



FAQ

ON LEGAL SERVICES CLINIC

Prepared by

JHARKHAND STATE LEGAL SERVICES AUTHORITY

Nyaya Sadan, Near A.G. Office, Doranda, Ranchi

Phone : 0651-2481520, 2482392, Fax : 0651-2482397

Email : jhalsaranchi@gmail.com, Website : www.jhalsa.org

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1. What is the legal basis of Legal Services Clinic?

Legal Basis: In exercise of the powers conferred by section 29 of the Legal Services Authorities Act, 1987 (39 of 1987) and in pursuance of the provisions in section 4 of the said Act the Central Authority has made the Legal Services Regulations 2011.

2. What does it mean by legal services?

Legal Services – Legal services means and includes services of panel lawyers free of cost, Court fees, witness cost, certified copy free of cost, legal advice, counselling, help in availing benefits of Govt beneficial schemes, Drafting applications etc. (Imp: list is only indicative and not exhaustive)

3. What do we mean by “legal services clinic” ?

“legal services clinic” means the facility established by the District Legal Services Authority to provide basic legal services to the villagers with the assistance of Para-Legal Volunteers or Lawyers, as the point of first contact for help and advice.

4. What is the Eligibility criteria for free legal services in the legal services clinic?

Eligibility criteria for free legal services in the legal services clinic.- Every person who fulfils the criteria specified in section 12 shall be eligible to get free legal services in the legal aid clinics. Those criterias are as follows:

- i. a member of the scheduled castes or tribes;
- ii. persons suffering from natural calamity,
- iii. a victim of trafficking in human beings or beggar;
- iv. disabled, including mentally disabled;
- v. a woman or child;
- vi. a victim of mass disaster, ethnic violence, caste atrocity, flood, drought, earth quake, industrial disaster and other cases of undeserved want;
- vii. an industrial workman;
- viii. in custody, including protective custody;
- ix. Annual income less than Rs One Lac

5. Who are the personnel manning the legal aid clinic ?

The personnel manning the legal aid clinic.- Two para legal Volunteers and one Panel/ Retainer lawyer are deputed to a Legal Services Clinic.

If the matter handled by any such lawyer requires follow-up and continuous attention for a long duration, the same lawyer who had handled the matter at Legal Services Clinic may be entrusted to continue the legal services.

6. Shall legal services clinic work like a single-window facility?

The legal Services clinic shall work like a single-window facility for helping the disadvantaged people to solve their legal problems whenever needed.

7. What are the Services available at legal Services Clinic?

Services available at legal Services Clinic:

1. legal advice,
2. preparing applications for job card under the Mahatma Gandhi National Rural Employment Guarantee (MGNREG) Scheme, identity card for different government purposes,
3. liaison with the government offices and public authorities,
4. helping the common people who come to the clinic for solving their problems with the government officials, authorities and other institutions
5. Conciliation in Pre litigation matter
6. assistance in drafting representations and notices, filling up of forms for the various benefits available under different government schemes, public distribution system and other social security schemes:

8. What are the Functions of para-legal volunteers in the legal aid clinic.?

Functions of para-legal volunteers in the legal aid clinic.-

- (1) To provide initial advice to the persons seeking legal service, help such people, especially the illiterate, in drafting petitions, representations or notices and filling-up the application forms for various benefits available under the government schemes.
- (2) To accompany the persons seeking legal services to attend the government offices for interacting with the officials and for solving the problems of such persons.
- (3) If services of a lawyer is required at the 1[legal services clinic], the para-legal volunteers shall, without any delay, contact the nearest legal services institution to make available the services of a lawyer.
- (4) In case of emergency, the para-legal volunteers may take the persons seeking legal services in the 1[legal services clinic] to the nearest legal services institutions.
- (5) para-legal volunteers shall distribute pamphlets and other materials in aid of legal education and literacy to the persons seeking legal services in the 1[legal services clinic].
- (6) para-legal volunteers shall take active part in the legal awareness camps organised by the legal services institutions in the local area of the 1[legal services clinic].

9. What are the Work- Days and working -hours?

Work- Days and working -hours- Legal Services clinic works on all week days. If the work load is not substantial, the District Legal Services Authority may decide about the work days. But, Sundays and wednesdays shall mandatarily be working days. The working hours are-10.00 am to 6.00pm.

10. What is the Honorarium for the lawyers and para-legal volunteers rendering services in the legal services clinic.

Honorarium for the lawyers and para-legal volunteers rendering services in the legal services clinic.- Presently Rs. 500/- per day is the honorarium for lawyers and Rs. 250/- per day for the para-legal volunteers.

11. Can Lok Adalat be organised at the legal services clinic?

The nearest legal services institutions to organise lok adalats at the legal services clinic –

- (1) The District legal services Authority having territorial jurisdiction may organise lok adalats for pending and for pre-litigation disputes at the legal services clinic or in its vicinity.
- (2) The lok adalats organised for pre-litigation settlement of the disputes sent from the legal services clinic shall follow the procedure prescribed in sub-section (2) of section 20 and also the provisions in the National Legal Services Authority (Lok Adalats) Regulations, 2009.

12. What is the provision regarding the Maintenance of records and registers of the Legal Services Clinic?

Maintenance of records and registers.-

- (1) Lawyers and para-legal volunteers rendering service in the legal services clinic shall record their attendance in the register maintained in the legal services clinic.
- (2) There shall be a register in every legal services clinic for recording the names and addresses of the persons seeking legal services, name of the lawyer or para-legal volunteer who renders services in the legal services clinic, nature of the service rendered, remarks of the lawyer or para-legal volunteer and signature of persons seeking legal services.
- (3) The records of the legal services clinic shall be under the control of the Chairman or the Secretary of the legal services institution having territorial jurisdiction over it.
- (4) The District Legal Services Authority may require the legal services clinic to maintain other registers also, as may be required.
- (5) It shall be the duty of the para-legal volunteers and the lawyers in the legal aid clinic to hand over the registers to the legal services institution having territorial jurisdiction as and when called for.

13. Can Legal Services Clinic Use of mobile lok adalat vehicle.?

Use of mobile lok adalat vehicle. –

- (1) The lawyers rendering legal services in the legal services clinic or the para-legal volunteers may request the District Legal Services Authority to send the mobile lok adalat van with members of the lok adalat bench to the legal services clinic for settlement of the disputes identified by them.

14. Tell about Legal Services Clinic in one sentence.

Legal Services Clinic is an One Stop Centre to ensure easy access to justice to women, children, differently abled persons, prisoners and all the persons belonging to most marginalised section of society.

