



**भारतीय राष्ट्रीय राजमार्ग प्राधिकरण**  
(सड़क परिवहन और राजमार्ग मंत्रालय)  
**National Highways Authority of India**

(Ministry of Road Transport and Highways)

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NHAI/LEGAL/MISC-1/2012

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**CIRCULAR**

**Sub: Clarification to Schedule of Fee for legal charges for Advocates/Techno Legal Experts/Law Firms given on effective and non effective hearing and admissibility of professional fee of the Advocates**

**Ref: Circular No. 11041/217/2007-Admn dt. 24.12.2010, 19.12.2011 and 24.01.2012**

As per the clause 6 of the note portion provided in said Circular No. 11041/217/2007-Admn dt. 24.12.2010, the adjournment charges shall be payable at 50% of appearance fee only when Court does not sit, this shall be applicable for non effective hearing in the Court.

2 It has been felt desirable to issue clarification on the above said clause so that payment of professional fee to the Advocates is regulated properly. It is evident that when Court does not sit the professional fee and other charges for appearance will be curtailed to 50%, in as much as when the Court does not sit, generally adjournment are given in the morning itself by the Court Master/clerk and Counsels/Advocates are not expected to sit in the Court for the whole day. Hence, in such a situation when the Court does not sit, the Counsel is to be paid 50% professional fee for appearance.

3 The above clause also mentioned about the non effective hearing in the Courts. The meaning of non effective hearing is also required to be elucidated so that there is no confusion while processing the bills of Advocates. There might be situations where Court sits but on account of any reason the proceedings are not conducted and adjournment is simply granted in the morning, just by mentioning the matter by the Advocates/Counsels before the Court which can also be termed as non effective hearing and in such a situation also Advocate/Counsels are to be paid only 50% of the appearance fee.

4 Except in the above mentioned situations where Court sits and Counsels/Advocates enter their appearances in the Court and proceedings takes place and thereafter adjournment is granted on account of any reason by the Court for even filing Reply/Re-joinder/Written Statement etc in such situations, the Counsels/Law Firms/Advocates would be entitled to full fee for appearance in accordance with the provisions of said circular.

5 All ROs/CMUs/PIUs and division of Hqrs are requested to note the above while processing the bills of Advocates/Law Firms in the light of the above clarifications.

(P C Grover)  
CGM (Legal/HR)

To

All ROs/CMUs/PIUs

cc: Librarian