

**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
ROHINI COURTS: DELHI**


No. ..60(own)..Genl./F 3(A)/RC/2022

Delhi, dated the.21.02.2022

Sub: Compliance of directions of Hon'ble High Court passed in the matter titled, "New Delhi District Legal Services Authority vs. Jaspal S Shergil & Ors." bearing CM (M) No. 216/2020 vide order dated 08.02.2022.

Copy of the letter bearing no. 042/DSLISA/LAW/Judl. Dir./2019/1337 dated 11.02.2022 alongwith copy of order dated 08/02/2022 passed by Hon'ble Sh. Prateek Jalan in CM(M) 216/2020 & CM Appl. 7077/2020 titled "New Delhi District Legal Services Authority" as received from the end of Sh. Kanwal Jeet Arora, Member Secretary, DSLISA, is being forwarded (through electronic mode) for information and necessary compliance to :-

1. All the Ld. Judicial Officers (**DHJS & DJS**), North-West & North District, Rohini Courts, Delhi.
2. The Personal Office, Ld. Principal District & Sessions Judge, North-West & North District, Rohini Courts Complex, Delhi.
3. The Dealing Official, R & I Branch, Rohini Courts, Delhi for uploading the same on LAYERS.
4. The Dealing Official, Computer Branch, Rohini Courts, Delhi for uploading the same on WEBSITE.


(**RAKESH KUMAR-IV**)
Additional Sessions Judge (NDPS)
Officer In-charge, General Branch
Rohini Courts Complex, Delhi.

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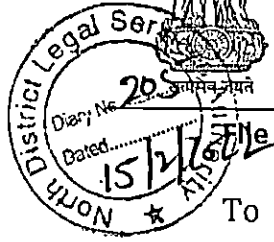
DELHI STATE LEGAL SERVICES AUTHORITY

(Constituted Under the 'Legal Services Authorities Act, 1987', an Act of Parliament)

Under the Administrative Control of High Court of Delhi

Central Office, Patiala House Courts Complex, New Delhi - 110001

Ph. : 23384781, Email : legalaidwing-dslsa@nic.in



File No. : 042/DSLSA/LAW/Judl.Dir/2019 / 1337

Dated: 11th February, 2022

To

All the Ld. Principal District & Sessions Judge/
Chairpersons
District Legal Services Authority,
Delhi/New Delhi.

before Sir P. S. J.

Ref.: Compliance of directions of Hon'ble High Court passed in the matter titled, "New Delhi District Legal Services Authority vs. Jaspal S Shergil & Ors." bearing CM (M) No. 216/2020 vide order dated 08.02.2022

Respected Sir/Madam,

This is to inform your goodself that a Revision Petition was preferred by Delhi State Legal Services Authority before Hon'ble High Court of Delhi vide above mentioned titled, ***challenging appointment of Local Commissioner by the Trial Courts for recording of evidence at the expense of DSLSA***, on two grounds - firstly that the lawyers appointed by the Trial Courts as Local Commissioner were not from the panel maintained by the District Legal Services Authority and secondly for directing this Authority to pay the fee to the Local Commissioners beyond the prescribed "Fee Schedule" of this Authority.

The Hon'ble Delhi High Court while disposing of the petition of this Authority observed and directed that:

"In view of the position outlined above, it would be appropriate for courts to appoint Local Commissioners at the expense of the Authority from the panel maintained by it, and at the prescribed fees. The proper course therefore, when the Trial Courts are approached for such assistance, would be to issue notice to the Authority to examine the eligibility of the litigant for

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legal services and to appoint a Local Commissioner from the panel of the Authority at the prescribed schedule of fees. Such a procedure would obviate any difficulties faced by the Authority and yet provide required legal aid to eligible beneficiaries."

Further, Hon'ble High Court directed the undersigned to communicate this order to Ld. Principal District & Sessions Judges of the District Courts, so that it may be brought to the notice of the concerned Trial Courts, for necessary compliance.

The copy of the aforesaid order dated **08.02.2022** is annexed as **Annexure -A**. Further, in order to facilitate the Trial Courts, the copy of the Fee Schedule prescribing the fees of Local Commissioner for recording evidence at the expense of this Authority is annexed as **Annexure -B**.

The District Legal Services Authorities also maintain a list of advocates empanelled with them which may be used by the concerned Trial Courts of that particular District, while appointing the Local Commissioners at expense of this Authority.

This is being forwarded to your goodself for kind information and with the request to kindly circulate the same amongst all the Judicial Officers of your respective District, for necessary compliance.

With Regards,

Yours sincerely,

(Kanwal Jeet Arora)
Member Secretary, DSLSA

Encl.: As above.

\$~6 (2022 Cause List)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 216/2020 & CM APPL. 7077/2020

NEW DELHI DISTRICT LEGAL
SERVICES AUTHORITY

..... Petitioner

Through: Mr. Sarfaraz Khan, Advocate.
[M:9899140169]

versus

JASPAL S SHERGIL & ORS

..... Respondents

Through: Mr. Manoj Khanna and Mr. M K
Singh, Advocates for R-1.
Mr. Saleem Hasan, Advocate for
R-2 and R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **08.02.2022**

The proceedings in the matter have been conducted through video conferencing.

1. The petitioner-New Delhi District Legal Services Authority ["the Authority"] has filed this petition under Article 227 of the Constitution against two orders passed by the learned Additional District Judge-03, New Delhi District, Patiala House Courts, New Delhi in CS No. 58739/2016 [*Jaspal S Shergil vs. KMS Shergil & Ors.*]. The Authority was not a party to the suit.

2. The dispute concerns payment of fees to the Local Commissioner appointed by the Trial Court to record evidence in the suit. By the first

impugned order, dated 14.12.2017, the Trial Court disposed of an application filed by the defendant No.3 in the suit (respondent No. 4 in this petition) for exemption from paying the fees of the Local Commissioner, by directing the Authority to make payment of the fees. By the second impugned order, dated 30.07.2019, the Trial Court disposed of an application filed by the Authority for review/modification of order dated 14.12.2017 with certain directions.

3. The main contention advanced by the Authority is that it maintains a panel of Local Commissioners and also prescribes the fees payable by it to the Local Commissioners. A copy of the schedule of fees has been placed on record, which reveals that the Authority has prescribed fees for recording of evidence by Local Commissioners separately for courts presided over by officers of the Delhi Higher Judicial Services and Delhi Judicial Services, and also for cases in which the Local Commissioner is a retired judge.

4. According to Mr. Sarfaraz Khan, learned counsel for the Authority, the Authority has no impediment in providing legal aid to eligible beneficiaries towards appointment of a Local Commissioner for this purpose. However, the difficulty arises when the courts appoint persons who are not empanelled by the Authority and the prescribed fees are beyond the scope of the Authority. He submits that the Authority does not pay for legal services provided by any person who is not on its panel.

5. During the course of hearing, Mr. MK Singh, learned counsel for plaintiff in the suit (arrayed as respondent No.1 herein) and Mr. Saleem Hasan, learned counsel for defendant Nos. 1 and 2 in the suit (arrayed as respondent Nos. 2 and 3 herein), state that the evidence in the present

case has been completed and the suit has, in fact, been disposed of.

6. As such, the only issue that remains pending is with regard to the remainder of the fees to be paid to the Local Commissioner, who had been appointed by the Trial Court in this case. In these circumstances, Mr. Khan submits that the Court may give directions with regard to the appointment of Local Commissioners by the Trial Courts at the expense of the Authority for future cases, but the fees of the Local Commissioner appointed in the present case will be cleared, as a special case.

7. In the impugned order dated 30.07.2019, the learned Trial Court has noted the communication dated 14.03.2018, received from the National Legal Services Authority, which confirms that payment of fees of Local Commissioners is covered under Section 2(c) of the Legal Services Authorities Act, 1987. It is also stated therein that an eligible beneficiary would not be disentitled to free legal services in this regard, even if he/she has engaged a private counsel to file or defend a suit. Mr. Khan confirms that the Authority accepts this position.

8. The only other direction required in the present case relates to future cases. In view of the position outlined above, it would be appropriate for courts to appoint Local Commissioners at the expense of the Authority from the panel maintained by it, and at the prescribed fees. The proper course therefore, when the Trial Courts are approached for such assistance, would be to issue notice to the Authority to examine the eligibility of the litigant for legal services and to appoint a Local Commissioner from the panel of the Authority at the prescribed schedule of fees. Such a procedure would obviate any difficulties faced by the Authority and yet provide required legal aid to eligible beneficiaries.

9. The petition, alongwith the pending application, is disposed of with these directions.

10. The petitioner-Authority, through the Delhi State Legal Services Authority, is at liberty to communicate this order to the learned Principal District and Sessions Judges of the District Courts, so that it may be brought to the notice of the concerned Trial Courts.

PRATEEK JALAN, J

FEBRUARY 8, 2022/ 'vp'

ANNEXURE- B

FEE SCHEDULE – DSLSA – 2017 Relevant page at FOR EMPANELLED LEGAL SERVICES ADVOCATE (LSA) AT 5 and 6. DISTRICT COURTS & QUASI JUDICIAL BODIES

Part-I-A (Legal Aid Wing)

S. No.	Description of Work	Fee Schedule		
		Non Effective Hearing	Effective Hearing	Maximum Limit of Fee (Per Case)
SESSIONS COURTS				
1.	Criminal Case punishable with a Death, life or Imprisonment of more than 10 years	Rs.600/-	Rs.1200/-	Rs. 30,000/-
2.	Other Criminal Session Trial Cases	Rs.480/-	Rs.900/-	Rs.24,000/-
3.	Bail/Remand Work:- a) Bail Anticipatory /Regular (Except during Trial) b) Remand Work	a) Rs.1200/- per application b) Rs. 7,800/- per-month*		
4.	Appeals	Rs.480/-	Rs.1,800/-	Rs.10,800/-
		Minimum Fee is Rs. 3,600/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 3,600/-, then the payment would be made as per above fee schedule.		
5.	Revisions	Rs.480/-	Rs. 1,500/-	Rs.7,200/-
		Minimum Fee is Rs. 3,000/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 3,000/-, then the payment would be made as per above fee schedule.		

6.	Any other additional Legal Services work assigned by the Secretary for which no specific fees is provided	Rs.480/-	Rs.720/-	Rs. 9,600/-
MAGISTERIAL COURTS				
7.	Trial before Chief Metropolitan Magistrate / Addl. Chief Metropolitan Magistrate / Metropolitan Magistrate (In State Cases) (Warrant Trial)	Rs. 360/-	Rs. 720/-	Rs. 18,000/-
8.	Trial before Chief Metropolitan Magistrate / Addl. Chief Metropolitan Magistrate / Metropolitan Magistrate (In State Cases) (Summons Trial)	Rs. 360/-	Rs. 720/-	Rs. 13,200/-
9.	Criminal Complaint Case for Complainant (Warrant Trial)	Rs. 360/-	Rs. 720/-	Rs. 19,800/-
10.	Criminal Complaint Case for Accused (Warrant Trial)	Rs. 360/-	Rs. 720/-	Rs. 16,800/-
11.	Criminal Complaint Case for Complainant (Summons Trial)	Rs. 360/-	Rs. 720/-	Rs. 14,400/-
12.	Criminal Complaint Case for Accused (Summons Trial)	Rs. 360/-	Rs. 720/-	Rs. 13,200/-
13.	Bail/Remand Work:- a) Bail b) Remand Work	a) Rs. 900/- per application b) Rs. 9,000/- per month*		
14.	Any other additional Legal Services work assigned by the Secretary for which no specific fees is provided	Rs. 360/-	Rs. 600/-	Rs. 6,600/-
(*) Including disposal of a case in Summary Trial e.g. Kalandra or Traffic Challan etc.				

DISTRICT CIVIL COURTS				
15.	Trial before District Judges/ Addl. District Judges/ Family/Labour/Industrial Tribunal/MCD/DDA Tribunal	Rs. 420/-	Rs. 900/-	Rs. 21,600/-
		In Cases of 'Divorce by mutual consent' minimum fees is Rs. 1800/- and other miscellaneous charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 1800/-, then the payment would be made as per above fee schedule.		
16.	MACT	Rs. 420/-	Rs. 900/-	Rs. 13,200/-
17.	Execution in respect of S.No. 15	Rs. 420/-	Rs. 720/-	Rs. 8,400/-
18.	Appeals/Matters before Financial Commissioner Courts	Rs. 420/-	Rs. 720/-	Rs. 13,200/-
		Minimum Fee is Rs. 2,250/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 2,250/-, then the payment would be made as per above fee schedule.		
19.	Revisions	Rs. 420/-	Rs. 600/-	Rs. 7,200/-
		Minimum Fee is Rs. 1,800/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 1,800/-, then the payment would be made as per above fee schedule.		
20.	Any other additional Legal Services work in the nature of main case, application, execution or other work assigned by the Secretary for which no specific fees is provided	Rs. 420/-	Rs. 600/-	Rs. 9,600/-
SUBORDINATE CIVIL COURTS				
21.	Trial before SCJ/Addl. SCJ/ACJ/Rent	Rs. 420/-	Rs. 720/-	Rs. 18,000/-

	Controller/ARC/Civil Judge/Distt. Consumer Forum/ADM & SDM Courts/ Cantonment Board			
22.	Execution in respect of S.No. 21	Rs.420/-	Rs.600/-	Rs. 6,600/-
23.	Misc. Application viz. order 9 Rule 13 CPC, Review etc. (except during trial)	Rs. 420/-	Rs. 600/-	Rs. 7,200/-
24.	Any other additional Legal Services work assigned by the Secretary for which no specific fees is provided	Rs. 420/-	Rs. 600/-	Rs. 6,600/-
QUASI JUDICIAL BODIES				
25.	NGT/CAT/NGDRC/AIT/Company Law Board/Income Tax Appellate Tribunal/Debt Recovery Tribunal, SCDRC/DST/Trade Mark Authority	Rs. 600/-	Rs. 1,200/-	Rs. 18,000/-
		Minimum Fee is Rs. 3,000/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 3,000/-, then the payment would be made as per above fee schedule.		
26.	Appeal from S.No.25/ if applicable	Rs. 360/-	Rs. 900/-	Rs. 10,800/-
		Minimum Fee is Rs. 2,100/- and other misc. Charges. If there are more number of effective or non-effective hearings raising the bill to more than Rs. 2,100/-, then the payment would be made as per above fee schedule.		
27.	Any other additional Misc. Court work assigned by DSLSA/DLSA for which no specific fees is provided	Rs. 360/-	Rs. 720/-	Rs. 7800/-

LOCAL COMMISSIONER

28.	<p>i. For spot inspection;</p> <p>ii. To the Local Commissioners/ Receivers appointed for partition of immovable properties by meets and bounds for partition or other similar civil proceedings (including TA/DA); or</p> <p>iii. For appointing Receivers (including TA/DA).</p> <p>(a) Order of the Courts of DHJS.</p> <p>(b) Order of the Courts of DJS.</p>	<p>a. Rs. 10,000/-</p> <p>b. Rs. 7,500/-</p>
29.	<p>For recording of evidence by Local Commissioners:</p> <p>(a) Order of the Courts of DHJS.</p> <p>(b) Order of the Courts of DJS.</p>	<p>Rs. 15,000 (plus 1,000/- per additional witness, if witnesses are more than 6, with a maximum cap of Rs. 20,000)</p> <p>Rs. 10,000 (plus 1000/- per additional witness, if witnesses are more than 6, with a maximum cap of Rs. 15,000)</p>

	(c) In case, Local Commissioner is a retired Judge then fee shall be			Rs. 25,000/- (plus Rs. 1000/- per additional witness, if witnesses are more than 6 with a maximum cap of Rs. 30,000/-)
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IMPORTANT NOTE:

1.
 - a) **Effective Hearing Means:** A hearing in a Criminal case where Charge or Notice, as the case may be, is framed against the accused.
 - b) It is a hearing which results in recording of testimonies of witnesses in a Criminal case including cross-examination, recording of statement of the accused u/s 281 or 313 Cr.P.C., examination of defence witnesses, if any, arguments on any important Misc. application or final arguments.
 - c) Similarly, in Civil cases, it would be the date on which plaint/ petition/ written statement is filed or the issues are framed, witnesses are examined by way of filing of affidavit or otherwise, cross-examination or a stage on which any important Misc. application is argued or final arguments.
 - d) Either one or both parties involved in case are heard by the court resulting in passing of an order that decides substantial legal right of the parties, which may be challenged in Appeal or Revision, as the case may be.
 - e) Provided that if the case is only adjourned or only interlocutory directions are given, or only judgement is delivered by the court, it would not constitute an effective hearing but will be termed as non-effective hearing.
 - f) While evaluating any hearing as effective or non-effective, lenient view shall be taken in favour of effective hearings.
2. In the event, two or more cases are pending trial before the same Court/Quasi Judicial Body and are connected with each other or are such which involve substantially identical or common question of law or fact or are between same parties qua the same or similar cause of action or are qua same suit property, only one suit shall be treated as main case for which the LSA shall be paid full fee. For the other connected cases, the fee payable shall be 1/4th of the prescribed fee.
3. The fee schedule is devised in a way that provides financial incentives for attending to more "effective hearing" than "non-effective hearing" but the empanelled advocates shall be duty bound to appear on all "non-effective hearings".

4. This fee schedule would be applicable, at Pre-Trial as well as Trial stage, in those cases too wherein legal aid has been provided to the victims under Protection of Children from Sexual Offences Act (POCSO), Survivors of Sexual Assault (Rape Victims), or any other case where legal aid is provided in compliance of Court Orders or otherwise.
5. **In State Cases – Trial on filing of Police Report**, payment of Professional Fee shall be paid as per the following slabs: -
 - a) Not more than 20% of the total fee on framing of charge/notice including Rs.1,800/- which shall be payable in advance on assignment of the case. In case of discharge while defending, LSA would be paid 30% of the total fee.
 - b) Not more than 70% of the total fee on conclusion of Prosecution Evidence followed by statement of Accused u/s 313/281 Cr.P.C and Defence Evidence, if any.
 - c) Remaining 30% of the total fee on final disposal.
6. **In Criminal Complaint Cases**, the payment shall be made as under:-
 - a) Not more than 20% of the total fee upto the stage of passing of summoning order or dismissal of the complaint u/s 203 of Cr.P.C.
 - b) Not more than 30% of the total fee in case of discharge of accused while defending in Warrant trial.
 - c) Not more than 70% of the total fee on conclusion of evidence of the Complainant/Prosecution followed by statement of the Accused and defence evidence, if any.
 - d) Remaining 30% of the total fee on final disposal.
7. **In Civil Cases (Contested)**, the payment shall be made as under:-
 - a) Not more than 20% of the total fee on framing of issues (including Rs.1,000/- which shall be payable in advance on assignment of the case). However, in case of summary trials, 30% of the total fee shall be paid on dismissal of leave to defend resulting in a summary judgment. On acceptance of leave to defend, 20% of the total fee shall be payable on framing of issues.
 - b) Not more than 70% of the total fee on conclusion of Plaintiff's Evidence/ Defendant Evidence.
 - c) Remaining 30% of the total fee on final disposal.
8. **In Rent/Eviction Matters**, the payment shall be made as under:-

- a) Not more than 20% of the total fee on disposal of an application for leave to defend u/s 14 (1) (e), 14A, 14B, 14C and 14D.
- b) In other cases, 20% on completion of pleadings.
- c) Not more than 70% of the total fee on conclusion of Plaintiff's Evidence/ Defendant Evidence.
- d) Remaining 30% of the total fee on final disposal.

9. In Civil Cases (Uncontested), where the defendant/ opposite party is proceeded ex-parte, the maximum payment shall be made as under:-

S.No.	Stage/ Situation	Maximum Limit of Fee in District Civil Courts		Maximum Limit of Fee in Subordinate Civil Courts	
a.	Where the defendant is proceeded ex-parte for refusal to accept summons and/or where written statement is not filed or where defence struck off on any grounds.	Rs. 9,000/-		Rs. 7,200/-	
		Non Effective Hearing	Effective Hearing	Non Effective Hearing	Effective Hearing
		Rs. 420/-	Rs. 960/-	Rs. 360/-	Rs. 600/-
b.	Where the defendant is proceeded ex-parte after filing of Written Statement or on completion of pleadings and/or framing of issues.	Rs. 12,000/-		Rs. 9,000/-	
		Non Effective Hearing	Effective Hearing	Non Effective Hearing	Effective Hearing
		Rs. 420/-	Rs. 1,800/-	Rs. 360/-	Rs. 1,200/-
c.	Where defendant is proceeded ex-parte at the stage of recording of evidence of the parties.	Rs. 15,000/-		Rs. 12,000/-	
		Non Effective Hearing	Effective Hearing	Non Effective Hearing	Effective Hearing
		Rs. 420/-	Rs. 1,200/-	Rs. 360/-	Rs. 960/-
d.	Payment shall be made in the ratio of 2:5:3 as per Para No. 6 above.				

10. In case of a Criminal or Civil trials, revision or appeal the billing for "non-effective hearing" shall not be for more than 07 occasions in the life time of the matter. Further, 40% payment of the total fee shall be paid during the pendency of Appeal or Revision while remaining 60% shall be paid after final disposal of the Appeal or Revision.

11. If the matter is referred to Mediation or Plea Bargaining, then after certification from Mediation Centre or Plea Bargaining Court, as the case may be, about effective and non-effective sittings, then fees shall be paid for such sittings too if the effective hearings at the respective forum are more than two. While making payment of fees under this clause, the incentive clause of payment of Rs. 2,400 for such matters would not be applicable.
12. In the event of a case assigned to Legal Services Advocate only for legal opinion or where a Legal Services Advocate opines that no case is made out he/she shall be paid a consolidated fee of Rs. 1,200/-; and in such case any advance paid for case preparation same shall be adjusted.
13. In cases, where the legal aid beneficiary does not turn up after legal aid counsel has drafted the pleadings but the case was not filed before the Court/Authority, then fees of Rs. 1200 and other miscellaneous charges shall be paid on production of draft pleadings.
14. On assignment of an application for anticipatory bail by the Ld. Secretary, DSLA to an empanelled advocate, payment shall be made only once even for multiple accused persons. On assignment of a case, payment for moving an application for regular bail before filing of charge sheet shall be restricted to only two applications per accused or multiple accused per case, as the case may be. For moving additional bail application in the nature of anticipatory bail/regular bail at pre chargesheet stage, the empanelled Legal Services Advocates shall seek prior approval of the Ld. Secretary, DSLA concerned, except in emergent situation viz. illness, bereavement in family, etc.
15. **Inspection of Court Record:**
During trial of any case, if legal aid counsel conducts inspection of court record, then he shall be paid fees at the rate of Rs. 300/- per inspection and maximum for three (3) occasions in the life time of the matter.
16. **Visit to Jail for meeting with the Legal Aid Beneficiary/Inmate:**
If legal aid counsel has to visit a jail to have a meeting with respective accused who has availed/ has been granted legal aid, then he shall take prior approval of Member Secretary, DSLSA/Special Secretary, DSLSA/Additional Secretary, DSLSA/ Secretary, DSLA/concerned Court. For such visit, he may be paid fees of Rs. 2000 including conveyance charges.

FEE SCHEDULE – DSLSA – 2017

FOR EMPANELLED LEGAL SERVICES ADVOCATE (LSA) & COUNSELLORS AT JUVENILE JUSTICE BOARDS (JJBs), CHILD WELFARE COMMITTEES (CWCs) & CHILD RIGHTS CELL (CRC)

Part-I-B (Legal Aid Wing)

S.No.	Description of Work	Fee Schedule
Juvenile Justice Board (JJB)		
1.	Legal Services Advocate attending cases before the Board	Rs. 1,900/- per day
2.	Legal Services Counsellors supervising the work of LSA	Rs. 2200/- per day
3.	Inspection of Observation Homes by Legal Services Advocate (*). • Inspection of OHB/OHG if it is within 05 Km of JJB • Inspection of OHB/OHG if it is beyond 05 Km from JJB	Rs. 750/- Rs. 1,250/-
Child Welfare Committee (CWC)		
4.	Legal Services Advocate attending cases before the CWC	Rs. 1,900/- per day
5.	Inspection of Children Homes by Legal Services Advocates (*). • Inspection of Children Home if it is within 05 Km of CWC • Inspection of Children Home if it is beyond 05 Km from CWC	Rs. 750/- Rs. 1,250/-
All India Legal Aid Cell on Child Rights (CRC)		
6.	Legal Services Advocate duty at CRC	Rs. 2,000/- per day with a cap of maximum 04 visits in a month.
7.	Legal Services Advocate attends Trials of Rescued Children in Courts	As per Fee Schedule under Part-I-A
(*) The payment of LSA shall be in addition to their daily fees subject to the condition that they shall put in atleast two hours of services on such visit beyond Board/Committee working hours. It shall be payable for not more than 04 visits in a month to each OHB/OHG and one visit in a month to each Children Home assigned to them.		

**FEE SCHEDULE – DSLSA – 2017
FOR LEGAL SERVICES CLINICS (LSC)**

Part-I-C (Legal Aid Wing)

S.No.	Description of Work	Fee Schedule
1.	a) Legal Services Counselling of Rape Victims (Khem Chand's case) b) Legal Services Counsellor duty at Front Office*	a) Rs. 1,800/- per matter including conveyance. b) Rs. 1,500/- per sitting (12:00 Noon to 5:00 P.M.)
2.	Visit to Legal Services Clinics in Jails	Rs. 2000/- per visits from 03 PM to 07 PM subject to maximum of three visits in a week. Payment will be on the basis of proof of attendance and a brief report of work done. Legal Services Advocates are required to visit the LSC from 3:00 P.M. to 7:00 P.M. 05-20 minutes relaxation for late report would be granted to the Legal Services Counsel for visiting the jail and no partial or full deduction would be made on that count.
3.	Visit to Legal Services Clinics at University/Colleges etc.	An honorarium of Rs. 1,200 for minimum two hours and additional Rs. 400 per hour if visit extends beyond two hours shall be paid subject to maximum payment of Rs. 2000 per sitting. Similar fees would be applicable for duties assigned to Legal Services Advocates such as duty at Legal Services Camp, any legal services to be provided to any beneficiary and assistance of Legal Aid Advocate is required for the purpose etc.
4.	Legal Services Advocate duty at Front Office	Rs.1,800/- per sitting (10:00 A.M. to 5:00 P.M.)
5.	Legal Services Advocate attending Helpline No. 1516 beyond office hours and on holidays	Rs. 6,600/- per month
6.	Drafting	1/3 rd of the total fee including clerkage given to the Legal Services Counsel. Subject to maximum of Rs. 3,000/-.

		<p>Minimum payment of charges for drafting of substantive pleadings such as Suit, Matrimonial Proceedings such as Divorce, Maintenance, Custody, Restitution etc. Succession, Probate, Memo of Appeal, Revision, Written Statement, Reply, Rejoinder, Replication etc. will be Rs.1200.</p> <p>For drafting miscellaneous application(s) bearing more than 10 pages, minimum charges will be Rs. 500. It is clarified that in respect of other miscellaneous applications, drafting fees would be 1/3 of rates of effective hearing applicable on such case.</p>
7.	Typing Charges	Rs. 20/- per page
8.	Photocopy	Rs. 1/- per page
9.	Translation	Rs. 40/- per page. However, in exceptional case, actual expenses may be paid at discretion of DSLSA/concerned DLSA.
10.	Attestation	Rs. 20/- per document
(*) Including any written advice given by the Legal Services Counsellor.		

FEE SCHEDULE – DLSA – 2017

Miscellaneous Legal Services Work

Part-II (Legal Literacy Wing)

S.No.	Description of Work	Fee Schedule
1.	<p>Resource Person in Legal Literacy/ Awareness Programmes:-</p> <p>a. Former Judge of Supreme Court of India b. Former Judge of High Court c. Senior Advocates d. Professors e. Secretary/Addl. Secretary to the Govt. of India/Govt. of States & Union Territories f. Judicial Officers g. Associate Professors h. Joint Secretaries i. Assistant Professor j. Providing Translator, Interpreter or Sign Language Expert or any other expert during the course of providing legal services to the beneficiary as per S. 12 of The Legal Services Authorities Act, 1987. k. Legal Services Advocate/Counsellor</p>	<p>Rs. 3,750/- (for 1(a) to 1(e))</p> <p>Rs. 3,000/- (for 1(f) to 1(h))</p> <p>Rs. 2,250/- per lecture (for 1(i)).</p> <p>Rs. 2,250/- per lecture or Court appearance or any other activity (for 1(j)).</p> <p>Rs. 1,200/- per Lecture (for 1(k))</p> <p>(while assigning duty of resource person to any legal aid counsel/counsellor for legal awareness programme beyond 5 km of office of concerned DLSA, then he must be paid conveyance charges of Rs. 400/-.)</p>
	l. Para Legal Volunteers	<p>(i) Rs. 1,200/- per Lecture (for 1(l))</p> <p>(ii) Rs. 600 to Rs. 1,800/- per person in the discretion of the Member Secretary/ Secretary for engagement in any Legal Services Work such as Awareness Campaign, Street Plays, Surveys etc.</p>

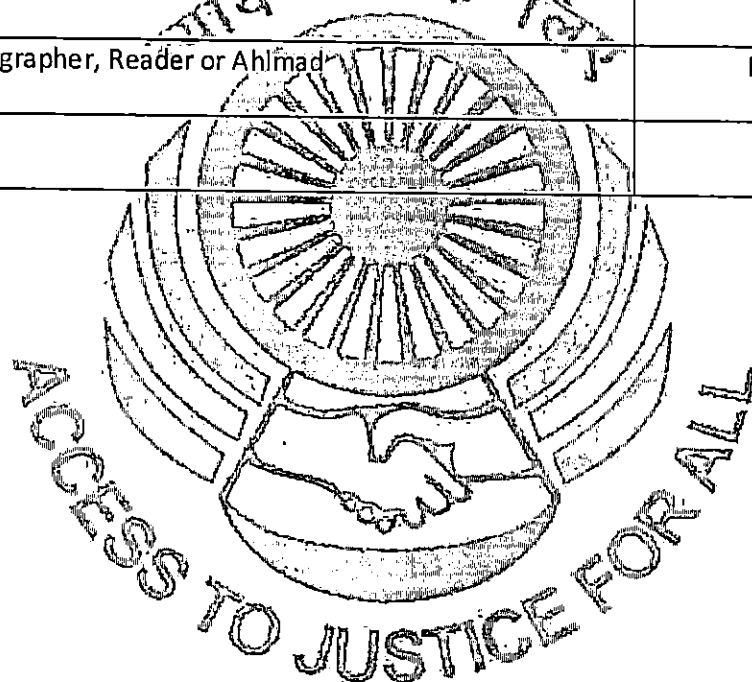
FEE SCHEDULE – DLSA – 2017

For Lok - Adalats with PLA, NLA & DCLA

Part-III (Lok Adalat Wing)

S.No.	Description of Work	Fee Schedule
Permanent Lok Adalat (10:00 A.M. TO 5:00 P.M.)		
1.	Retd. Hon'ble High Court Judges (Serving or Retired)	Rs. 18,000/-
2.	Officers of the Delhi Higher Judicial Service (Serving & Retired)	Rs. 15,000/-
3.	Counsellor at PLA	Rs. 3,000/- (12:00 Noon to 5:00 P.M.)
National Lok Adalat (10:00 A.M. to 5:00 P.M.)		
4.	Member Secretary, DLSA and Secretary, High Court Legal Services Committee (Officers of the Delhi Higher Judicial Service)	Rs. 15,000/-
5.	Metropolitan Magistrates & Civil Judges (Officers of Delhi Judicial Service)	Rs. 10,000/-
6.	Secretaries, Distt. Legal Services Authority, Distt. Legal Services Committees (Officers of Delhi Judicial Service)	Rs. 10,000/-
7.	Doctors / Associate Members	Rs. 7,500/-
8.	Additional Public Prosecutor	Rs. 5,500/-
9.	Administrative Officer/Sr. Accounts Officer/Accounts Officer/Asstt. Accounts Officer/Superintendent/Sr. Judicial Assistant/Sr. PA/Sr. Assistant/ Sr. Reader/ Sr. Stenographer	Rs. 3,500/-
10.	Stenographer/Assistant/Personal Assistant/ Judicial Assistant	Rs. 3,000/-
11.	UDC & Jr. Stenographer/Jr. Judicial Assistant/Data Entry Operator	Rs. 2,500/-

12.	LDC /Driver	Rs. 2,000/-
13.	MTS/Peon/ Orderly to Judges	Rs. 1,500/-
Pre-sitting of Lok Adalat (4:00 P.M. to 6:00 P.M.)		
14.	District Judge, Additional District and Sessions Judges	Rs. 2,000/-
15.	Metropolitan Magistrates & Civil Judges (Officers of Delhi Judicial Service)	Rs. 2,000/-
16.	Legal Services Advocate/Counsellor, duty as Associate Members with Judicial Officers	Rs. 1,000/-
17.	Stenographer, Reader or Ahlmad	Rs. 1,000/-
18.	Peon	Rs. 500/-



FEE SCHEDULE – DSLSA – 2017

GENERAL CONDITIONS

1.	<p>Preparation of Bill:-</p> <p>In all the Legal Aided cases, Legal Services Advocates shall submit fee bill only on the basis of number of hearings as per Schedule I-A. In case a matter gets decided or disposed of at an interim stage or otherwise and prior to a case touching the maximum upper fee limit of the case category, the payment shall be made commensurate with the attended effective/non-effective hearings as per Schedule I-A. Likewise, in case a matter requires additional hearings beyond the maximum upper limit, the only maximum fixed fee shall be payable.</p> <p>It is provided that in case a LSA, LSC or RLV is found to have furnished false bill malafidely, it would be treated as sufficient ground for immediate depanelment.</p>
2.	<p>Limitation period for filing of Professional Bills:-</p> <p>Professional bill shall be submitted by a Legal Aid Counsel within one year of final disposal of case by the concerned Court/Tribunal or of discharge of advocate in the respective case, as the case may be. The Secretary DSLSA/Member Secretary, DSLSA may, for the reasons to be recorded in writing, extend the time limit not exceeding one year, if he/she is satisfied that the circumstances were such which prevented the counsel from submitting the bill within the limitation period.</p> <p>In respect of other activities mentioned in the fee schedule, bill shall be submitted by a Legal Aid Counsel/Resource Person within six months of carrying out or completion (in case the same is of continuing nature) of the respective activity, as the case may be. The Secretary DSLSA/Member Secretary, DSLSA may, for the reasons to be recorded in writing, extend the time limit not exceeding six months, if he/she is satisfied that the circumstances were such which prevented the counsel from submitting the bill within the limitation period.</p> <p>This limitation aspect shall be applicable for all bills to be raised against duties/work performed under previous fee schedules as well. It is clarified where the case has already been disposed of, Legal Aid Advocate has already been discharged or any other activity (as mentioned above) has been performed by Legal Aid Counsel prior to coming into force of revised schedule, then he shall file the respective bill within aforesaid limitation period commencing from coming into force of this Fee-Schedule.</p>
3.	<p>Promoting ADR:-</p> <p>If a Civil, Criminal Compoundable or other case is settled/compromised in Lok Adalat, Mediation or Conciliation or in plea bargaining proceedings under Chapter XXVI A of the Cr.P.C., a provision is made for additional payment of Rs. 2,400/- over and above</p>

	<p>the fee payable upto that stage.</p> <p>If a Civil, Criminal Compoundable or other case is settled/compromised in the Court itself, an additional payment of Rs. 1,200/- over and above the fee payable upto that stage.</p>
4.	<p>Case Preparation Advance:-</p> <p>At the time of assignment of the cases both civil, criminal or other Quasi Judicial Bodies an amount of Rs. 1,500/- shall be credited in the account of nominated LSA towards case preparation charge/miscellaneous expenses subject to adjustment as per schedule under Part-I-A.</p>
5.	<p>Cost:-</p> <p>In case cost is awarded by any Court to a Legal Aid Beneficiary, the cost shall be deposited by Legal Aid Beneficiary or by Legal Services Advocate with the concerned District Legal Services Authority only. In case of deliberate non-compliance of this provision within two months of receipt of the cost, Legal Aid may be withdrawn from Legal Aid Beneficiary or Legal Services Advocate would be liable for depanelment, as the case may be.</p>
6.	<p>Court Fee:-</p> <p>Court fee will be realized, if the Court so directs on disposal of a petition filed for an indigent person.</p>
7.	<p>Clubbed Cases:-</p> <p>Appeals/Revisions or Petitions arising from one common judgment/order will be considered as one case, if issues are same.</p>
8.	<p>Misc. Work:-</p> <p>When misc. Applications are filed in a pending case, including transfer petition only drafting and typing charges will be payable and no separate fee will be payable.</p>
9.	<p>Supporting documents:-</p> <p>In respect of the payment of the fees, the Advocate will be required to submit soft copy scan of the work done form after getting it verified by Reader/Ahlmad of the Trial Court apart from sharing the weblink of Judgement/order if any. The advocate may also produce certified copies of the proceedings of the respective case.</p>
10.	<p>Final decision on Bills:-</p> <p>In the event of any doubt or difference of opinion regarding the honorarium payable, the decision of the Member Secretary shall be final and binding. However, while</p>

	processing the professional bills of legal aid counsel, DLSAs would follow the procedure mentioned in circular of Ld. Member Secretary, DSLSA dated 19.12.2015.
11.	Applicability:- The revised rates of the Fee/Honorarium shall be applicable for work done w.e.f. 01.06.2017 Fee bills already settled will not be re-opened, (unless notified by the Authority).
12.	Court Fee:- The Secretary of District Legal Services Authority shall be empowered to decide applications pertaining to payment of court fee upto Rs. 15,000/- in a given case. In case where Court Fee exceeds more than Rs. 15,000/-, approval of Chairperson of concerned District Legal Services Authority shall be obtained.
13.	Publication Charges:- In case where an order is passed by any Court for Summoning of party through publication of summons/notice in any local newspaper or more, the Legal Services Counsel shall file the prescribed Process Fee within 07 days of the issuance of the order, obtain copy of the order and after self attestation by the Legal Aid Beneficiary, submit the same with the concerned DLSA and the charges of the Publication shall be payable by the concerned DLSA by means of RTGS after obtaining the IFSC Code of the Publisher/Newspaper concerned, by Cheque or Pay Order or as the case may be.
14.	Absence of Remand Advocate:- If the Court with whom Remand advocate has been attached is working as Duty MM on Sunday/Holiday, then he/she shall be available in the respective Court on that day too positively. Absence of remand advocate without having sought prior permission from the respective court/DLSA on any day would attract deduction of fees at the rate of 1/15 of total monthly fees for one day absence.