PROCEDURE FOR APPOINTMENT OF RAILWAY ADVOCATES

GOVERNMENT OF INDIA
MINISTRY OF TRANSPORT (PARIVAHAN MANTRALAYA)
DEPARTMENT OF RAILWAYS (RAIL VIBHAG)
(RAILWAY BOARD)

(110)

Rail Bhavan
No. 84/LC/1-/N/1 New Delhi-110001, dated 5th November, 1985.

To

The General Managers,
All Indian Railways, C.L.W., D.L.W., & I.C.F.

The Director General,
R.D.S.O.,
Lucknow.

Subject:- Appointment of Railway Advocates in various courts.

The procedure to be followed for engagement of railway advocates for various High Courts and subordinate courts circulated to the Railways, vide the Board's letter of even number dated 22-3-1985, has been further reviewed, and it has been decided by the Board that hereafter the following procedure should be followed for appointment of new advocates or renewal of the tenure of the existing advocates:

(I) In respect of High Courts :

(i) (1) The zonal railways should select advocates for inclusion in the panel for railway advocates in various High Courts on the basis of independent enquiries made by them, and have the same cross-checked with,

(a) Heads of Branches of the Union Ministry of Law & Justice or, where there are no such Branches, the Senior Central Government Counsel,

(b) President of the Bar Council/Bar Association, and

(c) other eminent counsel practising in the High Court.

(2) The Advocate-General may also be consulted, if considered necessary by the General Manager.

(3) The panel of advocates finally recommended should consist of advocates who are generally endorsed by the afore-mentioned authorities.

(ii) There will be separate panels for junior and senior advocates.

(iii) These panels will be drawn once in three years.

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(iv) No fresh appointments shall normally be made during the currency of the existing panel, except when a vacancy arises.

(v) The number of persons on a particular panel will depend upon the work-load in a particular High Court.

(vi) The number of advocates recommended by the Railways should be at least 1½ times the number of advocates to be empanelled to provide the Board an opportunity for making selection from amongst the recommended advocates.

(vii) The recommendations received from the Railways should indicate, among other things, the qualifications, age, experience (performance in respect of the existing railway advocates), and general reputation and standing of the advocates.

(viii) The zonal railways should forward their recommendations to the Legal Adviser of the Board who will scrutinize them, before the case is submitted to the Board and T.M. for approval.

(ix) The zonal Railways shall make appointments out of the said panels only.

(II) In respect of Subordinate Courts:

The Zonal Railways should select advocates for inclusion in the panel for railway advocates in subordinate courts on the basis of independent inquiries made by them. The names of advocates whom they wish to consider for appointment will have to be cross-checked with the District Judge or the senior-most available Judge and/or the Government Advocate. The final authority for appointment of advocates in the Subordinate Courts will be the General Manager.

2. Please acknowledge receipt.

(Hindi version will follow)

P. Chandrasekhara Rao
(Dr. P.C. Rao)
Legal Advisor

Copy to Law Officers, All Indian Railways & I.C.F. with five spares.