

अण्डमान तथा



निकोबार राजपत्र

Andaman And

Nicobar Gazette

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ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

NOTIFICATION

Port Blair, dated the 27th January, 1998

**THE ANDAMAN AND NICOBAR ISLANDS LEGAL SERVICES
AUTHORITY REGULATIONS, 1998**

No. 11/98/F.No. 4-3/97-Legal Aid.—In exercise of the power conferred by Section 29A 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 State Authority, Andaman and Nicobar Islands hereby makes the following Regulation namely:-

1. **Short title and commencement.** -(1) This Regulation may be called the Andaman and Nicobar Islands Legal Services Authorities Regulations, 1998.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.** - In this Regulation unless the context otherwise requires-
 - (a) "High Court" means the High Court of Calcutta and includes the Circuit Court and/or Bench of the High Court, Calcutta.
 - (b) All other words and expressions used in the Regulations but not defined shall have the meaning respectively assigned to them under section 2 of the Legal Services Authorities Act, 1987 (No. 39 of 1987) as amended by the Legal Service Authorities Act, 1994 (No. 59 of 1994) and under rules 2 of the A & N Islands Legal Services Authority Rules, 1997.

3. The constitution of the Committee for High Court Legal Service under sub-section (2) of Section 8-A of the Act:-

- (i) The Committee shall consist of a sitting Judge of the High Court who shall be the Chairman to be nominated by the Chief Justice of the High Court, Calcutta.
- (ii) Such number of member or members shall be nominated by the Chief Justice of the High Court, Calcutta.
- (iii) The number of such members shall not exceed three and the numbers of the member may be increased or decreased by the Administrator in consultation with the Chief Justice of the High Court, Calcutta.

4. Qualifications and experience and the number of the members of High Court Legal Services Committee:-

- (a) A person shall not be qualified for nomination as a member of the High Court Legal Committee unless he/she is-
 - (i) an eminent social worker, preferably a women, who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children and Rural Labour;
 - (ii) an eminent person in the field of law; or
 - (iii) a person of repute who is specially interested in the implementation of the Legal Services Schemes.
 - (iv) A Government pleader of the High Court.

5. The experience, qualification of the Secretary of the Committee.

- (i) The Secretary of the Committee shall be appointed by the Chief Justice of the High Court. 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 Additional Registrar, or such other officer as the Chief Justice of the High Court considers him fit for such appointment.
- (ii) The Secretary shall be paid a special allowance or such allowance as may be determined by the Administrator in consultation with the Chief Justice of the High Court, and the special allowance shall be in addition to his regular pay and allowances

which the Secretary draws in his regular service under his parent department.

(iii) The powers and functions of the Secretary of the High Court Legal Services Committee under Sub-Section (3) of 8A of the Act:- The Powers and functions of the Secretary of the High Court Legal Services Committee shall be—

- (a) to carry out the directives and decisions of the Committee;
- (b) to work out the modalities of the legal services schemes and programmes in any suit, cases, appeals, applications, references in the High Court as approved by the Committee;
- (c) to exercise all the powers for the day-to-day routine administration of the committee so far as relates to management of office, finance and utilisation of funds received by him from the administration;
- (d) to exercise all the powers necessary for utilisation of funds and finance as Drawing and Disbursing Officer;
- (e) to get the accounts prepared by the officers or employees of the committee;
- (f) to prepare a budget for the annual income and expenditure as to the functioning of the committee by officers and employees of the committee;
- (g) to maintain upto date and complete statistical information as to progress of the works in the matter of implementation of various legal services programmes from time to time so far as it relates to High Court with the assistance of officers and employees of committee;
- (h) to arrange for dissemination of the scheme for legal services to the people in any matter relating to High Court through radio, television, newspapers and other media;
- (i) to perform such other function or functions as may be expedient for efficient functioning of the committee.

6. The number of officers and other employees of the High Court Legal Service Committee under sub-section (5) of Section 8A.-

- (i) The High Court Legal Services Committee shall have such number of officers and employees for rendering all assistance for its day-to-day functions as considered necessary by the Committee from

time to time subject to creation of such post by the appropriate authority in consultation with the Chief Justice of the High Court.

- (ii) The officers and other employees of the Committee shall be entitled to draw pay and allowances in the scale of pay at par with the Administration employees holding equivalent posts;
- (iii) 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 Administration Rules as are applicable to persons holding equivalent posts. The officers and other employees of the State Authority shall be entitled to such other facilities, allowances and benefits as may be notified by the Administrator from time to time.

7. The Number of officers and other employees of the High Court Legal Services Committee under Sub-Section (5) of Section 8-A and the conditions of service and the salary and allowances payable to them under sub-section (6) of that section.-

- (i) The High Court Legal Services Committee shall have such number of officers and other employees for rendering assistance for its day-to-day functions as considered necessary by the Authority from time to time subject to creation of such post by the appropriate authority empowered to create equivalent posts.
- (ii) 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 at par with the Administration employees holding equivalent posts;
- (iii) 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 Administration Rules as are applicable to persons holding equivalent posts.
- (iv) 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 Administrator from time to time.

Sd/-
Member Secretary
State Authority,
Andaman and
Nicobar Islands.

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No. 87, Port Blair, Monday, June 22, 1998

ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

NOTIFICATION

Port Blair, dated the 22nd June, 1998

**THE ANDAMAN AND NICOBAR ISLANDS LEGAL SERVICES
AUTHORITIES REGULATIONS, 1998**

No.79/98/F.No.4-3/97-Legal Aid – In exercise of the powers conferred by Section 29 A 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 State Authority, Andaman and Nicobar Islands hereby makes the following amendments in the Andaman and Nicobar Islands Legal Services Authorities Regulations, 1998 as notified vide this Administration's Notification No.11/98/F.No.4-3/97-Legal Aid dated the 27th January, 1998 and published in Andaman and Nicobar Extra Ordinary Gazette No.12 dated the 27th January, 1998:-

1. Short title and commencement:
 - (1) This Regulation may be called the Andaman and Nicobar Islands Legal Services Authorities (Amendment) Regulations, 1998.
 - (2) They shall be deemed to have come into force with effect from 27th January, 1998.
2. Amendment in clause 5 of the Regulations: In the Andaman and Nicobar Islands Legal Services Authorities Regulation, 1998 hereinafter called as the "Principal Regulations", the provision contained under sub-clause (iii) of clause 5 shall be re-numbered as clause 6.
3. Amendment in clause 6 of the Regulations: The existing clause 6 of the Principal Regulations shall be deleted.

Sd/-

Member Secretary
State Authority,
Andaman and Nicobar Islands