

SUO MOTU DISCLOSURE UNDER SECTION 4(1)(B) OF RTI ACT.

(i) PARTICULARS OF ORGANISATION, FUNCTIONS AND DUTIES:

District Legal Services Authority, Morigaon, being set up in the district of Morigaon, as per the Legal Services Authorities Act, 1987 (hereinafter 'the Act'), has been working for providing equal justice for all, especially for marginalized sections of the society; by providing free legal services in the form of aid & advice specially to the poor, downtrodden, women, Scheduled Castes and Scheduled Tribes, handicapped, children, industrial workers, victims of human trafficking or beggar, a person under circumstances of undeserved want, in custody, custody in protective home or in a juvenile home or in a psychiatric hospital or nursing home.

The motto of this Authority is "JUSTICE FOR ALL". The Legal Services Authority has been arranging different awareness programmes to make the people aware of their legal rights & their duties and the process by which they can have access to justice.

The object of the Act is to provide free, efficient and satisfactory legal services to the weaker sections of society to ensure that opportunity for securing justice is not denied to any citizen by reason of economic or other disabilities; and to organize Lok Adalats to secure quick justice at cheaper costs.

The Act among other things conceives three functions by the Legal Services Authorities; they are –

- (1)** organizing the legal literacy programmes to make more and more people aware of their legal rights and the process to achieve the same,
- (2)** to provide free legal assistance to the door step of the weaker sections of the society,
- (3)** to organize Lok Adalats for settlement of disputes both at pending before the Courts and at pre-litigation stage, so as to reduce the over burden of litigations in the courts.

FUNCTIONS OF THE AUTHORITY

The DLSA, Morigaon to perform the following functions:-

a) To provide free legal service to persons who satisfy the criteria laid down under this Act;

b) To conduct Lok-Adalats, i.e. monthly, yearly etc as per instruction of the Assam State Legal Services Authority. c) To arrange meetings, seminars, awareness camps etc as per National Plan Action and other different regulations. d) Any other Programme as embodied in the National Plan of action or as per instruction of NALSA & ASLSA, etc.

OTHER FUNCTIONS OF THE AUTHORITY

1. The Permanent Lok-Adalat is also functioning under this authority for disposing of the matters of Public Utility Disputes in its pre-litigation stages.
2. To open Legal Aid Clinics in different places of the district including Law College, district jail etc.

3. To furnish monthly reports, returns and other information etc as per instructions of State Legal Services Authority from time to time.

(ii) **POWERS AND DUTIES OF OFFICERS AND EMPLOYEES:**

The District Legal Services Authority is headed by the District & Sessions Judge, who is the senior most and top ranked Judicial Officer in the district judiciary. He is designated as the Chairman, District Legal Services Authority. The post of Secretary, District Legal Services Authority, is the Senior Grade-II Judicial Officer in the District. He is the 2nd important person of the DLSA and the principal officer of the DLSA, who is the custodian of all assets and liabilities and has the sole authority in DLSA to make proposal of all expenditure bills, programmes for approval of the Chairman. He is not only the custodian of all properties of the DLSA but also he has to maintain the proper accounts of the DLSA.

There are six staff working at the DLSA at present – one being an UDA, two LDAs, one data entry operator and one accounts assistant and a Grade-IV staff to perform all the duties as entrusted in the District Authority, and as per directions of the Chairman as well as the Secretary of the District Legal Services Authority.

(iii) **PROCEDURE FOLLOWED IN THE DECISION MAKING PROCESS, INCLUDING CHANNELS OF SUPERVISION AND ACCOUNTABILITY:**

Procedure for Decision Making:

For the matters relating to awareness camps, etc., the Secretary, DLSA has to furnish proposals before the Chairman, DLSA, Morigaon maintaining all formalities and on receipt of approval of the Chairman, DLSA, the decision/proposal is considered as final; in respect of financial & any other matter of great importance, decisions are taken through board/committee meetings.

(iv) **NORMS SET BY IT FOR THE DISCHARGE OF ITS FUNCTIONS:**

LEGAL AID

Every person who wants to file or defend a case shall be entitled to legal services if that person is:-

- (1) a woman or a child; or
- (2) a member of a Scheduled Caste or Scheduled Tribes; or
- (3) an industrial workman or, or
- (4) a victim of trafficking in human beings or beggar as referred to in Art. 23(1) of the Constitution; or
- (5) 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; or
- (6) a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (7) in custody, including custody in a protective home within the meaning of Cl. (g) of Section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a juvenile home within the meaning of clause (j) of the Juvenile Justices

Act, 1986 or in a psychiatric hospital or psychiatric nursing home within the meaning of Clause h), or
(8) a person with annual income less than Rupees Three Lakhs,
is entitled to avail the benefit in any court except the Supreme Court of India.

The areas of legal aid/matters where legal services may be made available are:

- (1) All cases of a civil nature, such as, property dispute, matrimonial dispute and matters dealing with the custody of a child, labour and service matters, compensation in Motor Accident cases, consumer disputes under the Consumer Protection Act, etc.,
- (2) All cases involving criminal offence,
- (3) All cases of violation of fundamental rights guaranteed by the Constitution of India.

Legal Aid shall not be given in the following cases:-

1. Cases of defamation,
2. Cases of contempt of court or perjury,
3. Proceedings relating to any election,
4. Proceedings with regard to economic offences,
5. Offence covered by social legislation such as complaint against untouchability, etc.,

The Chairman of concerned Authority may, however, grant legal aid even in said proceedings in an appropriate case.

LOK ADALAT

A Lok-Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of:

(1) any case pending before; or any matter which is falling within the jurisdiction of, and is not brought before any court for which the Lok Adalat is organized: Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.

(2) Where in any case referred to in clause (i) of sub-section (5) of Section 19:

- (i)(a) the parties there of agree; or
- (b) one of the parties thereof makes an application to the court for referring the case to the Lok-Adalat for settlement and if such court is prima facie satisfied that there are chances of such settlement; or
- (ii) the court is satisfied that the matter is an appropriate one to be taken cognizance of by the Lok-Adalat:

the Court shall refer the case to the Lok Adalat. Provided that no case shall be referred to the Lok Adalat under sub-clause (b) of clause (i) or clause (ii) by such court except after giving a reasonable opportunity of being heard to the parties.

PERMANENT LOK ADALAT

(1) Any party to a dispute may, before the dispute is brought before any court, make an application to the Permanent Lok Adalat for the settlement of dispute; Provided that the Permanent Lok Adalat shall not have jurisdiction in respect of any matter relating to an offence not compoundable under any law; Provided further that the Permanent Lok Adalat

shall also not have pecuniary jurisdiction in the matter of Public Utility Services where the value of the property in dispute exceeds one core;

(2) After an application is made under sub-section (1) to the Permanent Lok Adalat, no party to that application shall invoke jurisdiction of any court in the same dispute.

(V) RULES, REGULATIONS, INSTRUCTIONS, MANUALS AND RECORDS, HELD BY IT OR USED BY ITS EMPLOYEES FOR DISCHARGING FUNCTIONS:

<u>Sl. No.</u>	<u>Name of the Act, Rules, Regulations, etc.</u>	<u>Price in case of Publications</u>
1.	Legal Services Authority Act, 1987	Available in the market and also on the NALSA website
2.	Assam State Legal Services Authority Rules 1996.	Available on website of the authority
3.	Assam State Legal Services Authority Regulations 2010, 2011	-ditto-
4.	National Legal Services Authority (Free & Competent Legal Services) Regulation 2010	Available on the NALSA website
5.	Assam Victim Compensation Scheme 2012	Available on the ASLSA website

(VI) A STATEMENT OF THE CATEGORIES OF DOCUMENTS THAT ARE HELD BY ITS CONTROL;

For smooth functioning, various files are maintained as under:

<u>Sl. No.</u>	<u>Section</u>	<u>Section Index</u>	<u>Extension</u>
1.	Establishment	DLSAM.I	File No./Year/Issue No./Esstt.
2.	Correspondence	DLSAM.II	File No./Year/Issue No./Corsp.
3.	Accounts	DLSAM.III	File No./Year/Issue No./Acct.
4.	Recruitment	DLSAM.IV	File No./Year/Issue No./Rectt.
5.	RTI	DLSAM.V	File No./Year/Issue No./RTI.
6.	Victim Compensation	DLSAM.VI	File No./Year/Issue No./VC.
7.	Tender, Purchase, etc.	DLSAM.VII	File No./Year/Issue No./Tedr
8.	Jail, UTP, etc.	DLSAM.VIII	File No./Year/Issue No./Jail.
9.	Lok Adalat, etc	DLSAM.IX	File No./Year/Issue No./LA
10.	LAC, PLV, etc.	DLSAM.X	File No./Year/Issue No./LAC

(vii) PARTICULARS OF ANY ARRANGEMENT THAT EXISTS FOR CONSULTATION WITH OR REPRESENTATION BY, THE MEMBERS OF THE PUBLIC IN RELATION TO THE FORMULATION OF ITS POLICY OR IMPLEMENTATION THEREOF.

NIL

(viii) A STATEMENT OF THE BOARDS, COUNCILS, COMMITTEES AND OTHER BOARDS CONSISTING OF TWO OR MORE PERSONS CONSTITUTED AS ITS PART OR FOR THE PURPOSE OF ITS DEVICE, AND AS TO WHETHER MEETINGS OF THOSE BOARDS, COUNCILS, COMMITTEES AND OTHER BODIES ARE OPEN TO THE PUBLIC, OR THE MINUTES OF SUCH MEETINGS ARE ACCESSIBLE FOR PUBLIC.

NIL

(ix) DIRECTORY OF OFFICERS AND EMPLOYEES

Sl. No.	Name of Officer	Designation	Address
1.	Shri Sunil Kumar Poddar	District & Sessions Judge-cum-Chairman	Qtr. No.1, Judicial Complex No.1, Morigaon (Official residence)
2.	Smti Syeda Farida Afzal Zinnat	Secretary	Qtr. No.5, Judicial Complex No. 1, Morigaon (Official residence)
	<u>Name of Staff</u>		
1.	Smt. Mallika Deka	U.D.A.	Ward No. 2, Pachatia, Morigaon
2.	Sri Pankaj Kumar Nath	L.D.A.-cum-Typist	Ward No. 6, Eragaon, Morigaon
3.	Sri Debajit Kalita	L.D.A.	Ward No.3, Morigaon
4.	Sri Parag Jyoti Lahkar	Accounts Asstt. (Contractual)	c/o Dilip Lahkar, Bordia, Rajamayong, Mayong, Morigaon
5.	Sri Pankaj Kumar Das	Data Entry Operator (Contractual)	c/o Rameswar Das, Lathabori, Ward No.4, Morigaon
6.	Sri Anup Dutta	Office Peon	Gasbari, Ward No.8, Morigaon

(X) Monthly Remuneration received by Officers and employees

Sl. No.	Name of Officer / Staff	Designation	Basic Pay	Pay Band
1.	Shri Sunil Kumar Poddar	District & Sessions Judge-cum-Chairman	54010	51550-63070
2.	Smti Syeda Farida Afzal Zinnat	Secretary	46930	39530-54010
3.	Smt. Mallika Deka	U.D.A.	36570	14000-49000
4.	Sri Pankaj Kumar Nath	L.D.A.-cum-Typist	22080	14000-49000
5.	Sri Debajit Kalita	L.D.A.	22080	14000-49000
6.	Sri Parag Jyoti Lahkar	Account Asstt. (Contractual)	Fixed	20000
7.	Sri Pankaj Kumar Das	Data Entry Operator (Contractual)	Fixed	12000
8.	Sri Anup Dutta	Office Peon	24870	12000-37500

(xi) BUDGET ALLOCATED TO EACH OF ITS AGENCY, INDICATING THE PARTICULARS OF ALL PLANS, PROPOSED EXPENDITURES AND REPORTS ON DISBURSEMENT MADE;
As provided by State Budget and NALSA Fund

(xii) MANNER OF EXECUTION OF SUBSIDIES PROGRAMMES, INCLUDING THE AMOUNTS ALLOCATED AND THE DETAILS OF BENEFICIARIES OF SUCH PROGRAMME LIST OF INSTITUTIONS GIVEN SUBSIDY NIL LIST OF INDIVIDUALS GIVEN SUBSIDY

NIL

(xiii) PARTICULARS OF RECIPIENTS OF CONCESSIONS, PERMITS OR AUTHORITIES GRANTED

NIL

(xiv) DETAILS IN RESPECT OF THE INFORMATION, AVAILABLE TO OR HELD BY IT, REDUCED IN AN ELECTRONIC FORM

<u>Sl. No.</u>	<u>Activities for which electronic data available</u>	<u>Can it be shared with Public</u>	<u>Is it available on website or is being used as back end database</u>
1.	Legal Services Authorities Act, 1987 as amended by Legal Services Authorities (Amendment) Act, 2002	Yes	Available on website of NALSA
2.	Photo Gallery of DLSA, Morigaon	Yes	Available in the website of this Authority

(xv) PARTICULARS OF FACILITIES AVAILABLE TO CITIZENS FOR OBTAINING INFORMATION, INCLUDING THE WORKING HOURS OF A LIBRARY OR READING ROOM, IF MAINTAINED FOR PUBLIC USE.

NIL

(xvi) THE NAME, DESIGNATION AND OTHER PARTICULARS OF THE PUBLIC INFORMATION OFFICERS.

<u>Sl. No.</u>	<u>Name of the Public Information Officers with Designation</u>	<u>Designation & other particulars of the Public Information Officers</u>
1.	Shri Sunil Kumar Poddar , AJS District & Sessions Judge-Chairman, DLSA, Morigaon	Appellate Authority
2.	Smti Syeda Farida Afzal Zinnat , AJS Secretary, DLSA, Morigaon	Public Information Officer