OFFICE - M.P. High Court Legal Services Committee, Administrative Block, Jabalpur Madhya Pradesh-482 001

Registered under M.P. Society Registriskaran Adhiniyam, Registered Act1973 (44 of 1973)
(The donation to the Society is exempted under Section 80 G of the Income Tax Act, 1961 )
Telephone No. 0761-2720380, 2622674 2626734, Fax No.2626859 e-mail id - mphc@nic.in

M.P. सोसायटी अड्डीकरण अधिनियम, 1973 के अंतर्गत पंजीकृत (1973 का 44)
(आयकर अधिनियम 1961 की पारा 80 G जी अंतर्गत समिति को प्रदाता दान पर छूट प्राप्त है)
दूरभाष - 0761–2720380, 2622674 2626734, फैक्स – 2626859 ईंमेल – mphc@nic.in
This scheme to provide legal services to the middle income group "citizens" i.e. citizens whose gross income is not exceeding Rs.75,000/- (Rupees Seventy Five Thousand) p.m. or Rs.9,00,000/- (Rupees Nine Lakhs) p.a.

DEFINITION.
(a) The Scheme is known as "HIGH COURT OF MADHYA PRADESH 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.
(b) The expression "Society" means the High Court of Madhya Pradesh Middle Income Group Legal Aid Society registered under the M.P. Society Registrakaran Adhiniyam, 1973 (44 of 1973).

SCHEDULE OF FEE
The schedule of fee and expenses as appended to the SCHEDULE OF FEE the Society from time to time.

CONSTITUTION OF EXECUTIVE COMMITTEE
THE OFFICE BEARERS OF THE SCHEME - Under the Rules and Regulations of the Society, the Chief Justice shall nominate a sitting Judge of the High Court to be the President and the Advocate General 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 thought fit by the Hon’ble Chief Justice can re-constitute the Executive Committee. The Hon’ble Chief Justice 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 Registration Act, 1973, as applicable to the State of M.P. are as follows: -

1. Hon’ble Mr. Justice A.M. Khanwilkar, Chief Justice of Madhya Pradesh
   Ex-officio Patron-in-Chief
2. The Scheme will be applicable for case intended to be filed in the High Court.

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 including Advocate-on-Record under the Scheme. The empanelled 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 empanelled under the Scheme shall apply through the Secretary by an application in the prescribed form annexed hereto along with the relevant documents.

6. As soon as the papers are received/presented in the office of the Society along with the eligibility certificate, the same should be assigned, as far as possible, to the Advocate-on-Record of the choice of the applicant under the scheme not later than one week.

7. In case, the Advocate after perusing the papers assigned to him opines that the case is not a fit case for pursuing
before the High Court, the applicant will not be entitled
to the benefit of the Scheme. Upon such an endorsement being made either upon the case papers or
in any accompanying letter, the Society shall return the
papers forthwith to the applicant within one week after
deducting a sum of Rs. 500/- (Rupees Five Hundred) towards service charges. The balance amount of service charges and the amounts which may have been deposited by the applicant with the Committee towards fee and expenses in the conduct of the case will be refunded forthwith by cheque. If the Advocate-on-Record after examining the matter is satisfied that it is a fit case to be proceeded with, then the Society will process the claim, if the applicant is eligible for legal aid under the scheme.

The view expressed by the Advocate-on-Record will be final in so far as the feasibility for obtaining the benefit of the Scheme is concerned.

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

The Society will assign the cases to Advocates in equal number as far as practicable, exception being of specialized subject of the concerned Advocate and group matters. The group cases will be treated as one unit for disbursal of fees. The Advocate, however, will be entitled to drafting fees and actual expenses on case to case basis.

Any 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 applicable from time to time. A sum of Rs. 500/- (per case) shall be payable to the High Court Middle Income Group Legal Aid Society (HCMIGLAS) as service charges. The schedule shall indicate the fee payable for various items of work and shall also indicate the number as far as practicable, exception being of specialized subject of the concerned Advocate and group matters. The group cases will be treated as one unit for disbursal of fees. The Advocate, however, will be entitled to drafting fees and actual expenses on case to case basis.

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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. It is the Secretary, who will cause to register the case under the MIG Legal Aid Scheme to deposit up to the stage of the case under the Scheme by requiring the applicant per case, for that purpose in addition to the charges and expenses duly approved by the Executive Committee.

In relation to the approximate expenses for preparation of the Court record, the Secretary, upon perusal of the papers, determine as to what would be the approximate amount necessary for the purpose of such preparation of the Court record, and in accordance with the schedule indicate the same to the applicant. If, however, for any reason, the amount which is due to the Advocate-on-Record 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 within one week from the demand, failing which it will be open to the Society to return the case papers to the party after deducting all expenses and fees incurred by the Society or Advocate as the case may be.

That the Executive Committee of the Scheme will open 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.500/- (Rupees Five Hundred) per case, for that purpose in addition to the charges and expenses duly approved by the Executive Committee.

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The amount so received under the Scheme will be used to defray all the expenses including the salaries and expenses duly approved by the Executive Committee.

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.

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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, postage, telephone/postal charges, binding of registers for maintaining account etc., shall be made. Thus at the time of submitting the case papers, the applicant will have to make payment of the estimated fee and expenses that are indicated by the Secretary as well as the miscellaneous expenses of Rs. 500/- per case.

18 The initial expenses for printing of forms and other office expenses would be borne from the initial corpus of the Scheme.

19 What documents are required from the litigants in approaching the High Court - The applicants are required to submit the applications forms to the MIG Society along with full documentation. For instance, if he/she seeks to file a petition/appeal against the order of the subordinate Court, he/she is required to submit a certified copy of the order of the concerned Court, Petition copy filed by him/her in that Court, copies of the subordinate Court judgments/order and other relevant documents. If these are in a language other than English, translated copies thereof as and when demanded.

20 On assigning the case to an Advocate under the Scheme, the applicant will be directed to deposit with the Society amount towards fees and expenses as per the schedule and 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-on-Record 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 the proof of filing the Petition / Appeal for which the claim is made. The Advocate will inform the Society about the admission of any matter so that the party can be requested to pay the fee for processing the case, without which information it will not be possible for the Committee to recover the amount from the party and defray the payment 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.

21 Once the case is assigned to an Advocate it would 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. The Society will not monitor the progress of the case. The Society will however, enquire into the grievance about the manner of handling of cases by any Advocate assigned with that case by the Society. That will be the limited liability of the Society. The Society will examine the complaint received in writing.

22

The Advocates who are made members of the Governing Body or Executive Committee will not be empanelled so long as they hold that office. Similarly, the advocates attached to the office of those Advocates (Members of the Governing Body or Executive Committee) will not be empanelled or allotted any work. Provided, 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.

23

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. 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, with further liberty to the applicant to proceed personally against the Advocate as per law.

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 FEE FOR ADVOCATE ON RECORD / ADVOCATES.

A) APPEARING ON BEHALF OF PETITIONER

1) Honorarium for drafting and filing Writ Petition /Appeal/ Revision/Application including list of dates and miscellaneous application such as stay exemption, bail, condonation of delay including appearance, conferences with the party & 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. 5,000/-

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

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

B) APPEARING ON BEHALF OF THE RESPONDENT

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

   ....Consolidated Rs. 5000/-

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

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

C) HONORARIUM FOR SENIOR ADVOCATES

1) Honorarium for settlement of SLP/Writ Petition/Transfer Petition/Counter affidavit/Rejoinder Affidavit/Statement of objection including conference etc.

   ....Consolidated Rs. 2000/-

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

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

3) Honorarium for appearance at final disposal/appeal stage.

   ....Rs. 6000/- per appearance

अभिलेख अधिवक्ता (एड्डोकेट–अन–रिकार्ड) / अधिवक्ताओं हेतु फीस की अनुसूची

अ. याचिकाकार्य की ओर से प्रस्तुत होने पर –

1) दिल याचिका / अपील / पुनरीक्षण / आदेश के प्रारूप बनाने व दाखिल करने, विषयों की सूची तथा प्रारूप आदेशों जैसे स्थान, मूल, जमानत, उपस्थिति को सम्मिलित करते हुए दिलब हेतु विधान, पाकिस्तान के राष्ट्र विवाद–शंका एवं प्रतिसार शपथ—पत्र बनाने एवं व्याख्याता हेतु जारी सूचना के प्रस्ताव वहस हेतु मामले एवं प्रकरण के निराकरण होने तक एवं कार्यकारी कार्य एवं स्थान को सम्मिलित करते हुए सूचना तर जिससे बोर्ड का अंतिम निराकरण सम्मिलित नहीं है, हेतु मामलेदेह।

सम्मिलित राशि रू. 5,000/–

2) अंतिम निराकरण सर्ग पर मामले की सूचना के लिये, स्थान को मिलाते हुये, यदि कोई हो एवं / अंतिम अपील सर्ग पर मामलेदेह।

सम्मिलित राशि रू. 2000/– प्रौढिन हितविक राशि रू. 6000/– तक

ब. प्रश्ननीय की ओर से प्रस्तुत होने पर –

1) प्रतिसार शपथ–पत्र के प्रारूप बनाने / प्रश्ननीय कथन एवं अन्य समस्त आवश्यक आदेशों जिनमें स्थान रद्द करने एवं उपस्थिति समस्त समस्तों को मिलाते हुये, विधायक सत्र पर अंतिम निराकरण को अपयोजित करते हुए स्वीकृत सत्र तक मामलेदेह।

सम्मिलित राशि रू. 5,000/–

2) अंतिम निराकरण सर्ग पर मामले की सूचना के लिये, स्थान को मिलाते हुये, यदि कोई हो एवं / अंतिम अपील सर्ग पर मामलेदेह।

सम्मिलित राशि रू. 2000/– प्रौढिन हितविक राशि रू. 6000/– तक

ग. विवेक अधिवक्ताओं हेतु मामलेदेह –

1) विवेक–अनुमति–याचिका / दिल–याचिका / स्थानांतरण याचिका / प्रतिसार शपथ–पत्र जारी अपवाद कथन हेतु मामलेदेह।

सम्मिलित राशि रू. 2000/–

2) स्वीकृत सत्र पर / विवाद के प्रश्ननीय श्लोक हेतु मामलेदेह

सम्मिलित राशि रू. 5000/– प्रति पेशी हितविक सम्मिलित राशि रू. 10000/– तक

3) अंतिम निराकरण / अपील सत्र पर पेशी हेतु मामलेदेह

सम्मिलित राशि रू. 6000/– प्रति पेशी
D) SCHEDULE RATES FOR OUT OF POCKET EXPENSES.

Photocopy charges
100 paisa per page
Rs. 10/- per page
Paper book binding
Rs. 15/- each

Computer typing (Ordinary print)
(i) For original computer print Rs. 10/- per page
(ii) For addl. Pages Rs. 1/- per page

Computer typing (Laser print)
(i) For original computer print Rs. 15/- per page
(ii) For addl. Pages Rs. 1/- per page

Court fee payable on petition as per the High Court Rules, 2008 as amended up to date.

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**Adikaram Samakikrit Rashi Rs. 18000/- tak**

**Bh. Bahay Khawon Hetu Anusuchh Ki Dar---**
Prattilig Shuktak - Rs. 1/- Pratt Posch
Aapnolagal Shuktak - Rs. 10/- Pratt Posch
Abhilekh Pratishtha Jildsajee - Rs. 15/- Pratt Jildsajee

**Kompooter Taksan (Samaanvy Mudran)**
1) Mool Kompooter Pratt Hetu - Rs. 10/- Pratt Posh
2) Antarikta Posh Hete - Rs. 1/- Pratt Posh

**Kompooter Taksan (Lajjar Mudran)**
1) Mool Kompooter Pratt Hetu - Rs. 15/- Pratt Posh
2) Antarikta Posh Hete - Rs. 1/- Pratt Posh

**Nyayalaal Fioos, Uchch Nyayalaal Niyam, 2008 ke Adhavan Sanshayan Anusar Yavikaa par Dey Hogy**

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A nation's greatness is measured by how it treats its weakest members.
- Mahatma Gandhi, humanitarian and civil rights leader (1869-1948).

बालक, बन्दी, निर्धन, मनोरोगी व महिला,
विधिक सहायता में इनका हक पहला॥

मध्यम वर्ग अब आगे आये,
विधिक सहायता का लाभ उठाये॥

अब न्याय से कोई न बचित होगा,
चाहे कितना भी निधन होगा॥

बिधिक सहायता का फैला उजियारा,
मध्यम आय वर्ग को भी भिला सहारा;

Equal justice under law is not merely a sound bite. It’s the cornerstone of the Supreme Court building. It’s perhaps the most important element of our justice system and because of that, it’s a cornerstone of America’s democracy.

- Lewis Powell, Jr. (U.S. Supreme Court Justice)