

F. No. 1-3/2001-V&L/Part-II
National Council of Educational Research and Training
Sri Aurobindo Marg, New Delhi - 110016
(Vigilance and Legal Section)

Dated: August 13, 2024

Subject: Circular inviting applications for empanelment of Five (05) Advocates in NCERT

Applications are invited for empanelment of five (05) Advocates to represent NCERT and its Officers/Officials before the Hon'ble Supreme Court, Delhi High Court, other Courts of Law and Tribunals in the case(s) assigned to him/her.

- 2. Only practicing advocates are eligible for empanelment. The qualifications, experience and other terms and conditions prescribed by the NCERT are enclosed.**
- 3. Presently empanelled Advocates of NCERT need not apply afresh.**
- 4. Eligible applicants may send their applications** either in-person or through Speed Post/Registered Post in the enclosed proforma alongwith Curriculum Vitae and relevant supporting documents (Educational, Experience, Registration No., orders/judgements, etc.,) to the **Deputy Secretary, Vigilance and Legal Section, Zakir Hussain Block, NCERT, Sri Aurobindo Marg, New Delhi - 110016 latest by August 30, 2024 till 5.30 PM . 'Application for empanelment as Advocate'** should be clearly mentioned on the top of the envelope.

(Under Secretary)
Telephone No.: 011-26592193
011-26592115
Email: ncertvigleg@gmail.com

ELIGIBILITY CRITERIA FOR EMPANELMENT AS ADVOCATES IN NCERT
AND
TERMS AND CONDITIONS

(A) ELIGIBILITY CRITERIA:

1. The Advocate must be presently enrolled with the Bar Council and is a regular practitioner.
2. The Advocate should have the experience of working with Government organizations/Autonomous Bodies/PSUs.
3. The Advocate should have 10 years of regular practice in conducting/defending cases of Civil/Criminal nature in the Supreme Court/High Court/CAT and Other Courts. Preference shall be given to those who have handled Service matters, Contractual and Temporary employment as well as vetting of MoUs with other institutes
4. The Advocate blacklisted/removed from any panel due to deficiency of service, involvement in fraud, naming the advocate as accused in any criminal complaint by any other organisation or his/her license has been suspended by Bar Council are not eligible. An affidavit-cum-declaration in the attached format (copy enclosed) to this effect is to be enclosed with the application by the Counsel.
5. The Advocates must provide at least ten (10) effective orders/judgments in his/her favour wherein, he/she has appeared as an Advocate/Counsel in the cases being represented by them.

(B) SCOPE OF WORK:

1. The Advocates would be entrusted with conducting/defending and handling Civil/Criminal/Service matters (both ongoing as well as fresh cases) in Supreme Court (as Advocate on record), Delhi High Court, Central Administrative Tribunal, Principal Bench, Delhi and District Courts & other Courts located inside the territory of India.
2. The Advocates shall represent NCERT and its Officers/Officials before Supreme Court (as Advocate on record), Delhi High Court and other courts in the cases assigned to him/her.
3. The Advocate shall receive the notice(s) of the Court/Tribunal, as the case may be, meant for the NCERT and its Officers/officials and ensure that no 'ex-parte' order is passed against NCERT and its officers.
4. The Advocate shall handle the cases, which are assigned to him/her and appear in such assigned cases in the Courts and shall prepare Written Statement, Application, Reply Affidavit etc., as and when required.
5. The Advocate shall provide legal opinion on the matter referred by the NCERT.
6. The Advocate shall also prepare reply to the Legal notices on behalf of the NCERT and its Officers/Officials, whenever asked for.

7. The Advocate shall also assist in preparing written briefs and para-wise comments in the cases litigated before various Courts in or outside Delhi, whenever asked for.
8. The Advocate shall give opinion regarding filing of fresh court cases or the admissibility of filing appeal when any case is decided against the NCERT and/or its officers/officials, as the case may be.
9. The Advocate shall render all assistance to the Law Officers, Solicitor General or other Counsels, if engaged by the NCERT in a particular case before Supreme Court, Delhi High Court or any other court/forum.
10. The Advocate shall keep the NCERT informed of important developments in the case from time to time, particularly with regard to drafting, filling of papers, dates of hearing of the case, supplying copies of judgments etc.
11. The Advocate shall perform such other duties of a legal nature which may be assigned to him/her by NCERT.
12. The Advocate shall also perform duty like legal vetting of important/confidential documents of the Council, whenever asked for.

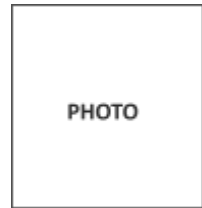
(C) TERMS AND CONDITIONS AND FEE PAYABLE TO EMPANELLED ADVOCATE:

1. The empanelled Advocate shall not take up any case against the NCERT during the period of empanelment.
2. No retainer-ship fees or fixed telephone bill fees shall be paid to the Counsel. TA/DA would not be paid for cases in Delhi. TA/DA will be paid for handling cases outside Delhi, if any.
3. The fee of the Advocate will be paid as per Council's Order dated 25.09.2017, the copy of which is also enclosed for reference.
4. In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of the NCERT shall be final and binding.
5. After the expiration of empanelment, the Advocate shall, for 5 years, not contest any matter against the NCERT.
6. In case of cost being imposed on NCERT on ground of non-appearance by the Counsel, or failure to comply with the Court orders, if any, the same shall be borne by the Advocate concerned.
7. The age should not exceed 62 years.

(D) EMPANELMENT AND TENURE OF COUNSEL:

1. The applications received shall be scrutinized by the NCERT and the decision of the Council shall be final.
2. The Advocate shall hold the office for a period of three (03) years, which may be extended at the discretion of the NCERT.
3. NCERT reserves the rights for the selection of Advocate/the number of advocate(s) for empanelment or none of them without assigning any reason thereof.
4. In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of NCERT shall be final and bounded.
5. The empanelment/appointment of advocate shall be purely temporary and liable to be terminated by giving one month's notice on either side. At its discretion, NCERT may assign the Court cases/matters to any one of the advocate in panel and the advocate shall have not right to claim for the assignment of Court case/matter.
6. The application received shall be scrutinized by the NCERT and the decision of the Council shall be final.
7. The number of Counsels to be empanelled shall be determined by the NCERT based on its requirement.
8. Advocates who are presently empanelled in NCERT need not apply fresh.

PROFORMA FOR APPLICATION OF PANEL ADVOCATE IN NCERT



1.	Name of the Applicant	
2.	Date of Birth and Age	
3.	Father's Name	
4.	Complete Residential Address	
5.	Complete Official Address	
6.	Mobile/Contact Number along with Office Number	
7.	Email ID	
8.	Educational Qualification (12 th onwards) (Self Attested photocopies of documents to be attached)	
9.	Bar Council Enrollment Number and date of Enrollment as an Advocate with Bar Council (Self attested photocopies of documents)	
10.	Experience in years in Supreme Court/High Courts (Please specify the High Court where enrolled)	
11.	Whether working or have worked in the past, as a Panel Lawyer/Standing Counsel/Legal Advocate in Central/State Government or its Organisations (self attested photocopies of documents to be attached)	
12.	A short note about Educational Qualification, Experience and any other relevant information (on a short sheet)	

Note: Wherever needed, a separate note on specific points may be attached.

Signature:
Name:

Place:
Date:

AFFIDAVIT-CUM-DECLARATION

I _____ bearing Advocate Enrolment No. _____

hereby affirm and declare that :

- (i) I have not been blacklisted/removed from any Panel due to deficiency of service, involvement in fraud, naming me as accused in any criminal complaint by any other organizations;

- (ii) My license has not been suspended by Bar Council.

(Signature of the Counsel)

NAME:

DATE:



राष्ट्रीय शैक्षिक अनुसंधान
और प्रशिक्षण परिषद्

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NATIONAL COUNCIL OF EDUCATIONAL
RESEARCH AND TRAINING

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National Council of Educational Research & Training
Sri Aurobindo Marg, New Delhi - 110016

Dated : 25th September, 2017

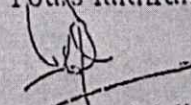
ORDER

Approval of the Council is hereby accorded for revision of the fee payable to the advocates on panel for defending various types of cases in the Hon'ble Supreme Court, High Court, CAT and District Courts.

Nature of Legal work	Present Fee (Rs.)	Revised Fee (Rs.)
All regular appeals and defended writ petitions for final hearing in Supreme Court.	6,000/-	9,000/-
All defended admission matters SLP/TP, WP and other misc. matters hearing per case per day in High Courts, CAT and equivalent Court (Effective hearing)	3,000/-	6,000/-
All defended admission matters SLP/TP, WP and other misc. matters hearing per case per day in High Courts, CAT and equivalent Court (Non - Effective hearing)	1,000/- (A maximum of 5 hearings)	No change (A maximum of 5 hearings)
Drafting / Setting of pleadings and Written Submissions	2,000/-	3,500/-
Conference - (i) for setting pleadings - 1 conference. (ii) in respect of hearing of writ matters, suits, appeals & SLP etc. three conferences (max.)	Rs. 600/- per conference	No change
Appearance in District / Lower Court ..	Rs. 1,500/-	No change
Clérkage	10%	No change
Misc. and out of pocket & Expenses	Actual to the satisfaction of the Council.	No change

This is issued with the approval of competent authority.

Yours faithfully,


(Aashutosh Mishra)

Vigilance cum Security Officer

Chief Accounts Officer, NCERT