

VII
¹THE HARYANA LEGAL SERVICES AUTHORITY
(TRANSACTION OF BUSINESS AND OTHER PROVISIONS)
REGULATIONS, 1998

In exercise of the powers conferred by Section 29-A of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) the Haryana Legal Services Authority hereby makes the following regulations:

CHAPTER I
Preliminary

1. Short title and commencement - (1) These regulations may be called the Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998.

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

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

- (a) "Act" means the Legal Services Authorities Act, 1987 (Central Act No. 39 of 1987) as amended from time to time;
- (b) "Aided Person" means a person to whom legal aid, legal advice or legal services has been provided in any form;
- (c) "Central Authority" means the National Legal Services Authority constituted under Section 3;
- (d) "Chairman" means the Chairman of the District Authority and Sub-Divisional Legal Services Committee, as the case may be;
- (e) "Chief Justice" means the Chief Justice of the Punjab and Haryana High Court;
- (f) "Court" means a Civil, Criminal or Revenue Court and includes any Tribunal or any other authority constituted under any law for the time being in force to exercise judicial or quasi-judicial functions;
- (g) "Committee" means the Sub-Divisional Legal Services Committee.
- (h) "District Authority" means the District Legal Services Authority constituted under section 9 of the Legal Services Authorities Act;
- (i) "Executive Chairman" means the Executive Chairman of the State Authority;
- (j) "High Court" means the Punjab and Haryana High Court at Chandigarh;

¹ Published in Haryana Government Gazette (Extra). Dated April 17,1998 (CHTR 27, 1920 SAKA).

- (k) “Legal Practitioner” shall have the meaning as assigned to the expression in the Advocate Act, 1961;
- (l) “Legal Service” includes rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or Tribunal and giving of advice on any legal matter;
- (m) “Lok Adalat” means a Lok Adalat organized under Chapter VI of the Act;
- (n) “Member” means a member of the State Authority, District Authority or Sub-Divisional Legal Services Committee as the case may be;
- (o) “Member Secretary” means Member Secretary of the State Authority;
- (p) “Nominated Member” means a member nominated to State Authority, the District Authority or the Sub-Divisional Committee, as the case may be;
- (q) “Patron-in-Chief” means the Chief Justice, Punjab and Haryana High Court;
- (r) “Rules” means the Haryana State Legal Services Authority Rules, 1996;
- (s) “Secretary” means the Secretary of the District Authority, or Sub-Divisional Legal Services Committee, as the case may be;
- (t) “Section” means a section of the Act;
- (u) “State Authority” means the Haryana Legal Services Authority constituted under section 6 (1) of the Act;
- (v) all other words and expressions used in these Regulations, but not defined shall have the meaning respectively assigned to them in the Act and the Rules framed thereunder.

CHAPTER—II

3. The Executive Authority of the State Authority shall vest in the Executive Chairman and may be exercised through the Member Secretary who shall act under the control of the Executive Chairman:

Provided that the Patron-in-Chief may give such advice as he may deem necessary in respect of any matter concerning the affairs of the State Authority.

The Executive Authority of the District Authority shall vest in its Chairman and may be exercised through its Secretary, who shall act under the control of the Chairman.

The Executive Authority of the Sub-Divisional Committee shall vest in its Chairman and may be exercised either by himself or through such other officer, who is chosen for the purpose.

Provided that the Executive Chairman may give such advice as he may deem necessary in respect of any matter concerning the affairs of the District Authority and Sub-Divisional Committee.

CHAPTER—III

STATE LEGAL SERVICES AUTHORITY

4. Other functions of the State Authority - In addition to the functions to be performed by the State Authority, as laid down by Section 7(1) and 7(2) (a) (b) (c) of the Act, the State Authority may also perform such other functions, as may be fixed in consultation with the Central Authority, for carrying out schemes and programmes of promoting the cause of legal aid, legal literacy and conciliation in coordination with Governmental, non-Governmental Agencies, Voluntary Social Service Institutions, Universities and other bodies.

5. Meetings of the State Authority - (1) The State Authority shall meet once in every three months provided that the Executive Chairman may convene a meeting of the State Authority whenever any business is to be transacted.

(2) A meeting of the State Authority shall ordinarily be held at Chandigarh. However, it may be held at such other place within the State, as may be directed by the Executive Chairman.

(3) Annual General Meeting of the State Authority shall be convened ordinarily in the month of April every year or in such other month as may be directed by the Executive Chairman. Besides other business annual statement of accounts, annual progress of performance report about the plans, programmes and schemes of the State Authority shall be placed before the State Authority for consideration and approval.

(4) A meeting of the State Authority shall be presided over by the Executive Chairman. In case, Patron-in-Chief is present in the meeting, then he shall preside over the meeting.

(5) The quorum for a meeting shall be five members including the Chairman.

(6) For every meeting of the State Authority, at least two weeks notice shall be given to the Members to attend the meeting. However, an emergent meeting may be convened by the Member Secretary in accordance with the direction of the Executive Chairman on short notice.

(7) The State Authority may regulate its own procedure.

(8) One or more persons, who are engaged or interested in the upliftment of the weaker section of the society, who are considered suitable by the Executive Chairman, may be invited for any meeting in order to seek their views, cooperation and help. Such person shall have no right to vote at such meeting.

(9) All matters requiring confirmation from the State Authority under the Act or the Rules, shall be placed and all policy matters shall be placed or any specific matter as may be directed by the Executive Chairman shall be placed before the State Authority for consideration and decision.

(10) All the decisions of the State Authority shall be taken by majority of the members present and voting and in case of tie, the person presiding over the meeting shall have a second or casting vote.

Provided that in such matters as may be directed by the Executive Chairman of the State Authority, the decision of the State Authority may be taken by circulation.

(11) It shall be the duty of the Member Secretary to record or cause to be recorded the minutes of the meeting in the register to be maintained for the purpose.

(12) The non-official Members shall be entitled to payment of travelling allowance and daily allowance in respect of the journeys performed in connection with the work of the State Authority at the rates admissible to a Class-I officer of the State Government.

6. (1) Executive Chairman shall be competent to take all decisions as may be required on behalf of the State Authority.

(2) Legal Aid, Legal Advice or other legal services may be provided by the Executive Chairman to any person directly in respect of any matter before any court in Haryana.

(3) Executive Chairman may review the cases where legal services have been refused by the District Authority and Sub-Divisional Legal Services Committee.

7. **Funds of the State Authority** - Funds of the State Authority shall comprise of State Legal Aid fund as per Section 16(1) of the Act and shall further be:--

(1) All such amounts as received by way of costs, charges and expenses recovered from the persons to whom legal service is provided or the opposite party.

(2) All the amounts credited to the State Legal Aid Fund shall be deposited in a Nationalised Bank.

Explanation:-- In this Sub-regulation “Nationalised Bank” means corresponding new Bank as defined in the Bank Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

- (3) For the purpose of meeting incidental minor charges, such as court fee, stamps and expenditure necessary for obtaining copies of documents and contingent expenditure etc., a permanent advance of rupees three thousand shall be placed at the disposal of the Member Secretary of the State Authority.
- (4) All expenditure necessary for carrying out the various functions of the State Authority including expenses required for meetings shall be incurred out of the funds of the State Authority with the approval of the Member Secretary of the State Authority.

Provided that for an expense of more than Rs.5,000, approval of the Executive Chairman shall be taken.

- (5) The Member Secretary shall have the accounts and other relevant records of the receipts and expenditure to be maintained properly in accordance with the rules and directions of the Central/State Government and Comptroller and Auditor General of India.

CHAPTER IV

DISTRICT LEGAL SERVICES AUTHORITY

8. Other functions of the District Authority - The District Authority, besides functions specified in section 10 shall perform the following functions, namely:--

- (1) give legal service within the District to persons who satisfy the criteria under the Act.

Provided that District Authority may assign the functions of providing legal services to Sub-Divisional Legal Services Committees within their respective jurisdictions within the District.

- (2) conduct legal literacy camps in different parts of the District with a view to transmitting knowledge about the legal aid schemes conducted in the State or with a view to spreading consciousness about the legal rights and duties of citizens with special references to rural population, women, children, disabled, handicapped and the weaker sections of the society;
- (3) administer and implement the legal services programme in so far as it relates to the courts within the District and for this purpose, take all such steps as may be necessary and to act in accordance with the directions issued by the Central Authority or the State Authority from time to time;
- (4) conduct legal aid clinics in different parts of the District in collaboration with Law Colleges, Universities and other social service organizations;

- (5) supervise, direct and guide the working of the Sub-Divisional Committees in the district;
- (6) call for, from the Sub-Divisional Committees in the District such periodical reports, returns and other statistics or information as it may think fit, or as are required by the State Authority;
- (7) prepare and submit returns, reports and statistic information in regards to the legal services programme to the State Authority.

9. Terms and other conditions of members of the District Authority - Terms of office and other conditions relating thereto of the members of the District Authority:--

- (1) The term of the office of a member of the District Authority, other than ex-officio member, shall be two years and they shall be eligible for re-nomination;
- (2) A member of the District Authority nominated under clause (b) of rule 13 may be removed by the State Government, if--
 - (a) he fails, without sufficient cause, to attend three consecutive meetings of the District Authority or five meetings held within the span of two years; or
 - (b) has been adjudged as insolvent; or
 - (c) has been convicted of an offence which in the opinion of the State Authority involves moral turpitude; or
 - (d) has become physically or mentally incapable of acting as a member; or
 - (e) has not abused his position as to render his continuance in the District Authority pre-judicial to the public interest.
3. Notwithstanding anything contained in sub rule (2), no member shall be removed from the District Authority on the grounds specified therein without consultation with the Chief Justice.
4. A member may, by writing under his hand addressed to the Chairman, resign from the District Authority and such resignation, shall take effect on the expiry of a period of 30 days from the date of tendering resignation.
5. If any nominated member ceases to be member of the District Authority for any reason, the vacancy shall be filled up in the manner and from the source from which the same was originally filled under clause (4) of rule 15.
6. All nominated members shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in

connection with the meetings of the District Authority and shall be paid by the District Authority in accordance with the rules as are applicable to the Class I officers of the Haryana Government as amended from time to time.

7. The ex-officio members shall be entitled to travelling allowance and daily allowance from his parent department.

10. Powers & Functions of the Chairman of the District Authority - (1) The Chairman of the District Authority shall be in overall in-charge of administration and implementation of the programme of the State Authority and that of the District Authority.

(2) The Chairman shall call meetings of the District Authority convened through the Secretary of the District Authority at least once in a period of three months.

(3) The Chairman shall preside over the meeting of the District Authority.

(4) The Chairman shall have all the residuary powers of the Authority.

11. Secretary of the District Authority - (1) The Secretary appointed under sub-section (3) of Section 9 of the Act shall be the Principal Officer of the District Authority. He shall be paid Rs.500/- as honorarium or at such rate as may be determined by the Executive Chairman of the State Authority and he shall be the custodian of all assets, accounts, records and funds at the disposal of the District Authority, and all other necessary records.

¹“**Note 1.** In exercise of the powers conferred under Regulation 11(1) of the Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998 the Hon'ble Executive Chairman of this Authority has been pleased to revise the rates of honorarium payable to the Secretary, District Legal Services Authority appointed under sub section (3) of Section 9 of the Legal Services Authorities Act, 1987 from Rs.500/- to Rs.1500/- per month with effect from 1.9.2008.”

(2) The Secretary shall maintain or cause to be maintained true and proper accounts of receipts and disbursement of the funds of the District Authority.

(3) The Secretary shall convene meetings of the District Authority with the previous approval of the Chairman of the District Authority and shall also attend meetings and shall be responsible for maintaining a record of the minutes of the proceedings of the meeting.

12. Meeting of the District Authority - (1) The District Authority shall meet at least once in three months on such dates and at such place as the Chairman of the District Authority may direct.

(2) A meeting of the District Authority shall be presided over by the Chairman.

¹ Issued vide Office order No. 13743/2008/MS/HSLSA Dated, Chandigarh, the 22.8.2008.

(3) The minute shall, as soon as may be, after the meeting, be forwarded to the State Authority.

(4) The quorum for the meeting shall be three including the Chairman.

(5) All questions which come up before any meeting of the District Authority, shall be decided by the majority of votes of the members present and voting and in case of a tie, the Chairman shall also have casting vote.

Provided that in such matters as may be directed by the Chairman of the District Authority, the decision of the District Authority may be taken by circulation.

(6) All matters requiring confirmation from the District Authority under the Act or the Rules, shall be placed before the said Authority from time to time.

13. Funds of the District Authority - Funds of the District Authority shall comprise of District Legal Aid Fund as per section 17(1) of the Act and shall further be:--

(1) All such amounts as received by way of costs, charges and expenses recovered from the persons to whom legal service is provided or the opposite party.

(2) All the amounts credited to the District Legal Aid Fund shall be deposited in a Nationalized Bank.

Explanation:-- In this Sub-regulation “Nationalized Bank” means corresponding new Bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

(3) All expenditure necessary for carrying out the various functions of the District Authority or Sub-Divisional Legal Services Committee including expenditure necessary for meetings shall be incurred out of the funds of the District Authority with the approval of the Chairman of the District Authority.

(4) The funds of the District Authority may be utilized for meeting the expenses incurred on or incidental to journeys undertaken by the Chairman or other Members of the District Authority or the Secretary in connection with Legal Services activities. The travelling allowance and daily allowance payable to the Chairman, the Ex-officio Members and the Secretary shall be such as to which they are entitled by virtue of their respective office held.

(5) The Secretary shall operate the Bank Accounts of the District Authority in accordance with the directions of the Chairman.

(6) The District Authority shall cause to be kept and maintained true and correct accounts of all receipts and disbursements and furnish quarterly returns to the State Authority.

“¹(7) For the purpose of meeting incidental minor charges such as court fee, stamps and expenditure necessary for obtaining copies of documents etc., a permanent advance of Rs.2,000/- may be placed at the disposal of the Secretary, District Legal Services Authority out of the District Legal Aid Fund.”

CHAPTER IV

SUB-DIVISIONAL LEGAL SERVICES COMMITTEE

14. Terms and other conditions of members of Sub-Divisional Committee -
The term of the office and other conditions relating thereto of the members of the Sub-Divisional Committee.

(1) The term of the office of a Member of the Sub-Divisional Committee, other than ex-officio members shall be two years and they shall be eligible for re-nomination;

(2) A member of the Sub-Divisional Committee nominated under clause (b) of the rule 18, may be removed by the State Govt. if –

- (a) he fails, without sufficient cause to attend three consecutive meetings of the Sub-Divisional Committee or five meetings held within the span of two years; or
- (b) has been adjudged as insolvent; or
- (c) has been convicted of an offence which in the opinion of the Sub-Divisional Committee involves moral turpitude; or
- (d) has become physically or mentally incapable of acting as a member; or
- (e) has so abused his position as to render his continuance in the Sub-Divisional Committee prejudicial to the public interest.

(3) Notwithstanding anything contained in sub-rule (2) no member shall be removed from the Sub-Divisional Committee on the grounds specified therein without consultation with Chief Justice.

(4) A member may, by writing under his hand addressed to the Chairman, resign from the Sub-Divisional Committee and such resignation shall take effect on the expiry of a period of 30 days from the date of tendering resignation.

(5) If any nominated member ceases to be member of the Sub-Divisional Committee for any reason, the vacancy shall be filled up in the manner and from the source from which the same was originally filled under clause (4) of rule 18.

(6) All nominated members shall be entitled to payment of travelling allowance and daily allowance in respect of journeys performed in connection with the meetings

¹ Added vide notification No. HSLA/1(5)/2000 dated 25-5-2000, published in Haryana Government Gazette (Extra) on 25th May, 2000.

of the Sub-Divisional Committee and shall be paid by the District Authority in accordance with the rules as are applicable to the Class I officers of the Haryana Government as amended from time to time.

(7) The ex-officio members shall be entitled to travelling allowance and daily allowance either from his parent department, or as the case may be, from the District Authority.

15. Additional functions of the Sub-Divisional Committee - In addition to the functions assigned to it under the Act and Rules, the Sub-Divisional Committee shall perform such other functions and discharge such other duties as the District Authority or the State Authority may entrust to it from time to time.

16. Meetings of Sub-Divisional Committee - (1) The Sub-Divisional Legal Services Committee shall ordinarily meet once in two months on such date, at such place, as the Chairman may decide.

(2) The Chairman and in the absence of the Chairman, next senior most Civil Judge shall preside at the meeting of the Sub-Divisional Legal Services Committee.

(3) The minutes of the proceedings of each meeting shall be maintained by the Chairman or any other person authorized by him and shall, as soon as may be, sent to the District Authority and the State Authority.

(4) The quorum for the meeting shall be three including the Chairman.

(5) All questions at the meeting of the Sub-Divisional Legal Services Committee shall be decided by a majority of the members present and voting and in case of a tie, the person presiding shall have second or casting vote:

Provided that in such matters as may be directed by the Chairman of the Sub-Divisional Legal Services Committee, the decision of the said Committee may be taken by circulation.

(6) All matters requiring confirmation from the Sub-Divisional Legal Services Committee by virtue of the Act or Rules shall be placed before the said Committee from time to time.

17. Funds of the Sub-Divisional Legal Services Committee - (a) All the expenses of the Sub-Divisional Legal Services Committee, for performing its functions, shall be met out of District Legal Aid Fund.

(b) For the purpose of meeting incidental minor charges, such as court fee, stamps and expenditure necessary for obtaining copies of documents etc. a permanent advance of rupees one thousand may be placed at the disposal of the Chairman of the Sub-Divisional Legal Services Committee by the District Authority from District Legal Aid Fund.

CHAPTER V

LOK ADALAT

18. Procedure for organizing Lok Adalat - (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall convene and organize Lok Adalats at regular intervals or on such dates, as may be directed by the State Authority:

Provided that in order to coordinate the holdings of Lok Adalats, Member Secretary of the Authority may, with the approval of the Executive Chairman, prepare a quarterly roster for holding Lok Adalats at different District and Sub-Division Head-quarters and circulate the same to different Authorities.

Intimation to the State Authority – (2) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee as the case may be, shall inform the State Authority about the proposal to organize the Lok Adalat well before the date on which the Lok Adalat is proposed to be organized.

19. Notice to the parties concerned - The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, convening and organizing the Lok Adalat shall inform every litigant and his counsel, whose case is referred to the Lok Adalat, well in time so as to afford him, an opportunity to prepare himself for the Lok Adalat.

20. Composition of the Lok Adalat - (1) At District Level: The Secretary of the District Authority organizing the Lok Adalat shall with the approval of the Chairman constitute Benches of the Lok Adalats, each bench comprising two or three of the following:--

- (i) A sitting or retired Judicial Officer;
- (ii) A member of the legal profession; and
- (iii) Any other eminent person in the field of law, medicine or a social worker.

At Sub-Divisional Level – (2) The Chairman of the Sub-Divisional Legal Services Committee organizing the Lok Adalat shall constitute Benches of the Lok Adalat, each Bench comprising two or three of the following :-

- (i) A sitting or retired Judicial Officer;
- (ii) A member of the legal profession; and
- (iii) A social worker, Medical practitioner or para legal of the area.

21. Summoning of Records and the responsibility for its safe custody - (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, may call for the judicial records of those

pending cases which are referred to the Lok Adalat under Section 20 of the Act from the concerned Courts.

(2) If any matter is referred to the Lok Adalat on the pre-litigation stage, the version of each party shall be obtained by the Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, to be placed before the Lok Adalat.

(3) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committees, as the case may be, shall be responsible for the safe custody of the records from the time he receives them from the court till these are returned.

(4) Each Judicial authority to cooperate in transmission of the Court records.

(5) The judicial records shall be returned immediately after holding the Lok Adalat, irrespective of whether or not the case is settled by the Lok Adalat with an endorsement about the result of the proceedings.

22. Functioning of the Lok Adalat - (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall assign cases to the benches of the Lok Adalat after obtaining orders from the Chairman, as the case may be.

(2) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, may prepare a cause list for each bench of the Lok Adalat and the same shall be duly notified to all concerned.

(3) Every Bench of the Lok Adalat shall make sincere efforts to bring about a conciliatory settlement in every case put before it without any duress threat or undue influence, allurements or misrepresentation.

(4) In case any Bench of the Lok Adalat cannot take up, hear or dispose of any case/cases on that day, it may be in its discretion to take up such case/cases on the next day or on any such subsequent day as may be convenient, under intimation to the Secretary/Chairman of the Committee/Authority concerned. In that case, judicial record may be kept with permission of the Court concerned.

23. Holding of Lok Adalat - Lok Adalat may be organized at such time and place, on closed Saturdays, Sundays and holidays as the State Authority, District Authority, Sub-Divisional Legal Services Committee, as the case may be, organizing the Lok Adalat deems appropriate.

24. Procedure for effecting compromise or settlement at Lok Adalat - (1) Every Award or order of the Lok Adalat shall be signed by the panel constituting the Lok Adalat.

(2) The original Award shall form part of the judicial record and a copy of the Award shall be given to each of the parties duly certified to be true by the Secretary/Chairman of the Committee/Authority concerned, free of costs.

25. Award/Order to be categorical and lucid - (1) Every Award or order of the Lok Adalat shall be categorical and lucid and shall be written in the language used in the local courts or English.

(2) The parties to the dispute shall be required to affix their signatures or thumb impression as the case may be on the statements/compromise recorded by or placed before the Lok Adalat.

(3) The Award of the Lok Adalat shall be based upon the statement of the parties to the compromise duly recorded by it.

26. Compilation of results - At the conclusion of the sessions of the Lok Adalat, the Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall compile the results in the Annexed proforma for submission to the State Authority.

27. Remuneration to the Judges and Members of the Lok Adalats - (1) The Presiding Judges of the Lok Adalat/Permanent Lok Adalat held at the High Court and who is not a sitting Judge, shall be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Legal Services Committee, but it shall not exceed Rs.50/- (fifty rupees only) per decided case, subject to a maximum of Rs.500/- (five hundred rupees only) per day or at such rate as may be revised by the Executive Chairman of the Haryana State Legal Services Authority from time to time.

(2) The other Members of the Lok Adalat/Permanent Lok Adalat held at High Court Level shall be entitled to honorarium at such rates as may be determined by the Chairman of the High Court Legal Services Committee which shall not exceed Rs.45/- (forty five rupees only) per decided case but subject to a maximum of Rs.300/- (three hundred rupees only) per day or at such rates as may be revised by the Executive Chairman of the Haryana State Legal Services Authority from time to time.

(3) The Presiding Officer and other Members of the Lok Adalat/Permanent Lok Adalat Bench at the High Court Level shall be provided with conveyance or conveyance allowance as per actual fare to and fro journey between their residence and the place of Lok Adalat.

(4) Every Presiding Officer of the Permanent Lok Adalat at District and Sub-Divisional Level shall be entitled to honorarium at the rate of Rs.45/- (forty five rupees only) per decided case but subject to a maximum of Rs.2500/- (two thousand five hundred rupees only) per month besides conveyance allowance not exceeding Rs.500/- (Five hundred rupees only) per month or at such rates as may be revised by the Executive Chairman of the Haryana State Legal Services Authority from time to time.

(5) Other Members of the Permanent Lok Adalat at the District and Sub-Divisional Level shall be paid a fixed honorarium at the rate of Rs.30/- (thirty rupees only) per decided case but subject to a maximum of Rs.1500/- (one thousand and five hundred rupees only) per month besides conveyance allowance not exceeding

¹ Substituted vide Notification No.MS/HLSLA/7396/1(5)2000, dated 8-11-2000 published in Haryana Government Gazette (Extra) on November 14, 2000.

Rs.500/- (five hundred rupees only) per month or at such rate as may be revised by the Executive Chairman of the Haryana State Legal Services Authority from time to time.”

“¹**Note 1.** In exercise of powers conferred under Regulation 27(4) & (5) of Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998, Hon’ble Mr. Justice V.K. Bali, Judge, Punjab and Haryana High Court and Executive Chairman, Haryana State Legal Services Authority is pleased to revise the rates of honorarium at the rate of Rs.2500/- (Rupees two thousand five hundred only) per month for the Presiding Officers and at the rate of Rs.1500/- (Rupees one thousand five hundred only) per month for the Members of Permanent Lok Adalat at District and Sub-Division Level, besides conveyance allowance, irrespective of the number of cases decided by the Permanent Lok Adalat as previously fixed by this Authority Notification No. MS/HSLSA/7396/1 (5)2000 dated 8.11.2000 published in Haryana Government Gazette (Extra) November, 14, 2000.”

“²**Note 2.** In partial modification of office order No. 120(5)2001/MS/HSLSA dated 9-1-2001 of this Authority providing for a minimum payment of Rs.2500/- per month as honorarium to retired Judicial Officers, presiding over the Permanent and Continuous Lok Adalats at District Headquarters, the Hon'ble Executive Chairman of this Authority in exercise of powers vested in him under Regulation 27(4) and (5) of Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998, has been pleased to order that the aforesaid limit of minimum amount of Rs.2500/- per month shall remain valid upto 20 decided cases but for every subsequent decided case exceeding 20 (excluding summary cases) he shall be entitled for an additional sum of Rs.45/- per decided case.”

“³**Note 3.** In continuation of this Authority’s order conveyed vide endorsement No. 120(5)2001/MS/HSLSA, dated 9-1-2001 and subsequent office order conveyed vide endorsement No. 2600(5)2002/MS/HSLSA, dated 23-4-2002, it is hereby clarified that the honorarium of Rs.2500/- per month referred to in sub-clauses 4 and 5 of Regulation 27 of the Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998, (herein after referred to as the regulations) can only be paid either to the retired judicial officers appointed as Presiding Officer, or to the member of any “Permanent Lok Adalat” which have been set up at the district level by the Hon'ble Executive Chairman of this Authority in the light of letter dated 8-12-1997 of Hon'ble the Chief Justice of India. No other person associated intermittently, occasionally or otherwise as a member of the Lok Adalat organized by the District Legal Services Authority or Sub-Divisional Legal Services Committee in accordance with the provisions contained in Regulation 20, is entitled to any such remuneration or honorarium.”

“⁴**Note 4.** In supersession of this Authority’s order conveyed vide endst. No.121-58(5)/2001/MS/HSLSA dated 9.1.2001, endst. No.2601-15(5)/2002/MS/HSLSA dated 23.4.2002 and subsequent office order conveyed vide endst. No.5233-

¹ Issued vide Office order No. 120(5)2001/MS/HSLSA dated 9.1.2001.

² Issued vide Office order No. 120(5)2001/MS/HSLSA dated 23.4.2002.

³ Issued vide Office order No. 120(5)2001/MS/HSLSA dated 17.7.2002.

⁴ Issued vide Office order No. 1779 (5) MS/HSLSA dated 7-3-2005.

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49(5)/2002/MS/HLSA, dated 17.7.2002 and letter issued vide memo No. 9766 dated 19-11-2004 and letters issued vide memo Nos. 9802, 9806, 9810 and 9814 dated 22-11-2004, the Hon'ble Executive Chairman of this Authority in exercise of powers vested in him under Sub-Regulations (4) and (5) of Regulation 27 of Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations 1998, has been pleased to revise the honorarium and conveyance allowance payable to the Presiding Judges and Members of the Permanent and Continuous Lok Adalats (Samjhauta Sadans) at the District and Sub-Divisional Level in the State of Haryana as below: -

Presiding Judge of Permanent and Continuous Lok Adalat (Samjhauta Sadan)	Rs.3,000/- per month which shall remain valid upto 20 decided cases (excluding summary cases and exceeding 20 cases, he shall be entitled for an additional sum of Rs.45/- per decided case) and Rs.2,000/- per month as conveyance allowance.
Member of Permanent and Continuous Lok Adalat (Samjhauta Sadan)	Rs.2,000/- per month which shall remain valid upto 20 decided cases (excluding summary cases and exceeding 20 cases, he shall be entitled for an additional sum of Rs.30/- per decided case) and Rs.1,500/- per month as conveyance allowance.

The above revised rate of honorarium and conveyance allowance will be effective from today i.e. 7-3-2005. No payment shall be made for deciding summary cases.”

“¹**Note 5.** In exercise of the powers conferred under Sub-Regulations (4) and (5) of Regulation 27 of the Haryana Legal Services Authority (Transaction of Business and Other Provisions) Regulations, 1998 the Hon'ble Executive Chairman of this Authority has been pleased to revise the rates of honorarium payable to the Presiding Judge and Members of the Permanent and Continuous Lok Adalat (Samjhauta Sadan) at the District and Sub-Divisional Level in the State of Haryana as below : -

Presiding Judge of Permanent and Continuous Lok Adalat (Samjhauta Sadan)	Rs.5,000/- per month which shall remain valid upto 20 decided cases (excluding summary cases) and exceeding 20 cases, he shall be entitled for an additional sum of Rs.45/- per decided case.
Member of Permanent and Continuous Lok Adalat (Samjhauta Sadan)	Rs.3,000/- per month which shall remain valid upto 20 decided cases (excluding summary cases) and exceeding 20 cases, he shall be entitled for an additional sum of Rs.30/- per decided case.

However, the conveyance allowance payable to the Presiding Judge and Members of the Permanent and Continuous Lok Adalat (Samjhauta Sadan) shall remain the same. No payment shall be made for deciding summary cases.

The above revised rate of honorarium will be effective from 1-9-2008.”

¹ Issued vide Office order No. 13784(5)MS/HLSA, Dated, Chandigarh, the 22.8.2008.

28. Procedure for maintaining record of cases referred under section 20 of the Act or otherwise - (1) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall maintain a Register wherein all the cases received by him by way of reference to the Lok Adalat shall be entered giving particulars of the:-

- (i) Date of receipt;
- (ii) Category and subject wise nature of the case;
- (iii) Such other particulars as may be deemed necessary; and
- (iv) Date of settlement and return of the case file;

(2) When the case is finally disposed of by the Lok Adalat an appropriate entry will be made in the register.

29. Budget - The expenditure for Lok Adalats organized by the District Authority or Sub-Divisional Legal Services Committee shall be met out of District Legal Aid Fund. State Authority, may also make grants out of the State Legal Aid Fund to the District Authorities for this object.

30. Maintenance of Accounts - (1) The Chairman of the Authority or the Sub-Divisional Legal Services Committee, as the case may be, shall exercise complete and full control over the expenditure to be incurred on the Lok Adalats.

(2) The Secretary of the District Authority, as the case may be, shall render true and proper accounts to the State Authority every quarter.

(3) The Chairman of the Sub-Divisional Legal Services Committee shall render true and proper accounts to the District Authority every month.

(4) After the Lok Adalat is organized, the Secretary of the District Authority or Chairman of the Sub-Divisional Legal Services Committee, shall forward the report in the following proforma prescribed for Disposal of Cases in Lok Adalats:

Sr. No.	Name of place	Date of holding of Lok Adalat	No. of cases disposed of			
			Civil	Claims	Criminal	Total
1	2	3	4	5	6	7

31. Since one High Court Legal Services Committee under Section 8-A for the States of Punjab, Haryana and the Union Territory of Chandigarh, has been constituted, the Lok Adalats in the High Court shall be conducted in the manner as may be evolved by the Executive Chairmen of the State Authorities of Punjab, Haryana, Union Territory of Chandigarh and Chairman of the High Court Legal Services Committee.

32. (1) The appearance of lawyers on behalf of the parties at the Lok Adalat shall not be refused.
- (2) No fee shall be payable by the parties in respect of matters or cases brought before or referred to a Lok Adalat.
- (3) The Secretary of the District Authority or the Chairman of the Sub-Divisional Legal Services Committee, as the case may be, shall provide all assistance as may be necessary to the Lok Adalats.
- (4) Every Bench of the Lok Adalat may evolve its own procedure for conducting the proceedings before it and shall not be bound by either the Civil Procedure Code or the Evidence Act or the Code of Criminal Procedure subject, however, to the principles of natural justice.

CHAPTER-VI

MISCELLANEOUS

33. **Miscellaneous** - All notifications, regulations and orders made by the State Government will be valid unless they are inconsistent with Act, Rules made thereunder and these regulations.

34. **Interpretation** - If any question arises as to the interpretation of these regulations, the decision of the Executive Chairman of the State Authority shall be final.
