

CHRI 2019

LEGAL AID FOR PRISONERS



Second Watch Report on 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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"If you can't fly then run, if you can't run then walk, if you can't walk then crawl, but whatever you do you have to keep moving forward."

Martin Luther King Jr

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Glossary

Legal Services Authority Act 1987: The Legal Services Authority Act (hereinafter referred as LSA) was enacted to provide free and competent legal services to weaker sections of the society. The Act came in force in the year 1995. The LSA paved the way for the constitution of legal services institutions at the national, state, district and taluka level.

Legal Aid: Free legal aid entails the provision of free legal services in civil and criminal matters for poor and marginalized people who cannot afford the services of a lawyer for the conduct of a case or a legal proceeding in any court, tribunal or before an authority.

Provision of free legal aid may include:

- a) Representation by an Advocate in legal proceedings.
- b) Payment of process fees, expenses of witnesses and all other charges payable or incurred in connection with any legal proceedings in appropriate cases.
- c) Preparation of pleadings, memo of appeal, paper book including printing and translation of documents in legal proceedings.
- d) Drafting of legal documents, special leave petition etc.
- e) Supply of certified copies of judgments, orders, notes of evidence and other documents in legal proceedings.

Legal Services Institutions (LSI): 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 (or Sub Divisional Legal Services Committee), as the case may be. National Legal Services Authority (NALSA) is the nodal agency for legal aid in India. Every state has a State Legal Services Authority (SLSA) to carry out the activities as formulated by NALSA. The District Legal Services Authority (DLSA) and Taluka Legal Services Committee (TLSC) at the district and taluka level, respectively, ensure that the legal aid schemes and regulations of the SLSA are implemented.

NALSA 2010 Regulation: The NALSA (Free and Competent Legal Services) Regulations, 2010 provides for the constitution of a panel of legal aid lawyers, who are expected to represent persons in need of legal representation, upon assignment by the legal aid institutions. The regulations formulated look at procedures for seeking and receiving legal aid, and mechanisms to monitor the quality of legal representation viz. monitoring committees.

NALSA 2011 Regulation: The NALSA (Legal Aid Clinics) Regulations 2011 provides for setting up of “legal services clinic” in order to provide basic legal services “where the people face geographical, social and other barriers for access to the legal services”. The clinics are to be operated by para-legal-volunteers and visiting lawyers.

NALSA 1998 Model Scheme: The Model Scheme for Legal Aid Counsel in all the courts of Magistrates mandates appointment of Remand and Bail lawyers for each Court of Magistrate. The mandate of the lawyer under this scheme is to oppose unnecessary remand and make applications for bail at the pre-trial stage, on behalf of those who need legal aid. These Remand and Bail lawyers are required to be present at the court every day during remand hours.

NALSA Scheme for Paralegal Volunteers (Revised): NALSA formulated a scheme for including paralegal volunteers as legal aid providers in 2009. The scheme was later revised.

NALSA Standard Operating Procedure (SOP) for Representation of Persons in Custody: The SOP for persons in custody clarifies and standardizes the mandate of legal aid functionaries working for persons in custody. These include the SLSA, DLSA, the panel and jail visiting lawyer, the paralegal volunteers, prison officers and magistrates.

Legal Aid Providers: Legal Aid providers are institutions, individuals and groups appointed by the legal aid institutions to provide legal aid. These include lawyers, paralegals and organisations. In this report we have classified Legal Aid Providers as primary and secondary legal aid providers. The former includes panel lawyers, retainer lawyers and remand lawyers as they directly represent persons in court whereas the latter include jail visiting lawyers, convict & community paralegal volunteers as they usually provide legal aid services other than representing persons in court.

Panel Lawyer: Panel lawyers are appointed by the Legal Services Institution for three years to represent those who need free and competent legal services and are entitled 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 are paid a monthly fee and are also expected to work on the administrative affairs of the legal aid institution.

Jail Visiting Lawyer (JVL): Jail visiting lawyers are panel lawyers appointed by the Legal Services Institution to visit jail legal aid clinics every fortnight. They are mandated to provide legal advice, draft applications, letters and petitions for inmates inside the jail.

Convict Paralegal Volunteer (CPLV): Prison paralegal volunteers are long term convicts nominated by the prison department and appointed by the Legal Services Institution who are mandated to conduct jail legal aid clinics at least twice a week; draft bail applications, petitions, appeals, parole and other applications; and maintain the records and registers.

Community Paralegal Volunteer (CoPLV): 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 Legal Services Authority; and other activities.

Legal Aid Counsel (LAC): Remand & Bail Lawyers are appointed by the Legal Services Institution under the Model Scheme for Legal Aid Counsel in all the courts of Magistrates. They are assigned to each magistrate court to oppose remand, apply for bail and move miscellaneous applications for those in custody.

Monitoring Committee: Every Legal Services Institution is mandated to setup a monitoring committee to track and review 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 higher judicial services in the district, b) member secretary or secretary of the Legal Service Institutions and c) 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.

About The Report

This report is a follow up on CHRI's 2016 report titled "Legal Aid for Prisoners: Status Report on the Implementation of Three Schemes in Rajasthan".¹ The previous report, prepared under the aegis of the Rajasthan SLSA, noted gaps in the legal aid machinery and looked at the implementation of legal aid schemes in prisons, police stations, courts and the legal services authority in Rajasthan.

Evaluating data between 2012 and 2014, the report also highlights the gaps between the mandate and reality. Rajasthan was compliant with only 23% of the provisions in three NALSA schemes on legal aid for persons in custody.

This report examines the improvements made on the ground between 2014 and 2016. This report thus not only looks at the delivery of legal aid to persons in custody, but also provides a comparison between then and now, while also bringing to light the gaps that still remain and require immediate attention.

The report also suggests detailed reporting and monitoring mechanisms for different stakeholders involved in legal aid delivery. These include formats of registers, reports and certificates for remand lawyers, panel and retainer lawyers, jail visiting lawyers, paralegals, legal aid clinics in jails, and legal service institutions. The report also includes duty notes for legal aid providers which would assist them in fulfilling their responsibilities.

¹ Legal Aid for Prisoners: Status Report on the Implementation of Three Schemes in Rajasthan, available at: <http://www.humanrightsinitiative.org/download/1455789066LEGAL%20AID%20STATUS%20REPORT%20-RAJASTHAN%20E-VERSION.pdf>.

THE VERDICT

There has been a considerable improvement in the implementation of the three legal aid schemes in Rajasthan between 2014 and 2016. However, the degree of improvement in infrastructure has not been mirrored by the quality of legal aid delivery, which remains limited.

What has improved?

Rajasthan has witnessed substantial improvement in the appointment of legal aid providers – panel lawyers, retainer lawyer, remand lawyers, and jail visiting lawyers. The increase in the appointment of retainer lawyers appears to be most remarkable; in 2016, they were appointed in 29 districts, compared to only one in 2014. By 2016, legal aid clinics were also established in all (79) jails in the state for which we received information, compared to only half this number in 2014. The constitution of monitoring committees also saw considerable increase from eight in 2014 to 28 of the 29 DLSAs which responded to our Right to Information (RTI) requests in 2016.

What still warrants attention?

Legal aid clinics constituted in the state still far outnumber prison paralegal volunteers appointed to man these clinics with only eight of the 79 jails having paralegal volunteers. We also found that jail visiting lawyers (JLVs) have also not been visiting prisons regularly.

Reporting and monitoring of cases under all the schemes still appears to be a challenge. Lawyers have not been submitting completion reports, and consequently information on the outcome of legal aid representation remains minimal. In addition, Monitoring Committee registers are still not being maintained and bi-monthly reports are not submitted. The biggest issue that this report finds (which was not assessed in the previous report) is with respect to the average time taken by authorities in assigning panel lawyers to legal aid cases – an average of 48 days for the state of Rajasthan.

Recommendations: The purpose of this report is to assist the State Legal Services Authority (SLSA) Rajasthan in identifying gaps in legal aid delivery in the state to ensure effective access to legal representation. As the preceding section suggests, while there has been some improvement in the implementation of NALSA regulations, there are specific areas that still need urgent attention. More prison paralegal volunteers to all jail legal aid clinics need to be appointed to bolster the legal aid infrastructure in the state. In the functioning of the legal aid providers, duty notes (suggested notes provided on page number 11) can assist them in working, better reporting and ensuring accountability. Further, legal aid authorities will benefit from standardised registers and reports (suggested formats provided on page number 17) in monitoring schemes and tracking the progress and outcome of cases.

I. Introduction

This report evaluates the implementation of three regulations and schemes in Rajasthan: NALSA (Free and Competent Legal Services) Regulation, 2010, NALSA (Legal Services Clinics) Regulation, 2011, and Rajasthan SLSA's Legal Assistance to Persons in Custody Scheme 2012. Data was obtained through applications filed under the Right to Information (RTI) Act 2005 to each State Legal Services Authority (SLSA) on the obligations of the legal aid providers.

These responses were then crystallised into CHRI's '**National Report on Legal Aid for Persons in Custody: Hope Behind Bars?**' in 2018. While 'Hope Behind Bars?'² provided a picture of the scenario of the status of legal aid services in India, this report places emphasis on the responses received from Rajasthan and compares them with findings from its 2016 study.

Unlike CHRI's previous report on Rajasthan, this study does not quantify compliance of implementation; instead, it examines the quality of legal aid delivery by looking at the registers and reports maintained by legal aid providers.

Methodology

This study is based on responses received under Section 6³ of the RTI Act. The RTI applications were sent to district legal services authorities in June 2016. Three applications were sent to each authority for each of the following NALSA regulations:

- ▶ NALSA (Free and Competent Legal Services) Regulation, 2010;
- ▶ NALSA (Legal Services Clinics) Regulation, 2011; and
- ▶ Rajasthan SLSA's Legal Assistance to Persons in Custody Scheme 2012

S.No.	RTI Name	Regulations	Period of Information
1	2010 Regulations	NALSA (Free and Competent Legal Services) Regulation, 2010	May 2015 to April 2016
2	2011 Regulations	NALSA (Legal Services Clinics) Regulation, 2011	
3	Remand & Bail Regulations	Rajasthan SLSA's Legal Assistance to Persons in Custody Scheme 2012	

Scope of the RTI

Through these RTIs, district-wise information was sought from the Legal Service Institutions (LSIs). Information on taluka-legal service committees was not sought because of the expanse of their functioning.

Quantity and quality of RTI responses received

There are 35 DLSAs in Rajasthan; we received responses for the abovementioned schemes from 29 of them. The six DLSAs which did not respond were Churu, Dholpur, Jaisalmer, Jhalawar, Pratapgarh and Jhunjhunu. A total of 40 questions were asked in the RTI, which looked at various facets of legal aid delivery. We found that questions on the appointment of actors were answered the most frequently, while queries on the monitoring of legal aid delivery either went unanswered, or were answered with "no response" or "not available".

RTI data was received from all the DLSAs at different points in time during 2017. Along with other 28 states and Union Territories, the information was analysed, collated and presented in the national report ('Hope behind Bars?') in September 2018.

2 National Report on Legal Aid for Persons in Custody: Hope Behind Bars? Available at: <http://www.humanrightsinitiative.org/download/CHRI%20Legal%20Aid%20Report%20Hope%20Behind%20Bars%20Volume%201.pdf>.

3 Section 6 [Request for obtaining information] (1)(a), RTI Act, 2005: A person, who desires to obtain any information shall make a request in writing or through electronic means to the Central Public Information Officer or State Public Information Officer of the concerned public authority.

This present study also compares the findings of CHRI's 2016 report, '**Legal Aid for Prisoners: Status Report on the Implementation of Three Schemes in Rajasthan**', the RTIs (seeking information on the status of legal aid implementation) for which were filed on 31 December 2014 and responses were received in 2015.

This report is divided into three segments: findings on the implementation of the three legal aid schemes, schematic recommendations, and suggested formats.

II. Findings

Rajasthan's prisons confine 20,086 inmates⁴ in 126 jails. The state has 33 districts and 35 DLSAs. We received responses from 29 DLSAs for the three RTI applications filed. In these districts and their corresponding jails, the improvement in the infrastructure of legal aid delivery has not been matched by reporting and monitoring mechanisms in place. This section discusses the status of implementation of legal aid provisions schematically.

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

This regulation was formulated to provide quality legal services by creating a panel of legal aid lawyers to take up legal aid cases which would be monitored by the legal services institutions. Under the regulations, panel and retainer lawyers are appointed by legal services institutions to take up legal aid cases. The progress in these cases is tracked by a monitoring committee consisting of the senior-most judicial officer of the district, a lawyer with 15 years of experience and the member secretary of the legal services institution.

1. Appointment of legal aid providers

Under the NALSA 2010 Regulations, every legal service institution is mandated to constitute a panel of legal aid lawyers and maintain separate panels for dealing with different types of cases. Retainer lawyers are also to be appointed from among panel lawyers. 1,827 panel lawyers and 49 retainer lawyers were appointed in Rajasthan. 28 of the 29 districts that responded had appointed panel lawyers, with the exception of Sri Ganganagar. All districts other than Jalore appointed retainer lawyers. While all districts had appointed one retainer lawyer each, Ajmer has appointed 16.

2016 Rajasthan Report

Out of 32 districts that responded, 21 districts had appointed 617 panel lawyers. With 80 and 79 respectively, Churu and Jaipur had the maximum number of panel lawyers. Only Alwar and Hanumangarh had appointed retainer lawyers while Ajmer, Dholpur, Jhunjunu and Nagaur were still in the appointment process. The remaining 26 districts did not have a single retainer lawyer.

2. Representation and outcome

Panel lawyers represented 2,689 persons in 28 districts, while retainer lawyers represented 291 persons in the same number of districts. Although retainer and panel lawyers are appointed in almost all districts, the cases disposed, number of acquittals and number of persons out on bail appear to be severely limited. 1,425 cases were disposed of in these districts, the response showed that of these, there had been only 23 acquittals, and only nine persons were released on bail.

2016 Rajasthan Report

1,343 people were represented by 229 panel lawyers in the specified time period. Of these, there was only one acquittal and 110 bail releases (all the bail releases were reported only from Kota district; the remaining districts did not maintain this information). We also found that retainer lawyers did not take up any cases.

3. Constitution and functioning of monitoring committees

Monitoring committees established under Regulation 10 of the NALSA 2010 Regulations are mandated to monitor the work of panel and retainer lawyers. These committees have to maintain registers for the day-to-day proceedings of legal aid cases, which are to be scrutinised by the chairman of the committee. They are also supposed to submit their assessment of case progress to the chairman on a bi-monthly basis.

⁴ Prison Statistics India, 2015, National Crime Records Bureau, pp. 10 and 20.

As of 2016, 28 of the 29 DLSAs which responded to our RTI applications have monitoring committees. Even though monitoring committee regulations were formulated in 2010, most districts in Rajasthan constituted these only in 2015. In all districts, monitoring committee members were appointed according to the mandate. While Chittorgarh, Sirohi and Jalore replied that they had constituted monitoring committees, they made no mention of their functioning in their responses. The monitoring committee registers maintained by Jodhpur Metro and Ajmer, however, are impressive, in that they detail the cases taken up by the committee and the action taken in each of these cases. We also found that only four districts⁵ had started maintaining registers and only nine districts⁶ submitted bi-monthly reports. No separate staff or infrastructure was provided for the functioning of the monitoring committees.

Monitoring committee meetings were held in most districts; this is reflected in the minutes of the meetings received in the responses to our application. Monitoring committees in some districts, such as Jodhpur Metro and Ajmer, stood out from the rest in their specific focus on case-wise monitoring, where the advocates and monitoring committee offered case-specific comments. These districts provided information in a tabular format attached to the minutes of the meetings. Their format included a section seeking information in the form of reports from courts on the progress of the legal aid cases. On the other hand, the minutes of the meetings of seven districts⁷ did not mention specific case details and left the comments sections blank. It appeared from the responses received from these districts that the information was being maintained just to record but not review the work.

The monitoring committee in Kota listed problems in the quality of the legal aid. The minutes of one of the committee meetings from the district noted that the DLSA had received complaints about legal aid lawyers not performing their duties properly as they could not manage the work in addition to handling their private cases. However, we found that the practices followed by the monitoring committee at the Bharatpur DLSA was impressive⁸: It had taken up cases from the DLSA from 2014, in addition to current cases and had decided that for all cases, progress reports had to be submitted by the 5th of the following month. The committee would also inform all lawyers of this during their appointments.

2016 Rajasthan Report

In 2014, only eight⁹ DLSAs had constituted Monitoring Committees – and this too was done only in 2014. During this period, only Sikar maintained a register and only the district of Jhunjhunu submitted reports regularly.

4. Accountability

Submission of completion reports by panel lawyers: Panel lawyers are paid an honorarium from the concerned Legal Services Institution after they submit completion reports. However, in the period assessed, only five¹⁰ DLSAs responded that they had received completion reports.

Complaints against legal aid lawyers: Legal aid lawyers may be removed from the panel if they do not perform satisfactorily or act contrary to the object and spirit of the Legal Services Act, 1989 and the Regulations. No such complaints or responses were received from any district, but responses showed that seven lawyers had been removed from three districts during the period assessed.

2016 Rajasthan Report

In 2013-2014 period, only Dungarpur mentioned that panel lawyers had been submitting completion reports. No other district in the state maintained or provided information about these completion reports. We also did not receive any information about complaints about panel lawyers.

5 Dausa, Kota, Jodhpur Metro, Sikar.

6 Dausa, Jaipur Metro, Merta, Pali, Udaipur, Bharatpur, Ajmer, Balotra, Jodhpur Metro.

7 Merta, Pali, Jaipur Metro, Dausa, Jaipur district, Hanumangarh, Udaipur.

8 As per the minutes of the MC meeting dated 10 March 2016.

9 Ajmer, Banswara, Bikaner, Dholpur, Hanumangarh, Jhunjhunu, Jodhpur, Sikar.

10 Hanumangarh, Udaipur, Merta, Jodhpur Metro, Jaipur District.

THE VERDICT

There has been a substantial improvement in the appointment of legal aid providers. While in 2014, retainer lawyers were appointed in just one district, in 2016, they had been appointed in 29 districts. The strength of panel lawyers has also increased significantly, as did the recording of information on the cases taken up. This appears to be because of the DLSAs' initiative in maintaining representation data. However, information on the outcome of legal aid representation still remains minimal. While there has been an improvement in setting up monitoring committees in each DLSA, registers are still not being maintained and bi-monthly reports are not being submitted. Reporting, thus, continues to be a serious challenge. Completion reports too are not being submitted, and in the few cases that they are, they just consist of a copy of the judgment. The biggest concern, however, is with respect to the time taken in assigning panel lawyers to legal aid cases -- on an average, legal service institutions in Rajasthan take a whopping 48 days for this.

B. NALSA (Legal Aid Clinics) Regulations 2011 and Rajasthan SLSA 2012 Guidelines

These regulations and guidelines mandate the establishment of legal aid clinics where there are barriers to access to legal services institutions. The Rajasthan SLSA in 2012 formulated guidelines based on the NALSA 2011 Regulations which included the establishment of legal aid clinics in jails. These clinics are supposed to operate regularly and be manned by prisoner paralegal volunteers (PLVs) who are trained specifically for this. Jail visiting lawyers (JVLs) are also expected to visit jails periodically and offer free legal aid. The working of these clinics is to be recorded in work and attendance registers maintained by the PLV.

1. Constitution of Jail Legal Aid Clinics

The NALSA 2011 (Legal Aid Clinic) Regulations, along with NALSA Standard Operating Procedure (SOP) for the Representation of Persons in Custody, 2016, as well as Rajasthan SLSA's 2012 Guidelines mandate the creation of legal aid clinic in every jail.

We received information on the functioning of jail legal aid clinics by 30 DLSAs; all (80) of them had constituted Jail Legal Aid Clinics (JLACs) in their respective jails. The oldest JLACs in Rajasthan were constituted in 2006 in Jodhpur district's central jail, and in 2009 in Alwar's district jail. 20¹¹ JLACs were constituted in 2012, and 15¹² in 2013, but the remaining were constituted much later, between 2014 and late 2016. Jaipur metro, however, constituted a legal aid clinic after the time period for which responses to the RTI applications were sought. However, no data on the functioning of the clinics for the given time period was provided.

11 20 jails in the following districts: Balotara, Sikar, Dungarpur, Bikaner, Jodhpur Metro, Merta, Baran, Ajmer, Sikar and Sri Ganganagar.

12 15 jails in the following districts: Bhilara (1), Pali, Chittorgarh, Jalore, Jaipur District, Rajasmand, Jaipur Metro, Sirohi.

2016 Rajasthan Report

Till 2014, of the 93 existing jails, only 44 had legal aid clinics. Worse still, only three clinics were following their mandate of working twice a week,¹³ while ten were not functional for even a single day. Both jails in Ajmer outperformed the rest with its clinics operating twice the mandated number of days.

2. Appointment of legal aid providers to clinics

As of 2016, a total of 241 Jail Visiting Lawyers (JVLs) were appointed in 73 of 80 JLACs. In 2012, the SLSA issued a letter regarding the functioning of legal aid clinics based on the regulations provided by NALSA. The SLSA also issued another letter on the Legal Aid Scheme with its own set of guidelines. One of these guidelines included the creation of 'legal aid awareness teams' in all districts alongside the JVLs and PLVs. We received documents indicating that six districts¹⁴ had constituted legal aid awareness teams in place of just appointing JVLs.

These awareness teams generally consist of two PLVs and two JVLs. Dausa was the only district that provided information on the functioning of these teams. Legal aid awareness teams are supposed to educate inmates on legal aid and help them submit applications to the DLSAs for the appointment of lawyers. Apart from the 241 lawyers, therefore, more advocates were appointed to these teams to provide legal aid. Twelve convict PLVs were also appointed in ten jails in the state.

3. Visits by legal aid providers

Rajasthan's legal aid clinic regulations specify that JVLs are expected to visit jails twice a month, or 24 times a year. Although 10 districts fulfilled this mandate, twice-a-month visits are not sufficient to provide effective legal aid to all inmates. The NALSA SOP for Persons in Custody, therefore, recommends that JVLs visit jails at least twice every week. The fact that 20 districts did not fulfill this minimum is indicative of the state of legal aid infrastructure in the state.¹⁵

2016 Rajasthan Report

In 2014, of the 44 operating jail legal aid clinics (JLACs), only 20 had appointed JLVs. Further, lawyers were making the mandated twice-a-month visits only in three clinics. In five of the 20 clinics, JLVs did not visit the jail even once in the entire year. Worse still, only 12 of the 93 jails had appointed PLVs.

4. Registers and records

Fifteen districts¹⁶ did not any maintain work registers and attendance registers in the jail legal aid clinics. While most of the remaining districts that did maintain registers appeared to follow a standard format, a few did not. Attendance registers were maintained under a standard format as well. Interestingly, Jaipur Metro's response to the RTI application stated that it had received no legal aid application in the past six months, but its work registers indicated otherwise. Among the districts that responded to our applications, the frequency with which the DLSA reviewed the attendance and work registers generally appeared to be once a month. No information on monthly reports was provided for 2015-2016.

2016 Rajasthan Report

Work registers were maintained by 14 Jail Legal Aid Clinics (of which Baran, Hanumangarh, Jhalawar and Chittorgarh, didn't even have PLVs to start with). Monthly reports were only submitted by convict paralegal volunteers only in Ajmer.

¹³ Ajmer Central Jail, Beawar Sub-Jail (in Ajmer District) and Barmer District Jail.

¹⁴ Dausa, Dungarpur, Bharatpur, Swai Madhopur, Baran, Karauli.

¹⁵ Eleven jails in the following districts: Bundi, Ajmer, Jaipur, Banswara, Hanumangarh and Sriganganagar.

¹⁶ Jodhpur District, Jodhpur Metro, Jalore, Merta, Baran, Jaipur district, Barmer, Sikar, Bundi, Sirohi, Dungarpur, Kota, Rajasmand, Sri Ganganagar, Jhalawar.

5. Time taken to assign cases to lawyers

Our RTI application also sought details of the last five legal aid cases from every district – including the time taken by authorities to assign a legal aid lawyer after receiving an application for legal aid to gauge the efficiency of the system. We received information for 109 cases from 23 districts. Lawyers were assigned on the same day as receiving an application for legal aid in only 19 of the 109 cases; these cases were from Sikar, Kota and Baran and Merta. However, most districts took more than a month to assign legal aid lawyers -- the average duration for assigning a legal aid lawyer was 48 days! The districts lagging the most were Jaipur Metro and Karauli. In a Jaipur Metro case, it almost took a year (329 days) for authorities to assign a lawyer. There were also several other cases from these two districts in which the assignments took more than eight months.

THE VERDICT

The implementation of legal aid in Rajasthan's prisons has seen a substantial improvement. Legal aid clinics have been constituted in all jails, compared to only half as mentioned in the 2016 report. While information on the functioning of the clinics was not available, a perusal of the work registers from the clinics (in which they were maintained) showed that they are functional. However, the appointment of convict paralegal volunteers remains lacking. Visits by jail visiting lawyers are also still infrequent.

C. Rajasthan SLSA's Legal Assistance to Person in Custody Scheme, 2012

Both the NALSA and Rajasthan SLSA Scheme mandate the appointment of remand and bail lawyers (also known as legal aid counsels) to be attached to each magistrate court. These lawyers 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. They are expected to submit their monthly work reports to the District Legal Services Authority (DLSA) and courts are to issue monthly attendance certificates for them.

In total, 715 remand and bail lawyers were appointed to 729 magistrate courts in the 29 districts¹⁷ in the state. Of the 729 magistrate courts, 52 of them were executive magistrate courts¹⁸. In all, 27 districts appointed remand lawyers for all magistrate courts. Additionally, information about the average number of cases handled by each court daily was provided by 12 districts.¹⁹ Of these 12, seven districts²⁰ responded with an average of one case a day; three districts²¹ responded with an average of five cases a day; Jalore responded with an average of nine cases a day; and Jhalawar responded with 31 remand cases over the course of one year.

1. Appointment of remand and bail lawyers

The purpose of remand and bail lawyers is to ensure that legal assistance is provided to persons in police and judicial custody on arrest or detention to oppose unnecessary remand. 715 remand lawyers were appointed across the state across 729 magistrate courts.

2016 Rajasthan Report

In 2014, 400 remand and bail lawyers were appointed across 23 districts of Rajasthan. However, court-wise data was not available for the purposes of appointment.

17 Sri Ganganagar was the only district that did not provide data on the number of legal aid counsels appointed.

18 Swai Madhopur, Udaipur, Bharatpur.

19 Bhilwara, Hanumangarh, Bikaner, Rajasmand, Kota, Bundi, Jhalawar, Tonk, Jalore, Merta, Pali, Sri Ganganagar.

20 Bhilwara, Hanumangarh, Rajasmand, Tonk, Merta, Kota, Pali.

21 Bikaner, Bundi, Sri Ganganagar.

2. Representation and outcome

Thirteen districts²² provided information on the representation of cases by remand lawyers. These lawyers represented 5,016 inmates which led to the release of 3,700 persons. The remaining districts either did not maintain this information or did not share it with us.

2016 Rajasthan Report

In 2014, of the 616 legal aid cases assigned to the remand and bail lawyers, half of them were from Rajasamand (229) and Bhilwara (99). Six²³ of the 10 districts had taken up fewer than 50 cases in 28 months. In five districts, the lawyers did not even have a single case assigned to them.

3. Monitoring remand and bail lawyers

According to the Rajasthan Model Scheme, courts have to issue certificates to record the attendance of legal aid counsel. The scheme also recommends the submission of monthly work reports by remand lawyers to legal service institutions. In the 14 districts²⁴ that provided this information, the court gave 463 certificates to the chairperson of the DLSA and 18 districts²⁵ provided copies of attendance certificates. The formats of the attendance certificates were usually in the form of a standard letter. However, the certificate from Baran stood out because its format specified that the lawyer present had represented persons under both police and judicial custody.

Our RTI application also sought to assess whether attendance registers were maintained by courts. We found that 56 courts had maintained registers in six districts²⁶. Jaipur Metro was the only district to provide a copy of an attendance register maintained by one of their courts and although it was rather basic, this is a good reporting mechanism that supports the data maintained through attendance certificates. The frequency of submissions to the DLSA shows that these reports were usually used as proof of work (for honorarium) and not as a means to review the work done.

2016 Rajasthan Report

We found that in the given time period, work reports were submitted by remand lawyers to only seven²⁷ DLSAs, and that too after the completion of the lawyers' terms. 11 DLSAs did not receive work reports on a monthly basis. Sikar performed well in sending case-wise work reports to the DLSA. Attendance certificates were issued in only 11 districts. However, they were submitted either for a consolidated period, or only after the completion of the lawyer's terms. Interestingly, Udaipur has also introduced absence certificates.

THE VERDICT

There has been an increase in the number of remand and bail lawyers appointed across the state, which has led to a huge rise in the number of remand cases taken up (from 616 to 5,016). The reporting of remand lawyers through attendance certificates has also improved substantially over these two years. However, these certificates are not being submitted monthly as mandated.

22 Karauli, Jaipur, Dausa, Merta, Bharatpur, Balotra, Sikar, Bundi, Bikaner, Madhopur, Tonk, Ajmer, and Baran

23 Hanumangarh, Jodhpur, Pali, Sikar, Sirohi, Udaipur.

24 Dausa, Kota, Merta, Jodhpur Metro, Sikar, Bhilwara, Bundi, Bikaner, Swai Madhipur, Tonk, Baran, Jaipur District, Hanumangarh, Jhalawar.

25 Sirohi, Jaipur Metro, Dasua, Kota, Merta, Bharatpur, Jodhpur Metro, Balotara, Sikar, Bhilwara, Bundi, Bikaner, Swai Madhopur, Tonk, Ajmer, Baran, Jaipur district, Hanumangarh.

26 Jaipur Metro, Kota, Merta, Bhilwara, Bikaner, Hanumangarh.

27 Sri Ganganagar, Hanumangarh, Rajasamand, Jodhpur, Udaipur, Chittorgarh and Sirohi.

III. Recommendations

It is encouraging to note that the various implementation gaps that were highlighted in our 2016 report have been plugged. However, some issues requiring immediate attention still remain. Thus, we offer the following recommendations:

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

1. Information on the representation and outcome of cases by panel lawyers should be maintained by legal service institutions.
2. Registers recording day-to-day proceedings should be maintained by all monitoring committees to strengthen their functioning. A standard format may be developed for this by the SLSA.
3. Completion reports should be submitted by panel lawyers after the case is over. A template for this may be developed by the SLSA.
4. Legal service institutions should ensure that lawyers are assigned cases immediately, and this should not extend beyond two days from the receipt of the legal aid application for persons in custody.

B. NALSA (Legal Aid Clinics) Regulations 2011 & Rajasthan SLSA 2012 Guidelines

1. Convict or community paralegal volunteers should be appointed in all jail legal aid clinics.
2. These volunteers should be trained within the first month of their appointment.
3. The frequency of visits by Jail Visiting Lawyers should be twice a week as per the NALSA SOP for Representation of Persons in Custody.

C. Rajasthan SLSA's Legal Assistance to Person in Custody Scheme, 2012

1. Attendance registers should be maintained in every magistrate court to record the presence of remand lawyers.
2. Remand lawyers should submit the attendance certificates issued by the court to the legal service institutions on a monthly basis.

IV. Formats | English

FORMATS OF APPOINTMENT LETTERS, DUTY NOTES & REPORT REGISTERS

Rationale

The legal aid schemes and regulations developed by the National Legal Services Authority are extremely comprehensive and detailed. It is the responsibility of the legal aid providers-lawyers and paralegals to implement these schemes to ensure access to justice for all. NALSA has a workforce of more than 60,000 panel lawyers and 70,000 paralegal volunteers. To be able to reach out and communicate, to ensure that these legal aid providers are aware of their responsibilities and to avoid any ambiguities about their role, duty notes can play a crucial role. It would also serve as a ready reckoner to remember what is expected from them in the course of their tenure.

The following formats are included in this report: -

- ❑ Part I: APPOINTMENT LETTER & DUTY NOTES
 - Note 1: Panel Lawyer
 - Note 2: Retainer Lawyer
 - Note 3: Remand Lawyer
 - Note 4: Jail Visiting Lawyer
 - Note 5: Convict/ Community Paralegal Volunteer
- ❑ PART II: REPORTS & REGISTERS
 - A. NALSA (FREE AND COMPETENT LEGAL SERVICES) REGULATIONS 2010
 - Format 1: Legal Aid Register
 - Format 2: Progress Report
 - Format 3: The Legal Services Card
 - Format 4: Monitoring Committee Register
 - Format 5: Monitoring Committee Report
 - Format 6: Completion Report
 - Format 7: Assignment Letter to the Panel Lawyer & Intimation Letter to Accused
 - Format 8A: Monitoring Committee Monthly Statement
 - Format 8B: Monitoring Committee Functioning Tracker at SLSA
 - B. NALSA (LEGAL SERVICES CLINICS) REGULATIONS 2011
 - Format 9: Legal Aid Clinic Work Register
 - Format 10: Legal Aid Clinic Attendance Register
 - Format 11: Jail Visiting Lawyer Work Report
 - Format 12: Convict Paralegal Work Report
 - Format 13: Jail Legal Aid Clinics Tracker
 - C. NALSA LEGAL AID COUNSEL IN ALL COURTS OF MAGISTRATES SCHEME 1998
 - Format 14: Daily Attendance Register of Remand Lawyers
 - Format 15: Remand Lawyer's Work Report

PART I: APPOINTMENT LETTERS AND DUTY NOTES

NOTE 1: PANEL LAWYER

From, Secretary
District Legal Services Authority

To
Mr. Shahid Azmi
Advocate, Jaipur

You are appointed as a panel lawyer of the Jaipur Metro District for the period 1 June 2018 to 1st June 2020. You would be assigned cases by the legal services institutions and court. You are bound by/ the provisions of the Advocates Act 1961 and the Bar Council of India Rules. Specifically, you are expected to maintain the standards of Professional Conduct and Etiquette as laid down in Chapter 2 of Part VI of the Bar Council of India Rules. You are expected to conduct yourself professionally and uphold the interests of your client by all fair and honourable means.

You are also expected to follow the NALSA (Free and Competent Legal Services) Regulation 2010. The relevant guidelines and a duty note based on the guidelines has been appended with this letter. You are expected to report to the legal aid authorities about the work undertaken. You are mandated to regularly meet your client.

Secretary,
District Legal Services Authority

Duty Note of Panel Lawyers

1. To represent persons in court when assigned by the legal service institutions.
2. To submit reports whenever called for by the monitoring committee of the concerned LSI in the prescribed format.
3. If your client is in prison, then to visit him/her in prison regularly. Efforts should be made to visit such clients every 15 days in between hearings to apprise them of the progress in their cases and ascertain their well-being while in detention
4. To submit the report of completion of proceedings in prescribed format after the conclusion of each case.
5. To state reasons to the Member Secretary/Secretary of the LSI if desirous of withdrawing from a case assigned.
6. Not ask for or receive any fee or consideration from your client assigned to you through LSI or court.

NOTE 2: RETAINER LAWYER

From, Secretary
District Legal Services Authority

To
Mr. Shahid Azmi
Advocate, Jaipur

You are appointed as a retainer lawyer of the Jaipur Metro District for the period 1 June 2018 to 1st June 2020. You are expected to discharge all functions as provided by the NALSA (Free and Competent Legal Services) Regulations 2010 and other relevant regulations. The relevant guidelines and a duty note based on the guidelines have been appended with this letter. You are expected to regularly report to the legal aid authorities, in the manner prescribed, about the work undertaken.

Secretary
District Legal Services Authority

Duty Note of Panel Lawyers

1. To be present at the Front Office of the LSI as per the roster.
2. To render services like drafting of applications, notices, written statements, provide free legal advice, render legal opinions etc. to persons approaching LSI for assistance.
3. To abide by the provisions of the NALSA (Free and Competent Legal Services) Regulations 2010.
4. To assist the LSI in setup of legal literacy clubs and implementation of other legal aid schemes by the LSI.
5. If assigned, to attend court during remand hours and assist undertrials who are unrepresented where remand lawyer has not been appointed).
6. To assist the legal service institutions in mentoring and evaluating the work of PLVs and dealing with legal aid work at the front office.
7. To assist the Monitoring Committee of the LSI in its functioning.
8. To record presence with the LSI on a daily basis.
9. To maintain a diary and maintain a record of work undertaken and submit the report of the work to the legal service institutions by the 10th of each month as per prescribed format.

NOTE 3: REMAND LAWYER

From, Secretary
District Legal Services Authority

To
Mr. Shahid Azmi
Advocate, Jaipur

You are appointed as a remand advocate of the Jaipur Metro District for the period 1 June 2018 to 1st June 2020. You are assigned ACJM –II court and have to be present in court during remand hours. You would be required to oppose remand, file bail applications and any other applications/petitions as required. You are bound by/ the provisions of the Advocates Act 1961 and the Bar Council of India Rules. Specifically, you are expected to maintain the standards of professional conduct and etiquette as laid down in Chapter 2 of Part VI of the Bar Council of India Rules. You are expected to conduct yourself professionally and uphold the interests of your client by all fair and honourable means.

You are also expected to follow the NALSA Legal Aid Counsel in all Courts of Magistrates Scheme. The relevant guidelines and a duty note based on the guidelines has been appended with this letter. You are expected to report to the legal aid authorities about the work undertaken.

Secretary
District Legal Services Authority

Duty Note of Panel Lawyers

1. Duty Note of Remand Lawyer
2. To be present in the Court during remand hour or any other hour of the day as directed by the Court.
3. To ensure that your name and contact details are displayed in the court assigned.
4. To oppose unnecessary remand and to regularly question the type and duration of remand.
5. To ensure that cases where your client was not produced within 24 hours & lawyer was not provided during interrogation, should be brought to notice of judge.
6. To sign the attendance register maintained in the court.
7. To submit monthly report of the work done to the LSI, as per format prescribed.
8. To co-ordinate with the police/ court staff for any productions taking place at the magistrate's residence, and ensure presence during such productions as well.
9. To co-ordinate with the backup remand lawyer in case you are unavailable for any reason.
10. To co-ordinate with the police station within the jurisdiction of the concerned LSI to ascertain the arrests conducted on a daily basis.
11. To visit the police station at least twice a week to ensure that inmates are produced to the magistrate within 24 hours.

NOTE 4: JAIL VISITING LAWYER

From, Secretary
District Legal Services Authority

To
Mr. Shahid Azmi
Advocate, Jaipur

You are appointed as a jail visiting lawyer of the Jaipur Metro District for the period 1 June 2018 to 1st June 2020. You would be assigned cases by the legal services institutions and court. You are bound by the provisions of the Advocates Act 1961 and the Bar Council of India Rules. Specifically, you are expected to maintain the standards of Professional Conduct and Etiquette as laid down in Chapter 2 of Part VI of the Bar Council of India Rules. You are expected to conduct yourself professionally and uphold the interests of your client by all fair and honourable means. You are also expected to follow the NALSA (Legal Services Clinics) 2011 Guidelines and the NALSA Standard Operating Procedures for Representation of Persons in Custody 2016. The relevant guidelines and a duty note based on the guidelines has been appended with this letter.

You are required to provide legal services like filing bail applications, appearing on behalf of undertrial prisoners, timely filing of the appeals for convicts, preparing applications for remission, parole etc.

Secretary
District Legal Services Authority

Duty Note of Jail Visiting Lawyer

1. To visit the Jail legal aid clinic (JLAC) at-least twice a week.
2. To identify cases eligible for release under the mandate of the Undertrial Review Committee (UTRC). To interact with inmates identified by the paralegal volunteers and provide legal advice.
3. To draft applications and petitions for parole/juvenility/bail etc. for the undertrials and convicts present in the clinic.
4. To ensure filling of legal aid application form for those who need legal aid lawyers and submit the same to the legal aid authorities.
5. To conduct legal awareness camps inside jails including apprising new entrants to prison about the free legal services provided by SDLSC, DLSA, HCLSC and SCLSC.
6. To train the paralegal volunteers and oversee the effective functioning of the JLAC. To regularly inform the inmates about the status of their cases.
7. To communicate to the panel lawyers any pertinent information that an inmate has requested to be shared with his/her lawyer.
8. To be acquainted with the jail manual and the other rules regulations relating to prisons.
9. To ensure that the registers are filled by the paralegals accurately.
10. To record attendance and work in the registers available at the prison.
11. To also represent the inmates in courts in some cases, if appointed by the LSI.
12. To submit a monthly report of the work to the legal service institutions by 5th of every month.
13. To also submit a copy of the register of beneficiaries maintained at the clinic.
14. To ensure that copy of charge sheet or any document taken from any prisoner is returned.
15. To not canvass or solicit for any case in your private capacity.
16. To prioritise and focus on personal interactions with the inmates in the JLAC during the visit and then document and prepare the petitions.
17. To send intimation to the LSI in advance if you are unable to visit the JLAC on a particular day.
18. Shall assist the UTRC by co-ordinating with the inmates and the courts on cases eligible for release.
19. Should follow the directions given under NALSA SOP for representing persons in custody

NOTE 5: CONVICT/COMMUNITY PARALEGAL VOLUNTEERS

From, Secretary
District Legal Services Authority

To
Ms. Lakshmi Dutta
PLV, Jodhpur
<Address>

You are appointed as a paralegal volunteer of the Jodhpur Central jail for the period 1 June 2018 to 1st June 2020. You are expected to abide by the NALSA (Free and Competent Legal Services) Regulations 2010 and NALSA Standard Operating Procedures on Representation of Persons in Custody 2016. You are expected to conduct legal aid clinics at least twice a week, provide basic legal counselling to inmates, assist the jail visiting lawyer and periodically report to the legal aid authorities about the work undertaken, as per prescribed formats. The relevant guidelines and a duty note based on the guidelines has been appended with this letter.

Sd/- Secretary
District Legal Services Authority

Duty Note of Convict/Community Paralegal Volunteers

1. To hold/conduct legal aid clinics inside jails, at least twice each week.
2. To take steps towards identification of inmates who are in need of legal assistance. This would involve reaching out to all prisoners, especially the new entrants.
3. To seek permission from the prison authorities to visit the wards of prisoners to ascertain that no one is unrepresented.
4. To fill out the legal aid application form and promptly send it to the concerned DLSA/SDLSC & also ensure that the prisoners interact with jail visiting lawyer on his next visit to prison.
5. To coordinate and assist the jail-visiting lawyers in providing legal advice and aid. They would also give update on the case of the inmates.
6. To counsel inmates and explain any legal provision pertaining to their case. Where there are doubts, then refer the case to the Jail Visiting Lawyer.
7. To receive legal aid lawyer appointment letters, replies from legal service institution and other authorities, maintain record and give copies to the concerned prisoner.
8. If you come across a prisoner who claims to be juvenile at the time of commission of offence or at arrest, to draft an application to bring the case to the attention of the concerned Legal Services Authority, Juvenile Justice Board and the Child Welfare Committee.
9. To submit monthly reports to the DLSA and the Undertrial Review Committee on cases eligible under section 436/436A Cr.P.C.
10. To write to the concerned LSI about any queries, grievances or for shortage of any basic requirements for the smooth functioning of the clinic.
11. In case of community PLV to contact the family members of the inmates so as to intimate about his detention and if needed facilitate interviews with family members
12. To keep track of non-production of any inmate in the court as per the date given and inform the Secretary, DLSA/TLSC.
13. To assist the inmate in filing any complaint or grievances relating to their stay in prison.
14. To maintain the registers in the clinics. The Paralegal Volunteers should maintain registers recording name, fathers name, age, date of admission, offences charged under, case ref & concerned court, details of lawyer, status of case, next production.
15. To regularly update the registers. In particular document each prison clinic, record information on all cases, and assist in follow up of cases such as case status, bail, lawyer appointment, next date of hearing, communicating client instructions.
16. To keep a record of the letters, applications, and petitions written through jail and sent to relevant agencies and similarly keep a record of the documents received.
17. To send reminders/ letters to corresponding Legal Services Authority to seek information regarding status of case, name and contact details of the assigned legal aid lawyer.
18. To send monthly report of their work to the Secretary of the DLSA/TLSC by 5th of every next month.
19. To submit a copy of the legal aid register for review to the Secretary of the DLSA/TLSC every month.
20. To not seek any money/ benefits for the work done from the inmates or their families.

PART II: REPORTS & REGISTERS

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

FORMAT 1: LEGAL AID REGISTER

(To be placed at Front Office, LSI: maintained by PLVs/ Retainer Lawyers)

Table 1: LEGAL AID REGISTER FOR PERSONS IN CUSTODY (Reg-3; NALSA 2010)									
Legal Aid Case No.	Name of the Accused & Father's Name	Police Station/ Court/Case Ref No./ Offence u/s	Date of Receipt of Application	Date of Assignment of Lawyer	Date of Intimation Letter for Assignment/ Rejection to the applicant	Outcome of Case	Date of Conclusion of the Case	Amount of Fees Paid	Date & Mode of Remittance

FORMAT 2: PROGRESS REPORT

From,
Mr Shahid Azmi
Advocate, Jaipur

To
Secretary
Jaipur Metro DLSA

Dear Committee,

I was assigned the legal aid lawyer in the case of Ravi Kumar vs State on 6th January 2018. Please find the progress in the case in the month of March 2018.

PROGRESS REPORT					
R. 11(5) of NALSA 2010 Regulations: Legal Aid Lawyers to submit report of progress to Monitoring Committee					
Date	Name of the Inmate	Case Details Case Ref. Number & Offence	Last Date of Hearing	Next Date of Hearing	MC Reference No.
Progress of the Case: (Status, Strategy, Challenges)					

(To be submitted to the Monitoring Committee and maintained at Front Office)

Mr Shahid Azmi
Advocate, Jaipur
NALSA's Legal Services Card may also be used as progress reports.

FORMAT 3: LEGAL SERVICES CARD

Name of Court _____

Name of Legal Aid Counsel _____

Contact Number _____ Address _____

Name of Legal Aid Person _____

Title of Case _____

Nature of Case _____

FIR No _____ Date _____ U/S _____ PS _____

S.No.	Date	Proceedings taken place	Next Date	Purpose	Sign of Advocate

FORMAT 4: MONITORING COMMITTEE REGISTER

(To be placed at Front Office, LSI, maintained by staff assigned to MC)

a) Option 1

MONITORING COMMITTEE REGISTER (Reg - 11(4); NALSA 2010)							
The Register should be prepared Case-wise and not date-wise							
Name of the Accused & Father's Name	Name & Contact details of the Lawyer Assigned	Case Details		Information about the accused- First time offender/ Repeat offender, age, any other information			MC Reference No.
		(PS/Court/Case Ref No/ Offence u/s)					
S. No	Date of Hearing	Summary of Proceedings	Progress Report from the Lawyer (Submitted- Y/N)	Documents from the court (Received Y/N)	Comments of the MC	Comments of the SLSA	Suggested Action for the next hearing

b) Option 2

MONITORING COMMITTEE REGISTER (Reg - 11(4); NALSA 2010)							
The Register should be prepared Case-wise and not date-wise							
Name of the Accused & Father's Name	Name & Contact details of the Lawyer Assigned	Case Details		Information about the accused- First time offender/ Repeat offender, age, any other information			MC Reference No.
		(PS/Court/Case Ref No/ Offence u/s)					
S. No	Date of Hearing	Progress of the case	Advise or other services if any, provided by the Monitoring Committee or Panel Lawyer	Assessment on the progress of each case	Assessment on the performance of the Panel / Retainer Lawyer	Other observations if any, of the MC	Recommendations of the Monitoring Committee if any

FORMAT 5: MONITORING COMMITTEE REPORTS

(To be prepared by PLVs/ Retainer Lawyers)

a) Option 1 (Based on format maintained by Machilipatnam)

Legal Aid Case Number	Name of the applicant for legal aid	Case number & Court Number	Name of the panel lawyer provided	Whether day to day posting and its result is mentioned in the Register at Monitoring Committee	Progress of the case before the courts	Advise or other services if any, provided by the Monitoring Committee or Panel Lawyer	Individual Assessment on the progress of each case	Individual assessment on the performance of the Panel & Retainer Lawyer	Result of the case	Other observations if any, of the Monitoring Committee	Recommendations of the Monitoring Committee if any

b) Option 2 (Based on format maintained by Haryana)

Name of the Applicant	Mother's/ Father's name	Category of Applicant out of persons mentioned in S. 12 of the LSA	Panel Lawyer/ Retainer assigned to the applicant	Date of Appointment	Progress of each and every legal aid case	Particulars of Case	Name of Court	Performance of Panel/ Retainer	Remarks if any	Other observations if any, of the Monitoring Committee	Recommendations of the Monitoring Committee if any

c) Option 3 (Based on format maintained by Jodhpur, Rajasthan)

Monitoring Committee Report					
Date	Name of the Inmate	Case Details Case Ref number & Offence	Last Date of Hearing	Next Date of Hearing	MC Reference No.
Progress of the Case: (Status, Strategy, Challenges)					
Monitoring Committee's Comments:					
SLSA's Feedback :					

FORMAT 6: COMPLETION REPORT

From,
Mr Shahid Azmi
Advocate, Jaipur

To
Secretary
Jaipur Metro DLSA

Dear Committee,

I was assigned the legal aid lawyer in the case of _____ on 6th January 2016. The case was concluded on 26th March 2018. I have submitted the progress reports on a monthly basis. Please find the details of the case below:

COMPLETION REPORT					
R. 14(3) of NALSA 2010 Regulations: Legal Aid Lawyers to submit report of completion at the conclusion of the case					
Name of the Inmate	Case Duration (Initiation Date & Last date)	Case Details Court/PS/Case ref no/ Offence	Expenses Incurred	Outcome of the Case	MC Reference No.
Summary of the Case: (Strategy, Challenges)					

Sd/- -
Mr Shahid Azmi
Advocate, Jaipur

FORMAT 7: ASSIGNMENT LETTER TO THE PANEL LAWYER & INTIMATION LETTER TO ACCUSED

From
The Secretary,
District Legal Services Authority

To
Ajay Verma
Advocate, Jaipur

Subject: Letter of Assignment for conducting case no. of Dear Sir/Madam,
You are hereby appointed lawyer for conducting the case on the person mentioned above pending / to be instituted in the Court of _____ and / or take such steps as you deem fit and proper for initiating for further clarification and discussion in this regard. You are requested to report the progress of the case to the undersigned from time to time.

In case the appointment is accepted by you, you are requested to return the declaration annexed after being duly signed by you.

Yours faithfully,
Secretary
DLSA

Declaration

1. Appointment made wide Memo No. dated
2. Case No.
3. I understand that in conducting the case, I am to abstain from doing anything that might prejudice the interest of the said person.
4. I understand that I am to abide by the terms and decisions of the Committee which are final
5. I understand that I will be given remuneration at the rates fixed by the committee on submission of bills
6. I understand that the bill must be accompanied with a certificate from the presiding officer of the court regarding my attendance on the dates mentioned in the bills.

From
The Secretary,
District Legal Service Authority

To
The Superintendent
Prison

Dear Sir/Madam,

With reference to Case No...I am directed to inform you that Advocate has been appointed for the accused to defend his/her case. His/her case details are as follows.....A copy of the appointment letter is annexed for your perusal. The advocate can be contacted at

This is with reference to your letter dated 7 June 2016.

Yours faithfully,

Secretary
DLSA

FORMAT 8A: MONITORING COMMITTEE MONTHLY STATEMENT

(To be prepared by PLVs/ Retainer Lawyers and submitted to SLSA monthly)

MONTHLY STATEMENT REGARDING MONITORING COMMITTEE					
Number of meetings held in the month	Total number of court based legal aid cases in the district	Number of cases reviewed	Number of Acquittals during the month	Number of convictions during the month	Number of Bail Releases during the month

FORMAT 8B: MONITORING COMMITTEE FUNCTIONING TRACKER AT SLSA

(To be prepared by PLVs/ Retainer Lawyers and submitted to SLSA every quarter/ six months)

Monthly Statement regarding Monitoring Committee							
District & Taluka LSI	MC Constituted (Y/N)	MC Register Maintained (Y/N)	MC Separate Staff Maintained (Y/N)	Mentor Appointed	Senior Lawyer / Retired Judge Appointed	Monthly/ Bi-monthly reports Submitted	Challenges, if any

B: NALSA (LEGAL SERVICES CLINICS) REGULATIONS 2011

FORMAT 9: LEGAL AID CLINICS WORK REGISTER

LEGAL AID CLINIC WORK REGISTER								
Action Taken Column to be reviewed weekly. In case of closure, to mark the case in red.								
Date	S. No.	Convict/ UT	Name of the Inmate	Case Details	Date of Admission to jail	Assistance Required & Signature	Action Taken	Comments

FORMAT 10: LEGAL AID CLINIC ATTENDANCE REGISTER

LEGAL AID CLINIC ATTENDANCE REGISTER			
Date & Time	Jail Visiting Lawyer	Convict Paralegal Volunteer	Community Paralegal Volunteer

FORMAT 11: JAIL VISITING LAWYER REPORT

From,
Mr Mukul Sinha
Advocate, Jaipur

To
Secretary
Jaipur Metro DLSA

Dear Sir/Madam,
I was assigned the jail visiting lawyer for Jaipur Central prison. Please find the details of the work undertaken in January 2017:

Monthly work Report- Jail Visiting lawyer			
Tasks	Number	Name of inmates	Case Reference Number
Bail Applications drafted			
Parole Applications drafted			
Legal Aid Applications drafted			
Other Applications			
Legal Advice Given			
Comments:			

Mr Mukul Sinha
Advocate, Jaipur

FORMAT 12: CONVICT PARALEGAL WORK REPORT

From,
Ms. Laxmi Dutta
Convict PLV, Jodhpur Central Jail

To
Secretary
Jodhpur DLSA

Dear Sir/Madam,
I am the convict paralegal volunteer at the Jodhpur Central prison. Please find the details of the work undertaken in January 2018:

WORK REPORT- CONVICT PARALEGAL VOLUNTEER	
Number of days the clinic was operational	
Number of days Jail Visiting Lawyer was present	
Number of Beneficiaries	
Total number of applications drafted	
Number of Bail Applications drafted	
Number of Legal Aid Applications filled	
Number of cases where legal aid lawyer was appointed	
Status of Stationary	
Comments:	

Please find attached photocopy of the legal aid register maintained for January 2018.

Ms. Laxmi Dutta
Convict PLV, Jodhpur Central Jail

FORMAT 13: JAIL LEGAL AID CLINICS TRACKER

(To be maintained by the SLSA, reviewed every quarter/ six months)

Ms. Laxmi Dutta

Convict PLV, Jodhpur Central Jail

District	Number of Jails	Number of Jail Legal Aid Clinic	Number of Jails with Jail Visiting Lawyer appointed	Number of Jails with Convict Paralegal Volunteer	Number of Jails where Convict Paralegal Volunteers are trained	Number of Jail Legal Aid Clinics which maintain registers

C. NALSA LEGAL AID COUNSEL IN ALL COURTS OF MAGISTRATES SCHEME 1998

FORMAT 14: DAILY ATTENDANCE REGISTER OF REMAND LAWYERS

(Placed in Court, maintained by Court staff)

Attendance Register of Remand lawyers					
Date	Name of the Assigned Lawyer	Absence/ Presence during remand hours/ when called	Names of the accused represented by remand lawyer	Case Ref. No.	Signature of the lawyer

FORMAT 15: REMAND LAWYER'S WORK REPORT

From,
Mr Shahid Azmi
Advocate, Jaipur

To,
Secretary
Jaipur DLSA

Dear Sir/Madam,

I was assigned as a remand lawyer for the ACJM-2 court. Please find the details of the cases in which I appeared below:

Monthly work Report- Remand Lawyer						
S. No	Name of the Client, Father's Name & Case Ref. Number	Date of Hearing	Whether Remand opposed?	Whether Bail Application moved?	Whether Bail granted?	Status of the Case

(To be the submitted by Remand Lawyer to the LSI every month)

Mr Shahid Azmi
Advocate, Jaipur

Formats | Hindi

fu; qDr i=] M; Wh ukW o fjikWZjftLVj dsik i

vkSpR

राष्ट्रीय विधिक सेवा प्राधिकरण द्वारा विकसित विधिक योजनाएं और विनियम बहुत ही विस्तृत और समावेशी हैं। यह विधिक सेवा प्रदाताओं/अधिवक्ताओं अर्द्धविधिक कार्यकर्ताओं (पैरालीगल वॉलंटियर्स) का दायित्व है कि वे सबको न्याय सुलभ कराना सुनिश्चित करें। नालसा के पास 60,000 पैनल अधिवक्ताओं और 70,000 से अधिक पैरालीगल वॉलंटियर्स का कार्यबल है। लोगों तक पहुंचने, उनसे संवाद करने और यह सुनिश्चित करने कि विधिक सेवा प्रदाता को अपनी जिम्मेदारियों की जानकारी है और उनकी भूमिका के बारे में किसी प्रकार के संदेह को दूर करने में ड्यूटी नोट एक महत्वपूर्ण भूमिका अदा कर सकते हैं। यह ड्यूटी नोट यह स्मरण रखने में एक रेडी रेकोनर का भी काम करेगा कि उनकी भूमिका क्या है।

इस रिपोर्ट में निम्नलिखित प्रारूप शामिल किये गये हैं:—

□ Hkx 1%fu; qDr i= , oaM; Wh ukW i

- नोट 1 : पैनल अधिवक्ता
- नोट 2 : रिटेनर अधिवक्ता
- नोट 3 : रिमाण्ड अधिवक्ता
- नोट 4 : जेल विज़िटिंग अधिवक्ता
- नोट 5 : दोषसिद्ध/सामुदायिक पैरालीगल वॉलंटियर

□ Hkx 2 %fjikW i Z, oajft LVj

v- ukyl k %fuWkd , oal {k fof/kd l ok %fofu; e 2010

- प्रारूप 1 : विधिक सेवा रजिस्टर
- प्रारूप 2 : प्रगति रिपोर्ट
- प्रारूप 3 : विधिक सेवा कार्ड
- प्रारूप 4 : मॉनिटरिंग कमेटी
- प्रारूप 5 : मॉनिटरिंग कमेटी
- प्रारूप 6 : पूर्णता रिपोर्ट
- प्रारूप 7 : पैनल अधिवक्ता को नियुक्ति पत्र व आरोपी को सूचना पत्र
- प्रारूप 8ए : मॉनिटरिंग कमेटी का मासिक विवरण
- प्रारूप 8बी : एसएलएसए में मॉनिटरिंग कमेटी का गतिविधि ट्रैकर

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- प्रारूप 9 : विधिक सेवा क्लीनिक कार्य रजिस्टर
- प्रारूप 10: विधिक सेवा क्लीनिक उपस्थिति रजिस्टर
- प्रारूप 11: जेल विज़िटिंग अधिवक्ता की रिपोर्ट
- प्रारूप 12: दोषसिद्ध पैरालीगल की कार्य रिपोर्ट
- प्रारूप 13: जेल विधिक सेवा क्लीनिक्स ट्रैकर

l - eft LVW ; k uk 1998 ds rgr l Hh U; k ky; k e ukyl k fof/kd i jk'kZ

- प्रारूप 14: रिमांड अधिवक्ताओं का दैनिक उपस्थिति रजिस्टर
- प्रारूप 15: रिमांड अधिवक्ताओं की रिपोर्ट

ulW1%isly vf/koDrk

प्रेषक,
सचिव,
जिला विधिक सेवा प्राधिकरण

सेवा में,
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आपको 1 जून 2018 से 1 जून 2020 तक के लिए जयपुर महानगर का पैनल अधिवक्ता नियुक्त किया जाता है। आपको विधिक सेवा संस्थानों और न्यायालय द्वारा कार्य का आवंटन किया जायेगा। आप अधिवक्ता अधिनियम, 1961 और बार काउंसिल के नियमों के अधीन हैं। विशिष्ट रूप से आपसे बार काउंसिल ऑफ इंडिया के नियमों के भाग 6 के चैप्टर 2 में उल्लिखित पेशेवर आचरण एवं व्यवहार के अनुरूप कार्य करने की अपेक्षा की जाती है। आपसे यह भी अपेक्षा की जाती है कि आप पेशेवर ढंग से आचरण करें और अपने मुवक्किल के हितों की रक्षा न्यायपूर्ण और सम्मानजनक तरीकों से करें।

आप से यह भी अपेक्षा की जाती है कि आप नालसा (निःशुल्क एवं सक्षम विधि सेवाएं) विनियम, 2010 का अनुपालन करें। संगत दिशानिर्देश और दिशानिर्देश पर आधारित ड्यूटी नोट इस पत्र के साथ संलग्न है। आपसे अपेक्षा की जाती है कि आप किये जाने वाले कार्य के बारे में जानकारी प्राप्त करने के लिए विधिक सहायता प्राधिकारियों के समक्ष उपस्थित हों। आपका कर्तव्य है कि आप अपने मुवक्किल से नियमित रूप से मिलें।

सचिव
जिला विधिक सेवा प्राधिकरण

isly vf/koDrk dsfy, M; Wh ulkV

1. विधिक सेवा संस्थानों (एलएसआई) के निर्देश पर लोगों की ओर से न्यायालय में उपस्थित होना।
2. संबंधित एलएसआई की निगरानी समिति द्वारा मांगे जाने पर निर्धारित प्रारूप में रिपोर्ट प्रस्तुत करना।
3. यदि आपका मुवक्किल जेल में है, तो उससे नियमित रूप से मुलाकात करना। सुनवाई के बीच प्रत्येक 15 दिन पर मुवक्किल को मुकदमें की प्रगति के बारे में सूचना देने और यह सुनिश्चित करने के लिए कि जेल में वह ठीक है, मिलने का प्रयास करना चाहिए।
4. प्रत्येक मुकदमें की समाप्ति पर कार्रवाई पूरी होने की रिपोर्ट निर्धारित प्रारूप में प्रस्तुत करना।
5. किसी मुकदमें से हटने की स्थिति में उसका कारण एलएसआई के सदस्य सचिव/सचिव को बताना।
6. एलएसआई या न्यायालय द्वारा प्रदत्त किसी मुवक्किल से किसी प्रकार की फीस या कोई मुआवज़ा नहीं लेना और न उसकी मांग करना।

उत्तर प्रदेश विधिक सेवा प्राधिकरण

प्रेषक,
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सचिव
जिला विधिक सेवा प्राधिकरण

उत्तर प्रदेश विधिक सेवा प्राधिकरण, मे. प्र. उत्तर

1. रोस्टर के अनुसार एलएसआई के फ्रंट कार्यालय पर उपस्थित रहना।
2. एलएसआई में आने वाले लोगों की मदद के लिए आवेदनपत्र लेखन, नोटिस, लिखित बयान तैयार करना, मुफ्त विधिक सलाह देना, विधिक राय देना आदि।
3. नालसा (निःशुल्क एवं सक्षम विधिक सेवाएं) विनियम, 2010 में दिये गये प्रावधानों का अनुपालन।
4. एलएसआई द्वारा चलाई जाने वाली योजनाओं और विधिक साक्षरता क्लबों के गठन में एलएसआई की मदद करना।
5. यदि निर्देशित किया जाय, तो रिमांड की कार्यावधि में न्यायालय में उपस्थित रहना और उन विचाराधीन कैदियों की सहायता करना जिनके लिए रिमांड अधिवक्ता नियुक्त नहीं किया गया है।
6. विधिक सेवा संस्थानों को पीएलवी के संरक्षकत्व और उनके कार्यों के मूल्यांकन में मदद करना तथा फ्रंट ऑफिस में विधिक सेवा कार्य करना।
7. एलएसआई की निगरानी समिति को उसके कार्यों में सहायता करना।
8. प्रतिदिन एलएसआई में उपस्थिति दर्ज कराना है।
9. एक डायरी रखना और किये गये कार्य का रिकार्ड रखना और कार्य की रिपोर्ट प्रत्येक महीने की 10 तारीख को निर्धारित प्रारूप में विधिक सेवा संस्थानों को प्रस्तुत करना।

uW 3%felM vf/koDrk

प्रेषक,
सचिव,
जिला विधिक सेवा प्राधिकरण

सेवा में,
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आप से यह भी अपेक्षा की जाती है कि आप प्रत्येक न्यायालय में नालसा विधिक सेवा सलाहकार योजना का अनुगमन करें। संगत दिशानिर्देश और दिशानिर्देश पर आधारित ड्यूटी नोट इस पत्र के साथ संलग्न है। आपसे अपेक्षा की जाती है कि आप किये जाने वाले कार्य के बारे में जानकारी प्राप्त करने के लिए विधिक सेवा प्राधिकारियों के समक्ष उपस्थित हों।

सचिव
जिला विधिक सेवा प्राधिकरण

felM vf/koDrk dsfy, M; Wh uW

1. रिमांड समय में या न्यायालय द्वारा निर्देशित समय में न्यायालय में उपस्थित रहना।
2. यह सुनिश्चित करना कि आपका नाम और संपर्क विवरण आपके निर्धारित न्यायालय में प्रदर्शित किया गया है।
3. अनावश्यक रिमांड का विरोध करना और नियमित रूप से रिमांड के प्रकार और अवधि पर प्रश्न उठाना।
4. यह सुनिश्चित करना कि उन सभी मामलों को न्यायालय के संज्ञान में लाया जाय, जिनमें आपका मुवक्किल 24 घंटे के भीतर प्रस्तुत नहीं किया गया और पूछताछ के दौरान अधिवक्ता उपलब्ध नहीं कराया गया।
5. न्यायालय में रखे गये उपस्थिति रजिस्टर में हस्ताक्षर करना।
6. निर्धारित प्रारूप में किये गये कार्य की मासिक रिपोर्ट एलएसआई को प्रस्तुत करना।
7. मजिस्ट्रेट के आवास पर पेशी के मामले में पुलिस/न्यायालय के साथ समन्वय करना और इस प्रकार की पेशियों में उपस्थिति को सुनिश्चित करना।
8. यदि आप किसी कारणवश उपस्थित नहीं हो पा रहे हैं, तो वैकल्पिक रिमांड अधिवक्ता के साथ समन्वय करना।
9. संबंधित एलएसआई के क्षेत्राधिकार में स्थित पुलिस थानों के साथ समन्वय करना ताकि प्रतिदिन होने वाली गिरफ्तारियों की दैनिक आधार पर पुष्टि हो।
10. पुलिस स्टेशन का हफ्ते में कम से कम एक बार भ्रमण करना ताकि यह सुनिश्चित किया जा सके कि कैदियों को मजिस्ट्रेट के समक्ष 24 घंटों के भीतर प्रस्तुत किया जा रहा है।

ulW 4%t sy foft fVx vf/koDrk

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अधिवक्ता, जयपुर

आपको 1 जून 2018 से 1 जून 2020 तक के लिए जयपुर महानगर का जेल विज़िटिंग अधिवक्ता नियुक्त किया जाता है। आपको विधिक सेवा संस्थानों और न्यायालय द्वारा मुकदमें सौंपे जाएंगे। आपको अधिवक्ता अधिनियम एवं बार काउंसिल ऑफ इंडिया के नियमों का पालन करना होगा। विशिष्ट रूप से आपसे बार काउंसिल ऑफ इंडिया के नियमों के भाग 6 के चैप्टर 2 में उल्लिखित पेशेवर आचरण एवं व्यवहार के अनुरूप कार्य करने की अपेक्षा की जाती है। आपसे यह भी अपेक्षा की जाती है कि आप पेशेवर ढंग से आचरण करें और अपने मुक्किल के हितों की रक्षा न्यायपूर्ण और सम्मानजनक तरीकों से करें।

आप से यह भी अपेक्षा की जाती है कि आप नालसा (विधिक सेवा क्लिनिक) 2011 दिशानिर्देशों और हिरासत में व्यक्तियों के लिये राष्ट्रीय विधिक सेवा प्राधिकरण की मानक संचालन क्रिया 2016 का अनुपालन करें। संगत दिशानिर्देश और दिशानिर्देश पर आधारित ड्यूटी नोट इस पत्र के साथ संलग्न है।

आपको विधिक सेवाएं जैसे जमानत अर्जी दायर करना, विचाराधीन कैदियों की ओर से पेश होना, दोषसिद्ध अपराधियों की ओर से अपील, सुधार और पेरोल आदि के लिए आवेदन तैयार करना आदि कार्य करने होंगे।

सचिव
जिला विधिक सेवा प्राधिकरण

t sy foft fVx vf/koDrk dsfy, M; Wh ulW

1. जेल विधिक सेवा क्लिनिक (जेएलएसी) का हफ्ते में कम से कम दो बार भ्रमण।
2. विचाराधीन कैदी समीक्षा समिति (यूटीआरसी) को दिए गए कार्याधिकार के अनुरूप रिहाई के अर्ह मामलों की पहचान करना। उन कैदियों से बातचीत और उन्हें विधिक सहायता देना, जिनकी पहचान पैरालीगल स्वयंसेवकों ने की है।
3. क्लिनिक में उपस्थित विचाराधीन और दोषसिद्ध कैदियों के लिए पेरोल/किशोरावस्था/जमानत आदि के लिए आवेदन और याचिकाएं दायर करना।
4. विधिक सेवा अधिवक्ता चाहने वाले लोगों से विधिक सहायता आवेदन भरवाना सुनिश्चित करना और उसे विधिक सेवा प्राधिकारियों को प्रस्तुत करना।
5. जेल के भीतर विधिक जागरूकता शिविर का आयोजन करना, जिसमें नये कैदियों को एसडीएलएससी, डीएलएसए, एचसीएलएससी और एससीएलएससी द्वारा दी जाने वाली मुफ्त विधिक सेवा प्रदान किये जाने के बारे में जानकारी देना भी शामिल है।
6. पैरालीगल स्वयंसेवकों को प्रशिक्षण देना और जेएलएसी के कार्यकलापोंकी देखरेख करना। कैदियों को उनके मुकदमों की स्थिति के बारे में नियमित रूप से जानकारी देना।
7. पैनल अधिवक्ता को कैदियों द्वारा दी गयी कोई आवश्यक सूचना की जानकारी देना, जो कि कैदी ने अपने अधिवक्ता के साथ साझा करने के लिए कहा हो।
8. जेल मैनुअल व जेल से संबंधित अन्य नियम-विनियम की जानकारी प्राप्त करना।
9. यह सुनिश्चित करना कि पैरालीगल द्वारा रजिस्टर ठीक ढंग से भरे गये हैं।
10. उपस्थिति व कार्य को जेल में उपलब्ध रजिस्टर में दर्ज करना।
11. यदि एलएसआई द्वारा नियुक्त किया जाय, तो कुछ मामलों में कैदियों का अदालत में प्रतिनिधित्व करना।
12. प्रत्येक माह की 5 तारीख तक अपने कार्य की मासिक रिपोर्ट विधिक सेवा संस्थानों को प्रस्तुत करना।
13. क्लिनिक में रखे गये लाभार्थियों के रजिस्टर की प्रतिलिपि भी प्रस्तुत करना।
14. यह सुनिश्चित करना कि कैदी से लिए गए आरोप पत्र या दूसरे दस्तावेज की प्रतिलिपि उसे वापस कर दी गयी है।
15. अपनी निजी हैसियत में किसी मामले की पैरवी किये जाने को प्रेरित न करना।
16. जेएलएसी में कैदियों से मुलाकात के दौरान व्यक्तिगत बातचीत को प्राथमिकता और उसपर ध्यान देना और उसके बाद दस्तावेज पर ध्यान देना फिर याचिकाएं तैयार करना।
17. यदि आप किसी दिवस विशेष को जेएलएसी का भ्रमण नहीं कर सकते हैं तो अग्रिम रूप से एलएसआई को इसकी सूचना देना।
18. रिहाई के लिए योग्य मामलों के लिए कैदियों और न्यायालय के साथ समन्वय करके यूटीआरसी की मदद करना।
19. हिरासत में लिए गए कैदियों के लिए नालसा एसओपी के अन्तर्गत उल्लिखित दिशानिर्देशों का पालन करना चाहिए।

uW 5 %nkkl) @l kmf; d iJkyky okWV; j

प्रेषक,
सचिव,
जिला विधिक सेवा प्राधिकरण

सेवा में,
शाहिद आजमी
अधिवक्ता, जयपुर

<पता>

आपको 1 जून 2018 से 1 जून 2020 तक के लिए जोधपुर के केंद्रीय कारागार का पैरालीगल वालंटियर नियुक्त किया जाता है। आपको नालसा (निःशुल्क एवं सक्षम विधिक सेवाएं) रेग्यूलेशन 2010 एवं हिरासत में व्यक्तियों के लिये राष्ट्रीय विधिक सेवा प्राधिकरण की मानक संचालन क्रिया 2016 का पालन करना होगा। आपसे सप्ताह में कम से कम दो बार विधिक सेवा क्लीनिक का संचालन, कैदियों का आधारभूत विधिक सलाह देने, जेल विज़िटिंग अधिवक्ता की सहायता करने और आवधिक रूप से निर्धारित प्रारूप में किये गये कार्यों की रिपोर्ट विधिक सहायता प्राधिकारियों को देने की अपेक्षा की जाती है। संगत दिशानिर्देश और निर्देशों पर आधारित एक ड्यूटी नोट इस पत्र के साथ संलग्न है।

हस्ताक्षर सचिव
जिला विधिक सेवा प्राधिकरण

nk'kl) @l kqkf; d i\$kykxy oWwV; j dsfy, M; Wh ukW

1. जेल के भीतर सप्ताह में कम से कम दो बार विधिक सहायता क्लीनिक का आयोजन/संचालन।
2. विधिक सेवा की आवश्यकता वाले कैदियों की पहचान के लिए कदम उठाना। इसमें सभी कैदियों, विशेषकर नवागंतुक कैदियों तक पहुंचना शामिल है।
3. कैदियों के वार्ड में भ्रमण के लिए जेल अधिकारियों से अनुमति लेना ताकि यह सुनिश्चित किया जा सके कि कोई भी विधिक सेवा प्राप्त करने से अछूता न रह जाय।
4. विधिक सेवा आवेदन पत्र को भरना और इसे तत्परता से डीएलएसए/एसडीएलएससी को भेजना और यह भी सुनिश्चित करना कि कैदी जेल विजिटिंग अधिवक्ता से उसके अगले भ्रमण पर उससे बातचीत करें।
5. विधिक सलाह और परामर्श प्रदान करने के लिए जेल विजिटिंग अधिवक्ता के साथ समन्वय और उनकी सहायता करना। उन्हें कैदियों के मुकदमों के बारे में अद्यतन जानकारी देना।
6. कैदियों को परामर्श देना और उन्हें उनके केस से संबंधित विधिक प्रावधानोंको समझाना। जहां कहीं भी संदेह हो, केस को जेल विजिटिंग अधिवक्ता को संदर्भित करना।
7. विधिक सेवा अधिवक्ताओं के नियुक्ति पत्र प्राप्त करना, विधिक सेवा संस्थानों एवं अन्य प्राधिकारियों से उत्तर प्राप्त करना, रिकार्ड रखना और संबंधित कैदी को इस प्रतिलिपियां देना।
8. यदि आप किसी ऐसे कैदी को पाते हैं, जो अपराध करने या गिरफ्तार होने के समय अल्पवय होने का दावा करता है, तो इस संबंध में आवेदन तैयार करना ताकि मामले को संबंधित विधिक सेवा प्राधिकारी, बाल न्याय बोर्ड और बाल कल्याण समिति के संज्ञान में लाया जा सके।
9. डीएलएसए और विचाराधीन कैदी समीक्षा समिति को सेक्शन 436/436ए सीआरपीसी के योग्य मामलों पर मासिक रिपोर्ट प्रस्तुत करना।
10. क्लीनिक के सुचारु संचालन में आवश्यक मूलभूत सुविधाओं की कमी या किसी जानकारी, शिकायत के बारे में संबंधित एलएसआई को लिखना।
11. सामुदायिक पीएलवी के मामले में कैदियों के परिवारजनों से संपर्क करना ताकि उन्हें उनकी बंदी के बारे में बताया जा सके और जरूरत पड़ने पर परिवार के सदस्यों से मिलवाना।
12. निर्धारित तिथि पर न्यायालय में प्रस्तुत न किये जा सकने वाले बंदियों का रिकार्ड रखना और इसकी सूचना सचिव, डीएलएसए/टीएलएससी को देना।
13. कैदी की जेल में रहने से संबंधित किसी शिकायत या फरियाद दाखिल करने में कैदी की सहायता करना।
14. क्लीनिक में विभिन्न रजिस्टर रखना। पैरालीगल वॉलंटियर्स को रजिस्टर रखना होगा, जिसमें नाम, पिता का नाम, आयु, आने की तिथि, आरोपित अपराध, केस संदर्भ व संबंधित न्यायालय, अधिवक्ता का विवरण, केस की स्थिति और अगली पेशी की सूचनाएं होंगी।
15. रजिस्टर को नियमित रूप से अद्यतन करना। विशेष रूप से प्रत्येक जेल क्लीनिक, सभी केस की सूचनाओं को दर्ज करना, और केस के फॉलो अप, जैसे कि केस की वर्तमान स्थिति, जमानत, अधिवक्ता की नियुक्ति, सुनवाई की अगली तिथि और मुवकिकल के निर्देशों को सूचित करना जैसे रिकार्ड का दस्तावेजीकरण शामिल है।
16. चिट्ठियों, आवेदनों और याचिकाओं का, जो कि जेल में लिखी गयीं हैं, रिकार्ड रखना और उन्हें संबंधित एजेंसी को भेजना। इसी प्रकार प्राप्त दस्तावेजों का रिकार्ड रखना।
17. केस की स्थिति, नियुक्त किये गये विधिक सेवा अधिवक्ता की जानकारी लेने के लिए संबंधित विधिक सेवा प्राधिकरणों को अनुस्मारक/पत्र भेजना।
18. अपने कार्य की मासिक रिपोर्ट प्रत्येक माह की 5 तारीख तक डीएलएसए/टीएलएससी के सचिव को भेजना।
19. डीएलएसए/टीएलएससी के सचिव द्वारा समीक्षा किये जाने के लिए विधिक सहायता रजिस्टर की प्रतिलिपि प्रतिमाह प्रस्तुत करना।
20. कैदी या उसके परिवार से किसी प्रकार का धन/लाभ नहीं लेना।

हल 2 %fj i k WZ, oajft LVj

v- jkVt, fof/kd l ok i k/kdj.k ¼fu%k d v k l {k fof/kd l ok ¼fofu; e} 2010

i k i 1 %fof/kd l ok jft LVj

(विधिक सेवा प्राधिकरण के फ्रंट ऑफिस में रखा जायेगा : पीएलवी/रिटेनर अधिवक्ताओं द्वारा रखरखाव)

हल 1 %fgj k r eajg jgsy k d sfy, fof/kd l ok jft LVj ¼fofu; e&3(ukyl k 2010½

विधिक सेवा प्राधिकरण संख्या	आरोपी का नाम और पिता का नाम	पुलिस थाना / न्यायालय / केस संदर्भ सं० / अपराध धारा	आवेदन प्राप्त होने की तिथि	अधिवक्ता नियुक्त किये जाने की तिथि	नियुक्ति / अस्वीकृति की सूचना सम्बन्धी पत्र आवेदक को भेजे जाने की तिथि	केस का परिणाम	केस के समाप्त होने की तिथि	अदा किये गये शुल्क की राशि	धनराशि भेजे जाने की तिथि व माध्यम

ixfr fjilWZ

प्रेषक,
शाहिद आजमी
अधिवक्ता, जयपुर

सेवा में,
सचिव
डीएलएसए, जयपुर महानगर

प्रिय समिति,

मुझे 6 जनवरी 2018 को रवि कुमार बनाम स्टेट मामले में विधिक सहायता अधिवक्ता नियुक्त किया गया था। केस की मार्च 2018 में प्रगति की रिपोर्ट प्रस्तुत है।

ixfr fjilWZ					
नालसा विनियम का आर. 11(5) : विधिक सेवा अधिवक्ता द्वारा निगरानी समिति को रिपोर्ट प्रस्तुत किया जाना					
दिनांक	कैदी का नाम	केस विवरण – केस संदर्भ संख्या व अपराध	सुनवाई की पिछली तिथि	सुनवाई की अगली तिथि	एमसी संदर्भ सं०
केस की प्रगति: (स्थिति, रणनीति, चुनौतियां)					

(मॉनीटरिंग कमेटी को प्रस्तुत किया जायेगा तथा रखरखाव फ्रंट ऑफिस द्वारा किया जाना है)

शाहिद आजमी
अधिवक्ता, जयपुर

नालसा का विधिक सेवा कार्ड भी प्रगति रिपोर्ट के तौर पर प्रयोग किया जा सकता है।

ik i 3 %fof/kd l ok dkM

न्यायालय का नाम.....

विधिक सेवा अधिवक्ता का नाम.....

संपर्क नंबर.....पता.....

विधिक सेवा प्राप्त व्यक्ति का नाम.....

केस का शीर्षक.....

केस की प्रकृति.....

एफ आई आर नं०..... दिनांक..... धारा..... पुलिस थाना.....

Ø- l a	fnukd	dk ZbZgφZ	vxyh frffk	mnns ;	vf/loDrk ds gLrk{kj

ik i 4 %eMWFjx deVh jft LVj

(एलएसआई के फ्रंट ऑफिस में रखा जाय और एमसी को प्रदत्त स्टाफ द्वारा तैयार किया जाये)

v½fodYi 1

eMWFjx deVh jft LVj ½ft -&11¼½ ukyl k 2010½							
रजिस्टर केसवार बनाया जाना चाहिए न कि तिथिवार							
आरोपी का नाम व पिता का नाम	नियुक्त किये गये अधिवक्ता का नाम व संपर्क विवरण	केस विवरण		आरोपी के बारे में सूचना – प्रथम बार आपराधिक कृत्य/ बार-बार अपराध करने वाला, आयु, अन्य कोई सूचना			एमसी संदर्भ संख्या
		(थाना/ न्यायालय/ केस संदर्भ सं/ आपराधिक धारा)					
क्र. सं.	सुनवाई की तिथि	कार्रवाई का सारांश	अधिवक्ता से प्रगति रिपोर्ट	न्यायालय से दस्तावेज (प्राप्त – हां/ नहीं)	एम सी की टिप्पणी	एसएलएसए की टिप्पणी	अगली सुनवाई के लिए अनुशंसित कार्रवाई
			(जमा-हां/ नहीं)				

c½fodYi 2

eMWFjx deVh jft LVj ½ft -&11¼½ ukyl k 2010½							
रजिस्टर केसवार बनाया जाना चाहिए न कि तिथिवार							
आरोपी का नाम व पिता का नाम	नियुक्त किये गये अधिवक्ता का नाम व संपर्क विवरण	केस विवरण		आरोपी के बारे में सूचना – प्रथम बार आपराधिक कृत्य/ बार-बार अपराध करने वाला, आयु, अन्य कोई सूचना			एमसी संदर्भ संख्या
		(थाना/ न्यायालय/ केस संदर्भ सं/ आपराधिक धारा)					
क्र. सं.	सुनवाई की तिथि	केस की प्रगति	मॉनीटरिंग कमेटी या पैनल अधिवक्ता द्वारा प्रदत्त सलाह या अन्य सेवाएं	प्रत्येक केस की प्रगति का आंकलन	पैनल/ रिटेनर अधिवक्ता के कार्य का आंकलन	एमसी का अन्य प्रेक्षण, यदि कोई हो	मॉनीटरिंग कमेटी की अनुशंसा, यदि कोई हो
			(जमा-हां/ नहीं)				

1.5. अधिवक्ता द्वारा रखरखाव किया जायेगा

(पीएलवी/रिटेनर अधिवक्ता द्वारा रखरखाव किया जायेगा)

1.5. अधिवक्ता द्वारा रखरखाव किया जायेगा

विधिक सहायता केस सं.	विधिक सहायता के लिए आवेदक का नाम	केस सं. एवं न्यायालय सं.	नियुक्त किए गए पैनल अधिवक्ता का नाम	क्या दैनिक आधार पर नियुक्ति की गयी है और इसका परिणाम मॉनीटरिंग कमेटी के रजिस्टर में दर्ज किया गया है?	न्यायालय के समक्ष केस की प्रगति	पैनल अधिवक्ता या मॉनीटरिंग कमेटी के द्वारा प्रदत्त सलाह या अन्य सेवाएं	प्रत्येक केस की प्रगति का एकल आधार पर आंकलन	पैनल और रिटेनर अधिवक्ताओं का एकल आंकलन	केस का परिणाम	मॉनीटरिंग कमेटी का प्रेक्षण, यदि कोई हो	मॉनीटरिंग कमेटी की अनुशंसा, यदि कोई हो

2. अधिवक्ता द्वारा रखरखाव किया जायेगा

आवेदक का नाम	माता/पिता का नाम	आवेदक की श्रेणी (एलएसए के क्र.सं. 12 में उल्लिखित व्यक्तियों में से)	आवेदक को प्रदत्त पैनल/रिटेनर अधिवक्ता	नियुक्ति की तिथि	प्रत्येक विधिक सहायता केस की प्रगति	केस का विवरण	न्यायालय का नाम	पैनल/रिटेनर अधिवक्ता का प्रदर्शन	टिप्पणी, यदि कोई हो	मॉनीटरिंग कमेटी का अन्य प्रेक्षण, यदि कोई हो	मॉनीटरिंग कमेटी की अनुशंसा, यदि कोई हो

3. अधिवक्ता द्वारा रखरखाव किया जायेगा

अधिवक्ता द्वारा रखरखाव किया जायेगा					
तिथि	कैदी का नाम	केस विवरण, केस संदर्भ सं. एवं अपराध	सुनवाई की पिछली तिथि	सुनवाई की अगली तिथि	एमसी संदर्भ संख्या
केस की प्रगति: (स्थिति, रणनीति, चुनौतियां)					
मॉनीटरिंग कमेटी की टिप्पणी :					
एसएलएसए का फीडबैक :					

ik i 6 %iwk fjiWZ

प्रेषक,
शाहिद आजमी
अधिवक्ता, जयपुर

सेवा में,
सचिव
डीएलएसए, जयपुर महानगर

प्रिय समिति,

मुझे 6 जनवरी 2018 को मामले में विधिक सहायता अधिवक्ता नियुक्त किया गया था। केस 26 मार्च 2018 को समाप्त हो गया। मैंने मासिक आधार पर प्रगति रिपोर्ट दाखिल की है। केस का विवरण निम्नलिखित है :

iwk fjiWZ					
नालसा 2010 विनियम का आर. 14(3) : समापन पर विधिक सहायता अधिवक्ता समापन रिपोर्ट दाखिल करेंगे					
कैदी का नाम	केस की अवधि (प्रारंभ तिथि व अंतिम तिथि)	केस विवरण – न्यायालय/थाना/ केस संदर्भ सं./ अपराध	खर्च का ब्यौरा	केस का परिणाम	एमसी संदर्भ सं.
केस का सारांश : (रणनीति, चुनौतियाँ)					

ह./—
शाहिद आजमी
अधिवक्ता, जयपुर

ik i 7 %isy vf/loDrk dks fu; Dr i= vls vjki h dks l puk i=

प्रेषक

सचिव,
जिला विधिक सेवा प्राधिकरण

सेवा में,
अजय वर्मा
अधिवक्ता, जयपुर

विषय : के केस सं. को संचालित करने हेतु नियुक्ति पत्र

प्रिय महोदय/महोदया,

आप एतद्वारा उपरिलिखित व्यक्ति के केस/..... के न्यायालय में लंबित/ दायर किये जाने वाले केस के संचालन और / या आगे के स्पष्टीकरण व चर्चा जैसे उपाय जो इस संबंध में आप उचित समझें, के लिए अधिवक्ता नियुक्ति किए जाते हैं। आपसे अनुरोध है कि आप समय-समय पर इस केस की रिपोर्ट अधोहस्ताक्षरी को देते रहें।

आप द्वारा नियुक्ति स्वीकार करने की स्थिति में, संलग्न घोषणापत्र को विधिवत हस्ताक्षर के उपरांत लौटाने का अनुरोध है।

आपका विश्वासी,

सचिव,
जिला विधिक सेवा प्राधिकरण

????

1. मेमो सं. दिनांकित के तहत नियुक्ति
2. केस सं.
3. मैं समझता हूँ कि इस केस के संचालन के दौरान मुझे ऐसे किसी भी कार्यकलाप से दूर रहना है, जिससे उपरोक्त व्यक्ति के हितों के प्रति पूर्वाग्रह हो सकता हो।
4. मैं समझता हूँ कि मुझे कमेटी की शर्तों का अनुपालन करना होगा जो अंतिम हैं।
5. मैं समझता हूँ कि मुझे कमेटी द्वारा निर्धारित दर से पारिश्रमिक का भुगतान मेरे द्वारा बिल जमा करने पर किया जायेगा।
6. मैं समझता हूँ कि बिल के साथ मुझे बिल में उल्लिखित तिथियों पर मेरी उपस्थिति के संबंध में न्यायालय के पीठासीन अधिकारी का एक प्रमाणपत्र भी देना होगा।

प्रेषक
सचिव,
जिला विधिक सेवा प्राधिकरण

सेवा में
अधीक्षक
कारागार

प्रिय महोदय/महोदया,

केस सं..... के संदर्भ में मुझे आपको यह सूचित करने का निर्देश हुआ है कि अधिवक्ता.....
की नियुक्ति आरोपी..... के मुकदमें में प्रतिवाद के लिए की गयी है। आरोपी के मुकदमें का विवरण निम्नलिखित
है..... नियुक्ति पत्र की प्रतिलिपि आपके अवलोकनार्थ संलग्न है। अधिवक्ता से संपर्क..... पर
किया जा सकता है।

उक्त आपके पत्र दिनांक 7 जून 2016 के संदर्भ में है।

आपका विश्वासी,

सचिव,
डीएलएसए

ik i 8 v %ekM/fjx deVh dk ekf d foj.k

(पीएलवी/रिटेनर अधिवक्ता द्वारा तैयार किया जाय और एसएलएसए को प्रतिमाह प्रस्तुत किया जाय)

ekM/fjx deVh dk ekf d foj.k					
माह के दौरान आयोजित बैठकों की संख्या	जिले में न्यायालय आधारित विधिक सेवा के मामलों की संख्या	समीक्षित मामलों की संख्या	बरी होने वाले मामलों की संख्या	माह के दौरान दोषसिद्ध होने वाले मामलों की संख्या	माह के दौरान जमानत पर रिहा होने वालों की संख्या

ik i 8 c %, l, y, l, eaekM/fjx deVh dk xfrfof/k VUj

(पीएलवी/रिटेनर अधिवक्ता द्वारा तैयार किया जाय और एसएलएसए को प्रतिमाह प्रस्तुत किया जाय)

ekM/fjx deVh ds l azk eaekf d foj.k							
जिला व तालुका एलएसआई	एमसी गठित (हां/नहीं)	एमसी रजिस्टर रखा गया (हां/नहीं)	अलग एमसी स्टाफ रखा गया (हां/नहीं)	परामर्शी नियुक्त	वरिष्ठ अधिवक्ता/सेवानिवृत्त जज नियुक्त	मासिक/द्विमासिक रिपोर्ट प्रस्तुत	चुनौतियां, यदि कोई हों

चक्रिय रूप से फॉलोअप किया गया; 2011

अनुसूची 9 फॉलोअप किया गया जज वरिष्ठ

फॉलोअप किया गया जज वरिष्ठ								
दिनांक	क्र. सं.	दोषसिद्ध / विचारार्थ	कैदी का नाम	केस विवरण	जेल में प्रवेश की तिथि	अपेक्षित सहायता एवं हस्ताक्षर	कृत कार्यवाही	टिप्पणी

अनुसूची 10 फॉलोअप किया गया मिनिस्टर जज वरिष्ठ

फॉलोअप किया गया मिनिस्टर जज वरिष्ठ			
दिनांक व समय	जेल भ्रमण अधिवक्ता	दोषसिद्ध पैरालीगल वॉलंटियर	समुदायिक पैरालीगल वॉलंटियर

ik i 11 %t sy foft fVx vf/koDrk dh fjilWZ

प्रेषक,
श्री मुकुल शर्मा
अधिवक्ता, जयपुर

सेवा में
सचिव
जयपुर महानगर डीएलएसए

प्रिय महोदय/महोदया,
मुझे जयपुर केन्द्रीय कारागार के लिए जेल विजिटिंग अधिवक्ता नियुक्त किया गया था। जनवरी 2017 में मेरे द्वारा किये गये कार्य का विवरण संलग्न है :

ekl d dk ZfjilWZ& t sy foft fVx vf/koDrk			
कार्य	संख्या	कैदियों के नाम	केस संदर्भ संख्या
तैयार किये गये जमानत आवेदन			
तैयार किये गये पेरोल आवेदन			
तैयार किये गये विधिक सहायता आवेदन			
अन्य आवेदन			
दी गयी विधिक सहायता			
टिप्पणियां :			

श्री मुकुल सिन्हा
अधिवक्ता, जयपुर

ik i 12 %nkkl) iJkyhxy dh dk Zfj iWZ

प्रेषक,
सुश्री लक्ष्मी दत्ता
दोषसिद्ध पीएलवी, जोधपुर केन्द्रीय कारागार

सेवा में,
सचिव
जोधपुर डीएलएसए

प्रिय महोदय/महोदया,
मैं जोधपुर केन्द्रीय कारागार में पैरालीगल वॉलंटियर हूँ। जनवरी 2018 में मेरे द्वारा किये गये कार्य का विवरण संलग्न है:

dk Zfj iWZ& nkkl) iJkyhxy oWV;j	
दिनों की संख्या जब क्लीनिक्स कार्यरत रहा	
दिनों की संख्या जब जेल विज़िटिंग अधिवक्ता उपस्थित रहे	
लाभार्थियों की संख्या	
तैयार किये गये आवेदनों की कुल संख्या	
तैयार किये गये जमानत आवेदनों की कुल संख्या	
भरे गये विधिक सेवा आवेदनों की कुल संख्या	
मामलों की संख्या, जिनमें विधिक सेवा अधिवक्ता की नियुक्ति की गयी	
लेखन सामग्री की स्थिति	
टिप्पणियां :	

जनवरी 2018 में बनाये गये विधिक सहायता रजिस्टर की फोटो प्रतिलिपि संलग्न है।

सुश्री लक्ष्मी दत्ता
दोषसिद्ध पीएलवी, जोधपुर केन्द्रीय कारागार

1 - eft LVW ; k uk 1998 ds rgr l Hh U k ky; k eukyl k fof/kd ij k'k

ik i 14 %fj kM vf/kDrk k dk n s ud mi fLFkr jft LVj

(न्यायालय में रखा जायेगा, न्यायालय स्टाफ द्वारा रखरखाव)

fj kM vf/kDrk k dk n s ud mi fLFkr jft LVj					
दिनांक	नियुक्त अधिवक्ता का नाम	रिमांड समय में / बुलाए जाने पर उपस्थिति/ अनुपस्थिति	रिमांड अधिवक्ता द्वारा प्रतिनिधित्व किये जाने वाले आरोपी के नाम	केस संदर्भ सं.	अधिवक्ता के हस्ताक्षर

ik i 14 %fj kM vf/kDrk k dh dk Zfj i k'Z

प्रेषक,
शाहिद आजमी
अधिवक्ता, जयपुर

सेवा में
सचिव,
डीएलएसए, जयपुर

प्रिय महोदय/महोदया,

मुझे एसीजेएम-2 के न्यायालय में रिमांड अधिवक्ता नियुक्त किया गया था। मेरे द्वारा विभिन्न मामलों में न्यायालय में प्रस्तुत होने का विवरण निम्नलिखित है :

ekl d dk Zfj i k'Z & fj kM vf/kDrk						
क्र. सं.	मुवकिल का नाम, पिता का नाम एवं केस संदर्भ सं.	सुनवाई की तिथि	क्या रिमांड का विरोध किया गया?	क्या जमानत की अर्जी दायर की गयी?	क्या जमानत मंजूर हुई?	केस की स्थिति

(रिमांड अधिवक्ता द्वारा एलएसआई को प्रतिमाह प्रस्तुत किया जायेगा)

शाहिद आजमी
अधिवक्ता, जयपुर

V. Annexure

LEGAL AID RTIs

Date: 11th July 2016

From,

Raja Bagga

55-A, Third Floor, Siddharth Chambers-I

Kalu Sarai- 110016, New Delhi

To

The Secretary (Public Information Officer)

District Legal Services Authority

Sub: Application for seeking information regarding the implementation of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010

Respected Sir/Madam,

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 **district-wise** under section 6(1) of the Right to Information Act

- 1) The information on appointment of lawyers and others functionaries:
 - a) The **number of lawyers** appointed (Regulation 8 of the NALSA Regulations 2010) in the district courts as **on 30th June 2016** as i) Panel Lawyers and ii) Retainer Lawyers
 - b) The number of senior lawyers, law firms, retired judicial officers, mediators and law professors in the panel appointed as **on 30th June 2016** (Regulation 9 of the NALSA Regulations 2010)
 - c) Have separate panels been maintained for dealing with different kind of cases? If yes, list of the panels as **on 30th June 2016**. (Regulation 8(5) of the NALSA Regulations 2010)
- 2) The information about the scrutiny and evaluation committee constituted under Regulation 7 of NALSA 2010 Regulation from 1st July 2015 till 30th June 2016:
 - a) The information about applications received by the committee from the prison and court:

Institution	A. Number of legal aid applications received	B. Number of cases in which legal aid lawyer was appointed	C. Number of cases in which legal aid lawyer was not appointed
Prisons			
Court			

- b) Is a register maintained by the committee? If yes, certified copies of last five filled pages of the register.

- 3) The total number of persons who were provided legal representation and its impact under the NALSA 2010 Regulations in the district courts from 1st July 2015 till 30th June 2016 through a) Panel Lawyers and b) Retainer Lawyers at each level, as per the table below:

Services Institution	a) Number of persons represented by Panel Lawyers	b) Number of persons represented by Retainer Lawyers	c) No. of Form II issued	d) No. of Bail Releases	e) No. of Acquittals	f) No. of cases disposed	g) No. of completion reports filed by panel lawyers	h) No. of cases withdrawn by panel lawyers
Specific Regulations (R), if any	(R8 (1) of NALSA 2010)	(R8 (6) of NALSA 2010)	(R11(1) of NALSA 2010)				(R14(3) of NALSA 2010)	(R. 8(13) of NALSA 2010)
Court								

- 4) Details about the setting up of the Monitoring Committee under Regulation 10 of the NALSA 2010 Regulations, preferably as per the table below:

Legal Services Institution	a) Date of constitution of the Monitoring Committee	b) The place where monitoring committee meetings are held	c) Name and designation of the members	d) No. of staff personnel and details of infrastructure provided to the Monitoring Committee
Response				

- 5) Details about the reporting and monitoring under the Monitoring Committee **from 1st July 2015 till 30th June 2016** on the following points as per the table below:

Legal Services Institution	a) No. of senior advocates appointed by the Monitoring Committee	b) No. of reports received from panel lawyers to the monitoring committee	c) No. of Form-II received by the Monitoring Committee	d) No. of bi-monthly reports submitted by the monitoring committee
Specific Regulations (R), if any	(R15 of NALSA 2010)	(R11(5) of NALSA 2010)	(R11(1) of NALSA 2010)	(R12 of NALSA 2010)
Response				

- 6) Certified copy of the following documents :

- Register maintained** by the Monitoring Committee for recording day – to-day progress of legal aid cases (Regulation 11(3) of the NALSA Regulations) **from 1st June 2016 till 30th June 2016**
- Bi-monthly reports** submitted by the monitoring committee to the Executive Chairman/ Chairman (Regulation 12(1) of the NALSA Regulations 2010) **from 1st April 2016 till 30th June 2016**
- The last five case progress reports** received by the monitoring committee from panel lawyers
- Minutes of the last five meetings** of the monitoring committee
- The last five completion reports** received by the DLSA from panel lawyers (Regulation 14(3) of the NALSA Regulations 2010)

- 7) The information relating to conduct of panel lawyers as mentioned below at each level i) District Legal Services Authority and ii Taluk Legal Services Committees

- The number of cases where a complaint was received for any fees or consideration sought by the panel lawyer in a legal aid case as per Regulation 8 (14) of the NALSA Regulations 2010 **from 1st July 2015 till 30th June 2016**
- The number of lawyers who have been removed from the panel as per Regulation 8(15) of the NALSA Regulations 2010 **from 1st July 2015 till 30th June 2016**.

- 8) The **details of the last 5 cases** in which a panel lawyer was appointed for a person in custody as per the table below:

a) Case Number	b) Name of the inmate(s)	c) Date of admission to jail	d) Date of receipt of application for legal aid	e) Date of appointment of panel lawyer/Date when Form II was issued	f) No. of reports received from panel lawyers to the monitoring committee	g) No. of times and the dates on which court registers were sought by the monitoring committee to ascertain the progress of case

- Certified copy of the pages of the monitoring committee register maintaining the detail of the case
- Certified copy of the pages of the bi-monthly report relevant for the case sent to the SLSA
- Certified copy of the pages of the response received from SLSA on the case
- If the case has been disposed, the certified copy of the completion report

Q9. The frequency of payment made to panel and retainer lawyers

I have also attached an IPO 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.

Place: New Delhi

Raja Bagga
E-mail address, if any: bagga.raja@gmail.com

Date: 11th July 2016
 From,
 Raja Bagga
 55-A, Third Floor, Siddharth Chambers-I
 Kalu Sarai- 110016, New Delhi

To
 The Secretary (Public Information Officer)
 District Legal Services Authority

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 RLSA/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 RLSA/2012/3121-3338) dated 02-May-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 Regulation 3 of NALSA REGULATIONS 2011 as per the table below:

Jails	a) Name of the Jail	b) Legal Aid Clinic constituted (Yes/No)	c) Date of constitution of the Legal Aid Clinic	d) No. of days clinic was operational 1st May 2015 till 30th April 2016	e) No. of Jail Visiting Lawyers) as on 30th April 2016	f) No. of Prisoners para legal volunteer as on 30th April 2016
Central Jail						
District Jail						
Sub Jail 1						
Sub Jail 2						
Sub Jail 3						
Sub Jail 4						
Sub Jail 5						

- 2) The details of the jail visiting lawyer appointed and their visits and payment under regulation 6 of NALSA REGULATIONS 2011 from 1st July 2015 till 30th June 2016 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.
- 3) The **details of the long term prisoners para legal volunteers** appointed and their visits and payment in the jails (Central/ District & Sub Jails) in your district between **from 1st July 2015 till 30th June 2016**, 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.

- 4) Information about the functioning of the Legal Aid Clinic as below :
- Name of the registers maintained by the Legal aid clinic (in the Central/ District & Sub Jails) in your district.
 - Certified copies of the format maintained for the registers in the Legal aid clinic (in the Central/ District & Sub Jails) in your district.
 - Certified copy of the Attendance register (उपस्थिति रजिस्टर) maintained in the Legal Aid clinic as per Regulation 20 (1) of NALSA REGULATIONS 2011 between **from 1st June 2016 till 30th June 2016**, from the (i) Central Jail/District Jails and (ii) Sub Jails in your district.
 - Certified copy of the **Work register** (क्लिनिक पर प्राप्त होने वाले आवेदन पत्रों एवं उन पर की गई कार्यवाही के इन्द्राज हेतु रजिस्टर का संधारण) maintained in the Legal Aid clinic as per Regulation 20(2) of NALSA REGULATIONS 2011 between **from 1st June 2016 till 30th June 2016** from the (i) Central Jail/ District Jails and (ii) Sub Jails in your district
 - The number of times attendance and work registers were called for by the DLSA from the prison **from 1st July 2015 till 30th June 2016**.
- 5) Does the signboard displayed on the Jail Legal Aid Clinic mention the name, working hours and days of legal aid clinic in English and local language as per Regulation 13 of NALSA REGULATIONS 2011?
- 6) A. The number of legal aid request received from Jails **from 1st July 2015 till 30th June 2016**.
- Out of the legal aid cases received from jails, the number of cases in which legal aid lawyer was appointed **from 1st July 2015 till 30th June 2016**.
 - The number of cases where legal aid lawyer was not appointed as the person already had a legal aid lawyer **from 1st July 2015 till 30th June 2016**.
 - The number of cases where legal aid lawyer was not appointed as there were deficiencies in the legal aid application **from 1st July 2015 till 30th June 2016**.
- 7) The details of the last 5 cases in which panel lawyers were appointed for a person in custody preferably as per the table below:

a) Case Number	b) Date of admission to jail	c) Date of signature of Form I	d) Date of dispatch of application for legal aid from the prison to the DLSA	e) Date of receipt of application for legal aid to DLSA	f) Date of appointment of panel lawyer	g) Date of dispatch of letter of appointment from the DLSA to the prison

I have also attached an IPO 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.

Place: New Delhi

Raja Bagga
E-mail address, if any: bagga.raja@gmail.com

Date: 11th July 2016

From,
 Raja Bagga
 55-A, Third Floor, Siddharth Chambers-I
 Kalu Sarai- 110016, New Delhi

To
 The Secretary (Public Information Officer)
 District Legal Services Authority

Respected Sir/Madam,

Sub: Application for seeking information regarding the implementation of Remand and Bail Lawyers Scheme (Rajasthan State Legal Service Authority's Legal Assistance to Persons in Custody Scheme 2012).

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 **number of lawyers** appointed under the Remand and Bail Lawyers Scheme in the district courts **from 1st July 2015 till 30th June 2016** as provided in Guideline 3 of the Scheme.
- 2) a) Number of magistrate courts in the entire district, and b) average number of remand cases handled by each court on a daily basis
- 3) Court-wise distribution of **total number of persons represented and released** from police station and jail under the Remand and Bail Lawyers Scheme in the district courts from **1st July 2015 till 30th June 2016** in the format provided below:

NAME OF THE COURT	TOTAL NUMBER OF PERSONS REPRESENTED		TOTAL NUMBER OF PERSONS WHO WERE GRANTED BAIL		TOTAL NUMBER OF PERSONS WHO WERE ACTUALLY RELEASED ON BAIL		TOTAL NUMBER OF PERSONS DISCHARGED
	AT POLICE STATION	AT COURT	AT POLICE STATION	AT COURT	AT POLICE STATION	AT COURT	

- 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 1st July 2015 till 30th June 2016**.
- 5) 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.
- 6) With respect to Guideline 8 of the Remand and Bail Lawyers Scheme, 2012:
 - a. Court-wise number of the **attendance certificates** regarding the regular attendance of the legal aid counsel concerned, as provided in Guideline 8 of the Scheme received **from 1st July 2015 till 30th June 2016**
 - b. Certified copies of the **last five attendance certificates** received from the courts.
 - c. Number of courts where attendance registers for remand and bail lawyers are maintained
- 7) With respect to Guideline 15 of the Scheme,
 - a. Court –wise number of monthly reports submitted to the presiding officer of the court by the legal aid counsel and forwarded to the Chairman of the District Authority, as provided under Guideline 15 of the Scheme, **from 1st July 2015 till 30th June 2016**.
 - b. Certified copies of the last five **monthly reports** received by the District Authority,
- 8) The number of lawyers removed from the panel for demanding remuneration from aided persons **from 1st July 2015 till 30th June 2016** under Guideline 11 of the Remand and Bail Lawyers Scheme, 2012.
- 9) Certified copy of the latest letter/ any form of written communication to the police stations mentioning the name and phone number of the appointed remand and bail lawyers.

- 10) Is there any circular/order/notification/letter issued by the High Court or the State Legal Services Authority prescribing specific duration of remand hours? If yes, please provide the timings of the remand hour.
- 11) The number of trainings of Remand & Bail Lawyers conducted by the legal services institutions **from 1st July 2015 till 30th June 2016**.
- 12) Expenditure incurred **from 1st July 2015 till 30th June 2016** on
 - a) Honorarium to Remand & Bail Lawyers
 - b) Registers and stationary on the working of the scheme
 - c) Any other expense specific to the implementation of the RSLSA 2012 Regulation

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.

I request you to kindly accept my application and provide me with the information requested above at my postal address as mentioned above.

Place: New Delhi

Raja Bagga
E-mail address, if any: bagga.raja@gmail.com

CHRI Programmes

CHRI believes that the Commonwealth and its member countries must be held to high standards and functional mechanisms for accountability and participation. This is essential for human rights, transparent democracies and Sustainable Development Goals (SDGs). CHRI specifically works on strategic initiatives and advocacy on human rights, Access to Justice and Access to Information. It focuses on research, publications, workshops, analysis, mobilisation, dissemination and advocacy and informs the following principal programmes:

1. Access to Justice (ATJ)

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 enforcers of a regime. CHRI's programme aims at mobilising public support for police reforms and works to strengthen civil society engagement on the issues. In East Africa and Ghana, CHRI examines police accountability and political interference.

We are preparing to add a portfolio on anti-discrimination on the basis of colour, appearance and gender.

Prison Reforms: CHRI's work in prisons looks at increasing transparency of a traditionally closed system and exposing malpractices. Apart from highlighting failures of the legal system that result in overcrowding and unacceptably long pre-trial detention and prison overstay, we engage in interventions and advocacy for legal aid and policy changes to revive prison oversight systems. Attention to these areas can bring improvements to the administration of prisons and conditions of justice.

2. Access to Information

CHRI is acknowledged as a key organisation working on the promotion of Access to Information. It encourages countries to pass and implement effective Right to Information laws. It routinely assists in the development of legislation and has been particularly successful in promoting Right to Information laws and practices in India, Sri Lanka, Afghanistan, Bangladesh, Ghana, and more recently, Kenya. In Ghana, CHRI is the Secretariat for the RTI civil society coalition. We regularly critique new legislation and intervene to bring best practices into governments and civil society knowledge both at a time when laws are being drafted and when they are first being implemented. We have experience of working in hostile environments as well as culturally varied jurisdictions; these enable us to bring valuable insights into countries seeking to evolve new laws on right to information. In Ghana, for instance, it has been promoting knowledge about the value of Access to Information and to campaign for the introduction of an effective law.

South Asia Media Defender's Network (SAMDEN)

CHRI has developed a regional network of media professionals to address the issue of increasing attacks on media workers and pressure on freedom of speech and expression in South Asia, especially in rural areas. This network, the South Asia Media Defenders Network (SAMDEN) recognises that such freedoms are indivisible and know no political boundaries. Anchored by a core group of media professionals who have experienced discrimination and intimidation, SAMDEN is developing an interactive website platform to highlight pressures on media, issues of shrinking media space and press freedom. It is also working to mobilise media so that strength grows through collaboration and numbers. A key area of synergy lies in linking SAMDEN with the Right to Information movements and activists.

3. International Advocacy and Programming

CHRI monitors the compliance of Commonwealth member states 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 Secretariat, 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 reform, reviewing promises made by Commonwealth members at the UN Human Rights Council, and the Universal Periodic Review. We advocate for the protection of human rights defenders and civil society spaces and monitor the performance of National Human Rights Institutions in the Commonwealth while pressing for their strengthening.

This report evaluates the implementation of three legal aid regulations and schemes in Rajasthan: the NALSA (Free and Competent Legal Services) Regulation, 2010, the NALSA (Legal Services Clinics) Regulation, 2011, and the NALSA Legal Aid Counsel in all Courts of Magistrates Scheme 1998. It has been created with the aim of providing a systematic and thorough comparison of the status of these schemes between 2014 and 2016, and examining the changes during the period to highlighting implementation gaps that still remain. We hope that this publication will help those seeking to better understand the state of legal aid in Rajasthan.



Commonwealth Human Rights Initiative

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