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**STANDARD OPERATING PROCEDURE  
(SOPs)  
OF  
THE LEGAL AID CLINIC**

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SCHOOL OF LAW, GALGOTIAS UNIVERSITY, GREATER NOIDA,  
UTTER PRADESH.



# **THE SOP's OF THE LEGAL AID CLINIC SOL, GU**

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## **PREAMBLE**

Whereas, it is necessary to have a governing document for the discharge of working of the Legal Aid Clinic of the School of Law Galgotias University, Greater Noida U.P. providing for its composition, functions, procedures, including regulations for management of internal affairs, and matters connected therewith for a smooth and efficient functioning of the Clinic in its endeavor to uphold the spirit of article 39A of the Constitution of India. Be it enacted and adopted by Legal Aid Clinic as follows:

## **CHAPTER I**

### **PRELIMINARY**

**1. Short title and commencement.** — (i) This instrument may be called the SOP's of the Legal Aid Clinic SOL, GU.

(ii) It shall come into force on such date as the Chairperson may, by notification, appoint.

**2. Definitions.** — Unless the context otherwise requires, —

"Act" means the Legal Services Authorities Act, 1987 (39 of 1 987);

"Core" means The Student Executive body of the Clinic;

"Case Management System" or CMS means the system developed and maintained for maintenance of case records handled by the Clinic;

"Faculty Convenor " means such faculty as appointed by the University as the formal head of the Clinic;

"Clinic" means the Legal Aid Clinic of School of Law Galgotias University, Greater Noida U.P.

"Clinic Room" means such room or space, which is being employed by the Clinic to attend to members of the public;

"Faculty Co-Convenor " means such faculty other than the Faculty Convenor as appointed by the University to aid and assist the Faculty Convenor;

"Para-legal volunteers" (or PLVs) means students who are members of the Clinic and recognize by the Chairman / Chairperson DLSA. Who are on their undergraduate and postgraduate law degree course;

"Regulations" means the National Legal Services Authority (Legal Services Clinics) Regulations, 2011;

"Roster" means the schedule prepared for the shifts at the Clinic Room to be undertaken by the members of the Clinic;

"President" means the selected, and appointed, executive head of the Clinic;

"Student", unless specified otherwise, means persons enrolled in full-time undergraduate law degree courses in the University;

"Exigent circumstances" calling meeting, event in immediate action or attention; urgent; critical.

"University" means the Galgotias University, Greater Noida U.P. (established Galgotias University, Uttar Pradesh Act No. 14 of 2011).

## **CHAPTER II**

### **ESTABLISHMENT AND COMPOSITION**

#### **3. Establishment of the Clinic. —**

(1) A body called the Legal Aid Clinic, School of Law Galgotias University, Greater Noida U.P. shall exist as per the provisions of this Constitution.

(2) It may be called the Legal Aid Clinic, SOL, GU.

(3) It shall be an independent Regulation 24 body under the National Legal Services Authority (Legal Services Clinics) Regulations, 2011.

#### **4. Composition of the Clinic. —**

(1) The Clinic shall comprise such students' volunteers.

(2) The Clinic may comprise such number of students volunteers as the Board may, from time to time, deem appropriate but not exceeding 100.

## **CHAPTER III**

### **ELIGIBILITY AND INDUCTION**

#### **5. Eligibility. —**

(1) Subject to the provisions of this SOP's, any law student in the University is eligible to be a member of the Clinic.

(2) Notwithstanding any rule, regulation or convention, membership of any student committee, society, club or similar entities shall not disqualify any student from being eligible to be a member of the Clinic.

(3) Student shortlist after the interview entitled to serve a probation period of 1 month.

#### **6. Induction De novo. —**

(1) There shall be fresh inductions of students in their first year of study.

(2) Induction of PLVs shall comprise of;

(a) Interview. — (i) Students shortlisted shall be interviewed by the Faculty Convenor, Co Convenor, appoint by the University and the selected student list will be sent to DLSA.

(ii) The Faculty Convenor will consult with the Core before final selection.

## CHAPTER IV

### ROLE AND FUNCTIONS OF THE CLINIC

7. Aim and objective. —

- (a) The objectives of School of Law, Galgotias University Legal Aid Clinic:

**(I) Legal Services**

- (b) (a) Providing Legal Services
- (c) (b) Aid in composing notices, responses, applications, petitions, and other written documents.
- (d) (c) Facilitating Dispute Resolution.
- (e) (b) Providing guidance on measures to avert disputes
- (f) (e) Immediate counsel and knowledge regarding legal matters
- (g) (f) Provide support to indigent plaintiffs in the preparation, typing, and delivery of various applications.
- (h) (g) Aiding indigent litigants in conducting verbal inquiries at the Court offices, if necessary, with the support of the Secretary of the District Legal Services Authority (DLSA).
- (i) (h) Supervising the implementation of necessary steps in cases where legal aid has been rendered.
- (j) (i) Promoting the resolution of conflicts through Lok Adalat as well as Mediation in a cooperative and friendly manner.
- (k) (j) Resolving conflicts through counseling to prevent legal proceedings.

**(II) Additional Services**

- (l) (a) Provision of guidance and support in the preparation of employment applications, specifically for the MGNREGA Scheme.
- (m) (b) To collaborate with Government Offices in order to assist eligible individuals in obtaining approval for their entitlements, such as old age pension and ex-gratia compensation.
- (n) (c) To encourage the establishment of Legal Aid Clinics in rural areas and remote villages.
- (o) (b) To offer legal aid services at the Village Legal Aid Clinic
- (p) (e) Aid in Lok Adalat.





**8.** Scope. — Save as otherwise prescribed in law or by a competent authority, the Clinic shall be the primary entity for control, coordination and management of legal aid activities and work undertaken or to be undertaken by the University.

**9.** Functions. —

(1) Subject to financial and human resources, the Clinic shall endeavor to fulfill the mandate provided in the Regulations.

(2) Subject to the roster and the rules made by the Core, Student Volunteer, PLVs shall, except during semester breaks and for such period or on such days as the core may specify, take daily sittings at the Clinic Room in working days.

(3) In addition to the functions specified in the Regulations, the Clinic may undertake projects that Would further access to free legal aid, secure constitutional or legal rights of disadvantaged sections of the society or bridge the gap between the welfare State and its targeted beneficiaries.

(4) The Clinic shall represent the University before the legal services institutions, assist them in legal aid activities when called upon and maintain cordial relations with them.

## **CHAPTER V**

### **MAINTENANCE OF RECORDS AND ATTENDANCE**

**10.** Maintenance of Event Reports and attendance. —

(1) Student Volunteer, and PLVs taking shifts at the Clinic Room shall record their attendance in a register maintained for the purpose of visit.

(2) Student Volunteer & PLVs shall record the details of each case, including advice rendered or action taken, in the manner specified by the Core from time to time. They shall ensure that such records remain updated.

(3) Attendance of Student Volunteer, & PLVs in meetings of the Clinic shall be maintained. (By their respected Cell Convenors.)

## **CHAPTER VI**

### **THE EXECUTIVE CORE BODY**

**11. Establishment and composition of the Core. —**

- (1) There shall be a Body called The Student Executive Core Body.
- (2) It shall comprise the duly Selected Core members of the Clinic.

**12. Office of the Core. —**

- (1) There shall be four upper core members of the Legal Aid Clinic SOL, GU. Comprising:  
- President, Vice President, General Secretary, Joint Secretary,
- (2) There shall be a Duly selected Cell Convenors and Cell Co Convenors from the student members of the Legal Aid Clinic.
- (3) The Office of core shall be equivalent to the Office of Convener as existing in student committees and that of President as existing in clubs of the university campus.

## **CHAPTER VII**

### **SELECTION TO, REMOVAL FROM AND VACANCY IN OFFICE**

**13. Selection to the Office of Core. —**

- (1) There shall be Selection to the Office of core.
- (2) Subject to the provisions of this Constitution and except as provided in the rules made thereunder, the selection take place by the interview process by Faculty Convenor, Co Convenor and the existing President of the Legal Aid Clinic.

**14. Eligibility. —**

- (1) Members of the Clinic who would be in their fourth year and fifth year of study in the academic year of their potential tenure shall be eligible for the for the Post of President of the Legal Aid Clinic.
- (2) Members of the Clinic who would be in their third year and fourth year of study in the academic year of their potential tenure shall be eligible for the Post of Vice President, General Secretary, Joint Secretary of the Legal Aid Clinic.
- (3) Members of the Clinic who would be in their second year and third year of study in the academic year of their potential tenure shall be eligible for the Post of Cell Convener and Co- Convener of the Legal Aid Clinic.
- (4) No person holding an Office in any student committee or similar entity in the university campus shall be eligible to hold Office of Core.

(5) Members holding any office in their penultimate year of study may continue to hold such Office until new appointees assume their charge.

(6) No person of unsound mind, or an insolvent, shall be eligible for the interview to hold the Office of Core.

**15. Interview process. —**

(1) The Interview process shall commence on notification to that effect by the faculty Convenor. Such notification shall specify all the relevant dates including deadline for filing of candidature, date of interview and date for declaration of results.

(2) The Interview process shall be commenced by the faculty convener with the consultation of the core.

(3) The name of the candidates as received by the Core shall be communicated to the Clinic within 48 hours of their receipt.

(4) The Faculty Convenor shall ensure that the interview is free, fair, transparent and not impacted by extraneous factors. It may call upon the core for assistance should it be necessary.

(5) The Faculty Convenor make ensure that candidates are well-informed regarding the interview process and not indulge in any act or practice that may be perceived as an abuse of office.

**16. Appointment. —**

(1) The results of the interview shall be transmitted, in writing, by the Faculty Convener to the Chairperson within 48 hours of conclusion of interview.

(4) The result of the interview shall be published duly signed by Chairperson, Faculty Convenor or Faculty Co-Convenor as the case may be.

(5) The appointment shall be for the entire academic year or the remainder of it, as the case may be.

**17. Removal**

(1) Where a criminal proceeding before a court of law in India is pending against member of the clinic, the Chairperson may, after granting an opportunity to be heard, suspend such person from office.

(2) Where a proceeding is pending before the disciplinary committee (DC) of the University may be pending against a member, the Faculty Convenor may, after providing for an opportunity to be heard, remove such person from the clinic.

**18. Vacancy. —**

- (1) Where a vacancy in clinic may arise by reason of death, insolvency, removal or resignation, the faculty convener shall conduct interview within 30 days from the date of such vacancy.
- (2) The Faculty Convenor may, until the duly selected President takes office, take the assistance of such Vice President, General Secretary and Joint Secretary as necessary for discharge of its functions.
- (3) The President selected to fill vacancy shall take office immediately upon notification of appointment and shall continue in office for the remaining of the academic year.

## **CHAPTER VIII**

### **POWERS AND FUNCTIONS OF THE CORE**

**19. Powers of the Core. —**

- (1) The Core shall be the apex decision-making body of the Clinic where all executive power shall lie under the guidance of Faculty Convenor.
- (2) Subject to the provisions of this SOP's, the Core under the guidance of Faculty Convenor be responsible for the control, management and supervision of the Clinic.
- (3) All residuary power shall also lie with the Core.

**20. Functions of the Core. —**

- (1) The Core shall be responsible for the day-to-day and overall management of the Clinic and its activities.



- (2) The Core shall ensure that the Clinic, in good faith, endeavors to fulfil its functions and take such measures as necessary in achieving the Clinic's objectives.
- (3) Subject to the provisions of this SOP's, it shall regulate the internal affairs of the Clinic including induction, disciplinary action and expulsion.
- (4) The Core shall prepare the budget and the calendar of the Clinic at the beginning of every academic year.
- (5) The management of funds of the Clinic shall be undertaken by the Core. The Core shall ensure judicious use of funds made available to the Clinic.
- (6) The Core shall represent the Clinic before the University authorities, legal services institutions and maintain cordial relations with them.
- (7) The Core shall make every endeavor to ensure that certificates to Members and Student Volunteer, at the end of their tenure be made available to them through the Legal Aid Clinic.
- (8) The Board shall function under the guidance of the Chairperson and Faculty Convenor of the clinic only.

## **CHAPTER IX**

### **DISCIPLINARY ACTION, SUSPENSION, TERMINATION**

#### **21. Disciplinary proceeding. —**

- (a) The Core may, for reasons to be recorded in writing, issue show cause to any member of the Clinic. Such show cause shall specify the time period for the reply to be filed, which shall be within 24 hours.
- (b) The Core may, if requested and after the receipt of the reply in writing, afford an oral hearing.
- (c) The Core shall render its decision within 7 days from the date of receipt of the written reply after which the proceeding shall be deemed closed.
- (d) Should the Core require more time, it shall communicate the same to such member but shall take a final decision within 15 days from the receipt of the written reply after which the proceeding shall be deemed closed.
- (e) Should the Core deem appropriate to take disciplinary action, it may impose such punishment as may be specified in the accountability policy or place such member on probation for a period not

exceeding 1 months or both. The Core may impose such conditions during the period of probation as it may deem necessary and appropriate.

- (f) Should the Core deem the infraction to be small, it may, in light of the past exemplary conduct as a member of the Clinic, close the proceeding after issuing a written warning.
- (g) Should the Core deem the infraction to be of a degree requiring strict action, it may convert the proceeding to the Rule no 22 proceeding under this SOP's.
- (h) No appeal against the decision of the Core under this rule shall lie.

## **22. Suspension or termination of membership. —**

1. Subject to the provisions of this SOP's, the Core may suspend the membership of any member of the Clinic, or recommend the termination of membership of any member to the Faculty Convener.
2. suspension and/or termination of membership may result—
  - a. Through show cause: For a proceeding other than one commenced in consequence of Rule 21, the core may, for reasons to be recorded in writing, issue show cause to any member of the Clinic on grounds of gross misconduct or moral turpitude.

Explanation: The terms 'gross Inis conduct' and 'moral turpitude' shall be interpreted restrictively. For e.g., it may include conduct against the interests of the Clinic or in violation of the provisions of this Constitution or likely engagement in corruption or sexual misconduct.

3. The reply shall be filed within 24 hours from the date of receipt of the show cause.
4. The Core may, if requested and after the receipt of the reply in writing, afford an oral hearing.
5. The Core shall render its decision within 7 days from the date of receipt of the written reply.
6. The Core may either suspend the membership for such period as may be or recommended for termination of the membership of such Member, to the Faculty Coordinator.
7. Upon review or explanation: (i) The Core shall undertake review of the performance of every member of the Clinic at the end of every semester or the academic year.
8. The Core may call for an explanation from any member at any time, if in the opinion of the Core, such member has not been taking part in the activities of the Clinic.

(b) Notwithstanding anything in this Constitution, the membership of a probationary member may be terminated at any point should an Rule 25 or Rule 26(2)(a) proceeding arise during the period of such probation or for contravention of conditions imposed by the Core during the period of probation.

**23. Appeal. —**

(1) An appeal shall lie before the Faculty Coordinator against the decision rendered by the Core under Rule 26 except for a decision taken after review process under Rule no 22

(a) The aggrieved member may file an appeal in writing to the Faculty Coordinator within 7 days from the date of receipt of the order under rule no 26.

(b) Where an appeal lies against the suspension of membership, the Faculty Coordinator shall, within 7 days and after providing an opportunity to be heard, discuss the matter with the Faculty Co convenor, and thereafter, either confirm, modify, or revoke the impugned order.

(c) Where an appeal lies against the termination of membership, the Faculty Coordinator shall, within 7 days and after providing an opportunity to be heard, discuss the matter with the Chairperson and either confirm, modify or revoke the impugned order.

(d) Where an appeal lies against the recommendation of termination of membership of a Member, the Chairperson shall, within 7 days and after providing an opportunity to be heard, either confirm or return the matter, with an opinion, to the Core for reconsideration.

(e) The Core may modify its recommendation should it deem appropriate.

(f) The Faculty Coordinator shall, in the absence of an anomaly on the face of the record or gross miscarriage of justice, accept the recommendation of the Core sent after such reconsideration.

## **CHAPTER X**

### **MEETINGS AND QUORUM**

**24. Meetings of the Clinic. —**

(1) The Core may call for meetings of the Clinic at a notice of at least 12 hours.



- (2) The meetings shall take place on campus at an appropriate place accessible to all members.
- (3) The Core may, at a notice of at least 12 hours, call online meetings during holidays and semester breaks should it be necessary,
- (4) The Core may, however, in exigent circumstances, call for meetings at a notice of less than 12 hours.
- (5) Members of the Clinic shall, in good faith, endeavor to attend all meetings.
- (6) Subject to the accountability policy, failure to regularly attend 3 meetings of the Clinic, especially the ones called at a notice of at least 12 hours, without justified reasons, may become a ground for an Rule 21 proceeding.

**25. Quorum. —**

- (1) Quorum for meetings shall be 100 percent strength of the core members of the Clinic
- (2) Quorum for meetings shall be 100 percent of the total membership of the Clinic.

## **CHAPTER XI**

### **MISCELLANEOUS**

**26. Rule-making powers. —**

- (1) The Core with Faculty Convener shall make such rules as necessary to achieve the objects of this SOP's and ensure enforcement of its provisions in letter and spirit.
- (2) The Core may formulate such policies as necessary to ensure that the Clinic fulfills its role and functions.
- (3) The rules and policies should be formulated after discussions in Clinic meetings.

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## **SCHEDULE 1**

1. The Committee to organize Seminars, Workshops, Awareness Program, Extra Mural & Special Lectures
2. The Legal Aid Clinic
3. The Pro Bono Club.