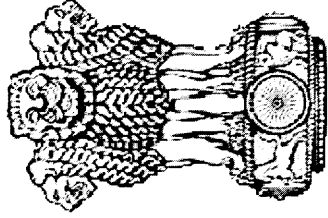


High Court of Ehattisgarh



HIGH COURT OF CHHATTISGARH
MIDDLE INCOME GROUP LEGAL AID SOCIETY
छत्तीसगढ़ उच्च न्यायालय मध्यम आय वर्ग
विधिक सहायता समिति

OFFICE : C.G. High Court Legal Services Committee, Bilaspur, Chhattisgarh – 495220

कार्यालय- छ०ग० उच्च न्यायालय विधिक सेवा समिति, बिलासपुर (छत्तीसगढ़)

Registered under Chhattisgarh Societies Registration Adhiniyam, 1973

email : cghcmigsociety@gmail.com

संपर्क - उच्च न्यायालय विधिक सेवा समिति,

छत्तीसगढ़ उच्च न्यायालय , बोदरी बिलासपुर

फोन नंबर - ०७७५२-२४१०२३

सहयोग - छत्तीसगढ़ राज्य विधिक सेवा प्राधिकरण,

विधिक सेवा मार्ग बिलासपुर,

फोन नंबर - ०७७५२-४१०२१०

MIDDLE INCOME GROUP SCHEME

This scheme provides legal services to the middle income group citizens i.e. citizens whose gross income is not exceeding Rs. 5,00,000/- P.A.

DEFINITION

The Scheme is known as " CHHATTISGARH HIGH COURT MIDDLE INCOME GROUP LEGAL AID SCHEME" . The scheme is self supporting and the initial capital of the Scheme shall be contributed by the first Executive Committee.

SCHEDULE

The schedule of fee and expenses as appended to the Scheme shall be in force and is liable to be amended by the Society from time to time.

THE OFFICE BEARERS OF THE SCHEME .

Under the Rules and Regulations of the Society, the Chief Justice, High Court of Chhattisgarh shall nominate a sitting judge of the Chhattisgarh High Court to be the President and the Advocate General of Chhattisgarh shall be the Ex-Officio Vice President of the Society. Eleven Members of the Executive Committee including the Secretary and the Treasurer shall be the members of the Executive Committee for a period of three years. On expiry of the said period, or at any time earlier as think fit by the Hon'ble Chief Justice, High Court of Chhattisgarh the executive committee may be re-constituted in consultation with the Hon'ble Chief Justice, High Court of Chhattisgarh in consultation with the President of the Society can nominate the Secretary and the Treasurer of the Society from amongst the members of the Executive Committee.

The office bearers of the Scheme shall meet at least once in two months or earlier if so deemed / expedient and necessary.

GOVERNING BODY

The names, occupation and designation of the members of the Governing Body to whom the management of the Society is entrusted as required under section 3(a) of the Chhattisgarh Societies Registration Adhiniyam, 1973, as applicable to the State of Chhattisgarh are as follows :-

Sr.No	Name	Designation
1	Hon'ble Mr. Justice Deepak Gupta, Chief Justice, High Court of Chhattisgarh	Patron-in-Chief
2	Hon'ble Mr. Justice Goutam Bhaduri, Judge, High Court of Chhattisgarh	President
3	Mr. Jugal Kishore Gilda, Advocate General, Chhattisgarh	Ex-officio President
4	Mr. Shashank Thakur, Advocate, High Court of Chhattisgarh	Secretary
5	Mr. Rahul Tamaskar, Advocate, High Court of Chhattisgarh	Treasurer

Member

1	Dr. N. K. Shukla, Sr. Advocate, High Court of Chhattisgarh	Member
2	Mr. Koshram Sahu, Advocate (Chairman, State Bar Council, Chhattisgarh)	Member
3	Mr. Rajeev Shrivastava, Advocate, High Court of Chhattisgarh	Member
4	Mr. Narendra Kumar Vyas, Advocate (Additional Solicitor General, Chhattisgarh)	Member
5	Mr. Yashvant Thakur, Advocate, High Court of Chhattisgarh	Member
6	Mr. Manoj Pranjape, Advocate, High Court of Chhattisgarh	Member
7	Ms. Deepali Pandey, Advocate, High Court of Chhattisgarh	Member
8	Mr. Amrito Das, Advocate, High Court of Chhattisgarh	Member
9	Mr. Prasun Bhaduri, Advocate, High Court of Chhattisgarh	Member

10	Ms. Astha Shukla, Advocate, High Court of Chhattisgarh	Member
11	Mr. Animesh Verma, Advocate, High Court of Chhattisgarh	Member

2. The Scheme will be applicable for case intended to be filed or defended in High Court of Chhattisgarh.
3. The rates of fee payable to an Advocate or to a Senior Advocate (if engaged at the request of the litigant) will be such as indicated in the Schedule appended to this Scheme as applicable from time to time.
4. There will be a panel of Advocates under the Scheme. While drawing up the panel care shall be taken to include one Advocate well conversant with written and spoken hindi and one advocate well conversant in understanding and communicating in frequently used local dialect / dialects in the state of Chhattisgarh.

The panel Advocates shall give an undertaking in writing that they will abide by the terms and conditions of the Scheme upon assignment of a case under the Scheme.

5. Every person who desires to avail of the services of an Advocate empaneled under the Scheme will have to approach the Secretary of the Scheme by filing an application in the prescribed form annexed hereto along with the relevant documents.
6. As soon as the papers are received they would be assigned to any of the empaneled advocate under the scheme by the C.G. Middle Income Group Legal Aid Society. In case the learned Advocate after perusing them opines in writing that this is not a fit case on merits or stands covered by an earlier decision, in that view of the matter the applicant will not be entitled to be benefit of the Scheme. Upon such as endorsement being made either upon the case papers or in any accompanying letter, the Chhattisgarh High Court Middle Income Group Legal Aid Society shall return the papers forthwith to the applicant and deduct a sum of Rs. 750/- only towards service charges. The balance amount of service charges and the amounts which may have been deposited by the applicant with the Committee towards appropriation as fee and all

expenses in the conduct of the case will be refunded. If the learned Advocate after examining the matter is satisfied that it is a fit case to be proceeded with, then the Middle Income Group Legal Aid Society will proceed to take the view that an applicant is entitled to legal aid. The view expressed by the Learned Advocate will be final in so far as the eligibility of the applicant for obtaining the benefit of the Scheme is concerned.

7. The applicant may indicate any 3 names out of the empaneled advocates both in relation to the Advocate or the arguing Counsel or the Senior Counsel as the case may be in the order of preference from out of the panel maintained by Society. The Society would, to the extent possible attempt to honour the choice indicated. However, the final right to assign the papers of the applicant under the Scheme to any Advocate or the arguing Counsel or Senior Counsel will remain with the Chhattisgarh High Court Middle Income Group Legal Aid Society.

8. Any intending litigant desirous of availing the benefit of the Scheme shall have to fill up the form prescribed and accept all the terms and conditions contained therein. The proforma shall also contain a schedule of fee and expenses as application from time to time. A sum of Rs. 750/- shall be payable to the Chhattisgarh High Court Middle Income Group Legal Aid Society (CGHCMIGLAS) as service charges. The schedule shall indicate the fee payable for various items of work and shall also indicate the Court fees and the approximate expenses for preparation of the Court record. The applicant shall have to deposit the fee indicated by the Secretary, which will be in accordance with the schedule attached to the Scheme. The **Secretary** will register the case under the MIG Legal Aid Scheme and proceed to forward the papers to the Advocate/ Arguing Counsel/Senior Counsel on the panel for opinion.

The Secretary will upon a perusal of the papers determine as to what would be the approximate amount necessary for the purpose of such preparation of the Court records for filing, and in accordance with the schedule indicate the same to the applicant. If, however, for any reason, the amount which is due to the learned Advocate under the scheme exceeds the amount indicated by the Secretary then the applicant will be duty bound to make good the difference upon the Secretary certifying it to be so under the Scheme.

9. That the Executive Committee of the Scheme will open a S.B. Account with the State Bank, of India, High Court Compound in the name of "Chhattisgarh High Court Middle Income Group Legal Aid Society". The account will be operated jointly by the Secretary and Treasurer of the Society.

- 10.** All sums received under the scheme including grants in aid will be accounted for by a person to be nominated in that behalf and duly audited.
- 11.** The amount so received under the Scheme will be used to defray all the expenses including the salaries and all expenses duly approved by the Executive Committee.
- 12.A** Contingent Fund of the Scheme will be created to meet the miscellaneous expenditure in connection with the case under the Scheme by requiring the applicant under the Scheme to deposit up to the stage of admission, a sum of Rs. 750/- per case in addition to the charges required to be deposited with the Society, out of this contingent fund, the fee of the auditor for auditing the account, printing of forms of application, vakalatnama, affidavit of facts, postal charges, binding of registers for maintaining account etc., shall be made. Thus, at the time of handling over the case papers, the applicant will have to make payment of the estimated fee, expenses that are indicated by the Secretary as well as a sum of Rs. 750/-.
- 13.** The amount indicated by the Secretary on the basis of the estimate details shall be deposited by the applicant in cash or by way of a Bank Draft. In the event of the learned Advocate taking the view that the case is not fit for perusing before the High Court, then the entire amount after deduction Rs. 750/- towards minimum service charges of the Committee shall be refunded to the applicant by way of cheque.
- 14.** The initial expenses for printing of forms and other office expenses would be borne by initial corpus of the Scheme.
- 15.** The pattern of payment of fee to the Advocates under the Scheme will be same as per the schedule as applicable from time to time.
- 15.A** What documents are required from the litigants in approaching the High Court of Chhattisgarh :-

The applicants are required to submit the applications forms to the CG-MIG Legal Aid Society along with full documentations. For instance, if he / she seeks to file an appeal/ Revision/ Petition against the Order/ Judgment of the subordinate court, he/ she is required to submit a certified copy of the order/Judgment of the subordinate Court and other relevant documents including (Petition copy filed by him/her that case and other relevant documents. If this are in a language other than English, translated copy if required) copy of complaints, petitions, written statements/ miscellaneous applications etc.

16. On the assigning of a case to an Advocate under the Scheme the intending litigant will be directed to deposit with the Society the fee and expenses as per schedule as assessed by the Secretary. The payment to the Advocate or the service charges payable to the Scheme as stated in the schedule shall be in cash or bank draft.

The Advocate shall submit his bill on the basis of the amounts prescribed in the schedule with regard to printing , Court fee and his appearance fee along with a copy of the filing memo in token of a proof of filing the case for which the claim is made. The Advocate will inform the Society about the admission of any matter so that the client can be requested to pay the fee for processing the Appeal, without which information it will not be possible for the Committee to recover the amount from the client and pay to the Advocate on hearing of the case. The fee to the Advocate in regular matter shall be made on receipt of a bill from the Advocate at the time of the conclusion of the final hearing of the matter.

17. (In C.G.H.C-MIG Legal Aid Scheme) ---- The Advocates who are made members of the Governing Body or Executive Committee is willing to appear/conduct a case allotted by the society he/she shall not charge any remuneration from the society or litigant except the actual expenses. However, they would be entitled to continue with the cases already allotted to them/ him before being nominated as member of the Governing Body or Executive Committee .

18. Once the case is assigned to an Advocate it will be the responsibility of the Advocate to deal with the matter as he/she deems fit in the interest of the client and the Advocate is required to communicate directly with the litigant and the Society will not monitor the progress of the case. The Society will however, enquire into the grievance about the manner of handling of case by any Advocate assigned with the case by the Society. That will be the limited liability of the Society. The Society will examine the complaints received in writing.

19. After a complaint is received by the Society from the litigant and/ or the concerned Advocate against the litigant / Advocate then the Committee after enquiry may take such action as is deemed fit and necessary.

20. If the Advocate who is appointed under the Scheme is found negligent in the conduct of the case entrusted to him, then he will be required to return the brief together with the fee which may have been received by him from the applicant under the Scheme.

Further, the Society would not be responsible for the negligent conduct of the case but the entire responsibility will that be of the Advocate vis-a-vis the client. The name of the Advocate would however, be struck off from the panel prepared under the Scheme.

SCHEDULE OF FEES FIXED FOR ADVOCATES/SR. ADVOCATES AND OTHER OUT OF POCKET EXPENSES.

A. APPEARING ON BEHALF OF THE PETITIONER :

1. Honorarium for drafting and filling Writ Petition/ including list of dates and miscellaneous applications such as Stay, Exemption, Bail, Condonation of delay including appearance, conferences with the client and also for drafting rejoinder affidavit and / or contesting matter after notice is issued by the Court and till the disposal of the matter and the notice stage including acting work and adjournment excluding final disposal at notice stage.

Consolidated Rs. 6,000/-

2. Honorarium for hearing of the matter at Final stage for effective hearing (inclusive of adjournment if any, and/or at appeal stage.)

Rs. 2000/- per day
upto maximum of Rs. 6000/-

3. Honorarium for drafting and filing transfer petition including list of dates and miscellaneous applications including appearance, conference with the client and also for drafting rejoinder affidavit and/or at contesting matter after notice is issued by the court and till the disposal of the matter at the notice stage including active work and adjournment (excluding final disposal at notice stage)

Consolidated Rs. 3000/-

B. APPEARING ON BEHALF OF THE RESPONDENT :

1. Honorarium for drafting counter affidavit/statement of objections, and all other necessary application, including application for vacating stay and appearance inclusive of all conferences, up to admission stage, excluding final disposal at notice stage,

Consolidated Rs. 6,000/-

2. Honorarium for hearing of matter at final disposal stage including adjournment, if any, and/or at appeal stage.

Rs. 2,000/- per day
upto a maximum of Rs. 6,000/-

C. HONORARIUM FOR SENIOR ADVOCATES :

1. Honorarium for settlement of Writ Petition/Transfer Petition/Counter Affidavit /Re- joinder Affidavit /Statement of Objections including conferences etc.

Consolidated Rs. 2,000/-

2. Honorarium for appearance at the admission stage/after notice.

Rs. 3,000/- per appearance upto a maximum of Rs. 9,000/-

3. Honorarium for appearance at Final Disposal/Appeal stage.

Rs. 5000/- per appearance upto a maximum of Rs. 10,000/-

D. SCHEDULE OF RATES FOR OUT OF POCKET EXPENSES.

1. Photocopy Charges-Rs.1.00 per page

2. Steno Charges- Rs. 10/- per page

3. Paper Book binding- Rs. 15/- each

4. Computer Typing(Ordinary Print)

i) For original computer print-12/- per page

ii) For additional pages-Rs. 2 per page

5. Computer Typing (Laser Print)

i). For original computer print-Rs. 15/- per page

ii). For additional pages-Rs.5 per page

E. Court fee payable on petition as per the Chhattisgarh High Court Rules 2007 as amended up-to-date.

F. Service charges of the Committee Rs. 750/-