



श्रीमती मंजु बगई
विधि सलाहकार
MRS. MANJU BAGAI
LEGAL ADVISER

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001

F.No.3(89)EA-Law-Vol-V
Date: 3/11/2009

2085

To

The Heads of all National Labs./Instts.

Sub: Revision of fee of advocates conducting the cases before the Hon'ble Supreme Court, High Court, CAT & Labour Courts/Subordinate Courts.

Sir/Madam,

In partial modification of the terms and conditions contained in OM No. 3(89)EA-Law, dated 10th November, 1999 (copy enclosed), Joint Secretary (Admn.), Council of Scientific & Industrial Research (CSIR) has been pleased to revise the fee of the advocates conducting the cases pertaining to CSIR and its labs/instts. before the Hon'ble High Court & CAT. The revised rates are as follows :-

S.N.	Courts	Place	Rates
1.	CAT & High Courts	Metro cities (i.e. Delhi, Mumbai, Kolkata & Chennai)	Rs. 15,000/- + expenses as per actuals
2.	CAT & High Courts.	Other than metro cities	Rs. 14,000/- + expenses as per actuals.

Further the CSIR circular No. 3(89)/EA-Law dt. 20/6/2001 (copy enclosed), has also been modified and the fee of the advocates conducting the cases before labour courts/subordinate courts has been revised as follows :-

S.N.	Courts	Place	Rates
1.	Labour Courts/Subordinate Courts	All over India	Rs. 10,000/- + expenses as per actuals.

Contd...../-

From pre-page.

The revised fee for Advocates-on-record conducting the cases before Hon'ble Supreme Court of India shall be as under :-

S.N.	Item	Rates
1.	Fee for Advocate-on-Record	Rs. 3,000/-
2.	Fee for drafting of SLP-	Rs. 4,000 /-
3.	Fee for drafting of Misc. Appl. /replies-	Rs. 2,000/-
4.	Clerkage	@ 10% of drafting
5.	Expenses	At actual
6.	Fee for appearance with Sr. Advocate-	Rs. 1,500/- (Per hearing)
7.	Fee for appearance without Sr. Advocate	Rs. 5,000 /- (Per hearing)
8.	Conference with Sr. Advocate	Rs. 500/- per conference (subject to a maximum of 4 conferences in a case)


The aforesaid revised fee rates shall be effective from 01/09/2009.

It may be noted that the advocates engaged on or after 1/9/2009, as per CSIR approved fee rates, shall be paid as per the revised rates.

You are requested to bring it to the notice of the advocates conducting the cases pertaining to your lab/institts.

Please acknowledge receipt of the communication.

Yours faithfully,


(Manju Bagai)

Encl: as above.

Copy to:

1. Sr. CoAs/CoAs/AOs of all Labs/Instts.
2. PS to JS(Admn.)
3. PS to FA
4. Head, HRDG
5. CVO, CSIR
6. DS/F&AO, CSIR Complex
7. US(CO), CSIR Hqrs.
- ✓ 8. Sh. A.Wahid, Scientist, IT Division – with the request that this circular may be made available in CSIR Website.
9. Office Copy
10. Guard File.



श्रीमती मंजु बगई
विधि सलाहकार
MRS. MANJU BAGAI
LEGAL ADVISER

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001

फा. सं. 3(89)ईए-लॉ-बॉल्यू-V
दिनांक : 3.11.2009

सेवा में,

सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के प्रधान

विषय: माननीय उच्चतम न्यायालय, उच्च न्यायालय, केन्द्रीय प्रशासनिक अधिकरण (कैट) एवं श्रम न्यायालयों/अधीनस्थ न्यायालयों में मामलों की पैरवी करने वाले अधिवक्ताओं (एडवोकेट्स) के शुल्क में संशोधन विषयक

महोदय/महोदया,

दिनांक 10 नवम्बर, 1999 के का. ज्ञा. सं. 3(89)ईए-लॉ (प्रतिलिपि संलग्न) में समाविष्ट निबंधन और शर्तों में आंशिक आशोधन करते हुए संयुक्त सचिव (प्रशा.), वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद (सीएसआईआर) ने माननीय उच्च न्यायालय एवं केन्द्रीय प्रशासनिक अधिकरण (कैट) में सीएसआईआर और इसकी प्रयोगशालाओं/संस्थानों से संबंधित मामलों की पैरवी करने वाले अधिवक्ताओं (एडवोकेट्स) को मिलने वाले शुल्क में संशोधन किए जाने को अनुमोदन प्रदान किया है। संशोधित दरें निम्नवत हैं:

क्रम सं.	न्यायालय	स्थान	दरें
1.	कैट एवं उच्च न्यायालय	महानगर (अर्थात् दिल्ली, मुम्बई, कोलकाता और चेन्नै)	रु.15,000/- + वास्तविक व्यय
2.	कैट एवं उच्च न्यायालय	महानगरों के अतिरिक्त नगर	रु.14,000/- + वास्तविक व्यय

इसके अतिरिक्त सीएसआईआर के दिनांक 20.6.2001 के परिपत्र सं. 3(89)/ईए-लॉ (प्रतिलिपि संलग्न) में भी आशोधन किया गया है और श्रम न्यायालयों/अधीनस्थ न्यायालयों में मामलों की पैरवी करने वाले अधिवक्ताओं (एडवोकेट्स) के शुल्क में निम्नवत संशोधन किया गया है:

क्रम सं.	न्यायालय	स्थान	दरें
1.	श्रम न्यायालय/ अधीनस्थ न्यायालय	अखिल भारत	रु.10,000/- + वास्तविक व्यय

भारत के माननीय उच्चतम न्यायालय में मामलों की पैरवी करने वाले ऑन-रिकॉर्ड-अधिवक्ताओं (एडवोकेट्स) का संशोधित शुल्क निम्नवत होगा:

क्रम सं.	मद	दरें
1.	ऑन-रिकॉर्ड-अधिवक्ता (एडवोकेट) हेतु शुल्क	रु.3,000/-
2.	एसएलपी की ड्राफ्टिंग हेतु शुल्क	रु.4,000/-
3.	विविध आवेदनों/उत्तरों की ड्राफ्टिंग हेतु शुल्क	रु.2,000/-
4.	क्लर्कज	ड्राफ्टिंग के 10% की दर से


	व्यय	वास्तविक
5.		
6.	वरिष्ठ अधिवक्ता (सीनियर एडवोकेट) के साथ उपस्थित होने हेतु शुल्क	रु.1,500/- (प्रति सुनवाई)
7.	वरिष्ठ अधिवक्ता (सीनियर एडवोकेट) के बिना उपस्थित होने हेतु शुल्क	रु.5,000/- (प्रति सुनवाई)
8.	वरिष्ठ अधिवक्ता (एडवोकेट) के साथ परामर्श	रु.500/- प्रति परामर्श (एक मामले में अधिकतम 4 परामर्श)

उपर्युक्त संशोधित शुल्क दरें दिनांक 1.9.2009 से लागू होंगी।

यह नोट किया जाए कि दिनांक 1.9.2009 को अथवा उसके बाद सीएसआईआर की अनुमोदित शुल्क दरों के अनुसार नियुक्त किए गए अधिवक्ताओं (एडवोकेट्स) को संशोधित दरों पर भुगतान किया जाएगा।

अनुरोध है कि इसे अपनी प्रयोगशाला/संस्थान से संबंधित मामलों की पैरवी करने वाले अधिवक्ताओं (एडवोकेट्स) के ध्यान में लाएं।

कृपया पावती भेजें।

भवदीया, 
मंजु बगई

(मंजु बगई)
विधि सलाहकार

संलग्नक:- यथोपरि

प्रतिलिपि:-

1. सभी प्रयोगशालाओं/संस्थानों के वरि. प्रशासन नियंत्रक/प्रशासन नियंत्रक/प्रशासन अधिकारी
2. संयुक्त सचिव(प्रशा.) की निजी सचिव
3. वित्त सलाहकार की निजी सचिव
4. प्रधान, मानव संसाधन विकास समूह (एचआरडीजी)
5. मुख्य सतर्कता अधिकारी, सीएसआईआर
6. उप सचिव/वित्त एवं लेखा अधिकारी, सीएसआईआर कॉम्प्लेक्स
7. अवर सचिव (के.का.), सीएसआईआर मुख्यालय
8. श्री ए. वाहिद, वैज्ञानिक, आईटी प्रभाग - इस अनुरोध के साथ कि इस परिपत्र को सीएसआईआर की वेबसाइट पर उपलब्ध कराएं।
9. कार्यालय प्रति
10. गार्ड फाइल



To
1208
Mrs Ratna Chawda 44-2

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001
Anusandhan Bhavan, 2, Rafi Marg, New Delhi-110 001



No. _____

Dated _____

From

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

No.3(89)-EA-LAW
November 10, 1999

To The Heads of all National Laboratories/Institutes

Sub : Engagement of Advocates and payment of fee for CAT/High Court cases.

Sir,

I am to state that at present CSIR has been following the fee schedules of Govt. of India in regard to cases handled by Central Govt. Standing Counsel. With regard to Standing Counsels who did not agree to take up cases of CSIR and its Labs at Govt. rates and private Advocates, fee was mutually settled in each case and also from time to time.

2. Ministry of Law, Justice and Company Affairs, Govt. of India have issued the following circulars notifying revision of fee for Standing Counsel (2 copies each enclosed for ready reference) -

Sl.	OM No. & date	Court to which applicable
1	F.24(2)/99-Judl. - 24.09.99	Delhi High Court
2	F.25(3)/99-Judl. - 24.09.99	Madras High Court
3	F.26(1)/99-Judl. - 24.09.99	All High Courts except Delhi, Mumbai, Calcutta, Chennai and Karnataka
4	F.26(2)/99-Judl. - 24.09.99	Karnataka High Court

Note - Instructions regarding Mumbai and Calcutta are under issue.

3. Upon examination of the circulars and the need for bringing uniformity and simplicity the following decisions are communicated -

Fee rates for CAT/High Court cases assigned on or after 01.11.1999 applicable to both Sr Central Govt Standing Counsel (Sr CGSC)/Central Govt Standing Counsel (CGSC) and private Advocates EXCEPT Sr Central Govt. Standing Counsel (Sr CGSC) in Delhi and Madras High Courts/CAT -

Place and description	Delhi	Others
Lumpsum professional fee per case incl. clerkage	Rs.7,500	Rs.7,000
Expenses	At actuals	At actuals

Contd..2

Phones : EPABX - 3710138, 3710144, 3710158, 3710468, 3710805, 3711251, 3714238, 3714249, 3714769, 3715303
Fax : 91-11-3714788 Gram : CONSEARCH New Delhi E-mail : csirhq@sirnetd.ernet.in

4. The fee rates as above are subject to the following clarifications -

A	<p>General -</p> <p>a. Column 'Others' does not include CAT/High Court, Mumbai; CAT/High Court, Calcutta; and CAT, Bangalore.</p> <p>b. The fee rates mentioned in this letter are applicable to both Sr CGSC CGSC and private Advocates except the following -</p> <p>i. Fee for cases within jurisdiction of CAT (including Circular Benches)/High Court, Mumbai; CAT/High Court, Calcutta; and CAT, Bangalore will be intimated in due course upon receipt of Govt of India instructions.</p> <p>ii. Fee for Sr CGSC in Delhi and Madras High Courts/CAT will be as per rates mentioned in the GOI circulars.</p>
B	<p>Fee payable if a case is disposed of at admission stage itself -</p> <p>a. In only one or more hearings either after arguments of CSIR counsel or in his/her presence and no written reply has been filed : <u>only one-third fee plus actual expenses is payable.</u></p> <p>b. If written reply has been filed : <u>full fee plus actual expenses is payable.</u></p>
C	<p>Tagged matters - These are cases in which the substantial questions/facts are same or identical. In other words the cases are identical with minor variations and the reply would also be more or less identical. In these cases Lab/Inst. should request the Advocate to get the matters tagged by the Court for common hearing.</p> <p>Fee payable - Full fee in the leading case and one-third of the full fee for all other cases. However, actual expenses are payable in full in all the cases.</p>
D	<p>Fee rate -</p> <p>a. The fee rate is for the entire case which includes fee for drafting of all the replies and statements and petitions/applications, hearings, miscellaneous applications, legal opinion on the Order/Judgment etc., clerkage and conference. In other words, no fee over and above the rate mentioned in this letter is payable to any Advocate without prior approval of the Joint Secretary (Admn).</p> <p>b. In respect of expenses which are reimbursable in full, an account is to be obtained from the Advocate before making payment. Labs/Institutes are at liberty to reimburse actual expenses without prior approval of CSIR.</p>
E	<p>Release of payments - Half upon filing of counter/written statement and the balance half on receipt of Judgment/Order. If no advance payment has been made, full fee is to be released on receipt of Judgment/Order.</p>

Contd..3

2/49(4)
1.14.77

F	<p>Engagement of Sr Advocate/Counsel/ Advocate -</p> <p>a. Labs/Institutes are at liberty to engage Sr CGSC (except Delhi and Madras High Courts)/CGSC and pay/release the fee without seeking prior approval of CSIR.</p> <p>b. Engagement of Sr CGSC in Delhi and Madras High Courts/CAT, if found necessary, should be done only with the prior approval of the Legal Adviser and Joint Secretary (Admn).</p> <p>c. Engagement of private Sr Advocate in any High Court/CAT, if found necessary, should be done only with the prior approval of the Legal Adviser and Joint Secretary (Admn). While forwarding proposal for engagement of a private Sr Advocate who had not been engaged earlier, bio-data and details of fee payable should also be forwarded along with recommendations of the Lab/Inst. to enable timely processing. If engagement is approved, Labs/Institutes are at liberty to release/pay the fee at the rates specifically communicated.</p> <p>d. Engagement of private Advocate in any High Court/CAT should be done only with the prior approval of the Legal Adviser and Joint Secretary (Admn). While forwarding proposal for engagement of a private Advocate who had not been engaged earlier, bio-data and details of fee payable along with the recommendations of the Lab/Inst. should also be forwarded to enable timely processing. If engagement stated in c and d above is approved, Labs/Institutes are at liberty to release the fee at the rates mentioned in this letter and no separate approval of CSIR for this purpose is required.</p>
G	<p>Effective date of the revised fee rates -</p> <p>a. The fee rates mentioned in this letter are applicable only in respect of cases assigned to the Counsel/Advocate on or after 01.11.1999.</p> <p>b. In respect of cases assigned prior to this date the rate of fee applicable on the date of engagement continues to apply with the following exception.</p> <p>c. In respect of Central Govt. Standing Counsel who have been assigned the case before 01.11.1999, Govt. of India instructions regarding revised rates will apply to the extent provided for in the circular.</p>

For clarifications on matters other than fee (to the extent provided for in this letter) reference may be made to the relevant Govt. of India circular.

Contd..4

2
18/11/1999

5. **Monitoring payments** - In order to keep track of payment of fees to the Counsel/Advocate it is suggested that a register may be maintained preferably in the following proforma. This register will also provide information regarding expenditure towards litigation in a year. While releasing payment, provisions of Income Tax Act, 1961 as amended from time to time regarding deduction of tax at source on professional fee may also be complied with.

REGISTER OF PAYMENT OF FEE TO COUNSEL/ADVOCATE
(Separate sheet may be kept for each case)

Serial No. :

Petition No. & Court			
Name of Applicant (s)			
Name of Respondent (s)			
Name of the Advocate	Bill No. and date	Fee paid in Rs. Professional Expenses	Cheque/DD No. and date

This issues with the approval of the Joint Scretary (Admn) and supercedes the following instructions of CSIR to the extent stated and provided for in this letter -

Sl.	CSIR circular No.	Date of circular	Extent of supercession
1	3/89/EA-LAW	01.12.1989	Para 2 regarding fee
2	3/89-EA-LAW	04.02.1992	Full

It is requested that these instructions may be brought to the notice of all concerned. It is also suggested that while issuing letter of engagement to the Counsel/Advocate the fee rates may be made clear to avoid any future controversy.

Please acknowledge receipt of the communication.

Yours faithfully,

Manju Bagai
(Manju Bagai)
Legal Adviser

Encl : as above.

2-
215(1)
10/11/1993



वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001

Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110 001

No. _____

Dated _____

From

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

No.3(89)/EA-Law

June 18, 2001

To,

The Heads of all National Laboratories/Institutes

Sub:- Fee rates payable to the advocates for cases
of Labour Courts/Industrial Tribunals

Sir,

I am to state that a detailed circular letter No.3(89)/EA-Law dated November 10, 1999 notifying the fee rates for CAT/High Court cases for Sr. Central Govt Standing Counsel/Central Govt Standing Counsel and private Advocates except Sr Central Standing Counsel in Delhi and Madras High Courts/CAT has already been issued.

As regards fee rates payable to the advocates for cases of Labour Courts/Industrial Tribunals, this is to inform you that CSIR has decided the fee as Rs.5000/- (Rupees five thousand only) plus actual expenses uniformly. Further, it has been approved that in all such cases, the fee payable to the advocates will be released as per the following schedule:-

- i) half of the fee will be released on filing of reply and balance on receipt of award/judgement/order,
- ii) in case of tagged matters, full fee in the leading case and one-third of the fee in connected cases will be paid.

The above instructions may be strictly adhered to while engaging advocates and releasing payments to them.

Yours faithfully,

Manju Bagai
(Manju Bagai)
Legal Adviser