

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 615

TO BE ANSWERED ON WEDNESDAY, THE 6TH FEBRUARY, 2019

Legal Service Authority

615. SHRIMATI KIRRON KHER:

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

- (a) the criteria and procedure for appointment of panel lawyers by legal services authorities at the district and sub-divisional levels;
- (b) whether there is a standard remuneration given to legal aid lawyers per case for magistrate courts, if so, the State-wise information on the same; and
- (c) whether there is a standard remuneration given to legal aid lawyers per case for sessions courts and special courts, if so, the State-wise information on the same?

ANSWER

**MINISTER OF STATE FOR LAW & JUSTICE
AND CORPORATE AFFAIRS
(SHRI P.P.CHAUDHARY)**

- (a) "National Legal Services Authority (NALSA) Free and Competent Legal Services Regulations, 2010" provide for criteria and procedure for empanelment of lawyers. The selection is made by a Committee

constituted by the Executive Chairman of State Legal Services Authority (SLSA) or Chairman of the concerned District Legal Services Authority in consultation with the Advocate General (for the High Court), District Attorney or Government Pleader (for District and Taluka level), and, Monitoring and Monitoring Committee set up under regulation 10 of the aforesaid Regulations. The Regulation provides for a minimum of three years experience for a legal practitioner to be empanelled.

(b & c) The fee payable to legal aid lawyers is fixed by respective State Legal Services Authorities (SLSAs) under Regulations framed by them. The fee would vary from State to State depending upon the usual fee charged by the lawyers in that State and also, the fee payable to Government Advocates, Special Prosecutor, Amicus Curie, etc. However, a Committee appointed by NALSA has recommended minimum fees for panel lawyers which was adopted by Central Authority of NALSA in its meeting dated 9th April, 2016. The schedule of minimum fee approved by the Central Authority is as under;

Subordinate Courts at all levels including Tribunals

- i. Drafting of substantive pleading such as Suit, Matrimonial Proceedings such as Divorce, Maintenance, Custody, Restitution

etc., Succession, Probate, Memo of Appeal, Revision, Written Statement, Reply, Rejoinder, Replication etc. – Rs.1,200/-.

- ii. Drafting of Miscellaneous applications such as stay, bail, direction, exemption etc. – Rs.400/- per application subject to maximum of Rs.800/- for all applications.
- iii. Appearance – Rs.750/- per effective hearing and Rs.500/- for non-effective hearing subject to a maximum of Rs.7,500/- (per case).

High Court

- i. Drafting of substantive pleading such as Writ Petition, Counter Affidavit, Memo of Appeal, Revision, Reply, Rejoinder, Replication- Rs.1,500/-.
- ii. Drafting of Miscellaneous applications such as stay, bail, direction, exemption etc. – Rs.500/- per application subject to maximum of Rs.1,000/- for all applications.
- iii. Appearance – Rs.1,000/- per effective hearing and Rs.750/- for non-effective hearing subject to maximum of Rs.10,000/- (per case).

A statement giving SLSA-wise information as to whether the fee of Panel Lawyers is equal to/more than/less than the fee approved by the Central Authority in 2016 is at Annexure-A..

Annexure-A

**Statement as referred to in reply to Lok Sabha Unstarred Question
No. 615 for answering on 06.02.2019 asked by Shrimati Kirron
Kher, Member Parliament.**

S.No.	SLSAs	Whether the fee of Panel Lawyers is equal to/more than/less than the fee prescribed by NALSA in 2016 (as on 31.12.2017).
1	Andhra Pradesh	Equal
2	Arunachal Pradesh	Equal
3	Assam	Equal
4	Bihar	Equal
5	Chhattisgarh	Equal
6	Goa	Less
7	Gujarat	More
8	Haryana	Equal
9	Himachal Pradesh	Equal
10	Jammu and Kashmir	Equal
11	Jharkhand	Equal
12	Karnataka	Equal
13	Kerala	More
14	Madhya Pradesh	Equal
15	Maharashtra	Equal
16	Manipur	Equal
17	Meghalaya	Less
18	Mizoram	Equal
19	Nagaland	Equal
20	Orissa	Equal
21	Punjab	More
22	Rajasthan	More
23	Sikkim	Equal
24	Tamil Nadu	Equal
25	Telangana	Equal
26	Tripura	Equal

27	Uttar Pradesh	Equal
28	Uttarakhand	More
29	West Bengal	Equal
30	A&N Islands	Equal
31	Chandigarh	Equal
32	D & N Haveli	Less
33	Daman & Diu	Equal
34	Delhi	More
35	Lakshadweep	Less
36	Puducherry	Equal