



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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Dated: 10.09.2015

POLICY MATTERS-ADMINISTRATION/ FINANCE (163/2015)

(Decision taken on File No. NHAI/DR&A Cell/Advocate/2010)

Sub: Detailing Advocates for Court Cases at the level of RO / PD.

Reference is made to Policy Circular dated 4th Sept 2014 regarding detailing of Advocates for LA matters wherein at Para 6, it is mentioned that RO shall shortlist a group of Advocates after obtaining a recommendation from PD and the cases should be rotated amongst those Advocates.

2. Inputs provided by certain ROs reveal that in the High Court the allotment of court cases have been monopolized by one or two Advocates resulting in non-compliance of instructions contained in the Policy Circular. This fact has been highlighted by number of ASGs of High Court also.
3. For dealing with the cases at the High Court, there should be a minimum of five Advocates amongst whom the cases can be ordinarily be given on rotation basis. For this purpose the panel should be formed by the concerned RO and forwarding the CVs of the Advocates to HQ and after scrutiny by the Legal as well as LA Divisions and approved by Member (A). For dealing with court cases filed at the District Court / Tribunals, similarly the PDs also must maintain a panel of minimum of five Advocates to appear on behalf of NHAI, by following similar process of approval.
4. In court cases where both MoRT&H and NHAI are respondents and where vital interest is involved, we may engage Additional Solicitor General at the fee prescribed by Govt. of India or at higher fee, if required. For this purpose the NHAI Fee Schedule (Policy Circular dated 04.06.14 Page 3, Notes 3) provides that whenever a Senior Counsel is to be engaged, approval of the Competent Authority is required for the payment of higher fees.
5. This issue with the approval of the Competent Authority.

(A.K. Singh)
CGM (Coord.)

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All Officers & Employees of HQ/ROs/ PIUs/ CMUs/ Site Offices