



ABSTRACT

APTRANSCO – LEGAL CELL – REGULATIONS GOVERNING PAYMENT OF FEE AND EXPENSES TO STANDING LEGAL ADVISORS AND OTHER LEGAL COUNSELS – ENHANCEMENT OF FEE AND EXPENSES – ORDERS – ISSUED.

T.O.O. (Per-Addl.Secy) Ms.No. 405

Dt.24 -01-2012

Read the following

1. BP.Ms.No.998, Dt.07.12.1981.
2. T.O.O. (Per-Addl.Secy) Ms.No.92, Dt.04.08.2005.
3. T.O.O. (Per-Addl.Secy) Ms.No.219, Dt.11.01.2008.
4. Lr.No.CGM(HRD)/GM(Adm.)/AS(Estt.)/PO-B/891/10, Dt.23.12.2010.

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PROCEEDINGS

In the reference 2nd & 3rd cited, orders were issued revising the fee structure and expenses to Standing Legal Advisers and other legal Counsels to APTRANSCO.

2. In the reference 4th cited, the APCPDCL proposed for enhancement of existing fee structure and expenses payable to Standing Legal Advisers in various legal proceedings. The revised fee structure and expenses proposed by APCPDCL was approved in the APPCC Meeting held on 07.12.2011.

3. In supercision of the orders issued under references 2nd & 3rd cited, the APTRANSCO after careful consideration issues regulations for payment of the fee and expenses and retainer fee to Standing Legal Advisers and other legal counsels in various legal proceedings, in the revised schedule of Fees annexed to this order. The other terms and conditions stipulated in the reference 1st cited remain unaltered.

4. The SLAs shall execute an undertaking that they shall abide by the terms and conditions of fee and expenses fixed by APTransco from time to time.

5. The Chairman and Managing Director/APTransco shall be competent to consider any variation in the fee/expenses or fee structure in respect of SLAs/Advocates/Senior Advocates.

6. This order shall come into force with immediate effect and in respect of retainer fee is only applicable from the date of appointment/re-appointment of the SLAs,

7. These orders are issued with the concurrence of Director (Fin. & Rev.) vide Regd. No.218, Dt.18.01.2012.

8. These orders are also available on APTRANSCO Website and can be accessed at the address <http://www.aptransco.gov.in>.

(BY ORDER AND IN THE NAME OF TRANSMISSION CORPORATION OF A.P LIMITED)

AJAY JAIN

CHAIRMAN AND MANAGING DIRECTOR

To
Sri O.Manohar Reddy, SLA
398/3RT, Ramesh Residency,
Besides Reliance Fresh,
Sanjeeva Reddy Nagar, Hyderabad - 500038
Sri P,Laxma Reddy, SLA to APTRANSCO,
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(Contd...)

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P.S to CMD / APTRANSCO, Vidyut Soudha, Hyderabad
P.A to JMD (HRD & Distribution), APTRANSCO, Vidyut Soudha, Hyderabad
P.A to JMD (Comml., IPC & IT), APTRANSCO, Vidyut Soudha, Hyderabad
P.A to JMD (Vigilance and Security), APTRANSCO, Vidyut Soudha, Hyderabad
P.A to Director (Fin., & Rev.), APTRANSCO, Vidyut Soudha, Hyderabad
PA to Director (Grid Operation)/AP Transco/VS/Hyd.
DE/Tech. to Director (Transmission)/AP Transco/VS/Hyd.
DE/Tech. to Director (Projects)/AP Transco/VS/Hyd.
P.S to Chairman & Managing Director / APCPDCL / Hyderabad
P.S. to Chairman & Managing Director / APSPDCL / Tirupathi
P.S. to Chairman & Managing Director / APNPDCL / Warangal
P.S. to Chairman & Managing Director / APEPDCL / Visakhapatnam
P.S. to Managing Director & Vice-Chairman/APGenco/VS/Hyderabad.
The Chief General Manager(Adm.)/AP Genco/VS/Hyderabad.
The Executive Director/Mechanical/AP Transco/VS/ Hyderabad.
The Executive Director/Planning, RAC & Reforms//AP Transco/VS/ Hyderabad.
The Executive Director(G)/AP Transco/VS/ Hyderabad.
The Chief General Manager (HRD & Training), APTRANSCO, Vidyut Soudha, Hyderabad
The Additional Secretary, APTRANSCO, Vidyut Soudha, Hyderabad
The Legal Advisor, APTRANSCO, Vidyut Soudha, Hyderabad
The Joint Secretary/AP Transco/C.T.I/GTS Colony/Erragadda/ Hyderabad.
All Chief General Managers (HRD)/APSPDCL/APCPDCL/APNPDCL/APEPDCL
The Company Secretary/AP Transco/VS/ Hyderabad.
The Resident Audit Officer/EBCA/APTransco/VS/ Hyderabad
The CE(EA,RE,Opn.,&IT)/APTRANSCO --- **With a request to place the above orders in APTRANSCO Website.**

All Chief Engineers / APTRANSCO
All FA&CCAs / APTRANSCO / Vidyut Soudha, Hyderabad
All Superintending Engineers/ APTRANSCO
All Divisional Engineers / APTRANSCO
All Deputy Secretaries // All. Asst. Secretaries/APTRANSCO/VS/Hyd.
All Deputy CCAs / APTRANSCO / Vidyut Soudha, Hyderabad
The Pay Officer / APTRANSCO / Vidyut Soudha, Hyderabad
The Accounts Officer / CPR / APTRANSCO / Vidyut Soudha, Hyderabad
All Senior Accounts Officers / APTRANSCO / Vidyut Soudha, Hyderabad
All Assistant Secretaries / APTRANSCO / Vidyut Soudha, Hyderabad
The Estate Officer / APTRANSCO / Vidyut Soudha, Hyderabad
All Personnel Officers / APTRANSCO / Vidyut Soudha, Hyderabad
All Sections / Stock File

C.F.No.Addl.Secy/DS(L,IR&R)/AS(L,IR&R)/PO(L)/JPO-IV/2221/2005.

//FORWARDED BY ORDER//


PERSONNEL OFFICER

ANNEXURE

REVISED SCHEDULE OF FEES - T.O.O.(Per-Addl.Secy.) Ms.No. 405, Dt.24.01.2012

Sl No	Nature of legal Proceedings	Fee and Expenses payable to SLAs (Existing)	Revised Fee & Expenses	Fee Payable stages
1	2	3	4	5
1A.	i. Writ Petitions / Writ Appeals / Review Petitions / Revision Petitions / Contempt Petitions / Second Appeals in Suits / CRPs / A.A/LPAs(Letter Patent Appeals) ii. Cases filed before H.R. Commission	Fee - Rs.1,500/- towards legal fee. Rs.1400/- towards expenses such as court fee and welfare stamp on Vakalat, Typing Clerkage including preparation of material papers and miscellaneous expenses etc.	Rs.2,500/- Fee Rs.1500/- Expenses	* 1/4th of the fee at admission stage and * 1/4th of the fee for filing of Counter Affidavit and filing Appeals, and * The balance 50% after disposal of the case * Only 50% of the fee to be paid when WP, etc., is withdrawn/ becomes infructuous / disposed exparte/uncontested at the time of hearing. Full expenses payable at the time of filing Counter.
1B.	Batch cases : Writ Petitions / Writ Appeals / Review Petitions/ Revision Petitions/ Contempt Petitions/ Second Appeals in Suits CRPs/A.A.s /LPAs (Letter Patent Appeals)	i) Rs.1,500/- towards legal fee and ii) Rs.1400/- towards Expenses in first case such as Court Fee and Welfare Stamp on Vakalat, Typing, Clerkage, including preparation of material papers and miscellaneous expenses etc., + Rs.200/- towards expenses in subsequent cases in that batch.	i) Rs.2,500/- Fee ii)Rs.1,500/- Expenses Rs.500/- (Expenses in subsequent batch cases)	* Fee and expenses for the first case as in column (3) and the subsequent cases as follows: * <u>2 to 10 cases</u> - 50% of the fee payable in first case. * <u>11 to 20 cases</u> - 30% of the fee payable in first case * <u>21 to 30 cases</u> - 20% of the fee payable in first case. >31 cases - 10% of the fee payable in first case. * The full expenses in the first case i.e., Rs.1,500/- shall be paid at the time of filing counter. * In batch cases Rs.500/- expenses per case shall be paid after disposal of the case. The above fee structure shall be applicable to any Advocate of the A.P.Transco irrespective of the amount of fee payable and in respect of any other cases disposed off by common judgment or where the cause of action or grounds of disputes are common irrespective of filing separate affidavits/counters etc.
2A.	Filing of vacate petition / Miscellaneous petition/Civil Miscellaneous Petition (CMP) in Civil Review Petition (CRP)/Interlocutory Application(s) (I.As)in any other proceedings by APTransco	Rs.1,750/- towards Expenses.	Rs.2,000/- Expenses	Rs.2,000/- payable at the time of filing petition.

Sl No	Nature of legal Proceedings	Fee and Expenses payable to SLAs (Existing)	Revised Fee & Expenses	Fee Payable stages
2B	Filing of Deletion Petition / Caveat Petition / Extension Petition by APTransco	Rs.1500/- towards expenses	Rs.1,500/- Expenses. (No change)	Rs.1,500/- payable at the time of filing petition.
2 C	Applications/ Petitions filed before the Special courts u/s.135(5) for determination of Civil Liability (Assessed theft amount) a) Claim/Assessed Amount more than Rs.10,000/- and upto Rs.50,000/- b) Claim/Assessed Amount more than Rs.50,000/- and up to Rs.1,00,000/- c) Claim/Assessed Amount more than Rs.1,00,000/- and up to Rs.3,00,000/- d) Claim/Assessed Amount more than Rs.3,00,000/-	a) Rs.1,000/- towards fee and Rs.400/- towards expenses b) Rs.1,500/- towards fee and Rs.400/- towards expenses c) Rs.3,000/- towards fee and Rs.400/- towards expenses d) A Senior Advocate may be engaged with the approval of the AP Transco	Rs.2000/- Fee. Rs.1000/- Expenses. Rs.2500/- Fee Rs.1000/- Expenses Rs.3000/- Fee Rs.1000/- Expenses	a) Rs.1,000/- fee + Rs.1,000/- expenses at the time of filing of the case and balance Fee Rs.1,000/- after disposal of the case. b) Rs.1,250/- fee + Rs.1,000/- expenses at the time of filing the case and balance Fee Rs.1,250/- after disposal of the case. c) Rs.1500/- + Rs.1,000/- expenses at the time of filing of the case and balance Fee Rs.1,500/- after disposal of the case.
3 (A)	(i) O.S / A.S / O.P / First Appeal / Second Appeals in suits/CMA (other than those filed against orders of APERC)	Fee is computed as per Regulations of fee * upto Rs.1 Lakh - as per Advocate fee Rules. * Next Rs.4 Lakhs@1% * Next Rs.10 Lakhs @ 1/2% * Beyond Rs.15 Lakhs @ 1/4% * Rs.1,500/- towards expenses + Conveyance charges @ Rs.50/- per Adjournment. Subject to a ceiling of Rs.1 Lakh in each suit. Where costs are awarded to AP Transco the full legal fee allowed by the court shall be paid.	No change in Fee Rs.3000/- Expenses. No Conveyance Charges can be given	<u>In case judgment is in favour of the APTransco: Full fee calculated on the basis of Suit Value.</u> <u>In case judgment is against the APTransco: 50% of the fee</u> calculated on the basis of suit value and the balance where the decision in first Appeal is in favour of the APTransco 50% of the fee payable in First Appeal where the decision in the first appeal is against the APTransco. * No fee for mere appearance without arguments. * 1/4th of the Regulation fee for preparation of plaint/written statement. * 1/2 of the Regulation fee for work during Trail. * Full Regulation fee for Conclusion of final arguments/ Disposal of the case. * If the O.Ss/O.Ps are more than one covering the similar issue/ subject, the fee structure under Column 4 against Sl.No.1(B) shall apply. The O.S/O.P carrying the highest value shall be taken as first case for the purpose of computation of fee. 50% of the expenses should be paid at the time of filing Written statement/ suit etc. and balance expenses after disposal of the case.

Sl No	Nature of legal Proceedings	Fee and Expenses payable to SLAs (Existing)	Revised Fee & Expenses	Fee Payable stages
3(B)	<p>i. Cases filed before Tribunals/Labour courts i.e., I.Ds/Authorities like Commissioner under various states like EPF/ESI/minimum wages/payment of wages and other enactments</p> <p>ii. Cases filed before Legal Services Authority.</p>	<p>Fee Rs.2,500/- Expenses Rs.1,500/- Conveyance charges @ Rs.50/- per adjournment.</p> <p>Fee and expenses Rs.2500/-, conveyance Charges Nil irrespective of monetary value involved in such litigation</p>	<p>i) Rs.5,000/- Fee Rs.2,000/- Expenses. (No Conveyance Charges)</p> <p>ii) No Change</p>	<p>In these cases, where the tribunal, etc., does not quantify the award/Judgment the claim will be treated as non monetary/declaratory suit and the fee payable will be subject to a maximum of Rs.5,000/- irrespective of its result.</p> <p>* No fee for mere appearance without arguments.</p> <p>* 1/4th Regulation fee for preparation of plaint/ written statement.</p> <p>* 1/2 of Regulation fee for work during trail. Full Regulations fee on conclusion of final arguments/disposal of the case.</p>
4	Execution Petitions.	Fee is to be computed as in the case of OS/AS + Expenses Rs.1200/- per case	<p>Rs.1500/- Expenses</p> <p>Fee as in the case of OSs</p>	<p>* 1/4th of the Regulation fee for filing of counter/ Application, and</p> <p>* The balance after the closure of E.P.</p> <p>* The expenses should be paid in full at the time of filing counter.</p> <p>In all the E.Ps filed for the first time, fee shall be fixed at 1/2 of the fee allowed in the suit or proceeding, as the case may be, in case of contest and 1/4th in case where there is no contest.</p> <p>If the EPs are more than one covering the similar issue /distinct, the fee structure under column 4 against Sl.No.1(B) shall apply. The E.P. carrying the highest value shall be taken as first case for the purpose of computation of the fee.</p>
5	Arbitration Cases / Cases filed before AP Industry Facilitation Council, Hyderabad.	<p>The fee payable in Arbitration cases shall be computed on the basis of amount finally awarded by the arbitration and not on the basis of the claim in the arbitration cases. The computation of fee shall be as per the slabs shown below:</p> <p>* Upto Rs.5 Lakhs award amount as per Advocate fee Rules.</p> <p>* Next Rs.10 Lakhs @ 1/4%</p> <p>* Beyond Rs.15 Lakhs @ 1/8%</p> <p>Subject to a maximum of Rs.10,000/- for each Arbitration case Rs.1500/- towards expenses.</p> <p>Rs.2,500/- in case of non-monetary disputes.</p>	<p>Fee subject to a maximum of Rs.15,000/-</p> <p>Rs.7,500/- (50% of Fee)</p> <p>Rs.2,000/- Expenses</p> <p>Rs.5,000/-</p>	<p>In case award is in favour of the APTransco : Fee calculated on the basis of award or Rs.15,000/- whichever is less after the award.</p> <p><u>In case award is against the APTransco:</u> 50% of the fee calculated on the basis of award or Rs.7,500/- which ever is less after the award and the balance where the decision in first appeal is in favour of the APTransco. 50% of fee payable in cases where the decision in the first appeal is against the APTransco.</p> <p>The expenses shall be paid in full at the time of filing counter.</p> <p>Fee Rs..5,000/- in case of non-monetary disputes/ references or otherwise.</p>

Sl No	Nature of legal Proceedings	Fee and Expenses payable to SLAs (Existing)	Revised Fee & Expenses	Fee Payable stages
6	Disputes before District Forums	Rs.500/- towards fee Rs.1200/- towards expenses	Rs.2000/- Fee Rs.1500/- Expenses	Fee shall be payable after disposal of the case. Expenses shall be paid in full at the time of filing counter.
7	Appeals against the orders of District Forum filed before State Commission	Rs.1000/- towards Fee Rs.1200/- towards expenses.	Rs.3000/- Fee Rs.1500/- Expenses	Fee shall be payable after disposal of the case. Expenses shall be paid in full at the time of filing counter.
8	O.P or Appeal filed before National Commission, New Delhi	Rs.1500/- towards fee Rs.1200/- towards expenses	Rs.10,000/- AOR's Fee Rs.3,000/- Expenses	* Fee payable after disposal of the appeal * Expenses payable at the time of filing of appeal.
9	Retainer fee to Standing Legal Advisor at Headquarters	Rs.3,350/- per month i. Rs.1000/- towards Retainer fee per month includes opinion work. ii. Rs.1200/- towards stenographer allowance per month. iii. Rs.1000/- towards Telephone charges per Month and iv. Rs.150/- towards office Allowance per month	Rs.5000/- For BLCs Rs.3,500/- P.M., as retainership fees.	Inclusive of Retainer Fee, opinion work, stenographer allowance and office allowance per month. SIM Card is provided by the AP Transco and the SLA can avail up to Rs.1,275/- per month.
10	Payment of fee to SLAs for assisting the Learned Advocate General/ Sr.Advocates	1/3rd of fee subject to a maximum of Rs.5,000/-	(No change)	Where the learned Advocate General or Senior Advocates are specially engaged by the AP Transco in any case in High Court or in any other court of Law, where the Standing Legal Advisors are requested to assist them, in such cases they shall be paid one third fee of the fees payable to learned Advocate General or Senior Advocates for each engagement subject to a maximum of Rs.5,000/- (Rupees Five Thousand only)
11	For giving Legal Notices/Reply Notices.	Rs.200/- towards expenses irrespective of number of parties.	Rs.500/- Expenses	Expenses payable after issuance of Legal Notice/Reply Notice.
12	i) Expenses for obtaining certified copy from Lower Courts of Judgment/ WS/Plaint/Petition or any other document on request made by APTRANSCO.	Rs.600/- towards expenses	on actual expenses subject to maximum of Rs.1000/-	-
	ii) Expenses for obtaining certified copy from High Court Judgment/ WS/Plaint/Petition or any other document on request made by APTRANSCO.	Rs.300/- towards expenses	on actual expenses subject to maximum of Rs.1000/-	-