



South Asian University

(A University established by SAARC Nations)
Rajpur Road, Maidan Garhi, New Delhi-110068, India
Tel.: +91-11-20862652 | +91-11-20862806
Website: www.sau.int

Notification No: SAU/Legal/2024/01/47

12.03.2024

NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES

The South Asian University (SAU) is an International University established in 2007 by an Inter-governmental Agreement of the eight countries of the South Asian Association for Regional Cooperation (SAARC).

Applications are invited from eligible advocates / law firms for their empanelment to represent the University before different courts of law.

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

The advocates who are on the existing panel of SAU shall cease to be on the panel of SAU 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 firm must submit application in the format prescribed in **Annexure-A** enclosed herewith, along with all supporting documents in a sealed envelope to:-

Registrar Office,
South Asian University,
Room No. ES-404, 4th Floor,
Rajpur Road, Maidan Garhi,
New Delhi -110 068
Email: gomasundari@southasianuniversity.org

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 documents is 22nd March 2024 (Friday) till 17.00 hours.

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

Minimum Qualification & Experience:

- a) Bachelor Degree in law from a recognized University and registration with Bar Council of India / State Bar Council.
- b) Professional experience of at least 5 years in handling Universities and such other educational institutions / Government department cases (writ petitions / appeals) in the Hon'ble Supreme Court / Hon'ble High Court and Hon'ble District Courts.
- c) Good communication skills in English and good knowledge of substantive 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 Law and Taxation, etc.

Desirable Qualification & Experience

- a) Master's degree in law from a recognized international university/universities
- b) Experience of representing international institutions_

Documents required to be submitted by the advocates:

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:

- i) High School certificate in support of age of advocate (Sr. Partner in case of law firm).
- ii) Certificates in support of all educational qualifications of advocate (Sr. Partner in case of law firm).
- iii) Certificate of Registration with Bar Council (s).
- iv) Identity card issued by Bar Association / Bar Council.
- v) Details regarding representation of other Govt./PSU/Statutory Bodies/ Universities etc.
- vi) Documents regarding empanelment with other Organizations, if any.
- vii) Details regarding the cases in which the Advocate was able to get favorable outcomes / decisions which are reported / referred in reputed legal journals etc.
- viii) Details of office infrastructure and number of associates in addition to office staff.
- ix) 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 from year to year basis by the SAU as per the terms & conditions in effect at the time of renewal. The SAU reserves the right to terminate the empanelment of any advocate / firm 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 SAU (Annexure-B).
- b) No retainer fee shall be paid to any advocate merely because such advocate has been empanelled.

Procedure for Empanelment:

The Competent Authority of SAU 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 SAU. For this purpose, the Competent Authority of SAU may authorize any officer/group of officers of SAU 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, 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 SAU only. No other format will be entertained.
- b) Any application received after the last date prescribed in the advertisement shall not be entertained.
- c) No applicant advocate shall be called for interview / interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- d) Depending upon the requirement and number of applications received, SAU reserves the right to shortlist the candidates for empanelment.
- e) Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be empanelled.
- f) The decision of the competent authority regarding short listing and selection of the candidates shall be final.

- g) Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- h) A list of shortlisted applicant advocates with the date, time and venue of interaction session will be uploaded on SAU website i.e. www.sau.int.
- i) The applicant advocate shall bring original documents at the time of interaction with the University.

Duties of the Empanelled Advocates:

- a) The advocate shall not advise any party or accept any case against the SAU 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 SAU.
- b) Timely appearance of the Counsel to contest the cases for SAU in the court is a must. His / her absence in the Court, without any reasonable grounds and notice in advance, will not be accepted.
- c) SAU sends the information to the panel advocates through email regarding entrustment of a case. 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 SAU at the earliest.
- d) No empanelled advocate is allowed to engage any advocate of her / his own choice and an empanelled advocate shall make no claim that he / she alone should be entrusted with SAU'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 SAU, 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 External Affairs have also to be represented, no extra fee shall be paid to the advocate to watch and safeguard the interests of Union of India, Ministry of External Affairs.
- i) If required the empanelled advocate has to 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 the SAU 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; as soon as possible.
- 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 University, the advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filling an appeal from such a decision not later than 5 working days of the order (kachha 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/Administration of SAU within three days (excluding the time taken by the court in preparation of the copy) from the date of publication of judgment.**

Grounds for Removal from the Panel:

- a) SAU 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 Organization by serving one month's notice.
- b) Giving false information in the application for empanelment;
- c) Failing to attend the hearing of the case without any justifiable reason and without prior information;
- d) Not acting as per SAU's instructions or going against specific instructions;
- e) Threatening, intimidating or abusing any of the SAU's employees, officers, or representatives;
- f) Passing on information relating to SAU's case on to the opposite parties or their advocates or any third party which is likely to cost any damage to the SAU's interests;
- g) Giving false or misleading information to the SAU relating to the proceedings of the case;
- h) Seeking frequent adjournments or not objecting to the adjournment moved by other party without sufficient reason; and
- i) Frequent absences 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 University 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 SAU from time to time.
- d) The advocate / law firm shall not advise any party or accept any case against the SAU 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 SAU. If the advocate / law firm happens to be partner of a firm of lawyers or solicitors, it shall be incumbent upon the firms not to take up any case against the SAU 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 University.
- g) That the empanelled advocates shall send the bills as per approved rates and complete in all respects, preferably within three months.
- 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 or 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.
- k) Any subsequent additions/ alterations/ modifications/ corrigendum etc. will be published in the website only.

**Sd/-
Registrar
South Asian University
New Delhi.**

APPLICATION NO. (To be filled in by SAU)

APPLICATION FORM FOR EMPANELMENT IN SAU

(TO BE FILLED IN BY THE APPLICANTS)

Passport size photo
(to be pasted)

To

**The Registrar
South Asian University
New Delhi**

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 (specialization)	
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. / Organizations / Institutes or Autonomous bodies / 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, 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 enclose separate Annexure)	
16	Office Address (enclose proof)	
17	Residential Address (enclose proof)	
18	Court Chamber Address (enclose proof)	
19	3 Years Income Tax Returns (enclose the supporting documents)	
20	3 years Audit Reports (enclose the supporting documents)	

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

I also undertake to maintain absolute secrecy about the case of the SAU as required under the Rules, Regulations and Bye-laws there under.

I agree with the Fee Structure as notified by SAU at ANNEXURE-B.

A brief note on suitability for empanelment (details of major cases dealt with/contested by the advocate/law firm successfully).

Place:-

Date:- ___/___/20___.

Signature of the Advocate

Name:-

Seal:

**REVISED FEE STRUCTURE PAYABLE TO THE UNIVERSITY LEGAL COUNSELS/ADVOCATES
IN DIFFERENT COURTS OF LAW**

A. SUPREME COURT CHARGES (Rs.)**EXPERIENCE**

S. No.	Particulars	Below 6 years	Below 12 years	More than 12 years
1.	Drafting of Petition / Counter Affidavit	6000/-	9000/-	12000/-
2.	Drafting of Supplementary Affidavit / Rejoinder / Miscellaneous application	3000/-	4500/-	6000/-
3.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	10000/- 5000/-	15000/- 7500/-	20000/- 10000/-
4.	When University Counsel is assisting Senior Counsel/Advocates on Record (AoR)	5000/-	7500/-	10000/-

B. HIGH COURT CHARGES (Rs.)

1.	Drafting of Petition / Counter Affidavit	4000/-	6000/-	8000/-
2.	Drafting of Supplementary Affidavit / Rejoinder / Miscellaneous Applications	2000/-	3000/-	4000/-
3.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	4000/- 2000/-	6000/- 3000/-	8000/- 4000/-
4.	(a) For appearance when assisting Senior Council (b) When the case is adjourned	2000/- 1500/-	3000/- 2250/-	4000/- 3000/-

C. DISTRICT COURTS/LABOUR COURTS/CONSUMER FORUM/TRIBUNALS (Rs.)

1.	(a) For all effective hearings/pleadings (b) When the matter is adjourned	2000/- 1000/-	3000/- 1500/-	4000/- 2000/-
2.	Drafting of Petitions / Counter Affidavit	2000/-	3000/-	4000/-
3.	Drafting of Supplementary Affidavit/ Rejoinder/Miscellaneous Applications	1000/-	1500/-	2000/-

D. MISCELLANEOUS CHARGES (Rs.)

1.	For holding conference with the University Officials	2000/-	3000/-	4000/-
2.	Conference charges for briefing the senior counsel, as required.	2000/-	3000/-	4000/-
3.	Typing charges/Courier/Speed Post/ Clerkage etc.	As per actual bill raised by the Council subject to a ceiling of 15% of the amount mentioned at A,B or C.		
4.	Drafting and Filing of Caveat Petition	3000/-		
5.	Vetting of Agreement/MoU/Lease/ Contract Document etc.	4000/-	5000/-	6000/-
6.	Written Legal Opinion/Legal Notice	3000/-	4000/-	5000/-
7.	Inspection of files in various Courts/Commissions/Tribunals.	1000/-	1500/-	2000/-