

Brihanmumbai Electric Supply & Transport Undertaking

Requires

**Retainer Advocate at Metropolitan Magistrate Court,
Girgaon, Mumbai.**

No. of vacancies	:	One (1)
Age as on 01.02.2023	:	The age should not be less than 30 years and maximum 50 years.
Qualification	:	Degree in Law of a recognized University. Preference will be given to the candidates having higher qualification of Degree or Diploma in Criminology. The Advocate should be registered with the Bar Council of Maharashtra and Goa.
Retainership Fees	:	Rs. 5,000/- (post tax) per month.
Experience	:	At least 7 - 10 years practice in handling MACT and criminal matters.

Candidates may apply in the prescribed format alongwith attested photocopies of certificates / documents in regards with age, qualifications, experience, Aadhar card, Pan card and registration with Bar Council along with Demand Draft of Rs. 150/- (non-refundable) drawn in favour of **"The B.E.S. & T. Undertaking"** to the Personnel Manager, Personnel Department, BEST Undertaking, BEST Bhavan, BEST Marg, Colaba, Mumbai – 400 001 **on or before 28.02.2023.**

General Manager

Terms and Conditions for Retainer Advocate at Metropolitan Magistrate Court, Girgaon, Mumbai.

1. Their appointment shall be initially for a period of one year and after taking into consideration their performance, it shall be extended. Their services will stand terminated on completion of their Retainership period. Refusal of any work without any reasonable cause may entail removal of their Retainership.
2. They will be paid retainership at the rate of Rs. 5,000/- (post tax) per month.
3. They will not delegate cases and will themselves deal with the same. They will have to co-ordinate with the officers of the BEST Undertaking as and when required.
4. They shall not be treated as an employee of the BEST Undertaking for any purpose and therefore, shall not be entitled for any benefits available to the employees.
5. They shall maintain absolute secrecy and confidentiality about the cases of the Undertaking.
6. They shall not advise any party or represent them in cases against the BEST Undertaking.
7. They will be issued a Bus Pass for free travelling facility on the Undertaking's buses, which they will be required to return to the Undertaking on the date of termination of their Retainership.
8. They will have to remain present in their assigned magistrate courts on all the working days when BEST cases are posted for hearing, defending/rendering necessary legal aid/advice and to take required steps and also give guidance to our Special Inspectors/Accused staff and especially on the date of verdict so as to enable to prefer an appeal, if the accused staff so desires or for cancellation of warrants against our drivers.
9. They will defend the cases posted for hearing in the morning Court and will render necessary legal aid/advice to our special Inspectors accordingly.
10. They will keep a track of all the BEST cases after the chargesheet is framed and handed over till the case is finally disposed off, by filing Vakalatnama on behalf of the accused.
11. They will deal with traffic offence cases, Avoiding Passenger Fare/Over travelling cases as also emergency Court cases whenever required by the Management.

12. They will attend the criminal cases filed against the Bus Drivers of the BEST Undertaking's in their assigned magistrate courts and will file the Vakalatnama on behalf of the Undertaking and also to take out certified copies of the notes of evidence, Chargesheet Order passed by the Hon'ble Court as per the instructions of the concerned officer of the BEST Undertaking.
13. They will attend to, defend and if required to draft and file, as the case may be, the required documents / pleadings and also in the other Criminal cases under Indian Penal Code, cases under section 138 of Negotiable Instruments Act, Factory Act, Electricity Act etc. on behalf of the BEST Undertaking.
14. They will make their own arrangement of an Advocate to attend/defend all BEST cases in their absence/leave.
15. If they remain absent on any of the BEST cases, without making any alternate arrangement and/or without prior intimation, a proportionate amount will be deducted from the amount of retainerhip payable to them and it would be adversely taken note of at next renewal of retainerhip.
16. They will not request the Court for any specific adjournment/day/date only for their convenience; as such adjournments/booking on a particular day may adversely affect our bus operations, if our bus drivers are called on a particular day.
17. In the event of their absence in the Court, they will have to bear the expenses on account of Witness Bhatta, Fine, etc., if any.
18. They will remain present for identification at the time of withdrawal of cash bail deposited amount without fail.
19. They will peacefully return to the Undertaking on their last working day all the case papers, briefs, etc. pertaining to the BEST Cases and also the Bus Pass issued to them, without any delay.
20. They will be permitted to do private practice but not in any case against the BEST Undertaking and/or the Municipal Corporation of Brihanmumbai.
21. Their appointment will be terminable by one month's clear notice in writing by either party.
22. Their Retainerhip will be terminated on following grounds –
 - i) Handing over the brief or the matter to another Advocate without prior written permission of the Undertaking.

- ii) Failing to attend the hearing of the case without any sufficient cause / reason and prior information.
- iii) Not acting as per the Undertaking's instructions or going against specific instructions.
- iv) Not returning the brief or not allowing or evading its inspection on demand.
- v) Threatening, intimidating or abusing of the BEST employees, Officers or Representatives.
- vi) Making any of associates or juniors to appear on behalf of the Opposite Party in cases related to the BEST Undertaking.
- vii) Committing any act that what amount to Contempt of Court or professional misconduct.
- viii) Conviction of the Advocate in any offence resulting into any arrest or detention or debarment by the Bar Council.
- ix) Passing of information relating to BEST's cases to the Opposite parties or their Advocates or any 3rd party which would likely to cause any damage to the interest of the Undertaking.

The application should be in the following format :-

To,
**Personnel Manager,
Personnel Department,
BEST Undertaking.,
BEST Bhavan, BEST Marg, Colaba,
Mumbai – 400 001.**

**Affix recent
Passport
size
photograph**

**Sub : APPLICATION FOR RETAINER ADVOCATE FOR
METROPOLITAN MAGISTRATE COURT, GIRGAON, MUMBAI**

i) Full Name in Block Letters : _____

ii) Residential Address : _____

Tel./Mob.No.: _____ Email I.D.: _____

iii) Date of Birth & Age on 01.02.2023 : _____

iv) Aadhar Card No.: _____ Pan Card No.: _____

v) Bar Council Enrollment No. & Date : _____

vi) Demand Draft No. & Date : _____

vii) Details of Educational Qualifications :

Exam. Passed & Year	University/Institution	Class or Grade	Date of declaration of result

viii) Details of Experience : _____

Particulars stated in this application are correct to the best of my knowledge and belief.

Place : Mumbai

Date : .02.2023

Signature of Applicant