



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 30th JANUARY, 2019.

Khyber Pakhtunkhwa Revenue Authority (KPRA)

NOTIFICATION

Dated Peshawar, the 11th December, 2018.

No. KPRA/EPL/2018/1892 --- In exercise of the powers conferred by section 14 of the Khyber Pakhtunkhwa Finance Act, 2013 (Khyber Pakhtunkhwa Act No. XXI of 2013), the Khyber Pakhtunkhwa Revenue Authority, is pleased to make the following Regulation, namely:

Khyber Pakhtunkhwa Revenue Authority

(Engagement of Private Lawyers) Regulation, 2018

(KPRA REGULATION-..... OF 2018)

Chapter-1

(Preliminary)

1. Short title and commencement:-

- 1) This Regulation may be called the Khyber Pakhtunkhwa Revenue Authority (Engagement of Private Lawyers) Regulations, 2018;
- 2) It shall come into force at once.

2. Definitions. --(1) In this Regulation, unless there is anything repugnant to the subject or context:

- (a) "Act" means the Khyber Pakhtunkhwa Finance Act, 2013;
- (b) "Authority" means the Khyber Pakhtunkhwa Revenue Authority, established under the Act;
- (c) "Appellate Tribunal" means the Tribunal constituted under Khyber Pakhtunkhwa Finance Act, 2013
- (d) "Collector (Appeals)" means Collector (Appeal) appointed under Khyber Pakhtunkhwa Finance Act, 2013
- (e) "High Court" means any High Court in Pakistan
- (f) "Province" means the province of the Khyber Pakhtunkhwa;
- (g) "Special Judge" means Special Judge appointed under Khyber Pakhtunkhwa Finance Act, 2013
- (h) "Supreme Court" means the Supreme Court of Pakistan.

(2) Words and expressions used but not defined in this Regulation shall have the same meanings as assigned to them under the Act and Rules made there under.

CHAPTER-II
(Engagement of Private Lawyers)

3. Authority may engage such number of Private Lawyers, as it may consider necessary, for defending cases by/or against the Authority before the Supreme Court, High Court, Appellate Tribunal, Collector (Appeals), Special Judge and in any other Court anywhere in Pakistan.
4. A Lawyer engaged under section 3 shall be entitled to such remuneration as may be determined by the Authority.
5. **Qualification** --- (1) No person shall be qualified for engagement under section 3, unless he:
- (a) in case of Supreme Court
- i. is holding valid license from the Pakistan Bar Council to practice as an advocate in the Supreme Court of Pakistan; and
 - ii. have at least 10 years overall experience as advocate including 5 years experience in the Supreme Court of Pakistan; and
 - iii. have practiced tax laws, preferably sales tax laws, for at least 5 years; and
 - iv. any other condition as may be specified by the Authority; and
- (b) in case of other Courts
- i. is holding valid license from the Provincial Bar Council to practice as an advocate in a High Court; and
 - ii. have at least 10 years overall experience as advocate including 5 years experience in the High Court; and
 - iii. have practiced tax laws, preferably sales tax laws, for at least 5 years; and
 - iv. any other condition as may be specified by the Authority.

CHAPTER-III
(Terms & Condition of Engagement)

6. **Placement on Panel of Lawyers-** (1) A Lawyer engaged under section 3 shall be placed on a panel of the Authority for pleading cases in respective Court on behalf of the Authority.
- (2) A Lawyer engaged under section 3 shall follow instructions of the Authority in performance of his duties and functions as such.
7. The lawyer engaged under section 3 shall perform all functions related to Court proceedings assigned by the Authority including collection of copies of petitions; collection of certified copies of judgments and other related documents; preparations of comments; drafting and vetting of references; and timely intimation of court directions.
8. **Selection Committee-** (1) There shall be a Selection Committee, consisting of the following:
- | | |
|---|-------------------|
| i. Director Admn & HR | Chairman |
| ii. Director Finance | Member |
| iii. Director Legal, Tax Policy & Reforms | Member |
| iv. Additional Collector Legal | Member |
| v. Deputy Director Litigation | Member |
| vi. Deputy Director HR | Member/ Secretary |

(2) The Selection Committee shall follow the KPPRA Procurement Rules, 2014 and shall determine the number of lawyers to be placed on panel of Authority, scrutinize applications, determine fee structure, conduct interview and recommend lawyers for inclusion in the panel.

Director General
Khyber Pakhtunkhwa Revenue Authority

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar