

Metro Railway
Metro Rail Bhavan
33/1, J.L.Nehru Road
Kolkata – 700 071.

No:MRTS/G.334/04/LD

Dated: 12/06/2023.

To
The President/Secretary,
Bar Association,
CAT/Kolkata, City Civil Court/Kolkata, CMM Court/Kolkata, Sealdah Court, Alipore Court,
Barasat Court.
Kolkata,
Dear Sir/Madam,

NOTIFICATION

Sub: Empanelment of Railway Advocates for conducting Railway's Court Cases before the Central Administrative Tribunal, Kolkata, District Court-Sealdah, Barasat, Alipore, City Civil Court, CMM Court and Competent and Appellate Authority, Kalighat.

1. In supersession of Railway Board's letter No.2022/LC/15/1 dt. 28.12.2022, the Ministry of Railways have issued a revised procedure vide Notification No.2022/LC/15/1 dated 11.04.2023 mainly dispensing with the condition of compulsory experience of handling the Railway cases.
2. In pursuance of this Notification dated. 11.04.2023, Metro Railway/HQ Office is hereby inviting Bio-data of interested Advocates to be empanelled as Railway Advocates to represent Railways court cases before Central Administrative Tribunal, Kolkata, District Court-Sealdah, Barasat, Alipore, City Civil Court/Kolkata, CMM Court/kolkata and Competent and Appellate Authority, Kalighat.
3. Applications are to be submitted in the prescribed format as per Annexure-I by the Advocates having experience for the engagement as specified in Annexure –II.
4. The applications shall be scrutinized on the basis of independent enquiry about the correctness of the information provided in the said Annexures through physical verification of offices, library and the sitting place of applicant Advocate.
5. The recommended names of the Advocates shall be published in the official website of the Metro Railway <https://mtp.indianrailways.gov.in/> for the purpose of interview/personal interaction.
6. The Metro Railway shall conduct an interaction of the shortlisted Advocates fulfilling the eligibility criteria.

7. Period, Termination, Resignation and expiry of terms

- a. The Advocates shall be engaged for the period of 3(three) years which may further be extended 2(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 3(three) months.
 - c. The services of an Advocate may be terminated on the basis of performance review.
 - d. The final list of Panel Advocates is subject to the approval of the Railway Board which shall be published in the Metro Railway website.
<https://mtp.indianrailways.gov.in>
8. In respect of any clarification, the decision of the Railway Board shall be final.
9. In terms of the letter No.2022/LC/15/1 dated 11.04.2023 the fees shall be in accordance with the fees structure prescribed by the Judicial Section, Ministry of Law & Justice, Department of Legal Affairs from time to time.
- 10. Application in the prescribed format (Annexure-I) may be send by E-mail address slometrorailway@gmail.com in PDF format .No, offline application shall be accepted.**
- 11. Both the Annexures as specified at S.No.1(a) for invitation of application must be verified/authenticated by the applicant through an Affidavit of Declaration along with the application. The declaration should contain that the data and statement written in the application are true to the best of the knowledge of the Applicant/Advocate.**
12. The requirement of three years Income Tax return may not be insisted where a 'Nil' statement is furnished by an Applicant/Advocate.
13. An Advocate may submit only one application either for Central Administrative Tribunal or Railway Claims Tribunal or District Courts/Sub-ordinate Courts or other Statutory Bodies as per his/her choice. However, final decision for empanelment rests with the Selection Authority of Railway Administration.
14. It may please be noted that incomplete applications, applications submitted in any other format and those does not fulfill the requisite conditions shall summarily be rejected.

15. The application should reach this **office on or before 06.07.2023**. No application shall be entertained received beyond the prescribed date.
16. Advocates who have already applied in pursuance of this office earlier Notification dated 02.01.2023 may also required to apply afresh in pursuance of this notification.

DA: Annexure I & II.


Sr.Law Officer

वरि. विधि अधिकारी
Sr. Law Officer
मेट्रो रेलवे, कोलकाता
Metro Railway, Kolkata

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

No.2022/LC/15/1

New Delhi, dated: 11.04.2023

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

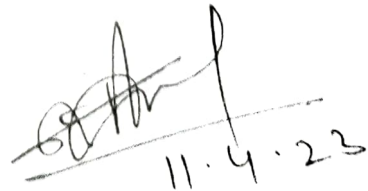
Sub:-Empanelment of Railway Advocates in various Tribunals, Courts and other
Statutory bodies.

Ref:-This office letter Nos. 2022/LC/14/1 dated 22.02.2022 and 29.04.2022

In supersession of Railway Board's letter of even no. dated, 28.12.2022 relating to the procedure for empanelment 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 in consultation with Ministry of Law and Justice and it has been decided to revise the procedure as under:-

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

- (a) The zonal railways shall invite the applications from the advocates **online**, in the proforma specified at **Annexure –I** from the advocates possessing the requisite qualifications and experience as specified in **Annexure-II**, for empanelment.
- (b) The applications shall be scrutinized on the basis of independent enquiry including physical verification of their offices, library or their sitting place.
- (c) The Zonal Railways shall shortlist the applications in consultation with Legal Adviser Railways and final list of the names of advocates shall be uploaded on the official website of Zonal Railways for the purpose of interview/personal interaction on the specified date/dates indicating against their names.
- (d) The interview board as constituted by the Head of the zonal Railways shall conduct the interview/personal interaction of the advocates and finalize their result in **consultation with ASG or DSGI or their nominees for the concerned area** as per the procedure laid down by the Zonal Railways.
- (e) The list of advocates as finalized above shall be submitted to Railway Board for approval.

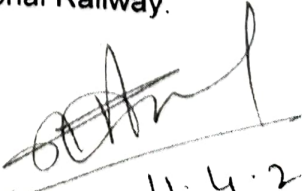


2. **District Courts, Sub-ordinate Courts and other Statutory Bodies.**

- (a) The zonal railways shall invite the applications from the advocates **online**, in the proforma specified at **Annexure -I** from the advocates possessing the requisite qualifications and experience as specified in the **Annexure-II**, for the empanelment.
 - (b) The applications shall be scrutinized on the basis of independent enquiry including physical verification of their offices, library or their sitting place.
 - (c) The Zonal Railways shall shortlist the applications in consultation with Legal Adviser Railways and final list of the names of advocates shall be uploaded on the official website of Zonal Railways for the purpose of interview/personal interaction on the specified date/dates indicating against their names.
 - (d) The interview board, as constituted by the Head of the zonal Railway shall conduct the interview/personal interaction of the advocates and finalize their result as per the procedure laid down by the Zonal Railway.
 - (e) The list of advocates as finalized above shall be submitted to Railway Board for approval.
3. The Zonal Railways shall recommend at least one and a half time number of advocates as required to be empanelled for approval of Railway Board as finalized by the interview boards.
4. There shall be a separate panel for junior and senior advocates.
5. Approved list of the advocates shall be uploaded on the website of the concerned Zonal Railway.

6. **Duties of Advocates:**

- a) To appear in the said Tribunals, Courts and other Statutory bodies in the case assigned to him.
- b) To 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 by the officers of the 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) To give opinion regarding the admissibility of filing an appeal from such a decision not more than the three working days of the receipt of such order, when any case attended to by him is decided against the Zonal Railway.


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- d) To apply for the copy of the judgment of the Courts, Tribunals and other Statutory bodies in a case attended by him 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) To render, if required, 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) To 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 of the case, order of the Court on the date of its pronouncement, supplying copies of judgment etc.
- g) To furnish to the Zonal Railway monthly statement about the cases represented by him before the Tribunals, Courts and other Statutory bodies.
- h) To perform such other duties of legal nature, which may be assigned to him by the Zonal Railway.

7. **Performance review:**

The performance of the panel advocates/ 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.

8. **Allocation of cases:**

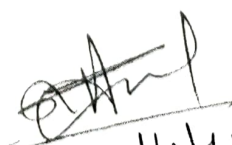
The Head of Legal Cell/Division of the concerned Zonal Railways may ensure that cases are distributed to advocates equal in number.

9. **Fee:**

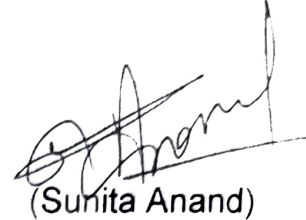
The fee of the advocates shall be paid/sanctioned by the competent Authority as per fee structure prescribed by Judicial Section, Ministry of Law & Justice, DoLA from time to time.

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

- a) The advocates shall be empanelled for the period of three years which may further be extended to 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 name of an advocate may be removed from the panel on the basis of performance review or in public interest.


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11. In respect of any clarification, the decision of the Legal Adviser(Railways) shall be final.
12. This letter partially supersedes the letter Nos.2022/LC/14/01 dated 22.02.2022 and 29.04.2022 from the date of list of empanelled advocates uploaded on the website of the concerned zonal railway offices.



(Sunita Anand)

Joint Secy & Legal Adviser (Railways)

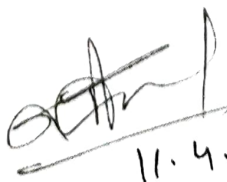
11.04.2023

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. Enrolment number as an Advocate :

10. Date of such enrolment :

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 :

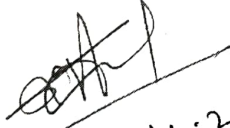
- i) Copy of Degree of Law
- ii) Copy of the enrolment certificate issued by the Bar Council
- iii) Reported Judgements of Court in matters handled in individual capacity
- iv) Income-tax return for the last three years
- v) Experience Certificate

Date: _____

(Signature)

Place: _____

(Name in Block letters)


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ANNEXURE-II

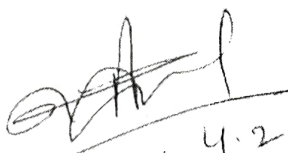
1. Qualification : i) Minimum Qualification LLB
 ii) Enrolment Certificate of practice at the BAR issued by BAR Council.
 iii) Desirable Qualification LLM.

2. Experience :

Court	Experience
Central Administrative Tribunal	Seven years experience in CAT or other equivalent judicial forum.
Railway Claims Tribunal	Seven years experience in RCT or other equivalent judicial forum.
District Court	Five years experience in District Court or other equivalent judicial forum including Consumer Forum.
Sub-ordinate Court	Three years experience in Sub-ordinate Court or other equivalent judicial forum including Consumer Forum.

* 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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