

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 4463
TO BE ANSWERED ON 14.12.2016**

Receipts for Legal Papers

4463. DR. ANUPAM HAZRA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government would take immediate steps for assurance of written/legally viable receipts from the concerned for payment of legal practitioners by their clients for which they serve and if so, the details thereof along with the other steps being taken to ensure transparency in transaction between the parties;
- (b) whether there is any provision for issuing receipts to the payees;
- (c) if so, the details thereof; and
- (d) the effective steps taken by the Government for ensuring transparency in transaction between the parties?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS
AND INFORMATION TECHNOLOGY**

(SHRI P.P. CHAUDHARY)

(a) to (d) : The Bar Council of India has informed that it is expected of clients to pay either by cash or cheque and obtain a receipt. No legal practitioner can deny issuing receipt of his fees. Relevant rules under Part VI, Chapter – II titled “Standards of Professional Conduct and Etiquette” of Bar Council of India Rules are reproduced as under:-

25. An advocate should keep accounts of the client's money entrusted to him, and the accounts should show the amounts received from the client or on his behalf, the expenses incurred for him and the debits made on account of fees with respective dates and all other necessary particulars.

26. Where moneys are received from or on account of a client, the entries in the accounts should contain a reference as to whether the amounts have been received for fees or expenses and during the course of the proceeding, no advocates shall, except with the consent in writing of the client concerned, be at liberty to divert any portion of the expenses towards fees.

27. Where any amount is received or given to him on behalf of his client, the fact of such receipt must be intimated to the client, as early as possible.

28. After the termination of the proceeding, the advocate shall be at liberty to appropriate towards the settled fee due to him, any sum remaining unexpended out of the amount paid or sent to him for expenses or any amount that has come into his hands in that proceeding.

29. Where the fee has been left unsettled, the advocate shall be entitled to deduct, out of any moneys of the client remaining in his hands, at the termination of the proceeding for which he had been engaged, the fee payable under the rules of the Court, in force for the time being, or by then settled and the balance, if any, shall be refunded to the client.

30. A copy of the client's account shall be furnished to him on demand provided the necessary copying charge is paid.
