Scheme for Engagement of Legal Assistants in the Patna High Court Legal Services Committee, Patna.

(1) Object

This Scheme is formulated with a view to assist the Committee in gathering complete information and documents about each person whose convictions are upheld by the High Court. The legal assistants should arrange for getting the documents translated through empanelled or contractual translators wherever necessary and to prepare complete paper books for onwards transmission to the Supreme Court Legal Services Committee.

(2) Eligibility

Law Graduate/ Post Graduate from a University/College recognized by the Bar Council of India shall be eligible to apply/serve as Legal Assistants provided the applicant has passed LLB/LLM examination within two years of the date of his submitting the application for being considered for such selection. Candidates having familiarity with Computer will get preference in matters of selection. Their candidature must be recommended by a designated Senior Advocate of this Court or by the Head of the last Law School/College/University attended by him.

(3) Selection

(i) Pursuant to advertisement/notice for selection as Legal Assistant, eligible candidates shall apply before the Registrar-Cum-Secretary of this Committee along with educational certificates and if and when called shall appear for interview before the Committee on the date fixed. The Committee considers the merit of the applicant on the basis of interview.

(ii) After interview, select list prepared by the Committee shall be placed for approval before the Hon'ble Chairperson, Patna High Court Legal Services Committee and with his Lordship's approval, the engagement letter shall be issued by the Registrar-Cum-Secretary, of this Committee.

(4) Tenure of Engagement

The engagement shall be on contract basis for a period of six (6) months which can be extended up to 2 years on their satisfactory work.

Provided that the tenure of engagement may be reduced and/or terminated before its expiry at the instance of Hon'ble Chairperson, Patna High Court Legal Services Committee.

(5) Nature of Assignment of Work to the Legal Assistants

(i) Keep track of all the applications seeking legal aid by convicts through HCLSC on daily basis and maintain data base in soft form.

(ii) Obtain all the documents, preferably soft form and information of the convicts which are required for filing of appeals before the Supreme Court of the High Court.

(iii) Collect documents of trail courts translated in English immediately.

(iv) Keep track of cases on daily basis in which conviction has been upheld by the High Court.

(v) Get all the documents in digitized format and send to the SCLSC through e-mail, if required by the SCLSC of the Convict applies for legal aid in SCLSC through HCLSC.

(vi) Keep regular follow up with the SCLSC and keep track on progress in assigning, finalizing the draft, Appeal and filing of the Appeal including preparation of complete paper book with requisite translation.

(vii) Any other function, which may be required.

(6) Conditions of work:

(i) He/she will not leave headquarter without seeking permission from Registrar-cum-Secretary, P.H.C.L.S.C.

(ii) He/she will not avail leave without getting it sanctioned. In any case of emergency, he/she will immediately contact and convey the Registrar-cum-Secretary concerned, of his/her inability to attend office during the period of engagement.

(iii) The headquarter of Legal Assistant shall be P.H.C.L.S.C. he/she shall not leave during working hours of the High Court without permission of the Registrar-cum-Secretary, P.H.C.L.S.C.

(7) Termination Clause:

A Legal Assistants can be terminated on one or the other ground after giving one month notice to him/her or one month salary in lieu thereof.

(8) UNDERTAKING:

Before taking over engagement, Legal Assistants shall submit an undertaking, in the format as may be prescribed in Schedule-I, before Registrar-cum-Secretary, P.H.C.L.S.C.

(9) CERTIFICATE:

1. On successful completion of term of engagement, a Certificate will be issued by the Registrar-cum-Secretary, in form as is prescribed in Schedule-II.

2. If the engagement is terminated before completion of original term due to pre-mature discharge by the Patna High Court Legal Services Committee,

Patna or due to voluntarily giving up engagement by person concerned, no such Certificate shall be given.

(10) Honorarium of the Legal Assistants.

(i) Each Legal Assistant will be paid a consolidated amount of Rs.30,000/- per month as honorarium for his assignment or such higher amount as may be prescribed by the National Legal Services Authority from time to time in this regard.

(ii) The Legal Assistants shall not be entitled to any other allowance and/or remuneration and will not be treated as a permanent or otherwise employee of the Patna High Court Legal Services Committee or the State Government.

(11) Special Terms of Engagement

(i) Legal Assistants, while continuing to work as such, shall not take up any individual, independent legal work even if he is enrolled with the Bar Council as an Advocate nor shall he work with or under any Advocate for any remuneration or otherwise.

(ii) Legal Assistants shall maintain strict confidentiality in respect of work assigned to him by the Committee concerned even after his engagement has ended and without the permission of the Committee assigned will not divulge any information gained in course of their appointment to any third party at any time.

(12) Dress Code

For Male:-

Black full pant, white shirt (full sleeves) with black tie and black shoes. Black Coat in winters.

For Females:-

White blouse with light color saree.

(Or)

White Salwar-Kameez with black dupatta. Black Coat in witnter.

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Schedule -I

UNDERTAKING

I, _____, do hereby undertake and accept the following terms and conditions of my engagement as Legal Assistants:

a) I have been engaged purely on contractual basis and no claim as an employee of the Court shall be made by me.

b) My period of engagement can be terminated after giving one month notice or one month salary in lieu thereof. I shall not give up my engagement as Legal Assistant before completion of my term of engagement. If I give up the engagement before completing my term, I shall not be entitled to any experience certificate.

c) I shall be punctual in attending to my duties.

d) I shall be granted such leave of absence as may be approved by the Registrar-cum-Secretary, P.H.C.L.S.C.

e) I shall not absent myself from duty without prior permission of the Registrar-cum-Secretary. In case of absence due to sudden illness or some other unforeseen circumstances beyond control, I shall give intimation thereof without delay. I understand that no stipend will be paid for any unauthorized absence from duty.

f) I shall maintain a high standard of reputation, devotion to duty and high moral standard during the term of engagement. I shall maintain high standard of integrity commensurate with the responsibilities entrusted to me. I shall maintain utmost secrecy in respect of matters which come to my notice by virtue of the engagement and shall ensure that no information, document or any other thing is leaked out because of mishandling of papers or my deliberations/ discussions/ public interview/ participation in public debate about matters of High Court with others, or in any manner. I will not disclose any fact which comes to my knowledge on account of such official attachment even after completion of term of engagement unless such disclosure is legally required in discharge of lawful duties.

g) At all times i.e. even after the completion of the engagement, I shall maintain complete secrecy regarding the work assigned to me by the Committee.

h) I understand that I shall be governed by the provisions of the Indian Penal Code and the Indian Official Secrets Act, 1923 as applicable to any public servant.

i) I shall not practice as an Advocate in any Court of Law during the course of engagement as Legal Assistant.

In addition, I do hereby affirm that I have carefully read the Scheme for engagement of Legal Assistant for the Patna High Court Legal Services Committee, Patna and have fully understood the provisions contained therein. I understand and do undertake that I am bound by the provisions contained in the above-said Scheme and that I will abide by the provisions contained in it during the course of my engagement as Legal Assistant as also after end of the said engagement.

Signature_____

Name: _____

Schedule-II

(P.H.C.L.S.C)

Phone Number:
Office:-0612-2504475/
2504477.

From,
Registrar-cum-Secretary
High Court Legal Services
Committee, Patna.

CERTIFICATE

Certificate that Mr./Ms._____ was granted short term contractual engagement as Legal Assistant in the Patna High Court Legal Services Committee, Patna with effect from _____ till _____ on a fixed monthly stipend of Rs.30,000/-.

Registrar-cum-Secretary