

Government of India
Ministry of Law & Justice
Department of Legal Affairs
(Judicial Section)

128
27-3-2023

Subject: Payment to the legal counselor Shri Sushil Kumar Pandey in the arbitration case no. 257/2022, M/s. Kiran Infra Ltd., Northern Railway.

Reference is invited to O/o Dy.CSTE/C/PS/NDLS, Northern Railway letter no. 570-Sig/C/PS/Court Case-39 dated 22.03.2023 on the subject mentioned above.

2. Northern Railway vide letter no. 570-Sig/C/PS/Court Case dated 23.05.2022 had requested this Department to engage a Counsel to defend the arbitration case as mentioned in the subject. The Competent Authority in this Department had nominated Shri Sushil Kumar Pandey, Senior Arbitration Panel Counsel and a correspondence vide letter no. J-13012/1/2022-Judl. Dated 02.06.2022 had been communicated to Northern Railway.

3. The Counsel has been engaged by this Department on behalf of Union of India to defend the interests of Ministry of Railways. *Being Administrative Office*, Northern Railway shall bear the legal fee expenses submitted by Shri Sushil Kumar Pandey, Sr.Arbitration Panel Counsel on the terms and conditions of Para (F) of this Department's O.M.No. 26(1)/2014-Judl. Dated 01.10.2015 (copy enclosed).


22/03/2023
(Lakka Muneswara Rao)
Section Officer (Judl.)

Dy.CSTE/C/PS/NDLS, DRM's Office, Northern Railway, New Delhi
M/oL&J, D/o LA I.D. No.J-13012/1/2022-Judl., dated: 22.03.2023

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cas
28/03/23

No. 26(1)/2014/judl.
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Judicial Section

New Delhi the 1st October, 2015

OFFICE MEMORANDUM

Sub: Revision of fee payable to various categories of Central Government counsel.

In partial modification to this Department's various OMs issued from time to time, the undersigned is directed to convey approval of Competent Authority for the revision of the fee structure applicable to Government counsels of all the categories with immediate effect as per the details given below:-

(A)

The Fee structure applicable to Group 'A' 'B' and 'C' panel Counsel in Supreme Court:-

Sl.No.	Item of work	Revised fee Group 'A' Panel Counsel	Revised fee Group 'B' & 'C' Panel Counsel
1.	All Regular Appeals and defended Writ Petitions (for final hearing)	₹13,500/- per case per day	₹9,000/- per case per day
2.	All defended Admission matters (SLP/TP and writ petitions & other misc. matters for admission)	₹9,000/- per case per day	₹4,500/- per case per day
3.	Settling of pleadings	₹5,250/- per case	---
4.	Appearance in Miscellaneous Applications	₹4,500/- per case	---
5.	Conference	₹900/- per conference	---
6.	Out of Head quarter	₹13,500/- daily fee for the days of his absence from HQ	₹9,000/- daily fee for the days of his absence from HQ.
7.	Conveyance charges for performing local journey while outside Headquarter.	₹1,500/-	₹1,500/-
8.	Clerkage	NIL	NIL
9.	Drafting SLP/Counter Affidavit/Rejoinder etc.	---	₹3,000/- per case
10.	Drawing Written Submission	---	₹3,000/- per case

11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance/obtaining the number and taking date for hearing)	---	₹ 3,000/-per case
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All other terms and conditions applicable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court in the pre-revised OM No. 21(04)/1999-Judl. dated 24.09.1999 read with OM No. 21(05)/ 2011-Judl. dated 01.10.2011 shall continue to remain applicable unless specifically revoked/revised.

(B)

The Fee structure applicable to Assistant Solicitors General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC), Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT and Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta) as per the following rates:-

Sl. No.	Item of work	Revised fee
1.	Retainer Fee of:- Assistant Solicitor General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC) and, Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT.	₹ 9000/- per month.
2.	Suits, Writ Petitions and Appeals, including oral Applications for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 9000/- per case per day of effective hearing in case of non-effective hearing ₹ 1500/- per day subject to a maximum of 5 hearing
3.	Application for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 3000/- per case
4.	Settling pleadings	₹ 3000/- per case
5.	Miscellaneous Application	₹ 3000/- per case
6.	Conference	₹ 900/- per conference subject to:- (i) for setting pleadings- one conference. (ii) In respect of hearing of Writ matters, Suits, appeals and Supreme courts leave applications etc- Three conference (Maximum)
7.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Ministry/ Department.

All other terms and condition applicable to Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta) in to this Department's, OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl., and OM No. 26(2)/99-Judl., all dated 24.09.99, read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and OM No. 26(1)/2011-Judl. dated 01.10.2011, shall continue to remain applicable unless specifically revoked/revised

Revision of the fee structure applicable to the Panel Counsel of High Courts as well as of CAT Benches of Bombay and Kolkata:-

Sl.No.	Item of Work	Special Counsel	Senior Counsel Group. I	Senior Counsel Group. II	Jr. Counsel Advocate on record
1.	Suits, Appeals, Writ /Revision Petitions including Special Civil Application in the High Court.	₹ 9000	₹ 6000	₹ 3750	₹ 1800
	Per conference/Consultation	₹ 900	₹ 750	₹ 600	₹ 450
2.	Application including Interim Motions, Notices, Appeals, Leave Application, Arbitration, Company Matters, Criminal Revision and other Land Acquisition References (per day per effective hearing)	₹ 3000	₹ 3000	₹ 2250	₹ 1350
	Per conference/Consultation	₹ 900	₹ 750	₹ 600	₹ 450
3.	Drafting or Settling Pleadings, and Affidavits (per pleadings)	₹ 3000	₹ 1800	₹ 1500	₹ 1050
	Per conference/Consultation	₹ 900	₹ 750	₹ 600	₹ 450
4.	Appearance before Arbitration and Tribunals, etc and Courts other than High Courts (Per day per effective hearing)	₹ 7500	₹ 6000	₹ 3750	₹ 2250
	Per conference/Consultation	₹ 900	₹ 750	₹ 600	₹ 450
5.	Chamber Application, including Adjournment Application per day inclusive of consultation	NIL	₹ 1500	₹ 900	₹ 600
6.	Written opinions and written advice including advice on evidence (inclusive of consultation)	₹ 3750	₹ 2250	₹ 1350	₹ 1050

All other terms and conditions applicable to the Counsels of High Courts as well as of the CAT Benches of Bombay and Kolkata in the pre-revised OM No. 23(2)/2001-Judl. & OM No. 22(02)/2001 dated 14th July, 2001 read with 23(2)/2011-Judl. dated 1st October, 2011 shall continue to remain applicable unless specifically revoked/revised:-

Note:- There will be no ceiling on the number of conference/ consultation in the case of Special Counsel, however in the case of other categories of Counsels, the number of conferences per cases will be limited to four (relaxable to six at the discretion of the Incharge (Litigation) of Branch Secretariat, Mumbai/Kolkata.



(D)

The Fee structure applicable for Panel Counsel, Delhi High Court and Central Govt. Counsel/ Pleader of various High Courts (including Panel Counsel of various CAT, Benches) excluding the High Courts of Bombay and Calcutta, as per the following rates:-

Sl.No.	Item of Work	Revised fee
1.	Civil or Criminal Writ Petitions under Article 226 & 227 of the Constitution, Contempt Petitions, Criminal/Civil Revision Petitions, Reference to the High Court under Sales Tax Act and Banking Company Petitions,	₹2250/- per effective hearing ₹450/- per non-effective hearing (subject to maximum of five hearings in a case)
2.	Original Suits, Civil Appeal from Decrees in Suits and proceedings including second appeal and land acquisition appeal except LPA from Petitions under Article 226 & 227 of the Constitution (Including drafting fee)	Ad. Valorem/regulation fee (subject to maximum of ₹ 45,000/- in a case.)
3.	Company Petitions	To be regulated by the rule contained in Appendix (iii) of the Company (Court) Rules, 1959
4.	Drafting of pleadings counter affidavits/returns/answer to Writ Petitions/Grounds of Appeal and application for leave to appeal to the Supreme Court	₹ 1,350/- per pleading
5.	Drafting of Civil Misc. applications to petitions under the Indian Succession Act, Contempt of Court proceedings and other proceedings of an original nature	₹1,125/- per petition
6.	Civil Misc. petitions, forma paupers, transfer petitions and other civil misc. petitions of routine nature	₹ 450/- per petition
7.	Consultation /conference fee	₹ 450/- per conference (subject to maximum of 4 conferences in a case)

8.	Appearance before the High Court in application under Section 34 & 37 of the Arbitration and Conciliation Act, 1996 Appearance before Arbitrator/Umpires etc.	₹2,250/- per effective hearing ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearing in a case). ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearings in a case).
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All other terms and condition applicable to above mentioned Counsels in to this Department's, in OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl. and OM No. 26(2)/99-Judl, all dated 24.09.99 read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and shall continue to remain applicable unless specifically revoked/revised.

(E)

The Fee structure Standing Govt. Counsel and Additional Standing Govt. Counsel in the District and Subordinate Courts:-

Sl.No.	Item of work	Revised fee
1.	Retainer fee for Standing Govt. Counsel	₹ 6000 per month
2.	Fee for effective hearing	₹ 1800 per day
3.	Fee for non-effective hearing	₹ 600 per day (not more than 5 such hearings in a case)
4.	Fee for drafting Written Statement, Grounds of Appeal etc.	₹ 1500 per pleading
5.	Fee for drafting other pleadings of misc. nature	₹ 600 per pleading
6.	Fee per Conference	₹ 900 (subject to maximum of 5 such conferences in a case / group of identical cases)
7.	Daily fee for out of Headquarters	₹ 2700 per day
8.	Conveyance charges for local journey outside Headquarters	₹ 900 (lump sum)
9.	Expenses for stay in hotels	₹ 1800 per day
10.	Clerkage	@ 10% of total fee excluding miscellaneous and out of pocket expenses (maximum ₹ 5250 in a case)
11.	Fee for identical Cases	Full fee in the 1 st case and ₹ 750 in per suit for connected cases (max. 3 cases)
12.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Department.

All other terms and conditions applicable to above mentioned Counsels in to this Department's, OM No. 27(11)/1999-Judl dated 24.09.1999 read with OM No. 27 (25)/2011-Judl. dated 01.09.2011, shall continue to remain applicable unless specifically revoked/revised.



(F)

The Fee structure applicable to Senior/Junior Arbitration Panel Counsel:-

Sl. No.	Details of work	Proposed Revised fee
1.	Fee for effective hearing Senior Counsel Junior Counsel	Rs. 2,250/- per appearance Rs. 1,500/- per appearance
2.	Fee for non-effective hearing Senior Counsel Junior Counsel	Rs. 450/- per appearance Rs. 300/- per appearance (maximum four such hearings)
3.	For drafting pleading Senior Counsel Junior Counsel	Rs. 1,500/- per pleading Rs. 750/- per pleading
4.	Conference fee Senior Counsel Junior Counsel	Rs. 450/- per conference Rs. 300/- per conference (maximum three such conferences in a case)
5.	Daily fee out of Headquarters Senior Counsel Junior Counsel	Rs. 3,000/- per day Rs. 2,250/- per day

All other terms and conditions applicable to OM No. 30(3)/99-Judl. dated 24.09.99 read with OM No. 26(1)/2005/Judl. dated 31.01.2008, shall continue to remain applicable unless specifically revoked/revised

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2. The above revised fee will be effective from 01.10. 2015.
3. The counsel will be paid fee at the old rates in respect of their appearance in the Court etc. and other work done by them prior to 01.10. 2015 and at the revised rates in respect of the work done by them on/ after 01.10. 2015.
4. This issues with the approval of the Ministry of Finance, Department of Expenditure, E.II(B) Branch, ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015.

(Suresh Chandra)

Joint Secretary and Legal Adviser

Tele No. 23387806

Copy to:

1. All Ministries/Departments to the Government of India.
2. Incharge, Central Agency Section, Litigation (HC) Section, Litigation Lower Courts Section. All Groups-A, B & C panel counsel of Supreme Court through Incharge, Central Agency Section.
3. All Senior Panel Counsel of High Courts/ CATs through concerned Assistant Solicitors General in High Courts/ Sr. CGSC of CATs Benches.
4. All Assistant Solicitors General in various High Courts/ Sr. CGSC of CATs Benches.
5. All Central Government Standing Counsel/Central Government Pleaders of Delhi High Court.
6. All Asstt. Solicitors General/Central Legal Adviser of various High Courts.
7. All Senior Central Government Standing Counsel/Addl. Central Government Standing Counsel of various CAT Benches.
8. All Standing Govt. Counsel and Additional Standing Govt. Counsel before various District and Subordinate Courts as per the list.
9. All Senior/Junior Counsel of the Arbitration Panel.
10. All Special Counsel, Senior Counsel Group-I, Senior Counsel Group-II and Junior Counsel of High Courts as well as CATs Benches of Bombay and Kolkata through the concerned Incharge of Branch Secretariat of Bombay and Kolkata.
11. Incharge, Branch Secretariats Mumbai/ Kolkata/ Chennai/ Bangalore.
12. All Sections of Department of Legal Affairs.
13. Legal Advisor, Railway Board, New Delhi (with 5 spare copies).
14. Department of Personnel and Training (AT Section), New Delhi (with 5 s/copies.)
15. Joint Secretary (Legal), Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies)
16. CBDT, Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies).
17. Branch Secretariats Mumbai/Calcutta/Chennai/Bangalore.
18. Ministry of Urban Development, Nirman Bhawan, New Delhi.
19. Department of Expenditure, Ministry of Finance, New Delhi w.r.t. their ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015..
20. DGS&D, New Delhi
21. NIC Cell with the request to upload the same in the website of this Department.
22. Judicial Section with 50 spare copies.
23. O.L. Section for Hindi translation.

Madhulika Upadhyay

(Madhulika Upadhyay)

1 Central Govt. Advocate

Tel. 23389006

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Railway Northern

Office of DY.C.S.T.E./C/PS/NDLS
DRM's Office, 4th floor,
New Delhi.

No.570-Sig/C/PS/Court Case - 39
Dated: 22.03.2023

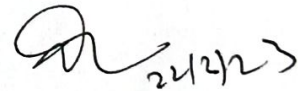
Judicial Section,
Room No. 439-A
Shastri Bhawan,
New Delhi.

Sub:- Payment to the legal counselor Sh. Sushil Kumar Pandey in the arbitration case no. 257/2022, M/s Kiran Infra Ltd., Northern Railway.

Ref:- Arbitration Case No. 257/2022.

Sh. Sushil Kumar Pandey legal counselor in the above referred arbitration case no. 257/2022, M/s Kiran Infra Ltd., Northern Railway, had submitted the bills of the proceeding in the above referred case.

There is no policy as such till now in the railway to make the payment to the legal advisor appointed by the litigation branch of J-13012/2022., Judicial, Govt. of India, Ministry of Law and Justice department of legal affairs (Judicial Section). It is requested to arrange payment for your legal counselor appointed by your Ministry. *as per legal norms*


For Dy. CSTE/C/PS/NDLS

Copy to: Law Officer's, K. Gate for kind information please.

JB
22-03-23

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SUSHIL KUMAR PANDEY
(ADVOCATE)
Senior Panel Counsel

471 Lawyers Chamber, Block-I
Delhi High Court, New Delhi -110003,
Mob; - 9873588234 & 09873099031
Email Id: acjlaw2020@gmail.com

Bill/FINANCE/ SK/Mic/2/2023

To,
DY. Chief Signal & Telecom Engineer/ Construction
(PS), DRM Office, State Entry Road,
Northern Railway,
New Delhi-110055

Dated: 23.02.2023

Subject;

COVERING LETTER

Kindly find enclosed herewith the Bill in ARBITRATION CASE TITLED AS
KIRAN INFRA VS. UNION OF INDIA, THROUGH NORTHERN
RAILWAY BEFORE LD. SOLE ARBITRATOR AMRIT KAUR OBEROI

Please clear the bill as earliest.

Thanking you

SUSHIL KUMAR PANDEY
En. No. D/456/2004 Advocate
471, Lawyers Chamber
Delhi High Court, New Delhi-110003
Mob: 9873588234 & 09873099031


Sushil Kumar Pandey
(Advocate)

(Senior Panel Counsel)

Pan No. ARDPP1895N

Off; C-20, IInd Floor, Aruna Park Laxmi Nagar Delhi-110092

SUSHIL KUMAR PANDEY
(ADVOCATE)
Senior Panel Counsel

207 ft
471 Lawyers Chamber, Block-I
Delhi High Court, New Delhi -110003,
Mob;- 9873588234 & 09873099031
Email Id: acjlaw2020@gmail.com

Bill/FINANCE/ SK/Mic/2/2023

To,
DY. Chief Signal & Telecom Engineer/ Construction
(PS), DRM Office, State Entry Road,
Northern Railway,
New Delhi-110055

Dated: 23.02.2023

Subject; ARBITRATION CASE TITLED AS KIRAN INFRA VS. UNION OF INDIA, THROUGH NORTHERN RAILWAY BEFORE LD. SOLE ARBITRATOR AMRIT KAUR OBEROI

S.No.	Particular	Amount
1.	Towards Two Conferences @ Rs. 1500 each	3,000/-
2.	Towards three appearances dated 11.01.2023, 01.02.2023 and 22.02.2023 before Ld. Arbitrator @ Rs. 3000 each.	9,000/-
3.	Towards drafting and filing of additional affidavit in response to rejoinder and affidavit of admission and denial @ Rs. 3000 each	6,000/-
4.	Towards Miscellaneous expenses for photocopy, scanning and others.	4,000/-
5.	Towards clerkage @ 10%.	2,200/-
	Total;	24,200/-

(Twenty Four Thousand Two Hundred Only)

Thanking you


Sushil Kumar Pandey
(Advocate)
Senior Panel Counsel
Pan No. ARDPP1895N

SUSHIL KUMAR PANDEY
En. No. D/456/2004 Advocate
471, Lawyers Chamber
Delhi High Court, New Delhi-110003

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