

Office of the District Legal Services Authority, Murshidabad

No: 525 /ii-15/DLSA/2022

Date: 03.03.2023

From: The Chairman,
District Legal Services Authority,
Murshidabad

To : The Member Secretary,
State Legal Services Authority,
West Bengal.

Sub: Requesting to display in the notice board as well as upload in WBSLSA website of the advertisement, application form and guidelines for engagement of Chief Legal Aid Defense Counsel & Deputy Chief Legal Aid Defense Counsel in Legal Aid Defense Counsel System (LADCS).

Sir,

Pursuant to advertisement no. 01 dated the 2nd March, 2023 of the Chairman, Selection Committee, LADCS, Murshidabad inviting application for engagement of **Chief Legal Aid Defense Counsel & Deputy Chief Legal Aid Defense Counsel in Legal Aid Defense Counsel System (LADCS)** alongwith the related guidelines for the same and application form, your goodself is requested to display the same in the notice board as well as upload in WBSLSA website for information and wide circulation.

Thanking you,

With Regards,

Encl.: As stated above.


Chairman
District Legal Services Authority
Murshidabad



District Legal Services Authority, Murshidabad
4, Nirupama Devi Rd, Raninagar, Gora Bazar, Berhampore, West Bengal 742101
Telephone No. 08584859835

Advertisement No. 01.

Date: 02nd March 2023


NOTICE INVITING APPLICATIONS FOR ENGAGEMENT AS FULL TIME LEGAL AID LAWYERS IN LEGAL AID DEFENSE COUNSEL OFFICE IN THE DISTRICT OF MURSHIDABAD, W.B.

Applications are invited from eligible lawyers having requisite qualifications apart from retired judicial officers for contractual full time engagement for the posts of Chief Legal Aid Counsel. Applications are also invited from the lawyers and retired Assistant Public Prosecutor for the post of Deputy Chief Legal Aid Defense Counsels as per scheme proposed. **The Lawyers so engaged will not be allowed to take part in any other private cases or any other retainership.**

Name of the Post	No of post
Chief Legal Aid Defense Counsel	1
Deputy Legal Aid Defense Counsel	3

The detailed guidelines of engagement for the above mentioned posts along with application form may be downloaded from the official website of District courts (<https://districts.ecourts.gov.in/murshidabad>) and also from **Notice board of the office of the DLSA, Murshidabad.**

The duly filled in application form along with self-attested copies of documents are required to be submitted at the drop box at the office of DLSA, Murshidabad, personally or through speed post in the official address of DLSA, Murshidabad, i.e. **District Legal Services Authority, Murshidabad, A D R Centre, Murshidabad at Berhampore, District Judge's Court Compound, P.O. -Berhampore, Dist.-Murshidabad, Pin - 742 101,** on or before **14th March, 2023** by 17.00 Hrs. Any application received after due date shall not be considered.


Bhaskar Bhattacharjee
Chairman
Selection Committee, LADCS
Murshidabad
02/03/2023

GUIDELINES FOR ENGAGEMENT AS FULL TIME LEGAL AID LAWYERS IN LEGAL AID DEFENSE COUNSELS IN DLSAs

1. Scope of Work:

Legal Aid Defense Counsel Office shall be dealing exclusively with legal aided matters in criminal matters of the District or Headquarter (HQ), wherein it is established. It shall be providing legal services from the early stages of criminal justice till appellate stage, and the same shall include visits to jails from catering to the legal needs of unrepresented inmates. Initially it shall not be dealing with all type of civil matters and cases of complainant, wherein present counsel assignment system (Panel Lawyers) will continue to be operational. The following end to end legal services shall be provided through the Legal Aid Defense Counsel Office:

- Legal Advice and Assistance to all individuals visiting the office,
- Representation/Conducting trial and appeals including all miscellaneous work in all criminal courts such as Sessions, Special and Magistrate Courts including executive courts,
- Handling Remand and Bail work,
- Providing legal assistance at pre-arrest stage as per need and also in accordance with NALSA's scheme for providing such assistance,
- Any other legal aided work related to District Courts or as assigned by the Secretary DLSA,
- Periodic visit of Prisons of the district under the guidance of the Secretary, DLSA.

2. Selection Procedure:

After due publicity including public notice, applications will be invited and a fair, transparent and competitive selection process shall be adopted by DLSA under guidance of SLISA. Legal Aid Defence Counsels shall be engaged on contract basis in the district initially for a period of two years with a stipulation of extension on yearly basis on satisfactory performance. The performance of each human resource shall be assessed in every six months by SLISA in consultation with DLSA concerned. **Selection of Chief Legal Aid Defense Counsel and Deputy Chief Legal Aid Defense Counsels will be purely based on merit, taking into account the**

knowledge, skills, practice and experience of candidates in line with **Legal Aid Defense Counsel System (Modified Scheme, 2022 framed by NALSA) on the basis of interaction only.** The selection shall be carried out by Selection committee under the Chairmanship of the Chief Judge/District & Sessions Judge (Chairman, DLSA) as envisaged in NALSA (Free and Competent Legal Services) Regulations 2010, subject to final approval by the Executive Chairman, SLISA, W.B. **In the selection committee at least three senior most judicial officers posted at HQ, dealing mainly criminal cases, preferably sessions cases, will also be included. No person with conflict of interest shall be part of selection process.** After approval by the Executive Chairman, SLISA, W.B., engagement contract will be executed between the Secretary, DLSA and the person so engaged. The eligibility criteria are as follows:-

a) Qualifications for Chief Legal Aid Defense Counsel:

- Practice in Criminal law for at least 10 years,
- Excellent oral and written communication skills,
- Excellent understanding of criminal law,
- Thorough understanding of ethical duties of a defence counsel,
- Ability to work effectively and efficiently with others with capability to lead,
- Must have handled at least 30 criminal trials in Sessions Courts, aforesaid condition of handling of 30 criminal cases can be relaxed in appropriate circumstances,
- Knowledge of computer system, preferable.
- Quality to lead the team with capacity to manage the office.

b) Qualifications for Deputy Chief Legal Aid Defense Counsel:

- Practice in Criminal law for at least 7 years,
- Excellent understanding of criminal law,
- Excellent oral and written communication skills,
- Skill in legal research,
- Thorough understanding of ethical duties of defence counsel,
- Ability to work effectively and efficiently with others,
- Must have handled at least 20 criminal trials in Sessions Courts, may be relaxed in exceptional circumstances, by Hon'ble executive Chairman, SLISA,
- IT Knowledge with proficiency in work.

Note: Qualifications may be reasonably relaxed in case of exceptional candidates or circumstances with the approval of the Executive Chairman SLSA, W.B.

3. Work Profiles :

a) Chief Legal Aid Defense Counsel

- Conducting trials and appeals and bail matters in courts along with deputy chief & assistant legal Aid Defense Counsels,
- Assigning duties to deputy legal Aid Defense Counsels in the office,
- Assigning duties of Assistant legal Aid Defence Counsel for assisting him and Deputy Chief legal Aid Defense Counsel and for other work including legal research,
- Ensure proper legal research, planning effective defence strategy and thorough preparation in each and every legal aided case,
- Ensure maintenance of complete files of legal aid seekers,
- Ensure proper documentation with regard to legal aid assistance provided, ensure maintaining of up to date record of legal aided cases,
- Will be overall in charge of administration the office of Legal Aid Defense Counsel Office.
- Ensure quality of legal aid,
- Consultation and ensuring updation of the case progress to the client and his/her relative(s),
- Any work/duty assigned by Legal Services Authority.

b) Deputy Chief Legal Aid Defense Counsel.

- Conducting trials/ appeals/ Remand work /Bail applications/visits to prisons etc., as assigned by Chief Legal Aid Defense Counsel.
- Filing and arguing appeals and bail applications in Courts.
- Maintaining complete case files.
- Doing legal research in legal aided cases and guiding assistant legal Aid Defense Counsel and law students attached with the office in legal research.
- Proper client interviews at various stages for quality research work and representation at remand, trial and appellate stage.
- All or any of the work of the Chief defence Counsel as per assignment,
- Any work/duty assigned by Legal Services Authority.

4. Termination of Services:

Services of any legal aid defense counsel engaged in the office of Legal Aid Defense Counsel can be terminated at any time without any prior notice in the following cases by the Chairman, DLSA on recommendation of the Secretary DLSA or on directions by SLSA in writing:

- i. He/She substantially breaches any duty or service required in the office, or
- ii. Seeks or accepts any pecuniary gains or gratification in cash or kind from the legal aid seekers or beneficiary or his friend or relative, or
- iii. Charged or Convicted for any offence by any court of law, or
- iv. Indulges in any type of political activities, or
- v. Found incapable of rendering professional services of the required standards, or
- vi. Failure to attend training programmes without any sufficient cause, or
- vii. Indulges in activities prejudicial to the working of legal aid defense counsel office, or
- viii. Using his/her position in legal aid defense counsel office to secure unwarranted privileges or advantages for him/herself or others, or
- ix. Acts in breach of code of ethics, or
- x. Remains absent without leave for more than two weeks, or
- xi. If services are found unsatisfactory during the six monthly performance review by the SLSA or DLSA.

5. Code of Ethics:

Personnel engaged in the office of Legal Aid Defense Counsel shall observe the following code of ethics:

- i. No personnel shall act in any matter in which he/she has a direct or indirect personal or financial interest.
- ii. No personnel shall willfully disclose or use, whether or not for the purpose of pecuniary gain, any information that he/she obtained, received or acquired during the fulfillment of his/her official duties and which is not available to members of the general public.


- iii. No personnel within the office of Legal Aid Defense Counsel shall make use of his/her office or employment for the purpose of promoting or advertising any outside activity.
- iv. No personnel within the office of Legal Aid Defense Counsel shall engage in any outside activity or act as an independent practitioner.
- v. No personnel within the office of Legal Aid Defense Counsel shall solicit, agree to accept or accept, whether directly or indirectly, any gift, favour, service, or other thing of value under circumstances from which it might be reasonably inferred that such gift, service, or other thing of value was given or offered for the purpose of influencing him/her in, or rewarding him/her for, the discharge of his/her official duties.
- vi. Legal Aid Defense Counsel shall devote his/her full time to his/her duties for the office of Legal Aid Defense Counsel and shall not engage in private practice of law during the term of employment.
- vii. Every Personnel of the office of Legal Aid Defense Counsel shall strive to preserve the public's confidence in the office's fair and impartial execution of its duties and responsibilities.
- viii. Legal Aid Defense Counsel shall also follow the code of ethics prescribed by Bar Council of India for lawyers.

6. Entitlement to Leave:

- Chief Legal Aid Defense Counsel and Deputy Legal Aid Defense Counsel shall be eligible for 15 days' leave in a calendar year on pro-rata basis.
- No remuneration for the period of absence in excess of the admissible leave will be paid to the human resource of Legal Aid Defense Counsel Office.
- Un-availed leave shall neither be carried forward to next year nor encashed.

7. Role of District Legal Services Authority:

- Office space planning, and providing infrastructure for office preferably inside or in proximity to court complex.

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- Providing Office furniture, Office equipment including computers, printer, internet connectivity and other equipment.
 - Purchasing office supplies on need basis.
 - Engaging human resource requirement for Legal aid Counsel System Office.
 - Ensuring proper functioning of Legal aid Counsel System Office.
 - Ensuring effective monitoring and mentoring.
 - Periodical evaluation of legal services delivered through Legal aid Counsel System Office.
 - Regular trainings and refresher courses for legal aid counsel engaged in Legal aid Counsel System Office.
 - Renovation of office space when necessary.
 - Providing Books such as Bare Acts and Commentaries for Legal Aid Defense Counsel Office
 - Providing Legal Research Software.
 - Timely payment of monthly honorarium to legal aid counsel and all staff engaged for Legal aid defense counsel office.
 - Payment with regard to expert witnesses, if their services are taken.
 - Payment for expenses incidental such as travelling expenses etc.
 - Information/promotional campaigns/programmes with regard to Legal aid Defense counsel office.

8. Monitoring and Evaluation:

- The work and performance shall be closely monitored by the Secretary DLSA and a monthly review meeting will be organised under the Chairmanship of the Chairman, DLSA concerned. The Minutes of the meeting shall be sent to SLISA, W.B. A quarterly review meeting with every LADCS office and the Secretary, DLSA will also be organised by the Member Secretary, SLISA, W.B. and minutes shall be send to NALSA. On half yearly basis review meeting shall be organised by NALSA. The formats for such data sharing will be shared subsequently. Monitoring shall be continuous process and at the end of six months the performance of every human resource shall be evaluated by the SLISA, W.B. under the guidance of Hon'ble Executive Chairman, SLISA, W.B.



- Monitoring and Mentoring Committee shall monitor legal aid work of Legal Aid Defense Counsel Office.
- The Chief Legal Aid Defense Counsel shall be involved in monitoring & mentoring of Legal Aid cases of the district.

9. Monthly Honorarium (Retainership fee):

For Class-A towns (Population more than 10 lacs)

1.	Chief Legal Aid Defense Counsel	₹ 85,000/-
2.	Deputy Chief Legal Aid Defense Counsel	₹ 60,000/- each

For Class-B towns (Population more than 2 lacs but below 10 lacs)

1	Chief Legal Aid Defense Counsel	₹ 75,000 /-
2	Deputy Chief Legal Aid Defense Counsel	₹ 50,000/- each

For class-C (Population below 2 lacs) or Rest of the towns

1	Chief Legal Aid Defense Counsel	₹ 65,000/-
2	Deputy Chief Legal Aid Defense Counsel	₹ 40,000/- each

No. Post of engagement as full time legal aid lawyers in Legal Aid Defense Counsel Office

Sl No.	Selected district for LADC at headquarter	Chief Legal Aid Defense Counsel	Deputy Legal Aid Defense Counsel
01	Murshidabad	1	3

Address of the office of the DLSAs, Murshidabad

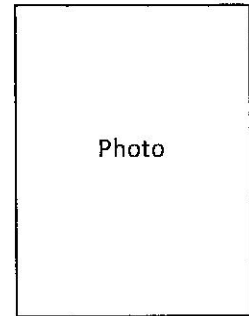
Sl. No.	Name of the District Legal Services Authority	Address
01	DLSA, Murshidabad	District Legal Services Authority, Murshidabad, A D R Centre, Murshidabad at Berhampore, District Judge's Court Compound, P.O. -Berhampore, Dist.- Murshidabad,



**APPLICATION FOR ENGAGEMENT AS FULL TIME LEGAL AID LAWYER IN
LEGAL AID DEFENSE COUNSEL SYSTEM**

Name of State	Name of the District	Application No.
		(For Office Use)

To
The Secretary
District Legal Services Authority, _____



APPLICATION FOR CHIEF/DEPUTY LEGAL AID DEFENSE COUNSEL

1. Applicant's Name :
2. Father/Husband's Name :
3. Date of Birth :
4. Age (as on 01-03-2023) :
5. Gender :
6. Residential Address :

7. Office Address :

8. Chamber Address (if any) :

9. Telephone no. (O) :
10. Telephone No. (R) :
11. Mobile No. :
12. Fax No. :
13. E-mail ID :
14. PAN No. :
15. AADHAR No. :



16. Educational Qualification (Please enclose self-attested copies of documents):

Course	Name of Board/ University	Year of Passing	Obtained Percentage (aggregate)
Graduation			
Professional Degree LLB			
LLM			
Any other (if any)			

17. Date of Enrollment as Lawyer:

18. Enrollment No. :

(Attach self-attested copy of enrollment certificate issued by Bar Council)

19. Experience in Bar :

(Duration of actual practice)

(Attach an experience certificate issued by the Bar Association/Council)

(a) Total no. of cases handled:

(b) Nature of cases handled :

(Attach extra sheet, if required)

(c) Specialization, if any :

(The details of a few important cases, the Applicants have dealt with/handled and reported judgement if any.)

20. Whether empanelled as Central/State Government or :

Government undertaking counsel/pleader
(Indicate period & attach documents)

21. The Courts where the Applicant is
regularly practising :

(Enclose Bar Association Membership Certificate)

22. Specify whether earlier remained on the
panel of HCLSC/DLSA or TLSC :

(Indicate period, number of legal aid cases handled & result)
(attach documents)

23. Whether any disciplinary case/Complaint is/was
against the Applicant with any Bar Council : YES NO
(If yes, specify details of both disposed & pending with documents)

24. Whether you were/are involved in any Criminal Cases : YES NO
If yes, furnish full and complete details



25. List of the documents to be attached.

1. Self-Attested copy of Certificates in support of educational qualifications.
2. Self-Attested copy of Certificate in Enrollment issued by the Bar Council under the Advocates Act, 1961.
3. Self-Attested copy of Photo Identity Card, Address Proof.
4. Self-Attested copy of ITR for last 3 years (if available).
5. Photo copies of judgments in 5 Sessions cases, represented as Defense lawyer, (for the post of Chief/Deputy Legal Aid Defense Counsel).
6. Photocopies of at least 5 cross examinations in Sessions cases (for Chief/Deputy Legal Aid Defense Counsel).

(Signature)

N.B. Candidates are requested to provide their E-Mail I.D. and the mobile number tagged with Whatsapp for future communication.



DECLARATION

I hereby declare that all the statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false/incorrect at any stage, my candidature is liable to be cancelled. I have read and understood the instructions and terms of the engagement and agrees to abide by those. I declare that I fulfill the eligibility conditions for the category to which I am seeking engagement. I declare that I have never been penalised by any Bar Council in any Disciplinary Proceedings. I also undertake to maintain absolute integrity and discipline as required there under. I agree with the remuneration structure and all the terms and conditions notified by SLSA/DLSA concerned.

(Signature)

Place: _____

Date: _____