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F.No.14 (198)/2005/LJCP-KPK/AJDF

RAJA MUHAMMAD FAISAL IFTIKHAR

DEPUTY SECRETARY
LAW & JUSTICE COMMISSION of PAKISTAN
GOVERNMENT of PAKISTAN

SUBJECT: EFFICIENT USE OF FREE LEGAL AID FACILITY (DLECs).

Dear Sir/Madam,

With reference to the subject mentioned above, I am directed to inform that the Law and Justice Commission of Pakistan (LJCP) has constituted the District Legal Empowerment Committees (DLECs), across the country, to provide free legal aid to those unable to pursue legal actions in court of law due to financial constraints. The LJCP Secretariat supports these Committees through Access to Justice Development Fund (AJDF), which provides funding for payment of lawyer fees, court fees, copying charges, process fees and any other appropriate costs. To apply for aid, deserving litigants need to submit a request on plain paper to the concerned District and Sessions Judge, along with a copy of their identification document.

2. It is further informed that recently the Governing Body, AJDF has amended the DLECs Rules, 2011 to enhance the efficiency of these Committees. The amendments include an increase in the maximum lawyer's fee per case from Rs.20,000/- to Rs.40,000/- and a reduction in the required standing at the bar for legal practitioners from 05 years to 03 years. Additionally, District and Sessions Judges are now empowered to approve and maintain a list of legal practitioners to be engaged for provision of free legal aid, with such list being valid for 02 years. The revised DLECs Rules are annexed for information and adherence.

3. Despite these amendments, it has been observed that the DLECs are not fully achieving their potential due to a lack of awareness among the public and stakeholders about the existence of this unique free legal aid facility at district levels. To address this, IEC material (poster and Urdu write-up) outlining the mandate, functions, and procedures for obtaining free legal aid is attached which is also available on our website www.ljcp.gov.pk. *It is requested to display the IEC material prominently in court premises, distribute it to judicial officers & relevant personnel, and upload to your official website for general information.*

4. I am also directed to request you to utilize the funds already released and provide a detailed report on their usage. The report should include case details such as the number, nature, and outcome of cases, beneficiary demographics (including gender, juveniles, & minorities), and the amount & nature of aid provided to the deserving litigants. Should additional funds be required, please submit your demands to this Secretariat for consideration. Furthermore, please ensure compliance with Rule 6 of the DLECs Rules, 2011 by holding regular meetings to review and process applications for free legal aid and related matters.

5. For any queries regarding DLEC operations, please free fee to contact me at Ph: 051-9207256 and email: dlec@ljcp.gov.pk. Your cooperation and support in improving the impact of the DLEC are highly appreciated.

With regards,

Yours sincerely

Raja Muhammad Faisal Iftikhar

Encl: (As above)

The District and Sessions Judge / Chairperson, DLEC,
Orakzai.

Copy for Info:

The Registrar, Peshawar High Court, Peshawar.

DISTRICT LEGAL EMPOWERMENT COMMITTEES (CONSTITUTION & FUNCTIONS) RULES, 2011

1. Short title and commencement. – (i) These Rules may be called the District Legal Empowerment Committees (Constitution & Functions) Rules, 2011.

(ii) They shall come into force at once.

2. Definitions.– In these rules, unless there is anything repugnant in the subject or context, -

(a) “Chairperson” means Chairperson of the District Legal Empowerment Committee;

(b) “Committee” means the District Legal Empowerment Committee constituted to administer and manage funds for the purpose of provision of legal aid to the deserving litigants;

(c) “Deserving Litigant” means a litigant who might otherwise be unable to obtain legal aid or assistance for protecting his genuine legal rights or interests, involved in litigation, on account of his limited financial resources.

(d) “District Legal Empowerment Fund” means an amount allocated for District Legal Empowerment Committee from the Legal Empowerment Fund Window of Access to Justice Development Fund or other grants or donations made by the Federal Government, Provincial Government or a Local Government.

(e) “Legal aid” means free legal aid or assistance extended to a deserving litigant by the Committee in areas hereinafter prescribed:

(f) “Member” means member of the District Legal Empowerment Committee.

3. Establishment of the Committee.– The Committee shall be constituted by the Law and Justice Commission of Pakistan with the concurrence of the concerned High Court and the Provincial Government.

4. Composition of Committee. – (i) The composition of the Committee shall be as under:-

(a) District & Sessions Judge / Zilla Qazi as ex-Officio chairperson;

(b) District Co-ordination Officer / Deputy Commissioner / Political Agent, member ex-officio.

(c) Superintendent, District / Central Jail, member ex-officio;

(d) President, District Bar Association, member ex-officio; and

(e) A Representative of the Civil Society as co-opted member of the Committee.

(ii) The co-opted member shall be selected by the Committee, for a period of three years but shall be eligible for re-appointment for another term.

(iii) The co-opted member shall hold the office during the pleasure of the Committee and can be removed earlier by majority of its members.

(iv) The co-opted member may resign from his office by writing under his hand addressed to the Chairperson.

(v) The Committee may designate any of its members as Secretary to the Committee who shall act and perform such functions as may be assigned to him by the Committee.

5. Functions of the Committee.- (i) Subject to the provisions of any other law for the time being in force, the Committee shall extend funds for provision of legal aid to the deserving litigants.

(ii) Without prejudice to the generality of the provisions of sub-rule (i) of the Rule 4, the legal aid may be extended in following areas:-

(a) Professional fee / honorarium payable to lawyer;

(b) Court fee;

(c) Copying charges;

(d) Process fee; and

(e) Any other area which the Committee may deem appropriate in a particular case, for extending legal aid to the deserving litigant.

6. Meetings of the Committee. - (i) The Committee shall hold its meeting at least once in a month to consider applications of the deserving litigants for grant of legal aid for pursuing their cases in the Courts, however, it may hold special meetings in view of any such application warranting urgent disposal.

(ii) Presence of 50% members including chairperson shall constitute the quorum for a meeting.

(iii) All decisions of the Committee shall be expressed in terms of opinion of the majority of its members.

(iv) The Committee shall report its performance together with its recommendations, if any, to the Commission through High Court, within seven days of each meeting.

7. Procedure for Grant of Legal Aid. - (i) Any deserving litigant shall submit requests in writing on a plain paper addressed to the Chairperson or in a manner prescribed by the Committee. The application must clearly contain the request for payment as prescribed by Rule 5 (ii) to plead his case before the Court. The applications must be accompanied by National Identity Card or any other document of identity.

(ii) The Superintendent District Jail may also forward applications of the under trial or convicted prisoners, or any person confined in jail in relation to civil proceedings after necessary verification that the applicant is a deserving litigant.

(iii) The Committee may also consider cases referred by any Court for provision of legal aid to the person whose case is pending before such Court.

(iv) Office of the Chairperson shall register the applications in the relevant register with brief particulars and by assigning Diary No. The applications so registered shall be placed before the Chairperson who if thinks appropriate may refer the same to any other person for verification and report qua financial position of the applicant.

(v) The application shall be examined by the Committee in its monthly or special meeting, as the case may be, which shall determine the eligibility or otherwise of applicant for grant of legal aid, the manner, nature and extent of such aid:

Provided that a person shall not be entitled to legal aid, for whom an advocate or public prosecutor or government pleader has already been appointed in the same case, under any other law for the time being in force.

(vi) The decision of the Committee shall be final; however, this shall not debar the applicant litigant to apply again after furnishing sufficient proof that his financial condition has been weakened to bear the expenses of litigation.

8. Selection of Legal Practitioner. – (i) The Committee in consultation with President, District Bar Association shall maintain a list of legal practitioners to be appointed for the purpose¹.

(i-A) The list of legal practitioners shall be notified for a period of 02 years.²

(ii) A legal practitioner having at least [three]³ years standing at the Bar would be eligible for appointment.

(iii) The Committee shall determine the fee of the legal practitioner and it may vary from case to case however, it shall not be more than [Rs.40,000/-]⁴ in any circumstances for a case.

(iv) If the Committee is satisfied that performance of the lawyer appointed for the purpose is not satisfactory, may substitute him with another lawyer and delete his name from the list.

(v) The Committee shall examine the performance of each legal practitioner on annual basis and may amend the list on the basis of their efficiency and output.

9. Management and Accounts of the Fund. – (i) The District Legal Empowerment Fund shall be operated through an account to be opened in a branch of an authorized bank, which shall be operated by the Chairperson.

(ii) The Accountant of the District Court shall maintain all records of the District Legal Empowerment Fund including books of account, cash book, ledgers, cheques and other record.

(iii) The Accountant shall submit the accounts of the District Legal Empowerment Fund in the manner and form specified by the Committee and shall lay a statement of funds transferred from the Law and Justice Commission of Pakistan and or any other source and also maintain statements of expenditures and releases.

¹ The words "Vice Chairman, Provincial Bar Council," and "and approval of the Chief Justice of High Court" have been omitted vide Notification No. 14/198/2005/LJC-AI dated 12th October, 2023.

² A new sub-rule 8 (i-A) is inserted vide Notification No. 14/198/2005/LJC-AI dated 12th October, 2023.

³ The word "five" has been substituted by "three" vide Notification No. 14/198/2005/LJC-AI dated 12th October, 2023.

⁴ The figure "20,000/-" has been substituted by "40,000/-" vide Notification No. 14/198/2005/LJC-AI dated 12th October, 2023.

- (iv) The Committee shall submit half yearly and annual audited accounts of the District Legal Empowerment Fund to the Commission through High Court.
- (v) All payments shall be made through cross cheques under the signature of the Chairperson subject to decision of the Committee.
- (vi) The Committee shall release funds in favour of legal practitioner in two installments; first installment shall be paid at the time of assigning the case while the final installment shall be paid after verification of the fate of the case.
- (vii) The Committee after receiving copy of final order with regard to the case assigned to a legal advisor may also call report from the concerned Court for the purpose of verification of disposal of the case.
- (viii) The internal audit of the District Legal Empowerment Fund shall be conducted annually in accordance with the relevant laws, rules or bylaws of the Provincial Government.
- (ix) The internal audit report shall be communicated to the Commission through High Court.
- 10. Relaxation of Rules.** – The Chairperson may, for the reasons to be recorded in writing relax strict application of any rule in appropriate cases.
- 11. Interpretation of Rules.** – Any question relating to the interpretation of these rules shall be decided by the Chairperson.

(v)



قانون و انصاف کمیشن آف پاکستان

مفت قانونی امداد

ہر وہ شخص ہے جو محدود مالی وسائل کی بنا پر اپنے قانونی حقوق کا دفاع نہ کر سکے مفت قانونی امداد کا حقدار ہے۔

غریب سائلین بلا تفریق اپنے فوجداری، دیوانی اور عائلی مقدمات کی پیروی کے لیے درج ذیل سہولیات حاصل کر سکتے ہیں۔

(۱) وکیل کی فیس (۲) کورٹ فیس (۳) نقول کے اخراجات (۴) اخراجات برائے سمناات (طلبی) وغیرہ (۵) دیگر اخراجات جو مقدمہ کی نوعیت اور حقائق کو مد نظر رکھتے ہوئے مناسب سمجھے جائیں۔

طریقہ کار

(۱) مستحق شخص سادہ کاغذ پر مقدمے کی تفصیل، اپنے کوائف یعنی نام، ولدیت، پتہ، فون نمبر وغیرہ درخواست کی صورت میں ڈسٹرکٹ اینڈ سیشن جج کو ارسال کر سکتا ہے۔

(۲) سز یافتہ یا زیر سماعت قیدی بھی اپنی درخواست بذریعہ سپرنٹنڈنٹ جیل ڈسٹرکٹ اینڈ سیشن جج کو ارسال کر سکتا ہے۔

(۳) موصول شدہ درخواست پر کمیٹی غور کریگی اور کوائف کی جانچ پڑتال کے بعد مستحق شخص کو مفت قانونی امداد فراہم کی جائیگی۔

ضلعی کمیٹی برائے قانونی امداد (District Legal Empowerment Committee)

انصاف تک رسائی کو ممکن بنانے کے لیے قانون و انصاف کمیشن پاکستان نے ملک بھر میں ضلعی سطح پر 129 کمیٹیاں قائم کیں ہیں۔ جن کی سربراہی ڈسٹرکٹ اینڈ سیشن جج کرتے ہیں۔ جبکہ ڈپٹی کمشنر، سپرنٹنڈنٹ جیل، بار ایسوسی ایشن اور سول سوسائٹی کے نمائندگان اس کمیٹی کے رکن ہیں۔

رابطہ

اپنے فوجداری، دیوانی یا عائلی مقدمے میں مفت قانونی امداد کے لیے ڈسٹرکٹ اینڈ سیشن جج، چیئرمین ضلعی کمیٹی برائے قانونی امداد سے رابطہ کریں۔

مزید معلومات کے لیے قانون و انصاف کمیشن، پاکستان کی ویب سائٹ ملاحظہ کریں www.ljcp.gov.pk

ہماری ترجیح: حصول انصاف کو یقینی بنانا

مفت قانونی امداد

انصاف تک رسائی ہر شخص کا بنیادی حق ہے اور اس کے حصول کو ممکن بنانا حکومت کی اولین ذمہ داری ہے۔ بعض افراد مفلسی اور مالی وسائل کی کمی کے باعث اپنے حقوق یا مقدمات کا دفاع کرنے کی استعداد نہیں رکھتے لہذا ایسے افراد کی انصاف تک رسائی اور مفت قانونی امداد کیلئے قانون و انصاف کمیشن پاکستان نے ملک کے ۱۲۹ اضلاع میں ضلعی کمیٹیاں برائے قانونی امداد قائم کیں ہیں۔

ضلعی کمیٹی برائے قانونی امداد

کمیٹی کی سربراہی ڈسٹرکٹ اینڈ سیشن جج / ضلع قاضی صاحب کرتے ہیں جبکہ اس کے ممبران میں ڈپٹی کمشنر / پولیٹیکل ایجنٹ، سپرنٹنڈنٹ ضلعی جیل، صدر ڈسٹرکٹ بار ایسوسی ایشن اور سول سوسائٹی کا نمائندہ شامل ہیں۔

مفت قانونی امداد کا حقدار:

ہر وہ شخص جو محدود مالی وسائل کی وجہ سے اپنے قانونی حقوق کا دفاع نہ کر سکے مفت قانونی امداد کا حقدار ہے۔ مفت قانونی امداد فوجداری، دیوانی اور عائلی مقدمات میں دی جاتی ہے۔

مفت قانونی امداد کی نوعیت:

مفت قانونی امداد، وکیل کی فیس، کورٹ فیس، نقول کے اخراجات، پراسیس فیس یا کسی دیگر مد میں جو انصاف کے حصول میں معاون ثابت ہو، کی صورت میں حاصل کی جاسکتی ہے۔ جیل میں مقید ملزمان (زیر سماعت یا سزا یافتہ) بھی اس سہولت سے مستفید ہو سکتے ہیں۔

مفت قانونی امداد کے حصول کا طریقہ:-

مستحق شخص سادہ کاغذ پر مفت قانونی امداد کیلئے متعلقہ ڈسٹرکٹ اینڈ سیشن جج کو درخواست دے سکتا ہے۔ درخواست کے ہمراہ صرف شناختی کارڈ کی نقل یا کوئی اور شناختی دستاویز لگانا ضروری ہے۔

ڈسٹرکٹ سپرنٹنڈنٹ جیل بھی ایسے نادار قیدی (زیر سماعت یا سزا یافتہ) جو مالی وسائل میسر نہ ہونے کی وجہ سے اپنے مقدمات میں دفاع کے لیے وکلاء کی خدمات حاصل نہیں کر سکتے کی درخواستیں مفت قانونی امداد کے لیے کمیٹی کو بھیج سکتا ہے۔ اس کے علاوہ کوئی عدالت بھی از خود کسی زیر سماعت مقدمے میں مستحق فرد کی مفت قانونی امداد کے لیے کمیٹی سے استدعا کر سکتی ہے۔

قانونی معاونت کے لیے وکلاء کی تقرری:-

کمیٹی درخواست کی جانچ پڑتال اور درخواست دہندہ کی مالی حیثیت کے تعین کے بعد مفت قانونی امداد کی فراہمی کے لیے منظم شدہ فہرست سے وکیل مقرر کرے گی کمیٹی مقدمے کی نوعیت کو دیکھتے ہوئے اگر مناسب سمجھے تو دیگر عدالتی اخراجات کی ادائیگی بھی کر سکتی ہے۔

وکلاء کی کارکردگی کا جائزہ:-

کمیٹی مقرر کردہ وکیل کی کارکردگی کا جائزہ لینے کی مجاز ہے اور ناقص کارکردگی کی صورت میں دوسرے وکیل کا تقرر کر سکتی ہے۔ کمیٹی

مفت قانونی امداد



قانون و انصاف کمیشن آف پاکستان



قانون و انصاف کمیشن آف پاکستان

سپریم کورٹ بلڈنگ، شاہراہ دستور
G-5/2، اسلام آباد۔

051-9209412, ljcp@ljcp.gov.pk

سالانہ بنیاد پر وکلاء کی کارکردگی کا جائزہ لیتے ہوئے وکلاء کی فہرست میں
ترمیم بھی کر سکتی ہے۔

عوامی آگاہی مہم

ضلعی کمیٹی برائے مفت قانونی امداد کا قیام انصاف تک رسائی ممکن
بنانے کی جانب ایک اہم سنگ میل ہے۔ اس اقدام سے فائدہ
اٹھانے کے لیے لازم ہے کہ عوام کو اس بارے میں آگاہی فراہم کی
جائے تاکہ وہ اپنے حقوق کے تحفظ کے لیے ان سے رجوع کر سکے۔
مزید معلومات کے لیے متعلقہ ضلعی کمیٹی برائے قانونی امداد یا
قانون و انصاف کمیشن آف پاکستان سے رابطہ کریں۔

ہماری ترجیح : حصول انصاف کو یقینی بنانا