



తెలంగాణ రాజ పత్రము

RULES SUPPLEMENT TO PART-I

EXTRAORDINARY

OF

THE TELANGANA GAZETTE PUBLISHED BY AUTHORITY

No. 182 |

HYDERABAD, MONDAY, OCTOBER 31, 2016.

NOTIFICATIONS BY GOVERNMENT

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LAW DEPARTMENT

(LA, LA&J-HOME-COURTS.A2)

TELANGANA STATE LEGAL SERVICES AUTHORITY RULES, 2016, UNDER SECTION 28 OF THE LEGAL SERVICES AUTHORITIES ACT, 1987.

[GO.Ms.No. 80, Law (LA, LA&J-Home-Courts.A2), 31st October, 2016.]

In exercise of the powers conferred under Section 28 of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987), as amended by the Legal Services Authority (Amendment) Act, 1994 (No. 59 of 1994) & (No.37 of 2002) and in consultation with the Chief Justice of the High Court of Judicature at Hyderabad, the Government of Telangana hereby makes the following Rules, namely:-

RULES

1. Short title and commencement :-

- (i) These rules may be called the *Telangana State Legal Services Authority Rules, 2016.*
- (ii) They shall come into force on and from the date of the publication of these rules in the *Telangana Gazette.*

2. Definitions :- In these rules, unless the context otherwise requires :-

- (a) “**Act**” means the Legal Services Authorities Act, 1987 (No. 39 of 1987)
- (b) “**Chairman**” means the Executive Chairman of the State Authority or as the case may be, the Chairman of the High Court Legal Services Committee or as the case may be Chairman of the District Legal Services Authority or as the case may be, the Chairman of the Mandal Legal Services Committee;
- (c) “**Member**” means the member appointed under clause (c) of sub-section (2) of section 6, clause (b) of sub-section (2) of section 8-A, clause (b) of sub-section (20) of section 9 and clause (b) of sub-section (2) of Section 11-A of the Act;

- (d) **“Secretary”** means the Member Secretary of the State Legal Services Authority constituted under sub-section (3) of Section 6 of the Act or as the case may be the Secretary of the High Court Legal Services Committee Constituted under sub-section

(3) of section 8-A of the Act, or as the case may be the Secretary of the District Legal Services Authority constituted under sub-section (3) of section 9 of the Act;

- (e) **“Mandal Legal Services Committee”** means a Mandal Legal Services Committee constituted under Section 11-A of the Act;

- (f) All other words and expressions read in these Rules but not defined shall have the meaning respectively assigned to them in the Act.

3. Establishment and Constitution of the State Authority :

- (i) (a) The State Authority shall have Chief Justice of the High Court as Patron-in-Chief;
 (b) A serving / retired Judge of the High Court as Executive Chairman;
 (c) A District Judge from State Higher Judicial Service as Member Secretary
- (ii) The following shall be Ex-officio Members of the State Authority:
- (a) *Chairman, High Court Legal Services Committee*
 (b) Advocate General of the State;
 (c) The Principal Secretary in the Department of Finance;
 (d) The Secretary in the Department of Law;
 (e) The Secretary in the Department of Home;
 (f) Chairman, State Scheduled Castes and Scheduled Tribes Commission
 (g) Two Chairmen of the District Authority, as may be nominated by the State Government, in consultation with the Chief Justice of the High Court;
- (iii) The State Government in consultation with the Chief Justice of the High Court, may nominate other members from amongst those possessing the experience and qualifications prescribed in sub-rule (iv) of Rule 3. (The State Authority shall have not more than 15 members including 8 ex-officio Members);
- (iv) A person shall not be qualified for nomination as a member of the State Authority unless he is :-
- (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, women Children, rural and urban labour; or
 (b) an eminent person in the field of law; or
 (c) a person of repute who is specially interested in the implementation of the Legal Services scheme.

4. Powers and Functions of the Member Secretary of the State Authority, Inter Alia, shall be :-

- (a) to give free legal services to the eligible and weaker sections;
- (b) to work out modalities of the legal Services Schemes and Programs approved by the State Authority and ensure their effective monitoring and implementation;
- (c) to exercise the powers in respect of administrative, house-keeping, finance and budget matters as head of the Department in the State Government;
- (d) to manage the properties, records and funds of the State Authority;
- (e) to maintain true and proper accounts of the State Authority including checking and auditing in respect thereof periodically;
- (f) to prepare annual income and expenditure account and balance sheet of the said Authority;
- (g) to liaison with the social action groups and District Authorities and Mandal Committees;

- (h) to maintain up-to-date and complete statistical information including progress made in the implementation of various Legal Services Programmes from time to time;
- (i) to process proposals for financial assistance and issue utilization certificate thereof;
- (j) to organize various legal Services Programmes as approved by the State Authority and convene meetings / Seminars and Workshops connected with Legal Services Programmes and preparation of Reports and followup action thereon;
- (k) to produce video/documentary films, publicity material, literature and publications to inform general public about the various aspects of the Legal Services Programmes;
- (l) to lay stress on the Resolution of Rural Dispute and to take extra measures to draw schemes for effective and meaning ful legal services for setting rural disputes at the doorsteps of the rural people;
- (m) to perform such of the funitons as are assigned to him under the Schemes formulated under clause (b) of Section 4 of the Act; and
- (n) to perform such other functions as amy be expedient for efficient functioning of the State Authority.

5. The term of Office and other conditions relating thereto, of Memebbers and Member Secretary of the State of the State Authority under sub-section (4) of section 6:-

- (i) The members of the State authority nominated under sub rule (iii) of rule 3 by the State Government shall continue for a term of two years and shall be eligible for re-nomination.
- (ii) A member of the State Authority nominated under sub rule (iii) of rule 3 may be removed by the State Government if in the opinion of the State Government, he is not desirable to continue as a member.
- (iii) If any member nominated under sub-rule (iii) of rule 3 ceases to be a member of the State Authority for any reason, the vacancy shall be filled up in the same manner as the original nomination and the person so nominated shall continue to be a member for the remaining term of the member in whose place he is nominated.
- (iv) All members nominated under sub-rule (iii) of rule 3 shall be entitled to payment of traveling allowance and daily allowance in respect of journeys performed in connection with the work of the State Authority and shall be paid by the State Authority in accordance with the rules as are applicable to the Grade 'A' Officers, as amended from time to time.
- (v) If the nominated member is a government employee, he shall be entitled to only one set of traveling allowance and daily allowance either from his parent department or as the case may be, from the State Authority.
- (vi) The Member Secretary of the State Authority shall be the whole time employee and shall hold office for a term of not exceeding five years.
- (vii) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the Members Secretary shall be governed by the State Government rule and he shall be on deputation to the State Authority.

6. The number of Officers and other employees of the State Authority under sub-section (5) of Section 6 :-

The State Authority shall have such number of officer and other employees for rendering secretarial assistance and for its day-to-day functions as are sanctioned by the State Government from time to time.

7. The conditions of service and the Salary and Allowances of Officers and other Employees of the State Authority under sub-section (6) of Section 6 :-

- (i) The officers and other employees of the State Authority shall be entitled to draw pay and allowances on par with the State Government employees holding equivalent posts as mentioned in the Service Rules.

- (ii) In all matters like age of retirement pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the State Authority shall be governed by the State Government rules as are applicable to persons holding equivalent posts.
- (iii) The officers and other employee of the State Authority shall be entitled to such other facilities, allowances and benefits *Including Pay Revisions* as may be notified by the State Government, from time to time.

8. The experience and qualifications of Secretary of the High Court Legal Services Committee under sub-section (3) of Section 8-A :-

A person shall not be qualified for appointment as Secretary of the High Court Legal Services Committee unless he is an officer of State Higher Judicial Service.

9. The number of officers and other employees of the High Court Legal Services Committee under Sub-section 8-A and the conditions of services and the salary and allowances payable to them under sub-section (6) of that section:-

- (i) The High Court Legal Services Committee shall have such number of Officer and other employees for rendering secretarial assistance and for its day-to-day functions as are sanctioned by the State Government from time to time.
- (ii) The Officers and other employees of the High Court Legal Services Committee shall be entitled to draw pay and allowances in the Scale of pay on par with the State Government Employees holding equivalent posts.
- (iii) In all matters like age of retirement pay and allowances, benefits and entitlements and disciplinary matters the officers and other employees of the High Court Legal Service Committee shall be governed by the State Government Rules as are applicable to persons holding equivalent posts.
- (iv) The officers and other employees of High Court Legal Services Committee shall be entitled to such other facilities, allowances and benefits *Including Pay Revisions* as may be notified by the State Government from time to time.

10. The Number, Experience and qualifications of Members of the District Authority under clause (b) of sub-section (2) of Section 9 :-

- (i) The District Authority shall not have more than EIGHT members.
- (ii) The following shall be ex-officio members of the District Authority:-
 - (a) District Magistrate;
 - (b) Superintendent of Police;
 - (c) Chief Judicial Magistrate; and
 - (d) District Government Pleader;
- (iii) The State Government in consultation with Chief Justice of the High Court may nominate other members from amongst those possessing the qualifications and experience prescribed in sub-rule (iv) of this Rule.
- (iv) A person shall not be qualified for nomination as a member of the District Authority, unless he is;
 - (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people including Scheduled Castes, Scheduled Tribes, Women, Children and Rural Labour;
 - (b) an eminent person in the field of law; or
 - (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

11. The number of Officers and other Employees of the District Authority under sub-section (5) of Section 9 :-

The District Authority shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are *Sanctioned* by the State Government from time to time.

12. The conditions of Services and the Salary and the Allowances of the Officers and other employees of the District Authority under sub-section (6) of Section 9 :-

- (i) The officers and other employees of the District Authority shall be entitled to draw pay and allowances on par with the State Government employees holding equivalent posts.
- (ii) In all matters like age of retirement, pay and allowances, benefits and entitlement and disciplinary matters, the officers and other employees of the District Authority shall be governed by the State Government rules as are applicable to persons holding equivalent posts.
- (iii) The officers and other employees of District Authority shall be entitled to such other facilities, allowances and benefits *Including Pay Revisions* as may be notified by the State Government from time to time.

13. The number, Experience and qualifications of Members of the Mandal Legal Services Committee under clause (b) of sub-section (2) of Section 11-A:-

- (i) The Mandal Legal Services Committee shall have not more than five members.
- (ii) The following shall be ex-officio members of the Mandal Legal Services Committee:-
 - (a) Sub-Divisional Officer;
 - (b) Sub-Divisional Police Officer;
- (iii) The State Government in consultation with the Chief Justice of High Court may nominate other members from amongst those possessing the qualifications and experience prescribed in sub-rule (iv) of this Rule.
- (iv) A person shall not be qualified for nomination as a member of the Mandal Legal Services Committee unless he is :-
 - (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children and Rural Labour; or
 - (b) an eminent person in the field of law; or
 - (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

14. The number of Officers and other Employees of the Mandal Legal Services Committee under sub-section (3) of Section 11-A:-

The Mandal Legal Services Committee shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are sanctioned by the State Government from time to time.

15. The Conditions of service and the Salary and Allowances of Officers and other Employees of the Mandal Legal Services Committee under sub-section (4) of Section 11-A :-

- (i) The officers and other employees of the Mandal Legal Services Committee shall be entitled to draw pay and allowances at par with the State Government Employees holding equivalent posts.
- (ii) in all matters like age of retirement, pay and allowances, benefits and entitlement and disciplinary matters, the officers and other employees of the Mandal Legal Services Committee shall be governed by the State Government rules as are applicable to persons holding equivalent posts.
- (iii) The officers and other employees of Mandal Legal Services Committee shall be entitled to such other facilities, allowances and benefits *Including Pay Revisions* as may be notified by the State Government from time to time.

16. The Upper limit of Annual Income of a person entitling him to Legal Services under Clause (h) of Section 12, If the case is before a Court, other than the Supreme Court:-

Any Citizen of India whose income from all sources does not exceed [Rs.1,00,000/- (*Rupees One Lakh only*)] or such higher amount as may be notified by the State Government from time to time, been entitled to Legal Services under clause (h) of Section 12 of the Act.

17. Execution of awards passed by the Lok Adalats in respect of pending cases and pre litigation cases:-

The awards passed by the Lok Adalats in respect of pending cases shall be executable by the courts in which those matters were pending prior to the settlement by the Lok Adalats.

Provided that the awards passed by the Lok Adalats in respect of matters at pre-litigative stage shall be executable through the court of Prl. District Judge of the District in which the Lok Adalat is held.

18. Refund of Court Fee on settlement before Lok Adalats:

Necessary certificate for refund of Court Fee will be issued by the Court which referred the case to the Lok Adalat to the person who is entitled for refund of Court Fee.

On production of such certificate, the District Collector or the competent Revenue Authority shall refund the amount of Court Fee in the manner as provided in the Court Fees and Suit Valuation Act.

A. SANTHOSH REDDY,
Secretary to Government (LA&J).

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RULES SUPPLEMENT TO PART-I EXTRAORDINARY OF THE TELANGANA GAZETTE PUBLISHED BY AUTHORITY

No. 05] HYDERABAD, WEDNESDAY, MARCH 22, 2017.

NOTIFICATIONS BY GOVERNMENT

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LAW DEPARTMENT (*LA, LA & J-Home-Courts.A2*)

AMENDMENT TO THE RULES UNDER TELANGANA STATE
LEGAL SERVICES AUTHORITY RULES, 2016.

[*G.O.Ms.No.30, LAW (LA, LA & J-Home-Courts.A2)*
22nd March, 2017.]

In exercise of the powers conferred under section 28 of the Legal Services Authorities Act, 1987 (Central Act No.39 of 1987), as amended by the Legal Services Authority (Amendment) Act, 1994 (No.59 of 1994) & (No.37 of 2002) and in consultation with the Chief Justice of the High Court of Judicature at Hyderabad, the Government of Telangana hereby makes the following amendment, to the Telangana State Legal Services Authority Rules, 2016, issued in G.O.Ms.No.80, Law (LA,LA&J-Home-Courts.A2) Department, dated: 31.10.2016.

[1]

G. 1073.

AMENDMENT

In the said rules, for rule 8 along with the marginal heading, the following shall be substituted, namely:-

“8: The experience and qualifications of Secretary of the High Court Legal Services Committee under sub-section (3) of section 8.A:- A person shall not be qualified for appointment as a Secretary of the High Court Legal Services Committee unless he is a Judicial Officer not below the rank of a District Judge or an officer of the High Court not the below the rank of Joint Registrar.”

A. SANTHOSH REDDY,
Secretary to Government,
Legal Affairs, Legislative Affairs & Justice.

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