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ODISHA STATE LEGAL SERVICES AUTHORITY
S.O-20 CANTONMENT ROAD, CUTTACK-1

NOTIFICATION

The 23rd August 2016

S.R.O. No. 155/2017—In exercise of the powers conferred under Section 29-A of the Legal Service Authorities Act, 1987 (39 of 1987), the Odisha State Legal Services Authority, do hereby make the following regulation to amend the existing schedule appended to Regulation 20(1) of the Odisha State Legal Services Authority Regulation, 1996, namely :—

1 (1) This regulation may be called the Odisha State Legal Services Authority (Amendment) Regulation, 2016.

(2) It shall come into force from the date of publication in the *Odisha Gazette*.

2. The proviso to Regulation 20 (1) shall be deleted

3. In the Odisha State Legal Services Authority Regulation, 1996 (As amended by vide Regulation 2011), for the Sechedule, the following schedule shall be substituted—

SCHEDULE

[See Regulation 20 (1)]

FEE STRUCTURE OF LEGAL SERVICES PANEL LAWYERS

Sl. No.	Name of the Court	Type of cases	Fee	
(1)	(2)	(3)	(4)	
1	High Court	Writ Matters	1. Drafting (Writ Petition, Counter Affidavit etc.) Rs.1,500	
			2: Appearance : Rs. 1,000 per effective hearing. Rs. 750 per non-effective hearing.	Subject to maximum of Rs. 10,000 per case, (Depending on No. of dates).

(1)	(2)	(3)	(4)	
1	High Court	Criminal Appeals (Involving Death/ L.I. Imprisonment).	1. Drafting of appeal memo, written note of argument etc. Rs. 1,500.	
			2. Appearance : Rs. 1,000 per effective hearing. Rs. 750 per non-effective hearing.	Subject to maximum of Rs. 10,000 per case, (Depending on No. of dates).
		Other Criminal Appeals.	1. Drafting of appeal memo, written note of argument etc. Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 5,000 per case, (Depending on No. of dates).
		Criminal Revision	1. Drafting of revision petition, written note of argument etc. Rs. 500.	
			2. Appearance : Rs. 500 per effective hearing. Rs. 250 per non-effective hearing.	Subject to maximum of Rs. 4,000 per case, (Depending on No. of dates).
		Bail	1. Drafting and Hearing Rs. 500.	
			2. Hearing	Subject to maximum of Rs. 1,000 per case, (Depending on No. of dates).
		Civil Appeals (Including 1st Appeal & 2nd Appeal etc.).	1. Drafting of appeal memo, written note of argument etc. Rs. 1,500.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 10,000 per case, (Depending on No. of dates).

(1)	(2)	(3)	(4)	
		Misc. Appeals/ Civil Revision/ Other Miscellaneous matters.	1. Drafting Rs. 1,000	
			2. Appearance : Rs. 1,000 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 5,000 per case, (Depending on No. of dates).
		Legal Opinion (Civil, Criminal etc.)	1. Drafting etc. Rs. 1,500	Maximum of Rs. 1,500 per case.
2	CAT/SAT & Other Tribunals	Original Applications.	1. Drafting and Admission/ First appearance hearing Rs.1,000.	
			2. Appearance : Rs. 1,000 per effective hearing. Rs. 750 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
3	Sessions Court	(a) Criminal Trial Involving Death/Life Imprisonment.	1. Appearance till commitment Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
		(b) Involving other offences.	1. Appearance till commitment is over Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 6,000 per case, (Depending on No. of dates).
			1. Drafting of appeal memo, written note of argument etc. Rs. 750.	

(1)	(2)	(3)	(4)	
		(c) Criminal Appeal.	2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 6,000 per case, (Depending on No. of dates).
		(d) Criminal Revision.	1. Drafting of revision petition, written note of argument etc. Rs. 500.	
			2. Appearance : Rs. 500 per effective hearing. Rs. 250 per non-effective hearing.	Subject to maximum of Rs. 4,000 per case, (Depending on No. of dates).
		(e) Bail	1. Drafting and Hearing Rs. 400 subject to a maximum of Rs. 800 (irrespective of number of applications).	Subject to maximum of Rs. 800.
4	Special Court	Evidence	1. Appearance till commitment is over/ appearance Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
5	District Courts	(a) Civil Appeals.	1. Drafting of appeal memo, written note of argument etc. Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 6,000 per case, (Depending on No. of dates).
		(b) Misc. Appeals/ Revision.	1. Drafting and Hearing Rs. 400 (Irrespective of number of applications).	Subject to maximum of Rs. 800 per case, (Depending on No. of dates).

(1)	(2)	(3)	(4)	
		(c) Original Jurisdiction cases such as Probate, Letters of Administration, Arbitration ect.	1. Drafting /written note of argument etc.	Rs. 500
			2. Appearance : Rs. 500 per effective hearing, Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
6	MACT Courts	Claim Applications.	1. Drafting/written note of argument etc.- Rs. 500.	
			2. Appearance : Rs. 500 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
7	State Consumer Forum.	Original Applications/ Appeals.	1. Drafting/written note of argument etc.- Rs. 500	
			2. Appearance : Rs. 500 per effective hearing Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
8	Senior Civil Judges.	(a) Suits (Contested).	1. Drafting (Plaint, Written Statement, Counter Claim etc.) Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
		(b) Suits (Exparte).	1. Drafting (Plaint, Written Statement, Counter Claim etc. Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing, Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 3,500 per case, (Depending on No. of dates).
		(c) Interloctury Applications (IA/CMA).	1. Drafting	Rs. 400
			2. Hearing	Subject to maximum of Rs. 800 per case, (Depending on No. of dates).

(1)	(2)	(3)	(4)	
9	Civil Judges.	(a) Suits (Contested).	1. Drafting of pleading (Plaint, Written Statement, Counter Claim etc.) Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 5,000 per case, (Depending on No. of dates).
		(b) Suits (Exparte).	1. Drafting (Plaint, Written Statement, Counter Claim etc. Rs. 1,000.	
			2. Appearance : Rs. 750 per effective hearing, Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 2,500 per case, (Depending on No. of dates).
		(c) Interlocutory Applications (IA/CMA).	1. Drafting	Rs. 400
			2. Hearing	Subject to maximum of Rs. 800 per case.
10	Magisterial Courts	Sessions Cases (Till Commitment).	2. Appearance : Rs. 250 per effective hearing, Rs. 250 per non-effective hearing.	Subject to maximum of Rs. 4,000 per case, (Depending on No. of dates).
		Warrant Procedure Cases.		
		(b) Summons Procedure Cases.	2. Appearance : Rs. 250 per effective hearing. Rs. 250 per non-effective hearing.	Subject to maximum of Rs. 2,500 per case, (Depending on No. of dates).
		(c) Cases under the PWDV Act.	2. Appearance : Rs. 250 per effective hearing, Rs. 250 per non-effective hearing.	Subject to maximum of Rs. 2,500 per case, (Depending on No. of dates).
		(d) Other Miscellaneous Applications eg. Bail, Cancellation of Bail, Search Warrants etc.	1. Drafting Rs. 400	
			2. Hearing	Subject to maximum of Rs. 800 (per case).

(1)	(2)	(3)	(4)	
11	District Consumer Forum.	Applications	1. Drafting and appearance Rs. 750.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
12	Labour Courts.	References/ Applications.	1. Drafting and appearance Rs. 750.	
			2. Appearance : Rs. 750 per effective hearing. Rs. 500 per non-effective hearing.	Subject to maximum of Rs. 7,500 per case, (Depending on No. of dates).
13	Revenue Courts.	Applications	1. Drafting and appearance Rs. 400.	
			2. One effective Hearing	Subject to maximum of Rs. 800 (per case).
14	All Subordinate Courts/Tribunal/ All Quasi Judicial Forums.	Legal Opinion (Civil, Criminal etc.)	1. Drafting Rs. 1,000	Maximum of Rs. 1,000 (per case).

N.B. :

**TYPING/MISCELLANEOUS/INCIDENTAL EXPENDITURE
FOR HIGH COURT**

1. Actual incidental expenditure incurred by the panel advocates will be reimbursed provided it is supported by vouchers and a certificate is given to that effect by such advocate. If the incidental expenditure is not supported by vouchers, the Secretary of the concerned Legal Services Authority/Committee may fix and reimburse a reasonable sum considering the approximate expenditure which might have occurred looking to the nature of the case.
2. Single set of honorarium shall be payable in cases in which more than one legal aided persons are involved.

SUB-ORDINATE COURTS

1. Actual incidental expenditure incurred by the panel advocates will be reimbursed provided it is supported by vouchers and a certificate is given to that effect by such advocate. If the incidental expenditure is not supported by vouchers, the concerned Legal Services Authority/Committee may fix and reimburse a reasonable sum considering the approximate expenditure which might have occurred looking to the nature of the case.
2. Single set of honorarium shall be payable in cases in which more than one legal aided persons are involved.

EFFECTIVE HEARING & NON-EFFECTIVE HEARING

1. 'Effective Hearing' means hearing on merits of the case.
2. 'Non-effective Hearing' includes adjournments on genuine grounds or at the instance of the Court but not mere listing/posting of the case without being taken up for hearing by the Court.

[No. 27/2016]

B. K. MOHAPATRA

Member Secretary