

SUPREME COURT LEGAL SERVICES COMMITTEE

New Delhi

2nd November, 2017

Subject : Procedure and guidelines for engagement of Consultant in the office of the Supreme Court Legal Services Committee

The National Legal Services Authority under Section 3A of the Legal Services Authorities Act, 1987 constituted a Committee called "Supreme Court Legal Services Committee" [hereinafter called "SCLSC"] with a view to provide easy and inexpensive access to the Hon'ble Supreme Court. The SCLSC is a Statutory Body and is a Government Department under the Department of Justice, Ministry of Law & Justice, Government of India.

The SCLSC is providing free legal services to poor, unprivileged and those marginalized in society in its resolve to provide "access to justice to all". This access is also made available to those confined in jails on account of being sentenced by the Hon'ble High Courts.

As per **Section 12** of the *Legal Services Authorities Act, 1987*, the SCLSC provides free legal services, to every person who has to file or defend a case if that person is--

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or beggar as referred in article 23 of the Constitution;
- (c) a woman or a child;
- (d) 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 (1 of 1996)*;
- (e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- (f) an industrial workman; or
- (g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the *Immoral Traffic (Prevention) Act, 1956*, or in a Juvenile home within the meaning of clause (j) of section 2 of the *Juvenile Justice Act, 1986*, or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the *Mental Health Act, 1987*; or

- (h) *in receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the Supreme Court, and less than rupees one lakh twenty five thousand or such other higher amount as may be prescribed by the Central Government, if the case is before the Supreme Court.]*

The working of the SCLSC is governed by the Supreme Court Legal Services Committee Regulations, 1996, Supreme Court Legal Services Committee Rules, 2000 notified by the Government of India and also Rules, Regulations and Orders, issued by the Government of India and also National Legal Services Authority [NALSA], from time to time.

1. General Conditions for engaging Consultant:-

- (i) Consultant will be engaged, for a fixed period, for providing high quality services in the field of Judicial, Administration, RTI etc. to the SCLSC or for attending to specific and time bound jobs, like compilation of data and preparation of reports etc.
- (ii) Consultant will be engaged initially for a fixed period of one year, for providing high quality services to the SCLSC or for attending to specific and time bound jobs. Extension beyond one year will be considered, with the approval of Hon'ble Chairman, SCLSC.
- (iii) The appointment of Consultant would be on full-time basis and he/she will not be permitted to take up any other assignment during the period of Consultancy with the SCLSC.
- (iv) The appointment of Consultant is of a temporary (non-official) nature and the appointment can be cancelled at any time by the SCLSC, without assigning any reason.

2. Number of Consultant :

The total number of Consultants to be engaged by the SCLSC shall depend on the actual requirement at a particular point of time, and as directed, by the Hon'ble Chairman.

3. Qualifications and experience:

- (a) Consultant must be a law graduate (as on the date of applying) having a Bachelor Degree in law (three years professional course), Five years (including Integrated Degree Course in Law) from any School/College/University/ Institution established by law in Indian and recognized by the Bar Council of India for enrolment as an Advocate.

The candidate must have knowledge of computer including retrieval of desired information from various search engines/processes such as Manupatra, SCC Online, LexisNexis, Westlaw. etc.

- (b) Candidate should have one year experience in the field of Law.

4. Period of engagement:

The initial period of engagement of Consultant will be one year and the subsequent extension, if any, shall be decided depending upon the specific job and the time frame for its completion, under directions of the Hon'ble Chairman.

5. Age-limit:

The maximum age limit for appointment of Consultant shall not be above 25 years on the date of applying for the post.

6. Procedure:

Procedure to be followed for selecting candidates for engagement as Consultant:-

- (i) The selection of Consultants shall be made in accordance with the provisions contained in GFR 2005 Rule 163, 165, 166, 170, 176 and 177 and Chapter 7 – *Selection of Individual Consultant* (para 1.2.1, para 7.1 and para 7.2) of Manual of Policies and Procedure of Employment of Consultants.
- (ii) The requirement of SCLSC will be advertised on the website of the SCLSC as well as Supreme Court of India.
- (iii) All the applications received in response to the vacancies advertised, will be scrutinized and shortlisted by the SCLSC. Incomplete application shall be straight away rejected.
- (iv) A Selection Committee of three members shall be nominated by the Hon'ble Chairman, Secretary, SCLSC being head of the Selection Committee.
- (v) Selection of Consultant shall be made on the basis of personal interview by the Selection Committee, who shall submit their recommendations to the Hon'ble Chairman, SCLSC for final approval.

7. Remuneration:

- (i) The maximum amount of monthly consolidated fee payable to Consultant shall be Rs.40,000/- per month.

8. Allowances:

Consultant shall not be entitled to any allowance such as Dearness allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, CGHS and Medical Reimbursement etc.

9. Leave:

The Consultant shall be eligible for 8 days' leave in a calendar year on pro-rata basis. Therefore, a Consultant shall not draw any remuneration in case of his/her absence beyond 8 days in a Year (calculated on a pro-rata basis). Also un-availed leave in a calendar year cannot be carried forward to next calendar year. The SCLSC would be at liberty to terminate the services, in case of absence of a Consultant, for more than 15 days, beyond the entitled leave in a calendar year.

10. TA/DA:

No TA/DA shall be admissible for joining the assignment or on its completion. Consultants will not be allowed foreign travel at Government expenses. However, Consultants, shall be allowed TA/DA for their travel inside the country only in connection with the official work.

11. Conflict of Interest:

He/she will be expected to display utmost honesty, secrecy of office and sincerity while discharging his/her duties. In case the services of the Consultant are not found satisfactory or found in conflict with the interest of the SCLSC, his/her service will be liable for discontinuation without assigning any reason.

12. Termination Notice:

The SCLSC can cancel the appointment at any time without providing any reason for and without any prior notice. The Consultant can also seek for termination of the contract, upon giving one month's notice to the SCLSC.

13. Relaxation:

Under exceptional circumstances and in the case of meritorious candidates, the above guidelines may be relaxed with the approval of the Hon'ble Chairman, SCLSC.

14. Verification:

The Police verification of the Consultants shall be done as per the latest instructions issued by the Ministry of Home Affairs.

- 15.** The Consultant shall not publish a book or a compilation or articles or participate in radio broadcast or contribute an article or write a letter in any newspapers or periodical, either in his/her own name or anonymously or pseudonymously in the name of any other person, if such book, article, broadcast or letter relates to subject matter assigned to him/her by SCLSC except with the consent of the SCLSC.


(Jasmine Sharma)
Secretary