



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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No. Ref.NHAI/Legal/Misc./1/2011/

19th December, 2011

CIRCULAR

Sub: Schedule of Fee for Legal Charges to Advocates/Techno Legal Experts/Law Firms.

Ref: Circular No.11041/217/2007-Admn. Dated 24.12.2010

1. It has been observed that a large number of legal cases are filed especially in land acquisition matters against NHAI/PIUs and the Counsels generally draft a similar reply/counter affidavits/rejoinder/written statement etc and till the disposal of the case, the pleadings remain similar, barring the changes of title/case nos. etc. (which reflect the name of applicant, plot no. and other details of land etc., being acquired by NHAI) and otherwise pleadings remain almost similar. NHAI Counsels just replicate the reply/counter affidavits/rejoinders /written statements etc without any original input therein and charge 50% after 3 cases in accordance with the captioned circular, which is felt to be on the higher side.

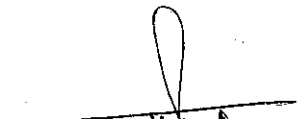
2. In view of the above, the following is clarified and payment to the Counsel/Law Firm in such a situation may be regulated as under:

(a) Where the cases are filed in one and the same court or any Authority and matters are similar (not materially different) which are heard as bunch matters and pleadings like filing of reply, counter affidavits, rejoinders, written statements etc are also similar, then, for first three cases, the payment may be made full as per the captioned Policy Circular's schedule and 50% upto 10 cases, and thereafter, 10% for rest of the cases.

(b) In so far as the payment towards appearance/hearing of case is concerned, in bunch matters, the appearance will be counted as one in respect of all matters.

3. The above clarifications are issued in partial modification of the Circular dated 24.12.2010 referred to above, to this extent and other conditions of the circular shall remain unchanged.

4. This issues with the approval of Chairman.


(Tilak Raj)
General Manager (Legal)

All Officers at HQs
CVO
All PIUs/CMUs/SPVs
All ZO's/RO's/SLOs
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PS to Chairman