

**Office of the Custodian  
The Special Court (TORTS) Act, 1992,  
Ministry of Finance, Government of India,**

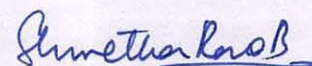
**Subject: Expression of Interest for empanelment of Advocates to appear before Hon'ble Special Court (TORTS) Act 1992 (Bombay High Court) at Mumbai on behalf of the Custodian.**

Office of the Custodian, The Special Court (TORTS) Act, 1992, Ministry of Finance, Government of India established under the provisions of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, invites expression of interest for empanelment of one Advocate/Counsel in the office of Custodian-Special Court (TORTS) Act, 1992 for mainly appearing before the Special Court, (Bombay High Court) at Mumbai on behalf of the Custodian.

A brief background of the Office of Custodian and terms and conditions for engagement of Advocates are available on the website of Department of Financial Services ([URL: financial.services.gov.in/banking-divisions/office-of-the-custodian](http://financial.services.gov.in/banking-divisions/office-of-the-custodian)) and Special Court (TORTS) Act 1992 ([URL: https://specialcourt-torts.gov.in/](https://specialcourt-torts.gov.in/)). Applicants, practicing Advocates may submit their profile including details of office, experience *etc.*, in sealed cover to **Sh. Vinay Sudhakar Rao Hedao, OSD, Office of the Custodian, 10<sup>th</sup> Floor, Nariman Bhawan, 227, Vinay K. Shah Marg, Nariman Point, Mumbai-400021** within **30 days of issuance of this expression of interest.**

Offers received after the due date will not be entertained. The envelope containing application be superscribed as '**Application for the empanelment of Advocates in Custodian office**'.

**Dated: 08.04.2026**

  
(Shwetha Rao B)

**Director**

**Telephone No. 022-22856780, 022-22022251**

**E-mail ID: [custodian92.mum-dfs@gov.in](mailto:custodian92.mum-dfs@gov.in)**

## **Brief Background:**

(i) In 1992, large-scale irregularities were noticed in transactions in Government/ other securities by some brokers in collusion with the employees of various Banks and Financial institutions (FIs), leading to diversions of funds from banks/FIs to the individual accounts of certain brokers. To deal with this situation, the Government of India enacted The Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992 with effect from on 6<sup>th</sup> June, 1992.

(ii) Under Section 5 of the Act, the Central Government established a Special Court presided by **a sitting Judge of Bombay High Court** for speedy trial of offences relating to transactions in securities and disposal of properties attached. The Central Government also appointed a Custodian for attaching the property of the offenders with a view to prevent diversion of such properties by the offenders.

(iii) The Special Court hears the cases relating to securities scam **every Friday**. As per section 10 of the Act, the appeal against the judgement/orders of the Special Court lies with the Supreme Court.

## **2. Terms and Conditions for engagement of Advocates to appear before Hon'ble Special Court.**

Office of the Custodian, The Special Court (TORTS) Act, 1992, Ministry of Finance, Government of India invites Expression of interest for engagement of one Advocate based in Mumbai, for appearance before Hon'ble Special Court (Bombay High Court), Mumbai established under the provisions of the Special Court (TORTS) Act, 1992. The cases under the said Act are tried in the Special Court, Mumbai constituted under the Act, presided over by sitting Judges of the Bombay High Court. The terms and conditions for engagement of Advocates are given in succeeding paras.

### **2.1 Period of Appointment:**

- (i) The tenure of engagement would **initially** be **for a period of three years** or until further orders, whichever is earlier, which may be extended further at the discretion of the Custodian.
- (ii) The Custodian can terminate the engagement without assigning any reason with prior notice of one month. In case the Advocate

wants to discontinue/resign from his engagement, he/she shall do so, after giving 3 months' prior notice to the Custodian.

## **2.2 Eligibility/Basic conditions:**

- (i) The applicant Advocates should be eligible for appearance before the Bombay High Court.
- (ii) The applicant Advocate should have his Office at Mumbai preferably in the vicinity of the Bombay High Court and should be based in Mumbai.
- (iii) The applicant Advocate should have adequate experience as practicing counsel. Preference would be given to the counsel having experience in Corporate law or dealing the cases relating to Capital Market, Income Tax/ Banks recovery etc.
- (iv) The advocates who have/had dealt with the cases of Special Court Act or are empaneled with Government for similar work shall be preferred.
- (v) The applicant Advocate shall submit his/her profile along with documentary proof of experience (As per Annexure A).

## **2.3 Duties of Advocate**

- (i) Represent the Custodian in all the Courts/ legal forums by filing his/her *Vakalatnama*/appearance and argue during Court proceedings on behalf of the Custodian.
- (ii) Draft Applications/Petitions/Reports on behalf of the Custodian and draft first reply, in case matter is filed by notified party/others, and file the same in the Special Court and other legal forums after obtaining approval of the Custodian.
- (iii) To File Affidavits, Affidavit in rejoinder etc. on behalf of the Custodian in the Special Court and other legal forums after obtaining approval of the Custodian.
- (iv) Render legal advice/opinion on Court matters, as and when asked for.

- (v) Render assistance to the Attorney General/Solicitor General / Advocate General, in case engaged by the Custodian office.
- (vi) Draft Deeds of Assignment after sale of properties.
- (vii) Perform such other duties of a legal nature, which may be assigned to him by the office of the Custodian.

#### **2.4 General Conditions:**

- (i) The Advocate will have to make services available on all week days. The same will be made available on holiday also, whenever required.
- (ii) The Advocate shall not use the name of the Office of the Custodian on their letterhead, signboard, nameplate, pamphlets, etc.
- (iii) The Advocate shall not seek any adjournment without any valid or cogent reasons. Under no circumstances, the matters entrusted by the Custodian should go unattended before the Court, which shall be viewed as a serious violation of the conditions of engagement.
- (iv) The Advocate shall not delegate the cases and shall himself deal with the same.
- (v) The Advocate shall maintain strict confidentiality of the cases or other matters handled on behalf of the Custodian and shall not divulge any information to any third party or to the media
- (vi) The Custodian reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process, if necessary.
- (vii) The Custodian reserves the right of modify or relax the terms and conditions of engagement at any time and also the right to verify the information submitted by the Advocate. The Advocate shall in full accept the terms and conditions of engagement as determined by the Custodian from time to time.

**2.5 Fees:** The fee details presently payable to the empaneled Advocates in line with Department of Legal Affairs ID Note dated 04.06.2025 are under:

Category of Counsel	Effective Appearance in Certification matters (in Rs.)	Effective appearance in matters other than Col. 2 & 4 (in Rs.)	Effective appearance in suits/ Petitions where evidence is recorded (in Rs.)	Supreme Court appearances by the empanelled Counsels for Special Court * (in Rs.)	Drafting/ Settling Petitions/ Applications/ Suits # (in Rs.)	Drafting/ Settling Affidavits (in Rs.)	Conference per hour of part thereof per matter basis (in Rs.)
1	2	3	4	5	6	7	8
Counsel with standing for 10 years and above	2400/- per effective hearing per matter#	4800/- per hearing per matter#	14400/- per hearing per matter#	15,000/- per hearing per matter#	9,000/- per draft basis	4500/- per draft basis	Rs. 2100/-
Counsel with standing for less than 10 years	1600/- per effective hearing per matter#	3200/- per hearing per matter#	9600/- per hearing per matter#	N.A.	7200/- per draft basis	3000/- per draft basis	Rs. 1,400/-

# In a batch of cases involving same issues and heard together, the cases should be treated as a single batch and the hearing fee for such cases cannot be per hearing per matter. While the first case would attract, the full fees, the remaining matters should be consolidated and treated as one or perhaps two matters depending upon the number.

\* Travel expenses by Air (economy class) and local transport will be payable on actual basis on production of proof of payment.

**3. Payment of Bills:** The Advocates shall submit fee bill in the Office of the Custodian at Mumbai along with complete documents in support *viz*, final order, vouchers *etc.*, on monthly basis by 15<sup>th</sup> of the following month and the payment will be released generally within a period of one month from the date of receipt of the bill.

**ANNEXURE -A**

**OFFICE OF CUSTODIAN SPECIAL COURT (TORTS) ACT 1992**

**Department of Financial Services**

**Ministry of Finance**

**Government of India**

**10<sup>th</sup> Floor, Nariman Bhawan, 227, Vinay K. Shah Marg, Nariman Point,  
Mumbai-400021**

**PROFORMA FOR APPLICATION FOR EMPANELMENT OF  
ADVOCATES IN THE OFFICE OF CUSTODIAN**

<b>1. Name in Full</b>	-	PHOTO
<b>2. Date of Birth</b>	-	
<b>3. Father's Name</b>	-	
<b>4. Complete Residential Address</b>	-	
<b>5. Telephone No./Mobile No.</b>		
<b>6. Complete Official Address with Telephone No./Mobile No.</b>	-	
<b>7. Email ID</b>	-	
<b>8. Details of LLB Degree</b>	Year of Admission:  Year of Pass:  Name of Institution/University:  <i>(Please attach self-attested copy of Degree)</i>	
<b>9. Date of Enrolment as an Advocate</b>	<i>(Please attach self-attested copy of Certificate)</i>	
<b>10. Experience, in years</b>	-	

<p><b>11.</b> Whether working or have worked in past, as a panel Lawyer/Standing Counsel/ Legal Advisor in Central/State Government or its organizations</p>	<p>-</p> <p><i>(Please attach copies of Empanelment Letter issued by other Authorities)</i></p>
<p><b>12.</b> A Short note about other qualifications, experiences and any other relevant information</p>	<p>-</p> <p><i>(Please attach relevant documents in support of submission)</i></p>
<p><b>13.</b> If engaged in a firm/ institution, name of firm and other partner</p>	<p>-</p>

Date: \_\_\_\_\_

Signature of Advocate  
Enrolment Number: \_\_\_\_\_

## **UNDERTAKING**

1. I hereby confirm and declare that the information furnished in the application and annexures appended thereto is true/ correct and complete to the best of my knowledge and belief. I have not concealed any relevant information. I am fully aware that if any of the information furnished by me is found to be false/ incorrect, my candidature for the empanelment will be treated as cancelled and matter will be referred to the appropriate authority.
2. I hereby declare that no proceeding has ever been commenced or is continuing against me before the Disciplinary Committee of the Bar Council for alleged professional misconduct.
3. I hereby declare that no criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against me.
4. I also undertake to maintain absolute secrecy about the cases of the Custodian, The Special Court (TORTS) Act, 1992.
5. I also undertake to abide by the terms and conditions of engagement.
6. I also undertake to return all case files and records to the Office of the Custodian, The Special Court (TORTS) Act, 1992, Mumbai as and when required by them.
7. I agree with the Fee Schedule notified by the Custodian, The Special Court (TORTS) Act, 1992.

Signature of Advocate

Enrolment Number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Date: \_\_\_\_\_

Place: \_\_\_\_\_