

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 >>

- a 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 filling 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.

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 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.

9 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.

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

12 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

13 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.



14 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.

15 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.

16 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.

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

18 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 >

a Appearing on behalf of Petitioner

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

b 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)]

c 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)]

d Schedule rates for out of pocket expenses (#)

- Photocopy Charges 075 paise per page
- Steno Charges ₹ 8/- per page
- Paper Book Binding ₹ 5/- each

Computer Typing (Ordinary Print)

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

Computer Typing (Laser Print)

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

These rates are approximate and may vary.



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