REVISED FEE TERMS

[TO BE PUBLISHED IN PART 2 SECTION 3 SUB-SECTION (i) OF THE GAZETTED OF INDIA, EXTAORDINARY]

GOVERNMENT OF INDIA

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 18th July 2008

NOTIFICATION

G.S.R.....(E) - In exercise of the powers conferred by the proviso to article 309 read with article 76 of the Constitution, the President hereby makes the following rules further to amend the Law Officers (Conditions of Service) Rules, 1987, namely:-

1. (1) These rules may be called the Law Officers (Conditions of Service) Amendment Rules, 2008.
   (2) They shall be deemed to have come into force on the first day of May 2008 or from the date of appointment of the Law Officer, whichever is later.

2. In the Law Officers (Conditions of Service) Rules, 1987, for rule 7, the following rule shall be substituted namely:-

"7. Retainer, fee and allowances.- For the performance of the duties mentioned in Rule 5, a Law Officer shall be paid-

(a) a retainer, except during the period of his leave,-

(i) in the case of the Attorney General, of rupees fifty thousand per month;
(ii) in the case of the Solicitor-General, of rupees forty thousand per month; and
(iii) in the case of Additional Solicitor General , of rupees thirty thousand per month;

(b) a fee for appearance and other work on behalf of the Government of India in cases before the Supreme Court, various High Courts, Commissions of Inquiry or Tribunals and the like on the following scales, namely :-

Sl. No.	Nomenclature of the item of work	Rates of fees payable for appearance and other work in cases before the Supreme Court, High Courts (including Delhi High Court) and any Court (other than the Supreme Court or High Court) or a Tribunal or a Commission of Inquiry or an Arbitrator
1	2	3
(i)	Suits, writ petitions, appeals and references under article 143	Rs. 16,000/- per case per day
(ii)	Special leave petitions and other applications	Rs. 10,000/- per case per day
(iii)	Settling pleadings (including affidavits)	Rs. 5,000/- per pleading
(iv)	Settling Statement of Case	Rs. 6,000/- per case
(v)	For giving opinions in statements of cases sent by the Ministry of Law	Rs. 10,000/- per case
(vi)	For written submission before the Supreme Court, High Court, and Commissions of Inquiry or Tribunals and the like	Rs. 10,000/- per case
(vii)	Appearance in Courts outside Delhi	Rs. 40,000/- per day per case

Explanation:- If two or more cases involving substantially identical questions are heard together with common arguments, Law Officer shall be entitled to only one fee as for a single case.

(c) The Attorney General shall be paid sumptuary allowance of rupees four thousand per month, except during the period of his leave;

(d) Where a Law Officer is required to perform journeys outside the headquarters in the course of his duties, he shall be paid or reimbursed the actual expenses incurred on travelling and on boarding and lodging; and

(e) If a Law Officer is called upon to perform any duty other than those referred to in rule 5, such as, acting as Arbitrator or giving opinion after hearing both the sides, one being the Government of India, he shall be paid such fee as may be determined by the Government".

[F. No. 18(1)/98-Judl]

(M.A. Khan Yusufi)
Joint. Secretary and Legal Adviser to the Govt. of India

Foot Note: The principal rules were published in the gazette of India, extra ordinary part II, Section 3, Sub-Section (I), dated the 1st January, 1987 vide notification NO. GSR 1(E) dated the 1st January, 1987 and have been subsequently amended by

i. GSR No. 379(E) dated the 14th April, 1987_
ii. GSR 473 (E) dated 22nd June 1993.
iii. G.S.R. 403 (E) dated 2nd June 1999.
iv. G.S.R 345 (E) dated 10th May 2001
v. G.S.R. ... (E) dated 25th February, 2005.
vi. GSR ...(E) dated 16th December, 2005.
vii. GSR ...(E) dated 16th December, 2005.
viii. GSR ...(E) dated 16th December, 2005.

The Manager,
Govt. of India Press,
Mayapuri, Ring Road,
New Delhi.

Copy forwarded to :-

i. Shri Milon Kumar Banerji, Attorney General for India, F-19, Maharari Bagh, New Delhi.
ii. Shri Goolam E. Vahanvati, Solicitor General of India, 28, Canning Lane, Kasturba Gandhi Marg, New Delhi.
iii. All Additional Solicitors General of India,
iv. PS to ML&J/PS to MSL&J/PS to Law Secretary/PS to Legislative Secretary.
v. All Ministries/Departments to the Govt. of India.
vi. All Officers and Sections in the Deptt. of Legal Affairs.
vii. Central Agency Section, Litigation (High Court/Lower Court) Sections with 5 s/copies
viii. Branch Secretariats Mumbai/Kolkata/Chennai/Bangalore.
ix. Guard file/Judicial Section with 5 s/copies.

(M.A. Khan Yusufi)
Joint Secretary & Legal Adviser to the Govt. of India
[F. No. 18(1)/98-Judl]

Encl. 7

Sukh Dev Singh
C2A/Legal Cell P.
Baroda House.

[TO BE PUBLISHED IN PART II SECTION 3 SUB-SECTION (i) OF THE GAZETTE OF INDIA, EXTAORDINARY]

GOVERNMENT OF INDIA

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 23rd September 2008

NOTIFICATION

G.S.R.....(E) - In exercise of the powers conferred by the proviso to article 309 read with article 76 of the Constitution, the President hereby makes the following rules further to amend the Law Officers (Conditions of Service) Rules, 1987, namely:-

1. (1) These rules may be called the Law Officers (Conditions of Service) Amendment Rules, 2008
   (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Law Officers (Conditions of Service) Rules, 1987, in rule 7, in clause (b) after serial number (vii), the following shall be inserted, namely:-

1	2	3
"		
(viia)	Appearance fee, in courts within their jurisdiction, apart from their headquarters, for Additional Solicitor General of Allahabad, Bangalore, Chennai, Kolkata and Mumbai)	Rs.25,000/- per case per day
		"

[F. No. 18(1)/98-Judl]

(M.A. Khan Yusufi)
Joint. Secretary and Legal Adviser to the Govt. of India

Note: The principal rules were published in the Gazette of India, Extra Ordinary Part II, Section 3, Sub-Section (i), dated the 1st day of January, 1987 vide notification NO. GSR 1(E) dated the 1st January, 1987 and have been subsequently amended vide the following notification namely:-

i. GSR No. 379(E) dated the 14th April, 1987
ii. G.S.R. 473 (E) dated 22nd June 1993
iii. G.S.R. 403 (E) dated 2nd June 1999
iv. G.S.R. 345 (E) dated 10th May 2001
v. G.S.R. 106 (E) dated 25th February, 2005
vi. G.S.R. 723 (E) dated 16th December, 2005 and
vii. GSR...(E) dated 18th July, 2008

The Manager,
Govt. of India Press,
Mayapuri, Ring Road,
New Delhi.

Copy forwarded to :-

i. Shri Milon Kumar Banerji, Attorney General for India, F-19, Maharani Bagh, New Delhi.
ii. Shri Goolam E. Vahanvati, Solicitor General of India, 28, Canning Lane, Kasturba Gandhi Marg, New Delhi.
iii. All Additional Solicitors General of India,
iv. PS to ML&J/PS to MSL&J/PS to Law Secretary/PS to Legislative Secretary.
v. All Ministries/Departments to the Govt. of India.
vi. All Officers and Sections in the Deptt. of Legal Affairs.
vii. Central Agency Section, Litigation (High Court/Lower Court) Sections with 5 s/copies
viii. Branch Secretariats Mumbai/Kolkata/Chennai/Bangalore.
ix. Guard file/Judicial Section with 5 s/copies.

(M.A. Khan Yusufi)
Joint Secretary & Legal Adviser to the Govt. of India
[F. No. 18(1)/98-Judl]

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2007/LC/17/2 Dated: 10.07.2009

The General Managers,
All Indian Railways (including
Production Units/Metro Railway,
RDSO & CORE)

Chairman, Railway Recruitment Boards.

Sub: Revision of Fees payable to Railway Counsels in various High Court & CAT benches (excluding High Courts of Bombay & Calcutta)

In partial modification of the terms and conditions contained in Board's letter Nos. 99/LC/17/Delhi High Court dt. 21.03.2000, 99/LC/17/Chennai High Court dated 21.03.2000 and 99/LC/17/High Courts dated 21.03.2000, the undersigned is directed to convey the approval of the Competent Authority, Ministry of Railways for revision of the fee structure as per the statement annexed herewith in respect of Railway Counsels of various High Court and various Benches of CAT, excluding High Courts of Bombay and Calcutta..

2. The revised fee structure will come into force from the date of issue of these instructions and remain in force till further orders.

3. The counsel will be paid fee at the old rates in respect of their appearance in the Court etc. and other work done by them prior to the issuance of these instructions and at the revised rates in respect of the work done by them on/after issuance of these instructions.

4. This issues with the concurrence of Finance Directorate, Ministry of Railways, Railway Board.

5. Please acknowledge receipt.

(Dr. S.S. Chahar)
Legal Adviser(Railways)
Railway Board

DA: As above

Contd....

....*from pre-page*

No. 2007/LC/17/2 Dated: 10.07.2009

Copy forwarded for information to:

1. FA&CAO/All Indian Railways and Production Units, RDSO, Metro Railway and CORE.

2. Deputy Comptroller and Auditor General of India(Railways), New Delhi (alongwith 80 spares).

For Financial Commissioner/Railways

No. 2007/LC/17/2 Dated: 10.07.2009

Copy for information and necessary action to:

1. GM(Law), All Indian Railways (including Production Units/Metro Railway, RDSO & CORE)

2. Sr. Law Officers/Law Officers, All Indian Railways & Production Units.

3. The Law Officers, Metro Railway Kolkata, CORE, Allahabad & RDSO Lucknow.

4. Pay and Accounts Officer, Railway Board, New Delhi.

5. F(X)-I AND O&M Branches, Railway Board (with 5 spare copies).

(S.C. Mishra)
Dy. Legal Adviser
Railway Board

STATEMENT OF REVISED FEE PAYABLE TO GOVERNMENT COUNSEL BEFORE VARIOUS HIGH COURTS AND BEFORE VARIOUS BENCHES OF CENTRAL ADMINISTRATIVE TRIBUNALS BUT EXCLUDING THE HIGH COURTS OF BOMBAY AND CALCUTTA WITH EFFECT FROM 10th JULY, 2009

S.No.		Item of Work	Revised fee
1.	i) Assistant Solicitor General of India of India in different High Courts and Central Government Standing Counsel of Delhi High Court.	**Retainer Fee** Assistant Solicitors General of various High Courts excluding Bombay and Calcutta High Courts CGSCs of Delhi High Court	Rs.3,000/- per month
2.	Assistant Solicitors General of India of India in different High Courts/ Central Government Standing Counsel in Delhi High Court/Central Govt. Counsel/Pleader in different High Courts	i) Civil or Criminal Writ Petitions under Article 226 & 227 of the Constitution, Contempt Petitions, Criminal/Civil Revision Petitions, Reference to the High Court under Sales Tax Act and Banking Company Petitions,	Rs.1500/- per effective hearing Rs.300/- per non-effective hearing (subject to maximum of five hearings in a case)
		ii) Petitions under Article 132 or 133 of the Constitution in Civil or Criminal Cases.	Rs.1,500/- per effective hearing(subject to max. of Rs. 3000/- in a case)
		iii) Original Suits, Civil Appeal from Decrees in Suits and proceedings including second appeal and land acquisition appeal except LPA from Petitions under Article 226 & 227 of the Constitution (including drafting fee)	Ad. Valoram/regulation fee (subject to maximum of Rs. 30,000/- in a case.)
		iv) Company Petitions	To be regulated by the rule contained in Appendix (iii) of the Company (Court) Rules, 1959
		v) Drafting of pleadings counter affidavits/returns/answer to Writ Petitions/Grounds of Appeal and application for leave to appeal to the Supreme Court	Rs. 900/- per pleading
		vi) Drafting of Civil Misc. applications to petitions under the Indian Succession Act, Contempt of Court proceedings and other proceedings of an original nature	Rs.750/- per petition

		vii) Civil Misc. petitions, forma paupers, transfer petitions and other civil misc. petitions of routine nature	Rs. 300/- per petition
		viii) consultation /conference fee	Rs. 300/- per conference (subject to maximum of 4 conferences in a case)
		ix) Appearance before the High Court in application under Section 34 & 37 of the Arbitration and Conciliation Act, 1996 x) Appearance before Arbitrator/Umpires etc.	Rs.1500/- per effective hearing Rs. 300/- per non-effective hearing (subject to a maximum of 5 hearing in a case). Rs. 300/- per non-effective hearing (subject to a maximum of 5 hearings in a case).

No. 21(5)/2011-Judl.
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Judicial Section
*****

New Delhi the 1st September, 2011

OFFICE MEMORANDUM

Sub: Revision of fee payable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court.

In partial modification to this Department's OM no. 21(04)/1999-Judl. Dated 24.09.1999, the undersigned is directed to convey the approval of the Competent Authority for **revision of the fee structure applicable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court with immediate effect** as per the following rates:-

Sl.No.	Item of work	Revised Fee	
		Group 'A' Panel Counsel	Group 'B'& C' Panel Counsel
1.	All Regular Appeals and defended Writ Petitions(for final hearing)	Rs. 9000/-per case per day	Rs. 6000/- per case per day
2.	All defended Admission matters (SLP/TP and writ petitions & other misc. matters for admission)	Rs. 6000/- per case per day	Rs. 3000 per case per day
3.	Settling of pleadings	Rs. 3500/- per case	--
4.	Appearance in Miscellaneous Applications	Rs. 3000/- per case	--
5.	Conference	Rs. 600/- per conference	--
6.	Out of Head quarter	Rs. 9000/- daily fee for the days of his absence from HQ.	Rs. 6000/- daily fee for the days of his absence from HQ.
7.	Conveyance charges for performing local journey while outside Headquarter.	Rs. 1000/-	Rs. 1000/-
8.	Clerkage	NIL	NIL
9	Drafting SLP/Counter Affidavit/ Rejoinder etc.	--	Rs. 2000/- per case
10	Drawing Written Submission	--	Rs. 2000/- per case
11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance /obtaining the number and taking date for hearing)	--	Rs. 2000/- per case

Contd...

2. All other terms and applicable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court in the pre-revised . 21(04)/1999-Judl. Dated 24.09.1999 shall continue to remain applicable unless specifically revoked/revised.

3. This issues with the approval of the Ministry of Finance, Department of Expenditure's ID No. 9(11)/99-E.II dated 18th July, 2011.

(M.A.Khan Yusufi)
Joint Secretary and Legal Adviser
Ph: 2338 5383

Copy to:

1. All Ministries/Departments to the Government of India.
2. All Group-A,B & C panel counsel of Supreme Court through Incharge, Central Agency Section.
3. Central Agency Section, Litigation (HC/LC) Sections, Cash/Admn.II (LA)/B&A, Advice A/B/C Section (5 s/copies)
4. Pay and Accounts Officer, Deptt of Legal Affairs, New Delhi.
5. Department of Expenditure, Ministry of Finance, New Delhi w.r.t. their ID Note No. 9(11)/99-E.II dated18th July, 2011
6. NIC Cell with the request to upload the same in the website of this Deptt.
7. O.L. Section for Hindi Translation.

(Kishore Kumar)
Section Officer

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2011/LC/17/1 (DC) New Delhi, dated 01.03.2012

The General Manager,
All Indian Railways,
(including Production Units,
Metro Railway, RDSO & CORE).
Chairman, Railway Recruitment Boards.

Sub: Revision of fee payable to Railway Panel Counsels in the District and Subordinate Courts.

In partial modifications of the terms and conditions contained in Board's letter no. 99/LC/17/Distt. & Sub Court dt. 08.06.2000, the undersigned is directed to convey the approval of the Competent Authority for revision of the fee structure applicable to Railway Panel Counsels in the District and Subordinate Courts as per the following rates of fees:-

S.No.	Item of work	Revised Fee
1.	Retainer Fee for Standing Counsel	Rs.4,000/- per month.
2.	Fee for effective hearing	Rs.1,200/- per day
3.	Fee for non-effective hearing	Rs.400/- per day (not more than 5 such hearings in a case)
4.	Fee for drafting Written Statement, Grounds of Appeal etc.	Rs.1,000/- per pleading.
5.	Fee for drafting other pleadings of misc. nature.	Rs.400/- per pleading
6.	Fee per Conference	Rs.600/- (subject to maximum of 5 such conferences in a case/group of identical cases).
7.	Daily fee for out of Headquarters	Rs.1,800/- per day
8.	Conveyance charges for local journey outside Headquarters	Rs.600/- (lump sum)
9.	Expenses for stay in hotels	Rs.1,200/- per day
10.	Clerkage	@ 10% of total fee excluding misc. and out of pocket expenses (maximum Rs.3,500/- in a case)
11.	Fee for identical cases	Full fee in the Ist case and Rs.500/- in per suit for connected cases (max. 3 cases)
12.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Department.

Contd...2/-

Ministry of Railways
Rly. Board
With Enclosure
Signature
Date of issue

2. The revised fee structure will come into force from the date of issue of these instructions and remain in force till further orders.

3. All other terms and conditions applicable to above categories of Counsels of District and Subordinate Courts contained in the existing instructions issued vide Board's letter no. 99/LC/17/Distt. & Sub Court. dt. 08.06.2000, shall continue to remain applicable unless specifically revoked/revised.

4. This issues with the concurrence of Finance Directorate, Ministry of Railways, Railway Board.

5. Please acknowledge receipt.

(B.N. Kaithal)
Legal Adviser
Railway Board

No.2011/LC/17/1 (DC) New Delhi, dated 01.03.2012

Copy forwarded for information to:-

1. FA&CAO/All Indian Railways and Production Units, RDSO, Metro Railway and CORE.
2. Deputy Comptroller and Auditor General of India (Railways), New Delhi (alongwith 80 spares).

For Financial Commissioner (Railways)

Contd...3/-

No.2011/LC/17/1 (DC) New Delhi, dated 6/.03.2012

Copy for information and necessary action to:-

1. The GM(Law)/Dy.GM(Law), All Indian Railways (including Production Units, Metro Railway, RDSO & CORE).
2. Sr. Law Officer/Law Officer, All Indian Railways & Production Units.
3. Sr. Law Officer/Law Officer, Metro Railway/Kolkata, RDSO/Lucknow & CORE/Allahabad.
4. Pay and Accounts Officer, Railway Board, New Delhi.
5. F(X)-I, O&M Branches, Railway Board (with 5 spare copies).

(Vijay Kumar)
Section Officer/Legal Cell
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2011/LC/17/1 (HC Bombay/Calcutta) New Delhi, dated 01.03.2012

The General Manager,
All Indian Railways,
(including Production Units,
Metro Railway, RDSO & CORE).

Chairman, Railway Recruitment Boards.

Sub: Revision of fee payable to Railway Panel Counsels of High Courts as well as CATs of Bombay and Calcutta.

In partial modifications of the terms and conditions contained in Board's letters no. 2001/LC/15/Cal/Fee Terms and no. 2001/LC/15/Bom/Fee Terms both dt. 24.07.2002, the undersigned is directed to convey the approval of the Competent Authority for revision of the fee structure applicable to Special Railway Panel Counsels, Special Counsels Group-I, Special Counsels Group-II and Junior Counsels of High Courts as well as CAT Benches of Bombay and Calcutta as per the following rates of fees:-

S. No.	Item of work	Special Counsel	Special Counsel Group-I	Special Counsel Group-II	Junior Counsel
1.	Suits, Appeals, Writ/ Revision Petitions including Special Civil Application in the High Court. Per Conference/Consultation	Rs.6,000/- Rs.600/-	Rs.4,000/- Rs.500/-	Rs.2,500/- Rs.400/-	Rs.1,200/- Rs.300/-
2.	Applications including Interim Motions, Notices, Appeals, Leave Applications, Arbitration, Company matters, Criminal Revision and other Land Acquisition References (Per day per effective hearing) Per Conference/Consultation	Rs.2,000/- Rs.600/-	Rs.2,000/- Rs.500/-	Rs.1,500/- Rs.400/-	Rs.900/- Rs.300/-
3.	Drafting or Settling Pleadings, and Affidavits (per pleadings) Per Conference/Consultation	Rs.2,000/- Rs.600/-	Rs.1,200/- Rs.500/-	Rs.1,000/- Rs.400/-	Rs.700/- Rs.300/-

Contd... 2/-

4.	Appearance before Arbitrator and Tribunals, etc. and Courts other than the High Courts (Per day per effective hearing) Per Conference/Consultation	Rs.5,000/- Rs.600/-	Rs.4,000/- Rs.500/-	Rs.2,500/- Rs.400/-	Rs.1,500/- Rs.300/-
5.	Chamber Applications, including Adjournment Applications per day inclusive of consultation	NIL	Rs.1,000/-	Rs.600/-	Rs.400/-
6.	Written opinions and written advice including advice on evidence (inclusive of consultation)	Rs.2,500/-	Rs.1,500/-	Rs.900/-	Rs.700/-

Note:- *There will be no ceiling on the number of conference/consultation in the case of Special Counsel, however in the case of other categories of counsels, the number of conferences per case will be limited to four (relaxable to six at the discretion of the General Manager/Zonal Railways).*

2. The Standing Counsel for Railways of the High Courts/CATs of Bombay and Calcutta is entitled for enhanced Retainership Fee @ Rs.6,000/- per month.

3. The revised fee structure will come into force from the date of issue of these instructions and remain in force till further orders.

4. All other terms and conditions applicable to above categories of Counsels of High Courts and CATs Benches of Bombay and Calcutta contained in the existing instructions issued vide Board's letters no. 2001/LC/15/Cal /Fee Terms and no. 2001/LC/15/Bom/Fee Terms both dt. 24.07.2002, shall continue to remain applicable unless specifically revoked/revised.

5. This issues with the concurrence of Finance Directorate, Ministry of Railways, Railway Board.

6. Please acknowledge receipt.

(B.N. Kaith)
Legal Adviser
Railway Board

Contd...3/-

No.2011/LC/17/1 (HC Bombay/Calcutta) New Delhi, dated 01.03.2012

Copy forwarded for information to:-

1. FA&CAO/All Indian Railways and Production Units, RDSO, Metro Railway and CORE.
2. Deputy Comptroller and Auditor General of India (Railways), New Delhi (alongwith 80 spares).

For Financial Commissioner (Railways)

No.2011/LC/17/1 (HC Bombay/Calcutta) New Delhi, dated 01.03.2012

Copy for information and necessary action to:-

1. The GM(Law)/Dy.GM(Law), All Indian Railways (including Production Units, Metro Railway, RDSO & CORE).
2. Sr. Law Officer/Law Officer, All Indian Railways & Production Units.
3. Sr. Law Officer/Law Officer, Metro Railway/Kolkata, RDSO/Lucknow & CORE/Allahabad.
4. Pay and Accounts Officer, Railway Board, New Delhi.
5. F(X)-I, O&M Branches, Railway Board (with 5 spare copies).

(Vijay Kumar)
Section Officer/Legal Cell
Railway Board