



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. 11014/11/2016-HR-I

28.10.2016

POLICY MATTERS - (7.1.48/2016)

(Decision taken in LA file FTS-60/2016)

Sub: Revision of payout structure for lawyers for LA related cases.

A high number of cases are pending with Land Acquisition Arbitrators at various PIUs/ROs etc, and which are to be disposed of as per prescribed timeline under Arbitration Act, 1996 (as amended 2015).

2. As per NHAI circular No.11041/217/2007-Admn. dated 04.09.2014 {Policy Matters: Administration /Finance(142/2014)} read with the circular No.11041/217/2007-Admn dated 04.06.2014 {Policy Matters: Administration/Finance(140/2014)}, the current fee structure for lawyers appointed by NHAI for representing NHAI in LA related cases is as follows:

i.	Drafting of petition / reply / rejoinder / affidavit / interim application / reply to interim application / additional affidavit / rejoinder to the application, etc.	Rs. 19,000/- (Lump sum)
ii.	Appearance	Rs. 2,000/- per case per appearance and maximum of Rs. 9,000/- for 5 or more cases clubbed together

3. The current fee structure has unequal incremental fee per hearing, which leaves no incentive for lawyers to expedite disposal of cases.

4. Therefore, to incentivize the lawyers, the structure of fee to lawyers for appearing before Land Acquisition Arbitration Arbitrators appointed under NH Act, 1956, is hereby revised as under:

		<= 10 hearings	10 – 20 hearings	> 20 hearings
i.	Drafting of petition / reply / rejoinder / affidavit / interim application / reply to interim application / additional affidavit / rejoinder to the application, etc.	Continues to be as per NHAI circular No.11041/217/2007-Admn. dated 04.09.2014 {Policy Matters: Administration /Finance (142/2014)} read with the circular No.11041/217/2007-Admn dated 04.06.2014 {Policy Matters: Administration /Finance (140/2014)}.		

ii.	Appearance fee per hearing per case (<5 clubbed cases)	Rs. 2,000/-	Rs. 1,000/-	Rs. 500/-
iii.	Appearance fee per hearing per case (≥ 5 clubbed and bunch matter cases)	Rs 9,000/-	Rs 4,400/-	Rs. 2,100/-
iv.	Fixed incentive in case of disposal within 6 months	Rs. 11,000/- (Lump sum)		

Note: the period or periods when an arbitrator appointed by the Central Govt. is unavailable in his place of posting under the concerned State Govt. and is therefore unable to allot dates for hearings, shall be excluded from the aforesaid period mentioned in the table above.

5. In addition to a variable pay per hearing based on the number of hearings, the structure provides a fixed incentive of Rs.11,000/- per case (**or clubbed and bunch matter cases**) for disposal of a case (or clubbed cases) within 6 months of filing.
6. This is issues with the approval of the Competent Authority.


(A.K Sadhu)
CGM (Coord.)

To:

All Officers & Employees of HQ/ROs/ PIUs/ CMUs/ Site Offices