

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Legal Services - APSLSA - Enhancement of Income Ceiling Limit from Rs.1,00,000/- to Rs.3,00,000/- per annum for entitlement to legal services – Amendment of Andhra Pradesh State Legal Services Authority Rules, 1995-- Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O.MS.No. 16

Dated: 23-01-2019
Read the following:

1. From the Member Secretary, Andhra Pradesh State Legal Services Authority, Letter No.101 /APSLSA/ LSW/2018, dated 11.09.2018.
2. From the Member Secretary, Andhra Pradesh State Legal Services Authority, Letter No.101 /APSLSA/ LSW/2018, dated 24.09.2018.

* * *

ORDER:

The Member Secretary, Andhra Pradesh State Legal Services Authority has stated that the Member Secretary, NALSA has informed that in the Central Authority Meeting chaired by Hon'ble Chief Justice of India, held on 19-05-2018 at Supreme Court of India, it had been considered and approved the proposal to raise income ceiling limit for free legal services to 3,00,000/- per annum at High Court and Subordinate Court level and requested to take necessary action to enhance the ceiling limit.

2. Therefore, under the directions of Hon'ble Chief Justice of High Court of Judicature at Hyderabad and pattern-in-chief and Hon'ble Executive Chairman of the Andhra Pradesh Legal Services Authority, the Member Secretary, APSLSA has requested to enhance the income ceiling limit under Sec.12(h) of the Legal Services Authorities Act 1987 from Rs.1,00,000/-per annum to Rs.3,00,000/-per annum, duly amending Rule 16 of Andhra Pradesh State Legal Services Authority Rules, 1995.

3. Government, after careful examination of the matter, hereby accept the proposal and decided to amend Rule 16 of Andhra Pradesh State Legal Services Authority Rules, 1995, suitably.

4. Accordingly, the following Notification will be published in Rules supplement to A.P. Gazette:

NOTIFICATION

In exercise of the powers conferred by section 28 of the Legal Services Authorities Act 1987 (Act No.39 of 1987) in consultation with the Chief Justice of the High Court of Judicature at Hyderabad, Government, hereby make the following amendment to the Andhra Pradesh State Legal Services Authority Rules, 1995, issued in G.O.Ms.No.382, Home (Courts-A) Department, dated 17-11-1995.

AMENDMENT

In Rule 16 of the said rules, for the expression "Rs.1,00,000/- (Rupees One lakh only)" the expression "Rs.3,00,000/- (Rupees Three lakhs only)" shall be substituted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DUPPALA VENKATA RAMANA
SECRETARY TO GOVERNMENT
LEGAL, LEGISLATIVE AFFAIRS & JUSTICE

To

The Commissioner, Printing & Stationery, Mutyalampadu, Vijayawada.
The Member Secretary, A.P. State Legal Services Authority, Hyderabad.
The Registrar General, High Court of Andhra Pradesh (Temporary Premises) CM's Camp Office, Vijayawada
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER

MINISTRY OF LAW AND JUSTICE

(Department of Justice)

NOTIFICATION

New Delhi, the 27th December, 2018

G.S.R. 1237(E).—In exercise of the powers conferred by section 27 of the Legal Services Authorities Act, 1987 (39 of 1987), the Central Government, in consultation with the Chief Justice of India, hereby makes the following rules further to amend the Supreme Court Legal Services Committee Rules, 2000, namely :-

1. (1) These rules may be called the Supreme Court Legal Services Committee (Amendment) Rules, 2018.
- (2) They shall come into force on the date of their publication in the Office Gazette.

2. In the Supreme Court Legal Services Committee Rules, 2000, in rule 7, for the letters, figures, brackets and words "Rs.1,25,000 (Rupees One lakh twenty-five thousand)", the letters, figures, brackets and words "Rs.5,00,000 (Rupees five lakh)" shall be substituted.

[F. No. A-60011/33/2018-LAP(JUS)]

[SUSHMA TAISHETE, Jt. Secy.]

Note :- The Principal Rules were published vide G.S.R. 582 (E), dated the 3rd July, 2000, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (i), dated the 3rd July, 2000 and last amended vide G.S.R. 807 (E), dated the 14th November, 2011.

ENTITLEMENT TO LEGAL SERVICES

Criteria for giving legal services.—Every person who has to file or defend a case shall be entitled to legal services under this Act if that person is—

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or begar as referred to 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 underserved 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 (104 of 1956), or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 (53 of 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 (14 of 1987); or
- (h) in receipt of annual income less than **three lakhs** 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 **five lakhs** or such other higher amount as may be prescribed by the Central Government, if the case is before the Supreme Court.

Entitlement of legal services.—

- (1) Persons who satisfy all or any of the criteria specified in section 12 shall be entitled to receive legal services provided that the concerned Authority is satisfied that such person has a prima facie case to prosecute or to defend.
- (2) An affidavit made by a person as to his income may be regarded as sufficient for making him eligible to the entitlement of legal services under this Act unless the concerned Authority has reason to disbelieve such affidavit.