

Office of the Principal Controller of Defence Accounts,
Northern Command,
Narwal Pain, Satwari, Jammu Cantt. 180003

E-mail: adminiipcdanc.dad@hub.nic.in

FAX 0191-2435068

No. AN/II/Legal/Misc/Legal Fee

10/10/2018

Through Website / WAN only

To

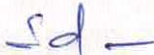
- 1) All Sections in Main office
- 2) All Sub offices under Main Office

Subject:- Payment of Legal Fee to Central Government Counsels- clarification regarding

With reference to the existing provisions relating to payment of Legal Fee to Central Government Counsels, certain doubts raised by the offices of PCDA have been taken with the Ministry of Law & Justice, Department of Legal Affairs (Judicial Section) by the HQrs office for clarification / guidelines.

Based on the clarifications received, the summary of the points of doubt and clarification is contained in the HQrs office letter No. LC/Advocate Fee Bill/Vol. II dated 27.9.2018 (copy attached). The ibid letter dated 27.9.2018 is also available on the website of the HQrs office. All the legal fee bills of Government Counsels may be regulated accordingly.

Please acknowledge receipt through e-mail at (adminiipcdanc.dad@hub.nic.in).


(R K Gupta)
Asstt. CDA (AN)

Registered copy to:

✓ The Officer In-charge
IT & S Cell
(local)

For uploading on the website and WAN of this office.


SAO (AN)

3/10/18

A 8646 MM 2 L 24 4/10/2018 Through
स्पीडपोस्ट/Website

कार्यालय रक्षालेखामहानियंत्रक/ Office of Controller General of Defence Accounts
उलानबटाररोड़, पालम, दिल्लीछावनी/ Ulan Batar Road, Palam, Delhi Cantt - 110 010.

☎ 011-25005512, 25665541 Fax No. 011-25674806/25674821
E-mail: legalcgda.dad@hub.nic.in /hqadmin3-legal@cgdamail.org (Zimbra)

No. : LC/Advocate Fee Bill/Vol.II

Dated: 27.09.2018

To

✓ All PCsDA/PCA(Fys) /CsDA/CFAs

Subject :- Payment of Legal Fee to Central Govt. Counsels - clarification reg.

With reference to the existing provisions relating to payment of Legal Fee to Central Govt. Counsels, certain doubts raised by the office of PCDA have been taken-up with the Ministry of Law & Justice, Department of Legal Affairs (Judicial Section) for clarification/guidelines. Based on the clarifications received, the summary of the points of doubt and clarification are as given below:-

No.	Existing provisions and point of doubt	Clarification
i)	<p>The revised fee structure applicable to Govt. Counsels of Supreme Court/High Court/CAT/Distt. Courts has been notified by Min. of Law & Justice, Dept. of Legal Affairs vide their OM bearing No. 26(1)/2014/Judl. dated 01.10.2015. As per the said OM dated 01.10.2015, payment of legal fee for non-effective hearings in a case has been restricted to five (05) and payment of legal fee for Conferences in a case has been restricted to four (04).</p> <p><u>Point of Doubt</u> In case, the Govt. Counsel has been changed during the pendency of a case who has already been paid for maximum number of non-effective hearings & conference, whether the newly appointed Govt. Counsel can be paid fee for another five (05) non-effective hearings & (04) conference or not.</p>	<p>The OM No. 26(1)/2014-Judl. Dated 01.10.2015 itself restricts the payment to a maximum of five non-effective hearings. Hence, a new counsel appointed during the pendency of a case will not be eligible for payment for non-effective hearings in case the limit of five as stated in above mentioned OM is exhausted.</p>

WB

3/10/18

प्रशा.-I.-र.ले.प्र.नि. (ड.क.) जम्मू
AN.-I.-PCDA (NC), Jammu
प्राप्त किया/Received

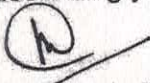
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ii	In case, a proxy Counsel has appeared on behalf of nominated Govt. Counsel, Whether legal fee {effective or non effective} can be paid to the CGSC for hearings appeared by proxy counsel.	When proxy/private counsel has appeared on behalf of the Govt. Counsel in a matter, such nominated counsel is not entitled to payment of fee bill.
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The relevant OM dated 01/10/2015 is available on the website of the Ministry of Law & Justice, Department of Legal Affairs.

2. All the legal fee bills of Govt. Counsels may be regulated accordingly.


 (Mustaq Ahmad)
 Dy. CGDA (AN)

Copy to:-

1. The IT & S (Wing) (Local) : With request to upload the same on website.
2. AT-Legal : For information please.

-Sd-
 (Mustaq Ahmad)
 Dy. CGDA (AN)