली जा सकेगी। इसके लिये उनकी नियुक्ती के साथ-साथ पृथक से अन्डरटेकिंग भी ली जावेगी कि वह सम्बंधित स्कीम व उनको दिये गये उत्तरदायित्वों की सीमा तक ही अपनी कार्यशैली को नियंत्रित रखेंगे व अपने पद का किसी प्रकार का विभागीय दुरुपयोग नहीं करेंगे। पैरा लीगल वोलेंटीयर व पैनल अधिवक्ता की क्षमता का सार्वजनिक क्षेत्र में दुरुपयोग नहीं हो, इसकी सुनिश्चितता भी अध्यक्ष, जिला प्राधिकरण अथवा तालुक समिति द्वारा की जावेगी।

पैरा लीगल वोलेंटीयर का प्रशिक्षण, सामग्री, बजट आदि :-

प्रारम्भिक तौर पर पैरा लीगल वोलेंटीयर का प्रशिक्षण, जिला विधिक सेवा प्राधिकरण द्वारा करवाया जावेगा। इसकी सामग्री, विषयवस्तु अनुसार, जिला विधिक सेवा प्राधिकरण द्वारा राष्ट्रीय/राज्य प्राधिकरण के दिशानिर्देशों के मुताबिक तैयार करवाई जा सकेगी तथा राज्य प्राधिकरण द्वारा भी पृथक से तैयार कर भिजवाई जा सकेगी। आवश्यकतानुसार तालुक विधिक सेवा समिति द्वारा, क्षेत्र विशेष में प्रचलित बिन्दु विशेष, समस्या विशेष तथा वांछित विधिक जानकारी से सम्बन्धित पुस्तिका भी तैयार की जा सकेगी।

प्रत्येक जिले में खोले जाने वाले विधिक सहायता क्लिनिक/फ्रंट ऑफिस के लिये प्रारम्भिक तौर पर जिला प्राधिकरण स्तर पर 20 तथा तालुक समिति स्तर पर 10 पैरा लीगल वोलेंटीयरस् का चयन किया जाकर उनको प्रशिक्षण दिया जावे।

पैरा लीगल वोलेंटीयरों को प्रशिक्षण दिये जाने के लिये प्रशिक्षक, संबंधित अध्यक्ष, जिला प्राधिकरण द्वारा तय किये जावे। प्रशिक्षक के रूप में सेवारत अथवा सेवानिवृत्त न्यायिक अधिकारीगण, वरिष्ठ अधिवक्तागण, जिला अभियोजन अधिकारी, जिला प्रशासन के अधिकारी, विधि व्याख्याता को उनकी रूची के अनुसार, अध्यक्ष, जिला प्राधिकरण द्वारा चयनित किये जा सकेंगे। जब तक राज्य प्राधिकरण के स्पष्ट निर्देश नहीं हो तब तक प्रशिक्षक को प्रशिक्षण के लिये किसी भी प्रकार का मानदेय देय नहीं होगा।

पैरा लीगल वोलेंटीयरों के प्रशिक्षण की अवधि दो दिन की होगी। प्रशिक्षण कार्यक्रम, विषयवस्तुवार, अलग-अलग सेशन में विभाजित कर तैयार किया जावें। प्रशिक्षण के लिये 3000/— रु. प्रति ट्रेनिंग सेशन खर्च किये जा सकेंगे जिसका भुगतान धारा 4(सी) में आवंटित बजट में से अथवा राज्य प्राधिकरण द्वारा इस संबंध में निर्दिष्ट विषिष्ट बजट में से किया जा सकेगा। आवश्यकतानुसार इससे अधिक खर्च होने की सम्भावना पर राज्य प्राधिकरण से पूर्व अनुमति लेना आवश्यक होगा।

इस सम्बन्ध में यू0एन0डी0पी0 के प्रस्ताव मुताबिक पृथक से एम0ए0आर0जी0 अथवा अन्य निर्दिष्ट किसी संस्था के जरिये भी पृथक से सघन प्रशिक्षण यथा समय, उपलब्धता व स्वीकृति अनुसार करवाये जाने का प्रयास किया जावेगा।

प्रशिक्षण की विषयवस्तु :-

यद्यपि पैरा लीगल वोलेंटीयरों के प्रशिक्षण की विषयवस्तु व प्रक्रिया का उल्लेख पैरा लीगल वोलेंटीयर स्कीम में विस्तृत रूप से किया गया है जिसकी पालना सुनिश्चित करवाई जानी अपेक्षित है जिनमें मुख्यतः एफ0आई0आर0 सम्बंधी प्रावधान, जमानत, गिरफ्तारी, बन्दीयों के विधिक अधिकार, मूलभूत एवं संवैधानिक अधिकार एवं जानकारी, महिलाओं के सामान्य कानूनी अधिकार, बालकों के अधिकार, कन्या भ्रूण हत्या प्रोटोकॉन एक्ट, दहेज कानून, धारा 125 द0प्र0सं0, घरेलू हिंसा, एस0सी0एस0टी0 अधिनियम, दुर्घटना सम्बंधी प्रावधान, क्षतिपूर्ति कानून, प्रतिकर स्कीम, प्रोमेजरी नोट, जन्म मृत्यु सम्बंधी प्रावधान, विवाह पंजीकरण, सामान्य रेवेन्यू कानून, लोक अदालत, ए0डी0आर0, फ्री लीगल एड, केन्द्र व राज्य सरकार द्वारा जारी विभिन्न स्कीमें/एक्ट की सामान्य जानकारी, संरक्षक, दत्तक, हिन्दू विवाह अधिनियम, वरिष्ठ नागरिकों के अधिकार, वि विद्यार्थियों से सम्बंधित कानूनी जानकारी, क्षेत्र विशेष में प्रचलित सामान्य विषयों से सम्बंधित विधिक प्रावधानों की जानकारी आदि की जानकारी भी शामिल की गई है।

बजट:-

पैरा लीगल वोलेंटीयरों, पैनल अधिवक्तों के मानदेय, प्रशिक्षण व क्लिनिक के संचालन हेतु बजट यथा निर्देश राष्ट्रीय विधिक सेवा प्राधिकरण द्वारा स्वीकृत बजट 4-सी अथवा 13वें वित्त आयोग द्वारा स्वीकृत बजट से किये जाने के आदेश पृथक से इस कार्यालय द्वारा जारी किये जा सकेंगे तथा इस सम्बन्ध में जारी निर्देश मुताबिक ही बजट की उपयोगिता, सम्बंधित जिला विधिक सेवा प्राधिकरण व ताल्लुका विधिक सेवा समिति द्वारा की जावेगी।

अधिवक्ता पैनल:-

विधिक सहायता क्लिनिकों के संचालन में स्वेच्छा से सेवाएँ देने वाले अधिवक्ताओं का पैनल, जिसमें कि कम से कम 3 वर्ष की वकालत का अनुभव रखने वाले अधिवक्ता शामिल किये जावेंगे, पृथक से प्रत्येक जिला प्राधिकरण/तालुक समिति द्वारा, वर्णित रेगुलेशन 2011 के रेगूलेषन-8 मुताबिक रखा जाना भी अपेक्षित किया गया है।

विधिक सहायता क्लिनिक द्वारा दी जाने वाली सेवाओं के अधिकाधिक प्रचार-प्रसार का कार्य रेगूलेषन 2011 के रेगूलेषन-15 के मुताबिक किया जावेगा।

उपरोक्त वर्णित दिशानिर्देश की पालना में किसी प्रकार की कठिनाई की स्थिति में कृपया संलग्न National Legal Aid Clinic Regulation 2011, Project of Para Legal Volunteer of NALSA and Para Legal Volunteer Scheme (संघोधित) का अवलोकन करने का श्रम करें।

पैरा लीगल वोलेंटीयर का चयन, ट्रेनिंग व क्लिनिक के प्रभावी क्रियान्वयन/संचालन की पालना रिपोर्ट

निर्देशानुसार यह भी निवेदन है कि आपके न्यायिक क्षेत्र में उपरोक्तानुसार विधिक सहायता क्लिनिक खोले जाकर इसके प्रभावी क्रियान्वयन व संचालन की पालना रिपोर्ट माननीय कार्यकारी अध्यक्ष महोदय द्वारा दिनांक 15 मई 2012 से पूर्व आवश्यक रूप से चाही गई है। अतः इस क्रम में निवेदन है कि वर्णित निर्धारित तिथि से पूर्व उपरोक्तानुसार पैरा लीगल वोलेंटीयरों का चयन कर तथा पैनल लॉयरों का भी पैनल तैयार कर संबंधित रेगूलेषन की मंषानुसार संबंधित सभी की ट्रेनिंग उपरोक्तानुसार करवाई जाकर पालना आवश्यक रूप से सुनिश्चित करवाने का श्रम करें।

भवदीय,

संलग्न:- उपरोक्तानुसार

(के.बी.कट्टा)
सदस्य सचिव.

(Format of Identity Card to be issued by concern DLSA/TLSC)



Name District Legal Services Authority/ Taluk Legal Services Committee

Para Legal Volunteer Registration No. ----- (.....) Valid up to/.../2012

Photograph of

Para Legal Volunteer.

Name

Father/Husband Name

Occupation

Address

Signature of Para Legal Volunteer.

Signature of Secretary, DLSA with date and Seal.

ACCESS TO JUSTICE FOR ALL

On back side of Card

DUTIES OF PLV's.

To keep a watch on the acts of injustice.

To report the acts of injustice to the nearest Legal Services Authority/ Committee

To organize Legal Awareness Camps.

To educate citizens to enable them to be aware of their rights to leave with human dignity and to enable them to enjoy all constitutional rights.

To spread awareness about the benefits of settlement of disputes through arbitration, conciliation, mediation and lok adalats.

To create awareness among citizens for settlement of their disputes relating to electricity, water supply, sewerage and sanitation, insurance, hospitals, transport, banking, telephone/mobile, postal services etc. through permanent lok adalats (Public Utility Services)

To manage legal aid clinics

1. Please return this Identity Card after expiry.
2. Please registered F.I.R. if it is kept



विधिक सहायता क्लिनिक का रोजनामचा

विधिक सहायता क्लिनिक का स्थान
ग्राम पंचायत..... पंचायत समिति..... जिला.....
नगर पालिका/नगर निगम वार्ड संख्या..... जिला.....
क्लिनिक पर मनोनित पैरा लीगल वोलन्टीयर का नाम
क्लिनिक पर मनोनित पैरल अधिवक्ता का नाम

दिनांक	आवेदक का नाम, पिता का नाम, जाति, निवास का पता एवं टेलिफोन नम्बर, यदि कोई हो।	आवेदक की समस्या का संक्षिप्त विवरण	समस्या के निवारण हेतु की गई कार्यवाही का विवरण	आवेदक के हस्ताक्षर	टिप्पणी

नोट:- संबंधित जिला प्राधिकरण/समिति आवश्यकतानुसार कॉलम बढ़ा सकते हैं।

C. RIGHT TO INFORMATION APPLICATIONS FILED

NALSA (Free and Competent Legal Services) Regulations, 2010

To
Chief Judicial Magistrate
The State Assistant Public Information Officer
District Legal Services Authority
Pratapgarh - 312605, Rajasthan

In reference to the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 (hereinafter mentioned as “NALSA Regulations 2010”), I request you to kindly provide me with the following information under section 6(1) of the Right to Information Act

- 1) The list of lawyers with their years of experience appointed under Regulation 8 of the NALSA Regulations 2010 in the district courts as on 1st December 2014 as a) Panel Lawyers and b) Retainer Lawyers at each level:

i. District Legal Services Authority

ii. Taluk Legal Services Committees
- 2) The total number of persons who were provided legal representation under the NALSA Regulations 2010 in the district courts from 1st December 2013 till 1st December 2014 through a) Panel Lawyers and b) Retainer Lawyers at each level, as per the table below:

Legal Services Institution	Number of persons represented by Panel Lawyers	Number of persons represented by Retainer Lawyers	Number of Bail Releases	Number of Acquittals
District Legal Services Authority				
Taluk Legal Services Committees				

- 3) The list of senior lawyers, law firms, retired judicial officers, mediators and law professors in the panel appointed under Regulation 9 of the NALSA Regulations 2010 as on 1st December 2014 at each level:

i. District Legal Services Authority

ii. Taluk Legal Services Committees
- 4) The date of constitution of the Monitoring Committee and the names of the members of the Monitoring Committee along with their designation appointed under Regulation 10 (3) of the NALSA Regulations 2010 as on 1st December 2014 at each level:

i. District Legal Services Authority

ii. Taluk Legal Services Committees
- 5) The list of staff personnel provided to the Monitoring Committee to ensure maintaining of daily records as per Regulation 11(2) of the NALSA Regulations 2010 as on 1st December 2014 at each level:

i. District Legal Services Authority

ii. Taluk Legal Services Committees

- 6) Certified copy of the register maintained by the Monitoring Committee for recording day – to-day progress of legal aid cases as per Regulation 11(3) of the NALSA Regulations 2010 from 1st December 2013 till 1st December 2014 at each level:
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 7) Certified copies of the bi-monthly reports submitted by the monitoring committee to the Executive Chairman/ Chairman as per Regulation 12(1) of the NALSA Regulations 2010 from 1st December 2013 till 1st December 2014 at each level:
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 8) The amount of funds disbursed to a) Panel Lawyers & b) Retainer Lawyers at each level i. District Legal Services Authority and ii. Taluk Legal Services Committees as
 - A) Honorarium as per Regulation 8 (9) & 14 (1) of the NALSA Regulations 2010 & Regulation 22 of the Rajasthan State Legal Services Authorities (1999)
 - B) Additional Expenditure as per Regulation 13 (1) of the NALSA Regulations 2010
 - C) Expenses for Obtaining certified copies of judgment in case of appeal or revision as per Regulation 13(2) of the NALSA Regulations 2010
- 9) The names and number of senior advocates appointed by the Monitoring Committee or Executive Chairman/ Chairman of the Legal aid committee as per Regulation 15 of the NALSA Regulations 2010 from 1st December 2013 till 1st December 2014 at each level:
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 10) Certified copies of the completion reports received from panel lawyers as per Regulation 14(3) of the NALSA Regulations 2010 from 1st December 2013 till 1st December 2014 at each level:
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 11) The format of the application of legal services used at each level
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 12) The number of Form-II sent by the Member Secretary/ Secretary to the Monitoring Committee as per Regulation 11 (1) of the NALSA Regulations 2010 from 1st December 2013 till 1st December 2014 at each level:
 - i. District Legal Services Authority
 - ii. Taluk Legal Services Committees
- 13) Is the method of payment of the Panel Lawyers as per Regulation 22 (3) of the Rajasthan State Legal Services Authorities (1999) i.e. half payment after the first hearing post the appointment of the panel lawyer and half payment after the final decision of the case?
 - i. Yes
 - ii. No
 - iii. If any other method, kindly mention _____

NALSA (Legal Aid Clinics) Regulations, 2011
Rajasthan State Legal Services Authority Guidelines 2012

To,
PIO
DLSA

Respected Sir/Madam,

Sub: Application for seeking information regarding the implementation of the National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines (Reference number- RSLSA/2012/3121-3338) dated 02-May-2012

In reference to the National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 (hereinafter mentioned as NALSA Regulations 2011) and Rajasthan State Legal Services Authority Guidelines (Reference number- RSLSA/2012/3121-3338) dated 02-May-2012 (hereinafter mentioned as RSLSA Guidelines 2012), I request you to kindly provide me with the following information under section 6(1) of the Right to Information Act:

1) The details of the legal aid clinics constituted in the jails in your district under guideline 1 of RSLSA GUIDELINES 2012 and Regulation 3 of NALSA REGULATIONS 2011 as per the table below:

Jails	Name of the Jail	Legal Aid Clinic constituted (Yes/No)	Date of constitution of the Legal Aid Clinic
Central Jail			
District Jail			
Sub Jail 1			
Sub Jail 2			
Sub Jail 3			
Sub Jail 4			
Sub Jail 5			

2) Information under guidelines 9,10 and 11 of RSLSA GUIDELINES 2012 and Regulation 5 and 6 of NALSA REGULATIONS 2011 as below:

- A. List of Jail Visiting Lawyers (in the Central/ District & Sub Jails) as on the date of the RTI.
- B. List of Prisoners para legal volunteers (in the Central/ District & Sub Jails) as on the date of the RTI.
- C. List of Community para legal volunteers (in the Central/ District & Sub Jails) as on the date of the RTI.

3) The details of the jail visiting lawyer appointed under guideline 10 of the RSLSA GUIDELINES 2012 and regulation 6 of NALSA REGULATIONS 2011 between 1st December 2012 to 1st December 2014, as below :

- A. Number of Jail Visiting Lawyers appointed (in the Central/ District & Sub Jails) in the above mentioned period.
- B. Number of visits made by the Jail Visiting Lawyers (in the Central/ District & Sub Jails) in the above mentioned period.
- C. The total honorarium paid to Jail Visiting Lawyer (in the Central/ District & Sub Jails) in the above mentioned period.

- 4) The details of the long term prisoners para legal volunteers appointed in the jails (Central/ District & Sub Jails) in your district under guideline 9 , 11 and 12(10) of the RSLSA GUIDELINES 2012 between 1st December 2012 to 1st December 2014, as below :
- A. Number of prisoner para legal volunteers appointed (in the Central/ District & Sub Jails) in the above mentioned period.
 - B. Number of monthly reports submitted by the prisoner para legal volunteers (in the Central/ District & Sub Jails) in the above mentioned period.
 - C. The total honorarium paid to prisoner para legal volunteers (in the Central/ District & Sub Jails) in the above mentioned period.
 - D. Number of Trainings organised by the District Legal Services Authorities/Taluka Legal Services Committee for the Prisoners para legal volunteers (in the Central/ District & Sub Jails) in the above mentioned period.
- 5) Information under guideline 5 and 20(1), (2) and (4) of the RSLSA GUIDELINES 2012 , as below :
- A. Total number of days the legal aid clinic (in the Central/ District & Sub Jails) in your district was operational between 1st December 2012 to 1st December 2014
 - B. Name of the registers maintained by the Legal aid clinic (in the Central/ District & Sub Jails) in your district.
 - C. Certified copies of the format maintained for the registers in the Legal aid clinic (in the Central/ District & Sub Jails) in your district.
- 6) Certified copy of the Attendance register (उपस्थिति रजिस्टर) maintained in the Legal Aid clinic as per the RSLSA GUIDELINES 2012 and Regulation 20 (1) of NALSA REGULATIONS 2011 between 1st December 2012 to 1st December 2014 from the (i) Central Jail/District Jails and (ii) Sub Jails in your district.
- 7) Certified copy of the Work register (क्लिनिक पर प्राप्त होने वाले आवेदन पत्रों एवं उन पर की गई कार्यवाही के इन्द्राज हेतु रजिस्टर का साधारण) maintained in the Legal Aid clinic as per RSLSA GUIDELINES 2012 and Regulation 20(2) of NALSA REGULATIONS 2011 between 1st June 2014 to 1st December 2014 from the (i) Central Jail/ District Jails and (ii) Sub Jails in your district.

I have also attached an IPO (bearing number) for Rs. 10/- towards payment of the prescribed application fee as under the section 6(1) of the Right to Information Act.

I request you to kindly accept my application and provide me with the information requested above at my postal address as mentioned above.

Assistance of Persons in Custody Scheme 2012

To,
PIO
DLSA

Respected Sir/Madam,

Sub: Application for seeking information regarding the implementation of Remand and Bail Lawyers Scheme.

In reference to the Rajasthan's Remand and Bail Lawyers Scheme, 2012, of the State Legal Services Authority, I request you to kindly provide me with the following information under section 6(1) of the Right to Information Act:

- 1) Court-wise distribution of **list of lawyers and their years of experience** appointed under the Remand and Bail Lawyers Scheme in the district courts from **24 February, 2012 till 1 July, 2014**, as provided in Guideline 3 of the Scheme.
 - iii. Under the District Legal Services Authority
 - iv. Under the Taluk Legal Services Committee
- 2) Court-wise distribution of **total number of persons represented** under the Remand and Bail Lawyers Scheme in the district courts from **24 February, 2012 till 1 July, 2014**.
 - i. Under the District Legal Services Authority
 - ii. Under the Taluk Legal Services Committee
- 3) Court-wise distribution of **total number of persons released** from police custody and judicial custody under the Remand and Bail Lawyers Scheme in the district courts from **24 February, 2012 till 1 July, 2014** in the format provided below:

NAME OF THE COURT	TOTAL NUMBER OF PERSONS RELEASED	
	FROM POLICE CUSTODY	FROM JUDICIAL CUSTODY

- 4) Certified copies of the consolidated statistical information, as provided under Guideline 15 of the Scheme, sent by the Chairman of the District Authority to the State Legal Services Authority at the end of every quarter from **24 February, 2012 till 1 July, 2014**.
2 districts
- 5) Certified copy of the **format of monthly report** submitted to the presiding officer of the court by the legal aid counsel and forwarded to the Chairman of the District Authority or Taluka Committee, as provided under Guideline 15 of the Scheme.
- 6) **Measures taken** by the District Legal Services Authority and the Taluka Legal Services Committee **to give wide publicity to the Scheme** as provided under Guideline 10 of the Scheme.
- 7) Certified copies of the **attendance certificates** received from all courts regarding the regular attendance of the legal aid counsel concerned, as provided in Guideline 8 of the Scheme **from April 2014 to June 2014**.
- 8) Certified copies of the **monthly reports** submitted to the presiding officer of the court by the legal aid counsel and forwarded to the Chairman of the District Authority or Taluka Committee, as provided under Guideline 15 of the Scheme, **from April 2014 to June 2014**.

I have also attached an IPO (bearing number) for Rs. 10/- towards payment of the prescribed application fee as under the section 6(1) of the Right to Information Act. I request you to kindly accept my application and provide me with the information requested above at my postal address as mentioned above.

CHRI PROGRAMMES

CHRI's work is based on the belief that for human rights, genuine democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for accountability and participation within the Commonwealth and its member countries. CHRI furthers this belief through strategic initiatives and advocacy on human rights, access to justice and access to information. It does this through research, publications, workshops, information dissemination and advocacy.

Access to Justice

Police Reforms: In too many countries the police are seen as an oppressive instrument of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that the police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In South Asia, CHRI works to strengthen civil society engagement on police reforms. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

Prison Reforms: CHRI's work is focused on increasing transparency of a traditionally closed system and exposing malpractices. A major area is focussed on highlighting failures of the legal system that result in terrible overcrowding and unconscionably long pre-trial detention and prison overstay, and engaging in interventions to ease this. Another area of concentration is aimed at reviving the prison oversight systems that have completely failed. We believe that attention to these areas will bring improvements to the administration of prisons as well as have a knock-on effect on the administration of justice overall.

Access to Information

CHRI is acknowledged as one of the main organisations working to promote access to information across the Commonwealth. It encourages countries to pass and implement effective right to information laws. We routinely assist in the development of legislation and have been particularly successful in promoting right to information in India, Bangladesh and Ghana where we are the Secretariat for the RTI civil society coalition. We regularly critique new bills and intervene to bring best practices into governments and civil society knowledge both in the time when laws are being formulated and when they are first being implemented. Our experience of working across even in hostile environments as well as culturally varied jurisdictions allows CHRI to bring valuable insights into countries seeking to evolve and implement new laws on right to information. In Ghana, for instance we have been promoting knowledge about the value of access to information which is guaranteed by law while at the same time pushing for introduction of an effective and progressive law. In Ghana as and when the access to information law comes into being we intend to build public knowledge in parallel with monitoring the law and using it in ways which indicate impact of the law on system accountability – most particularly in the area of policing and the working of the criminal justice system.

Strategic Initiatives Programme: CHRI monitors member states' compliance with human rights obligations and advocates around human rights exigencies where such obligations are breached. CHRI strategically engages with regional and international bodies including the Commonwealth Ministerial Action Group, the UN and the African Commission for Human and People's Rights. Ongoing strategic initiatives include: Advocating for and monitoring the Commonwealth's reform; Reviewing Commonwealth countries' human rights promises at the UN Human Rights Council and engaging with its Universal Periodic Review; Advocating for the protection of human rights defenders and civil society space; and Monitoring the performance of National Human Rights Institutions in the Commonwealth while advocating for their strengthening.

Since the inception of the Legal Services Authorities Act 1987 legal aid bodies have made immense structural and procedural efforts to meet the requirements of the fundamental right to a lawyer as the essence of protection to life and liberty under Article 21 of the Constitution. Several schemes and guidelines have been formulated for legal aid bodies and lawyers to bridge the chasm between the ideal of the law and the incapacities on the ground, to reduce the distress of the indigent and needy in this regard through measures for timely and competent representation. One of the significant groups eligible for free legal aid are persons in custody.

This study by the Commonwealth Human Rights Initiative (CHRI) looks at the implementation of three NALSA legal aid schemes devised to provide early and effective access to legal aid for prisoners in Rajasthan.

The three schemes are:

1. National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010
2. National Legal Services Authority (Legal Aid Clinics) Regulations, 2011 and Rajasthan State Legal Services Authority Guidelines, 2012
3. Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme, 2012

Using the Right to Information, the study examines the responses of 33 DLSAs and the SLSA in Rajasthan and points out the gaps in policy and delivery. The study provides practical recommendations in the areas of a) appointments of different avatars of legal aid lawyers and paralegal volunteers; b) constitution of legal aid clinics in jails and monitoring committees at the legal services institutions; and c) effective reporting at all levels.

The study calls for greater accountability of the duty holders who are entrusted with the responsibility of safeguarding the right to fair trial.

“The right to free legal services is, therefore, clearly an essential ingredient of 'reasonable, fair and just, procedure for a person accused of an offence and it must be held implicit in the guarantee of Article 21. This is a constitutional right of every accused person who is unable to engage a lawyer and secure legal services on account of reasons such as poverty, indigence or incommunicado situation and the State is under a mandate to provide a lawyer to an accused person if the circumstances of the case and the needs of justice so required, provided of course the accused person does not object to the provision of such lawyer.”

Justice P. Bhagwati, Hussainara Khatoon & Ors. v. Home Secretary, State Of Bihar, 1979



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