



Notification No: JNU/legal/2018/01/

Date:-01.08.2018

NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATES

Jawaharlal Nehru University (JNU) is a public Central University established in 1969 by Parliament JNU Act 1966 located in New Delhi. JNU has been ranked first among top five universities in India by Ministry Of Human Resources from last two years. Previously it has been awarded as the best University by President of India, who happens to be the Visitor of Central Universities in India.

Applications are invited from eligible Advocates for empanelment of Advocates/Law firms to represent the University before different Courts of Law.

The practicing advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and conditions and the application format in which the application has to be made, have been prescribed.

The Advocates who are on the existing panel of JNU shall cease to be on the panel of JNU after new panel is finalized against this notice. Therefore, they may also apply afresh in response to this notice.

How to Apply:

Eligible practicing Advocate/Law Firms must submit application in the format prescribed in Annexure "A" enclosed herewith, along with all supporting documents in a sealed envelope to:-

Deputy Registrar (Legal)
Legal Cell, Room No: 117,
First Floor, Administration Building,
Jawaharlal Nehru University (JNU),
New Mehrauli Road, New Delhi, PIN-110 067

The envelope should be superscribed as following:-

“Application for Empanelment of Advocates/Law firms to represent the University before different Courts of Law”

The last date of receiving Applications in the prescribed format along with supporting document is 31st August, 2018 till 16.00 hours.

Application for empanelment at JNU does not confer any right/ assurance whatsoever; to an applicant that he / she will be empanelled on the panel of JNU. Letters to advocates confirming their empanelment will be issued by JNU separately.

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates to represent and assist JNU before various courts including the district courts and for regulating the referrals of the cases and payment of fee/remuneration. These guidelines shall supersede all existing instruction in this regard, if any, and is subject to change without assigning any reason thereto.

Eligibility of Empanelment

Before filling the application form, the Advocates/ Law Firms are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocates in JNU mentioned herein below:

Qualification & Experience:

- a) Bachelor degree in Law from a recognized University and registration with Bar Council of India / Delhi.
- b) Professional experience of at least **5 years** in handling Educational Institutes / Universities / Government department cases (writ petitions / appeals) in Hon'ble Supreme Court / Hon'ble High Court and Hon'ble District Courts.
- c) Having good communication skills in English and good knowledge of law and procedure, both in civil and criminal matters.
- d) The Advocates / Law Firms should be familiar with various branches of law especially those conceiving laws of matters related to various writs, PIL, Land Disputes/Constitutional/ Service Law/Contract Law/ Property Laws and Taxations, etc.

Documents required to be submitted by the Advocate:

- a) The Advocates will be required to submit their Applications in the prescribed format as given in Annexure-A. The self attested copies of the following documents are required to be submitted with application:
- b) High School certificate in support of age of Advocate (Sr. Partner in case of law firm)

- c) Certificates in support of educational qualifications of Advocate (Sr. Partner in case of law firm)
- d) Certificate of Registration with Bar Council
- e) Identity card issued by Bar Association / Bar Council
- f) Details regarding representation of other Govt / PSU / Statutory Bodies/Universities etc,;
- g) Documents regarding empanelment with other Organizations, if any.
- h) Details regarding the cases in which the Advocate was able to get favourable outcome/decision which are reported/referred in reputed legal journals etc.
- i) Details of office Infrastructure and number of Associates in addition to office staff.
- j) Other relevant information, if any.

Tenure of Empanelment:-

The initial empanelment will be for **two years**. Performance of empanelled Advocates/Law Firms shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the advocate/firm, the empanelment may be extended by **one (01) year** by the JNU as per the terms & conditions in effect at the time of renewal. The JNU reserves the right to terminate the empanelment of any Advocate / firms at any time without assigning any reason thereof.

Payment of Fee and Other Conditions:

- a) The fees payable to the empanelled counsels/Advocates are as per approved fee structure of JNU (latest revised in July 2015).
- b) No retainer fee shall be paid to any panel Advocate merely because such advocate has been empanelled.

Procedure for Empanelment:

The Competent Authority of JNU will consider the applications for empanelment in terms of these guidelines only on merits after due notice in this regard is published on the website of the JNU. For this purpose, the Competent Authority of JNU may authorize any officer/group of officers of JNU and such authorized officer(s), while appraising the applications of the Advocates, may consider the following points:

- a) Length of practice and specialization.

- b) Proper and adequate infrastructure such as office premises, number of junior Advocates, assistants, clerks and fax, mobile phone, fixed phone, internet connection etc.
- c) 3 years Annual income-tax return filed with the Tax Authorities.
- d) Track record and integrity.
- e) If considered necessary, an enquiry with the respective Bar Council/Bar Association about the claims and conduct of the Advocate to be empanelled may be made and credentials may also be verified.
- f) If the Advocate is empanelled by other organizations/authorities, their opinion may also be obtained, if felt necessary.

Procedure for Empanelment:

- a) The applicant advocate must apply on the format prescribed by the JNU only. No other format will be entertained.
- b) An applicant advocate willing to be empanelled for more than one forum (i.e. for High Court/CAT/ Lower Court/District Court etc.).
- c) Any application received after the last date prescribed in the advertisement shall not be entertained.
- d) No applicant advocate shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- e) Depending upon the requirement and number of applications received, JNU reserves the right to be shortlist the candidates and to be empanelled.
- f) Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be empanelled.
- g) The decision of the competent authority regarding short listing and selection of the candidates shall be final.
- h) Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- i) A list of shortlisted applicant advocates with the date, time and venue of interaction session will be uploaded on our website i.e. www.jnu.ac.in.
- j) The applicant advocate shall bring original documents at the time of interaction with the University committee.

- k) The list of selected advocates will be made available on JNU website www.jnu.ac.in. Letter to applicant advocates confirming their empanelment will be issued by JNU separately.

Duties of the Empanelled Advocates:

- a) The Advocate shall not advise any party or accept any case against the JNU in which he/she has appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against the JNU.
- b) Timely appearance of the Counsel to contest the cases for JNU in the court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.
- c) JNU sends the information to the panel advocates through email regarding entrustment of a case and after receiving the e-mail, it is duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of JNU at the earliest.
- d) NO is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he/she alone should be entrusted with JNU's legal matter (s).
- e) Refusal by any advocate to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel, forthwith without waiting for the empanelment period to expire.
- f) The advocates shall accept the terms and conditions of the empanelment as determined by the JNU from time to time.
- g) In order to ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status of the cases after each date of hearing. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
- h) In cases where on the request of the Union of India, Ministry of Human Resource Development and University Grants Commission (UGC) have also to be represented, no extra fee shall be paid to the advocate to watch and safe guard the interests of Union of India, Ministry of Human Resource Development and University Grants Commission (UGC)
- i) If required render all assistance to special or senior Counsel engaged in a particular cases before the Supreme Court, High Court and other judicial bodies.

- j) Keep JNU informed and updated on all-important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of orders /judgment etc.
- k) Furnish monthly statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
- l) When any case attended by him/her is decided against the Organisation, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).
- m) 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to the Legal cell of JNU within three days (excluding the time taken by the court in preparation of the copy) from the date of judgment.**

Removal from panel:

- a) JNU reserves the right to terminate the empanelment of a Counsel with one month's notice in writing without assigning any reason. The counsel may also resign from the Organisation by serving one month's notice.
- b) Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the Advocate.
- c) Giving false information in the application for empanelment;
- d) Failing to attend the hearing of the case without any sufficient reason and/are prior information;
- e) Not acting as per JNU's instructions or going again against specific instructions;
- f) Threatening, intimidating or abusing any of the JNU's employees, officers, or representatives;
- g) Passing on information relating to JNU's case on to the opposite parties or their advocates or any third party which is likely to cost any damage to the JNU's interests;
- h) Giving false or misleading information to the JNU relating to the proceedings of the case;
- i) Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason; and

- j) Frequent absence from the Court proceeding even if “pass over” or “proxy” is obtained by an advocate.

General Instructions:

- a) The size of the panel and number of Advocates / Law Firm in panel shall be determined by the JNU Competent Authority based on the requirement and quantum of work.
- b) Refusal of any Advocate / Law Firm to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel.
- c) The Advocate / Law Firm shall accept the terms and conditions of the empanelment as determined by the JNU from time to time.
- d) The Advocate / Law Firm shall not advise any party or accept any case against the JNU in which he/she has appeared or is likely to be called upon to appear for (or) advise which is likely to affect or lead to litigation against the JNU. If the Advocate / law firm happens to be partner of a firm If lawyers or solicitors, it shall be incumbent upon the firms not to take up any case against the JNU in any court of Law / Tribunal / Commissioner/Forum or any case arising out of those cases e.g. appeals and revisions.
- e) That the empanelled Advocate in matters of urgency shall obtain the order (Dasti) from the concerned Hon’ble court and send it to the Registrar on the same day to avoid any inconvenience.
- f) That the empanelled Advocate (either in person or through an authorized Associate), shall visit the University to discuss urgent legal cases/matters whenever called upon by the Registrar.
- g) That the empanelled Advocates shall send the bills shortly as per approved rates and complete in all respects, preferably within three months of hearing, etc.
- h) That the empanelled Advocates when called upon to do so shall assist, as far as possible, the University staff.
- i) To pass on cases to the Standing Counsel on vice versa, when asked to do so.

- j) That the empanelled advocates should have proper infrastructural facilities including man power. It includes scanner, photocopier, computer etc. as well as peon, dealing clerk and Associate advocate.

**Sd/-
Registrar
Jawaharlal Nehru University (JNU)
New Delhi.**

APPLICATION NO. (To be filled by JNU)

APPLICATION FORM FOR EMPANELMENT IN JNU

(TO BE FIELD IN BY ALL APPLICANT ADVOCATE)

To
Registrar
Jawaharlal Nehru University (JNU)
New Delhi.

FORMAT OF BIO-DATA FOR ADVOCATE / LAW FIRMS

1	Name of the Advocate	
2	Name of the Law Firms	
3	Date of Birth	
4	Date of Enrolment, Name of Bar Council (Enclose attested copy of enrolment certificate)	
5	Period of Practice	
6	Details of Experience/Practice	
7	Area of Practice (specialized)	
8	Specialization, if any (constitution / taxation / service etc.) the details of a few important cases the advocate has dealt with/handled and reported judgment, if any.	

9	Whether Central/State Govt. Counsel/Pleader (indicate period) (with documentary evidence)	
10	Brief list of clients e.g. Govt./Organization/Institutes or Autonomous body/PSUs (Enclose the documentary evidence)	
11	The Courts where the Advocate is regularly practicing (Enclose attested copy of Bar Association Member Certificate)	
12	Proper and adequate infrastructure of an advocate such as office premises, number of junior advocates, assistants, clerks and fax mobile phone, fixed phone and internet connection etc.	
13	Date of enrolment as an Advocate and Registration No.	
14	Income tax PAN Number (Enclose copy of PAN Card)	
15	A brief note on suitability for empanelment. (If required please enclosed separate Annexure)	
16	Office Address (copy enclose)	
17	Residential Address (copy enclose)	
18	Court Chamber Address (copy enclose)	
19	3 Years Income Tax Return (Enclose the supporting	

	documents)	
20	3 years Audit Reports (Enclose the supporting documents)	

Declare that never been penalized / convicted by any bar Council/Court of Law.

I also undertake to maintain absolute secrecy about the case of the JNU as required under the Act, Rule and Regulation there under.

I agree with the Fee Scheduled notified by JNU.

A brief note on Suitability for empanelment (details of major case dealt/contested by the Advocate/Law firm successfully).

Place :-

Signature of Advocate

Date:-

Name:-

**Revised Fee Structure Payable to the University Legal Counsels /
Advocates in Different Courts of Law**

SUPREME COURT CHARGES

S. No.	Particulars	Charges (Rs/-)
1.	Drafting of Petition or Counter Affidavit	6000/-
2.	Supplementary Affidavit or Rejoinder	4000/-
3.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	10000/- 5000/-
4.	When University Counsel is assisting Senior Counsel/ Advocate on Record (AoR)	5000/-

HIGH COURT CHARGES

S. No	Particulars	Charges (Rs/-)
1.	Drafting of Petition or Counter Affidavit	2500/-
2.	Drafting of Supplementary Affidavit or Rejoinder	1000/-
3.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	4000/- 1100/-
4.	(a) For appearances when assisting Senior Counsel (b) When the case is adjourned	2000/- 1500/-

**DISTRICT COURTS / LABOUR COURTS/CONSUMER FORUM /
TRIBUNALS**

S. No	Particulars	Charges (Rs/-)
1.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	2000/- 1000/-
2.	Drafting of Petitions/Written statement/Counter Affidavit	2000/-
3.	Drafting of Supplementary Affidavit / Rejoinder / Miscellaneous Applications	1000/-

MISCELLANEOUS CHARGES

S. No	Particulars	Charges (Rs/-)
1.	For holding conference	2000/-(1500 + 500) Sitting + Conveyance)
2.	Conference charges for briefing the senior counsel, as required.	5000/-
3.	Typing charges / Courier / Speed post / Clearance	As per actual bill raised by the Counsel subject to a ceiling of 15% of the amount mentioned at A, B or C.
4.	Drafting /Filing of Caveat Petition	2500/-
5.	For vetting of Agreement/MoU/Lease/ Contract document etc.	4000/-
6.	For every written Legal Opinion/Legal Notice	2000/-
8.	Inspection of files in various Courts/Commissions/Tribunals.	1000/-