

Legal Aid: Entitlement of Legal Services

Any citizen of India whose annual income from all sources does not exceed Rs.50,000/-** (Rupees Fifty Thousand) or such higher amount as may be notified by State Government from time to time, shall be entitled to legal services under clause (h) of Section 12 of the Act :

The State Legal Services Authority, High Court Legal Services Committee, District Legal Services Authority and the Sub-Divisional Legal Services Committee, as the case may be, may grant legal services to any other person irrespective of his income:-

(a) To a member of Scheduled Caste or Scheduled Tribe or Backward Classes;

(b) To a victim of trafficking in human beings or beggar as referred in Article 23 of the Constitution;

(c) To a Woman;

(d) To a child, i.e. Person who has not attained the age of 18 years or if he is under guardianship under the Guardians and Wards Act, 1890 the age of 21 years;

(e) To a person with disability as defined in clause (i) of Section 2 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 (1) of 1996);

(f) To a person, under circumstances of undeserved want such as being victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or

(g) To an industrial workman; or

(h) To a person in custody, including custody in a protective home within the meaning of clause (g) of Section 2 of the Immoral Traffic

(Prevention) Act, 1956, or in a children's home, observation home, shelter home and special home within the meaning of clauses (e), (o), (u) and (v) respectively of section 2 of Juvenile Justice (Care and Protection of Children) Act, 2000.

(i) To a person in a psychiatric hospital or psychiatric nursing home within the meaning of clause (q) of section 2 of the Mental Health Act, 1987; or

(j) In a test case, the decision of which is likely to effect cases of numerous other persons belonging to the poor and weaker sections of the society; or

(k) To a person, in a special case, which for reasons to be recorded in writing is considered otherwise deserving of legal service where the means test is not satisfied; or

(l) To a person in the case where the High Court or the Supreme Court provides legal service under any order in that case legal service would be deemed to have been provided by the Authority / Committee in relaxation of all the conditions laid down in this rule; or

(m) To a person in case of public interest litigation.

- * Substituted by Haryana Government vide notification No.20/17/2000-4JJ(l) dated 02.08.2000
- ** Substituted by Haryana Government vide notification No.20/17/2000-4JJ(l) dated 09.06.2005
- *** Substituted by Haryana Government vide notification No.20/27/87-4JJ(l) dated 13.11.2002

- Matter on which Legal Service is admissible:

(1) Free Legal Aid may be obtained in any court of law upto the Supreme Court and in any Tribunal, Revenue Court as well as all department of Government and other bodies discharging quasi judicial functions.

(2) The Legal Aid is available in all civil, criminal, revenue and

administrative matters.

Modes of providing Legal Service

Legal Service may be given in all or any one or more of the following modes, namely:-

- (a) By payment of court fee, process fee, expenses of witnesses, preparation of the paper book, lawyer's fee and all other charges payable or incurred in connection with any legal proceedings;
- (b) By representation by a legal practitioner in legal proceedings;
- (c) By supplying certified copies of judgments, orders, notes or evidence and other documents in legal proceedings;
- (d) By preparation of appeal, paper book, including printing, typing and translation of documents in legal proceedings ; and
- (e) By drafting of legal documents.

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