

BANGLADESH RURAL ELECTRIFICATION BOARD
DHAKA, BANGLADESH

PBS INSTRUCTION 300-50

SUBJECT : APPOINTMENT OF A LEGAL ADVISER *AND A PANEL OF LAWYERS*
IN PALLI BIDYUT SAMITY.

Date of Approval : 29-02-1988
Date of Last Revision : 19-02-2020

I. PURPOSE:

Introduction of rules for the appointment of a legal adviser and a panel of lawyers in PBSs for conducting its own legal affairs.

II. APPOINTMENT PROCEDURE:

Each PBS shall appoint one Legal Adviser and a panel of lawyers consisting of 2-5 nos as per need of PBS for conducting legal proceedings of the PBS in district court on the fulfillment of the following conditions;

A) Conditions:

- 1) Applicants must be a citizen of Bangladesh.
- 2) Only those persons may be considered for appointment as Legal Adviser and panel lawyers who are in the legal profession (preferably practicing Civil and Criminal cases) for at least 8 (eight) years in District Judge court including retired Judge engaged in legal practice in the District and Upazilla where the Samity HQ is situated. If any PBS territory covers more than one districts may appoint additional Legal Advisers and panel lawyers from each district court.
- 3) Applicant must submit certificates in favour of his/ her degree in Law. Enrollment Certificate of Bar Council is also required conforming practice in the concerned court.

Revisions:

BANGLADESH RURAL ELECTRIFICATION BOARD				
PBS Ins. 300-50: APPOINTMENT OF A LEGAL ADVISER AND A PANEL OF LAWYERS IN PALLI BIDYUT SAMITY.				
Original Date	Reviewed by	Approved by	Section & Page	Rev. No.
29-02-1988	BREB	BREB Board	300-50-1	7 (02-2020)
Revision Dates : 29-02-1988, 08-01-1986, 28-01-1991, 31-10-1996, 08-09-1998, 01-09-2013, 19-02-2020.				

(Md. Mozibur Rahman)
Consultant TAPP BREB

(Md. Duhidul Islam)
Consultant TAPP BREB

(Md. Mozammel Huq)
Consultant TAPP BREB

(Md. Abdul Khaleque)
Consultant TAPP BREB

(Md. Ansanul Haque)
Consultant TAPP, BREB

(Debasish Chakraborty)
PD, TAPP, BREB

(Kamrul Ahsan Mollik)
Asst. Secy. (Board), BREB.

৬২১ তম বোর্ড সভায় অনুমোদিত সিদ্ধান্ত নং ১৭৭০০

- 4) Appointment will be on contract basis for a period of 3 (three) years.
- 5) Monthly retainer fee and other fee shall be allowed as per rates approved by Rural Electrification Board (Annexure A).
- 6) An advocate shall not be appointed as Legal Adviser in more than one PBS.
- 7) Fresh applications shall be invited at least 2 (two) months before the expiry of 3 (three) years contract period and the person who is already serving as Legal Adviser may also apply afresh.
- 8) For cancellation of the Contract for Appointment as Legal Adviser/Panel Lawyer at least 30 days prior notice shall be served by either party.
- 9) To conduct the Legal proceedings in the Labour court in Dhaka, Arbitration tribunal, BERC, High Court Division and Appellate Division of the Supreme Court of Bangladesh, PBS shall require BREB to appoint a competent Legal Adviser/ Panel Lawyer from contracted lawyers of BREB.
- 10) PBS shall appoint Legal Adviser and panel lawyers through local advertisement notifying local Bar Association/ Court inviting applications in a plain paper containing the following information, and obtaining approval from concern Director, PBS Management Operation, BREB:

(a)	Name of the Applicants (In clear letters)	:	
(b)	Present Address	:	
(c)	Permanent Address	:	
(d)	Date of enrollment as advocate	:	
(e)	Period of legal practice in <i>District Judge Court</i>	:	
(f)	Past experience as Legal Adviser/ <i>Panel lawyer</i>	:	
(g)	Detail description of the Govt./ semi-Govt./ autonomous or other organization if presently engaged as Legal Adviser/ <i>Panel lawyer</i> .	:	

Revisions:

BANGLADESH RURAL ELECTRIFICATION BOARD				
PBS Ins. 300-50: APPOINTMENT OF A LEGAL ADVISER AND A PANEL OF LAWYERS IN PALLI BIDYUT SAMITY.				
Original Date	Reviewed by	Approved by	Section & Page	Rev. No.
29-02-1988	BREB	BREB Board	300-50-2	7 (02-2020)
Revision Dates : 29-02-1988, 08-01-1986, 28-01-1991, 31-10-1996, 08-09-1998, 01-09-2013, 19-02-2020.				

(Md. Mozibur Rahman)
Consultant TAPP BREB

(Md. Duhiul Islam)
Consultant TAPP BREB

(Md. Mozammel Huq)
Consultant TAPP BREB

(Md. Abdul Khaleque)
Consultant TAPP BREB

(Md. Ahsanul Haque,
Consultant TAPP BREB

(Debasish Chakraborty)
PD, TAPP BREB

(Kamrul Ahsan Mollik)
Asst. Secy. (Board), BREB.

৬২১ তম বোর্ড সভায় অনুমোদিত সিদ্ধান্ত নং ১৭৭০০

III. FEES:

Fees to legal advisers and/ Panel lawyers appointed in Samities for conducting Legal proceedings shall be determined as per rates given in Annexure – A.

IV. LEGAL ADVISER'S AND PANEL LAWYERS' CONTRACT:

Contract Agreement Form for appointing Legal Advisor and Panel lawyer is enclosed herewith (Annexure-B).

V. Additional Legal Advisor and Panel Lawyers:

In case of PBS having its geographical area spread over more than one administrative District, 01 (one) additional Legal Advisor and a panel of lawyers for each District may be appointed by the PBS under the terms and conditions stated above.

In such case, the Legal Advisor and Panel Lawyer so appointed shall be a regular legal practitioner in the District so appointed.

VI. Appointment of Senior Lawyer/ Senior Counsel:

In case of Appointment of Senior Lawyer/ Senior Counsel for the cases in the Labour court in Dhaka, Arbitration tribunal, BEREC, High Court Division and Appellate Division of the Supreme Court of Bangladesh, the Committee is mentioned below:

1.	Member (PBS Management), BREB	Convener
2.	Member (Finance), BREB	Member
3.	Director (Legal Affairs), BREB	Member-Secretary

The Committee will furnish justifications for appointing of Senior Lawyer/ Senior Counsel and determine their fees, which will be effective subject to approval of Chairman, BREB.

Revisions:

BANGLADESH RURAL ELECTRIFICATION BOARD				
PBS Ins. 300-50: APPOINTMENT OF A LEGAL ADVISER AND A PANEL OF LAWYERS IN PALLI BIDYUT SAMITY.				
Original Date	Reviewed by	Approved by	Section & Page	Rev. No.
29-02-1988	BREB	BREB Board	300-50-3	7 (02-2020)
Revision Dates : 29-02-1988, 08-01-1986, 28-01-1991, 31-10-1996, 08-09-1998, 01-09-2013, 19-02-2020.				

(Md. Mozibur Rahman)
Consultant. TAPP, BREB

(Md. Duhidul Islam)
Consultant. TAPP, BREB

(Md. Mozammel Huq)
Consultant. TAPP, BREB

(Md. Abdul Khaleque)
Consultant TAPP, BREB

(Md. Ahsanul Haque)
Consultant TAPP, BREB

(Debasish Chakraborty)
PD, TAPP, BREB

(Kamrul Ahsan Mollik)
Asst. Secy. (Board), BREB.

৬২১ তম বোর্ড সভায় অনুমোদিত সিদ্ধান্ত নং ১৭৭০০

ANNEXURE- A

FEE FOR LEGAL ADVISER AND PANEL LAWYERS.

A. Monthly Retainer Fee. (Only for Legal Adviser) Tk. 3,000.00

B. Rate for District Court:

Sl. No.	Description	Amount
(i)	For preparation of draft petition, main application, written statement, written objection and appeal memorandum.	Tk. 1,000.00
(ii)	For preparation of draft miscellaneous/ supplementary petition (Not applicable for Petition for re-fixing of hearing date) and legal Notice/ reply and Legal Opinion in favour of PBS.	Tk. 500.00
(iii)	Each day attendance during actual hearing.	Tk. 1,000.00
(iv)	Analogous Hearing	
	Main case	Tk. 1,000.00
	Other each case	Tk. 300.00
(v)	In the absence of hearing, attendance on prior permission for shifting of date and other related matter.	Tk. 300.00
(vi)	Typing, stationary, postage & related expenses.	Actual Cost certified by Legal Adviser / panel lawyer
(vii)	Court fee, attested/ certified copy of the suit.	Actual Cost certified by Legal Adviser / panel lawyer
(viii)	For serving each Notice to disconnected consumer in order to realize arrears.	Tk. 100.00
(ix)	Junior/ Clark fee on Hazira, Hearing and Drafting	10% of serial No. i, ii, iii & v

Revisions:

BANGLADESH RURAL ELECTRIFICATION BOARD				
PBS Ins. 300-50: APPOINTMENT OF A LEGAL ADVISER AND A PANEL OF LAWYERS IN PALLI BIDYUT SAMITY.				
Original Date	Reviewed by	Approved by	Section & Page	Rev. No.
29-02-1988	BREB	BREB Board	300-50-4	7 (02-2020)
Revision Dates : 29-02-1988, 08-01-1986, 28-01-1991, 31-10-1996, 08-09-1998, 01-09-2013, 19-02-2020.				

(Md. Mozibur Rahman)
Consultant TAPP, BREB

(Md. Duhidul Islam)
Consultant TAPP, BREB

(Md. Mozammel Haq)
Consultant, TAPP, BREB

(Md. Abdul Khaleque)
Consultant TAPP, BREB

(Md. Ahsanul Haque,
Consultant TAPP, BREB

(Debasish Chakraborty)
PD, TAPP, BREB

(Kamrul Ahsan Mollik)
Asst. Secy. (Board), BREB.

৬২১ তম বোর্ড সভায় অনুমোদিত সিদ্ধান্ত নং ১৭৭০০

PBS INSTRUCTION 300-50

CONTRACT

This Contract Agreement is entered into today the _____
 Bengali _____ English _____ dated, by and between,
 _____ Palli Bidyut Samity, Post Office _____ Upazilla _____,
 District _____ (First Party)

AND

Mr. _____, Legal Adviser/ Panel lawyer _____,
 Village _____, Post Office _____ Upazilla _____,
 District _____ (Second Party).

In consideration of the mutual undertakings herein contained for appointment of Legal Adviser/ Panel lawyer on Contract Basis, both parties now agree on the following terms and conditions, that:

- 1) The Second party (Only for Legal Adviser) will be paid a monthly retainer fee of Tk. _____
 (Taka _____)
- 2) The Contract period will remain valid fromup to
- 3) For cancellation of the Contract for Appointment as Legal Adviser/ Panel Lawyer at least 30 days prior notice shall be served by either party.

The second party shall advise the First party relating to all acts and Legal Suits and other matters and shall not claim any fee for such consultation. However, the Second party shall receive fee for conducting the cases/ suits as per ANNEXURE- A on behalf of the First party in different courts.

Revisions:

BANGLADESH RURAL ELECTRIFICATION BOARD				
PBS Ins. 300-50: APPOINTMENT OF A LEGAL ADVISER AND A PANEL OF LAWYERS IN PALLI BIDYUT SAMITY.				
Original Date	Reviewed by	Approved by	Section & Page	Rev. No.
29-02-1988	BREB	BREB Board	300-50-5	7 (02-2020)
Revision Dates : 29-02-1988, 08-01-1986, 28-01-1991, 31-10-1996, 08-09-1998, 01-09-2013, 19-02-2020.				

(Md. Mozibur Rahman)
Consultant TAPP, BREB

(Md. Duhidul Islam)
Consultant TAPP, BREB

(Md. Mozammel Haq)
Consultant TAPP, BREB

(Md. Abdul Khaleque)
Consultant TAPP, BREB

(Md. Ansanul Haque)
Consultant TAPP, BREB

(Debasish Chakraborty)
PD, TAPP, BREB

(Kamrul Absar Mollik)
Asst. Secy. (Board), BREB.

৬২১ তম বোর্ড সভায় অনুমোদিত সিদ্ধান্ত নং ১৭৭০০