

MAHARASHTRA POLLUTION CONTROL BOARD

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Mumbai - 400 022.

Date: 10/5/12

Standing Order

To

Asstt. Secretary (Technical) / Joint Director (WPC) / Joint Director (APC) /
Principal Scientific Officer / Z.O. (PAMS) /
Chief Accounts Officer/Regional Officer HQ,
Maharashtra Pollution Control Board,

The Regional Officer,

Maharashtra Pollution Control Board,

Mumbai/Thane /Navi Mumbai/Raigad/ Kalyan/Pune/Nashik/Aurangabad/
Nagpur/Amravati/Kolhapur / Chandrapur

The Sub-Regional Officer,

Maharashtra Pollution Control Board

Mumbai-I/II/III/IV / Thane-I/II/Tarapur-I/II / Navi Mumbai-I/II/Taloja/Raigad-I/II/Mahad /
Kalyan-I/II/III / Pune-I/II/Pimpri-Chinchwad/Satara/Solapur/ Nashik/Jalgaon-I/II/Ahmednagar/
Aurangabad-I/II/Latur/Nanded/Parbhani/Nagpur-I/II/Bhandara/Chandrapur / Amravati-I/II/
Akola/ Kolhapur/Sangli/Ratnagiri/Chiplun.

Sub: Revision of professional charges scheme for appointment of
Advocates for defending Board's interest in various Courts of Law.

Ref: 1) Standing Order No.BO/P&L Div./B-7023 dtd.13.2.2011
2) Resolution passed in 157th Meeting of the Board held on 27.4.2012.

In continuation of earlier standing order at Ref.No.1 above, further amendment in the revision of professional charges scheme for appointment of Panel Advocates for defending Board's Interest in various Courts of Law was placed before the 15th Meeting of the Board held on 27.4.2012. After due deliberations, it was decided as under:

- 1) Appeals / Applications filed before the National Green Tribunal / National Appellate Authority / National Consumer Forum / National Human Rights Commission or any other National Forum -

In view of the prevailing practice before the National Green Tribunal & Other National Judicial Forums, the matters filed by or against the Board have been observed to be decided in one stage only, unlike the matters filed before Hon'ble High Court Benches and Hon'ble Supreme Court of India, which are heard before admission and if admitted also being heard after admission by issuance of Rule/s, it was decided that the earlier total fees of Rs.40,000/- approved by the Board in its 155th Meeting held on 25.1.2011 being reduced to Rs.25,000/- to be paid as under:

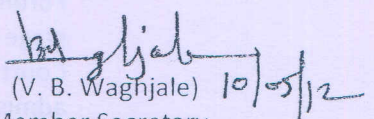
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- i) Rs.12,500/- after filing replies
And
 - ii) Rs12,500/- after disposal of the matters and after receipt for final order from National Green Tribunal
- 2) Professional Charges Fees for filing of Caveat –
It was decided to approve Professional Charges as under:
- i) Caveat Application filing and services before the Hon'ble High Court / National Green Tribunal / Other National Forums = Rs.5000/-
 - ii) Filing of Caveat Application before Hon'ble Supreme Court of India = Rs.10,000/-
 - iii) Caveat Application filing before any other State Forum Rs.2,500/-
- 3) Notice of Motion : Reinstatement of the Legal Proceedings:-
The Board has approved the following professional charges for the above proceedings :
- a) It is proposed that in the matter of Notice of Motion, professional charges will be paid Rs.10,000/- for the "A" panel Advocates and for the "B" panel Advocates will be paid Rs.5,000/-
 - b) In Supreme Court of India, the payment of Professional charges will be made on the lines of the engagement of services of Advocate at Supreme Court of India as per the Scheme approved by the Board i.e. schedule of fees submitted by the Advocate on Record.
- 4) It was decided to authorize the following officers for engagement of the services of the Panel Advocates on behalf of the Board as well as for appointing Sr. Counsel/s in the different matters before High Court Benches and Supreme Court of India as well as National Forum as and when required.
- a) Sr. Law Officer (Policy and Law Division) will be authorized to engage the Advocate/s before the National Green Tribunal, other National Forums and "B" Panel Advocates appearing before the Hon'ble High Court as well as Advocates appointed before Trial Courts and Appellate Courts.
 - b) Member Secretary / Chairman will approve the engagement of "A" Panel Advocate and Sr.Counsels as well as Solicitor Firms. The Professional charges will be recommended by the concerned local officer, but bills will be certified by the policy and Law Division.
 - c) It was decided that the matters which are not covered in the Professional Charges Scheme, which will come forward in future, will be processed on the recommendations of the Policy & Law Division with the approval of the Member Secretary / Chairman of the Board.

The approved professional charges scheme in 157th Board Meeting held on 27.04.2012 with the said amended scheme will be made applicable in the matters before the various Court of Law and quasi-judicial authorities with immediate effect. An extract of minutes to the Item No.4 of 157th Board Meeting is enclosed for ready reference. (Annexure-A)


(V. B. Waghjale) 10/05/12
Member Secretary

Encl: As above

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