

DRAFT REGULATION



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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Amendment to the [Andhra Pradesh Electricity Regulatory Commission \(Terms & Conditions of Appointment and Payment of Remuneration to Empanelled Advocate\) Regulations, 2020.](#)

INTRODUCTION

Whereas the Andhra Pradesh Electricity Regulatory Commission (hereinafter referred to as “the Commission”) notified the “Andhra Pradesh Electricity Regulatory Commission (Terms & Conditions of Appointment and Payment of Remuneration to Empanelled Advocate) Regulations, 2020” governing the appointment and payment of remuneration to empanelled advocates by the Commission (hereinafter referred to as the “Principal Regulation”) in Andhra Pradesh Extraordinary Gazette dated 27.10.2020.

Whereas during the course of the working of the Principal Regulation, the Commission decided to prescribe certain ceilings on payment of fees per case/batch of cases before the Hon’ble APTEL and the Hon’ble Supreme Court.

Now therefore, the Principal Regulation is proposed to be amended by issuing the following amendment Regulation.

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION (TERMS & CONDITIONS OF APPOINTMENT AND PAYMENT OF REMUNERATION TO EMPANELLED ADVOCATE) FIRST AMENDMENT REGULATION

REGULATION _____ OF 2021

In exercise of the powers conferred on it, by Clause 22 of the Principal Regulations, read with Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Andhra Pradesh Electricity Regulatory Commission makes the following Regulation to Amend the Andhra Pradesh Electricity Regulatory Commission (Terms &

Conditions of Appointment and Payment of Remuneration to Empanelled Advocate) Regulations, 2020.

PART-I

GENERAL

1. Short title and Commencement:

- (i) This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission (Terms & Conditions of Appointment and Payment of Remuneration to Empanelled Advocate) First Amendment Regulation.
- (ii) This Regulation shall come into force with effect from the date of its publication in the official gazette.

PART-2

AMENDMENT

The Schedule - I and Schedule - II in the principal Regulation shall be substituted with the Schedule I and Schedule II described below :

SCHEDULE I

An Empanelled Advocate engaged by the Commission to appear in the Supreme Court shall be paid fee as follows:

- a) A daily fee of Rs. 35,000/- in each appeal during the final hearing. Where 2 or more appeals involving similar points are coming up for final hearing, the following amounts shall be payable for each day of appearance subject to a Maximum fee of Rs.1,20,000/-
 - i) After the first case, from case no. 2 to 50 an amount of Rs. 15,000 per case.
 - ii) Where the number of cases exceeds 50 but does not exceed 100, a fee of Rs. 7,500/- per case no. 51 to 100.
 - iii) Where the number of cases exceeds 100 but does not exceed 200 a fee of Rs. 3,000/- per case no. 101 onwards.

Provided that the amount payable for a batch shall be subject to a maximum of Rs.70,000/- per day and for 6 days in all.

b) A daily fee of Rs. 20,000/- in each appearance in miscellaneous matters like special leave petition, civil miscellaneous petition for stay etc subjected to a maximum fees of Rs.1,20,000/-. Where 2 or more SLPs / appeals are coming up for the miscellaneous hearing the following amounts shall be payable for each day of appearance:

- i) After the first case, from case no. 2 to 50 an amount of Rs. 10,000 per case.
- ii) Where the number of cases exceeds 50 but does not exceed 100 a fee of Rs. 5,000/- from case no. 51 to 100.
- iii) Where the number of cases exceeds 100 but does not exceed 200 a fee of Rs. 2,500/- from case no. 101 onwards.

Provided that the amount payable for a batch shall be subject to a maximum of Rs.50,000/- per day and for 6 days in all.

c) A separate reading fee @ 25% on the fees payable shall be paid if the reading material is more than 250 pages and above.

SCHEDULE -II

An Empanelled Advocate engaged by the Commission to appear in the APTEL shall be paid fee as follows:

a) In case of a single appeal, an amount of Rs. 20,000/- per appearance per day subject to a Maximum fee of Rs.1,20,000/- will be paid.

b) In case of more than one appeal, involving similar issue(s), an amount of Rs. 10,000/- each per appearance per day in respect of each appeal shall be paid. For second and subsequent appeals subject to limiting the total of maximum fee of Rs. 40,000/-per day including the fee for the first case where a batch of cases are filed and heard together and for subject to a Maximum fee for Six days in all.

c) No separate amount shall be payable in the IA's or towards any other expenditure and the same has to be met from the fee itself.

d) A separate reading fee @ 25% on the fees payable shall be paid if the reading material is more than 250 pages and above.

(BY ORDER OF THE COMMISSION)

Hyderabad
04.02.2021

Sd/- 03/02/2021
Commission Secretary^(i/c)