THE NATIONAL LEGAL SERVICES AUTHORITY ([1][LEGAL SERVICES CLINICS]) REGULATIONS, 2011*

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

1. Short title and commencement.—(1) These regulations may be called THE NATIONAL LEGAL SERVICES AUTHORITY ([1][LEGAL SERVICES CLINICS]) REGULATIONS, 2011.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—(1) In these regulations, unless the context otherwise requires,—

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

[1][(*b*) "District ADR Centre" means the District Alternative Dispute Resolution Centre established under the 13th Finance Commission and includes any other similar facilities like Nyaya Seva Sadans at the district level where facilities for Counselling, Mediation, Lok Adalat and Legal Services are provided under a single roof;]

[1][(*c*) "legal services clinic" means the facility established by the District Legal Services Authority to provide basic legal services to the people with the assistance of para-legal volunteers or lawyers, as the point of first contact for help and advice and includes legal services clinics set up under regulation 3 and regulation 24;]

(*d*) "legal services institution" means a State Legal Services Authority, District Legal Services Authority or the Taluk Legal Services Committee, as the case may be;

(*e*) "panel lawyer" means the panel lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010;

(*f*) "para-legal volunteer" means a para-legal volunteer trained as such by a legal services institution;

(*g*) "retainer lawyer" means a retainer lawyer selected under regulation 8 of the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010;

(*h*) "section" means the section of the Act.

(2) All other words and expressions used in these regulations but not defined shall have the same meanings as assigned to them in the Act.

[1]**[3. Establishment of legal services clinic.**—Subject to the financial resources available, the District Legal Services Authority shall establish legal services clinics in,—

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* *Vide* Noti. No. L/08/11 NALSA, dated 10-8-2011, published in the Gazette of India, Ext. Pt. III, S. 4, dated 18-8-2011.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

(*a*) all villages, or for a cluster of villages, depending on the size of such villages, which shall be called the Village Legal Care and Support Centre; and

(*b*) jails, educational institutions, community centres, protection homes, Courts, juvenile justice boards and other areas, especially where the people face geographical, social and other barriers for access to the legal services institutions.]

4. Eligibility criteria for free legal services in the [1][legal services clinic].—Every person who fulfils the criteria specified in section 12 shall be eligible to get free legal services in the [1][legal services clinics].

5. The personnel manning the [1][legal services clinic].—(1) Every [1][legal services clinic] established under regulation 3 shall have at least two para-legal volunteers available during the working hours of the [1][legal services clinics].

(2) The legal services institution having territorial jurisdiction or the District Legal Services Authority may depute trained para-legal volunteers to the [1][legal services clinics].

(3) When lawyers are deputed to the [1][legal services clinic], it shall be the duty of the para-legal volunteers engaged in such clinic to assist the lawyers in drafting petitions, applications, pleadings and other legal documents.

(4) The State Legal Services Authority may encourage para-legal volunteers to obtain diploma or degree in law for betterment of their prospects in the long run.

6. Deputing lawyers to the [1][legal services clinic].—(1) The nearest legal services institution having territorial jurisdiction may depute its panel lawyers or retainer lawyers to the legal services clinic].

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

7. Frequency of visit by lawyers in the [1][legal services clinic].—Subject to the local requirements and availability of firancial resources, the legal services institution having territorial jurisdiction may decide the frequency of the lawyers' visit in the [1][legal services clinics] and if the situation demands for providing continuous legal services, such legal services institution may consider arranging frequent visits of lawyers in the [1][legal services clinic].

8. Selection of lawyers for manning the [1][legal services clinics].—(1) The Panel lawyers or retainer lawyers with skills for amicable settlement of disputes, shall alone be considered for being deputed to the [1][legal services clinic]:

Provided that preference shall be given to women lawyers having practice of at least three years.

9. Legal services in the [1][legal services clinic].—(1) Legal services rendered at the [1][legal services clinic] shall be wide ranging in nature.

(2) The [1][legal services clinic] shall work like a single-window facility for helping the disadvantaged people to solve their legal problems whenever needed.

1. Substituted by Noti. No. L/08/11 NALSA, dated 18-11-2014 (w.e.f. 6-12-2014).

(3) Besides legal advice, other services like preparing applications for job card under the Mahatma Gandhi National Rural Employment Guarantee (MGNREG) Scheme, identity card for different Government purposes, liaison with the Government offices and public authorities, helping the common people who come to the clinic for solving their problems with the Government officials, authorities and other institutions also shall be part of the legal services in the [1][legal services clinic]:

Provided that the [1][legal services clinic] shall provide assistance by giving initial advice on a problem, assistance in drafting representations and notices, filling up of forms for the various benefits available under different Government schemes, public distribution system and other social security schemes:

Provided further that, in appropriate cases, the legal services sought for by the applicants in the [1][legal services clinic] shall be referred to the legal services institutions for taking further action.

10. Functions of para-legal volunteers in the [1][legal servuces clinic].—(1) The para-legal volunteers el1gaged in the [1][legal services clinic] shall provide initial advice to the persons seeking legal service, help such people, especially the illiterate, in drafting petitions, representations or notices and filling-up the application forms for various benefits available under the Government schemes.

(2) para-legal volunteers shall, if necessary, accompany the persons seeking legal services to attend the Government offices for interacting with the officials and for solving the problems of such persons.

(3) If services of a lawyer is required at the [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].

11. Location of [1][legal services clinic].—(1) [1][legal services clinics] shall be located at places where the people of the locality can have easy access.

(2) The legal services institutions may request the local body institutions, such as the village panchayat, to provide a room for establishing [1][legal services clinics]:

Provided that if no such rooms are available, the District Legal Services Authority may take a room on rent till alternative accommodation is available for establishing the [1][legal services clinic].

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12. Assistance of the local body institutions in obtaining a convenient room for the [1][legal services clinic].—(1) The State Legal Services Authority shall call upon the local body institutions like the village panchayat, mandai or block panchayat, municipality and corporation etc, to provide space for the functioning of the [1][legal services clinic].

(2) Since the [1][legal services clinic] is for the benefit of the people in the locality, the State Legal Services Authority may impress upon the local body institution and the district administration the need to co-operate with the functioning of the [1][legal services clinics].

[1][**13. Signboard exhibiting name of legal services clinic.**—(1) There shall be a signboard, both in English and in the local language, depicting the name of the legal services clinic including as Village Legal Care and Support Centre, wherever applicable, working hours and the days on which the legal services clinic will remain open.

(2) Working hours of the legal services clinic shall be regulated by the legal services institution having territorial jurisdiction, in consultation with the District Legal Services Authority:

Provided that subject to the local conditions and requirements of the people in the locality, legal services clinics shall function on all Sundays and holidays.]

14. Infrastructure in the [1][legal services clinic].—(1) Every [1][legal services clinic] shall have at least the basic and essential furniture like a table and 5 to 6 chairs.

(2) If the [1][legal services clinic] is established in the building of the local body institutions, such local bodies may be requested to provide the essential furniture for use in the [1][legal services clinic].

(3) If the [1][legal services clinic] is established in hired premises, the District Legal Services Authority may provide the furniture required in the [1][legal services clinic]:

Provided that if the District Legal Services Authority has its own building to establish [1][legal services clinic], the infrastructural facilities shall be provided by such. Authority.

15. Publicity.—(1) Local body institutions shall be persuaded to give adequate publicity for the [1][legal services clinic].

(2) The elected representatives of the local body institutions may be persuaded to spread the message of the utility of [1][legal services clinic] to the people in his or her constituency or ward.

16. Para-legal volunteers or lawyers in the [1][legal services clinic] shall attempt to resolve disputes amicably.—(1) The para-legal volunteers or the lawyers engaged in the [1][legal services clinics] shall attempt to amicably resolve the prelitigation disputes of the persons brought to the [1][legal services clinics].

(2) If the para-legal volunteers or the lawyers feel that such dispute can be resolved through any of the ADR mechanisms, they may refer such disputes to

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the legal services institution having territorial jurisdiction or to the District ADR centre.

17. Honorarium for the lawyers and para-legal volunteers rendering services in the [1][legal services clinics].—(1) Subject to the financial resources available, the State Legal Services Authority in consultation with the National Legal Services Authority may fix the honorarium of lawyers and para-legal volunteers engaged in the [1][legal services clinics]:

Provided that such honorarium shall not be less than Rs. 500 per day for lawyers and Rs. 250 per day for the para-legal volunteers.

(2) Special consideration may be given in cases where the [1][legal services clinic] is situated in difficult terrains and in distant places where transport facilities are inadequate.

18. The nearest legal services institutions to organise lok adalats at the [1][legal services clinic] or near to its premises.—(1) The nearest legal services institution having territorial jurisdiction or the District Legal Services Authority may organise [1][lok adalats for pending and for pre-litigation disputes] at the [1][legal services clinic] or in its vicinity.

(2) The lok adalats organised for pre-litigation settlement of the disputes sent from the [1][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.

19. Administrative control of the [1][legal services clinic].—(1) [1][legal services clinics] shall be under the direct administrative control of the District Legal Services Authority.

(2) The State Legal Services authority shall have the power to issue instructions and guidelines on the working of the [1][legal services clinics].

20. Maintenance of records and registers.—(1) Lawyers and para-legal volunteers rendering service in the [1][legal services clinic] shall record their attendance in the register maintained in the [1][legal services clinic].

(2) There shall be a register in every [1][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 [1][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 [1][legal services clinics] shall be under the control of the Chairman or the Secretary of the legal services institution having territorial jurisdiction over it.

(4) The District Legal Services Authority may require the [1][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 [1][legal services clinic] to hand over the registers to the legal services institution having territorial jurisdiction as and when called for.

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21. Use of mobile lok adalat vchicle.—(1) The lawyers rendering legal services in the [1][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 [1][legal services clinic] for settlement of the disputes identified by them.

(2) The mobile lok adalat van fitted with the facilities for conducting the proceedings of the lok adalat may also be used for conducting lok adalat at the [1][legal services clinic] or at a place near to it or even at village congregations such as *melas* and other festive occasions.

22. [1][legal services clinics] run by the law students.—The above regulations shall *mutatis nutandis* be applicable to the student [1][legal services clinics] set up by the law colleges and law universities:

Provided that students of law colleges and law universities also may make use of the [1][legal services clinics] established under these regulations with the permission of the District Legal Services Authority.

23. Law students may adopt a village for legal aid camps.—(1) Law students of the law colleges or law universities may adopt a village, especially in the remote rural areas and organise legal aid camps in association with the [1][legal services clinic or Village Legal Care and Support System Centre] established under these regulations.

(2) The law students may, with the assistance of the para-legal volunteers engaged in the [1][legal services clinics], conduct surveys for identifying the legal problems of the local people.

(3) The surveys referred to in sub-regulation (2) may include gathering information relating to the existing litigations and unresolved pre-litigation disputes also.

(4) The surveys referred to sub-regulation (2) may also focus on the grievances of the local people which would enable the National Legal Services Authority to take necessary steps by way of social justice litigation as provided in clause (*d*) of section 4.

(5) The law students conducting such surveys shall send reports to the State Legal Services Authorities with copies to the legal services institutions having territorial jurisdiction and also to the District Legal Services Authority.

24. [1][legal services clinics] attached to the law colleges, law universities and other institutions.—(1) The law colleges, law universities and other institutions may set up [1][legal services clinics], as envisaged in clause (*k*) of section 4 attached to their institutions as a part of the clinical legal education.

(2) The law colleges, law universities and other institutions establishing such [1][legal services clinic] shall inform the State Legal Services Authority about the establishing of such [1][legal services clinic].

(3) The State Legal Services Authority shall render the required technical assistance for the operation of such [1][legal services clinics] and shall take measures to promote the activities of such [1][legal services clinics].

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(4) The law students in the final year classes may render legal services in such [1][legal services clinics] under the supervision of the faculty member of their institution.

(5) The State Legal Services Authority may organise alternative dispute resolution camps, including lok adalats, to resolve the problems of the people who seek legal aid in such [1][legal services clinics].

(6) The District Legal Services Authority may issue certificates to the students who complete their assignment in such [1][legal services clinics].

25. Services of para-legal volunteers trained by the Legal Services Authorities may be made available in the [1][legal services clinics] run by the Law Colleges, Law Universities, etc.—Trained para-legal volunteers may be deputed to the [1][legal services clinics] established under regulation 24 for assisting the persons seeking free legal services and for interacting with the students and the members of the faculty.

26. The State Legal Services Authorities to conduct periodical review of the functioning of [1][legal services clinics].—(1) The State Legal Services Authority shall collect monthly reports from the District Legal Services Authorities, law colleges and law universities on the functioning of [1][legal services clinics] working in their jurisdiction.

(2) The State Legal Services Authority shall conduct periodical review of the working of such [1][legal services clinics] at least once in three months or more frequently.

(3) The State Legal Services Authority may issue directions from time to time for improving the services in the [1][legal services clinics] to ensure that members of the weaker sections of the society are provided legal services in an efficient manner.

(4) The State Legal Services Authority shall send quarterly reports about the functioning of the [1][legal services clinics] within their jurisdiction to the National Legal Services Authority.

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