

Islamabad, the 3rd June, 2015

Subject:

POLICY/GUIDELINES FOR NOMINATIONS/RECOMMENDATIONS FOR APPOINTMENT OF LEGAL ADVISORS AND ENGAGEMENT/ PLACEMENT OF ADVOCATES ON THE PANEL OF ADVOCATES OF VARIOUS DEPARTMENTS.


The following Policy/Guidelines have been framed for the appointment of Legal Advisors and engagement/placement of Advocates on the Panel of various Departments/Organizations/Corporations including the Panel of Advocates for this Division:-

- i. In terms of clause (g) of sub-rule (1) of rule 14 of the Rules of Business, 1973, only those recommendations/nominations shall be considered by the "Committee for Selection of Legal Advisors/Panel Advocates", which are duly recommended by the concerned Departments/Organizations/Corporations for the appointment of Legal Advisor in consultation with the Attorney General for Pakistan.
- ii. Advocates having at least 7 years practice as Advocate of High Court duly recommended by the Departments/Organizations/Corporations concerned would be considered for their appointment as Legal Advisors in such Departments/Organizations/Corporations, in consultation with the Attorney General for Pakistan, on retainership basis.
- iii. Advocates who have at least 3 years practice as an Advocate of High Court and having good reputation/competency would be placed on the Panel of Advocates of the Departments/Organizations/Corporations as well as Ministry of Law, Justice and Human Rights with the approval of the Committee.
- iv. In terms of paragraph 12 of Appendix "F" to the Secretariat Instructions, 2004, it is imperative for each Ministry/Division/Department to create a Litigations Section and also appoint a Deputy Legal Advisor permanently or on deputation basis to deal with their litigation matters in smooth and proper manner.
- v. Every Government Department or Semi Government or Public Corporate Body shall seek concurrence of the Law, Justice and Human Rights Division for engagement of lawyer where professional fee exceeds Rs.300,000/- (Rupees Three Lac). In such a case the concerned Department will send a Panel of at least three Advocates for selection of one of them alongwith proposed professional fee for approval of the Law, Justice and Human Rights Division. Any failure in doing so will render the engagement of Advocate/Counsel etc, void and no ex-post facto approval will be allowed.

- vi. Each Department/Organization/Corporation will inform Law, Justice and Human Rights Division regarding number of lawyers as Legal Advisor and Panel lawyers according to its requirement, including present strength in the month of January each year.
- vii. Senior Advocates of Supreme Court with good reputation would be placed on the Panel of Advocate-on-Record (AOR) and their professional fee shall be determined on case to case basis or consolidated fee in identical cases, as the case may be.
- viii. On recommendations/nominations from the concerned Department, competent and experienced Advocates after conducting interviews by the Committee constituted by this Division shall be appointed as Special Public Prosecutors under the provisions of the relevant Laws.
- ix. The existing list of Legal Advisors and Panel of Advocates shall be reviewed by the said Committee and only those Advocates having expertise in the relevant filed and satisfactory performance would be retained and the rest of Advocates would be de-notified.
- x. On receipt of complaint against any Advocate from their Departments/Organizations/Corporations he/she would be removed after providing opportunity of hearing to the Advocate concerned by the Committee, if required.
- xi. The decision of the Committee shall be expressed in terms of the majority. Ex-post-facto nomination/approval will be considered (subject to relaxation by the Committee) only in a special case keeping in view the sensitivity, nature and circumstances of the matter.

2. The Policy/Guidelines shall be circulated amongst all Ministries/Divisions/Departments/Organizations/Corporations for their information and strict compliance.


(Muhammad Shahid Hussain)
Joint Secretary/Member


(Farrukh Ali Mughal)
Solicitor/Member



Justice (Retd)
Muhammad Raza Khan
Secretary/Chairman