



# Now It is Easier to File Petition for Poor

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Now, it is easier for the middle and relatively lower income group to avail and enjoy the legal services of the country. The Hon'ble Supreme Court of India has introduced the Middle Income Group Scheme. It is a self supporting scheme which provides legal services to the middle income group citizens i.e. citizens whose gross income is not exceeding Rs.60, 000 per month or Rs. 7, 50, 000 per annum.

The members of the governing body to whom the management of the Society is entrusted as required under Section 2 of the Societies Registration Act, 1860, as applicable to the National Capital Territory of Delhi includes Hon'ble Chief Justice of India as Patron-in-Chief, Attorney General for India as Ex-officio Vice-President, Solicitor General of India as Honorary Secretary and other senior advocates of the Apex Court as its members.

As per the Supreme Court rules it is only through advocates on record cases can be filed before it.

A sum of Rs.500/- shall be payable to the Supreme Court Middle Income Group Legal Aid Society (SCMIGLAS) as service charges. The applicant shall have to deposit the fee indicated by the Secretary, which will be in accordance with the schedule attached to the Scheme. It is the Secretary, who will register the case under the MIG Legal Aid Scheme and proceed to forward the papers to the Advocate-on-Record/Arguing Counsel/Senior Counsel on the panel for opinion.

If Advocate-on-Record is satisfied that it is a fit case to be proceeded with, then the Society will consider that the applicant is entitled to legal aid. The view expressed by the Learned Advocate-on-Record will be final insofar as the eligibility of the applicant for obtaining the benefit of the Scheme is concerned.

Under the scheme, middle class people who can't afford the expensive litigation in the Supreme Court can avail the services of the society for a nominal amount. The person desirous of availing the benefit of the Scheme shall have to fill up the form prescribed and accept all the terms and conditions contained therein.

As per the scheme, contingent fund will be created to meet the miscellaneous expenditure in connection with the case under the Scheme by requiring the applicant to deposit upto the stage of admission, a sum of Rs.750/- in addition to the charges required to be deposited with the Society, out of this contingent fund.

In the event of the learned Advocate taking the view that the case is not fit one for an appeal to the Supreme Court, then the entire amount after deduction Rs.750/- towards minimum service charges of the Committee shall be refunded to the applicant by way of cheque.

As the next step, further, if the Advocate who is appointed under the Scheme is found negligent in the conduct of the case entrusted to him, then he will be required to return the brief together with the fee which he may have received from the applicant under the scheme. Further, the Society will not be responsible for the negligent conduct of the case but the entire responsibility will be that of the Advocate vis-a-vis the client. The name of the Advocate will, however, be struck off from the panel prepared under the Scheme.

A large number of poor people would approach the Hon'ble Supreme Court for aid to sort out their cases, file cases on their behalf and get justice, but could not afford the expenses. To make filing petitions easy for the underprivileged strata of the society, the Hon'ble Supreme Court decided to introduce this scheme.

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