



भारतीय प्रौद्योगिकी संस्थान गुवाहाटी
INDIAN INSTITUTE OF TECHNOLOGY GUWAHATI

Guwahati, Assam, India, PIN – 781 039
Phone No. 0361-2690761

Notification No: IITG/legal/2020/01

Date:- 16.02.2020

NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATES/ LAW FIRMS

Indian Institute of Technology Guwahati, incorporated under the Indian Institute of Technology (Amendment) Act, 1994 (35 of 1994) is an autonomous body under Ministry of HRD. Indian Institute of Technology Guwahati is a premier institute of higher education which was established in 1994 in Guwahati. It is governed by the Institutes of Technology Act, 1961 which have declared IITs as institutions of national importance and lays down their powers, duties, and framework for governance etc. The Institutes of Technology Act, 1961 lists twenty-three institutes (after the last amendment in 2016).

Applications are invited from eligible Advocates for empanelment of Advocates/Law firms to represent IIT Guwahati before different Courts of Law and provide legal advices in administrative matters.

GUIDELINES FOR EMPANELMENT OF ADVOCATES

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 IIT Guwahati mentioned herein below:

Eligibility of Empanelment

- a) Bachelor degree in Law from a recognized University and registration with Bar Council of India.
- b) Have a minimum, relevant experience of **fifteen years** of handling civil/criminal/service/IPR/land related matters/quasi-judicial forums like consumer forums, arbitral tribunals etc.
- c) Having good communication/drafting skills in English and good knowledge of law and procedure, 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/IPR/consumer forum etc.

- e) Preference will be given to the counsels who have dealt earlier with Educational Institutes / Universities / Government Department cases (writ petitions / appeals) in Hon'ble Supreme Court / Hon'ble High Court and Hon'ble District Courts.
- f) The Counsel should be well conversant with Prevention of Corruption Act, Central Vigilance Commission Act, Indian Penal Code, RTI Act etc. and Procedural Codes.

Tenure of Empanelment:-

The initial empanelment will be for **one year**. Performance of empanelled of Advocates/Law Firms shall be reviewed periodically or on annual basis. However, on completion of the term and satisfactory performance of the advocate/firm, the empanelment may be extended from year to year. IIT Guwahati 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 Advocates/Firm are as per approved fee structure of IIT Guwahati which is given as Annexure - II.
- b) No retainer fee shall be paid to any panel Advocate/firm merely because such Advocate has been empanelled.

Procedure for Empanelment:

The empanelment of the Advocates/law firm will only be based on merit. For this purpose, the applications received shall be scrutinized by IIT Guwahati. The final selection will be made based on interview/interaction or any other criteria as fixed/deem fit by the Authority of the Institute.

Duties/ General instruction to the Empanelled Advocates:

- a) The Advocate will have to represent IIT Guwahati before the Court in the cases assigned to him/her.
- b) Advocate shall visit the Institute at least twice a week, preferably spend 4 to 6 hours. In case of any emergency/ urgent work, the advocate shall have to visit on Saturdays / Sundays.
- c) Advocate shall not advise any party or accept any case against IIT Guwahati during the period of empanelment.
- d) Timely appearance of the Advocate to contest the cases for IIT Guwahati in the court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.

- e) Advocate should handle the cases, which are assigned to them, and appear in such assigned cases in the Courts and should prepare Written Statement, Application, Reply Affidavit etc. as and when required.
- f) IIT Guwahati shall send the information to the panel advocates through email regarding assignment of a case and after receiving the e-mail, it is the duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of IIT Guwahati at the earliest.
- g) Advocate should be able to provide legal opinion to IIT Guwahati, and should also be able to prepare Reply to the Legal notices of the applicants on behalf of IIT Guwahati whenever asked for.
- h) IIT Guwahati 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 IIT Guwahati's legal matter (s).
- i) 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.
- j) 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.
- k) In cases where on the request of the Union of India and Ministry of Human Resource Development 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 and Ministry of Human Resource Development.
- l) Keep IIT Guwahati 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.
- m) Furnish monthly statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
- n) 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.
- o) IIT Guwahati reserves the right to terminate the appointment/empanelment of an Advocate / firm with one month's notice in writing without assigning any reason. The Advocate / firm may also resign from IIT Guwahati by serving one month's notice

- p) In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of IIT Guwahati shall be final and binding.

Documents required to be submitted by the Advocate:

The Advocates will be required to submit their Applications in the prescribed format as given in Annexure-I. The self-attested copies of the following documents are required to be submitted with application:

- a) High School certificate in support of age of Advocate (Sr. Partner in case of law firm)
- b) Certificates in support of educational qualifications of Advocate (Sr. Partner in case of law firm).
- c) Certificate of Registration with Bar Council.
- d) Documents regarding empanelment with other Organizations, if any.
- e) Details of representing other Govt. / PSU / Statutory Bodies/Universities etc. in courts/forums/tribunals etc., if any.
- f) Details regarding the cases in which the Advocate was able to get favourable outcome/decision which are reported/referred in reputed legal journals etc.
- g) Details of office Infrastructure and number of Associates in addition to office staff.
- h) Other relevant information, if any.

How to Apply:

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

Registrar,
Administration Building,
Indian Institute of Technology Guwahati,
Guwahati, Assam, PIN-781 039

The envelope should be super scribed as following:-

“Application for Empanelment of Advocates/Law firms to represent IIT Guwahati before different Courts of Law”

The last date of receiving Applications in the prescribed format along with supporting document is 8th March, 2020 till 16.00 hours.

APPLICATION NO. (To be filled by IIT Guwahati)

APPLICATION FORM FOR EMPANELMENT IN IIT Guwahati

(TO BE FILLED BY ALL APPLICANT ADVOCATE)

To
The Deputy Director
Indian Institute of Technology Guwahati

FORMAT OF BIO-DATA FOR ADVOCATE / LAW FIRMS

1	Name of the Advocate	
2	Name of the Law Firms (optional)	
3	Date of Birth	
4	Date of Enrolment in the Bar Council	
5	Period of Practice	
6	Details of Experience/Practice (use separate sheets, if required)	
7	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.	
8	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 copy of Bar Association Member Certificate)	
12	Details of infrastructure such as office premises, number of junior advocates, assistants, clerks, fax, mobile phone, fixed phone and internet connection etc. (Use separate sheets, if required)	
13	Income tax PAN Number (Enclose copy of PAN Card)	
14	A brief note on your suitability for empanelment. (If required please enclosed separate sheet)	
15	Office Address	
16	Residential Address (enclose copy)	
18	3 Years Income Tax Return (Enclose supporting documents)	
19	3 years Audit Reports (in case of firm) (Enclose supporting documents)	

I, declare that I have never been penalized / convicted by any bar Council/Court of Law.

I also undertake to maintain absolute secrecy about the cases that I shall represent on behalf of IIT Guwahati.

I agree with the Fee Scheduled notified by IIT Guwahati.

Place :-

Signature of Advocate

Date:-

Name:-

ANNEXURE - II

Fee Structure Payable to the Advocates / Firms in different Courts of Law

HIGH COURT CHARGES

S. No.	Particulars	Charges (Rs/-)
1.	Drafting of Petition or Counter Affidavit	3000/-
2.	Drafting of Supplementary Affidavit or Rejoinder	2000/-
3.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	5000/- 1000/-
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.	Drafting /Filing of Caveat Petition	2500/-
4.	For vetting of Agreement/MoU/Lease/ Contract document etc.	4000/-
5.	For every written Legal Opinion/Legal Notice	2000/-
6.	Inspection of files in various Courts/Commissions/Tribunals.	1000/-
7.	Travelling allowances and other expenses for hearing/ appearances at the Courts/ Tribunals outside the state of Assam	Will be paid as per the rate approved by the Institute.