

Schedule

FEES, PAYABLE TO THE LEGAL PRACTITIONERS ON THE PANEL

(See Regulation 41 (3))

Subordinate Courts

Topics covered in this document:- [:: [Civil](#) :: [Criminal](#) :: [High Court](#) :: [Tribunals](#) ::]

A. CIVIL

1. ORIGINAL SUITS

In original suits advocate's fees shall be calculated on the value of the Subject matter of the suit for determining the jurisdiction of the court according to the following scales.

- a) on the first sum of Rs. 5,000/- at 7%
- b) on the next sum of Rs. 5,000/- at 5%
- c) on the next sum of Rs. 40,000/- at 3%
- d) on sum above Rs. 50,000/- at 2%

Subject to a maximum fees of Rs.2,000/-

Provided that the fee allowed in any suit shall not be less than Rs. 250/- in the suits prosecuted in the court of a Munsiff Rs. 500/- in the court of a Subordinate Judge; and Rs.750/- in the court of a District Judge.

Provided further that in suits filed by the Banks for recovery of loans advanced by them, the fee payable for an advocate appearing for the defendant shall be a fixed fee of Rs.300/- only in a Munsiff's Court and Rs. 500/- in a subordinate Judge's Court.

2. EXECUTION CASES

In execution cases, the advocate's fee shall be calculated at the rate of 25% of the fee calculated, at the rates specified in para's 1 above.

3. REGULAR APPEALS

In a regular appeal, the advocate's fee shall be calculated at the rate specified in para 1 above on the value of the amount of the subject-matter in dispute in the appeal:

Subject to the minimum of Rs. 250/- and maximum Rs. 2000/-.

4. EXECUTION APPEALS

In execution appeals, the advocate's fee payable shall be 25% of the fee which would have been payable if the appeals were regular appeals.

5. OTHER PROCEEDINGS

In other proceedings, the advocate's fee shall be as fixed by the Court having regard to the time occupied in the hearing of the case and nature of the questions raised with the minimum and maximum, specified hereunder:-

| | Minimum | Maximum |
|---|---------------------|----------------|
| | Rs. | Rs. |
| 1. Land Acquisition cases | 500 | 1,000 |
| 2. Matrimonial cases | 250 | 500 |
| 3. Guardian & Wards cases | 250 | 500 |
| 4. Contentious Probate & Letters of Administration cases | 250 | 1,000 |
| 5. Succession Certificate and probate Petitions | 250 | 1,000 |
| 6. Insolvency cases | 250 | 1,000 |
| 7. Arbitration cases | 500 | 1,000 |
| 8. Hindu Religious & C.I. cases | 250 | 1,000 |
| 9. Copyright cases | 500 | 1,000 |
| 10. Trademarks & Passing off | 500 | 1,000 |
| 11. Any other original proceedings | 250 | 1,000 |
| 12. Any proceedings not falling under other items, a fixed fee of | Rs. 250/- per case. | |
| 13. Other petitions | 250 | |
| 14. Miscellaneous Appeals | 250 | 500 |
| 15. Buildings (Lease & Rent Control) Petitions and Appeals. | 250 | 500 |

Note:- (1) If the courts fails to fix the advocate's fee the court shall be deemed to have awarded the minimum specified above.

(2) Only half of the fee prescribed shall be payable in uncontested cases and cases settled out of court.

(3) The fee drafting plaints, appeals, written statements, original applications or petitions under different enactments, objections to petitions stated above shall be Rs. 50/- per case. It shall be in addition to the fee for conducting such cases. No fee shall be paid for drafting interlocutory applications.

B. CRIMINAL

The following fee shall be payable to the advocates in each of the cases.

1. Session Cases : Rs. 100/- per day of effective appearance subject to a minimum of Rs.300/- and to a maximum Rs.1,000/- per case.
2. Other Criminal cases, Criminal Miscellaneous Cases where matrimonial Matter is involved and Criminal appeals : Rs. 50 per day of effective appearance subject to a maximum of Rs. 250/- and minimum of Rs 100 per case.
3. Bail Applications : Rs. 100/- per applications.

4. In Revision Petitions : Rs.10/- per case
5. (a) In Private Complaints : Rs. 50/- per day of effective appearance subject to a maximum of Rs. 250/- and minimum of Rs. 100/- per case.
(b) If it is not registered as a case by the Court : Rs. 100/- per case.

© For drafting Complaints : Rs. 50/- per case.
Appeals and Revisions

High Court

1. APPEALS

- (1) In Regular First Appeals and in Regular Second Appeals, the advocate's fee shall; subject to a minimum of Rs. 500/- and maximum of Rs. 3000/- be payable on the value of the subject-matter of the appeal as specified above for original suits in the subordinate courts:
Provided that only half the fees shall be payable in uncontested cases and cases settled out of court or compromised.
- (2) In Execution First Appeals and in Execution Second Appeals, advocate's fee payable shall be one third of the fee which would have been payable, if the appeal had been a regular appeal, subject to a minimum of Rs. 250/-.

2. MISCELLANEOUS APPEALS

- (1) In appeals against interlocutory orders, the advocate's fee shall be Rs. 200/-.
- (2) In appeals arising out of different enactments, the advocate's fee shall be payable as admissible to cases under which the appeal is filed, subject to a minimum of Rs. 250/- and a maximum of Rs. 500/-.

3. OTHER TYPE OF CASES

The advocate's fee in the following contested cases shall be as specified against each of them:-

- | | |
|--------------------------------|--------------|
| 1. Civil Miscellaneous Cases | : Rs. 250/- |
| 2. Writ Petitions | : Rs. 1000/- |
| 3. Writ Appeals | : Rs. 1000/- |
| 4. Contempt of Court Cases | : Rs. 500/- |
| 5. Civil Referred Case | : Rs. 500/- |
| 6. Sales Tax & Revisions | : Rs. 500/- |
| 7. Tax Revision Cases | : Rs. 500/- |
| 8. Miscellaneous First Appeals | : Rs. 500/- |

4. CRIMINAL APPEALS

The fee payable shall be Rs. 300/- per appeal before a single judge and Rs. 500/- for an appeal before a larger bench.

5. In the following criminal matters, the fee shall be payable as hereunder:

- (a) Criminal Revision Cases : Rs. 150/-
- (b) Criminal Petitions : Rs. 150/-
- (c) Habeas Corpus Petition : Rs. 500/-

6. The fee for drafting Memorandum of Appeals, petitions, revision cases, cross appeals, counters and the like, the fee shall be Rs. 50/- per case, in addition to fee for conducting such cases. No fee shall be paid for drafting interlocutory applications and affidavits.

7. For cases before the Central Administrative Tribunal, the fees shall be Rs. 500/- per case.

8. No separate fees shall be payable for interlocutory applications.

Tribunals

1. MOTOR VEHICLE ACCIDENT CASES

In Motor Vehicle Compensation cases, the Advocate's fee shall be payable as per the following rates, namely:-

| S. No. | Details | Advocate's Fee |
|--------|---|--|
| (1) | If the principal amount of compensation Awarded is Rs.15,000/- or less | Rs. 250/- |
| (2) | If the principal amount of compensation awarded exceeds Rs. 15,000/- but does not exceed Rs. 30,000/- | Rs. 250/- + 2½% on the amount in the excess of Rs.15,000/- |
| (3) | If the principal amount of compensation exceeds Rs. 30,000/- but does not exceed Rs. 50,000/- | Rs. 625/- + 2% of the amount in excess of Rs. 30,000/- |
| (4) | If the principal amount of compensation exceeds Rs. 50,000/- | Rs. 1025/- + 1% of the amount in excess of Rs. 50,000/-. Subject to a maximum Rs. 3,000/- |

2. LABOUR COURTS, INDUSTRIAL TRIBUNALS AND W.C. COMMISSIONERS COURTS

Rs. 50/- per day of effective appearance subject to a minimum of Rs. 250/- and maximum of Rs. 500/-.

3. OTHER CASES

In cases before all other Tribunals, and other Authorities, the advocate's fee payable shall be Rs. 30/- per day of effective appearance subject to a minimum of Rs. 150/- and a maximum of Rs. 250/- per case.

Note: For drafting applications or counters in the matters arising out of items 1 to 3 above the fee shall be Rs. 50/- per case.

B. JNANASUDARSANAN

Member Secretary
Kerala State Legal Services Authority