



राष्ट्रीय तकनीकी शिक्षक प्रशिक्षण एवं अनुसंधान संस्थान,
सेक्टर 26, चंडीगढ़



NATIONAL INSTITUTE OF TECHNICAL TEACHERS
TRAINING AND RESEARCH, SECTOR 26, CHANDIGARH

No. NITTTR/Board/240

Dated: 06.09.2024

**Notice inviting applications for empanelment of Legal Counsel(s) for
NITTTR, Chandigarh**

National Institute of Technical Teachers Training and Research, Sector-26 Chandigarh invites applications for the Empanelment of Legal Counsel(s) to represent NITTTR, Chandigarh before the Supreme Court of India, High Court of Punjab and Haryana, Subordinate Courts, Commissions, and other judicial/quasi-judicial bodies etc. The services of panel of Legal Counsel(s) will be utilized for seeking advice, vetting of documents affidavits etc, drafting of replies to the Legal notices, drafting of MoUs /agreements, Contracts, Speaking Orders etc. As per the requirement in crucial cases, the Legal Counsel(s) may have to represent NITTTR, Chandigarh at any part of the country as and when needed.

Legal Counsel(s) who are already empanelled with NITTTR, Chandigarh must also send their application on prescribed format against this advertisement.

Guidelines for empanelment of Legal Counsel(s):-

1. Qualifications and Eligibility Criteria:

- i. Applicant must possess a Degree in Law from a University, recognized by the Bar Council of India. He must be an Advocate enrolled under a Bar Council as per Advocates Act, 1961.
- ii. Applicant, desirous of being empanelled for High Court/ Subordinate Court/ Commission/ Tribunal situated in Punjab and Haryana must be enrolled as an Advocate with the State Bar Council of Punjab and Haryana and must be a member of the local Advocate's Association.

- iii. In addition, the Applicant should be familiar with various branches of law, especially Constitutional Law, Civil Service Law, Administrative Law, Labour Law, Law of Contracts, Property Law, Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, Bharatiya Sakshya Adhiniyam erstwhile (IPC, Cr.P.C and Evidence Act), Limitation Act, Companies Act, Negotiable Instruments Act, Arbitration and Conciliation Act, Regulatory Laws, Consumer Laws, etc.
- iv. The Applicant is required to have a minimum professional/court practice experience as under: -

Category 1 – Senior Panel Counsel / Senior Legal Retainer

S. No.	Forum for Empanelment	Minimum Practice Required or Experience*
1.	For conducting cases in the Supreme Court of India	(a) 10 years' of practice in the Supreme Court. (b) Membership of the Supreme Court Bar Association. (c) Proof of at least 10 cases argued by self.
2.	For conducting cases in the High Court of Punjab and Haryana, Chandigarh/ Subordinate Court/ Commission/ Tribunal etc. within the territory of India	a) Minimum 25 years' practice in Punjab and Haryana High Court or any other High Court/ Subordinate Court/ Commission/ Tribunal. b) Enrolled with the Punjab and Haryana Bar Council or any other State Bar Council. c) Membership of Bar Association of Punjab and Haryana High Court at least for last 10 years or any other High Court/ or for 20 years in Subordinate Court. d) Proof of at-least 25 cases argued by self in the High Court. e) Advisor / Legal counsel of Educational Institutes.

Category 2 –Panel Counsel[s]

S. No.	Forum for Empanelment	Minimum Practice Required or Experience*
1.	For conducting cases in the High Court of Punjab and Haryana, Chandigarh/ Subordinate Court/ Commission/ Tribunal etc. within the territory of India	a) Minimum 07 years' practice in Punjab and Haryana High Court or any other High Court/ Subordinate Court/ Commission/ Tribunal. b) Enrolled with the Punjab and Haryana Bar Council or any other State Bar Council. c) Member of Advocate association of Punjab and Haryana High Court or any other High Court/ Subordinate Court. d) Proof of at least 10 appearances before the Hon'ble High Court, of self.

*Cumulative experience would be counted, however, on the last date of advertisement, the applicant must be practicing in the Courts for which empanelment is being sought.

- v. The above-mentioned period of experience shall be reckoned from the date of enrolment mentioned in the Certificate of Enrolment issued by Bar Council in case of empanelment for High Courts or Subordinate Courts/ Commission/ Tribunals etc.
- vi. For considering empanelment for the Supreme Court, generally those Counsel(s) who are regularly practicing in Supreme Court of India would be considered, if they are otherwise found to be competent and suitable. However, they must possess 10 years' of practice in Supreme Court and be a member of the Supreme Court Bar Association. Orders/Judgments of the Supreme Court noting the appearance of Advocate would be considered as valid proof of 10 years' of practice.
- vii. Due weightage shall be given to Counsel(s) having experience in handling cases of Centrally Funded Technical Educational Institutes

(CFTI), Universities, Deemed to be Universities, Central Public Sector Enterprises (CPSE), Government Organizations, Higher Educational Institutions, Academic Institutions, Hospitals/Medical Institutions and State Governments.

- viii. Applicant must possess excellent communication skills, drafting skills, and Court craft.

2. Mode of Application:

- i. Eligible applicants may send their applications in the enclosed proforma along with bio-data and relevant supporting documents (**self-attested scanned copies in a single PDF file**) to board.section@nitttrchd.ac.in **only**. In case the attachments are voluminous the documents may be compressed / zipped or may be shared over an online drive link. Documents must be clear / legible. Seals / Stamps / Signatures / Names / Authorities / Dates must be clearly visible. Hard copies are not required unless asked for.
- ii. Applicants must mention the forums (Courts) where empanelment is being sought. Applicants may apply for more than one forum through a separate application, if eligible.
- iii. Proforma for Application shall be as per '**Annexure -A**'
- iv. Documents required shall be as per '**Annexure - B**'
- v. The subject of the E-mail containing the Application must be - 'Application for Empanelment- (court*)'.
*Court (s) for which empanelment is being requested for.
- vi. Advertisement is also available on the website www.nitttrchd.ac.in.

3. Last Date of Receipt of Application:

- i. E-mail containing complete application in prescribed Proforma along with relevant supporting documents must reach on or before **30.09.2024** by **5 PM**.
- ii. Applications received after **30.09.2024, 5PM** will not be considered.

4. Procedure for empanelment:

- i. The applications received would be scrutinized as per the criteria laid down above and also depending upon the requirement by a committee constituted by the competent authority.
- ii. NITTTR, Chandigarh reserves its right to shortlist the advocates to be called for an interview/presentation. Only shortlisted candidates will be called for an interview or personal discussion.
- iii. The size of the panel and the number of Advocates in a particular field in the panel shall be finalized by NITTTR, Chandigarh based on the requirements and quantum of work involved.
- iv. No candidate will be called for an interview/presentation unless he/she satisfies the eligibility conditions.
- v. Merely fulfilling the eligibility criteria will not confer any right of an advocate for empanelment or to call for an interview.
- vi. The decision of the Committee constituted by the competent authority regarding shortlisting of the Advocates for interview shall be final.
- vii. No TA/DA or other expenses will be paid to the candidates for appearing in the interview/presentation/ personal discussion.

- viii. A list of shortlisted candidates with the date, time, and venue of the interview/ presentation will be uploaded on the website - **www.nitttrchd.ac.in**
- ix. The result will be made available on the NITTTR, Chandigarh website - **www.nitttrchd.ac.in**
- x. Letter to the selected Advocates confirming their empanelment will be issued by NITTTR, Chandigarh separately.
- xi. The successful candidates shall produce their original documents whenever desired by the competent authority after the fulfilment of clause(s) *ibid*.
- xii. The candidates shall return a duly signed copy of the letter confirming their acceptance of empanelment.
- xiii. All disputes are subject matter of Chandigarh Jurisdiction only.

5. Tenure of Empanelment:

- i. The initial empanelment will initially be for the period of two years from the date of receipt of acceptance of the empanelment. However, the performance would be reviewed periodically and at least annually.
- ii. If needed, the tenure of empanelment may further be extended / renewed for another one year duration by the Competent Authority of NITTTR, Chandigarh.
- iii. Notwithstanding anything mentioned in 5.i or 5.ii above, NITTTR, Chandigarh reserves the right as regards to assignment of cases and revocation of empanelment without assigning any reason.

6. Details of Fee Structure of Fee and Other Conditions:

- i. The fee payable to the empanelled counsel(s) or NITTTR, Chandigarh counsel(s) shall be governed by the rate/schedule of fee decided by Judicial Section/Department of Legal Affairs/Ministry of Law & Justice (Government of India) or the BOG of NITTTR from time to time.
- ii. The Legal retainer may be paid fixed monthly fee in addition to the engagement fee for the cases as determined by the BOG of NITTTR.
- iii. No retainer fee shall however be paid to any of the empanelled Counsel(s) merely because of their empanelment only.

7. Duties of the Empanelled Counsel(s):

- i. The counsel shall not advise any party or accept any case against the NITTTR, Chandigarh 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 NITTTR, Chandigarh.
- ii. Timely appearance of the Counsel to contest the cases for NITTTR, Chandigarh in the Court is a must. His/her absence in the court, without any reasonable ground and notice in advance, will not be accepted.
- iii. NITTTR, Chandigarh is free to engage any Counsel from its panel or otherwise of its own choice and merely empanelment as Counsel in the panel of NITTTR shall not make any claim/right that he/she has right to be entrusted with a case or particular case/cases pertaining to NITTTR, Chandigarh.
- iv. Refusal by any Counsel to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such Counsel from the panel forthwith without waiting for the empanelment period to expire.

- v. In order to ensure that there is effective check on the cases being conducted, the counsel(s) on the panel must report the status of the cases after each date of hearing via email/phone to the authority. Failure to submit status report may be counted as a ground for removal of the particular Counsel from the panel.
- vi. In cases where on the request of the Ministry of Education, Government of India, has also to be represented by the NITTTR, Chandigarh Counsel, no separate fee shall be charged by the Counsel for this purpose.
- vii. When any case attended by him/her is decided against the Organization, the Counsel concerned must give a considered opinion regarding the reasons for such adverse order with advice for filing an appeal for such a decision not later than 5 working days of the passing of such order(s).
- viii. The Counsel(s) shall accept the terms and conditions of the empanelment as determined by the NITTTR, Chandigarh from time to time.

8. Removal of Panel:

- i. NITTTR, Chandigarh reserves the right to remove the name of the counsel from empanelment at any time with immediate effect without assigning any reason thereto. The Counsel may also submit his request for removal of candidature from the panel by serving one month's notice.
- ii. Empanelment of the Counsel may be liable to be cancelled due to the occurrence of any of the following disabilities on the part of the Counsel:-
 - (a) Failing to attend the hearing of the case without any sufficient reason and/or prior information.

- (b) Not acting as per NITTTR, Chandigarh instructions or going against specific instructions.
- (c) Threatening, intimidating, or abusing any of the NITTTR, Chandigarh employees, officers, or representatives.
- (d) Passing/leaking of information relating to NITTTR, Chandigarh case(s) to the opposite party/ parties or that their Counsel(s) or any third party which is likely to cause any damage to the interest of NITTTR, Chandigarh.
- (e) Giving false or misleading information to the NITTTR, Chandigarh relating to the proceedings of the case.
- (f) Failing to follow the terms and conditions of empanelment.

9. Right to Private Practice and Restrictions thereon:

- i. A Counsel shall have the right to private practice, which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empanelled Counsel of the NITTTR, Chandigarh, keeping in view of provisions of the Advocates Act, 1961.
- ii. Counsel shall not advise any party or accept any case against the NITTTR, Chandigarh in which he has appeared or is likely to be called upon to appear or advise.
- iii. If the Counsel happens to be a partner of a firm of lawyers or solicitors, it will be incumbent upon the firm not to entertain any case against the NITTTR, Chandigarh arising in any court.

Director

**National Institute of Technical Teachers
Training and Research, Chandigarh**