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GOVERNMENT OF TAMIL NADU

Abstract

Law charges - Municipal cases - standing counsel - Fees for appearance in Courts and Retainer fees - Enhancement - orders - issued.

LAW DEPARTMENT

G.O.Ms.No.11

Dated 17.1.1983.

- Read: 1. From the Inspector of Municipalities, Madras.1
Lr.Roc.No.9234/79-1/F3, dated 13.2.79.
2. From the Inspector of Municipalities, Madras.1
Lr.Roc.No.112544/79-2/F3, dated 17.12.79.
3. From the Director of Municipal Administration, Madras.1
Lr.Roc.No.42039/82/R2, dated 5.10.82.

ORDER:

According to sub-paragraph (1) and (2) under paragraph 55 of the Municipal Manual, volume I, a Municipal Council may pay fees to Counsel without outside sanction for the purposes specified therein upto Rs.200/- (Rupees two hundred only). The Inspector of Municipalities has requested that as large number of proposals for sanction of law charges which exceed Rs.200/- are received, the Government may permit the Municipal Council to pay fees to Counsel without outside sanction upto Rs.500/- (Rupees five hundred only) whether it is recoverable or not, instead of the present rate of Rs.200/- and to obtain the sanction of the Inspector of Municipalities in case, if such fees exceeds, Rs.500/-.

According to paragraph 55 (5) of the Municipal Manual, volume I, a Municipal Council may appoint a Standing Counsel on a fixed remuneration for a term not exceeding three years at a time for giving legal advice and for rendering services out of Court in connection with the legal affairs of the Municipality and for attending to Criminal cases where the engagement of a Counsel is necessary. The sanction of the Inspector of Municipalities shall be obtained for the rate of retaining fee payable to the standing Counsel. In his letter dated 17.12.79, the Inspector of Municipalities has stated that most of the Municipalities are sending proposals received are increasing day-by-day. For administrative conveniences, and to avoid the least delay in sanctioning the retainer fee, he has suggested that the sanction of retainer fee may be delegated to the Municipal Councils and the following rates may be fixed for sanctioning retainer fee without outside sanction according to the Grades of Municipalities and Township Committees:-

Special Grade Municipalities	:: Upto Rs.750/- P.A.
Selection Grade and Ist Grade Municipalities	:: Upto Rs.500/- P.A.
Second Grade and Third Grade Municipalities and Township Committees.	:: Upto Rs.300/- P.A.

The sanction of the Inspector should be obtained for the cases where the retainer fee of the standing counsel has to be fixed in excess of the rates prescribed above.

The Government after careful consideration accept the recommendations of the Inspector of Municipalities referred to in paragraph 2 above. They accordingly direct that the Municipal Councils may pay fees to Counsels without outside sanction upto Rs.500/- (Rupees five hundred only) whether it is recoverable or not, instead of the present rate of Rs.200/- (Rupees two hundred only) and obtain the sanction of the Director of Municipal Administration in case if any such case exceeds Rs.500/- and that the Municipal Councils may also sanction retainer fee to the Counsels without outside sanction at the following rates according to the grades of Municipalities and Township Committees

..2..

Special Grade Municipalities :: Upto Rs.750/- per Annum
Selection Grade and Ist Grades: Upto Rs.500/- Per Annum
Municipalities

Second Grade and Third Grade
Municipalities and Townships
Committees :: Upto Rs.300/- Per Annum

The sanction of the Inspector of Municipalities should be obtained by the Municipal Councils in the case where the retainer fee to the Standing Councils has to be fixed in excess of the rates prescribed above.

The Director of Municipal Administration is requested to send necessary draft amendments to paragraph 55 of Municipal Manual volume I, to the Rural Development & Local Administration department with reference to the orders in paragraph 3 above.

(By order of the Governor)

S.VADIVELU
SECRETARY TO GOVERNMENT.

To
XXXXXXX
Copy to:
XXXXXX

/forwarded by order/

Sd/-
Section Officer.

//true copy//

Office of the Tamil Nadu Institute
of Urban Studies, Coimbatore-43.

R.F.No.9183(479/83)A3


Dated: 16.2.83.

Copy Communicated.

Sd/- (A.SEVUNAPANDIAN)
Director.

To
~~XXXXXXXX~~ The Director.
All Faculty Members.
M, A1, A2 & A3

//forwarded by order/


MANAGER. 21/83