
**DDA
FEE BILL
POLICY
2013**



ITEM NO. 123/2013

F 18(6)2013/legal/Adm.

The fee structure and stages of payment were also deliberated upon for each type of proceedings are as under:

1. DISTRICT COURTS

a) Civil Suits

The proceedings in a suit can be easily bifurcated in five stages viz. (i) Pleadings (ii) Framing of issues (iii) Plaintiff's evidence (iv) Defence evidence (v) Final Disposal.

The rough estimate of number of effective hearings in a Civil suit is at least 12. There, of course, are some non effective hearings also. Considering the amount of work and number of hearings, it has been unanimously proposed by the Law Department that the Lawyer's fee can be fixed at Rs. 16,200/- + 10% clerkage + Rs. 1350/- for out of court expenses; over & above, the court fee, if any. The fee payable at the above noted five stages would be Rs. 3375/-, Rs. 2025/-, Rs. 3375/-, Rs. 3375/- & Rs. 4050/- respectively. The P/L shall also be entitled to 10% clerkage at each stage. Consolidated expenses of Rs. 675/- shall be payable at the stage of pleadings and the balance amount of expenses i.e. Rs. 675/- shall be payable at the stage of final disposal. The fee bills at evidence stage shall be paid when a copy of the entire set of evidence is made available by the counsel. Similarly, the fee payable at final disposal shall be on submission of entire case file, opinion and certified copy of the order.

There will be no separate fee for miscellaneous applications.

b) Land Acquisition Reference Probate/Letter of Administration/Transfer Petition/FIR/Cases Under Guardianship /Mediation / Succession cases/Review

i) In Land Acquisition references, It has been unanimously proposed by the Law Department that P/L shall be paid a fee of Rs. 4050/- + 10% clerkage + Rs. 675/- as out of pocket expenses. The fee shall be paid at the stage of (i) filing of W.S. (ii) conclusion of entire evidence and (iii) final disposal. 1/3rd of fee shall be paid at each stage with proportionate clerkage. Expenses shall be payable in equal installment at 1st stage & the final stage. However, fee for Probate/Letter of Administration/Transfer Petition/FIR/Cases under Guardianship/Mediation/Succession cases shall be paid at disposal.

ii) In Execution Petitions under the Land Acquisition Act

Fee payable will be Rs. 2025/- + 10% clerkage and Rs. 675/- as out of pocket expenses. It shall be payable at the disposal of execution petition.

c) **Regular Civil appeal & Misc. Civil Appeal/Appeals before L.G./ Execution (Contempt) other than LAC**

In appeals filed by the DDA, fee has been proposed as Rs. 8100/- + 10% clerkage + Rs. 675/- as out of pocket expenses, payable at two stages, in two equal installments. In appeals where DDA is Respondent, P/L shall be entitled to the fee of Rs. 5400/- + 10% clerkage & Rs. 1350/- as expenses will be payable at the stage of part hearing, if any, and balance amount of Rs. 4050/- at the stage of final disposal, Rs. 338/- towards expenses shall be paid at final stage.

Distt. Forum:- DRT/DRT Appeal/Finance
Commissioner/Labour Court

- d) Initially, there was a difference of opinion as regards the fee for above cases. It was expressed that because of location of certain Forums, time spent in traveling by the Counsels is a discouraging factor. It was, therefore, suggested that amount of fee should be commensurate with the effort involved in traveling to & fro. However, it was unanimously, proposed that consolidated fee of Rs. 10,250/- shall be sufficient. This amount shall include clerkage and out of pocket expenses. The amount shall be payable in three equal installments at the stages of (i) completion of pleadings, (ii) completion of evidences and (iii) final disposal.

However, fee for DRT/FC/Labour Court shall be paid in two stages where reply is not filed in appeal matter of DRT, full fee shall be payable at disposal of DRT appeal.

1. Reply 2. Disposal

e) **Prosecution under the MPD (Enforcement complaints)**

The fee proposed is Rs. 5400/- + 10% clerkage. The amount with proportionate clerkage shall be equally payable at four stages of:-

- i) Framing of charges.
- ii) Conclusion of prosecution evidence.
- iii) Conclusion of defense evidence.

केवल कार्यालय प्रयोग
FOR OFFICE USE ONLY

iv) Final disposal.

Rs. 338/- towards expenses shall be paid at final stage.

f) **Appeals/Revision in the Prosecutions under the MPD.**

A consolidated fee of Rs. 4050/- + 10% clerkage shall be payable at the stage of final disposal, Rs. 338/- towards expenses shall be paid at final stage.

g) **Appeal before the MCD Appellate Tribunals and Appeals under the P.P. Act**

A consolidated fee of Rs. 6750/- + 10% clerkage shall be paid in two stages. Amount of Rs. 1350/- as expenses with proportionate clerkage shall be paid at the stage of summoning of the records. Balance amount of Rs. 5400/- with proportionate clerkage shall be paid after final disposal. Rs. 338/- towards expenses shall be paid at final stage.

h) **Proceedings before the Arbitrator**

Total fee of Rs. 10800/- + 10% clerkage and Rs. 1350/- as expenses shall be payable per case to P/L. Fee in equal installments shall be payable at four stages with proportionate expenses. First stage will be filing of statement of claim or defense. Second installment will be paid at the stage of framing of issues; 3rd installment after the conclusion of entire evidence and 4th installment after the final disposal. ½ of the expenses shall be paid at the first stage and remaining expenses at the last stage.

केवल कार्यालय प्रयोग
FOR OFFICE USE ONLY

Proceedings before Labour Conciliation Officer/AC-1st grade or similar.

Total fee of Rs. 5400/- + 10% clerkage & Rs. 675/- expenses shall be payable to P/L per case. Fee & expenses in two equal installments shall be paid at the stage of pleadings and final disposal.

II **HIGH COURT, STATE CONSUMER DISPUTES REDRESSAL COMMISSION CAT, AND MRTP.**

a) **RFA(OS), RFA, CR, LAA, CCP, OMP, FAO(OS), FAO, Execution Petitions, Review Petitions, Arbitration Applications, Petitions before MRTP, Transfer Petition/Probate.**

In all cases of the above said categories, P/L shall be paid fee of Rs. 8100/- + 10% clerkage and Rs. 675/- as out of pocket expenses. In connected appeals under Land Acquisition Act, fee payable will be Rs. 2700/-. Fee shall be payable equally in two stages. First stage will be at the stage of filing, appeal or reply. Expenses shall be payable equally at both stages. The balance fee with proportionate clerkage shall be payable at the stage of final disposal.

b) **Writ Petitions, RSA, LPA., CM(Main)/Green Tribunal Cr. LPA**

Fee payable is Rs. 11,475/- + Rs. 1350/- as expenses and 10% clerkage. However, in matters where DDA is the Appellant or petitioner, expenses payable will be Rs. 2025/-. Fee shall be payable at two stages and in equal installments. First, it will be at the time of filing of Counter Affidavit, W.S. or appeal, as the case may be. Final installment will be paid at the final disposal. In matters, where DDA is Respondent, expenses shall be paid equally at both stages. In matters where DDA is Appellant or petitioner, expenses of Rs. 1350/- will be paid at the first stage and Rs. 675/- at the final stage.

c) **Civil Suits (O.S.)**

The civil suits which are filed on the original side before Hon'ble High Court invariably have very high stakes and also remain pending for very long. Therefore, it has been unanimously proposed by the Committee, that a suitably high fee structure payable at five stages should be worked out. The consolidated total fee of Rs. 33,750/- + 10% clerkage and Rs. 3375/- as expenses has been unanimously approved. The fee shall be paid in five equal installments with proportionate clerkage and Rs. 675/- as expenses for each stage. The stages shall be the same as carved out in civil suit for Distt. Courts, i.e. 1(a).

d) **OA, (CAT), Appeal or Complaint before the State Consumer Dispute Redressal Commission.**

Fee payable will be Rs. 9450/- + Rs. 1350/- as expenses and 10% clerkage. Fee shall be payable in two stages in equal installments. First stage will be at the time of filing of petition, appeal or counter affidavits. Final installment will be paid at the stage of final disposal.

In case of complaints under Consumer Protection Act, the fee will be payable in three installments at the three stages carved out in para (a). Expenses shall be payable equally at first and the final stage

केवल कार्यालय प्रयोग
FOR OFFICE USE

III. **SUPREME COURT OF INDIA**
SLP/Writ Petitions/Appeals

A total fee of Rs. 33,750/- + 10% clerkage + actual expenses shall be payable to P/L for each case. Fee shall be payable at two stages in equal installments. First stage will be admission stage and 2nd installment at the time of final disposal. Expenses shall be paid as and when incurred. The P/L shall also be entitled to conference fee of Rs. 1485/- for each conference with the Sr. Lawyer.

No separate fee shall be payable for misc. applications directing or settling pleadings or for appearance before Registrar or Hon'ble Chamber Judge.

IV. **NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION & CCI (Competition Commission of India).**

Consolidated fee of Rs. 11475/- + actual expenses and 10% clerkage shall be paid to the P/Ls. The fee shall be paid in two stages in equal installments with proportionate expenses. First stage will at the time of filing appeal or counter. Balance fee shall be paid at the stage of final disposal.

In case of Original Complaint fee and expenses will be payable in three installments at stages carved out in para 1(d).

C. **FEE PAYABLE TO STANDINGS COUNSELS, ADDL. SDG. COUNSELS AND SR. STANDING COUNSELS.**

a) **Standing counsels**

Standing Counsels shall continue to be paid per hearing. The fee structure proposed for Standing Counsels is as under:

i) **Drafting Charges.**

Rs. 2025/- per pleading including W.S., counter affidavit, ground for appeal.

ii) **Other pleadings of misc. nature**

Rs. 675/- per pleading

iii) **Out of pocket expenses.**

a) Typing charges maximum Rs. 21/- per page.

b) Affidavit and photocopying @ Rs. 1/- per page.

c) Cost of obtaining certified copies and affixing stamps under the provision of Court Fee Act.

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

- iv) Rs. 2025/- including clerkage per case per day for effective hearing.
- v) Rs. 675/- per day subject to a maximum of five hearings for non-effective hearings.

Over & above, the fee they shall also be paid Rs. 16,875/- p.m. in lump sum, towards retainer ship. The retainer ship shall be for their appearance on advance notice for hearings prior to entrustment and also towards their visits to Vikas Sadan for discussions with Sr. Officers. No other fixed monthly charges shall be payable.

Standing Counsel as Special Case (Per Hearing)

- (i) Before High Court - Rs. 6075/-
- (ii) Other Court/Legal Forum - Rs. 8100/-
(Outside the premises of High Court)

Fee for Sh. Amrinder Sharan, Senior Advocate, which can be applicable to other senior advocates. (Per Appearance)

- (i) Before Supreme Court of India - Rs. 60,000/-
- (ii) Before Delhi High Court - Rs. 45,000/-
- (iii) Conference - Rs. 27,000/-

Fee for Caveat

- केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY
- (i) District Court -Rs.3,300/- (Including Clerkage)
- (ii) High Court - Rs. 5,500/- (Including Clerkage)
- (iii) Supreme Court - Rs. 7,700/- (Including Clerkage)

| | | |
|----|--------------------------|--|
| 1. | Addl. Sr. Stdg. Counsels | Rs. 14,850/-per appearance for effective hearing including clerkage |
| 2. | Sr. Standing Counsels. | R. 44,550/- including clerkage for per appearance for effective hearing. |

Lawyer Name/ Firm

Office Address

Home Address

Fee Bill

| | |
|--|---|
| Court Name: SC/HC/DF/Distt. Court/ State Commission/ NC/ Any other | |
| Description of Property. | |
| Case No. | |
| File No. | |
| Entrustment Date (Please enclose photo copy of entrustment) | |
| Title of the case | |
| Status of DDA (Appellant or Respondent) | |
| Connected or not (If connected mention main case) | |
| Next Date of Hearing with Stage | |
| Fee which is being claimed with the dates. (Refer to Note - 3) | Dates: Stage: Fee : Clerkage: Expenses: |
| Less the amount (Already received between stage for which bill is being raised & previous stage) | |
| Total - | (In figure) (In words) |
| Gist of proceedings | |

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

Note 3: Details of stages are described in Fee Bill Structure.

Certified that the above amount is in accordance with the terms of engagement/ Fee Bill Policy of DDA.

Pre Receipt:

Signature of Counsel

29.

7 | Page

SYNOPSIS OF FEE STRUCTURE

| S.No. | Heading | Amount | Clerkage | Expenses | Stages |
|--|--|--------------|----------|---|--|
| DISTRICT COURTS | | | | | |
| 1. | Civil Suits | Rs. 16,200/- | 10% | Rs. 675/- at Stage-1 & Rs. 675/- at Stage-5 | 5(Rs.3375 + Rs. 2075 + Rs. 3375+ Rs. 3375+ Rs. 4050) |
| Land Acquisition References | | | | | |
| 1. | Ref. Cases (LAC Cases)/Probate/Letter of Administration/Transfer Petition/FIR/Cases under Guardianship/Mediation/ Succession /Review | Rs. 4050/- | 10% | Rs. 337/- each at stages-1 & 3 | 1350/- 1350/- 1350/- |
| Execution petitions under the Land Acquisition Act | | | | | |
| 1. | Execution in LAC | Rs. 2025/- | 10% | Rs. 675/- at final stages | |
| Regular Civil Appeal & Misc. Civil Appeal/Appeals before L.G./Execution (Contempt) other than LAC cases | | | | | |
| 1. | Appellant | Rs. 8100/- | 10% | Rs. 675/- at both stages | 2 (Rs. 4050 + Rs. 4050) |
| 2. | Respondent | Rs. 5400/- | 10% | Rs. 337/- at final stage | 2(Rs. 1350 + Rs. 4050) |
| 3. | Complaints before District Forums/Motor Vehicle Act claims, Labour Courts/Industrial Tribunals /Cases before Rly. Claims Tribunal/Rent Tribunals/DRT/DRT Appeal/Finance Commissioner | Rs. 10,125/- | | | 3(Rs. 3375 + Rs. 3375 + Rs. 3375) |
| केवल कार्यालय प्रयोग के लिए FOR OFFICE USE ONLY | | | | | |
| 4. | Prosecution under the MPD (Enforcement Complaints) | Rs. 5400/- | 10% | Rs. 338/- at final stage | 4(Rs. 1350 + Rs. 1350+ Rs. 1350 + Rs. 1000) |
| 5. | Appeal/Revision in the Prosecutions under the MPD | Rs. 4050/- | 10% | Rs. 338/- at final stage | Final stage |
| 6. | Appeal before the MCD Appellate Tribunal and | Rs. 6750/- | 10% | Rs. 338/- at final stage | 2(Rs. 1350 + Rs. 5400) |

| Appeals under the P.P.Act./ARC | | | | | |
|--|---|---|----------------|--|--|
| 7. | Proceedings before the Arbitrator | Rs. 10,800/- | 10% | Rs. 675/- at both stages | 4(Rs. 2700 + Rs. 2700+ Rs. 2700+ Rs. 2700) |
| 8. | Proceedings before Labour Conciliation Officer/AC-Ist grade or similar fora | Rs.5400/- | 10% | Rs. 338/- at both stages | 2(Rs. 2700 + Rs. 2700) |
| HIGH COURT, STATE CONSUMER DISPUTES REDRESSAL COMMISSION CAT. AND MRTP: | | | | | |
| 1. | a)RFA(OS), RFA, CR, LAA, CCP, OMP, FAO(OS), FAO, Execution Petitions, Review Petitions, Arbitration Applications, Petitions before MRTP/Transfer Petition/Probate | Rs. 8100/- (Rs. 2700/- for connected appeals under L.A.Act) | 10% 10% | Rs.338/- at both stages -do- | 2 (Rs. 4050 each) 2(Rs. 1350/- each) |
| 2. | C.M.(main), Writ Petitions, RSA, LPA/Green Tribunals/Cr. LPA | Rs. 11,475/- | 10% | Rs.675/- at both stages when DDA is petitioner or appellant, extra expenses of Rs. 1350/- will be payable at Ist stage | 2 (Rs. 5737/- each) |
| 3. | Civil Suits (O.S.) | Rs. 33,750/- | 10% | Rs. 675/- at each stage (5 stages) | 5 (Rs. 6750/- at each stage) |
| 4. | OA, (CAT), Appeal or Complaint before the State Consumer Dispute Redressal Commission | Rs. 9450/- | 10% | Rs. 675/- at stage 1 & Rs. 675/- at final stage | 2 (Rs.4725/- each) For original complaints (Rs. 3105/- + Rs. 3105/- + Rs. 3240/-) |
| 5. | SUPREME COURT OF INDIA | Rs. 33750/- | 10% | Actual expenses | 2(Rs. 16875/- at |

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

| | SLP/Writ Petitions/Appeals | | | as & when incurred (Rs. 1485/- for each conference with Sr. Lawyer) | each stage) |
|--|-------------------------------|-----------------|-----|---|---|
| NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION/CCI | | | | | |
| 1. | Appeal | Rs. 11,475/- | 10% | Actual expenses as & when incurred | 2(Rs. 5738/- at each stage) |
| 2. | Original complaints | Rs. 11475/- | 10% | Actual expenses as & when incurred | 3(Rs. 3825 + Rs. 3825 + Rs. 3825) |

RESOLUTION

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY,

1. The Authority noted that in many cases panel lawyers of DDA are not attending court cases assigned to them.
2. Shri Subhash Chopra stated that in some cases counsels are not being paid their fees timely.
3. Shri Jitender Kochar stated that while some panel lawyers are being assigned numerous cases, other panel lawyers are not being entrusted with any matter. Besides, many panel lawyers have not been able to get favourable judgments in most cases.
4. Hon'ble Lt. Governor stated that the work of the Legal Department of DDA needs to be monitored very closely and all cases should be reviewed. A list of cases where DDA counsels were not present during court proceedings should also be compiled.
5. Proposals contained in the agenda item were approved by the Authority.

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

DELHI DEVELOPMENT AUTHORITY
LAW DEPARTMENT

Notes

1. CLA can engage/appoint A/G, S/G, ASG considering the nature/gravity of the case, up to the maximum of Rs-5 lac per appearance/per opinion & Rs. 75,000/- each conference & 10% clearkage.
2. CLA can also appoint/engage senior advocate/or a counsel as special counsel up to the maximum of Rs. 4 Lac per appearance/per opinion & Rs. 50,000/- per/each conference, 10% clearkage alongwith other actual expenses.
3. LAC matter/LAC execution matter shall continue to be treated as separate matter.
4. In the cases where proceedings/order sheet/orders are written verbatim/in same words shall also be treated as separate matters despite taken on the same day/date, if taken up separately by the court and decided separately.
5. In cases where counter/W.S./Reply/Appeal were filed separately even in connected matters, drafting charges shall be payable separately alongwith expenses thereto.
6. Old bills/duplicate bills or other pending bills of P/L/Sr. Advocate/Ex. P/L irrespective of their date of claim/submission be cleared to avoid any dispute/litigation.
7. In appeal/contempt/execution matters, filing of Reply is not mandatory.
8. In case special efforts were put in or voluminous work were carried out, CLA can suitably enhance the fee.
9. CLA can appoint any counsel as special counsel including panel advocate considering the nature/gravity of the case and determine his fee up to the maximum limit of Rs. 55,000/- Per case, Rs. 11,000/- per conference, 10% clearkage + Other expenses. This fee shall be payable in two stages, ½ at the time of filing Reply/Appeal & remaining ½ at the disposal or otherwise decides by CLA.
10. Actual expenses can be sanctioned by CLA.

11. If any C.M./Application is move in decided cases, that would be treated as fresh case, & ½ of the main case shall be payable. In case of suit payment of final stage shall be payable.
12. In case where DDA files SLP/Appeal/WPC, consequent upon filing of SLP/Appeal/WPC by DDA ½ of fee shall be payable, Similarly, if DDA files reply/counter affidavit in which DDA is respondent in SLP/Appeal/WPC, ½ of fee also be payable to P/L
13. If a case is entrusted to P/L where only summon witness is issued to DDA, only one stage shall be payable:
14. In the cases where evidence of UOI/other deptts. is adopted by the DDA's counsel in the interest of DDA, fee for that particular stage shall be payable.
15. In the event of the case is dismissed/disposed of on technical ground such as 7(11) of CPC etc, P/L shall be entitled to the fee for the stages at which disposal takes place or half of the total fee, whichever is higher.
16. Inspection charge shall be Rs. 750/- alongwith other expenses for obtaining certified copies.
17. P/L shall continue to be entitled for the fee of that particular stage if that is attended by his associate/proxy in the interest of Authority, although it is always desirable P/L must attend the court himself (Applicable in stagewise payment). In case proxy/associate of standing counsel appears. 60% of the fee shall be payable.
18. The counsel shall submit the fee within three months from the date of its accrual. However, he can also submit the fee bill of the case on the disposal of the case in one go claiming entire stages/dates of the case within such prescribed time. CLA can condone the delay in submission of bills.
19. If more than one stage concludes on a particular date fee of each stage shall be payable.
20. In cases where fee is payable only at the time of disposal, such as LAC execution cases etc, if that case goes into dismiss in default/or sine die, ½ of the total fee shall be payable.

केवल कार्यालय

FOR OFFICE USE

21. In connected matters, fee shall be paid @ ½ of the main case, for each connected case.

22. Fee for each stage shall be paid after the concluding of that stage and on furnishing copy of the proceedings or certified copy of the final order/Internet Copy /Inspected Copy.

23. If the counsel appears at the instance of the DDA for parties other than the DDA whose case is not in consistent with that of the DDA; he will be entitled to only one set of fee.

24. For any other work not covered under the proposal, the panel lawyer will be paid fees as determined by the Chief Legal Advisor.

25. In the event of a matter being disposed of as compromised or withdrawn/settled through mediation or otherwise; P/L shall be entitled to the fee for the stage at which disposal takes place or half of the total fee; whichever is higher.

26. Proceedings shall qualify for effective hearing even when the matter is heard in part.

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

27. In the matter where the part payment has already been made as per the previous fee structure, the new fee structure shall be applicable from the day of its notification/approval. The fee already paid shall be synchronized with the present stage of case. P/L shall be paid the amount for the stage at which the case shall be at the time of promulgation of the new fee structure. If the counsel has been paid higher amount, the same shall not be withdrawn. He shall be entitled to the next fee for the next stage.

28. All pending bills be cleared on above Notes, however, rates shall be applicable as mentioned in respective policies in vogue at relevant time. If no case finds mention in the policy applicable w.e.f. 01-04.2010 but mentioned in this New Fee Bill Policy, fee of such cases shall be determined after reducing 35% increment component from fee prescribed for such cases in New Fee Bill structure.

29. In the event of any doubt or difference regarding the fees, or fee of any legal forum/quashi judicial authority, the fees determined by the chief Legal Advisor shall be final and binding. He may by an order in writing, relax any of the provisions contained in the scheme.