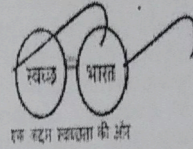




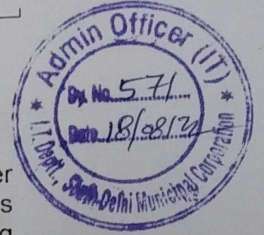
MUNICIPAL CORPORATION OF DELHI
LAW DEPARTMENT(HQ)
17th Floor, Civic Centre, New Delhi-110002



No.:CLO/MCD/2022/D-295

Dated: 18/08/2022

OFFICE ORDER



It is hereby notified for information of all concerned that the Special Officer exercising the powers of the Corporation vide Decision No.74 dated 29/07/2022 has approved the Retainership/professional fee payable to Standing counsel/Addl.Standing/Panel Counsel of Municipal Corporation of Delhi in Supreme Court/High Court/NGT/CAT/District Courts and equivalent Courts as per details given below:

I. For Supreme Court/High Court of Delhi/NGT/CAT and in all other misc. equivalent courts including matters pending before Arbitrator

- | | | |
|-----|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| (a) | For Contest of SLP, WP(C), LPA, CCP, WP (Crl.)
RCA, RSA, CR, OA, RA, FAO, Crl. Appeal,
Arbitration | Rs. 5,000/- for first hearing +
Rs. 1500/- per additional hearing
+10% Clerkage. |
| (b) | For drafting of SLP, WP(C), LPA, CCP, WP(Crl.)
expenses. Suits, RCA, RSA, CR, OA, RA, FAO, Crl.
Appeal etc. | Rs. 5,000/- + actual expenses |
| (C) | For drafting of Written Statements/ reply etc. | Rs. 3,000/- + actual expenses. |
| (d) | Conference with Sr. Advocate | Rs. 3,000/- fixed per conference |
| (e) | Consultation/Opinion Fees | Rs. 5,500/- per Case only for
Standing Counsel/Addl. Standing
Counsel. |

II. For Districts Courts/Districts Consumer Forums/ Labour Courts or other misc. Courts.

- | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| (a) | For filing/contest of Suits, Appeals, Arbitration
Cases & all other cases before ADJ, Civil Judge
and other authorities at District Court (per case) | Rs. 5,000/- for final arguments+
Rs. 500/- per hearing+ clerkage
& Expenses. |
| (b) | For drafting of cases, for filing/contest of suits,
Appeals, Arbitration cases & all other cases
Before ADJ, Civil Judge & other Authorities at
District Courts (per case). | Rs. 3,000/- Fixed + expenses
on actual basis |
| (c) | For drafting of Written Statements etc. | Rs. 2,000/- Fixed)+ Expenses on
actual basis. |

III. Fee for Retainers:

The retainer shall be paid Rs.25,000/- per month. Those contesting cases independently shall be allowed clerkage and expenses of Rs.1000/- per case. The Retainers who are working both in Civic Centre and attending court(s) shall be entitled to claim conveyance of Rs.3500/- per month (Fixed).

Note: The aforesaid fee to advocates of MCD is subject to maximum of Rs. 10,000/- in entire case excluding drafting fees and expenses. The fee shall be paid only after finalization of case. Any payment if required to be made before its finalization shall be half payment i.e. Rs. 5,000/- and remaining shall be paid on finalization of the case. This is not applicable in case of matter pending before the arbitrator, However, the Advocate will be entitled to claim fees only against effective hearing.

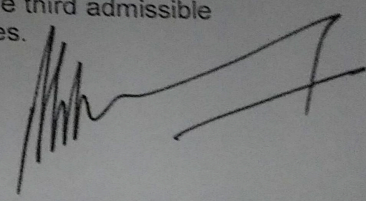
IV. Special circumstances for payment of remaining fees/fee:-

- (a) In case the initial/subsequent/another advocate surrenders the case, no fee shall be paid to him.
- (b) However, he is changed on the request of the department he will be entitled to claim half of the balance fee to be paid.
- (c) Out of pocket and misc. expenses up to Rs. 1000/- will be paid as claimed by and certified by the Advocate without asking for details and for any out of pocket and misc expenses beyond Rs. 1000/- per bill the Advocate would be require to give details of such expenses before reimbursement is made to them.
- (d) For any other work not covered under this schedule such fees as may be deemed appropriate by the Competent Authority shall be payable.

V. Special Provisions

(a) Identical/Bunch Cases:

1. The identical/Bunch are those in which two or more cases in which substantial identical questions of law or facts are involved etc. and where the main difference is in the names, address of the parties concerned, amount of the money involved etc. where the common or identical judgement and delivered irrespective of the fact whether all the cases are heard together or not. Where two or more cases involving substantially identical question of law or facts, anyone of such cases will be treated as a main case and the others as connected cases and the fee in such cases will be regulated as under irrespective of the facts whether all the cases are heard together or not:-
 - (i) When the Counsel files separate and materially different Affidavits, applications or ground of appeal etc. in more than one case but the argument is heard in the main case and the other cases are decided accordingly, the Counsel shall be paid full admissible fee in the main case and Rs. 1,000/- in each of the connected case.
 - (ii) When the main case has been contested as in (a) above, but in the connected cases, either affidavit or ground of an appeal or petition similar to the one in the main case or nothing at all has been drafted by the counsel, he shall be paid the full admissible fee in the main case and Rs.500/- only in each of the connected cases.
 - (iii) When substantially different affidavits are drafted in each connected cases but all the cases are disposed off without contest, the Counsel shall get one third admissible fee in the main case and Rs. 500/- in each of the connected cases.
 - (iv) When the Counsel has drafted the affidavit petition or ground of appeal in the main case and has not drafted them in the connected cases or the drafts in the connected cases are substantially similar to the one in the main case and the cases are disposed off without contest, the Counsel shall get one third admissible fee in the main case and Rs. 500/- in each of the connected cases.



(b) **Outstation Cases:**

Out station cases are those cases which are filed/ listed outside the jurisdiction of Delhi. In such cases Advocates shall be engaged by Law Department on recommendation of the department concerned. The Advocates so engaged will be entitled to such fees as justified and fixed by the department concerned with the prior approval of the Commissioner, MCD.

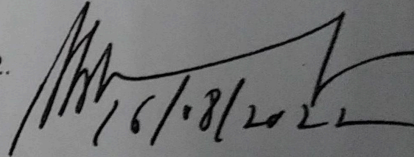
(c) **Important and Special Cases:**

Important and special cases are those cases in which involves Policies of Corporation, high stake matters, matter involving financial repercussion and also includes such cases as recommended by the department concerned to be dealt with specially. The special engagement of Advocates/Senior Advocates/ ASG in such matter shall be made by Law Department on the recommendation of the department concerned in this regard. The Advocates/Senior Advocates/ ASG will be paid such fees as justified and fixed by the department concerned in consultation with Law Department (HQ) and will prior approval of the Commissioner, MCD.

(d) **Effective hearing:**

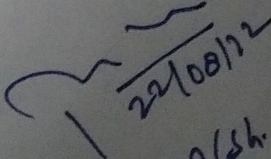
A hearing in which either one or both of the parties involved in a case are heard by the court. If the case is mentioned and adjourned only directions are given or only judgment is delivered by the Court, will be termed as non-effective hearing. Further the Senior Advocates are entitled to claim fee in this behalf only for arguments purposes.

The above fee schedule is applicable w.e.f. 23/5/2022.


(Anil Kumar Sharma)
Chief Law Officer

Copy for information to:-

1. OSD to Spl. Officer for information of Spl. Officer.
2. PS to Commissioner for information of Commissioner.
3. Addl. Commissioner (I/C Law)
4. CA-Cum-FA
5. LO(HQ)/LO(KKD)/LO(Distt Courts)
6. DLO (HQ)/DLO(Taxes)
7. All ALOs/JLOs (HQ)
8. Standing Counsel, Supreme Court.
9. Addl. Standing Counsel, Supreme Court
10. All Standing Counsels, Delhi High Court/CAT
11. All Addl. Standing Counsels, Delhi High Court/CAT
12. All High Court/CAT/NGT/District Court Panel Advocates
13. Accounts Officer (HQ)
- ✓ 14. AO (IT) – for uploading on the MCD website
15. AO (Law Deptt.) HQ
16. JAO / Bill Clerk (Advocates Bill), Law Office
17. Office Copy


22/08/22
DBA (Sh. Indrakant)