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**THE HIGH COURT OF MADHYA PRADESH (MIDDLE INCOME
GROUP) LEGAL AID SOCIETY**

FAQ

ON

**THE HIGH COURT OF MADHYA PRADESH (MIDDLE INCOME GROUP)
LEGAL AID SCHEME**

Published by:

THE HIGH COURT OF MADHYA PRADESH

(MIDDLE INCOME GROUP) LEGAL AID SOCIETY

HIGH COURT CAMPUS, JABALPUR (M.P.)

**THE HIGH COURT OF M.P. (MIDDLE INCOME GROUP) LEGAL AID
SCHEME**

Q.1 What is middle income group scheme?

This scheme provides legal aid to the middle income group citizens i.e. whose gross income does not exceed Rs. 9,00,000/- per annum.

Q.2 Who are the office bearers of the High Court of M.P. (Middle Income Group) Legal Aid Society?

SL.N.	NAME OF THE OFFICE BEARERS	DESIGNATION IN SOCIETY
1	Hon'ble the Chief Justice of High Court of Madhya Pradesh	Ex-officio Patron-in-Chief
2	Hon'ble Mr. Justice S.K. Seth, Judge, High Court of Madhya Pradesh	Ex-officio President
3	Advocate General of State of Madhya Pradesh	Ex-officio Vice-President
4	Shri Alok Vagrecha, Advocate	Honorary Secretary
5	Shri Siddharth Seth, Advocate	Honorary Treasurer

Q.3 With respect to which Court, this scheme is applicable?

The scheme will be applicable for cases intending to be filed in the High Court of Madhya Pradesh.

Q.4 What is the process of availing benefits under the Scheme?

Any litigant desirous of availing legal aid under the Society, will have to approach the Secretary of the Society by filing an application in the prescribed proforma as approved from time to time by the Executive Committee, alongwith the relevant documents. As soon as the papers are received they would be assigned to an empanel advocate indicated by the applicant. In case the Advocate, after perusing the papers opines that the case is not a fit case to file petition before the High Court of Madhya Pradesh, in that case, the applicant will not be entitled to the benefit of the scheme. Upon such an endorsement being made, the High Court Middle Income Group legal Aid Society shall return the papers forthwith to the applicant and deduct a sum of

Rs.500/-only towards service charges. The balance amount of service charges and the amounts which may have been deposited by the applicant with the Society towards fees and expenses for handling the case, will be refunded to the litigant. The view expressed by the learned empanelled Advocate will be final so far as the eligibility of the applicant for obtaining the benefit of the Society is concerned. If the empanelled Advocate after examining the matter is satisfied that it is a fit case to be proceeded with, then the Middle Income Group Aid Society will provide legal assistance to such a litigant.

Q.5 Can choice lawyers services be available?

The applicant may indicate three names with respect to the empanelled advocates or the arguing counsel or the senior counsel practicing in the High Court of M.P., as the case may be, in the order of preference, out of the panel maintained by the Society to represent his/her case. The society would try to honor the choice indicated. The society would be at liberty to assign the matter to any advocate/ arguing counsel, senior advocate on its panel. The final authority to assign the papers of the applicant under the scheme to any advocate/arguing counsel, senior advocate will remain with the High Court of Madhya Pradesh (Middle Income Group) Legal Aid Society.

Q.6. What documents are required to be filed by the applicant?

The applicants are required to submit the application form to the middle income group society along with complete documents. For example, if he/she seeks to file an appeal against any order/ judgment, he/she is required to submit a certified copy of that order/ judgment along with other relevant documents. It would be duty of the applicant to furnish the middle income group society with complete documents so that, the society can place the same before its empanelled advocate for necessary and further action.

Q.7. What is the procedure for payment to the Advocate?

At the time of handing over the case papers the applicant will have to make a payment to the Society of Rs.500/- and further amounts on the basis of estimated details. The empanelled advocate shall submit his bill on the basis of the amounts prescribed in the schedule with regard to printing, court fees, appearance along with a copy of the filing memo in token of 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 litigant can be requested to pay the fees for processing the appeal, without which information, it will not be possible for the Society to recover the amount from the litigant and pay the Advocate for future hearing of the case. The fees to the Advocate in regular matters shall be made on receipt of a bill from the Advocate at the time of conclusion of the final hearing of the matter.

Q.8 What is the duty and responsibility of the Advocate?

Once the case is assigned to an Advocate it is 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 assignment and final disposal of the matter. However, the society will interceded upon the receipt of a complaint in writing. The Society would not be responsible for the negligent conduct of the case but the entire responsibility will that of the Advocate vis-a-vis the client. The name of the Advocate would be struck off from the panel prepared under the Scheme.

Q.9 What is the Schedule of Fee for the Advocate?

Appearing on behalf of the petitioner: Honorarium for drafting and filing writ petition including list of dates and miscellaneous applications such as stay, exemption, bail, condonation of delay including appearance, conference 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 active work and adjournment excluding final disposal at motion stage. **Consolidated Rupees 5000/-**.

Honorarium for hearing of the matter at final stage for effective hearing (inclusive adjournment if any, and/or at appeal stage), **Rupees 2000/- per day up to maximum of Rupees 6000/-**.

Honorarium for drafting and filing transfer petition including list of dates and miscellaneous applications such as stay, exemption, bail, condonation of delay including appearance, conference 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 active work and adjournment excluding final disposal at motion stage. **Consolidated Rupees 5000/-**.

Appearing on behalf of the respondent: Honorarium for drafting counter affidavit/statement of objections, and all other necessary application including application for vacating of stay and appearance inclusive of all conferences up to admission stage excluding final disposal at notice stage. **Consolidated Rupees 5000/-**.

Q.10 Where and whom to contact?

For all kinds of help/information please contact the Member Secretary, Madhya Pradesh State Legal Services Authority, Civil Lines, Jabalpur (M.P.) and Secretary, High Court of M.P. (Middle Income Group) Legal Aid Society, Administrative Building at the High Court Campus, Jabalpur (M.P.).

Phone – **0761-2623225**

Email ID of Sectary Legal Aid Service Authority

lawyer2833@yahoo.com

This FAQ is only for awareness purposes. For details kindly refer to the original scheme.

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