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NOTIFICATION

No.F.11015/1/93-LAC/369, the 30th October, 1996. In exercise of the powers conferred by section 28 of the Legal Services Authorities Act, 1987 (No. 39 of 1987), as amended by the Legal Services Authorities (Amendment) Act, 1994 (No. 59 of 1994), the Governor of Mizoram makes the following rules, namely:-

1. Short title These rules may be called The Mizoram State Legal Services Au-
and Commen- thority Rules, 1996.
cement.
- (2) They shall come into force on the date of their publication
in the Official Gazette.
2. Definition. In these Rules unless the context otherwise requires -
 - (a) "Act" means the Legal Services Authorities Act, 1987 (No. 39 of 1987) as amended by Legal Services Authorities Act, 1994 (No. 59 of 1994);
 - (b) "Chairman" means the Executive Chairman of the State Authority, or as the case may be the Chairman of the District Authority, or as the case may be, the Chairman of the Taluk Legal Services Committee;
 - (c) "District Authority" means the District Legal Services Authority constituted under Section 9 of the Act;
 - (d) "High Legal Services Committee" means a High Court Legal Services Committee constituted section 8A of the Act;
 - (e) "Member" means the Member
pointed under clause (c) of sub-section(2) of section 6 of the Act, as the case may be;

- (f) "Secretary" means the Member-Secretary of the State Legal Services Authority constituted under section 6 of the Act or as the case may be, the Secretary of the High Court Legal Services Committee constituted under Section 8A of the Act, or the Secretary of the District Legal Services Authority constituted under section 9 of the Act;
- (g) "State Authority" means the State Legal Services Authority constituted under section 6 of the Act;
- (h) "Taluk Legal Services Committee" means a Taluk Legal Services Committee constituted under section 11A of the Act ;
- (i) all other words and expressions used in these Rules but not defined shall have the meaning respectively assigned to them in the Act.

3. The number, experience and qualifications of other members of the State Authority under clause(c) of sub-section (2) of section 6.

- (1) The State Authority shall have not more than fifteen members.
- (2) The following shall be ex-officio members of the State Authority :—
 - (i) Advocate General of the State; or in his absence the Assistant Advocate General;
 - (ii) The Secretary in the Department of Law and Judicial ;
 - (iii) The Secretary in the Department of Finance ;
 - (iv) The Director General of Police of the State ;
 - (v) Chairman, State Social Welfare Board ;
 - (vi) Two Chairman of the District Authority, as may be nominated by the State Government, in Consultation with the Chief Justice of the High Court.
- (3) The State Government may nominate other members from amongst those possessing the experience and qualifications prescribed in sub-rule (4) of this rule.
- (4) A person shall not be qualified for nomination as a member of the State Authority unless he is :—
 - (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Caste, Scheduled Tribes, Women, Children, rural and urban labour; or

- (b) an eminent person in the field of law; or
- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

4. The powers and functions of the Member Secretary of the State Authority under subsection (3) of section 6.

The powers and functions of the Member - Secretary of the State Authority, inter alia shall be -

- (a) to give free legal services to the eligible and weaker sections;
- (b) to work out modalities of the Legal Services Schemes and programmes approved by the State Authority and ensure their effective monitoring and implementation;
- (c) to exercise the powers in respect of Administrative; House-keeping, Finance and Budget matters as Head of the Department in the State Government;
- (d) to manage the properties, records and funds of the State Authority;
- (e) to maintain true and proper accounts, of the State Authority including checking and auditing in respect thereof periodically;
- (f) to prepare Annual Income and Expenditure Account and Balance-Sheet of the said Authority;
- (g) to liaise with the Social Action Groups and District and Taluk Legal Services Authorities;
- (h) to maintain up-to-date and complete statistical information including progress made in the implementation of various Legal Services Programmes from time to time;
- (i) to process proposals for financial assistance and issue Utilisation Certificates thereof;
- (j) to organise various Legal Services Programmes as approved by the State Authority convene Meetings/Seminars and Workshops connected with Legal Services Programmes and preparation of Reports and follow-up action thereon;
- (k) to produce video/documentary films, publicity material, literature and publications to inform general public about the various aspects of the Legal Services Programme;
- (l) to lay stress on the resolution of Rural Disputes and take extra measures to draw schemes for effective and meaningful legal services for settling Rural Disputes at the door-steps of the rural people;

- (m) to perform such of the functions as are assigned to him under the Schemes formulated under Section 4(b) of the Act, and
- (n) to perform other functions as may be expedient for efficient functioning of the State Authority.

5. The terms of office and other conditions relating thereto, of members and Member-Secretary of the State Authority under sub-section (4) of section 6.

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

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

The State Authority shall have such number of officers and staff employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule to these rules or as may be notified by the State Government from time to time.

7. The conditions of services- and the salary and allowances of officers and other employees of the State Authority under sub-section (6) of section 6.
- (1) The Officers and other employees of the State Authority shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the Schedule to these rules or at par with the State Government employees holding equivalent posts;
- (2) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the State Authority shall be governed by the State Government Rule as are applicable to persons holding equivalent posts.
- (3) The officers and employees of the State Authority shall be entitled to such other facilities, allowances and benefits as may be notified by the State Government from time to time.
8. The experience and qualifications of Secretary of the High Court Legal Services Committee under sub-section(3) of section 8A.
- A person shall not be qualified for appointment as Secretary of the High Court Legal Services Committee unless he is an officer of the High Court not below the rank of Joint Registrar.
9. The number of officers and other employees of the High Court Legal Services Committee under sub-section(5) of section 8A and the conditions of service and the salary and allowances payable to them under sub-section(6) of that section.
- (1) The High Court Legal Services Committee shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule to these rules or as may be notified by the State Government from time to time.
- (2) The officers and other employees of the High Court Legal Services Committee shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the Schedule to these Rules or at par with the State Government employees holding equivalent posts.
- (3) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the High Court Legal Services Committee shall be governed by the State Government Rules as are applicable to persons holding equivalent posts.
- (4) The officers and other employees of the High Court Legal Services Committee shall be entitled to such other facilities, allowances and benefits as may be notified by the State Government from time to time.

10. The number, experience and qualifications of members of the District Authority under clause (b) of sub-section (2) of section 9.
- (1) The District Authority shall have not more than eight members.
 - (2) The following shall be ex-officio members of the District Authority:-
 - (i) District Magistrate;
 - (ii) Superintendent of Police;
 - (iii) Chief Judicial Magistrate; and
 - (iv) District Government Pleader.
 - (3) The State Government may nominate in consultation with the Chief Justice of the High Court other members from amongst those possessing the qualifications and experience prescribed in sub-rule(4) of this Rule.
 - (4) A person shall not be qualified for nomination as a member of the District Authority unless he is-
 - (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, children and rural labour;
 - (b) an eminent person in the field of law; or
 - (c) a person of repute who is specially interested in the implementation of the Legal Service Schemes.
11. The number of officers and other employees of the District Authority under sub-section(5) of section 9.
- The District Authority shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule to these Rules or as may be notified by the State Government from time to time.
12. The conditions of service and the salary and allowances of the officers and other employees of the District Authority under sub-section (6) of section 9.
- (1) The Officers and other employees of the District Authority shall be entitled to draw pay and allowances in the scale of pay indicated each against post in the Schedule to these Rules or at par with the State Government employees holding equivalent post.
 - (2) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the District Authority shall be governed by the State Government Rules as are applicable to persons holding equivalent posts.

- (3) The officers and other employees of the District Authority shall be entitled to such other facilities, allowances and benefits as may be notified by the State Government from time to time.

13. The number, experience and qualifications of members of the Taluk Legal Services Committee under clause (b) of sub-section (2) of section 11A.

- (1) The Taluk Legal Services Committee shall have not more than five members.

- (2) The following shall be ex-officio members of the Taluk Legal Services Committee:—

- (i) Sub-Divisional Officer;
- (ii) Sub-Divisional Police Officer;

- (3) The State Government may nominate, in consultation with the Chief Justice of the High Court, other members from amongst those possessing the qualifications and experience prescribed in sub-rule (4) of this rule.

- (4) A person shall not be qualified for nomination as a member of the Taluk Legal Services Committee unless he is —

- (a) an eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children and rural labour; and

- (b) an eminent person in the field of law; or

- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes.

14. The number of officers and other employees of the Taluk Legal Services Committee under sub-section (3) of section 11A.

- The Taluk Legal Services Committee shall have such number of officers and other employees for rendering secretarial assistance and for its day-to-day functions as are set out in Schedule to these rules or as may be notified by the State Government from time to time.

15. The conditions of service and the salary and allowances of officers and other employees—

- (1) The officers and other employees of the Taluk Legal Services Committee shall be entitled to draw pay and allowances in the scale of pay indicated against each post in the Schedule to these rules or at par with the State Government employees holding equivalent posts.

of the Taluk Legal Services Committee under sub-section(4) of section 11A. (2) In all matters like age of retirement, pay and allowances, benefits and entitlements and disciplinary matters, the officers and other employees of the Taluk Legal Services Committee shall be governed by the State Government Rules as are applicable to persons holding equivalent posts.

(3) The officers and other employees of the Taluk Legal Services Committee shall be entitled to such other facilities and benefits as may be notified by the State Government from time to time.

16. The upper limit of annual income of a person entitling him to legal services under clause(h) of section 12, if the case is before a court, other than the Supreme Court. Any citizen of India whose annual income from all sources does not exceed Rs.15000/-(Rupees fifteen thousand) only or such higher amount as may be entitled by the State Government from time to time, shall be entitled to legal services under clause (h) of section 12 of the Act.

17. The experience and qualifications of other persons of the Lok Adalat other than referred to in sub-section (4) of section 19. A person shall not be qualified to be included in the Bench of Lok Adalat unless he is -

- (a) an eminent social worker who is engaged in the upliftment of the weaker sections of the people; including Scheduled Castes, Scheduled Tribes, Women, children, rural and urban labour; or
- (b) a lawyer of standing; or
- (c) a person of repute who is specially interested in the implementation of the Legal Services Schemes and programmes.

P. Chakraborty,
Secretary to the Govt. of Mizoram.

SCHEDULE

(Please refer to rules 6,7,9 (1)&(2),11,12(1),14&15(1))

A. MIZORAM STATE LEGAL SERVICE AUTHORITY.

Sl. No.	Nomenclature of the post.	Scale of Pay	Number of post required.	Job Description
1.	Joint Secretary	Scale of the Mizoram Judicial Service Grade-1 (Junior) pay scale Rs. 4500-150-5700/-	1	1. Office of the Member-Secretary to the State Legal Services Authority at Aizawl shall need Superintendent-1, Assistant-1, Driver-2, Despatch Rider-1, Chowkidar-1,
2.	Superintendent	2200-75-2800-EB-100-4000/-	1	2. One private Secretary shall be needed for the Executive Chairman.
3.	Private Secretary to Executive Chairman	2000-60-2600-EB-75-3200/-	1	3. Rest of the Staff shall be needed for the Office of the Member-Secretary at Staff already in existing are Steno-1. UDC-1, LDC-1, Peon-1, Driver-2.
4.	P.A/Steno-II	1640-60-2600-EB-75-2900/-	1	
5.	Assistant	1460-60-2600-EB-75-2900/-	1	
6.	U.D.C.	1400-40-1600-50-2300-EB-60-2600/-	2	
7.	L.D.C.	1200-30-1560-EB-40-2040/-	3	
8.	Driver	950-20-1150-EB-25-1400/-	2	
9.	Despatch Rider	950-20-1150-EB-25-1400/-	1	
10.	Duftry	800-15-1010-EB-20-1150/-	1	
11.		800-15-1010-EB-20-1150/-	2	
12.	Chowkidar	800-15-1010-EB-20-1150/-	1	
13.	Sweep	800-15-1010-EB-20-1150/-	1	

SCHEDULE

(Please refer to rules 6, 7, 9(1) & (2), 11, 12(1), 1)

B. DISTRICT LEGAL SERVICE AUTH

Sl. No.	Nomenclature of post	Scale of Pay	Number of posts required		Job Description
1.	Upper Divisional Clerk	1400-40-1600-50-2300-EB-60-2600/-	4	1.	Aizawl District is having 16 Judicial Courts. It shall need UDC-2, L Process Server-3, Peon-4.
2.	Lower Divisional Clerk	1200-30-1560-EB-40-2040/-	6	2.	Lunglei District is having 10 Judicial Courts. It shall need UDC-1, Process Server-2, Peon-2.
3.	Process Server	800-15-1010-EB-20-1150/-	6	3.	Cbhimtuipui(Saiha) District Head Quarters having upto 5 Judicial Courts, shall need UDC-1, LDC-1, Process Server-1, Peon-1.
4.	Peon	800-15-1010-EB-20-1150/-	7		In each District Staff already in existing are:- 1 Steno each, 1 LDC each, 1 Peon each. Total staff combined in this three District are therefore:- (1) Stenos -3 (2) LDCs -3 (3) Peons -3

SCHEDULE

(Please refer to rules 6, 7 9(1)&(2), 11, 12, (1), 14&15(1)).

C. HIGH COURT LEGAL SERVICE COMMITTEE:-

Sl. No.	Nomenclature of the Posts	Scale of Pay	Number of Posts required	Job Description
1.	Upper Divisional Clerk	1400-40-1600-50-2300-EB-60-2600/-	2	Under Rule 9 office of the High Court Legal Services Committee shall be at the Guwahati Guwahati as well as at Aizawl Bench, office shall have UDC-1, LDC-2, Process Server-1 No existing staff.
2.	Lower Divisional Clerk	1200-30-1560-EB-40-2040/-	4	
3.	Process Server	800-15-1010-EB-20-1150/-	2	
4.	Peon	800-15-1010-EB-20-1150/-	1	
5.	Chowkidar	800-15-1010-EB-20-1150/-	1	

SCHEDULE

(Please refer to rules 6, 7,

CHAMPHAI & KOLASIB SUB-DIVISI

Sl. No.	Nomenclature of Post.	Scale of Pay	Number of posts required	Job Description
1.	Lower Divisional	1200-3	2	For 2 Sub-Divisional Head Quarters, each shall need L.
2.	Process Server	800-15-1010-EB-20-1150/-	2	Server-1, Peon-1. This staff shall also work for those places of the Sub-Division outside Head Quarters having Courts.
3.	Peon	800-15-1010-EB-	2	for these Sub-