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SUPREME COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY WIDENS THE HORIZON OF LEGAL AID AT THE CUTTACK MEET : 30TH APRIL, 2016 (SATURDAY)

Submitted by

Jharkhand State Legal Services Authority

NYAYA SADAN, Near A.G. Office, Doranda, Ranchi

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This material is also available on official website of JHALSA www.jhalsa.org

Article 39A :

Constitution of India

“The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.” Constitution of India

Founding Members, Jharkhand High Court Middle Income Group Legal Aid Society

- 1. Mr. P. C. Tripathi, Sr. Advocate, High Court of Jharkhand**
- 2. Ms. M. M. Pal, Sr. Advocate, High Court of Jharkhand**
- 3. Mr Anoop Kumar Mehta, Advocate, High Court of Jharkhand**
- 4. Mr. Rajiv Sinha, Asstt.l Solicitor General of India**
- 5. Dr. S. N. Pathak, Sr. Advocate, High Court of Jharkhand**
- 6. Mr. R. P. Gupta, Advocate, High Court of Jharkhand**
- 7. Mr. Sudarshan Srivastava, Advocate, High Court of Jharkhand**
- 8. Ms. Anubha Rawat Choudhary, Advocate, High Court of Jharkhand**
- 9. Ms. Rashmi Kumar, Advocate, High Court of Jharkhand**

10. Ms. Vandana Singh, Advocate, High Court of Jharkhand

Accomplishment

Pursuant to the initiative of [Supreme Court Middle Income Group Legal Aid Society](#) under the auspices of Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India and President of the Society to hold a [Half Day Seminar at Cuttack](#) for discussing ways and means of how such society could be formed in other High Courts, the High Court of Jharkhand immediately took the steps to constitute [Jharkhand High Court Middle Income Group Legal Aid Society](#) to provide legal aid to the middle income group who forms a large segment of the society and eventually with strong commitment of His Lordship Hon'ble Mr. Justice Virender Singh, Chief Justice, High Court of Jharkhand, the desired society was constituted on 25th April, 2016 under the name and style of Jharkhand High Court Middle Income Society with the initial corpus of more than one lakh rupees.

[Half Day Seminar is scheduled to be held for discussing ways and means of how such Societies could be formed in other High Courts at Odisha Judicial Academy in Cuttack on Saturday, 30th April, 2016](#)

Genesis of Accomplishment

A Responsive Suggestion:

His Lordship Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India opined to expand the ambit of Legal Services to provide Legal Aid to Middle Income Group people who are also needy & deprived to get quality justice for want of economic disability.

His Lordship Hon'ble Mr. Justice Dipak Misra, by holding the Seminar at Cuttack on 30th April, 2016 has widened the horizon of Legal Aid with the emergence of Middle Income Group Legal Aid Society in High Court of Jharkhand.

[Sri Ranjit Kumar](#), Solicitor General of India and Honorary Secretary, Supreme Court

Middle Income Group Legal Aid Society in his letters dated 28th March, 2016 to His Lordship Hon'ble Mr. Justice Virender Singh, Chief Justice, High Court of Jharkhand and Patronin-

Chief, JHALSA and **Hon'ble Mr. Justice D.N. Patel**, Judge, Jharkhand High Court and Executive Chairman, JHALSA noted that the **Supreme Court Middle Income Group Legal Aid Society** provides legal aid to persons having an annual income up to Rs. 7.5 lacs or earning up to Rs. 60000 a month and it is a self-funded scheme whereunder against the normal fees being charged by the lawyer, a panel of Advocates-on-Record and Sr. Advocates is maintained. It was further noted in the letter that "a suggestion has been made by our President, Hon'ble Mr. Justice Dipak Misra to hold a **half day Seminar at the Orissa Judicial Academy in Cuttack on Saturday, 30th April, 2016**" and it was viewed that such society can be formed in our High Court as well which will go a long way in providing legal aid to the litigants belonging to the Middle Income Group.

The copy of the letter addressed to Hon'ble Mr. **Justice Virender Singh**, Chief Justice, High Court of Jharkhand is as under :

Registration No. S-34951/99

SUPREME COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

Register under Societies Registration Act XXI of 1860

President :

Hon'ble Mr. Justice DIPAK MISRA Judge, Supreme Court of India Honorary Secretary :

Mr. RANJIT KUMAR Solicitor General of India Honorary Treasurer :

Mr. P.H. PAREKH Senior Advocate, Supreme Court of India

My Dear Chief Justice,

The Supreme Court Middle Income Group Legal Aid Society provides legal aid to persons having an annual income upto Rs. 7.5 lakhs or earning upto Rs. 60,000/- a month.

It is a self-funded scheme whereunder against the normal fees being charged by Lawyers and Advocates, a panel of Advocates-on-Record and Senior Advocates is maintained and normally a case is worked out in the Supreme Court including final hearing and including charges of Senior Advocates within Rs. 20 - 25,000/-.

A suggestion has been made by our President, Hon'ble Mr. Justice Dipak Misra to hold a half-day Seminar at the Odisha Judicial Academy in Cuttack on Saturday, 30th April 2016. I, on behalf of the Society, make a humble request to you to please participate in the said Seminar for the purpose of discussing ways and means of how similar such Societies could be formed in your High Court as well, which will go a long way in providing legal aid to the litigants belonging to the Middle Income Group who are otherwise or may not be able to afford regular fees as are being charged by lawyers in different High Courts. The Hon'ble President of the Society has already written to you earlier for formation of such a Society in your High Court and a further discussion on this matter in the Seminar would be of immense help. Your participation will go a long way in the objective sought to be achieved. We will look forward to your participation. A reply in confirmation would enable us to make all the arrangements at Cuttack.

With warm regards,

Yours sincerely,

Sd/-

[Ranjit Kumar]

Hon'ble Mr. Justice Virender Singh, Chief Justice, High Court of Jharkhand, Doranda, Opp-JAP Ground, Ranchi (Jharkhand)

PLEASE NOTE : For further correspondence please address the Secretary quoting the above Reference No. and date

Initiative by His Lordship Hon'ble Patron in Chief, Jharkhand State Legal Services Authority

Hon'ble Chief Justice Virender Singh, High Court of Jharkhand on 11th April, 2016

viewed the formation of such society at Jharkhand High Court level as a **Call of the Hour**

and His Lordship was further pleased to direct the Member Secretary, Jharkhand State Legal Services Authority to take initiative for formation of the society immediately to get all the paraphernalia completed before 30th April, 2016.

Steps taken by His Lordship Hon'ble Executive Chairman, Jharkhand State Legal Services Authority

Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand and Executive Chairman, JHALSA was pleased to convene a meeting of Advocate General, Addl. Advocate General, Assistant Solicitor General of India, Chairman, Jharkhand State Bar Council and other Sr. Advocates on 13th April, 2016 in the Conference Hall of Nyaya Sadan, JHALSA and the meeting was attended by following legal luminaries:

Sl. No. Participants

- 1 Sri Binod Poddar (Sr. Advocate), Enrollment No.-56/1967**
- 2 Sri P.C. Tripathi, Sr. Advocate, Enrollment No.-872/1964**
- 3 Ms. M.M. Pal, Sr. Advocate, Enrollment No.-31/1979**
- 4 Sri Anoop Kumar Mehta, Advocate, Enrollment No.-602/1984**
- 5 Sri Rajiv Sinha, Asstt. Solicitor General of India, Enrollment No.-1393/1987**
- 6 Dr. S.N.Pathak, , Enrollment No.-919/1988**
- 7 Sri R.P. Gupta, Advocate, Enrollment No.-1085/1989**
- 8 Sri Sudarshan Srivastava, Advocate, Enrollment No.-1171/1989**
- 9 Sri Rajiv Ranjan (Sr. Advocate), Enrollment No.-612/1994**
- 10 Sri Ajit Kumar (Sr. Advocate), Enrollment No.-17/1995**
- 11 Ms. Anubha Rawat Choudhary, Advocate, Enrollment No.-4973/1995**
- 12 Ms. Rashmi Kumar, Advocate, Enrollment No.-692/2002**
- 13 Smt. Vandana Singh, Enrollment No.-J/1163A/2002**

In the meeting, His Lordship impressed to the members of the bar that the persons belonging to Middle Income Group having income not more than Rs. 5,00,000/- per annum may not be able to afford regular fees as are being charged by lawyers in Jharkhand High Court and formation of such society will be able to look after the legal services needs of a vast section of the people belonging to Middle Income Group. The participants were enthusiastic and everyone in the meeting agreed to the formation of such society and it was resolved that effective steps should be taken for formation of such society at the earliest.

Meeting

On 19th April, 2016, meeting of founding members/members of Governing Body was held at Nyaya Sadan, JHALSA in which following resolutions were unanimously passed:

Resolution No: 1

It was unanimously resolved that “the society named ‘**JHARKHAND HIGH COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY**’ be registered under the Societies Registration Act XXI, 1860.”

Resolution No: 2

It was further unanimously resolved that Hon’ble Chief Justice, High Court of Jharkhand shall be Ex-officio Patron in Chief of the Society.

Resolution No: 3

It was further unanimously resolved that Hon’ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand shall be the President of the Society. It was further resolved that henceforth, the President of the Society shall be nominated by Hon’ble Patron in Chief of the Society

Resolution No: 4

It was further unanimously resolved that Advocate General, Jharkhand shall be Ex-officio Vice President of the Society.

Resolution No: 5

It was further unanimously resolved that Sri Rajiv Ranjan, will be the Honorary Secretary of the **Jharkhand High Court Middle Income Group Legal Aid Society**. Henceforth, Hon’ble President of the Society shall nominate the Honorary Secretary.

Resolution No: 6

It was further unanimously resolved that Sri Ajit Kumar will be the Honorary Treasurer of the **Jharkhand High Court Middle Income Group Legal Aid Society**. Henceforth, Hon’ble President of the Society shall nominate the Honorary Treasurer.

Resolution No: 7

It was further unanimously resolved that 1) Sri Rajiv Ranjan 2) Sri Ajit Kumar 3) Smt. Anubha Rawat Choudhary, will open the S.B. A/c of “[Jharkhand High Court Middle Income Group Legal Aid Society](#)” in the Bank of India, Jharkhand High Court Compound Branch, Ranchi and it will be operated by any two of the aforesaid three. Henceforth, Hon’ble President of the Society shall nominate any three persons including Honorary Secretary for this purpose and any two of them will be able to operate the account.

Resolution No: 8

It was further unanimously resolved that Sri Rajiv Ranjan, Honorary Secretary of the Society is hereby authorized to take all the necessary steps to get the Society registered with Registration Department, Govt. of Jharkhand with the help of Vice President and others of the Governing Body, if required.

Resolution No: 9

It was further unanimously resolved that the “Executive Committee” of [Jharkhand High Court Middle Income Group Legal Aid Society](#) shall comprise of 13 members including the Honorary Secretary and Honorary Treasurer and their names and other details are as follows:

Sl.No. Member of the Executive Committee

1 Sri Binod Poddar, Advocate General, Jharkhand High Court, Ranchi

2 Sri P.C. Tripathi, Sr. Advocate and Ex-President, Jharkhand State Bar Council, Ranchi

3 Ms. M.M. Pal, Sr. Advocate, Jharkhand High Court, Ranchi

4 Sri Anoop Kumar Mehta, Advocate, Jharkhand High Court, Ranchi

5 Sri Rajiv Sinha, Assistant Solicitor General, Jharkhand High Court, Ranchi

6 Dr. S.N.Pathak, Senior Advocate, Jharkhand High Court , Ranchi

7 Sri R.P. Gupta, Advocate, Jharkhand High Court , Ranchi

8 Sri Sudarshan Srivastava, Advocate, Jharkhand High Court, Ranchi

9 Sri Rajiv Ranjan (Sr. Advocate), Chairman, Jharkhand State Bar Council, Ranchi

10 Sri Ajit Kumar, Addl. Advocate General, Jharkhand High Court, Ranchi

11 Ms. Anubha Rawat Choudhary, Advocate, Jharkhand High Court , Ranchi

12 Ms. Rashmi Kumar, Advocate, Jharkhand High Court, Ranchi

13 Smt. Vandana Singh, Advocate, Jharkhand High Court, Ranchi

JHARKHAND HIGH COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

FAQ on Jharkhand High Court Middle Income Group Legal Aid Scheme

Published & Printed by :

Jharkhand State Legal Services Authority

Nyaya Sadan, Near A.G. Office, Doranda, Ranchi

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Email : jhalsaranchi@gmail.com, Website : www.jhalsa.org

Year of Publication : 2016

This FAQ Booklet is also available on official website of JHALSA www.jhalsa.org

1Q What is 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/- per annum.

2Q. Who are the office bearer of the Jharkhand High Court Middle Income Group Legal Aid Society?

- 1 Hon'ble Mr. Justice Virender Singh, Chief Justice, High Court of Jharkhand Patron-in-Chief**
- 2 Hon'ble Mr. Justice D.N. Patel, Judge, Jharkhand High Court of India President**
- 3 Sri Binod Poddar, Advocate General, Jharkhand High Court, Ranchi Ex-Officio Vice President**
- 4 Sri Rajiv Ranjan (Sr. Advocate), Chairman, Jharkhand State Bar Council Honorary Secretary**
- 5 Sri Ajit Kumar, Addl. Advocate General, Jharkhand, Ranchi Honorary Treasurer**

3Q. Who are the empanelled advocate of Jharkhand High Court Middle Income Group Legal Aid Society ?

- 1 Sri P.C. Tripathi, Sr. Advocate, Jharkhand High Court, Ranchi**
- 2 Ms. M.M. Pal, Sr. Advocate, Jharkhand High Court, Ranchi**
- 3 Sri Anoop Kumar Mehta, Advocate, Jharkhand High Court, Ranchi**
- 4 Sri Rajiv Sinha, Assistant Solicitor General, Jharkhand High Court, Ranchi**
- 5 Dr. S.N.Pathak, Sr. Advocate, Jharkhand High Court , Ranchi**
- 6 Sri R.P. Gupta, Advocate, Jharkhand High Court, Ranchi**
- 7 Sri Sudarshan Srivastava, Advocate, Jharkhand High Court, Ranchi**
- 8 Ms. Anubha Rawat Choudhary, Advocate, Jharkhand High Court , Ranchi**
- 9 Ms. Rashmi Kumar, Advocate, Jharkhand High Court, Ranchi**
- 10 Ms. Vandana Singh, Advocate, Jharkhand High Court, Ranchi**

4Q. With respect to which Court this scheme is applicable ?

3

The Scheme will be applicable for cases intending to be filed in High Court of Jharkhand.

5Q. What is the process for availing benefit ?

Every person who desires to avail of the services of an Advocate empanelled 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.

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. 200/- (non-refundable) shall be payable to the [Jharkhand High Court Middle Income Group Legal Aid Society \(JHCMIGLAS\)](#) as [service charges](#). 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 register the case under the [Jharkhand High Court Middle Income Group Legal Aid Scheme](#) and proceed to forward the papers to the Advocate/Senior Advocate on the panel for opinion.

In relation to the approximate expenses for preparation of the Court record, 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 record, and in accordance with the schedule indicate the same to the applicant.

6Q. Can choice lawyer's services be available ?

The applicant may indicate any 3 names 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 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 [Jharkhand High Court Middle Income Group Legal Aid Society](#).

As soon as the papers are received they would be assigned to the Advocate of the choice indicated by an applicant upon his request under the scheme.

4

7Q. What is procedure thereafter ?

In case the learned Advocate after perusing them opines that this is not a fit case for filing in the Jharkhand High Court, 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 [Jharkhand High Court Middle Income Group Legal Aid Society](#) shall return the papers forthwith to the applicant and deduct a sum of Rs. 400/- 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 [Jharkhand High Court 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.

8Q. What documents are required to be filed by applicant ?

The applicants are required to submit the applications forms to the MIG Society along with full documentations. For instance, if he / she seeks to file an appeal against any order/judgement, he/ she is required to submit a certified copy of that order/judgement along with other relevant judgement, Petition copy filed by him/her in the High Court, copies of the Lower Court judgment / order and other relevant documents. If these are in a language other than English then the English translation of same may be required.

9Q. What is procedure for payment to Advocate ?

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 alongwith a copy of the filing memo in token of a 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 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.

10Q. What is the duty and responsibility of 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 intercede upon the receipt of a complaint in writing.

11Q. What is Complaint Redressal Mechanism ?

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.

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.

12Q. What is Schedule of Fee for Advocates ?

A) APPEARING ON BEHALF OF PETITIONER / APPELLANT

Honorarium for drafting and filing First Appeal, Misc. Appeal, L.P.A., Tax Cases,

Criminal Appeal (DB), Criminal Misc., Criminal Revision, Civil Revision, Second Appeal, MJC, Civil Review, Election Petition, CWJC (Civil Writ), Cr. WJC (Criminal Writ), Company Appeal, Comp. Pet/Application, Criminal Appeal (SJ), SLA

6

(Criminal), Death Reference, Contempt Appeal, Tax Appeal, Writ Petitions, Cr, Writ Petitions, Cross Objections, Cr.M.P., Criminal Contempt, Civil Contempt, C.M.P., Prob. Case, Arbi. Appl., Arbi. Appeal, Civil. Trans., Criminal Trans., Appeal Case (DB), Appeal Case (SB) Acq. Appeal, Tax Application including list of dates and miscellaneous application such as stay exemption, bail, condonation of delay including appearance, conferences with the client & also for drafting rejoinder affidavit and / or contesting matter after notice is issued by the Court and till the disposal of the matter at the notice stage including acting work and adjournment or final disposal at notice stage.

.....Consolidated Rs. 4,000/-

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

....Rs. 1500/- per day of effective hearing upto a maximum of Rs. 4500/-

Honorarium of drafting and filing regular/anticipatory bail application and hearing till issuance of Notice stage (excluding final disposal).

....Consolidated Rs. 1000/-

Honorarium for final hearing/disposal of regular/anticipatory bail application.

....Consolidated Rs. 1500/-

B) APPEARING ON BEHALF OF THE RESPONDENT

Honorarium for drafting counter affidavit/rejoinder/ 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. 3000/-

7

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

....Rs. 1500/- per day of effective hearing upto a maximum of Rs. 4500/-

C) HONORARIUM FOR SENIOR ADVOCATES

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

....Consolidated Rs. 2000/-

Honorarium for appearance at final disposal stage, after admission.

....Rs. 3000/- per day of effective hearing upto a maximum of Rs. 9,000/-

SCHEDULE RATES FOR OUT OF POCKET EXPENSES.

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Paper book binding Rs. 5/- each

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

ii) For addl. Pages Rs. 5/- per page

13Q. Where to go or whom to contact for any kind of help ?

For all kind of help/information please contact the Member Secretary, Jharkhand State Legal Services Authority (08986601912), Dy. Secretary, Jharkhand State Legal Services Authority (09431387340), Secretary, High Court Legal Services Committee (09431100488). Office Address : Jharkhand High Court Middle Income Group Legal Aid Society Nyaya Sadan, Near A.G. Office Doranda, Ranchi, Fax : 0651-2482397, Email : jhcmiglas@gmail.com

This Booklet is only for awareness purpose. For making claim, please refer to original scheme.

Contact :

Jharkhand State Legal Services Authority
Nyaya Sadan, Near A.G. Office, Doranda, Ranchi
Phone : 0651-2481520, 2482392, Fax : 0651-2482397
Email : jhalsaranchi@gmail.com, Website : www.jhalsa.org
This FAQ Booklet is also available on official website of JHALSA
“www.jhalsa.org”
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JHARKHAND HIGH COURT (MIDDLE INCOME GROUP) LEGAL AID SCHEME

Scheme : This scheme provides legal services to the middle income group citizens whose gross income is not exceeding Rs. 5,00,000/- per annum to prosecute or defend a case in the High Court of Jharkhand.

Procedure for availing benefits : Benefit of Scheme can be availed by approaching the Secretary of the scheme by filing an application along with the relevant documents. A sum of Rs. 200/- (non-refundable) shall be payable to the Jharkhand High Court (Middle Income Group) Legal Aid Society (JHCMIGLAS) as Service Charge.

Deposit of Fee by the Applicant : The applicant is required to deposit the fee indicated by the Secretary in accordance with the Schedule attached to the scheme.

Availing the Services of choice-Advocate : The applicant may indicate any three names of Advocates/Senior Advocates in the Panel in order of preference and the Society would attempt to honour the choice indicated.

Schedule of Fee

For Petitioner/Appellant

- ☑ for drafting and filing Case/Appeal and miscellaneous application : Rs.4000/-
- ☑ For Hearing after admission at final disposal stage : -Rs. 1500 per day of effective hearing up to maximum of Rs. 4500/-
- ☑ Drafting and filing Regular/Anticipatory Bail (Excluding final disposal) :-Rs. 1000/-
- ☑ Final hearing/disposal of Regular/Anticipatory bail : -Rs. 1500/-

For Respondent

For drafting Counter Affidavit/Rejoinder -Rs. 3000/-
Hearing at Final Disposal stage -Rs. 1500/- per day of effective hearing. Maximum Rs. 4500/-

Honorarium for Senior Advocates

Settlement of matters including Writ Petition/Court affidavit -Consolidate Rs. 2000/-

Appearance at final disposal stage -Rs.3000/-per day of effective hearing.Max. Rs. 9000/-

Documents required to be submitted with application form

The applicant is required to submit the application forms to the society along with full documentation.

Payment to Advocate : The fee to the Advocate shall be paid on receipt of bill from the Advocate.

Complaint Redressal Mechanism

After a complaint is received by the society from the litigant against the Advocate or from the Advocate against the litigant, then the Executive Committee after enquiry may take suitable action.

If the advocate is found negligent in conduct of case, then he will be required to return the brief together with fees. The name of the Advocate may be struck off from the panel.

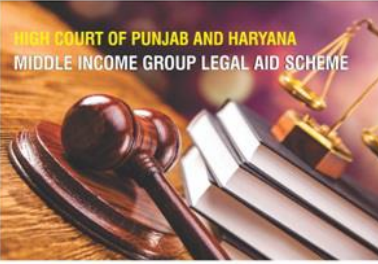
For all kind of help/information please contact the Member Secretary, Jharkhand State Legal Services Authority (08986601912), Dy. Secretary, Jharkhand State Legal Services Authority (09431387340), Secretary, High Court Legal Services Committee (09431100488). Office Address: Jharkhand High Court Middle Income Group Legal Aid Society, Nyaya Sadan, Near A.G. Office, Doranda, Ranchi Fax: 0651-2482397, Email: jhcmiglas@gmail.com

PUNJAB AND HARYANA HIGH COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

HIGH COURT OF
PUNJAB AND HARYANA, AT CHANDIGARH
**MIDDLE INCOME GROUP
LEGAL AID SCHEME**

HIGH COURT LEGAL SERVICES COMMITTEE

HIGH COURT OF PUNJAB AND HARYANA
MIDDLE INCOME GROUP LEGAL AID SCHEME



- 1 This scheme provides legal services to the middle income group citizens i.e. citizens whose gross income is not exceeding ₹ 60,000/- p.m. or ₹ 7,50,000/-p.a.

Definition >>

- 1 The Scheme is known as "HIGH COURT OF PUNJAB AND HARYANA MIDDLE INCOME GROUP LEGAL AID SCHEME". The scheme is self supporting in nature.

Schedule >>

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

The Office Bearers of the Scheme >>

THE OFFICE BEARERS OF THE SCHEME – Under the Rules and Regulations of the Scheme, the Chief Justice of the Punjab and Haryana High Court shall nominate Chairman of High Court Legal Services Committee to be the President and the Advocate Generals of Punjab and Haryana High Court shall be the Ex-Officio Vice Presidents of the Scheme. Two Senior Advocates shall be nominated by the President of the Scheme as members. Secretary of High Court Legal Services Committee will render his services as Secretary of the scheme.

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

- 2 The Scheme will be applicable for cases intended to be filed / defended in High Court of Punjab and Haryana.

- 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 Senior Advocates ordinarily practicing in the High Court of Punjab and Haryana. Advocates (other than Senior Advocates) having practice of seven years or more can apply for empanelment under the scheme. The panel Advocates shall give an undertaking in writing that they will abide by the terms and conditions of the scheme upon assigning a case under the scheme.

- 5 Every person who desires to avail of the services of an Advocate empanelled 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.

At the time of handing over the case papers the applicant will have to pay a sum of ₹ 750/- as service charges to High Court of Punjab and Haryana Middle Income Group Legal Aid Scheme which shall be non-refundable. This amount shall be deposited in a savings bank account of the scheme.

- 6 As soon as the papers are received they would be assigned to the Advocate of the choice indicated by an applicant. In case the Learned Advocate after perusing them opines that this is not a fit case for filing in the High Court of Punjab and Haryana, the applicant will not be entitled to get benefit of the Scheme. Upon such an endorsement being made either upon the case papers or in any accompanying letter, the High Court of Punjab and Haryana Middle Income Group Legal Aid Scheme shall return the papers forth with to the applicant and retain a sum of ₹ 750/- towards service charges. 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 Scheme will proceed to take the view that the 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 both in relation to the Advocate or the Senior Counsel as the case may be in order of preference from out of the panel maintained by the scheme. The Scheme would attempt to honour the choice indicated. The right to assign the papers of the applicant under the Scheme to any Advocate or Senior Counsel will remain with the Secretary, High Court of Punjab and Haryana Middle Income Group Legal Aid Scheme. Thereafter, request for change of Advocate would lie before the President.

1. 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 applicable from time to time. The fee and expenses shall be paid by the applicant as per mutual convenience directly to the Advocate/Senior Advocate assigned for his case. The receipt in this regard will be issued by the Advocate concerned to the applicant.

2. That the Secretary of the Scheme will open a Saving Bank Account with the State Bank of Patiala, High Court of Punjab & Haryana Court Compound in the name of "High Court of Punjab and Haryana Middle Income Group Legal Aid Scheme". The account will be operated by the Secretary under the supervision of the President of the Scheme.

3. 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.

4. Registrar (Administration) of this Court will provide infrastructure including man power for the smooth functioning of the scheme.

5. The pattern of payment of fee to the Advocates under the Scheme will be same as per the schedule as revised from time to time.

6. Documents required from the litigants in approaching the High Court of Punjab and Haryana :- The applicants are required to submit the applications forms to the MIG Scheme along with full documentations. For instance, if he / she seeks to file an appeal against the order of the District Court, he/ she is required to submit a certified copy of the order of the District Court, Petition copy filed by him/her in the District Court, copies of the Lower Court judgements/order and other relevant documents. If these are in a language other than English, effort be made to and send translated copies as well.



7. Once the case is assigned to an Advocate, the Advocate concerned shall furnish information regarding filing/listing to the office. 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 Scheme will not monitor assignment and final disposal of the matter. However, the Scheme will intercede upon the receipt of a complaint in writing.

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

9. 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 to the applicant which may have been received by him from the applicant under the Scheme.

Further, the Scheme 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 may however, be struck off from the panel prepared under the Scheme.

10. The Scheme or its office bearers shall not be responsible in any manner for the result of the litigation.

11. The schedule of the Scheme can be amended, varied, any of its provision may be waived or relaxed at the discretion of the President.

Helping People by providing Legal Services



Schedule of Fee for Advocates / Senior Advocates >

1. Appearing on behalf of Petitioner

1. Honorarium for drafting and filing
: [₹ 11,000 + Misc Expenses (actual)]

2. Appearing on behalf of the Respondents

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
: [₹ 11,000 + Misc Expenses (actual)]

3. Honorarium for Senior Advocates

1. Honorarium for settlement of case
: [₹ 20,000 (one time)]
2. Honorarium for appearance at the admission
stage/ after notice
: [₹ 7,000/- (per appearance)]

4. Schedule rates for out of pocket expenses (#)

• Photocopy Charges • Steno Charges
₹ 75 paisa per page ₹ 8/- per page

• Paper Book Binding
₹ 5/- each

Computer Typing (Ordinary Print)

• For Original Computer Print • For Addl. Pages
₹ 12/- per page ₹ 5/- per page

Computer Typing (Laser Print)

• For Original Computer Print • For Addl. Pages
₹ 15/- per page ₹ 5/- per page

These rates are approximate and may vary.



HIGH COURT LEGAL SERVICES COMMITTEE

Front office : (Near Post office),
Punjab & Haryana High Court, Chandigarh.

Contact No's : 0172-6607223, 0172-6607338

PATNA HIGH COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

PATNA HIGH COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

FAQ ON PATNA HIGH COURT MIDDLE INCOME GROUP LEGAL AID SCHEME

1. What is 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. 35,000/- per month or Rs.4,50,000/- per annum.

2. Who are the office bearers of the Patna High Court Middle Income Group Legal Aid Society?

. Sl.No.	Name of the Office bearers	Designation
1.	Hon'ble Mr. Justice Hemant Gupta, Acting Chief Justice, Patna High Court	President
2.	Hon'ble Mr. Justice K.K. Mandal, Judge, Patna High Court	Vice-President
3.	Shri Lalit Kishore, Principal Addl. Advocate General	Vice President
4.	Shri Satyabir Bharti, Advocate, Patna High Court	Secretary
5.	Shri PushkarNarainShahi, Sr. Advocate, Patna High Court	Treasurer

3. Who are the empaneled advocates of Patna High Court Middle Income Group Legal Aid Society?

As per the enclosed list.

4. With respect to which Court this scheme is applicable?

The Scheme will be applicable for cases intending to be filed in the Patna High Court, Patna.

5. What is the process for availing benefit?

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/ office of the Society, by filing an application in the prescribed form annexed hereto along with the relevant documents.

As soon as the papers are received they would be assigned to the Advocate-on-Record of the choice indicated by an applicant upon his request under the scheme. In case the learned Advocate after perusing them opines that this is not a fit case for filing petition before the Hon'ble Patna High Court, in that case, 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 Patna 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 appropriation as fee and all expenses in the conduct of the case will be refunded. If the learned Advocate-on-Record 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-on-Record will be final in so far as the eligibility of the applicant for obtaining the benefit of the Scheme is concerned.

6. Whether an Advocate of applicant's choice be assigned the case?

The applicant may indicate any 3 names both in relation to the Advocate-on-Record or the Senior Counsel or both, as the case may be, in the order of preference from out of the panel maintained by Society. The Society would attempt to honour the choice indicated. However, the final right to assign the papers of the applicant under the Scheme to any Advocate-on-Record or the

Senior Counsel will remain with the Patna High Court Middle Income Group Legal Aid Society.

7. What is the procedure thereafter?

In case the learned Advocate after perusing the opines that this is not fit for filing in the Patna High Court, 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 Patna 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 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 Patna High Court 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.

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

The applicants are required to submit the applications forms to the MIG Society along with full documentations. For instance, 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, copy of Petition filed by him/her in the High Court, copies of the Lower Court judgment/ records and other relevant documents. If these are in language other than English/Hindi, then the English translation of same may be required.

9. What is procedure for payment to Advocate?

On assigning of a case to an Advocate under the Scheme the intending litigant will be directed to deposit with Society the fee and expenses as per schedule as assessed by the Secretary/Office. 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 Petition/Appeal 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.

10. What is the duty and responsibility of 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 intercede upon the receipt of a complaint in writing.

11. What is Complaint Redressal Mechanism?

After a complaint is received by the Society from the litigant and/or the concerned Advocate against the litigant/Advocate then the Society 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.

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-à-vis the client. The name of the Advocate would however, be struck off from the panel prepared the scheme.

12. What is Schedule of Fee for Advocates and other expenses?

A. APPEARING ON BEHALF OF THE PETITIONER

1. Honorarium for drafting and filing 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 stage including acting work and adjournment excluding final disposal at notice stage.

Consolidated Rs. 3500/-

2. 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 be disposal of the matter at the notice stage including active work and adjournment (excluding final disposal at notice stage) .

Consolidated Rs.3500/-

3. Honorarium for hearing of the matter at Final Disposal stage, inclusive of adjournment if any, and/or at appeal stage.

Rs.3,500/- per case

B. APPEARING ON BEHALF OF THE RESPONDENT

1. Honorarium for drafting counter affidavit/ statement of objections, 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.3500/-

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

Rs. 3,500/- per case

HONORIUM FOR SENIOR ADVOCATES

1. Honorarium for settlement of Writ Petition / Transfer Petition / Counter Affidavit / Rejoinder Affidavit / statement of objections including conference etc.

Consolidated Rs.8500/-per case

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

Rs. 8500/- per case

C. SCHEDULE OF RATES FOR OUT OF POCKET EXPENSES.

- 1) Photocopy charges – 1.00 paisa per page
- 2) Steno Charges – Rs. 300 consolidated
- 3) Paper Book binding and filing expenses – Rs. 300- per case
- 4) Computer Typing (Ordinary Print)
 - (i) For original computer print – Rs. 6/- per page.
 - (ii) For additional pages – Rs. 1/- per page

D. Court fee payable on petition as per applicable laws as amended up-to-date.

Service charges of the Committee Rs.500/-.

13. Where to go or whom to contact for any kind of help?

For all kind of help/information please contact Secretary, Patna High Court Middle Income Group Legal Aid Society, Patna Mob: 9934355055: Office of the Patna High Court Middle Income Group Legal Aid Society, Patna High Court Building- 0612-2504475.
