

# **The Maharashtra State Legal Aid and Advice Board Regulations, 1981**

MAHARASHTRA

India

## **The Maharashtra State Legal Aid and Advice Board Regulations, 1981**

### **Rule**

### **THE-MAHARASHTRA-STATE-LEGAL-AID-AND-ADVICE-BOARD-REGULATIONS of 1981**

- Published on 5 December 1981
- Commenced on 5 December 1981
- [This is the version of this document from 5 December 1981.]
- [Note: The original publication document is not available and this content could not be verified.]

The Maharashtra State Legal Aid and Advice Board Regulations, 1981Published vide Notification No. LAB. 1379/(238-A)-14 M. G. G., Part 1, Central Section, dated 5th December, 1981No. LAB. 1379/(238-A)-XIV. - In pursuance of the powers conferred by sub-paragraph (2) of paragraph 16 of Government Resolution, Law and Judiciary Department, No. LAB-1080/(208)-XIV, dated the 30th October, 1980, the Maharashtra State Legal Aid and Advice Board, with the approval of the State Government, hereby makes the following regulations for the implementation of the Maharashtra State Legal Aid and Advice Scheme, 1979 and regulating its own procedure, namely :-

#### **1. Short title and commencement.**

(1)These regulations may be called the Maharashtra State Legal Aid and Advice Board Regulations, 1981.(2)[ They shall come into force from the date of publication of these regulations in the Maharashtra Government Gazette.] [These regulations were brought into force by M. G. G., Part 1, Central Section, dated 5th December, 1981.]

#### **2. Definition.**

- In these regulations, unless the context requires otherwise, words and expressions used in these regulations shall have the meanings respectively assigned to them in the Maharashtra State Legal Aid and Advice Scheme, 1979.

### **3. Meetings of the Board.**

- The Executive Chairman may either suo motu or at the instance of the President or the Vice-President convene a meeting of the Board at the place, date and time to be fixed in consultation with the President and Vice-President.

#### **4.**

(a) Any seven members of the Board may send a requisition addressed to the Executive Chairman of the Board for convening a meeting of the Board for consideration of the subjects or matters specified in the requisition. (b) On receipt of the requisition the Executive Chairman shall in consultation with the President and the Vice-President convene a meeting of the Board for consideration of the subjects or matters specified in the requisition, provided that in case a meeting of the Board is already scheduled to be held within a month from the date of receipt of the requisition, then the subjects or matters mentioned in the requisition shall be included for consideration in the agenda of such meeting.

#### **5.**

If a meeting of the Board is convened on a particular date and it is required to be postponed, telephonic or telegraphic intimation of the postponement of the meeting shall be given or sent to every member at least 5 days before the date fixed for the meeting or by any other means provided it is done at least 7 days before the date of the meeting.

#### **6.**

The Member-Secretary shall draw the minutes of the proceedings of the meeting of the Board on the basis of the transcript of the proceedings.

#### **7.**

The draft minutes of the meeting shall be drawn by the Member-Secretary in consultation with the Executive Chairman and they shall be sent through the Executive Chairman to the President and Vice-President or other persons presiding at the meeting of the Board, provided that in the absence of the President, Vice-President and the Executive Chairman, the meeting shall elect a member of the Board who shall preside at the meeting.

#### **8.**

Any informality or irregularity in despatching notice to any member of the Board or non-receipt of notice by any member of the Board shall not invalidate the proceedings of the meeting.

## **9.**

Members of the Advisory Council constituted under Government Resolution, Law and Judiciary Department, No. LAB-1080/(208B)-XIV, dated the 30th October, 1980 may be invited to attend the meeting of the Board at the discretion of the President.

## **10.**

(a)The Executive Chairman and the Vice-President shall be entitled to draw travelling and daily allowance as per Government Resolution, Law and Judiciary Department, No. LAB-1579/1059(125)-XIV, dated 18th August, 1979.(ai)[ The Member-Secretary and other Officers and staff of the Board shall be entitled to draw Travelling Allowance and Daily Allowance as per the provisions of the Maharashtra Civil Services (Travelling Allowance) Rules.] [This clause (a-i) was inserted by G. N. L. & J. D., No. LAB. 2085/(2)-XIV, dated 4th April, 1985, Regulation 2.](b)No other member of the Board shall be entitled to claim Travelling Allowance and Daily Allowance for any journey unless such journey has been undertaken by him under authority or in pursuance of the directions of the President or the Vice-President or the Executive Chairman of the Board through a resolution.

## **11. Powers and functions of the President and Vice-President.**

- The President and the Vice-President may visit any District or Taluka within the jurisdiction of the Board and make whatever enquiry they think proper regarding the implementation of the Legal Aid Scheme and Legal Service Programme and make suitable recommendations to the Board, as a result of such inspection and inquiry.

## **12. Powers and functions of the Executive Chairman.**

- (i) The Executive Chairman shall be entitled to visit any District or Taluka for the purpose of looking after and supervising the implementation of the Legal Aid Scheme and Legal Services Programme. The Executive Chairman shall earn, out all such policies and directions as may be laid down or given by the Board from time to time.(ii)Any communication addressed to the Board shall be placed before the Executive Chairman and any important communication from the Board or any office-bearer other than the President or the Vice-President shall be routed through the Executive Chairman.(iii)Any communication, directions or instructions to the legal aid committee shall be issued by the Member-Secretary in accordance with the policy laid down by the Board from time to time and in conformity with the instructions issued by the Executive Chairman and if there are any such communications, directions or instructions shall be immediately brought to the notice of the Executive Chairman.(iv)Any communication from the State Government to the Board shall be placed before the Executive Chairman for his perusal.(v)The Executive Chairman shall place before every meeting of the Board a report showing in details the work and activities of the Board and various legal aid and advice committee during the intervening period between the previous meeting and the forthcoming meeting of the Board.

### **13. Secretary of the Board.**

- The Officer selected to function as Member-Secretary of the Board shall be full-time Secretary of the Board and shall discharge his duties and functions in connection with implementation of the Legal Aid Scheme and Legal Services Programme under the control and directions of the Executive Chairman. He shall be responsible for the custody and management of the properties and funds of the Board and for maintenance of the true and proper accounts of the Board and he shall get them audited and checked, periodically. He shall also be responsible for carrying out all such instructions, directions and orders as may be issued in connection with the implementation of the Legal Aid Scheme and Legal Services Programme.

### **13A. [ [Clause (13A) was inserted by G. N., L. & J. D. No. LAB. 2085/(2)-XIV, dated 4th April, 1985.]**

With the approval either of the President or Vice-President of Executive Chairman or the Secretary to Government, Law and Judiciary Department, the Member-Secretary or other Officers and staff of the Board shall be entitled to visit any District or Taluka or village places for the purposes of inspection or of looking after and supervising the implementation of the Legal Aid Schemes and Legal Aid Service Programmes or any other work relating to the Legal Aid Schemes.]

### **14.**

The Member-Secretary of the Board shall issue notice of the meeting of the Board stating the time, place and date of the meeting and such notice shall be dispatched to each member as prescribed by the rules framed for holding the meeting of the Board.

### **15.**

The notice of the meeting shall be accompanied by the agenda of the meeting as also the draft minutes of the previous meeting unless despatched earlier and a report of the Executive Chairman setting out the action taken on the decisions taken at the previous meeting. The Secretary shall draw the agenda for the meeting of the Board in consultation with the Executive Chairman.

### **16. Membership of the Board.**

(a) A person appointed as a Member of the Board by reason of any office held by him shall cease to be a Member of the Board as soon as he ceases to hold such office. (b) Immediately on ceasing to hold such office he shall give necessary intimation to the Board in this behalf. (c) On receipt of such intimation the Secretary of the Board shall ascertain the name and address of the new incumbent in the office and obtain formal order appointing such person as ex officio Member of the Board. (d) A Member of the Board desiring to resign his office may tender his resignation in writing under his hand addressed to the Executive Chairman. The resignation shall be placed before the next meeting of the Board and the decision of the Board will be communicated to the Member who has tendered

such resignation.(e)If any nominated member fails, without sufficient cause to attend three consecutive meetings of the Board or ceases to represent the interest for which he has been nominated, his case shall be placed before the meeting of the Board for consideration and the Board after issuing notice to him and inviting his written representation and after considering such written representation, if any, decide whether he has ceased to be a Member of the Board.(f)A Member of the Board who has duly received a notice of the meeting but is unable to attend, may send a letter or oral intimation to the Executive Chairman expressing his inability to attend. The letter shall be placed at the meeting of the Board and the Board may condone the absence of the Member for sufficient cause.