

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, অক্টোবর ১৬, ২০১৪

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ
আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়
মুদ্রণ ও প্রকাশনা শাখা।

প্রজ্ঞাপন

তারিখ, ২৮ আশ্বিন ১৪২১ বঙ্গাব্দ/ ১৩ অক্টোবর ২০১৪ খ্রিস্টাব্দ

নং ০৮-১০.০০.০০০০.১২৮.০২২.০৩.১৩-অনুবাদ-২০১৪—সরকারি কার্যবিধিমালা, ১৯৯৬ এর প্রথম তফসিল (বিভিন্ন মন্ত্রণালয় এবং বিভাগের মধ্যে কার্যবন্টন) এর আইটেম ২৯(খ) এর ক্রমিক ৫ এবং মন্ত্রিপরিষদ বিভাগের বিগত ০৩-০৭-২০০০ইং তারিখের সভায় গৃহীত সিদ্ধান্ত বাস্তবায়নের নিমিত্তে “জাতীয় আইনগত সহায়তা প্রদান আইন, ২০০০ (২০০০ সালের ০৬ নং আইন) এর ২৫ ধারার বিধান অনুযায়ী” নিম্নরূপ ইংরেজী অনুবাদ সর্বসাধারণের জ্ঞাতার্থে প্রকাশ করিল।

মোহাম্মদ দেলোয়ার হোসেন
সহকারী সচিব।

(১৯০৪১)
মূল্য : টাকা ২০.০০

Legal Aid Services Act, 2000
Act No. VI of 2000

[26 January, 2000]

An Act to provide legal aid for the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions.

Whereas it is expedient and necessary to provide legal aid for the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Legal Aid Services Act, 2000.

(2) It shall come into force on such date as the Government may, by notification in the *Official Gazette*, appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

¹[(a) “**legal aid**” means, for the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions,—

- (i) to render legal advice and services for the cases filed or pending or to be filed before a Court;
- (ii) to give remuneration to the mediator or arbitrator appointed for resolving a case through mediation or arbitration in accordance with the Code of Civil Procedure, 1908 (Act No. V of 1908) ²[and any other law for the time being in force];
- (iii) to provide any other assistance including relevant expenses for cases; and
- (iv) to give remuneration to the lawyers at the rate prescribed by regulations for carrying out the purposes of sub-clauses (i) to (iii);]

¹ Clause (a) was substituted by section 2 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

² The words “and any other law for the time being in force” were substituted for the words “sections 89A and 49B of” by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

- (b) “**Court**” means any Court including the Supreme Court;
- (c) “**application**” or “**petition**” means an application or petition for seeking legal aid;
- (d) “**Chairman**” means the Chairman of the Board;
- (e) “**District Committee**” means the District Committee of the Organization formed under this Act;
- (f) “**Director**” means the Director of the Organization;
- ¹[(ff) “**regulations**” means regulations made under this Act;]
- (g) “**litigant**” means any person who is or likely to be ²[the plaintiff or defendant of a civil or family suit or complainant or accused of a criminal case,] filed or to be filed in any Court;
- ⁴[(gg) “**rules**” means rules made under this Act;]
- ⁵[(ggg) “**Special Committee**” means the Special Committee formed under this Act by the Organization;]
- (h) “**Board**” means the National Governing Board constituted under section 6;
- ⁶[(hh) “**Legal Aid Officer**” means the Legal Aid Officer appointed under section 21A;]
- ⁷[(i) “**member**” means any member of the Board or, as the case may be, the Supreme Court Committee, the District Committee, the Special Committee, the Upazila Committee or the Union Committee;]
- ⁸[(ii) “**Supreme Court Committee**” means the Supreme Court Committee of the Organization formed under this Act;]
- (j) “**Organization**” means the National Legal Aid Services Organization established under this Act.

¹ Clause (ff) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

² The words and comma " a civil, family or criminal case" were substituted for the words " a civil or criminal case" by section 2 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

⁴ Clause (gg) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁵ Clause (ggg) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁶ Clause (hh) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁷ Clause (i) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁸ Clause (ii) was inserted by section 2 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

3. Establishment of the National Legal Aid Services Organization.—(1)

As soon as may be after the commencement of this Act, the Government shall, by notification in the *Official Gazette*, establish an organization to be called the National Legal Aid Services Organization for carrying out the purposes of this Act.

(2) The Organization shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and transfer of property, both movable and immovable, and shall by the said name sue and be sued.

4. Head Office of the Organization.—The Head Office of the Organization shall be at Dhaka, and it may, if necessary, establish branch offices at any place with the prior approval of the Government.

5. Direction of the Organization.—(1) The general direction and administration of the affairs and functions of the Organization shall vest in the Governing Board which may exercise all such powers and perform all such functions as may be exercised and performed by the Organization.

(2) The Organization shall, in discharging its functions, follow such instructions as may be given to it by the Government.

6. The National Governing Board.—¹[(1) The National Governing Board shall consist of the following members, namely:—

- (a) the Minister, Ministry of Law, Justice and Parliamentary Affairs, who shall also be its Chairman;
- (b) two Members of Parliament, one from the ruling party and the other from the opposition party, to be nominated by the Speaker of Parliament;
- (c) the Attorney-General of Bangladesh;
- (d) the Secretary, Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs;
- (e) the Secretary, Ministry of Home Affairs;
- (f) the Secretary, Ministry of Social Welfare;
- (g) the Inspector General of Police;
- ²[(gg) the Registrar, Supreme Court of Bangladesh;]
- (h) the Inspector General of Prisons;
- (i) the Vice-Chairman, Bangladesh Bar Council;
- (j) the President, Supreme Court Bar Association;

¹ Sub-section (1) of section 6 was substituted by section 3 of the Legal Aid Services (Amendment) Act, 2011 (Act No. 17 of 2011).

² Clause (gg) was inserted by section 3 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

- (k) the Chairman, Jatiya Mahila Sangstha;
- (l) three representatives to be nominated by the Government from among the established non-governmental organizations relating to law and human rights having activities in every district;
- (m) three representatives to be nominated by the Government from among the women's organizations having activities in every district;
- (n) the Director, who shall also be its Member-Secretary.]

(2) The members nominated under ¹[clauses (l) and (m) of sub-section (1)] shall hold office for a term of two years from the date of their nomination:

Provided that the Government may remove any of such members from his office without showing cause before the expiry of such term:

Provided further that such a member may resign his office by writing under his hand addressed to the Government.

7. Duties and functions of the Organization.—The duties and functions of the Organization shall be as follows:—

- (a) to set up criteria in determining the eligibility of the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions for receiving legal aid and make procedure for providing legal aid;
- ²[(b) to take projects for expanding, upgrading and promoting legal aid programmes;]
- (c) to take and administer educational and research activities for providing legal aid;
- ³[(cc) to facilitate training for the officers and employees of the Organization for ensuring legal aid services;
- (ccc) with a view to ensuring legal aid services, to facilitate training for the members of the Supreme Court Committee, District Committees, Special Committees, Upazila Committees or Union Committees;]
- (d) with a view to creating public awareness on legal aid, to publicize it widely through radio, television, newspaper and other media;
- ⁴[(e) to consider the applications or petitions rejected by the District Committees or Special Committees;

¹ For the words, number and brackets "sub-section (1) (m) and (n)" the words, number and brackets " sub-section (1) (l) and (m) " were substituted by section 3 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

² Clause (b) was substituted by section 4 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

³ Clauses (cc) and (ccc) were inserted by section 4 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁴ Clauses (e), (f) and (g) were inserted by section 4 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

- (f) to supervise and control the activities of the Supreme Court Committee, District Committees and the Special Committees, and to make local inspection of their activities;
- (g) with a view to creating public awareness on legal rights and responsibilities, to take the following measures, namely:-
 - (i) to disseminate legal education;
 - (ii) to make legal information easily available;
 - (iii) to take initiatives to raise the percentage of the people of basic legal knowledge;
 - (iv) to ensure easy access to justice;
 - (v) to publish book-lets, pamphlets, etc. containing information on legal aid, along with arranging meetings, seminars and workshops;]
- (h) to do any other act necessary for carrying out the aforesaid functions and duties.

8. Meetings of the Board.—(1) The Board may, subject to the other provisions of this section, determine the procedure of its meeting.

(2) The meeting of the Board shall be held at such times and places as may be determined by the Chairman:

Provided that at least one meeting of the Board shall be held in every three months.

(3) All meetings of the Board shall be presided over by the Chairman and, in his absence, by a member directed by him or, in absence of such direction, by any other member selected by the members present.

(4) To constitute a quorum at a meeting of the Board, the presence of at least one third of the total members shall be required, but no such quorum shall be necessary for an adjourned meeting.

(5) At a meeting of the Board, each member shall have one vote and, in the event of equality of votes, the person presiding over the meeting shall have a second or casting vote.

(6) No act or proceeding of the Board shall be invalid or be called in question merely on the ground of any vacancy in, or any defect in the constitution of, the Board.

¹[8A. **Supreme Court Committee.**—(1) In the Supreme Court of Bangladesh, there shall be a committee to be called the Supreme Court Committee consisting of the following members, namely:—

- (a) a Judge of the High Court Division to be nominated by the Chief Justice, who shall also be its Chairman;
- (b) the Secretary of the Supreme Court Bar Association, and another member thereof, to be nominated by the association;
- (c) two practicing lawyers of the Supreme Court conducting cases on human right and social welfare matters, to be nominated by the Chief Justice, among whom one shall be a woman;
- (d) two representatives of the nationally recognized non-governmental organizations (NGOs) working on issues of law and human rights, to be nominated by the Board;
- (e) one Deputy Attorney-General to be nominated by the Attorney General of Bangladesh;
- (f) one officer, not below the rank of Deputy Director of the Organization, to be nominated by the Chairman of the Board;
- (g) one Assistant Attorney-General to be nominated, in consultation with the Attorney-General, by the Chairman of the Committee, who shall also give secretarial support to it.

(2) The members nominated under clauses (c) and (d) of sub-section (1) shall hold office for a term of 2 (two) years from the date of their nomination.

8B. Duties and functions of the Supreme Court Committee.—(1) The duties and functions of the Supreme Court Committee shall be as follows:

- (a) to provide legal aid for the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions, upon considering their applications or petitions in accordance with the criteria determined, and policies formulated by the Organization;

¹ Sections 8A, 8B and 8C were inserted by section 5 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

- (b) in the case of accepted applications or petitions, to determine the types and terms of legal aid to be given to the applicants or petitioners;
- (c) to develop plans and take projects for implementing the legal aid programmes in the district level;
- (d) to take necessary steps for creating awareness among the people on legal aid in the Supreme Court;
- (e) to perform such other duties as may be conferred on it by the Board;
- (f) to do any other act necessary for performing the aforesaid duties and functions.

(2) The overall administrative responsibility for implementing legal aid service programmes administered by the Supreme Court Committee shall vest in the Chairman of the Committee.

(3) The Chairman of the Supreme Court Committee may, if necessary, exercise all powers of the Committee and take decision on behalf of the Committee, and in any case, if any power is so exercised and any decision is so taken, it shall require to be placed for approval in the next meeting of the Committee.

8C. Meeting of the Supreme Court Committee.—(1) The Supreme Court Committee may, subject to the other provisions of this section, determine the procedure of its meeting.

(2) The meeting of the Supreme Court Committee shall be held at such times and places as may be determined by its Chairman:

Provided that at least one meeting of the Committee shall be held in every two months.

(3) All meetings of the Board shall be presided over by the Chairman of the Supreme Court Committee.

(4) To constitute a quorum at a meeting of the Supreme Court Committee, the presence of at least one third of its total members shall be required, but no such quorum shall be necessary for an adjourned meeting.

(5) No act or proceeding of the Committee shall be invalid or be called in question merely on the ground of any vacancy in, or any defect in the constitution of, the Committee.]

9. District Committee.—(1) In every district, there shall be a District Committee of the Organization and it shall, subject to the provisions of subsection (2), consist of the following members, namely:—

- (a) the District and Sessions Judge who shall also be its Chairman;
- ¹[(aa) the Chief Judicial Magistrate, or an officer, not below the rank of Additional Chief Judicial Magistrate, nominated by him;]
- ²[(b) the District Magistrate, or an officer, not below the rank of Additional District Magistrate, nominated by him;]
- ³[(c) the Superintendent of Police of the concerned district, or an officer, not below the rank of Additional Superintendent of Police, nominated by him;]
- ⁴[(cc) the Civil Surgeon of the concerned district, or a Deputy Civil Surgeon to be nominated by him;]
- (d) the District Jail Superintendent;
- (e) the District Social Welfare Officer, if any;

¹ Clause (aa) was inserted by section 4 of the Legal Aid Services (Amendment) Act, 2011 (Act No. 17 of 2011).

² Clause (b) was substituted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

³ Clause (c) was substituted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

⁴ Clause (cc) was inserted by section 6 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

- ¹[(f) the District Women Affairs Officer, if any;
(ff) the District Children Affairs Officer, if any;
(fff) the District Information Officer;]
(g) the Chairman of the District Committee of Jatio Mahila Sangstha or a representative of the committee nominated by her;
- ²[(gg) one Mayor of the municipalities, a Upazilla Chairman and one prominent person of the concerned district to be nominated by the Government;]
(h) the President of the District Bar Association;
(i) the Government Pleader of the concerned district;
(j) the Public Prosecutor of the concerned district;
³[(jj) the Public Prosecutor of the Metropolitan Sessions Court;]
(k) one of the Non-government Inspectors of the jail of the concerned district, if any, to be nominated by the Government;
- ⁴[(kk) in case of hill districts, two members of the concerned Hill District Council to be nominated by the Chairman of the Council, among whom one shall be a woman;]
(l) one representative from non-governmental voluntary organizations of the concerned district, if any, nominated by the Chairman of the District Committee;
- ⁵[(m) the elected General-Secretary of the District Bar Association;]
⁶[(n) the Legal Aid Officer, who shall also be its Member-Secretary.]

¹ For clause (f) clauses (f), (ff) and (fff) were substituted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

² Clause (gg) was inserted by section 4 of the Legal Aid Services (Amendment) Act, 2011 (Act No. 17 of 2011).

³ Clause (jj) was inserted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

⁴ Clause (kk) was inserted by section 6 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁵ Clause (m) was substituted by section 6 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁶ Clause (n) was inserted by section 6 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

(2) In the districts where there is a Metropolitan City, ¹[the Metropolitan Sessions Judge,] the Chief Metropolitan Magistrate and the Metropolitan Police Commissioner shall also be the members of the District Committee.

²[(2A) If there is any Nari O Shishu Nirjatan Daman Tribunal in a district, the Judge and the Special Public Prosecutor of the Tribunal shall be the members of the District Committee:

Provided that if there are more than one Nari O Shishu Nirjatan Daman Tribunals in a district, the senior most Judge of the Tribunals and among the Special Public Prosecutors the senior one shall be the member.]

³[(2B) In the districts, where there is a City Corporation, two councilors to be nominated by the Mayor of the City Corporation shall be the members of the District Committee, among whom one shall be a woman.]

⁴[(3) The members nominated under clauses (g), (k) and (l) of sub-section (1) and the prominent person nominated under clause (gg) of the said sub-section shall hold office for a term of two years from the date of their nomination:

Provided that the nominating authority may discharge any such member from his office without showing cause before the expiry of such term:

Provided further that such a member may resign his office by writing under his hand addressed to the Government.]

10. Duties and functions of the District Committee.—(1) The duties and functions of the District Committee shall be as follows:-

- (a) to provide legal aid for the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions in so far as possible upon considering their applications or petitions in accordance with the criteria determined and policies formulated by the Organization;
- (b) in the case of accepted applications or petitions, to determine the types and terms of legal aid to be given to the applicants or petitioners;
- (c) to develop plans and take projects for implementing the legal aid programmes in the district level;
- (d) to take necessary measures for creating awareness among the people on legal aid in the district level;

¹ The words and comma " the Metropolitan Sessions Judge," were inserted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

² Sub-section (2A) was inserted by section 4 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

³ Sub-section (2) was substituted by section 6 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁴ Sub-section (3) was substituted by section 4 of the Legal Aid Services (Amendment) Act, 2011 (Act No. 17 of 2013).

¹[(dd) to provide legal aid upon considering the petitions or recommendations sent by the Upazilla Committee, and the Union Committee;]

(e) to perform such other duties as may be conferred on it by the Board;

(f) to do any other act necessary for performing the aforesaid duties and functions.

²[(2) The Chairman of the District Committee may, if necessary, exercise all powers of the Committee and take decision on behalf of the Committee, and in any case, if any power is so exercised and any decision is so taken, it shall require to be placed for approval in the next meeting of the committee.]

11. Meetings of the District Committee.—(1) The District Committee may, subject to the other provisions of this section, determine the procedure of its meeting.

(2) The meeting of District Committee shall be held at such times and places as may be determined by its Chairman:

Provided that at least one meeting of the District Committee shall be held in every month.

(3) All meetings of the District Committee shall be presided over by its Chairman.

(4) To constitute a quorum at a meeting of the District Committee, the presence of at least one third of its total members shall be required, but no such quorum shall be necessary for an adjourned meeting.

(5) No act or proceeding of the Committee shall be invalid or be called in question merely on the ground of any vacancy in, or any defect in the constitution of, the Committee.

12. Upazilla Committee, Union Committee, etc.—(1) The Organization may, with the prior approval of the Government, and by notification in the *Official Gazette*, form an Upazilla Committee of the Organization in every upazilla and an Union Committee of the Organization in every union.

(2) Every Upazilla Committee and Union Committee formed under sub-section (1) shall consist of one Chairman and fourteen members, and the qualification, removal, resignation, etc. of the Chairman and members shall be prescribed by regulations.

(3) The duties, functions and procedure of meeting of the Upazilla Committee and Union Committee of the Organization formed under sub-section (1) shall be prescribed by regulations.

³[**12A. Special Committees.**—(1) Notwithstanding anything contained in any other provision of this Act, the Organization may, with the prior approval of

¹ Clause (dd) was inserted by section 5 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

² Sub-section (2) was substituted by section 7 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

³ Section 12A was inserted by section 8 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

the Government, and by notification in the *Official Gazette*, form one or more Special Committees separately for the Labour Court and for the Outpost Courts situated in the remote areas of the country.

(2) The Special Committee shall consist of one Chairman and fourteen members, and the nomination, qualifications for nomination, removal, resignation, etc. of the Chairman and members shall be prescribed by regulations.

(3) The duty, functions and the procedure of the meeting of the Special Committee shall be prescribed by regulations.]

13. Fund of the Board.—(1) There shall be a fund of the Board and the following sums shall be credited to the fund, namely:-

- (a) grants made by the Government;
- (b) grants from the local authorities, any other institution, company or person;
- (c) grants from any foreign organization;
- (d) money received by the Board from any other source.

(2) The money of the fund shall be kept in a scheduled bank approved by the Board.

[(3) The money of the fund may be withdrawn by the joint signature of the member of the Board, Secretary, Law and Justice Division and the Member-Secretary of the Board.]

(4) Necessary allocation from this fund shall be made to the District Committee.

(5) All necessary expenses of the Board shall be borne from this fund.

(6) The Board may invest its fund to any scheme approved by the Government.

¹[13A. Fund of the Supreme Court Committee.—(1) The Supreme Court Committee shall have a fund, and the money sanctioned by the Board, grant from any person or institution and money received from any other source shall be credited to the fund.

(2) The money of the fund of the Supreme Court Committee shall be kept in any branch of the nationalized banks, and the money of the fund may be withdrawn by the joint signature of the Member-Secretary of the Supreme Court Committee and any other member nominated by the Chairman of the Committee.

(3) From the fund the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions shall be provided with legal aid according to the accepted applications or petitions, and the necessary expenses for the Supreme Court Committee shall be borne.]

14. Fund of the District Committee.—(1) Every District Committee shall have a fund, and the money sanctioned by the Board, grant from any person or institution and money received from any other source shall be credited to the fund.

¹ Section 13A was inserted by section 9 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

(2) The money of the fund of the District Committee shall be kept in the respective district branch of any nationalized bank and the money from the fund may be withdrawn by the joint signature of the Chairman and the Member-Secretary of the District Committee.

(3) From the fund the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions shall be provided with legal aid according to the accepted applications or petitions, and the necessary expenses for the District Committee shall be borne.

¹**[14A. Fund of the Special Committees.—**(1) Every Special Committee shall have a fund, and the money sanctioned by the Board, grant from any person or institution and money received from any other source shall be credited to the fund.

(2) The money of the fund of the Special Committee shall be kept in any branch of the nationalized bank, and the money from the fund may be withdrawn by the joint signature of the members prescribed by regulations.

(3) From this fund the litigants who are incapable of seeking justice due to financial insolvency, destitution, helplessness and for various socio-economic conditions shall be provided with legal aid according to the accepted applications or petitions, and the necessary expenses for the Special Committee shall be borne.]

15. Panel of the lawyers.—(1) ²[The Supreme Court Committee] shall make a panel of lawyers, from among the lawyers having at least ³[5 (five)] years experience in Supreme Court, for giving advice and conducting cases filed or to be filed in the Supreme Court in the form of legal aid under this Act.

(2) Every District Committee shall make a panel of lawyers from among the lawyers having at least 5 (five) years experience in District Court, for giving advice and conducting cases filed or to be filed in any District Court in the form of legal aid under this Act.

⁴[(2A) Every Special Committee shall make a panel of lawyers from among the lawyers having at least 5 (five) years experience in Labour Court or Outpost Courts, for giving advice and conducting cases filed or to be filed in any Labour Court or Outpost Court in the form of legal aid under this Act.]

(3) At least ⁵[one-third] of each panel made under this section shall be from among the women lawyers, if found eligible.

¹ Section 14A was inserted by section 10 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

² For the words "The Board" the words "The Supreme Court Committee" were substituted by section 11 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

³ For the number, word and bracket "7(seven)" the number, word and bracket "5(five)" were substituted by section 6 of the Legal Aid Services (Amendment) Act, 2006 (Act No. 26 of 2006).

⁴ Sub-section (2A) was inserted by section 11 of the Legal Aid Services (Amendment) Act, 2013 (Act No.62 of 2013).

⁵ For the word "one" the words and mark "one-third" were substituted by section 11 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

(4) Upon an application or petition of any litigant, if a decision is taken to provide legal aid, ¹[the Supreme Court Committee or, as the case may be, the District Committee or the Special Committee] shall, for that purpose, appoint a lawyer from the panel:

Provided that, at the time of such appointment, the litigant's choice shall, as far as possible, be taken into consideration.

16. Application for legal aid.—(1) All applications for legal aid under this Act shall be submitted to ²[the Supreme Court Committee or the District Committee or the Special Committee].

(2) If any application or petition made under this Act is rejected by the District Committee ³[or the Special Committee], the aggrieved litigant may prefer an appeal to the Board to grant the application or petition within 60 (sixty) days from the date of such rejection, and the decision of the Board on such appeal shall be final.

17. Budget.—Each year, the Organization shall, within such time as may be specified by the Government in this behalf, submit to the Government an annual budget statement for the next financial year showing the amount of sums which are likely to be necessary for it from the Government during that financial year.

18. Audit and Accounts.—(1) ⁴[The Board, the Supreme Court Committee, District Committees and Special Committees] shall maintain their accounts properly in accordance with the existing laws.

(2) Every year the accounts of the Organization shall be audited by the Comptroller and Auditor-General of Bangladesh, hereinafter referred to as the Auditor-General, who shall submit a copy of the audit report to the Government and the Organization.

(3) For the purpose of audit under sub-section (2), the Auditor-General or any person authorized by him in this behalf shall have access to all records, documents, cash, bank balances, securities, stores and other property of the Organization, and may examine any of its member.

¹ For the word and commas "the Board or, as the case may be, the District Committee" the words and commas "the Supreme Court Committee or, as the case may be, the District Committee or the Special Committee" were substituted by section 11 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

² For the word and commas "the Board or, as the case may be, the District Committee" the words and commas "the Supreme Court Committee or the District Committee or the Special Committee" were substituted by section 12 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

³ The words "or the Special Committee" were inserted by section 12 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

⁴ For the words "the Board and the District Committees" the words and commas " the Board, the Supreme Court Committee, the District Committees and the Special Committees" were substituted by section 13 of the Legal Aid Services (Amendment) Act, 2013 (Act No. 62 of 2013).

19. Providing copies of papers, documents, etc.—The Court shall, without court fees, provide the copies of relevant papers, documents, etc. of the case, free of cost, to the litigants and the legal aid lawyers.

20. Report.—(1) The Government may, at any time, require the Organization to furnish any report or statement regarding any of its affairs, and the Organization shall comply with every such requisition.

¹[(2) The Supreme Court Committee, District Committees and Special Committees shall, within such time, and in such manner and form as may be prescribed by regulations, submit a report regarding their affairs to the Organization.]

21. Director.—(1) The Organization shall have a Director appointed by the Government.

(2) The Director shall be responsible for implementing the decision of the Organization and shall discharge the functions of the Organization according to the direction of the Board.

(3) The Organization may, with the prior approval of the Government, appoint necessary number of officers and employees in such manner as may be prescribed by regulations.

(4) Until the Director is appointed under sub-section (1), an officer nominated by the Chairman from among the officers of the Ministry of Law, Justice and Parliamentary Affairs shall act as Director.

(5) Until the officers and employees are appointed under sub-section (3), the Ministry of law, Justice and Parliamentary Affairs shall, from among its existing officers and employees, appoint necessary number of officers and employees for rendering assistance to the Director in discharging the functions specified in sub-section (2).

²[**21A. Appointment, duty, etc. of the Legal Aid Officers.**—(1) The Government may in the manner prescribed by rules, appoint necessary number of Legal Aid Officers and determine their duties and responsibilities.

(2) The Legal Aid Officers may give legal advice to the litigants seeking legal aid, and if any matter is referred by any Court or Tribunal to the Legal Aid Officers working in the local limit of its jurisdiction for alternative dispute resolution under any existing law, the concerned Legal Aid Officer shall have the power to settle the issue.]

22. Delegation of power.—The Organization may, on such conditions as may be specified, delegate any of its powers and responsibilities to its Chairman.

³[**22A. Power to make rules.**—The Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

⁴[**23. Repealed**]

¹ Sub-section (2) was substituted by section 14 of the Legal Aid Services (Amendment) Act, 2013 (Act No.62 of 2013).

² Section 21A was inserted by section 15 of the Legal Aid Services (Amendment) Act, 2013 (Act No.62 of 2013).

³ Section 22A was inserted by section 16 of the Legal Aid Services (Amendment) Act, 2013 (Act No.62 of 2013).

⁴ Repealed by section 17 of the Legal Aid Services (Amendment) Act, 2013 (Act No.62 of 2013).

24. Power to make regulations.—The Organization may, with the prior approval of the Government and by notification in the *Official Gazette*, make regulations for carrying out the purposes of this Act.

25. Publication of English Text.—After the commencement of this Act, the Government shall, by notification in the *Official Gazette*, publish an authentic text of authorized translation in English of this Act which shall be called the Authentic English Text of this Act:

Provided that in the event of conflict between the Bangla and the English text, the Bangla text shall prevail.

26. Repeal and Savings.—(1) Soon after the establishment of the Organization, the resolution issued by the Ministry of Law, Justice and Parliamentary Affairs, vide S.R.O No. 74-Law/1997, dated the 5th Chaitra, 1403 BE corresponding to the 19th March, 1997, hereinafter referred to as the said resolution, shall be repealed.

(2) Upon repeal of such resolution—

- (a) the National Legal Aid Committee and the District Committees formed under the resolution shall stand dissolved;
- (b) all property, cash and bank balances of the dissolved National Legal Aid Committee and the District Committees shall vest respectively in the Organization or the District Committees;
- (c) sums given by the dissolved National Legal Aid Committee and the District Committees for providing legal aid shall be deemed to have been given respectively by the Board or, as the case may be, by the District Committees formed under this Act.