

**National Institute of Design Assam
Tocklai, Rajabari,
Jorhat-785014**

Notification NO: NIDJ/2024-25/ADMIN/EMPL_ADV/78/0520

Date: 20.08.2024

NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATES

National Institute of Design (NID), Assam is an autonomous Institution of National Importance under Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry, Govt. of India established at Jorhat through the NID Act, 2014 and NID (Amendment) Act, 2019 passed by the Parliament of India. It is an Institution established to provide Design Education and has the mandate to award the Bachelor's degree in Design (B. Des).

Applications are invited in prescribed format from eligible Advocates for empanelment to represent NID Assam before different Courts of Law and provide legal advice on various matters as decided by the Competent Authority.

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Before filling the application form given in **ANNEXURE-I**, the Advocates are advised to carefully read the eligibility criteria and follow the instructions and terms & conditions for empanelment in NID Assam as mentioned herein below:

Eligibility of Empanelment

- a) Bachelor's degree in law from a recognized University and registration with Bar Council of India.
- b) Have a minimum, relevant experience of 15 (fifteen) years of handling civil /criminal /service /IPR / land related matters before competent Hon'ble Courts/quasi-judicial forums like consumer forums, arbitral tribunals etc.
- c) Have good communication/drafting skills in English and good knowledge of law and procedure, in civil and criminal matters.
- d) Advocates should be familiar with various branches of law especially those concerning 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 Advocates who have dealt earlier with Government Funded Educational Institutes / Government Funded Higher Education Institutes / Universities / Government Department cases (writ petitions / appeals) in Hon'ble Supreme Court / Hon'ble High Court and Hon'ble District Courts.
- f) The Advocates 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 **1 (one) year**. However, on completion of the term and satisfactory performance, the empanelment may be extended for another year on the same terms and conditions. NID Assam reserves the right to terminate the empanelment at any time without assigning any reason thereof.

Payment of Fee and Other Conditions:

a) The fees payable to the empanelled Advocates are as per approved fee structure of NID Assam which is given as **ANNEXURE - II**.

b) No retaining fee shall be paid to any Advocate merely because such Advocate has been empanelled.

Procedure for Empanelment:

The empanelment of the Advocates will only be based on the evaluation of their eligibility criteria as decided by the Competent Authority of NID Assam. For this purpose, the applications received shall be scrutinized by NID Assam. The final selection will be made based on interview/interaction or any other criteria as fixed/deemed fit by the Competent Authority of the Institute. The decision of the Competent Authority of NID Assam in regard to procedures for empanelment will be final and no representation(s) on this matter will be entertained.

The number of advocates to be empanelled shall be decided by the competent authority based on the requirement of the institute.

Duties/ General instruction to the Empanelled Advocates:

a) The empanelled Advocates will have to represent NID Assam before different Courts/ Tribunals, etc. in the assigned cases.

b) The empanelled Advocates shall visit the Institute as and when needed by the institute. If the advocate is stationed outside Jorhat, advice/consultancy may be provided online, unless the institute feels that physical meetings are necessary. In case the outstation advocate is required to visit the institute, reimbursements will be made as decided by the institute.

c) The empanelled Advocates shall not advise any party or accept any case against NID Assam during the period of empanelment.

d) Timely appearance of the Advocates to contest the cases for NID Assam in the court is a must. Absence in the Court, without any reasonable ground and notice in advance, will not be accepted.

e) The empanelled Advocates 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 and all other matters connected with the assigned case(s).

f) NID Assam shall send the information through email regarding assignment of a case and after receiving the e-mail, it is the duty of the empanelled Advocate(s) to collect the brief/copy of petition along with assignment letter from the concerned office of NID Assam at the earliest.

g) The empanelled Advocates should render legal opinion on any legal/administrative matters to NID Assam and should also be able to prepare Reply to the Legal notices of the applicants on behalf of NID Assam whenever asked for.

h) NID Assam is free to engage any advocate of its own choice out of the list of empanelment and the empanelled Advocates shall make no claim that it alone should be entrusted with NID Assam's legal matter (s).

i) Refusal by the empanelled Advocates to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail its removal, 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 empanelled Advocate(s) 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 empanelled Advocates or non-payment of the legal fees.

k) In cases where on the request of the Union of India and DPIIT have also to be represented besides NID Assam in some case, no extra fee shall be paid to watch and safeguard the interests of Union of India and Ministry of Education or to contest the case on their behalf.

l) Keep NID Assam 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 as represented before the concerned courts or any other authority and their outcomes.

n) When any case attended is decided against the Organisation, the empanelled Advocate(s) 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) NID Assam reserves the right to terminate the appointment/empanelment of Advocates with one month's notice in writing without assigning any reason. The empanelled Advocates may also resign from NID Assam by serving one month's notice. In case of termination or completion of the empanelment, the empanelled Advocates are required to hand over all documents pertaining to the cases as held by them to the authorized offices of NID Assam within 7 days from the date of completion/termination of the empanelment.

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

q) The NID Assam may at its discretion can withdraw this notice of empanelment, amend / revise or cancel the same at any stage of empanelment.

Documents required to be submitted by the Advocate:

The empanelled 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.

- b) Certificates in support of educational qualifications.
- 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(s) Infrastructure and number of Associates in addition to office staff.
- h) Other relevant information, if any in support of eligibility of empanelment.

How to Apply:

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

The Chief Administrative Officer
National Institute of Design Assam,
Tocklai, Rajabari, Jorhat-785014, Assam.

"Application for Empanelment of Advocates to represent NID Assam before different Courts of Law"
is to be super scribed on the envelope.

The last date of receiving Applications in the prescribed format along with supporting document is 30.09.2024 (Monday) till 05:00 PM.

ANNEXURE-I

**Application Form for Empanelment in NID Assam
(TO BE FILLED BY ALL APPLICANT ADVOCATES INDIVIDUALLY)**

FORMAT OF BIO-DATA

1	Name of the Advocate	
2	Date of Birth	
3	Date of Enrolment in the Bar Council	
4	Period of Practice	
5	Details of Experience/Practice (use separate sheets, if required)	
6	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.	
7	Whether Central/State Govt. Counsel/Pleader (indicate period) (with documentary evidence)	
8	Brief list of clients e.g. Govt. / Organization / Institutes or Autonomous body / PSUs (Enclose the documentary evidence)	
9	The Courts where the Advocate is regularly practicing (Enclose copy of Bar Association Member Certificate)	
10	Details of infrastructure such as office premises, number of junior advocates, assistants, clerks, mobile phone, fixed phone and internet connection etc. (Use separate sheets, if required)	
11	Income tax PAN Number (Enclose copy of PAN Card)	
12	A brief note on your suitability for empanelment. (If required please enclosed separate sheet)	
13	Office Address	
14	Residential Address (enclose copy)	
15	3 Years Income Tax Return (Enclose supporting documents)	
16	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 NID Assam.

I agree with the Fee Scheduled notified by NID Assam.

Place: -

Signature of Advocate

Date: -

Name: -

ANNEXURE - II

Fee Structure Payable to the Advocates in different Courts of Law

HIGH COURT CHARGES

Sl. No.	Particulars	Approved Fee
1	Drafting of Petition or Counter Affidavit	5000/-
2	Drafting of Supplementary Affidavit or Rejoinder	5000/-
3	(a) For all effective hearings/pleadings (b) When the matter is adjourned	25000/- 6250/- (25% of Rs. 25000)

DISTRICT COURTS / LABOUR COURTS/CONSUMER FORUM / TRIBUNALS

Sl. No.	Particulars	Approved Fee
1	a) For all effective hearings/pleadings (b) When the matter is adjourned	25000/- 6250/-
2	Drafting of Petitions/Written statement/Counter Affidavit	5000/-
3	Drafting of Supplementary Affidavit / Rejoinder / Miscellaneous Applications	5000/-
4	(a) For appearance when assisting Senior Counsel (b) When the case is adjourned	Not applicable

MISCELLANEOUS CHARGES

Sl. No.	Particulars	Approved Fee
1	For holding conference	2500/- per sitting
2	Conference charges for briefing the Senior counsel, as required	Not applicable
3	Drafting /Filing of Caveat Petition	5000/-
4	For vetting of Agreement /MoU /Lease / Contract document etc.	4000/-
5	For every written Legal Opinion/Legal Notice	4000/-
7	Travelling allowances and other expenses for hearing / appearances at the Courts / Tribunals outside the state of Assam	TA / DA applicable at par with Pay Level 10. Bills will be reimbursed as per actual expenditure maximum up to the ceiling payable to Pay Level 10, on production of bills.

SUPREME COURT CHARGES / NATIONAL LEVEL TRIBUNALS

Sl. No.	Particulars	Approved Fee
1	Drafting of Petition or Counter Affidavit	7000/-
2	Supplementary Affidavit or Rejoinder	7000/-
3	(a) For all effective hearings/pleadings (b) When the matter is adjourned	25000/-
4	When Institute Counsel is assisting Senior Counsel/ Advocate on Record (AoR)	*NB

*NB: Any other fee not covered in the above fee structure payable to the advocates will be as per negotiation.

*In the case of approved outstation visits, reimbursement of bills for boarding, lodging, Daily allowance and local and outstation conveyance, will be made at par with employee of Pay Level 10, on submission of bills.