

**PATNA HIGH COURT MIDDLE INCOME GROUP  
LEGAL AID SOCIETY**

**FAQ ON PATNA HIGH COURT MIDDLE INCOME  
GROUP LEGAL AID SCHEME**

**1. What is Middle Income Group Scheme?**

This scheme provides legal services to the middle income group citizens i.e. citizens whose gross income is not exceeding Rs. 35,000/- per month or Rs.4,50,000/- per annum.

**2. Who are the office bearers of the Patna High Court Middle Income Group Legal Aid Society?**

Sl.No.	Name of the Office bearers	Designation
1.	Hon'ble Mr. Justice Hemant Gupta, Acting Chief Justice, Patna High Court	President
2.	Hon'ble Mr. Justice K.K. Mandal, Judge, Patna High Court	Vice-President
3.	Shri Lalit Kishore, Principal Addl. Advocate General	Vice President
4.	Shri Satyabir Bharti, Advocate, Patna High Court	Secretary
5.	Shri PushkarNarainShahi, Sr. Advocate, Patna High Court	Treasurer

**3. Who are the empaneled advocates of Patna High Court Middle Income Group Legal Aid Society?**

As per the enclosed list.

**4. With respect to which Court this scheme is applicable?**

The Scheme will be applicable for cases intending to be filed in the Patna High Court, Patna.

**5. What is the process for availing benefit?**

Every person who desires to avail of the services of an Advocate empaneled under the Scheme will have to approach the Secretary of the Scheme/ office of the Society, by filing an application in the prescribed form annexed hereto along with the relevant documents.

As soon as the papers are received they would be assigned to the Advocate-on-Record of the choice indicated by an applicant upon his request under the scheme. In case the learned Advocate after perusing them opines that this is not a fit case for filing petition before the Hon'ble Patna High Court, in that case, the applicant will not be entitled to be benefit of the Scheme. Upon such as endorsement being made either upon the case papers or in any accompanying letter, the Patna High Court Middle Income Group Legal Aid Society shall return the papers forthwith to the applicant and deduct a sum of Rs.500/- only towards service charges. The balance amount of service charges and the amounts which may have been deposited by the applicant with the Society towards appropriation as fee and all expenses in the conduct of the case will be refunded. If the learned Advocate-on-Record after examining the matter is satisfied that it is a fit case to be proceeded with, then the Middle Income Group Legal Aid Society will proceed to take the view that an applicant is entitled to legal aid. The view expressed by the Learned Advocate-on-Record will be final in so far as the eligibility of the applicant for obtaining the benefit of the Scheme is concerned.

**6. Whether an Advocate of applicant's choice be assigned the case?**

The applicant may indicate any 3 names both in relation to the Advocate-on-Record or the Senior Counsel or both, as the case may be, in the order of preference from out of the panel maintained by Society. The Society would attempt to honour the choice indicated. However, the final right to assign the papers of the applicant under the Scheme to any Advocate-on-Record or the

Senior Counsel will remain with the Patna High Court Middle Income Group Legal Aid Society.

**7. What is the procedure thereafter?**

In case the learned Advocate after perusing the opines that this is not fit for filing in the Patna High Court, in that view of the matter the applicant will not be entitled to be benefit of the Scheme. Upon such as endorsement being made either upon the case papers or in any accompanying letter, the **Patna High Court Middle Income Group Legal Aid Society** shall return the papers forthwith to the applicant and deduct a sum of Rs. 500/- only towards service charges. The balance amount of service charges and the amounts which may have been deposited by the applicant with the committee towards appropriation as fee and all expenses in the conduct of the case will be refunded. If the learned Advocate after examining the matter is satisfied that it is a fit case to be proceeded with, then the **Patna High Court Middle Income Group Legal Aid Society** will proceed to take the view that an applicant is entitled to legal aid. The view expressed by the Learned Advocate will be final in so far as the eligibility of the applicant for obtaining the benefit of the Scheme is concerned.

**8. What documents are required to be filed by the applicant?**

The applicants are required to submit the applications forms to the MIG Society along with full documentations. For instance, if he/she seeks to file an appeal, against any order/judgment, he/she is required to submit a certified copy of that order/judgment along with other relevant documents, copy of Petition filed by him/her in the High Court, copies of the Lower Court judgment/ records and other relevant documents. If these are in language other than English/Hindi, then the English translation of same may be required.

**9. What is procedure for payment to Advocate?**

On assigning of a case to an Advocate under the Scheme the intending litigant will be directed to deposit with Society the fee and expenses as per schedule as assessed by the Secretary/Office. The payment to the Advocate or the service charges payable to the Scheme as stated in the Schedule shall be in cash or bank draft.

The Advocate shall submit his bill on the basis of the amounts prescribed in the schedule with regard to printing, Court fee and his appearance fee along with a copy of the filing memo in token of a proof of filing the Petition/Appeal for which the claim is made. The Advocate will inform the Society about the admission of any matter so that the client can be requested to pay the fee for processing the Appeal, without which information it will not be possible for the Committee to recover the amount from the client and pay to the Advocate on hearing of the case. The fee to the Advocate in regular matter shall be made on receipt of a bill from the Advocate at the time of the conclusion of the final hearing of the matter.

**10. What is the duty and responsibility of Advocate?**

Once the case is assigned to an Advocate it is the responsibility of the Advocate to deal with the matter as he/she deems fit in the interest of the client and the Advocate is required to communicate directly with the litigant and the Society will not monitor assignment and final disposal of the matter. However, the Society will intercede upon the receipt of a complaint in writing.

**11. What is Complaint Redressal Mechanism?**

After a complaint is received by the Society from the litigant and/or the concerned Advocate against the litigant/Advocate then the Society after enquiry may take such action as is deemed fit and necessary.

If the Advocate who is appointed under the Scheme is found negligent in the conduct of the case entrusted to him, then he will be required to return the

brief together with the fee which may have been received by him from the applicant under the Scheme.

Further, the Society would not be responsible for the negligent conduct of the case but the entire responsibility will that be of the Advocate vis-à-vis the client. The name of the Advocate would however, be struck off from the panel prepared the scheme.

## **12. What is Schedule of Fee for Advocates and other expenses?**

### **A. APPEARING ON BEHALF OF THE PETITIONER**

1. Honorarium for drafting and filing Writ Petition/including list of dates and miscellaneous applications such as Stay Exemption, Bail, Condonation of delay including appearance, conferences with the client and also for drafting rejoinder affidavit and/or contesting matter after notice stage including acting work and adjournment excluding final disposal at notice stage.

Consolidated Rs. 3500/-

2. Honorarium for drafting and filing transfer petition including list of dates and miscellaneous applications including appearance, conference with the client and also for drafting rejoinder affidavit and/or at contesting matter after notice is issued by the court and till be disposal of the matter at the notice stage including active work and adjournment (excluding final disposal at notice stage) .

Consolidated Rs.3500/-

3. Honorarium for hearing of the matter at Final Disposal stage, inclusive of adjournment if any, and/or at appeal stage.

Rs.3,500/- per case

### **B. APPEARING ON BEHALF OF THE RESPONDENT**

1. Honorarium for drafting counter affidavit/ statement of objections, and all other necessary applications, including application for vacating stay and appearance inclusive of all conferences, upto admission stage, excluding final disposal at notice stage.

Consolidated Rs.3500/-

2. Honorarium for hearing of matter at final disposal stage including adjournment, if any, and/ or at appeal stage.

Rs. 3,500/- per case

#### **HONORIUM FOR SENIOR ADVOCATES**

1. Honorarium for settlement of Writ Petition / Transfer Petition / Counter Affidavit / Rejoinder Affidavit / statement of objections including conference etc.

Consolidated Rs.8500/-per case

2. Honorarium for appearance at the admission stage / after notice.

Rs. 8500/- per case

#### **C. SCHEDULE OF RATES FOR OUT OF POCKET EXPENSES.**

- 1) Photocopy charges – 1.00 paisa per page
- 2) Steno Charges – Rs. 300 consolidated
- 3) Paper Book binding and filing expenses – Rs. 300- per case
- 4) Computer Typing (Ordinary Print)
  - (i) For original computer print – Rs. 6/- per page.
  - (ii) For additional pages – Rs. 1/- per page

- D. Court fee payable on petition as per applicable laws as amended up-to-date.

Service charges of the Committee Rs.500/-.

#### **13. Where to go or whom to contact for any kind of help?**

For all kind of help/information please contact Secretary, Patna High Court Middle Income Group Legal Aid Society, Patna Mob: 9934355055: Office of the Patna High Court Middle Income Group Legal Aid Society, Patna High Court Building- 0612-2504475.