

GOVERNMENT OF MAHARASHTRA

No: DMU 2020/ CR 92/DM 1  
Disaster Management,  
Relief & Rehabilitation,  
Revenue and Forest Department,  
Mantralaya, Mumbai - 400 032  
Dated: 22<sup>nd</sup> October, 2020

Order

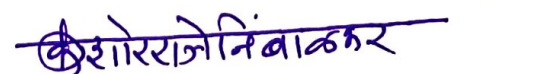
**Subject :** Permitting lawyers practicing in various courts, situate within the Mumbai Metropolitan Region and Registered Clerks of the Lawyers, to use local train services.

**Reference:** Various orders passed by the Hon'ble Bombay High Court, from time to time, more particularly dated 19.10.2020, in a group of Public Interest Litigations dealing with the aforesaid issue.

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**I** In the group of Public Interest Litigations (PIL-CJ-LD-VC-No. 33 of 2020 and othrs) the Hon'ble Bombay High Court has passed orders dated 15.09.2020 and 09.10.2020, which are self-explanatory and need not be reproduced hereunder. Suffice it to say that, by these orders lawyers who want to appear physically before the Hon'ble Courts, for conducting matters in the courtrooms, and registered clerks, have been conditionally permitted to travel by the local trains in the Mumbai Metropolitan Region. These orders have been continued till 06.11.2020 or until further orders whichever is earlier, by a further order dated 19.10.2020.

**II** The present Order is being issued and is intended to be operated in addition to the aforesaid three orders, passed by the Hon'ble Bombay High Court, which as ordered by the Hon'ble High Court itself, are to continue to operate till 06.11.2020 or until further orders, whichever is earlier. It is therefore, hereby reiterated that the arrangements made by the aforesaid orders

  
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will continue to operate as ordered by the Hon'ble High Court in addition to the arrangement permitted by this order.

**III** In view of peculiar facts and circumstances, which need not be spelt out herein, only on experimental basis, on and from the date of receipt of appropriate approval from the Railway authorities till 23<sup>rd</sup> November 2020 midnight, all lawyers registered with the Bar Council of Maharashtra and Goa, are hereby allowed to use the local train services subject to the following conditions, which are conjunctive and not disjunctive, meaning thereby that each and every condition set out hereunder will apply :

**i.** The lawyers and registered clerks will be allowed to use the local train services, on all working days, only during non-peak hours i.e.

- a.** Up to 8 a.m. in the morning
- b.** Between 11 a.m. to 4 p.m.
- c.** On and from 7 p.m. till plying of the last local train of the day.

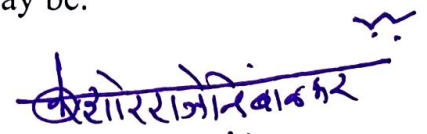
**ii.** The facility made available by this order cannot be availed for undertaking travel during peak hours on any ground whatsoever and/or for any reason whatever.

**iii.** Monthly passes will not be issued.

**iv.** For each journey, a separate one-way ticket will have to be bought/purchased.

**v.** The train ticket as aforesaid will be sold only upon production of a valid Identity Card issued by the Bar Council of Maharashtra and Goa in the case of the lawyers and by the Bombay High Court registry in the case of registered clerks.

**vi.** The ticket for one-way travel so purchased is non-transferable and cannot be used by anybody else than the person to whom it is sold i.e. the lawyer or the registered clerk, as the case may be.

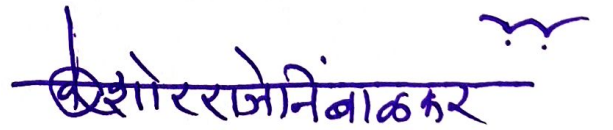
  
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vii. The facility made available by this order can be availed only when such a travel is necessary for the professional work/reason and not for any private or non-professional purpose.

viii. Every lawyer and/or registered clerk will have to wear a badge, provided by the Bar Council of Maharashtra and Goa, at a prominent place on his dress/clothes, whereby it becomes easy for the law enforcement agencies to identify the traveler.

ix. All the travelers availing the facility made available by this order shall strictly comply with the Guidelines issued by the State Government from time to time applicable to such travelling, such as compulsory, continuous and proper wearing of face-cover, maintaining social distancing all the time and frequent use of hand-sanitizer etc.

x. Anybody who violates any of the terms and conditions subject to which the facility is made available by this order, will be liable for a strict disciplinary action at the hand of the Hon'ble Bombay High Court and/or the Bar Council of Maharashtra and Goa.



(Kishor Raje Nimbalkar)

Secretary

Disaster Management, Relief & Rehabilitation