



PUNJAB STATE LEGAL SERVICES AUTHORITY
SITE NO. 126, SECTOR 69, SAS NAGAR (MOHALI)

ADV. No. 60 Dated 07.06.2023

ADVERTISEMENT FOR 08 POSTS OF CHAIRPERSONS, PERMANENT LOK ADALATS FOR
PUBLIC UTILITY SERVICES IN THE STATE OF PUNJAB

The applications are invited from the suitable candidates for appointment to the 08 posts of Chairpersons, Permanent Lok Adalats for Public Utility Services in the State of Punjab under the Legal Services Authorities Act, 1987.

The number of the posts can be increased or decreased for any reason whatsoever such as resignation or relieving etc. of Chairpersons as per the requirement of the State Authority.

Eligibility Criteria: As per Section 22-B of Legal Services Authorities Act, 1987, A person who is or has been a District Judge or Additional District Judge or has held judicial office higher in rank than that of a District Judge.

Tenure: The appointment shall be initially for a period of one year which can be further extendable upto 5 years or 65 years of age whichever is earlier.

Age: Below 65 years

The Applicant(s) already in service are required to submit following documents:-

(i) 'No Objection Certificate' (NOC) from his previous employer.

(ii) ACR dossiers with ACRs of the last 05 years of applicant.

(ii) In case any departmental or any other proceedings including criminal case has been initiated, pending or decided in the past against the Officer under relevant Service Rules, details of the same may be furnished.

In case of Retired Officers:

(i) The date of Superannuation and "No Inquiry Certificate" shall be necessary from the last employer.

(ii) ACR dossiers with ACRs of the last 05 years of applicant.

All other terms and conditions of service of Chairman shall be as per "The Permanent Lok Adalat (Other Terms and Conditions of Appointment of Chairman and Other Persons) Rules, 2003" and instructions issued from time to time by the State Authority.

Every appointment of Chairperson shall be subject to submission of a certificate of physical fitness signed by a Civil Surgeon or District Medical Officer to his medical fitness.

Disqualifications:- A person shall be disqualified for appointment as a Chairperson, if he

- has been convicted and sentenced to imprisonment for an offence which involves moral turpitude; or
- has been adjudged as an insolvent; or
- is of unsound mind and stands so declared by a competent court; or
- has been removed or dismissed from service of the State Government or Central Government or a Body Corporate owned or controlled by such Government; or



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e) has, in the opinion of the State Government, such financial or other interest as is likely to prejudicially affect his functions as Chairperson.

Sitting Fee: Monthly Fee equal to Last Drawn Salary less the amount of Pension received by the applicant as admissible under Rules

Conveyance Allowance: admissible as per Rules.

Place of Posting: The selected candidate can be posted/transferred in any district in the State of Punjab or can be assigned the additional charge of any district(s).

Last Date: 31.07.2023

(for further details- please see Section 22A of the Legal Services Authorities Act, 1987 read with Permanent Lok Adalat (Other Terms and Conditions of Appointment of Chairman and Other Persons) Rule, 2003 as amended from time to time.)

- Note:**
1. The candidates are required to apply in the enclosed Performa.
 2. Before appointment, the candidates shall have to take an undertaking that he/she does not and will not have any such financial or other interest as is likely to affect prejudicially his/her functions as such Chairman.
 3. Applications can be submitted personally or through registered post. Applications(s) received after the last date shall not be entertained under any circumstances. Department shall not be responsible for any delay occurred due to Postal/Courier services or otherwise.
 4. The serving officers who are interested to apply, shall send their applications through their respective Hon'ble High Courts.
 6. All announcements/declarations regarding the recruitment process will be uploaded on the Official Website of Punjab State Legal Services Authority www.pulsa.punjab.gov.in, from time to time. Candidates are strictly advised to keep on visiting the said Website regularly. The Department shall not be responsible for any kind of failure on the part of the candidate for not visiting the official website from time to time.
 7. It would be mandatory for the selected candidates to join the assignment within 15 days from date of issuance of the appointment letter failing which the appointment shall stand cancelled automatically.

Sd/-

Member Secretary



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PERFORMA

APPLICATION FOR THE POST OF CHAIRPERSON

Photograph

1.	Name	:	
2.	Father's/Husband Name/Mother's Name	:	
3.	Date of Birth	:	
4.	Age as on Date of application	:	
5.	Permanent Address and Home District	:	
6.	Correspondence Address	:	
7.	Mobile No. and E-mail Id	:	
8.	Present Occupation and Annual Income	:	
9.	Nationality	:	
8.	Religion	:	
9.	In case of Serving Candidates	i	Date of Joining Service
		ii	Present Designation
		iii	Scale of Pay and Basic Pay
		iv	Date of Superannuation



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10	In case of Retired Candidates	i	Date of Retirement/ Superannuation	
		ii	Last Post held	
		iii	Last Pay drawn	
11.	Any other accomplishment (s), the candidate may like to inform			
12.	Whether any Criminal case has been registered against the applicant? If yes, the details thereof	:		
13.	Whether the applicant has ever been charge-sheeted for any criminal offence or in any departmental proceedings? If yes, the details thereof	:		
14	Whether the applicant has been convicted by any competent court for any criminal offence? If yes, the details thereof			
15	Does the applicant has more than one living spouse?			
16	Does the applicant attract any of the disqualification listed in the vacancy circular?			

Place:

Signature of the Candidate

Date:

I undertake that I have not concealed any material information. I further undertake that in case at any stage, I have been found guilty of concealing any material information, my candidature/ subsequent appointment be cancelled with immediate effect.

Signature of the Candidate



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CHAPTER VIA

Pre-Litigation Conciliation and Settlement

22A. In this Chapter and for the purpose of sections 22 and 23, unless the context otherwise requires; -

(a) “Permanent Lok Adalat” means a Permanent Lok Adalat established under sub-section (1) of section 22B;

(b) “public utility service” means any-

- I. transport service for the carriage of passengers or goods by air, road or water; or
- II. postal, telegraph or telephone service; or
- III. supply of power, light or water to the public by any establishment; or
- IV. system of public conservancy or sanitation; or
- V. service in hospital or dispensary; or
- VI. Insurance service.
- VII. Banking and Financial¹
- VIII. Housing & Real Estate Services²
- IX. Finance Services³
- X. Imparting education or its connected matters⁴
- XI. Immigration Services or its connected matters, or⁵
- XII. New connections of LPG or Supply of LPG or refills or its connected matters, or⁶
- XIII. Issuance of Aadhar Card, Ration Card, Voter Identity Card and Below Poverty Line (BPL) Cards, or⁷
- XIV. Services such as Old Age Pension, Widow Pension, Shagun Scheme and Unemployment Allowance, or⁸
- XV. Services under the Public Distribution System (PDS) in the State to the general public as per the instructions or schemes of Govt. of India or the State of Punjab, as the case may be.⁹
- XVI. Services relating to the registration of Birth and Death¹⁰;
- XVII. Services relating to registration of Marriage¹⁰; and
- XVIII. Services relating to registration of vehicles/Issuance of Driving Licenses under the provisions of Motor Vehicles Act¹⁰.

and includes any service which the Central Government or the State Government, as the case may be, may, in the public interest, by notification, declare to be a public utility service for the purposes of this chapter.

22B. (1) Notwithstanding anything contained in section 19, the Central Authority or, as the case may be, every State Authority shall, by notification, establish Permanent Lok Adalats at such places and for exercising such jurisdiction in respect of one or more public utility services and for such areas as may be specified in the notification.

(2) Every Permanent Lok Adalat established for an area notified under sub-section (1) shall consist of—

¹Vide notification number S.O.288/C.A.39/1987/S.22-A/2010, dated 25.10.2010

² Vide notification number S.O.288/C.A.39/1987/S.22-A/2010, dated 25.10.2010

³ Vide notification number S.O.288/C.A.39/1987/S.22-A/2010, dated 25.10.2010

⁴ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 07.05.2014

⁵ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 07.05.2014

⁶ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 07.05.2014

⁷ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 18.11.2014

⁸ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 18.11.2014

⁹ Vide notification number S.O.288/C.A.39/1987/S.22-A/2014, dated 18.11.2014

¹⁰ Vide notification number S.O.147/C.A.39/1987/S.22-A/2018 dated 11.10.2018



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- (a) a person who is, or has been, a district judge or additional district judge or has held judicial office higher in rank than that of a district judge, shall be the Chairman of the Permanent Lok Adalat; and
- (b) two other persons having adequate experience in public utility service to be nominated by the Central Government or, as the case may be, the State Government on the recommendation of the Central Authority or, as the case may be, the State Authority,

appointed by the Central Authority or, as the case may be, the State Authority, establishing such Permanent Lok Adalat and the other terms and conditions of the appointment of the Chairman and other persons referred to in clause(b) shall be such as may be prescribed by the Central Government.

22C. (1) Any party to a dispute may, before the dispute is brought before any court, make an application to the Permanent Lok Adalat for the settlement of dispute:

Provided that the Permanent Lok Adalat shall not have jurisdiction in respect of any matter relating to an offence not compoundable under any law:

Provided further that the Permanent Lok Adalat shall not have jurisdiction in the matter where the value of the property in dispute exceeds one crore rupees¹¹ :

Provided also that the Central Government, may, by notification, increase the limit of “one crore rupees” specified in the second proviso in consultation with the Central Authority.

(2) After an application is made under sub-section (1) to the Permanent Lok Adalat, no party to that application shall invoke jurisdiction of any court in the same dispute.

(3) Where an application is made to a Permanent Lok Adalat under sub-section (1), it—

- (a) shall direct each party to the application to file before it a written statement, stating therein the facts and nature of dispute under the application, points or issues in such dispute and grounds relied in support of, or in opposition to, such points or issues, as the case may be, and such party may supplement such statement with any document and other evidence which such party deems appropriate in proof of such facts and grounds and shall send a copy of such statement together with a copy of such document and other evidence, if any, to each of the parties to the application;
- (b) may require any party to the application to file additional statement before it at any stage of the conciliation proceedings;
- (c) shall communicate any document or statement received by it from any party to the application to the other party, to enable such other party to present reply thereto.

(4) When statement, additional statement and reply, if any, have been filed under sub-section (3), to the satisfaction of the Permanent Lok Adalat, it shall conduct conciliation proceedings between the parties to the application in such manner as it thinks appropriate taking into account the circumstances of the dispute.

¹¹ Substituted vide notification No. S.O. 803(E) dated 20.3.2015 by Ministry of Law and Justice Government of India.



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(5) The Permanent Lok Adalat shall, during conduct of conciliation proceedings under sub-section (4), assist the parties in their attempt to reach an amicable settlement of the dispute in an independent and impartial manner.

(6) It shall be the duty of every party to the application to cooperate in good faith with the Permanent Lok Adalat in conciliation of the dispute relating to the application and to comply with the direction of the Permanent Lok Adalat to produce evidence and other related documents before it.

(7) When a Permanent Lok Adalat, in the aforesaid conciliation proceedings, is of opinion that there exist elements of settlement in such proceedings which may be acceptable to the parties, it may formulate the terms of a possible settlement of the dispute and give to the parties concerned for their observations and in case the parties reach at an agreement on the settlement of the dispute, they shall sign the settlement agreement and the Permanent Lok Adalat shall pass an award in terms thereof and furnish a copy of the same to each of the parties concerned.

(8) Where the parties fail to reach at an agreement under sub-section (7), the Permanent Lok Adalat shall, if the dispute does not relate to any offence, decide the dispute.

22D. The Permanent Lok Adalat shall, while conducting conciliation proceedings or deciding a dispute on merit under this Act, be guided by the principles of natural justice, objectivity, fair play, equity and other principles of justice, and shall not be bound by the Code of Civil Procedure, 1908(1 of 1872) and the Indian Evidence Act, 1872(5 of 1908).

22E. (1) Every award of the Permanent Lok Adalat under this Act made either on merit or in terms of a settlement agreement shall be final and binding on all the parties there to and on persons claiming under them.

(2) Every award of the Permanent Lok Adalat under this Act shall be deemed to be a decree of a civil court.

(3) The award made by the Permanent Lok Adalat under this Act shall be by a majority of the persons constituting the Permanent Lok Adalat.

(4) Every award made by the Permanent Lok Adalat under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding.

(5) The Permanent Lok Adalat may transmit any award made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court".



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**¹²THE PERMANENT LOK ADALAT (OTHER TERMS AND CONDITIONS OF
APPOINTMENT OF CHAIRMAN AND OTHER PERSONS) RULES, 2003**

In exercise of the powers conferred by clause (1a) of sub-section (2) of 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, namely: -

1. Short title and commencement-

- (1) These rules may be called the Permanent Lok Adalat (Other Terms and Conditions of Appointment of Chairman and Other Persons) Rule, 2003.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions-In these rules, unless the context otherwise requires, -

- (a) "Act" means the Legal Services Authorities Act, 1987 (39 of 1987);
- (b) "Chairman" means a person appointed as Chairman of the Permanent Lok Adalat established by the Central Authority or a State Authority under sub-section (1) of section 22B of the Act;
- (c) "other person" means a person nominated under clause (b) of sub-section (2) of section 22B;
- (d) "Section" means a section of the Act;
- (e) "Permanent Lok Adalat" means a Permanent Lok Adalat established under sub-section (1) of section 22B;
- (f) words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Sitting Fee and other allowances of Chairman and other persons of Permanent Lok Adalat-(1) When a serving judicial officer is appointed as Chairman, he shall receive the salary, allowances and other perquisites as are admissible to a serving judicial officer;

(2) When a retired Judicial Officer is appointed as Chairman, he shall be entitled to a monthly fee of last drawn salary less the amount of pension received by him.¹³

(3) Any other person shall be entitled to a sitting fee of Rupees one thousand and five hundred per sitting.¹⁴

(4) The Chairman and other person shall be entitled to such traveling and daily allowances on official tour as are admissible to Group 'A' officers of the Central Government.

(5) For the purpose of attending the sittings of Permanent Lok Adalat, the Chairman and other person shall be entitled to conveyance allowance of rupees five thousand per month.¹⁵

¹² Framed vide notification No. G.S.R. 3 (E) dated 2.1.2003 by Government of India, Ministry of Law & Justice, Department of Legal Affairs.

¹³ Notification No. G.S.R.(E) dated 13.05.2008 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

¹⁴ Notification No. G.S.R.(E) dated 13.05.2008 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).

¹⁵ Notification No. G.S.R.(E) dated 13.05.2008 published in the gazette of India, Issued by Government of India Ministry of Law and Justice (Department of Legal Affairs).



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4. Terms and Conditions of Service of Chairman and other persons of Permanent Lok

Adalat— (1) Before appointment, the Chairman and other person shall have to take an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as such Chairman or other person.

(2) The Chairman and other persons shall hold office for a term of five years or till the age of sixty-five years, whichever is earlier.¹⁶

(3) Notwithstanding anything contained in subrule (2), Chairman or other persons may—

(a) by writing under his hand and addressed to the Central Authority or, as the case may be, the State Authority, resign his office at any time;

(b) be removed from his office in accordance with the provisions of rule 5.

(4) When the Chairman is unable to discharge his functions owing to absence, illness or any other cause, the senior-most (in order of appointment) person of Permanent Lok Adalat holding office for the time being shall discharge the functions of the Chairman until the day on which the Chairman resumes the charge of his functions.

(5) The Chairman or any other person ceasing to hold office as such shall not hold any appointment in, or be connected with, the management or administration of an organization which has been the subject of the proceeding under the Act during his tenure for a period of five years from the date on which he ceases to hold such office.

5. Resignation and removal—The Central Authority or State Authority, as the case may be, may remove from office, Chairman or other person who—

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Authority, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such Chairman or other person; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as Chairman or Other person; or

(e) has or so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the Chairman or any other person shall not be removed from his office on the grounds specified in clauses (d) and (e), except on inquiry held in accordance with the procedure prescribed in rule 6.

6. Procedure for Inquiry— (1) Whenever the Central Authority or, as the case may be, State Authority is of the opinion that an allegation under clause (d) or clause (e) of Rule 5 is required to be inquired into, it may hold an inquiry against the Chairman or other person and shall draw or cause to be drawn up the substance of the allegation which shall contain a statement of relevant facts and a list of documents and witnesses.

¹⁶ Notification No. G.S.E./618 (E) dated 22nd June, 2016.



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(2) The Central Authority or, as the case may be, State Authority shall deliver or cause to be delivered to the Chairman or other person a copy of the allegation and a list of documents and witnesses and shall require him to submit with in such time as may be allowed, a written reply or statement of his defence.

(3) If the allegations are admitted by the Chairman or other person, the Central Authority or, as the case may be, State Authority shall record reasons and remove the Chairman or other person.

(4) Where the charges have been denied by the Chairman or the other person, the Central Authority or, as the case may be, State Authority may appoint an officer to inquire into the truth of the allegations and it may also appoint a Presenting Officer to present the case on behalf of the Central Authority or, as the case may be, State Authority before the Inquiry Officer.

(5) The Inquiry Officer shall give an opportunity to the Presenting Officer to present the case with in such time as may be allowed by the Inquiry Officer from time to time. After the evidence is closed by the Presenting Officer, the Chairman or other person, as the case may be, shall be given an opportunity to present his defence in respect of allegations within such time as may be allowed by the Inquiry Officer.

(6) The Inquiry Officer shall have power to call witnesses and record their statements or receive evidence on affidavits or call for production of documents or other relevant records, which may be necessary for the inquiry.

(7) The Inquiry Officer shall submit his report with in a period of six months or within such time as may be extended by the Central Authority or, as the case may be, State Authority.

(8) If the Central Authority or, as the case may be, State Authority is satisfied that the charges are proved on the basis of the report submitted by the Inquiry Officer, it shall remove the delinquent Chairman or other person, as the case may be.

7. Place of sittings—(1)The Permanent Lok Adalat may sit at a place specified by the Central Authority or the State Authority, as the case may be.

(2) The working days and office hours of the Permanent Lok Adalat shall be the same as that of the Central Government or the State Government, as the case may be.

(3) The sitting of the Permanent Lok Adalat, as and when necessary, shall be convened by the Chairman.

8. Staff of Permanent Lok Adalat —The Central Government or the State Government, as the case may be, shall provide such staff as may be necessary to assist the Permanent Lok Adalat in its day-to-day work and perform such other functions as are provided under the Act and these rules or assigned to it by the Chairman. The salary payable to such staff shall be defrayed out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be.
