भारतसरकार/ GOVERNMENT OF INDIA
रेलमंत्रालय/MINISTRY OF RAILWAYS
रेलवेबोर्ड/(RAILWAY BOARD)

No.2022/LC/15/1 New Delhi, dated: 28.12.2022

The General Managers
All Zonal Railways,
(including Production Units
Metro Railway, RDSO & CORE)
Chairman/Railway Recruitment Boards.

Sub:-Appointment of Railway Advocates in various Tribunals, Courts and other Statutory bodies.

The procedure for engagement of Railway Advocates for the purpose of the Central Administrative Tribunals, Railway Claim Tribunals, District Courts, sub-ordinate Courts and others Statutory bodies have been reviewed and it is decided to revise the procedure for empanelment of Advocates in the aforesaid Tribunals, Courts and other Statutory bodies, excluding the appointment of advocates for the High Courts and Supreme Court of India, shall be as under:-

1. **For Central Administrative Tribunal and Railway Claim Tribunals**:-

(a) The zonal railways shall call the applications from the advocates online in the proforma specified at Annexure –I and having the requisite qualifications and experience for the engagement as specified in the Annexure-II.

(a) The applications shall be scrutinized on the basis of independent enquiry about the correctness of the information provided in the said Annexures and also conduct the physical verification of their offices, library and their sitting place.

(b) The zonal Railways shall shortlist the applications in consultation with the Legal Adviser of the Board. The recommended name of the advocates shall be published on the official website of the said Zonal Railway for the purpose of interview/personal interaction and specified therein the date of the interview/personal interaction.

(c) The Board as constituted by the Head of the zonal Railway shall conduct the interview/personal interaction of the advocates and finalized their result as per the procedure laid by the Zonal Railway.

(d) The finalized list of panel advocates shall be submitted to the Railway Board for approval.

2. The number of advocates as recommended by the Zonal Railway should be at least one and half time the number of advocates to be empanelled to provide the Board an opportunity for making selection from amongst the recommended advocates.

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3. **District Courts, Sub-ordinate Courts and other Statutory Bodies**

(a) The zonal railways shall call the applications from the advocates online in the proforma specified at Annexure –I and having the requisite qualifications and experience for the engagement as specified in the Annexure-II.

(b) The applications shall be scrutinized on the basis of independent enquiry about the correctness of the information provided in the said Annexures and also conduct the physical verification of their offices, library and their sitting place.

(c) The zonal Railways shall shortlist the applications and the approved name of the advocates shall be published on the official website of the said Zonal Railway and specified therein the date of the interview.

(d) The Board as constituted by the Head of the zonal Railway shall conduct the interview of the advocates and finalized their result as per the procedure laid by the Zonal Railway.

(e) The finalized list of panel advocates shall be submitted to the Railway Board for approval.

4. There shall be a separate panel for junior and senior advocates.

5. **Duties of Advocates**:

a) Appear in the said Tribunals, Courts and other Statutory bodies in the case assigned to him.

b) Give legal advice to the Zonal Railway on such civil, criminal and other matters arising in the course of administration of the Zonal Railway as are referred to him/her by the officers of such Zonal Railway for the purposes of:-

i) Examination and settling of drafts of legal nature;
ii) Drafting of applications, petitions etc. to be filed in courts of law;
iii) Prompt removal/curing of defects in appeals/petitions filed, as may be pointed out by the registry;

c) When any case attended to by him/her is decided against the Zonal Railway, give opinion regarding the advisability of filing an appeal from such a decision not later more than the three working days of the order.

d) Apply for the copy of the judgment of the Courts, Tribunals and other Statutory bodies in a case attended by him/her on the same day or the next day and provide the copy within seven days of the receipt of the order (excluding the time taken by the Court in preparation of the copy);

e) If required, render all assistance to the Law Officers, Advocate General of the State Government, Special or Senior Counsel, who may be engaged in particular case before the Supreme Court, High Court, Tribunal etc.

f) Keep the Zonal Railway informed of the important developments in the case from time to time particularly with regard to drafting, filing of papers, dates of hearing

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of the case, order of the Court on the date of its pronouncement, supplying copies of judgment etc.

g) Furnish to the Zonal Railway monthly statement about the cases represented by him/her before the Tribunals, Courts and other Statutory bodies.

h) Perform such other duties of legal nature, which may be assigned to him/her by the Zonal Railway.

6. **Performance review**:

The performance of the counsels shall be reviewed by the Legal Adviser(Railways) in respect of CAT, RCT and by GM(Law) in respect of District & Subordinate courts on yearly basis.

7. **Allocation of cases**:

The Head of Legal Cell/Division may ensure that cases are distributed to advocates equal in number.

8. **Fee**:

The fee of the advocates shall be paid/sanctioned by the competent Authority as per fee structure prescribed by Judicial Section, Ministry of Law & Justice, DoLA from time to time.

9. **Period, Termination,Resignation and expiry of term**:

a) The advocates shall be engaged for the period of three years which may further extended two years on yearly basis subject to performance of the advocates as recommended by the Zonal Office and approved by the Railway Board.

b) The counsels may resign by assigning any reason and giving a notice of minimum period of three months.

c) The services of an advocate may be terminated on the basis of performance review.

11. In respect of any clarification, the decision of the Board (Railways) shall be final.

12. This letter partially supersedes the letter No.2022/LC/14/01 dated 22.02.2022.

(Sunita Anand)
Joint Secy & Legal Adviser (Railways)
28.12.2022

सुनीता आनन्द / SUNITA ANAND
संयुक्त सचिव एवं विधि सलाहकार (रेलवे)
Joint Secretary & Legal Adviser (Railway)
रेल मंत्रालय / Ministry of Railways
रेलवे बोर्ड / Railway Board
नई दिल्ली / New Delhi

ANNEXURE – I

Paste latest passport size photograph and sign a manner that part of signature appears on the Form and part on the Photograph.

Proforma for Empanelment of Advocate in CAT/RCT/District Court/Sub-ordinate Court (Tick whichever is applicable)

1. Applicant's Name (in block letters) :
2. Father's Name/Husband's Name (in block letters) :
3. Date of Birth (dd/mm/yyyy) :
4. Age (as on 01.01.2023) :
5. Gender (Male/Female) :
6. Address with Mobile No, Email id, Landline no. with STD code etc. :
   Residence
   Office
   Chamber
7. Mention the Court where the Applicant is interested to represent the matter :

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8. Educational Qualification :

Name of Course	Name of Board/University	Year of Passing
LL.B		
LL.M		
Any other		

9. Date of Enrolment as an Advocate :

10. Enrolment No. :
(Bar Council/Bar Association)

11. Total Experience in Practice :
Experience of Railway cases(in years)

12. Details of Experience :

Court	Total No. of cases handled	Cases won	Nature of cases handled (attach extra sheet, if required)
CAT			
RCT			
District court			
Sub-ordinate Court			

13. Specify names of PSU/Govt. :
Department represented by the applicant
(if any)

14. Field in which the candidate has conducted :
the cases particularly Civil, Criminal, Railway
Land and other claims Dispute labour laws and
in writ jurisdiction.

15. Copies of the Income-tax returns for the :
Last three years

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16. No. of cases in a year conducted before the concerned court applied for :

17. List of documents to be attached :

i) Copy of Degree of Law
ii) Copy of the enrolment certificate issued by the Bar Council
iii) Reported Judgements of Court in matters handled in individual capacity
iv) Income-tax return for the last three years
v) Experience Certificate

(Signature)

Date:_____

Place:_____

(Name in Block letters)

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ANNEXURE-II

1.Qualification : i) Minimum Qualification LLB
ii) Enrolment Certificate of practice at the BAR issued by BAR Council.
iii) Desirable Qualification LLM

2.Experience :

Court	Experience
Central Administrative Tribunal	Minimum seven years experience in CAT or other equivalent judicial forum. Out of which twoyears experience of handling railway cases is compulsory
Railway Claims Tribunal	Minimum seven years experience in RCT or other equivalent judicial forum. Out of which twoyears experience of handling railway claims cases is compulsory
District Court	Minimum five years experience in District Court or other equivalent judicial forum including Consumer Forum. Out of which oneyears experience of handling railway cases in district court is compulsory
Sub-ordinate Court	Minimum three years experience in Sub-ordinate Court or other equivalent judicial forum including Consumer Forum. Out of which six months experience of handling railway cases in Sub-ordinate Court is compulsory

* The Experience Certificate of the Advocate shall be endorsed by the Chairman of the concerned Bar Council or his nominee.

* The eligible applicant shall send their application to the concerned Zonal Railways.

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