

2020

# HANDBOOK OF FORMATS: ENSURING EFFECTIVE LEGAL SERVICES

**Standardising Documentation and  
Reporting by Legal Services Institutions**



NATIONAL LEGAL SERVICES AUTHORITY

# ABOUT NALSA



Access to justice is much more than improving an individual's access to courts, or guaranteeing legal representation, it is ensuring that legal and judicial outcomes are just and equitable. Democratic governance is undermined where access to justice for all citizens, irrespective of gender, race, religion, age, class or creed is absent. Lack of access to justice limits the effectiveness of democratic governance by limiting participation, transparency and accountability.

One of the fundamental features that form the edifice of the Indian legal system is ensuring social, economic and political 'justice', which is critical for humanity as it restores a sense of equal citizenship. Public awareness of availability of legal aid services and how to access them is critical in delivering legal aid service particularly for poor and marginalised populations. For reasons such as lack of financial resources, lack of awareness on how to access the justice system and long travel distances to come in contact with the justice system, the vulnerable groups find themselves in challenging and complex situations.

Towards this end, the Legal Services Authorities Act, 1987, was enacted to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society. The Act provides for establishment of an apex body in the name of National Legal Services Authority ("NALSA") which has the duty of making people aware about the existence of the legal services institutions and providing free and competent legal services to poor and vulnerable, spreading legal literacy and awareness as well as, undertaking social justice litigation for people belonging to diverse socio-economic, cultural and political backgrounds who form the excluded groups within the country. At the State, District and Taluka level exists the network of legal services institutions.

## OUR VISION

To promote an inclusive legal system in order to ensure fair and meaningful justice to the marginalised and disadvantaged sector.

## OUR MISSION

To legally empower the marginalised and excluded groups of the society by providing effective legal representation, legal literacy and awareness and bridge the gap between the legally available benefits and the entitled beneficiary.

To strengthen the system of Lok Adalats and other Alternate Dispute Resolution mechanisms in order to provide for informal, quick, inexpensive and effective resolution of disputes and minimise the load of adjudication on the overburdened judiciary.

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# ABOUT THE HANDBOOK

This handbook compiles formats of appointment letters, duty notes, registers and reports for legal aid functionaries, including authorities and providers, who are engaged in legal aid delivery.

Quality is a characteristic of legal aid services that describes the extent to which legal aid providers perform the intended legal aid services and increase the likelihood of achieving the intended results. There are two ways of measuring quality: in terms of process - providing the right legal aid services - and in terms of outcomes - obtaining the right results.<sup>1</sup> The approach to quality assurance of legal aid service providers depends upon how legal aid is organised and delivered. One important aspect is to ensure that process measures are in place, which are aimed at the performance of work by legal aid providers “from the first point of entry into the system through the handling of the case and onwards to maintenance of files and documents.”<sup>2</sup>

With this in mind, this handbook is intended to assist legal service functionaries across India in standardising the documentation and reporting of legal services provided, thus strengthening and improving quality of legal aid services.

This handbook also puts forth specific formats for legal aid providers attached to police stations and prison legal aid clinics, as quality legal aid services can have a beneficial impact on the criminal justice system. In particular, effective legal representation can lead to the reduction of pre-trial detention rates and prison overcrowding. It can also ensure due process and fair trial guarantees, and afford robust protection against human rights violations thus increasing client satisfaction and trust in the fairness of the justice system.

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1 ILF Measuring Justice, Defining and Evaluating Quality for Criminal Legal Aid Providers (2016).

2 Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes 2019, UNODC.



**Justice N.V. Ramana**  
Judge  
Supreme Court of India  
&  
Executive Chairman  
National Legal Services Authority



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## **MESSAGE**

In the year 2020, the prime focus of NALSA is to enhance the legal services provided for marginalized and weaker sections. In India, this section has a very large population, and ensuring competent legal services to them is one of the mandates of Legal Services Authorities. In order to achieve such an ambitious target, streamlining the processes is a requirement and necessity for Legal Services Authorities. This handbook is one such endeavor in this direction.

It is aimed at strengthening the processes of documentation and reporting mechanism leading to effective, efficient and quality legal service.

The standardized proformas will bring uniformity in documentation and data collection. This handbook is an effective tool for management of legal services activities, and in future will prove as a significant step in improving the organizational practices required for providing quality legal services.

I hope that Legal Services Institutions will make use of this handbook, and in appropriate circumstances may tailor the formats to align it with the local requirements. This first edition of handbook would require improvements, which can be integrated after having experience of implementation at the grass root level.

Last but not the least, I congratulate all the NALSA officials who have contributed in bringing out this handbook. I appreciate the assistance and collaboration provided by CHRI in the making of this handbook.

  
(N.V. RAMANA)



# ACKNOWLEDGMENT

The publication of this handbook by NALSA has been undertaken under the leadership and guidance of Justice N.V. Ramana, Executive Chairman, National Legal Services Authority (NALSA).

The handbook has benefitted immensely by the support and guidance provided by Mr Alok Agarwal, Member Secretary and Mr Sunil Chauhan, Director, NALSA, who have enriched the handbook with their knowledge and experience.

Special appreciation is given to the efforts of Mr Raja Bagga, Ms Amrita Paul and Ms Madhurima Dhanuka, from the Commonwealth Human Rights Initiative who worked consistently to bring this Handbook to fruition, from compiling the various formats to giving the publication a final shape.





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# DUTIES OF LEGAL SERVICES PROVIDERS TOWARDS BENEFICIARIES

By virtue of the Legal Services Authorities Act, 1987, (the Act) the responsibility of providing free legal services to the marginalised sections of the society has been entrusted to the Legal Services Institutions (LSIs) constituted under the Act. The categories of persons entitled to free legal services are enumerated in Section 12 of the Act. The LSIs are administered by members of the judiciary at all levels and the services are provided mainly through empanelled lawyers and paralegal volunteers.

One of the core activities of LSIs is the provision of legal representation in court cases, thus the lawyers empanelled by LSIs have a pivotal role to play in achieving the mandate of LSIs as defined under the Act. Lawyers may be engaged for filing a case for the client, pursuing an ongoing case, defending a case, providing legal advice, giving opinion, drafting notices, etc. Panel lawyers may be required to visit prisons, conduct the legal services clinics in villages, community centres and in other judicial and custodial institutions or, man the 'Front Offices' of the LSIs as 'Retainers'. Their services may also be utilised in creating awareness amongst the public on basic provisions, rights and obligations arising from different laws, government schemes and programmes, etc.

Paralegal volunteers, apart from being the main workforce to conduct the outreach activities, also play an important role in providing court-based legal services especially, at the front offices and in prisons. Their main functions include acting as a bridge between the legal services beneficiary and the concerned LSI or the panel lawyer by facilitating communication, ensuring proper documentation and coordinating meetings between clients (legal aid beneficiaries) and their lawyers.

The procedure for providing of legal aid and advice to the eligible categories is governed by the NALSA (Free and Competent Legal Services) Regulations, 2010 which have been framed with an objective to ensure that the free services provided to the marginalised sections are equally competent to the services provided to those who can afford them on their own. The regulations inter alia provide procedures for empanelling competent lawyers, scrutinising the applicants for eligibility and the cases for suitability to be prosecuted or defended and for the mentoring and monitoring of panel lawyers.

The first point of contact for any legal aid seeker is usually the front office attached to each LSI. Front offices are operated by a panel/retainer lawyer or paralegal volunteers. Expert psychologists and counsellors may also be called to the front office on need basis. The LSIs may also appoint front office coordinators to handle documentation, correspondence and consultations between the legal aid seekers and the assigned counsels and communication about the status of legal aid cases. Front offices are supposed to act as one-stop centres for the legal aid seekers to provide legal assistance, information about their cases and other legal services provided by the said institution.<sup>3</sup>

In order to maintain the quality of legal services, it is important that standard practices are put in place and are scrupulously followed by the service providers. The present Handbook is an effort to lay down the broad duties of the service providers and to standardise the formats of duty charts, appointment letters, etc. for their guidance.

<sup>3</sup> See NALSA Front Office Guidelines. (Available at <https://nalsa.gov.in/acts-rules/guidelines/front-office-guidelines>).

## Duties of Assigned Panel Lawyer

### 1. Quick Response -

- The panel lawyer should respond quickly to the assignment of a case to him and should fix a meeting with the legal aid beneficiary (LAB) as early as possible.
- The initial interaction shall preferably be conducted within 24 hours of intimation of assignment of case to him. If he is unable to hold this interaction, he must communicate with the LAB over phone and fix an appointment for comprehensive briefing about his/her case.
- Such meeting shall be conducted earliest in case of urgency and in any case not later than 7 days of assignment of the case.
- If the lawyer is not available for a longer period, he shall inform the LAB accordingly as well as the DLSA/TLSC concerned to take remedial action in this regard, if so required.
- He shall upload the information regarding the first briefing with litigant on the NALSA portal or update the Front office.

### 2. Effective Interview -

- During first briefing, the panel lawyer shall gather all the necessary information from the LAB as would be required for the prosecution or defence of the case.
- In case the LAB is under custody or not easily accessible or does not have satisfactory information about the case, the assigned lawyer must make efforts to the extent possible to interview the family or other persons to gather information.
- The Assigned Lawyer must make all efforts to ensure instructions from the LAB before each hearing or filing of any pleading/document/application, etc. In case he fails to have a prior communication with the LAB, the difficulty in doing so must be intimated to the DLSA or concerned LSI, who may take steps to address such a difficulty.

### 3. Competence -

- The panel lawyer should apply the correct law to the facts as disclosed by the LAB.
- He should prepare the pleadings and develop LAB's case in such a manner as to serve his best interests.
- He should guard against committing any illegality in this process.
- While preparing the pleadings, he should inform the LAB about the facts pleaded and left out, in vernacular.
- The case should be filed at the earliest possible and any inevitable delay in doing so should be communicated to the LAB as well as DLSA concerned.
- During arguments on point of charge, miscellaneous applications or at final stage etc., as well as cross-examination, he is expected to remain fully prepared and sincere in his work.

### 4. Punctuality -

- The panel lawyer should be punctual in attending court hearings and should not seek an adjournment unless it is absolutely necessary.

### 5. Behaviour in the Court -

- The panel lawyer should conduct himself in the most professional manner as an Officer of the Court.
- He should always be courteous and respectful towards the Court.
- He shall always keep in mind that he shall be bound by the code of conduct prescribed for lawyers under the Advocates Act and by the Bar Council of India and of the State.

**6. Prompt Reporting -**

- The panel lawyer should promptly report the proceedings of the day and next date fixed in the concerned case at the front office and to the LAB.
- He should reveal to the LAB all the proceedings or orders which a litigant is supposed to know, even if the order is passed against the LAB.
- Simultaneously, he should guide the LAB about the next course of action for challenging the order or its execution, as the case may be.
- He should also explain to the LAB about the probable course of action the opposite party may take after conclusion of present proceedings so that the LAB shall not be taken aback on receipt of information about action initiated by the opposite party.
- He shall also post the update of cases regularly on NALSA portal.

**7. Professional Traits -**

- The panel lawyer should at all times, be courteous towards the client and should treat the LAB in the same manner as he does to his private clients.
- He shall also communicate with the LAB with patience, compassion, tolerance and an attitude of respect.
- He is totally prohibited from asking any fees or any other charges from the LAB. Rather he shall inform him/her that lawyer's fee and typing and incidental expenses related to pursuing the case would be borne by the DLSA.
- It is reiterated that LAB is to be dealt with in such manner as he must not feel that he is getting any service in charity rather he must perceive that the legal system is taking care of his interest efficiently.
- He must adhere to the professional ethics expected of advocates and maintain lawyer-client confidentiality.





# **SECTION 1.**

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## **FORMATS FOR LEGAL AID PROVIDERS**

# I. PANEL LAWYERS



## » A. EMPANELMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)  
(Contact no.)

Subject: Letter of engagement as a Panel Lawyer by \_\_\_\_\_ DLSA

Dear Sir/Madam,

You are engaged as a Panel Lawyer by \_\_\_\_\_ District for the period commencing from \_\_\_\_\_ to \_\_\_\_\_. You would be assigned cases by the legal services institutions and court during the period as per the requirement. You maybe also be required to provide legal services during awareness camps, and other activities undertaken by the legal services institutions.

You are expected to abide 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 Comptent Legal Services) Regulations, 2010.

Sd/-  
District Legal Services Authority



## B. ASSIGNMENT LETTER FOR AN INDIVIDUAL CASE

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)  
(Contact no.)

Subject: Letter of assignment as the legal aid lawyer to conduct the case of \_\_\_\_\_ by \_\_\_\_\_ DLSA.

Dear Sir/Madam,

You are hereby assigned as the legal aid lawyer for conducting the case on behalf of \_\_\_\_\_ (include name of legal aid beneficiary, case reference no., address, contact no. of family members (if available), current place of detention, if detained) where the concerned Court is \_\_\_\_\_. You are requested to take such steps as you deem fit and proper for initiating further clarification and discussion in this regard. You are mandated to meet and interview your client for required information as soon as possible.

You are expected to abide by the provision 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) Regulations, 2010. The relevant guidelines and a duty note based on the guidelines has been appended with this letter.

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

Sd/-  
District Legal Services Authority

### Declaration by the lawyer (to be completed and sent back to the DLSA office)

1. Appointment made wide Memo No. .... dated .....
2. Case No. ....in the court of.....
3. Other Details .....
4. I understand that in conducting any case, I am to abstain from doing anything that might prejudice the interest of the said person.
5. I understand that I am to abide by the terms and decisions of the DLSA which are final.
6. I understand that I will be given honorarium at the rates fixed by the DLSA on submission of bills and that I shall refrain from charging or accepting any consideration from the client in lieu of my service.
7. I understand that I am mandated to abide by the duty notes appended with this letter and serve the best interests of my client.



### C. INTIMATION LETTER

#### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
Client/ Superintendent of Prison (if client in prison)

Dear Sir/Madam,

It is to inform you that \_\_\_\_\_ has been appointed as the Legal Aid Lawyer to conduct the case on behalf of \_\_\_\_\_ (include name of legal aid beneficiary, case reference no., concerned court, address, etc.) on \_\_\_\_\_(date of appointment) in response to the legal aid application dated \_\_\_\_\_ received by the DLSA office.

A copy of the appointment letter is annexed for your perusal. The panel lawyer can be contacted at ..... (address/e-mail and phone number).

In case of any grievances against the services provided by the lawyer, you may write to the office of the DLSA.

Regards,

Sd/-  
District Legal Services Authority

Note: If a letter is written to the Superintendent, then it must be mentioned that a copy of this letter and appointment letter shall be given to the concerned inmate.



## » D. DUTY NOTES

- ✓ To represent persons in court when assigned by the legal service institutions.
- ✓ To submit reports whenever called for by the monitoring and mentoring committee of the concerned LSI in the prescribed format.
- ✓ If your client is in prison, then to visit him/her in prison or communicate with him/her through Video Conferencing regularly and meet him/her in the court complex for a substantial period to interact with prisoner in order to seek instructions with regard to the case and to apprise him/her about the progress of the case. 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.
- ✓ To update the Front Office about the proceedings in the Court.
- ✓ To submit the report of completion of proceedings in prescribed format after the conclusion of each case.
- ✓ To state reasons to the Member Secretary/Secretary of the LSI if desirous of withdrawing from a case assigned.
- ✓ Not ask for or receive any fee or consideration from your client assigned to you through LSI or court.



## » E. REPORTING (INDIVIDUAL CASES)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir,

I was assigned as the legal aid lawyer in the case of \_\_\_\_\_. Please find the progress in the case:

PROGRESS REPORT						
Legal aid lawyers to submit report of progress to the Front Office						
Date	Name of the client	Case Details: Case Ref. No. & Offence	Last date of hearing	Next date of hearing	No. of meetings with client/family members	Professional fee/ honorarium and expenses claimed
Progress of the Case: (Status, Strategy, Challenges)						

(To be submitted at Front Office every 30 days)

Sd/-

(Name of lawyer)

(Address)



## » F. COMPLETION REPORT

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/ Ma'am,

I was assigned as the legal aid lawyer in the case of \_\_\_\_\_. The case was concluded on \_\_\_\_\_. I have submitted the progress reports on a monthly basis. Please find the details of the case below:

COMPLETION REPORT						
Legal aid lawyers to submit report of completion						
Name of the client	Case Duration (Initiation Date & Last date)	Case Details: Court/PS/ Case Ref. No./ Offence	Expenses Incurred	Outcome of the Case	Total no. of meetings with client/family members	MMC Reference No. (If any)
Summary of the Case: ( Strategy, Challenges)						

Sd/-

(Name of lawyer)  
(Address)

# II. RETAINER LAWYERS



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)  
(Contact no.)

Subject: Letter of deputation as a Retainer Lawyer by \_\_\_\_\_ DLSA

Dear Sir/Madam,

You are hereby deputed as a retainer lawyer of the \_\_\_\_\_ District for the period \_\_\_\_\_ to \_\_\_\_\_. 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 DLSA, in the manner prescribed, about the work undertaken.

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

Sd/-  
District Legal Services Authority

- CC.
- **Front Office of LSI**
  - **Chairman Monitoring and Mentoring Committee**

### **Declaration by the lawyer (to be completed and sent back to the DLSA office)**

1. I understand that I am to abstain from doing anything that might prejudice the interest of any person.
2. I understand that I am to abide by the terms and decisions of the DLSA which are final.
3. I understand that I will be given remuneration at the rates fixed by the Authority on submission of bills.



## B. DUTY NOTES

- ✓ To be present at the Front Office of the LSI as per the roster.
- ✓ To render services like drafting of applications, notices, written statements, provide free legal advice, render legal opinions etc. to persons approaching LSI for assistance.
- ✓ To abide by the provisions of the NALSA (Free and Competent Legal Services) Regulations 2010.
- ✓ To assist the LSI in setup of legal literacy clubs and implementation of other legal aid schemes by the LSI.
- ✓ If assigned, to attend court during remand hours and assist undertrials who are unrepresented where remand lawyer has not been appointed.
- ✓ To assist the legal service institutions in mentoring and evaluating the work of PLVs and dealing with legal aid work at the front office.
- ✓ To assist the Monitoring and Mentoring Committee of the LSI in its functioning.
- ✓ 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.



## » C. REPORTING (MONTHLY)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I was assigned as a retainer lawyer for the \_\_\_\_\_ District for the period \_\_\_\_\_ to \_\_\_\_\_. Please find the details of the work performed by me below:

S. No.	Days and duration on which operated the front office/ attended court work/ conducted legal awareness programmes/ any other work assigned by the LSI	Signature

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

Sd/-

(Name of lawyer)  
(Address)



# III. LEGAL AID COUNSELS IN MAGISTRATE COURTS (REMAND LAWYERS)



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)  
(Contact No)

Subject: Letter of deputation as a Remand Lawyer by \_\_\_\_\_ DLSA at \_\_\_\_\_ Court

Dear Sir/Madam,

You are hereby deputed as a remand advocate of the \_\_\_\_\_ District for the period \_\_\_\_\_ to \_\_\_\_\_. You are assigned \_\_\_\_\_ 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 also expected to be thorough with the NALSA's framework on Early Access to Justice at Pre-Arrest and Remand Stage and follow it in the delivery of legal services. 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 duty notes appended with this letter. You have to report to the legal aid authorities about the work undertaken. In case the appointment is accepted by you, you are requested to return the declaration annexed after being duly signed by you.

Sd/-  
District Legal Services Authority

CC.

- Chairman \_\_\_\_\_ DLSA
- Front Office, DLSA

### Declaration by the lawyer (to be completed and sent back to the DLSA office)

1. I understand that in conducting the cases, I am to abstain from doing anything that might prejudice the interest of the said person.
2. I understand that I am to abide by the terms and decisions of the DLSA which are final.
3. I understand that I will be given remuneration at the rates fixed by the DLSA on submission of bills.
4. 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.



## B. INTIMATION LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
\_\_\_\_\_ (Judicial Officer)  
\_\_\_\_\_ (Court Details)

Dear Sir/Madam,

This is to inform you that \_\_\_\_\_ has been appointed as a Remand Lawyer in your court for the period \_\_\_\_\_ to \_\_\_\_\_. He/ She has been instructed to be present during remand proceedings of accused produced after fresh arrest as well as on subsequent remands if the accused has not been assigned regular legal aid advocate. A copy of the appointment letter is annexed for your perusal. The remand lawyer can be contacted at \_\_\_\_\_. You are also requested to have his/her name and contact details displayed in the court. The expected performance standards for Remand Advocates has been annexed herewith. The lawyer can be contacted at .....  
(Address/e-mail and phone number).

Yours faithfully,

Sd/-  
District Legal Services Authority



## C. DUTY NOTES

- ✓ To be present in the Court during remand hour or any other hour of the day as directed by the Court.
- ✓ To ensure that your name and contact details are displayed in the court assigned.
- ✓ To sign the attendance register maintained in the court.
- ✓ To submit monthly report of the work done to the LSI, as per format prescribed.
- ✓ 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.
- ✓ To co-ordinate with the backup remand lawyer in case you are unavailable for any reason.
- ✓ To co-ordinate with the police station within the jurisdiction of the concerned LSI to ascertain the arrests conducted on a daily basis.
- ✓ To ensure that persons produced for seeking preventive detention are also represented and given a quality representation.

### When you are representing an unrepresented arrestee -

- ✓ To oppose unnecessary remand and to appropriately question the type and duration of remand.
- ✓ To ensure that cases where your client was not produced within 24 hours & lawyer was not provided or his rights were violated during interrogation, should be brought to notice of the judicial officer.
- ✓ To obtain a copy of the application of remand moved by the prosecution either through Police or the Court and be thorough with it.
- ✓ To obtain any other relevant document such arrest memo, medical examination report, etc. and explain it to the arrestee and bring to the notice of the court any inconsistency observed or objection of the arrestee.
- ✓ To mandatorily interact with the arrestee before the hearing to explain to him grounds of arrest and exchanging any other information relevant to the remand hearing.
- ✓ To file bail applications on the instructions of the client, assist him in furnishing bail bonds and explain to him the contents of bail application, his right to move to a higher court, etc.
- ✓ To make submissions before the court to get documents translated if the language is alien to the lawyer or the arrestee.
- ✓ In case the arrestee is a foreigner, to request the court to direct the police to intimate the concerned High Commission, Embassy/Consulate.
- ✓ To ensure that no remand is given without the accused being produced either through VC or physically.
- ✓ In case the accused is produced through VC, to inform the accused that you are representing him and request the court for interaction with the accused if the accused wishes so.
- ✓ In case arrested person apparently appears to be child in conflict with law, to make a submission before the Magistrate to take the steps as per Juvenile Justice Law and to coordinate with family members of such person to collect relevant documents.
- ✓ Whenever a person of unsound mind is produced for a remand, the Remand Lawyer shall take steps in accordance with chapter XXV of Code of Criminal Procedure of 1973 and the Mental Healthcare Act, 2017.



## D. REPORTING (MONTHLY TO DLSA)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I was assigned as a remand lawyer for the \_\_\_\_\_ 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	Mode of hearing Physical/ Through video conferencing	Whether Remand opposed?	Whether Bail Application moved?	Whether Bail granted?	Status of the Case

(To be submitted by Remand Lawyer to the LSI every month. If assigned more than one court, separate proforma for each of the assigned court be submitted.)

Sd/-

(Name of lawyer)

(Address)

# IV. JAIL VISITING LAWYERS



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)  
(Contact no.)

Subject: Letter of deputation as a Jail Visiting Lawyer for \_\_\_\_\_ Prison

Dear Sir/Madam,

You are hereby deputed as a jail visiting lawyer of the \_\_\_\_\_ Prison for the period of \_\_\_\_\_ to \_\_\_\_\_. You are required to visit the assigned jails as per the directions of DLSA. 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) Regulations, 2011 and NALSA guidelines as issued from time to time. 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 drafting bail applications and appeals, preparing applications for remission, parole, facilitating timely filing of the appeals for convicts, and identifying the other legal services needs of the prisoner and coordinate with DLSA in this regard.

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

Sd/-  
District Legal Services Authority

### **Declaration by the lawyer (to be completed and sent back to the DLSA office)**

1. I understand that in conducting the visits, I am to abstain from doing anything that might prejudice the interest of the said person.
2. I understand that I am to abide by the terms and decisions of the DLSA which are final.
3. I understand that I will be given remuneration at the rates fixed by the DLSA on submission of bills.
4. I understand that I shall not indulge in canvassing, in any manner, for private assignment of cases from the prisoners.



## B. INTIMATION LETTER

Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
Superintendent,  
(Name of the Prison)

Dear Sir/Madam,

I am directed to inform you that \_\_\_\_\_ has been appointed as the Jail Visiting Lawyer for your prison. A copy of the appointment letter is annexed for your perusal. The Jail Visiting Lawyer can be contacted at \_\_\_\_\_.

We would appreciate if appropriate facilities are provided during this visit to enable him to interact with prisoners and provide legal aid and advise.

The above advocate is required to visit the prison on \_\_\_\_\_ (days of the week) during \_\_\_\_\_ (time) or as authorised by the DLSA.

Yours faithfully,

Sd/-  
District Legal Services Authority



## » C. DUTY NOTES

- ✓ To visit the prison legal aid clinic at-least twice a week.
- ✓ 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.
- ✓ To draft applications and petitions for parole/juvenility/bail etc. for the undertrials and convicts.
- ✓ To ensure filling of legal aid application form for those who need legal aid lawyers and submit the same to the legal aid authorities.
- ✓ To conduct legal awareness camps inside prisons including apprising new entrants to prison about the free legal services provided by TLSC or SDLSC, DLSA, HCLSC and SCLSC.
- ✓ To train the paralegal volunteers and oversee the effective functioning of the prison legal aid clinic. To regularly inform the inmates about the status of their cases.
- ✓ To communicate to the panel lawyers any pertinent information that an inmate has requested to be shared with his/her lawyer.
- ✓ To be acquainted with the prison manual and the other rules regulations relating to prisons.
- ✓ To ensure that the registers are filled by the paralegals accurately.
- ✓ To record attendance and work in the registers available at the prison.
- ✓ To also represent the inmates in courts in some cases, if appointed by the LSI.
- ✓ To submit a monthly report of the work to the legal service institutions by 5th of every month.
- ✓ To also submit a copy of the register of beneficiaries maintained at the clinic.
- ✓ To ensure that copy of charge sheet or any document taken from any prisoner is returned.
- ✓ To not canvass or solicit for any case in your private capacity.
- ✓ To prioritise and focus on personal interactions with the inmates in the prison legal aid clinic during the visit and then document and prepare the petitions.
- ✓ To send intimation to the LSI in advance if you are unable to visit the prison legal aid clinic on a particular day.

- ✓ Shall assist the UTRC by coordinating with the inmates and the courts on cases eligible for release.
- ✓ Should follow the directions given under NALSA guidelines issued from time to time.
- ✓ To bring into notice of DLSA about the concern of inmates in respect of conditions in jail.





## D. REPORTING (MONTHLY)

Date: \_\_\_\_\_

To,  
Secretary,

\_\_\_\_\_ DLSA

Dear Sir/Madam,

I was assigned the jail visiting lawyer for the \_\_\_\_\_ prison. Please find the details of the work undertaken in \_\_\_\_\_ (month and year):

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

Sd/-

(Name of lawyer)

(Address)

# V. COMMUNITY PARALEGAL VOLUNTEERS – PRISONS



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of paralegal)  
(Address)  
(Contact no.)

Subject: Letter of deputation as a Paralegal Volunteer by \_\_\_\_\_ DLSA at \_\_\_\_\_  
Prison

Dear Sir/Madam,

You are hereby deputed as a paralegal volunteer of the legal aid clinic at \_\_\_\_\_ Prison for the period \_\_\_\_\_ to \_\_\_\_\_. You are expected to abide by the NALSA (Legal Services Clinics) Regulations, 2011 and NALSA guidelines issued from time to time. You are expected to conduct legal aid clinics as per roster, and 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.

In case the appointment is accepted by you, you are requested to return the annexed declaration after being duly signed by you. You are requested to report the progress of the case to the undersigned from time to time.

Sd/-  
District Legal Services Authority

### **Declaration by the paralegal volunteer (to be completed and sent back to the DLSA office)**

1. I understand that I am to abstain from doing anything that might prejudice the interest of any person.
2. I understand that I am to abide by the terms and decisions of the LSI which are final
3. I understand that I will be given honararium at the rates fixed by the LSI on submission of bills
4. I understand that the bill must be accompanied with a certificate from the officer in charge of prison regarding legal aid clinics conducted in prison on the dates mentioned in the bills.



## B. INTIMATION LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
Superintendent,  
(Name of the Prison)

Dear Sir/Madam,

I am directed to inform you that \_\_\_\_\_ has been appointed as the Paralegal Volunteer for the legal aid clinic for your prison. A copy of the appointment letter is annexed for your perusal. The paralegal can be contacted at \_\_\_\_\_.

Yours faithfully,

Sd/-  
District Legal Services Authority



## » C. DUTY NOTES

- ✓ To hold/conduct legal aid clinics inside prisons, at least twice each week.
- ✓ 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.
- ✓ To seek permission from the prison authorities to visit the wards of prisoners to ascertain that no one is unrepresented.
- ✓ 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.
- ✓ 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.
- ✓ 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.
- ✓ To receive legal aid lawyer appointment letters, replies from legal service institution and other authorities, maintain record and give copies to the concerned prisoner.
- ✓ 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.
- ✓ To submit monthly reports to the DLSA and the Undertrial Review Committee on cases eligible under all the 14 categories mentioned in the NALSA SOP on Functioning of UTRCs.
- ✓ To write to the concerned LSI about any queries, grievances or for shortage of any basic requirements for the smooth functioning of the clinic.
- ✓ 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
- ✓ To keep track of non-production of any inmate in the court as per the date given and inform the Secretary, DLSA/SDLSC or TLCS.
- ✓ To assist the inmate in filing any complaint or grievances relating to their stay in prison.
- ✓ 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 and date of next production.
- ✓ 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.

- ✓ To keep a record of the letters, applications, and petitions written through prison and sent to relevant agencies and similarly keep a record of the documents received.
- ✓ 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.
- ✓ To send monthly report of their work to the Secretary of the DLSA/SDLSC or TLCS by 5th of every next month.
- ✓ To submit a copy of the legal aid register for review to the Secretary of the DLSA/SDLSC or TLCS every month.
- ✓ To not seek any money/ benefits for the work done from the inmates or their families.

## D. LEGAL AID CLINIC WORK REGISTER

Date: \_\_\_\_\_

Date	S. No	Convict/ UT	Name of the Inmate	Case Details	Date of Admission to prison	Assistance Required & Signature	Action Taken	Comments

## E. LEGAL AID CLINIC ATTENDANCE REGISTER

Date & Time	Jail Visiting Lawyer	Convict Paralegal Volunteer	Community Paralegal Volunteer

## F. LEGAL AID CLINIC – CASE PROGRESS TRACKER

For format see page 30



## » G. REPORTING (MONTHLY)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I am the convict paralegal volunteer at the \_\_\_\_\_ prison. Please find the details of the work undertaken in \_\_\_\_\_ (month and year):

WORK REPORT- Paralegal Volunteer – Prison	
Number of days the clinic was operational	
Name of paralegal volunteers assigned to clinic	
Name of jail visiting lawyers assigned to clinic	
Number of days Paralegal Volunteer was present	
Number of days Jail Visiting Lawyer was present	
Number of Persons who approached clinic for assistance	
Number of Legal Aid Applications completed	
Number of cases where legal aid lawyer was appointed	
Additional remarks, if any:	

Please find attached photocopy of the legal aid register maintained for \_\_\_\_\_ (month and year).

Sd/-

(Name of paralegal)  
(Address)

# VI. CONVICT PARALEGAL VOLUNTEERS



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of paralegal)  
(Address)

Subject: Letter of deputation as a Paralegal Volunteer by \_\_\_\_\_ DLSA at \_\_\_\_\_ Prison

Dear Sir/Madam,

You are hereby deputed as a paralegal volunteer for the legal aid clinic at \_\_\_\_\_ Prison for the period \_\_\_\_\_ to \_\_\_\_\_. You are expected to abide by the NALSA (Legal Services Clinics) Regulations, 2011 and NALSA guidelines issued from time to time. 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. 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 annexed declaration after being duly signed by you.

Sd/-  
District Legal Services Authority

### **Declaration by the paralegal volunteer (to be completed and sent back to the DLSA office)**

1. I understand that I am to abstain from doing anything that might prejudice the interest of any person.
2. I understand that I am to abide by the terms and decisions of the LSI which are final
3. I understand that I will be given honorarium at the rates fixed by the LSI on submission of bills
4. I understand that the bill must be accompanied with a certificate from the officer in charge of prison regarding legal aid clinics conducted in prison on the dates mentioned in the bills.



**ALTERNATIVELY****Office of District Legal Services Authority**

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
 Superintendent,  
 (Name of the Prison)

Subject: Roster of appointment as a Convict Paralegal Volunteer by \_\_\_\_\_ DLSA at  
 \_\_\_\_\_ Prison

Sir,

In accordance of NALSA Guidelines and the identification/training of convicts at \_\_\_\_\_ prison, the following inmates are selected and hereby deputed to act as Para Legal Volunteers (PLVs) in the Prison. Their Duty Roster is as follows:

Duty Roster for Para Legal Volunteers (PLVs) at \_\_\_\_\_ Prison

Name of PLVs (Convict)	Clinic Days	Duration of appointment	Timing (11 am to 4 pm)

The Superintendent, \_\_\_\_\_ Prison at \_\_\_\_\_ is hereby requested to accommodate the above mentioned Para Legal Volunteer as per his/her duty roster schedule mentioned above. The Superintendent is further requested to countersign on the attendance register of the Para Legal Volunteer.

Above noted Para Legal Volunteer is directed to maintain an attendance register and also send a report to this authority on a monthly basis.

Yours faithfully,

Sd/-  
 District Legal Services Authority



## B. INTIMATION LETTER

Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
Superintendent,  
(Name of the Prison)

Dear Sir/Madam,

I am directed to inform you that \_\_\_\_\_ has been deputed as the Convict Paralegal Volunteer for the legal aid clinic in your prison. A copy of the appointment letter is annexed for your perusal.

Yours faithfully,

Sd/-  
District Legal Services Authority



## C. DUTY NOTES

- ✓ To hold/conduct and assist legal aid clinics inside prisons, at least twice each week.
- ✓ 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.
- ✓ To seek permission from the prison authorities to visit the wards of prisoners to ascertain that no one is unrepresented.
- ✓ To fill out the legal aid application form, share with community paralegal and jail visiting lawyer so as to promptly send it to the concerned DLSA/SDLSC & also ensure that the prisoners interact with jail visiting lawyer on his next visit to prison.
- ✓ To coordinate and assist the jail-visiting lawyers in providing legal advice and aid.
- ✓ To regularly give updates to inmates on the status of their case.
- ✓ 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.
- ✓ To receive legal aid lawyer appointment letters, replies from legal service institution and other authorities, maintain record and give copies to the concerned prisoner.
- ✓ 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.
- ✓ To submit monthly reports to DLSA and Under Trial Review Committees on cases eligible under all the 14 categories mentioned in the NALSA SOP on Functioning of UTRCs.
- ✓ To write to the concerned LSI about any queries, grievances or for shortage of any basic requirements for the smooth functioning of the clinic.
- ✓ Highlight to the community PLV with respect to being unable to contact family members of any inmate so as to intimate about his detention and if needed facilitate interviews with family members.
- ✓ To keep track of non-production of any inmate in the court as per the date given and inform the Community Paralegal, Jail Visiting Lawyer and Secretary, DLSA/TLSC/SDLSC.
- ✓ To assist the inmate in filing any complaint or grievances relating to their stay in prison.
- ✓ 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 and date of next production.
- ✓ 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.
- ✓ To keep a record of the letters, applications, and petitions written through prison and sent to relevant agencies and similarly keep a record of the documents received.
- ✓ To send monthly report of their work to the Secretary of the DLSA/TLSC/SDLSC by 5th of every next month.
- ✓ To submit a copy of the legal aid register for review to the Secretary of the DLSA/TLSC/SDLSC every month.
- ✓ To not seek any money/ benefits for the work done from the inmates or their families.

## D. LEGAL AID CLINIC – CASE PROGRESS TRACKER

Name of Prison:

Name of Para Legal Volunteer:

S. No	Date of interview	Name of the Inmate	Father's Name	Ward No.	Age	Basic Info				Stage of case: Remand, Chargesheet, Evidence, Judgment	Production		Whether had private lawyer?
						Date of Admission	Case Ref No.	Concerned Court	Offence Charged with		Production dates	Whether physically produced or not - yes/no	

### COLOR CODES THAT MAY BE USED FOR FOLLOWUP



Legal Representation							Case Update & Progress					
Whether requires legal aid lawyer?	Whether met Panel Lawyer appointed to visit prison?	Date & Memo no of Legal Aid Application	Date of appointment of legal aid lawyer	Whether legal aid lawyer interacts with inmate? If yes, at court or prison?	Name of the Legal aid lawyer along with contact details	Any other relevant information/instructions for lawyer	Current status of case	Next date of hearing	Please mention date of hearing, whether taken up or not, and details of hearing	Please mention date of hearing, whether taken up or not, and details of hearing	Please mention date of hearing, whether taken up or not, and details of hearing	Date on when inmate released on bail, acquittal, conviction etc.



## » E. REPORTING (MONTHLY)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I am the convict paralegal volunteer at the \_\_\_\_\_ prison. Please find the details of the work undertaken in \_\_\_\_\_ (month and year):

WORK REPORT- Paralegal Volunteer – Prison	
Number of days the clinic was operational	
Name of paralegal volunteers assigned to clinic	
Name of jail visiting lawyers assigned to clinic	
Number of days Paralegal Volunteer was present	
Number of days Jail Visiting Lawyer was present	
Number of Persons who approached clinic for assistance	
Number of Legal Aid Applications completed	
Number of cases where legal aid lawyer was appointed	
Additional remarks, if any:	

Please find attached photocopy of the legal aid register maintained for \_\_\_\_\_ (month and year).

Sd/-

(Name of paralegal)

(Address)

# VII. LAWYERS ATTACHED TO POLICE STATIONS (DUTY COUNSELS)



## » A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of lawyer)  
(Address)

Subject: Letter of deputation as a Duty Counsel by \_\_\_\_\_ DLSA at \_\_\_\_\_ P.S.

Dear Sir/Madam,

You are hereby deputed as a duty counsel at \_\_\_\_\_ Police Station for the period \_\_\_\_\_ to \_\_\_\_\_. You would be visiting the police station on a regular basis/or on urgent basis/ or required to provide assistance via telephone, when contacted by the paralegal/legal services authority/ police officers. You are also expected to be thorough with the NALSA's framework on Early Access to Justice at Pre-Arrest and Remand Stage and follow it in the delivery of legal services. 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) Regulations, 2011. The relevant guidelines and a duty note based on the guidelines has been appended with this letter. You are required to provide legal aid and advise to the persons arrested, and ensure compliance with Section 41 D of the Code of Criminal Procedure 1973 and represent the arrested persons during the course of his interrogation.

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

Sd/-  
District Legal Services Authority

### **Declaration by the lawyer (to be completed and sent back to the DLSA office)**

1. I understand that I am to abstain from doing anything that might prejudice the interest of any person.
2. I understand that I will be given remuneration at the rates fixed by the LSI on submission of bills every month.
3. I understand that the bill must be accompanied with a certificate from the officer-in-charge of the police station regarding my presence in the police station on the dates mentioned in the bills.



## » B. INTIMATION LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,

\_\_\_\_\_ (Officer in charge)

\_\_\_\_\_ (Police Station)

Dear Sir/Madam,

I am directed to inform you that \_\_\_\_\_ has been appointed as the legal aid lawyer for \_\_\_\_\_ police station. The lawyer maybe contacted at \_\_\_\_\_ for providing legal advice/ assistance to suspects and accused persons.

We would appreciate if appropriate facilities are provided during this visit to enable him to render legal advice/ assistance to the needy suspects and arrestees.

Yours faithfully,

Sd/-

District Legal Services Authority





## C. DUTY NOTES

- ✓ To visit the police station as and when required.
- ✓ To interact with detainee identified by the paralegal volunteers and provide legal advice.
- ✓ Inform the legal service institutions of legal services provided at police station.
- ✓ To draft applications and petitions for the detainee in the clinic.
- ✓ To ensure filling of legal aid application form for those who need legal aid lawyers and submit the same to the legal aid authorities.
- ✓ To ensure that the registers are filled by the paralegals accurately.
- ✓ To record attendance and work in the registers available at the police station.
- ✓ To also represent the detainee in courts in some cases, if appointed by the LSI.
- ✓ To submit a monthly report of the work to the legal service institutions by 5th of every month.
- ✓ To ensure that copy of charge sheet or any document taken from any detainee is returned.
- ✓ To not canvass or solicit for any case in your private capacity.
- ✓ To send intimation to the LSI in advance if you are unable to visit the LAC on a particular day.
- ✓ Should follow the directions given under NALSA SOP for representing persons in custody.
- ✓ Assist the police in contacting the family or friend of the person in custody.
- ✓ Report any illegalities or irregularities observed to the legal services institutions & other legal aid providers to take further action.
- ✓ To ensure that all procedural safeguards for arrest under the Code of Criminal Procedure were followed in cases of arrest at the said Police Station.
- ✓ To ensure that all rights of an arrested person were provided to the arrested person.
- ✓ To provide the arrested person a leaflet of 'Rights of Arrested Persons' given in the NALSA's framework titled 'Early Access to Justice at Pre-Arrest, Arrest and Remand Stage'.
- ✓ To report any incident/allegation of torture to the DLSA.
- ✓ To ensure that women are not called to the police station or to any place other than their place of residence for questioning.
- ✓ To ensure that the distinctive needs of women arrestees are met by seeking to ensure that procedures of criminal Justice are complied with. This may include ensuring that they are detained separately from males and that female police officer remains present during interrogation.
- ✓ In case a child has been called to the Police Station, to take necessary steps to safeguard his rights as provided under Juvenile Justice (Care and Protection Act) 2015.
- ✓ To provide legal advice and assistance as sought and required in the situation.
- ✓ To appropriately advise the police, if it proceeds to arrest the suspect unnecessarily and without any basis. In this regard, he shall put the position of law before police officials keeping in view the circumstance of the case.
- ✓ In case the suspect is a foreigner, to inform the police to intimate the concerned High Commission, Embassy/Consulate.
- ✓ In case, an arrestee or a suspect does not understand the language then to make arrangements for an interpreter, the expenses of which shall be borne by DLSA.



## D. REPORTING (MONTHLY)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I was assigned the duty counsel for \_\_\_\_\_ Police Station for the period of \_\_\_\_\_ to \_\_\_\_\_. Please find the details of the work undertaken in \_\_\_\_\_ (Month and year):

Monthly Work Report- Duty Counsel	
Total number of persons provided legal services:	
Number of times advice/ assistance provided over telephone:	
Number of visits to the PS to provide legal services at arrest / during interrogation:	
Number of persons who required legal aid for first production:	
Number of irregularities in arrest/ interrogation process informed to LSI:	
Any other remarks, if any	

Sd/-

(Name of lawyer)  
(Address)

# VIII. COMMUNITY PARALEGAL VOLUNTEERS – POLICE STATION



## A. APPOINTMENT LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,  
(Name of Paralegal)  
(Address)

Subject: Letter of deputation as a Paralegal Volunteer by \_\_\_\_\_ DLSA at \_\_\_\_\_ PS.

Dear Sir/Madam,

You are hereby deputed as a paralegal volunteer of \_\_\_\_\_ Police Station for the period \_\_\_\_\_ to \_\_\_\_\_. You are expected to abide by the NALSA (Free and Competent Legal Services) Regulations, 2010 and NALSA (Legal Services Clinics) Regulations, 2011. You are expected to provide basic legal counselling to persons, assist the duty counsel 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. You are requested to report the progress of the case to the office of the DLSA from time to time.

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

Sd/-  
District Legal Services Authority

### Declaration by the paralegal volunteer (to be completed and sent back to the DLSA office)

1. I understand that I am to abstain from doing anything that might prejudice the interest of any person.
2. I understand that I am to abide by the terms and decisions of the LSI which are final
3. I understand that I will be given honorarium at the rates fixed by the LSI on submission of bills
4. I understand that the bill must be accompanied with a certificate from the officer-in-charge of the police station regarding my presence in the police station on the dates mentioned in the bills.



## » B. INTIMATION LETTER

### Office of District Legal Services Authority

Letter no. \_\_\_\_\_

Date: \_\_\_\_\_

To,

\_\_\_\_\_ (Officer in charge)

\_\_\_\_\_ (Police Station)

Dear Sir/Madam,

I am directed to inform you that \_\_\_\_\_ has been appointed as the Paralegal Volunteer for providing legal services/assistance at the police station. A copy of the appointment letter is annexed for your perusal. The paralegal can be contacted at \_\_\_\_\_.

Yours faithfully,

Sd/-

District Legal Services Authority



## C. DUTY NOTES

- ✓ To inform the person in custody their rights, in particular, their right to legal representation and legal aid.
- ✓ To provide preliminary legal advice to persons in custody, and promptly contact the legal aid lawyer for further counselling, as and when required.
- ✓ To promptly prepare the legal aid application, along with case details and send to the concerned DLSA/TLSC/SDLSC for ensuring appointment of lawyer at the time of production.
- ✓ To assist the police in contacting the family or friend of the person in custody.
- ✓ To document the details of arrest and all interventions made.
- ✓ To not seek any money or benefits for the work done for accused persons or their families.
- ✓ To submit monthly reports to the DLSA/TLSC/SDLSC and inform legal service institutions of legal services provided at the police station.
- ✓ To take due precautions so as to not hinder the work of police, while performing their functions.
- ✓ To report any illegalities or irregularities observed to the legal services institutions and other legal aid providers to take further action.
- ✓ To stay abreast of new orders and judgements related to arrests and production.
- ✓ To write to the concerned DLSA/TLSC/SDLSC about any queries, grievances or for shortage of any basic requirements for the smooth functioning of the clinic.
- ✓ To assist persons in custody in filing complaints or grievances about their arrest.
- ✓ To maintain and regularly update the registers in the clinics.
- ✓ To not seek any money/ benefits for the work done from the detainees or their families.



## D. REPORTING (WEEKLY)

Date: \_\_\_\_\_

To,  
Secretary,  
\_\_\_\_\_ DLSA

Dear Sir/Madam,

I am the paralegal volunteer at the \_\_\_\_\_ police station. Please find the details of the work undertaken for the period \_\_\_\_\_ to \_\_\_\_\_ (dd/mm/yyyy):

WORK REPORT- Paralegal Volunteer – Police Station	
Number of visits made to PS	
Number of times legal aid lawyer visited PS	
Number of persons assisted	
Number of Legal Aid Applications filled	
Any additional comments:	

NB. To be completed each week

Sd/-

(Name of paralegal)  
(Address)



## E. CASE ASSISTANCE TRACKER

Date: \_\_\_\_\_

Date	S. No.	Time	Name of the arrestee/detenuue	Sex	Age	Case Details			Informed of his/her rights (Y/N)	If yes, Intimation given to duty counsel (Time/ Date)	Legal Services Provided to client (Time/ Date)	Signature of duty counsel where legal aid provided	Whether requires legal aid at first production (Y/N)	If yes, then whether information to LSI given.
						FIR No.	Charges u/s	Court						

Signature of paralegal volunteer \_\_\_\_\_

# **SECTION 2.**

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## **FORMATS FOR LEGAL SERVICES INSTITUTIONS**



# I. FRONT OFFICE REGISTER

(To be placed at Front Office, LSI)

S. No.	Date	Name and Address of visitor	Category*	Nature of problem	Action Taken	If assignment of a lawyer is sought			Remarks
						Date of assignment/rejection of application	Name of the lawyer	Date of intimation of assignments/rejection of applications	

\* If the visitor falls in one of the categories including income criteria category entitled for legal aid, mention category. If not mention others.

## CASE-WISE REGISTER

1. Name of the Applicant
2. Mother's/Father's name
3. Panel Lawyer assigned to the applicant
4. Date of Appointment
5. Date of filing/joining the case
6. Particulars of Case
7. Name of Court
8. Progress of each and every legal aid case

Date of Hearing	Work Done on that day	Next Date	Purpose of the next date of hearing

9. Outcome of the case
10. Remarks of the Monitoring and Mentoring Committee

# II. ATTENDANCE REGISTER FOR REMAND LAWYERS

(Placed in Court, maintained by Court staff)

Date	Name of the Assigned Lawyer	Absence/ Presence during remand hours/ when required	Name of the accused person/s represented by remand lawyer	Case Ref. No.	Signature of the lawyer



# IV. REGISTER ON LEGAL SERVICES IN POLICE STATIONS

(Maintained by DLSA, submitted to SLSA every month)

District	Number of Police Stations	Number of Police Stations where Duty Counsel is assigned	Number of Police Stations where PLV assigned	Total no. of Duty counsels appointed	Total no. of PLVs appointed

# V. REPORTING ON MONITORING AND MENTORING COMMITTEES (DLSA)

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

Monthly Statement regarding Monitoring and Mentoring Committee				
Number of meetings held in the month	Total number of court based legal aid cases in the district	Number of cases reviewed	No. of lawyers interacted with	Recommendations

# VI. REPORTING ON MONITORING AND MENTORING COMMITTEES (SLSA)

(To be prepared by SLSA and submitted to NALSA every quarter/ six months)

Monthly Statement regarding Monitoring and Mentoring Committee						
Name of District & Taluka LSI	Whether MMC Constituted (Y/N)	Whether MMC Register Maintained (Y/N)	No. of members in MMC	Name & Designations of members in MMC	No. of reports received	Remarks, if any









# PREPARED IN COLLABORATION WITH THE COMMONWEALTH HUMAN RIGHTS INITIATIVE

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-governmental, non-profit organisation headquartered in New Delhi, with offices in London, United Kingdom, and Accra, Ghana. Since 1987, it has advocated, engaged and mobilized around human rights issues in Commonwealth countries. Its specialisations in the areas of Access to Justice (ATJ) and Access to Information (ATI) are widely known. The ATJ programme has focussed on Police and Prison Reforms, to reduce arbitrariness and ensure transparency while holding duty bearers to accountability. CHRI looks at policy interventions, including legal remedies, building civil society coalitions and engaging with stakeholders. The ATI looks at Right to Information (RTI) and Freedom of Information laws across geographies, provides specialised advice, sheds light on challenging issues, processes for widespread use of transparency laws and develops capacity. We review pressures on media and media rights while a focus on Small States seeks to bring civil society voices to bear on the UN Human Rights Council and the Commonwealth Secretariat. A new area of work is SDG 8.7 whose advocacy, research and mobilization across geographies is built on tackling contemporary forms of slavery.

CHRI has special consultative status with the UN Economic and Social Council and is accredited to the Commonwealth Secretariat. Recognised for its expertise by governments, oversight bodies and civil society, CHRI is registered as a society in India, a limited charity in London and an NGO in Ghana.

Although the Commonwealth, an association of 53 nations, provided member countries the basis of shared common laws, there was little specific focus on human rights issues in member countries. Thus, in 1987, several Commonwealth professional associations founded CHRI.

Through its research, reports, advocacy, engagement, mobilisation and periodic investigations, CHRI draws attention to the progress and setbacks on rights issues. It addresses the Commonwealth Secretariat, the United Nations Human Rights Council members, media and civil society. It works on and collaborates around public education programmes, policy dialogues, comparative research, advocacy and networking on the issues of Access to Information and Access to Justice.

CHRI's seeks to promote adherence to the Universal Declaration of Human Rights, the Commonwealth Harare Principles and other internationally recognised human rights instruments, as well as domestic instruments supporting human rights.

International Advisory Commission: Alison Duxbury, Chairperson. Members: Wajahat Habibullah, Joanna Ewart-James, Edward Mortimer, Sam Okudzeto and Sanjoy Hazarika.

Executive Committee (India): Wajahat Habibullah, Chairperson. Members: B. K. Chandrashekar, Jayanto Choudhury, Maja Daruwala, Nitin Desai, Kamal Kumar, Madan B. Lokur, Poonam Muttreja, Jacob Punnoose, Vineeta Rai, A P Shah, and Sanjoy Hazarika.

Executive Committee (Ghana): Sam Okudzeto, Chairperson. Members: Akoto Ampaw, Wajahat Habibullah, Kofi Quashigah, Juliette Tuakli and Sanjoy Hazarika.

Executive Committee (UK): Joanna Ewart-James, Chairperson. Members: Richard Bourne, Pralab Barua, Tony Foreman, Neville Linton, Suzanne Lambert and Sanjoy Hazarika.

Sanjoy Hazarika, International Director



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**CHRI**

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

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