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NOTIFICATION

No.A. 45011/1/91-LJE/223, the 3rd J ne, 1998. In supercession of notification even number dt. 10.11.1995 published in the Mizoram Gazette extra-ordinary issued No. 512 Vol. XXIV of 15.11.1995 and in exercise of the powers conferred under r les 6 and 7 of the Mizoram (Appointment, duties, fees etc. of Govt. Advocates) Rules, 1995, the Governor of Mizoram is pleased to make the following further revision to the rates of fees and entitlement for engagement of various Govt. Advocates and Advocates on panel of the Govt. with immediate effect.

1. GOVT. ADVOCATE-CUM-PUBLIC PROSECUTOR IN THE HIGH COURT.

- (a) Govt. Advocate-cum-Public Prosecutor in the High Court shall be paid a retainer fee of Rs. 3000/- p.m.
- (b) For each day of appearance in Aizawl Bench of the Gauhati High Co rt or in other Courts or State-Level Appellate Tribunals/Commissions within Mizoram, the maximum fee per day shall not exceed Rs. 525/-
- (c) For appearance in Aizawl Bench of the Gauhati High Court and the Consumer Disputes Redressal Commission, Mizoram, the Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled as follows :—
 - (i) Rs. 525/- per day for effective hearing.
 - (ii) Rs. 262/- per day for non-effective hearing.
- (d) The Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled to the fees for appearance in the District Court, or Tribunals original jurisdiction within Mizoram as follows :—

- (i) Rs. 487/- per day for effective hearing.
- (ii) Rs. 195/- per day for non-effective hearing.
- (e) The Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled to the fees for drafting at a flat rate of Rs. 195/- per case.
- (f) For each day of attending to Aizawl Bench of the Gauhati High Court, the Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled to Rs. 200/- per day as conveyance allowance.

2. ASSISTANT GOVT. ADVOCATE-CUM-PUBLIC PROSECUTOR IN THE HIGH COURT.

- (a) The Assistant Govt. Advocate-cum-Public Prosecutor shall be paid a retainer fee of Rs. 1500/- per month.
- (b) For appearance in Aizawl Bench of the Gauhati High Court or in other Courts or state Level Appellate Tribunals/ Commissions within Mizoram, an Assistant Govt. Advocate-cum-Public-Prosecutor in the High Court shall be paid Rs. 375/- and Rs. 150/- per day, irrespective of the number of cases conducted, for effective hearing and for non-effective hearing respectively.
- (c) For appearance, in the High Court or in any District Court, an Assistant Govt. Advocate-cum-Public Prosecutor shall be entitled to the fees for such appearance as follows :-
 - (i) Rs. 262/- per day for effective hearing.
 - (ii) Rs. 150/- per day for non-effective hearing.
- (d) An Assistant Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled to the fees for drafting, preparation of papers, books etc. at a flat rate of Rs. 112/- per case.
- (e) For each day of attending in Aizawl Bench of the Gauhati High Court, an Assistant Govt. Advocate-cum-Public Prosecutor in the High Court shall be entitled to Rs. 200/- per day as conveyance allowance.

3. GOVT. ADVOCATE IN THE DISTRICT COURTS

- (a) A Govt. Advocate in the District Court shall be paid a retainer fee of Rs. 1800/- per month.
- (b) For each day of appearance in courts within Mizoram, the maximum fee per day shall not exceed Rs. 487/-

(c) Govt. Advocate in the District Courts shall be entitled to fees for appearance in the District Court or other courts or Tribunals of Civil judicature within Mizoram as follows :-

- (i) Rs. 487/-per day for effective hearing.
- (ii) Rs. 195/-per day for non-effective hearing.

(d) A Govt. Advocate in the District Court shall be entitled to the fees for drafting plaints, written statements etc. at a flat rate of Rs. 150/- per case.

**4. PUBLIC PROSECUTORS IN THE DISTRICT COURT/
SPECIAL PUBLIC PROSECUTOR IN THE SPECIAL
COURT OR COURT OF SPECIAL JUDGE ETC.**

(a) A Public Prosecutor in the District Court or a Special Public Prosecutor shall be paid a retainer fee of Rs. 1800/- per month.

(b) For each day of appearance in the courts within Mizoram or within the respective District the maximum fee per day shall not exceed Rs. 487/-

(c) A Public Prosecutor or Special Public Prosecutor in the District Courts or any Special Court or Tribunal shall be entitled to fees for appearance in such court or courts or Tribunal or Criminal judicature as follows :-

(i) Rs. 487/- in session cases, and or Rs. 390/- in other warrant-Procedure-cases and/or Rs. 292/- in summary-trial-cases and in case where accused plead guilty-per day for effective hearing.

(ii) Rs. 195/- in sessions cases, and Rs. 150/- in other warrant-procedure-cases, and Rs. 100/-in other residuary types of cases mentioned above -per day for non-effective hearing.

(d) A Public Prosecutor or a special Public Prosecutor shall be entitled to the fees for drafting written arguments, written objections against bail-petitions, other miscellaneous interlocutory petitions excepts adjournment, petitions in the cases contested, and for drafting memorandums of appeal, revision petitions, original miscellaneous petitions and complaints including those contemplated in section 199 of the code of criminal procedure, 1973, at a flat rate of Rs. 120/- per case.

5. ASSISTANT GOVT. ADVOCATE IN THE DISTRICT COURTS OR SUB-DIVISIONAL COURTS AND OTHER TRIBUNALS OR FORUMS

- (a) An Assistant Govt. Advocate in the District Court or Sub-Divisional Courts and Tribunals or Forums shall be paid a retainer fee of Rs. 135/- per month.
- (b) For each day of appearance in court within Mizoram, the maximum fee per day shall not exceed Rs. 300/-
- (c) An Assistant Govt. Advocate in the District Court or Sub-Divisional Court and other Tribunals or Forums shall be entitled to the fees for appearance in such court or Tribunals or Forums of Civil Judicature as follows :—
 - (i) Rs. 225/- per day for effective hearing.
 - (ii) Rs. 150/- per day for non-effective hearing.
- (d) For drafting plaints, written statements, interlocutory petitions, miscellaneous petitions written objections etc. an Assistant Govt. Advocate in the District Court or Sub-Divisional Court and other Tribunals or Forums shall be entitled to a flat rate of Rs. 112/- per case.

6. ADVOCATES ON PANEL

An Advocate on Panel if engaged in any case shall be entitled to the following fees:—

- (a) For appearance :
 - (i) if having practice for more than 20 years. — Rs. 600/- per day (irrespective of the no. of cases).
 - (ii) if having practice for more than 10 yrs. but less than 20 yrs. — Rs. 525/- per day (irrespective of the no. of cases.)
 - (iii) if having practice for more than 5 yrs. but less than 10 yrs. — Rs. 300/- per day (irrespective of the no. of cases).
 - (iv) if having practice for less than 5 years. — Rs. 225/- per day (irrespective of the no. of cases).

7. INTERPRETATION :

- (a) "Effective hearing on a date on which argument is made, plaints or other original Petition or complaint, a writ application, a

revision or appeal or any interlocutory petition claiming for some relief including a bail application is admitted and hearing on any such pleading is made, issue are framed, witness is examined or cross-examined, charge is framed or the like in which active effective participation of the Govt. Advocate is required.

- (b) "Non-effective hearing" means the hearing on date on which a suit or case or appeal or revision or application or proceeding is adjourned inspite of appearance of the Govt. Advocate concerned, or a written statement or objection or affidavit or application is simply filed, or date or dates are fixed for order, supply of copies or filing of list of witnesses, for steps or the like, in which active or effective participation of the Govt. Advocate is usually not required.

F O R M - 'A'
(See para - 9)

Sl. No.	Name of Court.	Case No & Name of the Parties.	Date of appearance.	Whether effective or non-effective hearing.	No. of drafting	No. of consultation.	Fees claimed.
1	2	3	4	5	6	7	8

Name of the Govt. Advocate etc.

Signature of the Govt. Advocate etc.

Certified that I have not preferred any claim for appearance/Consultation/drafting other than those for which I am entitled.

Signature of the Govt. Advocate etc.