DRAFT

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)
*****

No.2003/LC/15/Cal/12. New Delhi, dt. 09.12.2003

The General Managers,
All Indian Railways & Production Units.

Sub: Appearance of empanelled Railway Advocates against Railways.

It has come to the notice of this office that advocates empanelled for a particular court or Zonal Railway are appearing against Railways in other Courts/Zonal Railways. In this connection, it is pointed out that an advocate when empanelled for Railways becomes a Railway Advocate for whole of Indian Railways. He is allotted a particular Court or a Zonal Railway only for the purpose of administrative convenience. Railway as a whole is one entity and none of the empanelled railway advocates is to appear against Railways before any Court/ Tribunal/ Forum/ Arbitrator/ Umpires/ Commissions of Inquiry.

2. It has been already mentioned in the terms of empanelment of advocates that a counsel will have a right to private practice which should not interfere with the efficient discharge of his duties as a counsel for railways. Further, a counsel shall not advise any party in or except any case against the Railways and also if the counsel happens to be an Member of a firm of lawyers or solicitors, it will be incumbent upon the firm not to take up any case against the Railways.

3. Railways are as such, requested to ensure fair & equitable distribution of cases amongst the empanelled Railway Advocates to avoid grievances of the existing panel counsel and also to implement the above instructions with immediate effect. Necessary action against the advocates appearing against Railways may also be proposed.

4. Please acknowledge receipt.

(A. Khatwani)
For Secretary
Railway Board

No.2003/LC/15/Cal/12. New Delhi, dt. 09.12.2003

Copy to Law Officer, All Indian Railways.

(A. Khatwani)
Supdt.(Legal)/Railway Board