

Punjab State Elecyy.Board

Office Order No. 6 Legal Dated: 17.1.03

Punjab State Electricity Board is pleased to issue the following fee structure/procedure for the Court cases of Board in supersession of the previous Office Order No.248 dated 7.10.74, 133 dated 12.6.89, 88 dated 18.3.96, 42 dtd.5.2.98 with immediate effect.

1) PANEL OF ADVOCATES:

The Board has already revised the panel of advocates for Chandigarh/Delhi in consultation with the Senior Standing Counsel and circulated the same, vide O/O No.143 dated 23.8.2002, for Chandigarh and No.142 dated 23.8.2002 for Delhi. These panels have been frozen upto 31st July,2003, after which a review will be conducted on the basis of performance of the empanelled lawyers. In the panel for Chandigarh, the lawyers have been placed in three categories:-

- i) Special Category consisting of Advocates declared senior by the High Court/Supreme Court.
- ii) Category 'A' Advocates having standing at the Bar of more than 10 years.
- iii) Category 'B' Advocates having standing of less than 10 years.

For the Courts at Delhi the Board has listed all the advocates in a single panel. No categorization has been made of category 'A' and 'B'. Here in case a designated senior is to be engaged, fee will be settled with him. There are advocates and Advocates- on- Record in the panel. In case an Advocate -on -Record appears independently, he will be paid as per the norms, but if he appears as an Advocate- on- Record with another advocat, he will be allowed fee as allowed to Advocate -on- Record. On the other hand, cases can be allotted to special category advocates, who are not on the panel of the Board in the High Court also and fee will be settled with the so appointed advocates. Advocates not on the panel of the Board in the Distt. and Mufiosjl Courts can also be engaged and fee can be settled upto the fee laid down by the Board in its revised norms and if the advocate does not agree, then fee can be settled with him in important cases and approval of

Secretary/Member, Incharge of Legal Section and Finance will be got in due course after settlement of the fee.

II) TERMS OF FEE OF STANDING COUNSEL AT SHIMLA:

Sh.Anand Sharma, who is the Board's Standing Counsel at Shimla shall attend all cases at Shimla in all Courts. He shall be designated as 'A' category advocate and fee admissible to 'A' Category in the panel of Punjab and Haryana High Court will be admissible to him. In case he is called for discussion in some important cases out of Shimla and he is asked to appear with a senior counsel, he shall be paid as under:-

- | | |
|------------------------------|-----------------------------|
| i) Drafting | Rs.1500/- |
| ii) Appearance and arguments | Rs.5500/-per hearing |
| iii) Connected cases. | Rs.500/-per connected case. |
| iv) Conference | Rs.1,000/-per Hr. |

The conference charges are payable only in case the discussion relates to preparation of the case and arguments only. He will be allowed fee for opinion in cases referred to him for the same as per drafting fee admissible to him, as per norms.

The retainership fee of Rs.2200/-Per Month being allowed to Sh.Anand Sharma, Standing Counsel at Shimla is proposed to be withdrawn and in the alternative, he shall be allowed drafting fee for cases marked to him for advice.

He shall be paid TA/DA as per Class-I Officer of the Board. He shall be allowed to travel by his own car and will be paid lodging expenses as admissible to Directors in the Board.

III) FEE STRUCTURE OF ADVOCATES ON PANEL:

1	Supreme Court at Delhi	
	Fee for appearance & arguments.	Rs.4400/-Per hearing
	Fee for drafting.	Rs.1500/-

	Fee for connected cases.	Rs.500/-Per case+ Misc.expenses.
2.	<u>Fee of the Advocates-on-Record.</u>	
	Fee for appearance & arguments.	Rs.1650/-Per hearing.
	Fee for drafting.	Rs.1000/-
	Fee for connected cases.	Rs.400 -Per case + Misc.expenses.
3.	<u>All other Courts/Forums at Delhi.</u>	
	Fee for appearance & arguments.	Rs 2500/-per Hrg.
	Fee for drafting.	Rs.1000/-
	Fee for connected cases.	Rs.400/- Per case+ Misc.expenses.
4.	<u>High Court and State Consumer Disputes Redressal Commission at Chandigarh and other equivalent Courts.</u>	
	<u>i)Special category(Designated senior by the Supreme Court/High Court)</u>	
	Fee for appearance & arguments.	Rs.11,000/-per case
	Fee finalizing drafts	Rs.1500/-per case
	Fee for connected cases	Rs.500/-per case
	<u>Note:</u> His juniors will be allowed fee as admissible to category 'B' advocates of the High Court.	
	<u>ii)Category 'A'</u>	
	Fee for appearance & arguments.	Rs.7700 -Per case.
	Fee for drafting	Rs.1500/-

Fee for connected cases	Rs.500/- Per case + Misc.expenses.
iii) Category 'B'	
Fee for appearance & arguments.	Rs.4400/-Per case
Fee for drafting	Rs.1000/-
Fee for connected cases	Rs.400/-Per case + Misc.expenses.

Note:1) No separate fee of junior counsel will be admissible to senior advocate (Category 'A') in High Court or equivalent Courts.

5.	<u>Muffosil & District Courts in Punjab & Chandigarh along with other Courts at Chandigarh.</u>	
	Category 'A'	Rs.3000/- Lumpsum per case.
	Fee of connected case.	Rs.300/-Plus Misc.expenses
	Category 'B'	Rs.1500/- Lumpsum per case.
	Fee of connected case.	Rs.300/-Plus Misc.expenses.

IV) ALLOTMENT OF CASES:

- | | | |
|------|---|---|
| i) | The cases in the Punjab and Haryana High Court, Chandigarh shall be marked to various advocates on the panel of the Board by the Senior Standing Counsel. | |
| ii) | Distt. and Muffosil Courts | Xens. |
| iii) | Head Office Cases | Legal Advisor in consultation with Dy.Secy., Jt Secy. |
| iv) | State Commission and other Courts at CHD | Legal Advisor in consultation with Secretary/Board. |
| v) | Supreme Court, High Court, Delhi and other Courts at Delhi. | Legal Advisor Secretary/Board. |
| vi) | As regards engaging advocates on special fee | This will be done |

in various courts.

with the approval
Legal Section/
Secretary/Board
and Member/
In-charge.

Initially, the allotment of the cases will be made proportionately to all the advocates and after seeing the performance of the advocates, further cases will be allotted to them as per their performance.

The 1st half fee bill of any case allotted to an empanelled advocate should be cleared at the earliest i.e. before the next date of hearing and the 2nd half fee bill should be cleared within one month after the decision of the case and receipt of the judgment and other papers from the advocate.

In case any advocate on the panel of the Board for Chandigarh and Delhi insists that he be paid fee beyond norms and raises bill accordingly, can be removed from the panel after giving one/two warnings. Therefore, the advocates are being requested to prepare bills according to the norms of the Board.

No advocate on the panel of the Board for any Court or engaged as a special case from outside the panel should make any statement in the Court, which may harm the interest of the Board without getting approval from the competent authority.

Advocates, who do not take interest in the Board's work and who do not attend the Court on the date of hearing or do not make alternative arrangements, in case of his absence or who appears against the Board shall be removed from the panel forthwith.

For advice cases marked to them, advocates will be paid fee as admissible for drafting.

For arbitration cases the advocate shall be paid fee as per the panel norms admissible to him, as approved by the Board.

The fee structure/terms and conditions of SSC will be issued separately.

This issues with the approval of competent authority.


Secretary,
Punjab State Elec. Board,

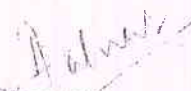
Patiala

Endst.No. 3749/4548

Dated:- 17.11.03.

Copy of the above is forwarded to the following for information and further necessary action:-

1. CAO RAO(R),PSEB
2. All FICs/CEs/SEs/Directors/Xens/Dy.Directors/CPOs/POs PSEB
3. Director/IR & PR/LAC,PSEB
4. All Dy.Secretaries/Under Secretaries, PSEB/All Jt.Secys.
5. Dy.Secretary to Chairman/Sr.PSs/PSs to Members/Secretary
6. AO/EAD,PSEB,Patiala


Secretary,Punjab State Elec. Board,
Patiala.

17/11