

**OFFICE OF THE DISTRICT LEGAL SERVICES AUTHORITY,  
JHARSUGUDA**

**PUBLIC NOTICE NO: LADCS-01/2023, Date: 15<sup>th</sup> March, 2023**

**NOTICE INVITING APPLICATIONS FOR THE POST OF CHIEF LEGAL AID DEFENSE COUNSEL, DEPUTY LEGAL AID DEFENSE COUNSEL, ASSISTANT LEGAL AID DEFENSE COUNSEL, FOR “LEGAL AID DEFENSE COUNSEL SYSTEM” IN JHARSUGUDA DISTRICT.**

**LAST DATE FOR RECEIPT OF APPLICATIONS: 25.03.2023**

In view of the Legal Aid defense Counsel System-Modified Scheme, 2022, the “**Legal Aid Defense Counsel System (LADCS)**” in line with public defender system, is introduced by NALSA. As envisaged, LADCS involve full time engagement of lawyers with support system, dealing exclusively with legal aid work in criminal matters at every stage starting from the pre-arrest, arrest & remand stage to the conclusion of trials and appeals etc. It will enhance the availability and accessibility of Legal Aid in a timely manner and help in creating a mechanism to provide qualitative and competent legal services in a professional manner to underprivileged and disadvantaged section of the society. Accordingly, the Odisha State Legal Services Authority has instructed for setting up “Legal Aid Defense Counsel System”, including **Jharsuguda. The Lawyers so engaged therein will not be allowed to take any other private cases or any other retainership.**

**1. SCOPE OF WORK:**

Legal Aid defense Counsel Office shall be dealing exclusively with legal aided matters in criminal matters of the District or 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, matters pending before juvenile justice boards, CWCs, wherein present counsel assignment system (Panel Lawyers) will continue to be operational for the purpose but panel shall be resized according to work based model. 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. VACANCY OF POSTS:**

As per the directions of the Hon'ble Executive Chairman, Odisha State Legal Services Authority following posts will be filled up on contract basis for a period of two years on monthly honorarium, with a stipulation of extension on yearly basis upon satisfactory performance:

<b>Sl. No.</b>	<b>Posts called for</b>	<b>No. of Vacancy (to be posted at Jharsuguda)</b>
<b>1</b>	<b>Chief Legal Aid Defense Counsel</b>	<b>01</b>
<b>2</b>	<b>Deputy Chief Legal Aid Defense Counsel</b>	<b>02</b>
<b>3</b>	<b>Assistant Legal Aid Defense Counsel</b>	<b>03</b>

## **3. 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 SLSA. Legal Aid defense Counsels shall be engaged on contract basis in each place/ district initially for a period of two years with a stipulation of extension on yearly basis subject to satisfactory performance. The performance of each human resource shall be assessed in every six months by SLSA in consultation with DLSA concerned. Selection of Chief Legal Aid Defense Counsel, Deputy Chief Legal Aid Defense Counsels, Assistant Legal Aid Defense Counsels will be purely based on merit, taking into account the knowledge, skills, practice and experience of candidates. The selection shall be carried out by Selection Committee under the Chairmanship of the Principal District & Sessions Judge (Chairman, DLSA), Jharsuguda as envisaged in NALSA (Free and Competent Legal Services) Regulations 2010, subject to final approval by the Executive Chairman, OSLSA.

## **4. QUALIFICATIONS:**

### **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 defense 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 defense 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, SLSA,
- IT Knowledge with proficiency in work.

**c) Qualifications for Assistant Legal Aid Defense Counsel:**

- Practice in criminal law from 0 to 3 years
- Good oral and written communication skills,
- Thorough understanding of ethical duties of defense Counsel,
- Ability to work effectively and efficiently with others,
- Excellent writing and research skills.
- IT Knowledge with high proficiency in work.

**5. SALARIES:**

<b>Sl. No.</b>	<b>Name of the Post</b>	<b>Monthly Honorarium</b>
<b>1</b>	<b>Chief Legal Aid Defense Counsel</b>	<b>Rs.60,000/-</b>
<b>2</b>	<b>Deputy Chief Legal Aid Defense Counsel</b>	<b>Rs.40,000/-</b>
<b>3</b>	<b>Assistant Legal Aid Defense Counsel</b>	<b>Rs.25,000/-</b>

**6. WORK PROFILE**

**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 Defense Counsels 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 maintenance of up to date record of legal aided cases,
- Will be overall incharge 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 defense Counsel as per assignment,
- Any work/duty assigned by Legal Services Authority.

c) **Assistant Legal Aid Defense Counsel.**

- Filing of cases, conducting trials in Magistrate trial cases,
- Remand/bail and other miscellaneous work,
- legal research in legal aided cases,
- Visits to Prison and Legal aid Clinics as per directions,
- Providing assistance at pre-arrest stage to suspects,
- Assisting Chief Legal Aid Defense Counsel and Deputy Legal Aid. Defense Counsel in conduct of legal aided cases,
- Assisting in developing a defence strategy after sifting through all of the evidence collected by the prosecution and after hearing the accused's version of what happened during the alleged crime in question,
- Visiting location/area of alleged crime, having discussions with family members etc, for effective and meaningful input of defense strategy,
- Handling queries of legal aid seekers,
- Updating legal aid seekers about the progress of their cases,
- Assisting in maintaining complete files of legal aided cases,
- Handling legal queries relating to criminal matters on telephone,
- Any other work related to legal aid assigned by Chief Legal Aid Defense Counsel,
- Any work/duty assigned by Legal Services Authority,

**7. 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. Uses 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.

#### **8. 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 circumstance 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.

#### **9. 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.
- ❖ Assistant Counsel Legal Aid Defense Counsel shall be eligible for 12 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.

#### **LAST DATE FOR RECEIPT OF APPLICATIONS-**

The application along with the required documents must reach the **Office of the District Legal Services Authority, Jharsuguda, At: ADR Centre Building, Jharsuguda, P.O: OMP Line, Dist.: Jharsuguda PIN: 768204** on or before **05.00 P.M of 25.03.2023**

either by Post or personally to the office during office hours on each working day. No applications shall be received in the office after the last date by any means.

**N.B.:-**

- (i) The envelope containing the application should be superscribed with the words “**APPLICATION FOR THE POST OF CHIEF LEGAL AID DEFENSE COUNSEL/ DEPUTY CHIEF LEGAL AID DEFENSE COUNSEL/ ASSISTANT LEGAL AID DEFENSE COUNSEL**” at the top.
- (ii) Non compliance of any of the requirements mentioned in the advertisement shall entail rejection of his/her application out-rightly. Application if found defective and/or incomplete in any respect and received after the last date, shall be summarily rejected.

**LIST OF DOCUMENTS TO BE SUBMITTED ALONGWITH THE APPLICATION:-**

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

**By Order of the Selection Committee  
District Legal Services Authority,  
Jharsuguda**

**Sd/-  
Secretary  
District Legal Services Authority,  
Jharsuguda**

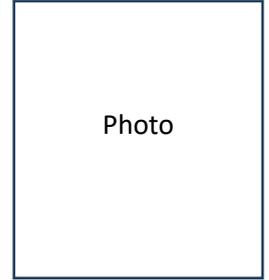
**N.B:** For others details of the guidelines prescribed by NALSA and application Format, candidates are requested to visit the website of District Court below: <https://districts.ecourts.gov.in/jharsuguda>.

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

STATE \_\_\_\_\_

DISTRICT \_\_\_\_\_

Application No. \_\_\_\_\_ / Date of receipt: \_\_\_\_\_  
(For Office use only)



**APPLICATION FOR CHIEF / DEPUTY / ASSISTANT 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. 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).

(Full Signature)

## **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 fulfil 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 thereunder. I agree with the remuneration structure and all the terms and conditions notified by SLSA/DLSA concerned.

(Full Signature)

Place: \_\_\_\_\_

Date: \_\_\_\_\_