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DIRECTORATE GENERAL
CENTRAL INDUSTRIAL SECURITY FORCE
(MINISTRY OF HOME AFFAIRS)

BLOCK-13, CGO COMPLEX,
LODHI RAOD, NEW DELHI

No.V-14014/LA-01/2018/L-967-(E)

Dated : 11-06-2020

To,

1. THE SDG/AIRPORT SECTOR CISF AIRPORT SECTOR HQRS, NEW DELHI.
2. THE DIG, CISF RTC BARWAHA.

Subject :- **REIMBURSEMENT OF LEGAL FEE BILL**

Please refer to SDG APS letter No. V-14099/APS/SH/LC/2011/3566 dated 22.04.2020 and CISF RTC Barwaha letter No. (1582) dated 07.03.2020.

2. On perusal of the above letters it is revealed that a sum of Rs. 56,000/- has been paid to Shri R.K.Sharma, Sr. Commandant (Retired) by Airport Sector, whereas only Rs.13,600/- has been paid to Shri A.K.Dwivedi, Comdt.(Retd) as reimbursement of expenditure incurred on hiring counsel as part of legal assistance approved by MHA. The disparity is due to the fact that Shri H.S.Dahiya, Advocate, has been considered a Senior Counsel by APS but a Junior Counsel by RTC Barwaha. Further APS has considered all the hearings in the Court as effective hearing, whereas Shri Hardeep Singh Dahiya had appeared before the Court only 05 days i.e. on 09.08.19, 25.07.2019, 30.10.2018, 26.10.2018 and 20.08.2018 as per Court orders. Ms. Bhavya, Advocate appeared before the Court on 11.05.18 & 08.03.2018 on behalf of Shri H.S.Dahiya. As per circular of MOL&J dated 28.11.18 (copy enclosed) in case of appearance of a proxy counsel/non-appearance of the counsel no fee is payable.

3. Hence, as per MOL&J OM dated 01.10.2015 and dated 28.11.18 both the officers are entitled Rs. 39,000/- each. The amount may be calculated in the following rates:-

1.	Rs. 7000/- X 5	= Rs. 35,000/-
2.	Fee for drafting of reply to writ petition	= Rs. 3,000/-
3.	Typing and photocopying charges	= Rs. 1,000/-

Total	Rs. 39,000/-
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4. In view of the above, APS HQrs are requested to reassess the payments and recover extra amount paid to Shri R.K.Sharma and DIG RTC Barwaha are requested to make payments as above considering Shri H.S.Dahiya as a Senior Counsel.

5. Compliance report to this effect may please be forwarded to this Directorate at the earliest, please.

Encl : As above.

Digitally signed by
GYANENDRA KUMAR,
SR. COMMANDANT/AIG LEGAL,
FHQ NEW DELHI,
11-06-2020

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07 JAN 2018
14.7.17

Ministry of Law & Justice
Department of Legal Affairs
Judicial Section

Sub: Fee Bill clarification

Reference BSF Communication No. 49001/11/2015-Staff/BSF/15385-86 dated 20.11.2018

2. The undersigned is directed to refer to the query of the Administrative Department and state as follows-

(a) Requests for adjournment of the matter by the Counsel may be treated as non-effective hearing in terms of this Dept's OM No. 24(2)/99-JudL dated 24.09.1999 and OM No. 33(1)/2000-JudL dated 11.09.2000.

(b) In case of appearance of a proxy counsel/non-appearance of the counsel no fee is payable.

(c) Non-effective hearings are restricted to a maximum no. of 5 (five) as per this Dept's OM No. 26(1)/2014-JudL dated 01.10.2015.

(d) This Section does vet the fee bill of Counsels.

Above mentioned OM's are available on the website of Dept. of Legal Affairs, Ministry of Law and Justice which may be accessed at the website legalaffairs.gov.in under the tab Judicial Section in the link 'Circulars Pertaining to Litigation'.

This issues with the approval of Competent Authority.

28.11.18
(L.C.DABARIA)

Asst. Legal Adviser (J)

Tel: 23384831(O)

3 (Staff), (Pers Dte-Staff Section), BSF, Block No. 04, CGO Complex, Lodhi Road, New Delhi.

Department of Legal Affairs ID Note F. No. J-12012/1/2018-JudL (Part-85) dated 11.2018

Copy to-Legal Desk-II, Police-II Division, MHA, North Block.