



RAJASTHAN STATE LEGAL SERVICES AUTHORITY,
RAJASTHAN HIGH COURT CAMPUS, JAIPUR BENCH, JAIPUR.
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No. F-4(03)/RLSA/DSADR/Mediation/2017/ 1295

Dated: 10.04.2018

To,

The Member Secretary,
National Legal Services Authority
New Delhi-110001.

Sub: Payment of Honorarium in Unsuccessful Mediation Cases out of fund allotted under Section 4(c) of Legal Services Authority Act, 1987.

Ref: Letter No. F-4 (03)/ RLSA / DS-ADR / Mediation / 2017 / 26066, Dated: 01.11.2017 of this Authority.

Respected Sir,

With reference to the subject cited above, it is submitted that under **the Mediation Rules, 2015** framed by MCPC, It was provided that no honorarium is required to be paid for unsuccessful mediation. In compliance of the above rules, Rajasthan Government stopped payment of honorarium for unsuccessful mediation w.e.f. 01.07.2015.

After it, this authority received letter dated 07.10.2015 from MCPC with a direction, **"It is open to the High Court/ Mediation Centres across the country to fix higher rates of honoraria for the MCPC trained mediators as the High Court/ Mediation Centres may deem fit including honoraria for unsuccessful Mediation also."**

In compliance of above directions, the Mediation Monitoring Committee, Hon'ble Rajasthan High Court passed the resolution regarding payment of honorarium for unsuccessful mediation at the rate of Rupees 1500/- per case at the level of High court & Rupees 750/- at District Level after three effective sittings and efforts only after it is certified by Deputy Secretary, RLSA at High Court level and Judge In-charge, Mediation at District Level. This proposal has been approved by

Hon'ble the Chief Justice of Rajasthan High Court & Patron-in-Chief,
Rajasthan State Legal Services Authority.

This authority forwarded the proposal of payment of Honorarium for Unsuccessful Mediation to the State Government but the State Government has refused to accord its consent on the ground that there is no provision in Mediation Rules, 2015.


As per directions of Hon'ble Executive Chairman, RLSA, it is hereby submitted that as the Mediation Monitoring Committee, Hon'ble Rajasthan High Court & Hon'ble the Chief Justice of Rajasthan High Court has approved the proposal of payment of honoraria for unsuccessful mediation, therefore, this Authority is of the opinion that honorarium should be paid for unsuccessful mediation at the rate of Rupees 1500/- per case at the level of High Court & Rupees 750/- at District Level after three effective sittings and efforts after duly verification by Deputy Secretary, RLSA at High Court level and Judge In-Charge, Mediation at District Level.

This authority submitted this proposal by our above referred letter but the response of NALSA is still awaited.

Therefore it is submitted that permission may kindly be granted for payment of honoraria as proposed above from fund allotted under section 4(c) of Legal Services Authority Act, 1987.

With Regards,

Yours Sincerely


(S.K. Jain)

Member Secretary

Rajasthan State Legal Services Authority
Jaipur