

**[TO BE PUBLISHED IN PART 2 SECTION 3 SUB-SECTION (i) OF THE
GAZETTED OF INDIA, EXTRAORDINARY]**

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)**

New Delhi, the 18th July 2008

NOTIFICATION

G.S.R.....(E) - In exercise of the powers conferred by the proviso to article 309 read with article 76 of the Constitution, the President hereby makes the following rules further to amend the Law Officers (Conditions of Service) Rules, 1987, namely:-

1. (1) These rules may be called the Law Officers (Conditions of Service) Amendment Rules, 2008.
(2) They shall be deemed to have come into force on the first day of May 2008 or from the date of appointment of the Law Officer, whichever is later.

2. In the Law Officers (Conditions of Service) Rules, 1987, for rule 7, the following rule shall be substituted namely:-

“7. Retainer, fee and allowances.- For the performance of the duties mentioned in Rule 5, a Law Officer shall be paid-

- (a) a retainer, except during the period of his leave,-

- (i) in the case of the Attorney General, of rupees fifty thousand per month;
- (ii) in the case of the Solicitor-General, of rupees forty thousand per month; and
- (iii) in the case of Additional Solicitor General , of rupees thirty thousand per month;

- (b) a fee for appearance and other work on behalf of the Government of India in cases before the Supreme Court, various High Courts, Commissions of Inquiry or Tribunals and the like on the following scales, namely :-

Sl. No.	Nomenclature of the item of work	Rates of fees payable for appearance and other work in cases before the Supreme Court, High Courts (including Delhi High Court) and any Court (other than the Supreme Court or High Court) or a Tribunal or a Commission of Inquiry or an Arbitrator
1	2	3
(i)	Suits, writ petitions, appeals and references under article 143	Rs. 16,000/- per case per day
(ii)	Special leave petitions and other applications	Rs. 10,000/- per case per day
(iii)	Settling pleadings (including affidavits)	Rs. 5,000/- per pleading
(iv)	Settling Statement of Case	Rs. 6,000/- per case
(v)	For giving opinions in statements of cases sent by the Ministry of Law	Rs. 10,000/- per case
(vi)	For written submission before the Supreme Court, High Court, and Commissions of Inquiry or Tribunals and the like	Rs. 10,000/- per case
(vii)	Appearance in Courts outside Delhi	Rs. 40,000/- per day per case

Explanation:- If two or more cases involving substantially identical questions are heard together with common arguments, Law Officer shall be entitled to only one fee as for a single case.

- (c) The Attorney General shall be paid sumptuary allowance of rupees four thousand per month, except during the period of his leave;
- (d) Where a Law Officer is required to perform journeys outside the headquarters in the course of his duties, he shall be paid or reimbursed the actual expenses incurred on travelling and on boarding and lodging; and
- (e) If a Law Officer is called upon to perform any duty other than those referred to in rule 5, such as, acting as Arbitrator or giving opinion after hearing both the sides, one being the Government of India, he shall be paid such fee as may be determined by the Government”.

[F. No. 18(1)/98-Judl]

(M.A. Khan Yusufi)
Joint. Secretary and Legal Adviser to the Govt. of India

Foot Note: The principal rules were published in the gazette of India, extra ordinary part II, Section 3, Sub-Section (I), dated the 1st January, 1987 vide notification NO. GSR 1(E) dated the 1st January, 1987 and have been subsequently amended by

- i. GSR No. 379(E) dated the 14th April, 1987.
- ii. GSR 473 (E) dated 22nd June 1993.
- iii. G.S.R. 403 (E) dated 2nd June 1999.
- iv. G.S.R 345 (E) dated 10th May 2001
- v. G.S.R. ... (E) dated 25th February, 2005.
- vi. GSR ...(E) dated 16th December, 2005.
- vii. GSR ...(E) dated 16th December, 2005.
- viii. GSR ...(E) dated 16th December, 2005.

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- iii. All Additional Solicitors General of India,
- iv. PS to ML&J/PS to MSL&J/PS to Law Secretary/PS to Legislative Secretary.
- v. All Ministries/Departments to the Govt. of India.
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(M.A. Khan Yusufi)
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