



**A PAPER ON THE ACTIVITIES
OF THE
SUPREME COURT LEGAL SERVICES
COMMITTEE**

(Period under review - 2018)

by

Team SCLSC

I N D E X

SRL NO.	PARTICULARS	PAGE NOS.
	Introduction / Procedure of SCLSC	4
A	Human Resource Management Initiative	7
	(i) Revision of honoraria to the panel advocates	7
	(ii) Continuing Education Program' for panel advocates	8
	(iii) 'Star of the month' program for SCLSC staff.	9
B	STEPS TAKEN FOR CURBING DELAY:	10
	(i) Re-framing of the guidelines for obtaining opinion of Screening Committee	10
	(ii) Introduction of video conferencing facility	11
	(iii) Appointment of legal consultants	14
	(iv) Operation Clean-up	16
	(v) Pilot Project 'SAHYOG' to clear old pending cases	17
	(vi) Resolution of 'Custody certificate' issue in criminal matters	19
	(vii) Application for grant in bail	20
	(viii) Automated Reminders to the panel Advocate	21

SRL NO.		PARTICULARS	PAGE NOS.
C		USE OF INFORMATION AND TECHNOLOGY IN SCLSC	21
	(i)	Launching of New Website of SCLSC	21
	(ii)	Scanning of Case Papers made mandatory	22
	(iii)	Introduction of payment through NEFT/RTGS mode	23
	(iv)	Introduction of E-Office feature:	23
	(v)	Information regarding Assignment of cases being sent through email as well as SMS	24
D		OPEN DOOR AUDIT OF SCLSC BY NATIONAL LAW UNIVERSITY, DELHI.	24
E		STATISTICS OF CASES FILED IN SUPREME COURT BY SCLSC IN 2016, 2017 AND 2018	24
F		STATISTICS OF LEGAL AID & ADVICE GIVEN BY THE SCLSC IN 2016, 2017 AND 2018	26
G		FUTURE GOALS	26
		Conclusion	27
		Annexure 1 - List of executive committee members	28
		Annexure 2 – Prescribed forms of SCLSC	29
		Annexure 3 - List Of Personnel	36
		Annexure 4 – List Of Active Screening Committees	38
		Annexure 5 – Copy of notice.	39

SUPREME COURT LEGAL SERVICES COMMITTEE

Introduction/Procedure of SCLSC

Constitution of SCLSC: To enable access to justice in the Supreme Court and to provide free legal aid and advice, the Supreme Court Legal Services Committee (SCLSC) was constituted under Section 3A of the Legal Services Authority Act, 1987. It came into existence with effect from 01.01.1996 through a notification issued by the Government of India. The functions of the SCLSC are regulated by the *Supreme Court Legal Services Committee Regulations, 1996* and the *Supreme Court Legal Services Committee Rules, 2000*. The SCLSC is headed by a Judge of the Supreme Court as its Chair and has nine other distinguished members in its Executive Body.¹ Mr. Justice Madan B. Lokur is the present Chairman of the SCLSC and Mr. Dharmender Rana is the Secretary of the SCLSC.

Eligibility for legal services: Section 12 of the Legal Services Authorities Act, 1987 read with Rule 7 of the Supreme Court Legal Services Committee Rules, 2000 lays down the eligibility criteria for any legal services applicant. The SCLSC provides free legal services to a litigant whose annual income does not exceed Rs.1,25,000/- per annum. It also provides free legal services to persons belonging to Scheduled Castes and Scheduled Tribes, women, children, disabled persons, victims of trafficking in human beings, mass disaster, ethnic violence, caste atrocities, flood, drought, earth-quake or industrial disaster etc. persons in custody and industrial workmen, irrespective of their financial status.

However, in terms of Regulation 14 of the Supreme Court Legal Services Committee Regulations, 1996 legal service is not provided in proceedings wholly or partly in cases of defamation, malicious prosecution, persons charged with Contempt of Court proceedings, perjury, election proceedings, economic offences

¹ Annexure 1

and offences against social laws such as Protection of Civil Rights Act, 1955 and Immoral Traffic (Prevention) Act, 1956 except in cases where legal assistance is sought by the victim of an offence.

Procedure for legal services: A person seeking **free legal service** through the SCLSC may apply to its Secretary at 107, Lawyers' Chambers, Supreme Court Compound, New Delhi in the prescribed Form, available free of cost in its office.² The Form can also be downloaded from the SCLSC website namely www.sclsc.nic.in. Along with the application, the applicant is required to enclose the requisite documents, as per the check list. For obtaining **free legal advice**, an eligible person can visit the front office of the SCLSC from 10.30 A.M. to 5.00 p.m. on any working day and from 10.30 A.M. to 1.00 P.M. on any working Saturday. It is worthwhile to mention that grievances of the applicant are also addressed telephonically.

In case the SCLSC finds that the grievance of the applicant does not relate to access to justice in the Supreme Court, then the applicant is advised to approach the appropriate forum for redressal of the grievance.

Legal Service Counsel-cum-Consultant

The SCLSC has appointed a full time Legal Service Counsel-cum-Consultant (LSC) who manages its front office and renders free legal aid and advice to the beneficiaries. The LSC is an Advocate-on-Record (AOR) and is well versed with legal issues. The LSC is also assigned court cases and the research work, pleadings and the arguments in the said matters is conducted by her.

Occasionally, miscellaneous applications received from the applicants desirous of legal aid, are also referred to the LSC for legal opinion. During the present year the LSC is very actively associated with the pilot Project 'SAHYOG'. (The details

² Annexure 2

of Project 'SAHYOG' are discussed later). She has also rendered valuable assistance regarding legal aspects in launching the new website of the SCLSC.

To effectively discharge the duties assigned to the LSC, one Assistant has been posted with her to assist in day to day court work and other miscellaneous work. Further, in order to improve the working of the LSC and enhance her efficiency she has also been provided a new laptop recently. All the important 'Bare Acts' have also been provided to the LSC.

Active panel of advocates

The SCLSC has an active panel of Senior Advocates and Advocates-on-Record for rendering legal aid to the eligible beneficiaries free of charge. Presently, the SCLSC has 29 Senior Advocates and 53 Advocates-on-Record on its active panel for the said purpose.

It is relevant to mention here that the SCLSC essentially engages the services of Senior Advocates in criminal matters pertaining to heinous offences wherein the sentence awarded is ten years or more. The services of Senior Advocates are provided in other matters also, if so requested, by the Advocate-on-Record.

Initiatives taken in 2018

The year 2018 has been a momentous year for the SCLSC. During this period, the SCLSC launched various projects and initiated several novel initiatives to dispel the misconceived notion that quality of legal aid for the poor is very poor. It would be worthwhile to mention here the various initiatives undertaken by the SCLSC to improve the quality of legal services.

A. HUMAN RESOURCE MANAGEMENT:

The SCLSC constantly strives to introduce innovative human resource management techniques in its office to improve its functioning and has a motivated team of dedicated personnel.³ Following steps have been taken for improved human resource management:

i) **Revision of honoraria to the panel advocates:**

The honorarium payable to its panel Advocates has been revised w.e.f. 01.12.2017, details of which are given here under:

S. No.	Particulars (For SLPs./Writ Petitions//Statutory Appeals/ Review Petitions⁴/ Curative Petitions⁵)	Old honoraria	New honoraria (w.e.f. 01.12.2017) (from the date of assignment letter)
1	Upto admission stage (including drafting / filing/ registration/ appearance)	Rs.8,000/-	Rs.10,000/-
2	Upon issuance of notice in the matter	Rs.7,000/-	Rs.5,000/-
3	On final disposal of the matter on regular basis (after granting leave to appeal)	Rs.5,000/-	Rs.10,000/-
	Total	Rs.20,000/-	Rs.25,000/-

³ Annexure 3

⁴ In Review Petitions no honorarium is paid to the panel advocate, except the litigation expenses, in case if the main petition was filed by SCLSC panel advocate.

⁵ In Respondent matters Rs.10,000/- is paid to the panel advocate upon the final disposal of the matter.

S. No.	Particulars (For Transfer Petitions)	Old honoraria	New honoraria (w.e.f. 01.12.2017) (from the date of assignment letter)
1	Upto admission stage (including drafting / filing/ registration/ appearance)	Rs.8,000/-	Rs.10,000/-
2	Upon issuance of notice in the matter	Rs.7,000/-	Rs.5,000/-
3	On final disposal of the matter	Nil	Nil
	Total	Rs.15,000/-	Rs.15,000/-

ii) **‘Continuing Education Program’ for panel advocates:**

The SCLSC organized a two day ‘continuing education program’ for its panel Advocates in January, 2018. The purpose of the program was to have an **open house discussion** on various issues which the panel advocates encounter in their daily Court work and to find pragmatic solutions for the same. The program was chaired by Justice Madan B. Lokur the Chairman, SCLSC, who also spoke on the occasion.

In the discussion, Prof. Anup Surendranath, NLU, Delhi highlighted various issues pertaining to jailed convicts. It was pointed out by Prof. Anup Surendranath that there is a communication gap between the convict and the panel advocates. It was further pointed out that at times the convict is in the dark and is not even aware of the basic details viz. whether a petition has been filed, the name of the advocate, the details and fate of the petition etc.

Justice Madan B. Lokur addressed various issues raised in the interaction. It was emphasized that there must be regular interaction and exchange of information between the panel advocates and the SCLSC and also with the convicts. It was also

pointed out that SCLSC must move towards better utilisation of information technology and all the correspondence with the panel advocates and other stakeholders must be mandatorily made through emails and SMS only. The panel advocates were also requested to constantly update the SCLSC and the legal aid beneficiaries about the fate of the cases.

The ideas generated in the program laid the foundation for some initiatives for the improvement of SCLSC functioning.

iii) **'Star of the month' program for SCLSC staff**

The regular interaction between the Secretary, SCLSC Mr. Dharmender Rana and the office staff has been a routine feature in the functioning of the SCLSC. However, the prominent change which instilled enthusiasm and complete dedication in the staff, is the participation of the Chairman in these interactions.

In order to constantly motivate and encourage the office staff of SCLSC, a novel scheme under the name 'Star of the Month Program' has been introduced. In the said program, a joint meeting between all the staff, legal service consultant and Secretary is held wherein each individual explains the distinguished work he/she has undertaken in the previous month and that is then followed by an open voting for choosing the 'Star of the Month'. The staff also gets an opportunity not only to air their grievances but also suggest ways and means to improve the SCLSC functioning. The Star of the Month is chosen by popular votes and rewarded by a small token of appreciation. The initiative on the part of the SCLSC has indeed helped in keeping the work force motivated and in high spirits. Following employees have been awarded 'Star of the Month' during the preceding months:

S.No.	Name of employee awarded Star of the Month	Month
1.	Mr. Kapil Kanojia, Jr. Court Assistant, SCI	February, 2018
2.	Mr. Laxman Singh Rawat, Daftry, SCLSC	March, 2018
3.	Mr. Gunjan Arora, Jr. Court Assistant, SCI	May, 2018
4.	Mr. Surya Nath Yadav, Peon, SCLSC.	July, 2018

B. STEPS TAKEN FOR CURBING DELAY:

For providing effective legal assistance to its beneficiaries, the SCLSC carried out an internal exercise and concluded that there were unwarranted delays in processing applications for legal aid, particularly those relating to filing of petitions in the Supreme Court.

The expeditious filing of a petition by any legal service institution has always been a challenging task and for accomplishing this, the SCLSC introduced the following steps:

i) Re-framing the guidelines for obtaining the opinion of the Screening Committee in criminal cases wherein the convicts have been sentenced for a period of 10 years or above:

Regulation No. 7 of The National Legal Service Authority Regulation, 2010 mandates that there shall be a committee to scrutinize and evaluate the application for legal services. Resultantly, two Screening Committees (consisting of Senior Advocates and AOR) were constituted initially. Thereafter, keeping in view the increased work load, thirteen more such Screening Committees were constituted. However, subsequently, it was realized that the work load upon the Screening Committees was actually impeding the expeditious filing of the petition before the Hon'ble Supreme Court. Therefore, after much deliberation, to curb the delay in criminal matters and

taking into account the severity of the punishment, it was resolved in the 59th Meeting (held on 20th March, 2018) of the SCLSC that the cases wherein the convicts have been sentenced with imprisonment for a period of 10 years or above shall be directly assigned to the panel advocates for filing, without the same being referred to the Screening Committee for opinion.

Further, in order to clear the backlog of the pending cases, all the pending cases were requested back from the Screening Committees. The learned Members of the SCLSC namely Shri V. Giri, and Shri Sidharth Luthra (Sr. Advocates) and Shri Subramaniam Prasad (presently elevated to the Hon'ble Madras High Court) came forward and volunteered to have the cases re-assigned to them for their opinion in the said matters. Upon clearance of the pending cases, by the learned Members, the new cases were thereafter assigned to the Screening Committees.

Presently, there are nine active Screening Committees of Senior Advocates.⁶ There are about only 36 cases pending with the Screening Committees for opinion (as on 13.09.2018)

ii) **Introduction of video conferencing facility:**

It was noticed that there was a communication gap between the panel advocate and legal aid beneficiary. The interaction, if any, was confined to postal communications, which was not only time consuming but was also far from being effective and satisfactory. Consequently, to bridge this gap it was decided to better and more effectively utilize the video-conferencing facilities available with the SCLSC.

Video Conferencing Room of the SCLSC was inaugurated by Hon'ble Mr. Justice Dipak Misra, then Executive Chairman, NALSA in the august presence of Hon'ble Mr. Justice Ranjan Gogoi, then Chairman, SCLSC on 22.03.2017, to facilitate face

⁶ Annexure 4

to face interaction between the inmates lodged in the jail and panel Advocates of the SCLSC. However, for one reason or another, the available facility was not being optimally used either by the panel advocates or by the SCLSC.

Therefore, the SCLSC made it mandatory for panel advocates to have a video conference with the litigant/convict before filing a petition. The panel advocates now use **Video Conference** for obtaining instructions, eliciting important information and collecting necessary details from the convict for filing a comprehensive petition and make legal aid effective and meaningful. Video conferencing not only provides solace to the inmates that the system is still concerned about them but also keeps them updated about the progress of their case.

Initially, there was some the reluctance by the panel advocates to utilize the video conferencing facilities. They felt that the mandatory conducting of Video Conferencing was a time-consuming process and it added to their work load. At times there were technical problems in establishing network connection, which made Video Conferencing more onerous. However, the panel Advocates after the above said two days interaction realized the importance of Video Conferencing and are now regularly using the facility.

Establishing contact with the inmates lodged in various jails of Gujarat has posed a peculiar problem. It is informed by the jail authorities in Gujarat that except for Ahmedabad jail, it is not possible to have inter-state Video Conferencing in the various jails of Gujarat. It was informed that all the District jails of Gujarat State are connected with the GSWAN network (Gujarat State Wide Area Network) and are not having facility of lease-line. The SCLSC is still grappling with the issue and has already taken up the issue with the Gujarat High Court Legal Services Committee and Gujarat State Legal Services Authority. The Secretary, HCLSC has ensured the SCLSC that the problem shall be resolved very soon. It was also revealed that there is no

infrastructure available for conducting Video Conference in Paithan Jail in Maharashtra. A request mail in this regard has also been written to Maharashtra State Legal Services Authority to create the necessary infrastructure in Paithan Jail. These are only some examples but a similar situation exists in many jails across the country.

A statement of Video Conferences conducted by the SCLSC with inmates lodged in various jail since its inauguration viz 22.03.2017 till 31.08.2018 with number of hours spent during Video Conferencing is given here as under:

S.No.	Particulars	No. of Video Conferencing	Hours spent
1.	Video Conferences in 2017	128	32 hrs.
2.	Video Conferences in 2018	321	80.25 hrs.
3.	Total Video Conferences since inception till 31.08.2018	449	112.25 hrs.

Recently, this initiative of SCLSC was appreciated by the Hon'ble Supreme Court (SLP (Criminal) No. 6740 of 2018 date of decision 14.08.2018) and all the Legal Services Authorities/Committees in every State were directed by the Hon'ble Supreme Court to extend similar facility in every criminal case wherever the accused is lodged in jail. It was observed by the Hon'ble Supreme Court⁷ that:

“In our view such a direction on part of the Supreme Court Legal Services Committee is quite commendable and praiseworthy. Very often we see that the learned Advocates who appear in matters entrusted by the

⁷ Coram: Hon'ble Mr. Justice Abhay Manohar Sapre and Hon'ble Mr. Justice Uday Umesh Lalit

Supreme Court Legal Services Committee, do not have the advantage of having had a dialogue with either the accused or those who are in the know of the details about the case. This at times seriously hampers the efforts on part of the learned Advocate. All such attempts to facilitate dialogue between the counsel and his client would further the cause of justice and make legal aid meaningful. We, therefore, direct all Legal Services Authorities/Committees in every State to extend similar such facility in every criminal case wherever the accused is lodged in jail. They shall extend the facility of video conferencing between the counsel on one hand and the accused or anybody in the know of the matter on the other, so that the cause of justice is well served.”

(Hon’ble Mr. Justice U.U. Lalit in the matter of Imtiyaz Ramzan Khan Vs. The State of Maharashtra (SLP (Criminal) No. 6740 of 2018 date of decision 14.08.2018)

iii) **Appointment of legal consultants:**

In the past few years, the work of the SCLSC has increased manifold. Besides the routine administrative work, the SCLSC receives on an average about 150-175 fresh legal aid applications every month from various State Legal Services Authorities, Committees, Jails, Applicants across the country. Pursuant to a Resolution passed in the 7th meeting of the Middle-Income Group held on 11.12.1997 a paragraph was appended in the summons/notice informing the noticee about the availability of the legal aid under the Legal Services Authorities Act, 1987.⁸

Consequently, in pursuance of notice issued by the Registry of the Supreme Court, the litigants/respondents are also approaching the SCLSC for legal aid. In these cases, the Dealing Assistants are required to collect all the necessary documents from the litigants/respondents and thereafter

⁸ Annexure 5

process their case for assignment of lawyers. The staff of the SCLSC is also regularly involved in interacting with the jails through the Video Conferencing. As noted above, about 80.25 working hours were consumed in conducting Video Conferencing. Besides the cases of the applicants, the SCLSC also receives applications from the litigants under Right to Information Act, 2005, which is a time-consuming process. In the year 2018, 93 RTI applications and 14 Appeals under Section 19 of the RTI Act, 2005 have been received in the office of SCLSC till 01.09.2018.

Further, consequent upon the retirement Mr. T.K. Barua, the post of Under Secretary in the office is lying vacant. The post was proposed to be filled by deputation as no employee of SCLSC was eligible for promotion to the post of Under Secretary. An advertisement in this regard was issued in the Employment News edition 2-8 December, 2017. A vacancy circular in this regard was also sent to 83 Ministries inviting applications from the interested officers. However, no application was received in response to the said advertisement/vacancy circular, despite extension of the last date for submission of the application.

The post of Superintendent in the office is also lying vacant and the same is required to be filled by promotion of the eligible officials of SCLSC. Recently, in the 60th meeting of the SCLSC held on 18.9.2018, a Departmental Promotion Committee has been constituted to consider the promotion of the eligible officials to the post of Superintendent.

Consequently, there is an administrative void at the intermediate level.

In order to ease the burden of the SCLSC and to provide high quality legal services, two Consultants were appointed in the SCLSC in January, 2018. The Consultants Ms. Pratibha Raghav and Ms. Rasna Kalkat were selected after an open advertisement through an interview conducted by a Selection

Committee comprising of three members. The Consultants are law graduates who have at least one year experience in the profession.

In the last few months, the Consultants have undertaken various tasks assigned to them which includes but is not limited to preparation of briefs in criminal cases, to be forwarded to the Screening Committee, where the sentence awarded is less than 10 years. They assist the Dealing Assistants in preparation of appeals under Regulation 12(6) of SCLSC Regulations. They also carry out research on various legal issues that can be of use to the litigants/convicts as well as to the Screening Committee.

The Consultants also monitor all pending applications of the SCLSC and ensure timely filing of the petitions by regular follow up with the panel Advocates. The compilation of data, updating the record and obtaining 'daily work done report' from the Dealing Assistants are some other exercises which are undertaken by the Consultants.

(iv) **Operation Clean-up:**

In order to clear the dead wood of files an Operation Clean-up was carried out by the SCLSC in January, 2018. Under Operation Clean-up all the Dealing Assistants were directed to physically verify all the files and update their status. After physical verification of the files by the Dealing Assistants the Consultants were required to re-verify all the files and update their current status.

During the process of Operation Clean-up, it was realized that many of the files were already disposed of by the Hon'ble Supreme Court, but the record of SCLSC was not updated for want of information from the lawyer/litigant. It was also realized that in some cases the cause had already become infructuous and the petition was no longer required to be filed. For example, in Transfer Petitions the main petition was found to have been disposed of and for lack of information the request for filing of

transfer petition was still pending with the SCLSC. Furthermore, there were civil cases (and some criminal cases) wherein the petition could not be filed for want of certain documents and the legal aid applicant was not responding to the requests of the SCLSC to provide the deficient documents. In these cases, as a policy matter, at least three reminders were issued to the legal aid applicant to complete the formalities and in case if even after sufficient opportunities the applicant opted to remain silent, the SCLSC was constrained to close their files. However, in case if such applicant was found to be in custody then instead of closing of their files a request was made to respective High Court Legal Services Committees to furnish the deficient documents.

As a cumulative effect of Operation Clean-up and Project 'SAHYOG' (details of Project 'SAHYOG' are discussed below) the total pendency of the SCLSC has been reduced from 3800 cases (as in January, 2018) to 2144 (as on 22.09.2018). Operation Clean-up has not only led to reduction of pendency and clearing of dead wood but had also resulted in availability of additional space.

It may be mentioned that the waste paper from the dead wood files was given to the Cancer Society for recycling.

v) **Pilot Project 'SAHYOG' to clear old pending cases:**

The constitutional obligation under Article 39A to provide free legal aid coupled with the fundamental right of the convicts for speedy justice mandates SCLSC to ensure expeditious filing and follow up of the petitions of these convicts.

For the said purpose, physical verification of all pending files with SCLSC was conducted under Operation Clean-up and during the said exercise it was found that there were a number of cases wherein the petitions could not be filed by the assigned panel Advocates for one reason or another. It was realized that there were about 48 cases which could not be filed by the

SCLSC despite a lapse of more than a decade. In total 1188 pending cases were targeted by the SCLSC. The oldest 4 cases out of the said targeted cases, which could not be filed pertains to the year 2005. Similarly, about 12, 13, 19, 46 and 75 such cases pertaining to the year 2006, 2007, 2008, 2009, and 2010 respectively were also found to be pending.

Therefore, to target the said **backlog of 1188 old cases**, a pilot Project 'SAHYOG' was launched on 07.05.2018 to ensure expeditious filing of the petitions before the Hon'ble Supreme Court. A team of 25 dedicated panel Advocate was selected for the Project. The matters were re-assigned to the said Advocates after taking the same back from the previous Advocates and the time bound filing of same was ensured by constant monitoring.

Matters wherein the files could not be retrieved from the previous Advocates, were re-constructed in coordination with the respective High Court Legal Services Committees and State Legal Services Authorities. However, it was realized during the course of the Project 'SAHYOG' that the reconstruction of the files through State Legal Services Authorities was consuming time. Therefore, the Chairman Justice Madan B. Lokur personally wrote a request letter to the Hon'ble Chief Justice of the respective High Court whereupon the reconstructed files were expeditiously sent to the SCLSC by the High Court Legal Services Committees. The re-constructed matters were scrutinized by the Dealing Assistants and thereafter re-verified by the LSC to ensure that the file is complete in all respect. The reconstructed matters were re-assigned and filed in time bound manner. Further, in order to avoid the recurrence of such an unfortunate situation, the **scanning** of all the files before its assignment to the panel advocates was made mandatory.

Further, incentive by way of extra honoraria, has also been introduced for time bound filing of the matters by the panel Advocate under project 'SAHYOG'. It is relevant to mention here that 776 criminal and 412 civil matters (total 1188

matters) were identified and targeted under the project SAHYOG. A look at the following statistics would help one fathom the success of the Project:

Total matters identified under Project 'SAHYOG'	Matters Disposed of/closed	Matters filed and pending before the Hon'ble Supreme Court	Matters yet to be filed by the advocates	Response yet to be received from applicant	Matters yet to be reconstructed	Matters in the process of filing
1188	494	500	35 (the advocates are busy preparing the petitions and it is expected that the same shall be filed very soon)	107 (reminders have been issued to the applicants and response from the applicant is awaited)	38 (in few of the cases the translation of the documents is taking time and in a few other cases due to the non-availability of the convicts because of parole etc. the reconstruction is consuming some time)	14*

*** as on 22.09.2018**

vi) **Resolution of 'Custody certificate' issue in criminal matters:**

Filing of custody certificate of the convict is mandatory (in criminal matters) as per Supreme Court Rules, and the validity of the same is 6 months. However, procurement of the same at times becomes a difficult task considering the fact that convicts are lodged in different jails spread across various parts of the country. Further, the procurement of fresh custody certificate in case of earlier certificate having expired (being more than 6 months old) was also causing delay. To address the said problem, matter was discussed with the Registry of the Supreme Court and the Registry has been pleased to accept the old custody certificate on the certification of the panel lawyer that the convict is still in custody and latter has interacted with him through video conferencing.

Further, the concept of **E-custody certificate** has been introduced and Registry of the Supreme Court has agreed to accept the same. Presently, E- custody certificates are being provided by the State of Haryana through an on-line portal. Since introduction of E-certificate viz.14.08.2018 till 15.09.2018, the SCLSC has received 18 E-custody certificates from State of Haryana.

However, efforts are being made to introduce the said facility at pan India level. A request has already been sent in this regard to NALSA.

vii) **Applications for grant of bail:**

Presently, there are 262 SCLSC petitions (SLPs/Crl. Appeals) wherein the convicts are languishing in jail and listing of these SLPs/Appeals before the Hon'ble Supreme Court may take some time. Therefore, in order to ensure access to justice to convicts languishing in jails, the SCLSC has requested the panel Advocates to file bail application in those cases wherein the convict is in custody for more than 5 years. Further, the panel advocates have also been requested to make prayer for early release (in alternate) in the said bail applications wherein convict is in custody for more than 14 years.

Since no provision for honorarium for filing bail application has been made by the SCLSC in its fee structure. Therefore, for filing bail application, SCLSC has decided the following honorarium, as a special case, payable to the panel Advocate:

- | | | |
|----|-----------------------------|--------------|
| A) | For filing bail application | = Rs.1,000/- |
| B) | If the bail is granted | = Rs.1,000/- |

It has been resolved that bail/premature release application in all these matters shall be filed before Hon'ble Supreme Court by 30.09.2018.

viii) **Automated Reminders to the panel Advocates:**

In the 59th Meeting the SCLSC resolved to implement the following steps:-

- (a) *The information regarding the assignment letter be communicated to the panel advocate through email as well as SMS.*
- (b) *There must be regular time bound monthly monitoring of the case by the office after its assignment to the panel Advocate.*
- (c) *A request or email be sent to the panel Advocate for filing of the matter in the Hon'ble Court, within 15 days from the date of its assignment.*
- (d) *After expiry of one month, a reminder shall be sent to the panel advocates inquiring about the status of the matter assigned to them.*
- (e) *After two months from the date of assignment, in case if petition is not filed by the panel advocate, a request be made to the panel Advocate to return the case papers of the applicant.*
- (f) *Consultants shall regularly follow up the matter assigned to the panel advocates.*

The resolution bore fruits and there has been a considerable enhancement in the number of legal aid petitions filed by the panel Advocates before the Hon'ble Supreme Court. The statistics provided in this paper (later) give a glimpse about the outcome of the resolution.

C. USE OF INFORMATION AND TECHNOLOGY IN SCLSC

i) **Launching of New Website of SCLSC**

On 14.08.2018 a new website of the SCLSC was launched by Hon'ble Mr. Justice Dipak Misra, Hon'ble the Chief Justice of India in the august presence of Mr. Ravi Shankar Prasad, Hon'ble Minister of Law & Justice and Information and Technology, Hon'ble Mr. Justice Ranjan Gogoi, Chief Justice of India Designate, several other Hon'ble Judges of the Supreme Court and Mr. Justice Madan B. Lokur, Chairman, SCLSC. The

new website is more elaborate and user friendly. It also contains:

- (a) Application forms for legal services;
- (b) Details of entitlement of legal aid;
- (c) Information about right to appeal by litigants;
- (d) Information about the working procedure of the SCLSC and other requisite information for the convenience of the litigants.
- (e) An on-line module, developed with the assistance of NIC and Commonwealth Human Rights Initiative (CHRI), for submission of legal aid application along with requisite documents has also been introduced for the benefit of legal aid beneficiaries.

Initially, as a pilot Project, HCLSC, Delhi and Chandigarh were provided with an account for filing on-line petitions for the convicts pertaining to their respective States. The facility has thereafter been extended to the other States and the general public.

It is worthwhile to mention here that since 14.08.2018 till 22.09.2018, the SCLSC has received 48 Online applications.

ii) **Scanning of Case Papers made mandatory:**

In past, the matters were being entrusted to the Panel Advocate without scanning of the case file. However, at times, the documents were reportedly misplaced in the office of the Advocate for one reason or the other and reconstruction of the matter in such a circumstance was posing great challenge. The services of M/s. KARVY Data Management Services Limited was already being availed by the Hon'ble Supreme Court. Therefore, their services were utilized by the SCLSC for scanning of weeded out records. Thereafter, to address the said problem, SCLSC engaged the services of KARVY Data Management Services Limited for scanning purpose. All the case papers are presently being mandatorily scanned before assignment of the same to the panel Advocates. Consequently, the SCLSC now has a secured

data bank whereby the record can be easily retrieved as and when required. Later on, it is proposed to scan replies/affidavits received by the panel advocate in response to the petition filed by the SCLSC on behalf of a litigant/convict.

iii) **Introduction of payment through NEFT/RTGS mode:**

Previously, all the payment to the panel advocates were being made through cheque which was a time-consuming process and also involved a lot of paper work. Therefore, in order to ensure timely and hassle-free payments, the mode of payment has been switched to NEFT/RTGS mode. The requisite Bank account details of all panel advocates have been compiled and the payments are being made expeditiously and directly into their account through the said mode. The said step is not only an endeavour to ensure hassle free and timely payment to the panel advocate but also a small measure for environment protection by attempting to save paper.

iv) **Introduction of E-Office feature:**

In the past, all administrative approvals were taken in physical files. However, towards the avowed objective of becoming paperless, the SCLSC, in collaboration with e-committee, has now introduced the e-Office software in the office, after a training program was organized by the e-committee for the staff and officers of the SCLSC. Subsequent to e-Office training, all the administrative proposals are now submitted and processed through e-Office only, i.e. electronically without any paper work being involved and the necessary approval are also granted through e-office only.

Steps are being taken for conducting a refresher training program of e-Office.

v) **Information regarding Assignment of cases being sent through email as well as SMS:**

Once the matter is assigned to a panel advocate, the information regarding the same is sent on real time basis to the concerned Advocate through automated email as well as SMS.

vi) The SCLSC has further resolved to procure Laptops for improving the functioning of the Consultants. Accordingly, after completing the necessary formalities five laptops have been procured and distributed to the legal services Consultants.

D. OPEN DOOR AUDIT OF SCLSC BY NATIONAL LAW UNIVERSITY, DELHI.

It was resolved in 59th Meeting of this Committee that an Open-Door Audit for assessing the performance of SCLSC should be conducted. Accordingly, National Law University, Delhi was requested to conduct the same and suggest remedial course of action to improve SCLSC functioning. The audit work has accordingly been started by National Law University, Delhi and all the files, data available with this Committee has been made available for the purpose. The report of audit is likely to be received very soon.

E. STATISTICS OF CASES FILED IN SUPREME COURT BY SCLSC IN 2016, 2017 AND 2018

A look at the number of cases filed during the year 2016, 2017 and 2018 stands witness to the fact that year 2018 has been a landmark year in the crusade for access to justice to all. The month-wise filing on behalf of SCLSC in the year 2018 is as follows:

Months	Number of cases filed
January, 2018	120
February, 2018	98
March, 2018	104
April, 2018	127
May, 2018	171
June, 2018	85
July, 2018	151
August, 2018	185
September (Till 22.09.2018)	115
Total	1156

The year-wise filing on behalf of SCLSC in the year 2016, 2017 and 2018 (till 22.09.2018) is as follows:

Particulars	2016	2017	2018 (upto 22.09.2018)
Matters filed before the Hon'ble Supreme Court.	992	1002	1156

Statistics of applications received by the SCLSC during the years 2017 and till 31.08.2018 is provided here as under:

Particulars	2017	2018 (upto 31.08.2018)
Applications received by SCLSC	2138	1357

F. STATISTICS OF LEGAL AID & ADVICE GIVEN BY THE SCLSC IN 2016, 2017 AND 2018

Besides the filing of the petitions before the Hon'ble Supreme Court on behalf of the eligible applicants, SCLSC also provides free legal advice to any person, who approaches SCLSC for legal advice. Statistics of legal advice given by the SCLSC during the years 2016, 2017 and 2018 is provided here as under:

Particulars	2016	2017	2018 (upto 31.08.2018)
Legal advice given by SCLSC	486	440	425

G. FUTURE GOALS

I. The Committee has firmly resolved to ensure that this office should be professionally managed and become a zero-pendency organization. As on 22.09.2018 there are only about 38 matters (prior to 2018), which are yet to be reconstructed and filed. The said matters have already been targeted under Project 'SAHYOG' and the concerned HCLSCs have assured the SCLSC that they are working for the reconstruction of the said files with utmost diligence and alacrity. The SCLSC expects the reconstruction, assignment and filing of these matters within a month and thereafter no old matter (prior to 2018) shall remain pending for filing. The Consultants are also keenly monitoring each pending case along with the Dealing Assistants to ensure zero pendency.

II. Another key feature by the name of 'Track Your Application' has been introduced in the website, which is presently at a nascent stage. The SCLSC shall take up the issue with the Registry, E-Committee and NIC. It is proposed that the SCLSC data shall be integrated with the Supreme Court data

and very soon the applicant would be able to track the real time updated status of his/her legal aid application.

III. The SCLSC has resolved to go absolutely paperless. Presently the communication with the litigants, Screening Committee and lawyers viz., assignment letter, documents, reminders etc. are sent in the physical form also along with the softcopies. The online petitions and e-filing is in a nascent stage. We are gradually moving towards a paperless office by encouraging the lawyers, litigants, HCLSCs. and other stakeholders to approach the SCLSC using the said facilities. It has also been resolved that after 31.08.2018, no paper communication shall be sent to panel advocates and all the communications to them shall only be sent through e-format.

Conclusion

The SCLSC is committed to provide quality legal services to all applicants and will not leave any stone unturned towards that objective.

26.09.2018

(Dharmender Rana)
Secretary

SUPREME COURT LEGAL SERVICES COMMITTEE
EXECUTIVE COMMITTEE MEMBERS

S.No,	Names	Designation
1.	Hon'ble Mr. Justice Madan B. Lokur Judge, Supreme Court of India. New Delhi.	Chairman
2.	Mr. K.K. Venugopal Attorney General for India Supreme Court of India New Delhi.	Ex-officio Member
3	Shri Ravindra Maithani Secretary General Supreme Court of India.. New Delhi.	Ex-officio Member
4.	Mr. P.K. Das Additional Secretary, Department of Expenditure, Ministry of Financehjh North Block, New Delhi.	Ex-officio Member
5.	Ms. Sushma Taishete Joint Secretary, Department of Justice Ministry of Law & Justice New Delhi.	... Ex-officio Member
Srl. No. 6 to 10 [w.e.f. 06.10.2017)		
6.	Mr. Venkitasubramani Giri Senior Advocate, Supreme Court of India. Ch. No. 64, Lawyers Chamber	Member
7	Mr. Sidharth Luthra Senior Advocate Supreme Court of India Office : House NO. 4, First Floor, Sunder Nagar	Member
8	Mrs. B. Sunita Rao, Advocate, Supreme Court of India 201, C.K. Daphtary, Lawyers Chamber	Member
9.	Mr. Gopal Sankaranarayanan Advocate, Supreme Court of India. New Delhi 144, Niti Bagh, New Delhi	Member

IN THE SUPREME COURT OF INDIA
(Appellate/Original Jurisdiction)

S.L.P./Appeal/W.P./T.P. (Civil/Crl.) of 200

.....

.....Petitioner (s)

Versus

.....

.....Respondent (s)

AFFIDAVIT OF FACTS

I.....Son/Daughter of

.....

..... Age Year, by profession

..... Resident of

.....

.....

.....do solemnly affirm and stand state as follows:

1. I am the pairokar/one of the petitioners/appellants/respondent in the above matter and such acquainted with the facts of the case.

2. The facts stated in the accompanying petition are true to my knowledge and the rest are on information derived from the papers of the case and believed to be true.

3. That no Special Leave/W.P./T.P./has been filed in the above matter earlier by me in the Hon'ble Supreme Court against the impugned order/Judgment. Decree for similar relief.

4. The facts stated in the accompanying Misc. Petition (namely Stay/Condonation of delay/Bail/application) for filing proof of surrender/exemption from filing of the impugned order/application for substitution of L.R.S. and others misc. petition with their annexures are true and correct to my

knowledge derived from the record of the case and my personal knowledge.

5. I say that the facts stated in paragraphs to and pages toof the Special Leave Petition/T.P./R.P./W.P. and pages B to of the List of Dates are true to my personal knowledge and the submissions made therein are based on legal advice which I received and believe to be true.

6. That the annexures being enclosed with the petition, are true copies of their respective originals.

DEPONENT

VERIFICATION

I, Deponent abovenamed, do so solemnly affirm and declare that the contents of the fore-going affidavit are true to my knowledge and no part of it is false and nothing material has been concealed.

Verified this the day of

DEPONENT

V A K A L A T N A M A

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL/APPELLATE/ORIGINAL/JURISDICTION

CRL./CIVIL/SPECIAL LEAVE PETITION/ APPELLA/W.P./T.P.

OF 20

.....
.....Appellant(s)
)/Petitioner(s)

Versus

.....
.....R
espondent(s)

I/We.....
.....
.....

.....the Appellant(s)/Petitioner(s)/Respondent(s) in the above
Suit/Appeal/Petition/Reference do hereby appoint and
retain.....

.....Advocate, Supreme Court on behalf
of the **SUPREME COURT LEGAL SERVICES COMMITTEE** to
act and appear for me/us in the above
Suit/Appeal/Petition/Reference and on my/our behalf of
conduct and prosecute (or defend) the same and all proceeding
that may be taken in respect of any application connected with
the same or any decree or order passed therein including
proceedings in taxation and Application for REVIEW to file and
obtain of return documents and to deposit and receive money on
my/our behalf in the said Suit/Appeal/Petition/Reference and
in Application for Revenue, and to represent me/us and to take
all necessary steps on my/our behalf in the above matter. I/we

agree to ratify all acts done by the aforesaid Advocate in pursuance to this Authority.

Dated _____ this _____ the
.....day of
.....

Appellants(s)/Petitioner(s)/Respondent(s)/Caveator

ACCEPTED

Advocate on behalf of the Supreme Court Legal Services Committee
108, Lawyers Chambers, Post Office Wing, Supreme Court Compound,
New Delhi.

To,

The Registrar,
Supreme Court of India,
New Delhi

Please enter my appearance on behalf of the above-named Petitioner(s)/Appellant(s)/Respondent(s)/Intervenor in the above matter.

Dated this the _____ day of _____
201

Advocate-on-Record
For
Petitioner(s)/Appellant(s)/Respondent(s)/Applicant
on behalf of **SUPREME COURT LEGAL SERVICES
COMMITTEE**
Supreme Court of India, New Delhi - 110001

Form - I

SUPREME COURT LEGAL SERVICES COMMITTEE
[Free and Competent Legal Services] Regulations, 2010
[see regulation - 3]

Registration No.

1. Name :
2. Permanent Address :
3. Contact address with phone no.
if any, e-mail ID if any.
4. Whether the applicant belongs to
the category of persons mentioned
in section – 12 of the Act. :
5. Monthly income of the applicant :
6. Whether affidavit/proof has been
produced in support of of income/
eligibility U/s 12 of the Act. :
7. Nature of legal aid or advise required :
8. A brief statement of the case, if court
based legal services is required :

Place:

Date:

of the applicant

Signature

Relevant to Clause (2) of Regulation 17

AFFIDAVIT

I.....
aged
 about.....years.
 Son/daughter/wife of
 Shri.....
Residence of

do hereby solemnly affirm and state as under:

- 1 (a) I belong to a member of a Scheduled Castes/.Scheduled Tribes.
- (b) I am a victim of trafficking in human beings or a beggar.
- (c) I am eligible for legal services as I am a woman/child.
- (d) I am mentally ill or otherwise disabled person.
- (e) I am a person under circumstances of undeserved want being a victim of a mass disaster, ethnic violence caste atrocity, flood, drought, earthquake or industrial disaster.
- (f) I am an industrial workman.
- (g) I am in custody.
- (h) My annual income from all sources is below, Rs. 1,25,000/- (Rupees One lac Twenty Five Thousand only).

(Delete whatever is not applicable)

2. I shall comply with any requisition and direction that may be made b the Secretary or any other members of the Supreme Court Legal Services Committee.

3. I Shall furnish full and true information of all facts of my case to the legal services advocate to be provided by the Committee.

4. I seek to approach the Hon'ble Supreme Court of India:-

(a) In appeal from the Judgment of

.....in
.....
.....

.....
(b) In writ jurisdiction for
.....
.....

.....
.....

(Delete whatever is not applicable)

5. I agree that my case be listed before Lok Adalat in Hon'ble Supreme Court, if any stage it is considered by the Committee that my matter can be reconsidered or settled through Lok Adalat.

DEPONENT

Verification

I,
Shri/Smt./Kum.....
.....
.....

the above named Deponent do hereby verify that the contents of the paragraphs 1 to 5 are true and correct to my knowledge nothing stated therein false and nothing has been concealed.

Verified on this day
at.....
.....
at.....
.....

DEPONENT

Note: This affidavit must be on non-judicial stamp paper of appropriate value under the Stamp Act of your State and sworn before an Oath Commissioner or Notary Public or 1st Class Magistrate.

LIST OF STAFF MEMBERS

S.No.	Names Of Members	Designation
1.	Mr. Dharmender Rana	Additional Registrar, Supreme Court of India and Secretary, SCLSC
2.	Mr. Anuj Agarwal	Addl. Secretary
3.	Ms. Nidhi	Legal Services Counsel-cum-Consultant
4.	Ms. Rasna Kalkat	Consultant
5.	Ms. Pratibha Raghav	Consultant
6.	Mr. Brahma Singh	Assistant
7.	Mr. Ashok Kumar Verma	Assistant
8.	Mr. Brij Kishore Sharma	U.D.C.
9.	Mr. I.D. Sharma	U.D.C.
10.	Ms. Madhuli	Jr. Stenographer
11.	Mr. Uttam Kumar Bose	L.D.C.
12.	Mr. Harish Bhardwaj,	L.D.C.
13.	Mr. Vijay Kumar Sharma	L.D.C.
14.	Mohd. Shahid Khan	L.D.C.
15.	Mr. Laxman Singh Rawat	Daftary
16.	Mr. Shadab Alam	Peon
17.	Ms. Jyotsna Rani Mohanty	Peon
18.	Mr. Surya Nath Yadav	Peon
19.	Mr. Raju Kushwaha	Farash

20.	Mr. Dheeraj Kashyap	Stenographer
21.	Ms. Anuradha	L.D.C.
22.	Mr. Deepak	L.D.C.
23.	Mr. Nagender Manjhi	Peon
24.	Mr. Harinder Thakran	Driver

ACTIVE SCREENING COMMITTEES OF SENIOR ADVOCATES

S.No.	Names
1.	Mr. Krishnan Venugopal, Sr. Advocate
2.	Mr. Huzefa A. Ahmedi, Sr. Advocate
3.	Ms. Kiran Suri, Sr. Advocate
4.	Mr. Pallav Shishodia, Sr. Advocate
5.	Mr. Parag P. Tripathy, Sr. Advocate
6.	Mr. Raju Ramachandran, Sr. Advocate
7.	Ms. Vibha Datta Makhija, Sr. Advocate
8.	Mr. V. Giri, Sr. Advocate
9.	Mr. Sidharth Luthra, Sr. Advocate

SECTION-IV
NOTICE OF LODGEMENT OF THE PETITION OF APPEAL TO
THE RESPONDENTS

(Rule 8(I) & (III) and Rule 11 of Order XXI, S.C.R. 2013)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7054 OF 2018

(Appeal by Special Leave granted by this Court's Order dated the **23rd July, 2018** in Petition for **SLP(C) No. 19680 of 2018** from the Judgement and Order dated the **17th January, 2018** of the **HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH, PUNJAB** in RSA No. **164 of 2016(O&M)**

The State of Punjab & Anr.

....Appellants

VERSUS

SPO Kesar Singh

....Respondent

To

SPO Kesar Singh,
No. 1538/Patiala S/O, Surjit Singh,
R/o, VPO Raiwala,
Tehsil Amloh, District-Fatehgarh Sahib,
Punjab

PId:128056/2018

Sole Respondent

TAKE NOTICE that the Appellants above-named have on 11.06.2018 filed in the Registry of the Supreme Court, Petition for Special Leave to Appeal (C) No. 22486 of 2015 (Copy enclosed) from the Judgement and Order mentioned above and pursuant to this Court's Order dated 23rd July, 2018 granting Special Leave to Appeal, the case has been registered as *Civil Appeal No. 7054 of 2018 and tagged with C.A. No. 5591 of 2017 @ SLP(C) No. 8583 of 2017.*

NOTICE IS HEREBY given to you that if you wish to contest the appeal, you may appear before this Court within thirty days of the receipt of this Notice either in person or by an Advocate-on-Record of this Court appointed by you in that behalf and take such part in the proceedings as you may be advised.

TAKE FURTHER NOTICE THAT in default of your appearance within the time prescribed, the appeal will be proceeded with and determined in your absence and no further notice in relation thereto shall be given to you.

Dated this the 31st day of July, 2018.

ASSISTANT REGISTRAR

“IMPORTANT NOTICE

LEGAL AID

- (1) **Legal service of an advocate is provided by the Supreme Court Legal Services Committee and the Supreme Court Middle Income Group Legal Aid Society to eligible litigants. For further information, please contact the Secretary, Supreme Court Legal Services Committee or the Member Secretary, Supreme Court Middle Income Group Legal Aid Society, 107-108, Lawyers’ Chambers, R.K. Jain Block – Near Post Office, Supreme Court Compound, Tilak Marg, New Delhi – 110201 (Tel. No. 23388313, 23388597)**

MEDIATION

- (2) **The facility of amicable settlement of disputes by trained mediators in cases pending in the Supreme Court is now available in the Supreme Court.**

For further information, please contact the Co-ordinator, Supreme Court Mediation Center, 109, Lawyers’ Chambers, R.K. Jain Block – Near Post Office, Supreme Court Compound, Tilak Marg, New Delhi – 110201 (Tel. No. 011-23071432).”