



NO.SO-LAW(LG)2-10/2011-Misc  
GOVERNMENT OF THE PUNJAB  
LOCAL GOVT. & COMMUNITY DEV.DEPARTMENT

Dated Lahore, the 02<sup>nd</sup> December, 2015

To

1. Director General, Walled City, Lahore.
2. All the Directors Local Government, in the Punjab.
3. All the Administrators, District Governments, in the Punjab.
4. All the Executive District Officers (Community Development), in the Punjab.
5. All the District Officers (Community Organization), in the Punjab.
6. All the Assistant Director Local Government in the Punjab.
7. All the Administrators, TMAs, in the Punjab.
8. All the Tehsil/Town Municipal Officers, in the Punjab.

Subject: LEGAL ADVISORS AND PRIVATE COUNSELS

I am directed to enclose herewith a copy of letter No. Admn-III:4-22/2010(P)6083 dated 25.11.2015 issued by the Law & Parliamentary Affairs Department which is self explanatory and to request you to follow the instructions contained in the above enclosed letter, in letter and spirit.

*DM*  
02/12/2015  
(MUHAMMAD IMRAN)  
SECTION OFFICER (LAW)

C.C

1. The Secretary, Law & Parliamentary Affairs Department.
2. PSO to Secretary, LG&CD Department, Lahore.
3. PS to Special Secretary, LG&CD, Department, Lahore.
4. Secretary, Punjab Local Government Board, Lahore.
5. Director General, LG&CD Department, Lahore.
6. All the Additional Secretaries, LG&CD Department, Lahore.
7. All the Deputy Secretaries, LG&CD Department, Lahore.
8. The Deputy Secretary (Admn), Law & Parliamentary Affairs Department w.r.t. his letter No. Admn-III:4-22/2010(P)6083 dated 25.11.2015.
9. All the Members of Punjab Local Government Commission, Lahore.
10. The Director (Legal), LG&CD Department, Lahore.
11. The In charge, MIS Cell, LG&CD Department, Lahore.



NO. (LAW)  
LG & P. Deptt.  
No. 3528  
Date 30-11-15

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No. Admn-III:4-22/2010(P) 6083  
GOVERNMENT OF THE PUNJAB  
LAW & PARLIAMENTARY AFFAIRS  
DEPARTMENT

25 November, 2015.

PA to DS (Admn.)  
Duty No. 4466  
Dated 20/11/15

All the Commissioners in the Punjab,  
All District Coordination Officers in the Punjab.

14459  
27/11

Subject: LEGAL ADVISORS AND PRIVATE COUNSELS

ASA

In a reference from this department, comprehensive instructions were issued dated 20.02.2012 to deal with the appointment of legal advisors and private counsel. Unfortunately, the instructions are not properly followed and there has been increasing tendency that the local bodies are engaging private counsel, appointing legal advisor and continue with the existing legal advisor(s) notwithstanding the expiry of their tenure and without prior approval of the Government and then approach this department for ex-post facto approval. The practice is in gross infraction of the rules.

2. In the public interest, therefore, the following instructions are reiterated for meticulous observance by all concerned:

- The 2003 rules and the instructions conveyed vide this department's letter No.Gen:6-48/2010/885, dated 02.03.2011 must be fully observed.
- As far as possible, all cases should be conducted through the duly appointed Legal Advisors. However, in rare cases of extreme necessity, a private counsel may be engaged with prior approval in writing from the Government. The reference for the purpose must be in accordance with the said instructions. Emergent cases can be referred for approval through fax as well.
- A lump sum fee may be negotiated for all the cases of identical nature instead of proposing fee on case to case basis.

To  
S.A. (LAW)  
By No. 4416  
Date 27.11.15

Ch

DS/PA

S.O. (Law)

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- d) The practice of entrusting all or majority of the cases to a single Advocate of choice is against the principles of transparency and fairness: equitable distribution must be ensured. For the purpose, a request for engagement of a private counsel must indicate the special circumstances justifying such appointment and should include a panel of **at least three** Advocates along with the proposed fee.
- e) A Legal Advisor appointed under the rules must immediately be allowed to assume duties and the existing legal advisor, if any, must be relieved.
- f) A Legal Advisor, on the expiry of the term of appointment, may be relieved forthwith and should in no case be allowed to continue except with the prior approval of the Government in accordance with rules.
- g) The post of Legal Advisor/ Senior Legal Advisor shall be advertised at least three month before the expiry of the tenure of Legal Advisor and the case shall be submitted to Law Department for further process.
- h) For appointment of the Legal Advisor(s) on regular basis for a period of two years, in terms of Local governments (legal advisors) Rules 2003, the reference shall contain recommendations of at least three suitable candidates along with justified reasons of such recommendations.
- i) If the remuneration of the Legal Advisor(s) is to be enhanced, it should be settled with prior approval of the Government before the post is advertised. No request for enhancement in the monthly remuneration shall be entertained once the legal advisor is appointed.

3. It is again requested that the above instructions may kindly be brought to the notice of all concerned for strict compliance.

  
(MAHMOOD AHMAD BHATTI)  
Deputy Secretary (Admn)

Cc

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The Secretary LG&CD Department.