



Office of the
District & Sessions Judge, Mardan

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No. 381-85/F-15/D&SJ

Dated: 22 / 02 / 2025

To,

All Judicial Officers
of District Mardan

Subject: Legal Assistance Programs Available Through State Expense

Dear Sir/ Madam,

There are three significant threads of legal assistance available to deserving litigants through State expense. It is imperative that we are aware of these provisions to ensure that justice is accessible to all, particularly to those who cannot afford legal representation.

1. District Legal Empowerment Committee (DLEC)

The District Legal Empowerment Committee operates under the Access to Justice Development Fund, which is established to provide legal aid and assistance to underprivileged individuals. The fund is designed to enhance access to justice and improve the capacity of the judicial system. **The District Legal Empowerment Committee (Constitution and Functions) Rules, 2011 as amended till date**, outline the procedures for providing legal aid, including the appointment of advocates to represent pauper litigants at State expense.

2. Suits by Paupers under the Civil Procedure Code, 1908

The procedure for filing suits in forma pauperis is regulated by **Order XXXIII** of the Civil Procedure Code, 1908. The salient features of this provision include:

- **Application for Permission:** A person wishing to sue as a pauper must file an application under Order XXXIII, Rule 1, stating their inability to pay the court fee.
- **Verification of Pauper Status:** The court will assess the applicant's financial status to determine if they qualify as a pauper.
- **Acceptance or Rejection:** If the application is accepted, the suit will proceed without the payment of court fees. If rejected, the applicant may be required to pay the court fee to continue with the suit.
- **Proceedings After Acceptance:** The suit is treated as if it were filed normally, and the court will hear the case accordingly.

These provisions ensure that individuals who cannot afford to pay court fees can still access the judicial system and seek justice.

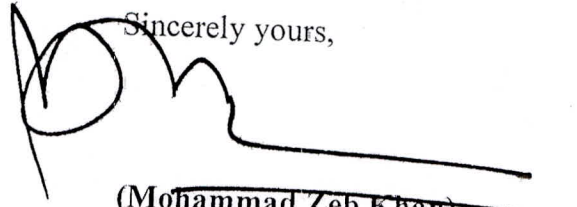
3. The Khyber Pakhtunkhwa Legal Aid Act, 2019 (Act XLIII of 2019)

The Legal Assistance Agency of KPK is another vital resource for providing legal aid to those in need. This Agency is responsible for implementing legal aid programs and ensuring that legal representation is available to all, particularly to marginalized and underprivileged groups. The authority works in conjunction with various stakeholders to facilitate access to justice and provide necessary legal support.

Conclusion

It is crucial for judicial officers to familiarize themselves with these legal assistance programs and ensure that they are effectively communicated to the litigants in our district. By doing so, we can uphold the principles of justice and equality before the law. It is however, urged that before processing a request while adopting a particular thread the rules of procedure cited therein needs to be followed for avoiding further complications.

Sincerely yours,

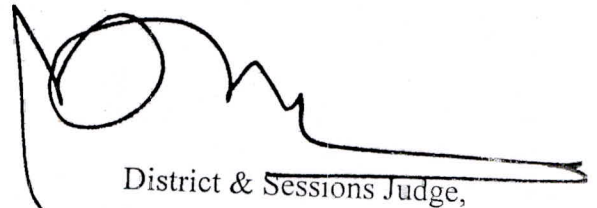


(Mohammad Zeb Khan)
District & Sessions Judge,
Mardan

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