



NATIONAL MUSEUM INSTITUTE
OF HISTORY OF ART, CONSERVATION AND MUSEOLOGY
(Deemed to be University under Ministry of Culture, Govt. of India)

Campus: A-19, Institutional Area, Sector - 62, NOIDA, Uttar Pradesh – 201309

Registered office: First Floor, National Museum, Janpath, New Delhi – 110011

Telephone: 0120-2975619, 2975625

Website: www.nmi.gov.in

Advertisement for Empanelment of legal Counsel

The National Museum Institute of the History of Art, Conservation and Museology (hereinafter referred to as the 'Institute'), a 'Deemed to be University' under the Ministry of Culture, Government of India, invites applications from eligible Advocates for empanelment as panel Counsels to represent the Institute before various Courts and other judicial bodies and for rendering other legal services as may be required.

The Panel of Advocates shall consist of legal experts from various branches of Law especially in Labour Laws, Service Law, Constitutional Law, Contract Law, Commercial Law, POSH law etc.

The Advocates on the Panel will deal with various matters i.e., Service, Academic, Admission, Labour, Recruitment, Reservation, Estate, etc. pertaining to the Institute and render opinions /advices as required.

1. Eligibility for Empanelment.

- 1.1 The Advocate must possess a Bachelor Degree in Law which is conferred by the University recognized by the Bar Council of India.
- 1.2 The Advocate must be enrolled with the Bar Council with a minimum of **10 years** of continuous professional experience.
- 1.3 The Advocate should have sound knowledge in various branches of law such as Service Law, Labour Law, Civil Law, Constitutional Law, Contract Law, Commercial Law, Cyber Law, POSH law etc.
- 1.4 The Advocate should be well versed with UGC Act, Rules and Regulations framed thereunder, and should have previous experience of handling cases for universities/educational Institutes.
- 1.5 The Advocates should furnish their areas of Specialization.
- 1.6 The Advocate shall apply for only one specific field i.e., Civil Law, Labour Law, Service Law, Education law etc.
- 1.7 The advocates should possess unblemished Track record and utmost integrity with no criminal antecedents.
- 1.8 The advocate should not have faced any inquiry/proceedings by the respective Bar Council / Bar Association/Courts etc. regarding the conduct of the Advocate.

2. Tenure of Empanelment: - The empanelment will be for a period of three year. The Competent Authority reserves the right to terminate the empanelment of any advocate at any time without assigning any reason.

3. Scope of work

i) To represent the Institute before various courts i.e. Supreme Court of India, High Courts, Tribunal etc. and to draft/prepare all legal documents/pleadings etc. to be filed before the Courts of Law as per the requirement of the case

ii) To defend the Institute and handle cases in the Courts.

iii) To vet any legal document of the Institute with utmost urgency and due care.

iv) To provide legal opinion on any matter referred to them by the Institute with utmost urgency.

v) Drafting and Legal vetting of Agreements, RFPS, MoUs, tenders, contracts and other documents related to the Institute, if required.

vi) Drafting and proceeding of Legal Notices and /reply to the notices.

vii) To participate in discussion/conference in legal matters.

viii) To render any other legal services as may be required.

4. General Terms & Conditions

i) The size of the panel and number of Advocates in panel shall be determined by the Institute from time to time based on the requirement and quantum of work.

ii) Refusal by any advocate to accept any work otherwise than on grounds of conflict of interest, may entail removal of such advocate from the panel. Similarly, no advocate as long as his/her name is on the panel shall contest any matter against the Institute.

iii) The empanelled Advocates will not delegate cases and must themselves deal with the same. They may have to coordinate and work with the Law Officers or designated Senior Advocates, if any, engaged in the case as well as with the officers of the Institute, if required.

iv) The empanelled Advocate shall maintain strict confidentiality of the matter pertaining to the Institute.

v) The Institute reserves the right to allotment of legal work, court cases to any empanelled advocate and no claim of any nature will be entertained in this regard. The decision of Competent Authority in respect of court cases and settlement of fee will be final and binding and no claim/correspondence of any nature will be entertained in this regard.

- vi) The day-to-day proceedings in the case assigned to the empanelled advocate shall be intimated in writing or by email to the concerned person of the Institute.
- vii) The advocate shall not use Institute's name/logo/symbol on its letter head/signboard/nameplate/website etc.
- viii) In case of any misconduct, Institute will take appropriate action against advocate which include filing complaints with the Bar Council and recovery of the financial loss caused to the Institute due to the misconduct of the advocate.
- ix) After completion of case or expiry of tenure or depanelment of advocate or decision to withdrawn the case from the Advocate, either on their completion or in between, all such cases/files in the custody of the Advocate will be returned to the Institute without any demur, and final payment, if any will be made after receipt of the relevant documents/files.
- x) The Institute reserves the right to accept or reject any or all the applications at any stage of the process without assigning any reason thereof and no claim/dispute in this regard shall be entertained.
- xi) The performance of empanelled advocate shall be continuously monitored and examined by the Institute and their continuance with the Institute shall depend on their performance.
- xii) The Advocate will be required to keep the Institute informed and updated on all important development in the designated Cases, dates of hearing, order of the court on the date of pronouncement, supplying copy of judgment etc.

4 Payment of fee and other conditions

- i) The fee payable to the Advocates shall be governed by the **Schedule** of fee **annexed at Annexure "B"**, or as revised by the ministry of Law and Justice, Govt. of India. **(Note:- No retainer fee shall be paid to any panel advocate)**
- ii) The advocate/firm empanelled/engaged may claim the fee for appearance after hearing.
- iii) Full fee of appearance will be paid only for effective hearing and 1/4th of the fee shall be paid for non-effective hearing.
- iv) (a) **Effective Hearing:** The effective hearing means, a hearing in which either one or both parties involved in a case are heard by the Courts/Tribunals/ and the matter is argued by the Counsel of any of the parties, Examination-in-chief, cross examination is conducted, issues/charges has been framed, and in addition to above, effective hearing are according to the Courts/Tribunals Rules.

(b) **Non-effective Hearing:** The non-effective means all other hearings which are not covered in the above definitions of effective hearing. If the case is mentioned and adjourned or only routine directions are given or only judgement is delivered by the court it would not constitute an effective hearing but will be termed as non-effective hearing.

- v) If a case does not reach or not taken up for hearing or the Court is on leave or does not sit for any reason, then no fee would be paid to the Counsel.
- vi) For case listed before Registrar of Supreme Court/High Court/Tribunal, 1/4th of the fees will be paid for appearance.
- vii) Where two or more cases involving substantially identical or similar questions of law or facts, one of such cases will be treated as a lead case and others as identical/connected cases and the advocate/counsel shall be paid full fee for the main case and 10% of the fee of main case for each of the identical or similar/connected case, subject to a maximum of 10 cases only.
- viii) The Advocates may claim out of pocket miscellaneous expenses incurred by them like, Photostat expenses, conveyances etc. on actual basis.
- ix) The Competent Authority shall have the right in exceptional cases to approve the payment of a higher fee than the fee mentioned in the annexed schedule keeping the view the importance of the matter and the labour and efforts put in by the advocate in a particular case. The decision on quantum of fee payable by the Institute shall be final and binding in this regard.

5 Private Practice and Restriction

- i) An advocate 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 advocate of the Institute.
- (ii) An advocate shall not advise any party or accept any case against the Institute.

6. Termination of appointment/ resignation

The Institute reserves the right to terminate the empanelment of an Advocate with one month's notice in writing without assigning any reason. The Advocate may also resign from the Panel by serving one month's notice.

7. Mode of Empanelment

- i) Applications received in response to the notice for empanelment will be scrutinized and Applicants will be screened w.r.t. the criteria mentioned above.
- ii) The mode of selection shall be on the basis of interaction by the selection committee/deputed officer on this behalf by the Institute.
- iii) In case large number of applications are received, only short-listed candidates shall be called for the interaction.

- iv) Short-listed Advocates will be intimated only by email on the email address, as provided in the application form or over the telephone number given by the applicant.
- v) Candidates will have to produce all original documents at the time of the interaction.

8 Doubt/Difficulty

If there arises any doubt/difficulty with respect to the implementation/interpretation of any clause of these guidelines, the same shall be placed before the Vice-Chancellor of the Institute and her decision in this regard shall be final and binding.

Disputes, if any, in relation to empanelment or out of the process shall be subject to exclusive jurisdiction of courts of New Delhi only.

The Institute reserves the right to accept or reject any application without assigning any reason. The application submitted will not bind the Institute to consider him/her for empanelment.

Desirous and eligible Applicants may send their application in the enclosed **format** annexed as **Annexure 'A'** along with copies of relevant supporting documents (**duly scanned**) only by **e-mail** to registrar.nmi@gov.in latest by **30th January 2023**. No application for empanelment shall be entertained thereafter.

**Annexure – “A”
FORM OF APPLICATION**

Affix
recent
Passport
size
Photograph

S.No.	Particulars Details	Details
1.	Name of the Advocate	
2.	Father's Name	
3.	Date of Birth	
4.	Office Address	
5.	Contact Number	
6.	Email-Id	
7.	Enrolment no. and name of the Bar Council (Enclose copy of enrolment/ registration certificate)	
8.	PAN No. of the Advocate	
9.	Details of Experience/ specialization.	
10.	Major field of Specialization/practice (ONLY ONE).	
11.	Additional field(s) of practice.	
12.	Court where Advocate is regularly Practicing a) period of practice b) Area of practice	
13.	Brief list of clients (especially Govt./Universities/Educational	

	Institutions/ Autonomous Authorities)	PSUs/
13.	Details of important cases the Advocate has dealt with/handled and reported judgment, if any. (With special mention to the level of Court)	
14.	Details of Experience (Also mention Experience of Universities/UGC/Academic Institution)	
15.	A brief note on the suitability of empanelment	
16.	Have you ever been convicted of under any law or currently facing any criminal proceedings? If yes, please provide details	
17.	Any other relevant information (Separate sheet may be attached, if required)	

Declaration

I hereby declare and confirm that all the information provided above is true and nothing has been concealed. I have never been penalized by any Bar Council in any disciplinary proceedings. I agree to abide by the general terms & conditions and other stipulations mentioned in this Notice. I also undertake to maintain absolute secrecy about the work assigned by the National Museum Institute of the History of Art, Conservation and Museology. I further understand if that at any time I am found to have concealed/distorted any material information or do any act or omission against the interest of the National Museum Institute of the History of Art, Conservation and Museology, my empanelment shall be summarily terminated without any notice to me.

Signature of Advocate

Address:

Place: Tel. No.:

Date: Mobile No.:

E-mail:

No. 26(1)/2014/judl.
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Judicial Section

New Delhi the 1st October, 2015

OFFICE MEMORANDUM

Sub: Revision of fee payable to various categories of Central Government counsel.

In partial modification to this Department's various OMs issued from time to time, the undersigned is directed to convey approval of Competent Authority for the revision of the fee structure applicable to Government counsels of all the categories with immediate effect as per the details given below:-

(A)

The Fee structure applicable to Group 'A' 'B' and 'C' panel Counsel in Supreme Court:-

Sl.No.	Item of work	Revised fee Group 'A' Panel Counsel	Revised fee Group 'B' & 'C' Panel Counsel
1.	All Regular Appeals and defended Writ Petitions(for final hearing)	₹13,500/-per case per day	₹ 9,000/- per case per day
2.	All defended Admission matters (SLP/TP and writ petitions & other misc. matters for admission)	₹ 9,000/-per case per day	₹ 4,500/-per case per day
3.	Settling of pleadings	₹ 5,250/- per case	----
4.	Appearance in Miscellaneous Applications	₹ 4,500/-per case	----
5.	Conference	₹ 900/- per conference	----
6.	Out of Head quarter	₹ 13,500/- daily fee for the days of his absence from HQ	₹ 9,000/- daily fee for the days of his absence from HQ.
7.	Conveyance charges for performing local journey while outside Headquarter.	₹ 1, 500/-	₹ 1,500/-
8.	Clerkage	NIL	NIL
9.	Drafting SLP/Counter Affidavit/Rejoinder etc.	---	₹ 3,000/- per case
10.	Drawing Written Submission	---	₹ 3,000/- per case

11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance/obtaining the number and taking date for hearing)	---	₹ 3,000/-per case
-----	---	-----	-------------------

All other terms and conditions applicable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court in the pre-revised OM No. 21(04)/1999-Judl. dated 24.09.1999 read with OM No. 21(05)/ 2011-Judl. dated 01.10.2011 shall continue to remain applicable unless specifically revoked/revised.

(B)

The Fee structure applicable to Assistant Solicitors General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC), Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT and Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta) as per the following rates:-

Sl. No.	Item of work	Revised fee
1.	Retainer Fee of:- Assistant Solicitor General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC) and, Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT .	₹ 9000/- per month.
2.	Suits, Writ Petitions and Appeals, including oral Applications for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 9000/- per case per day of effective hearing in case of non-effective hearing ₹ 1500/- per day subject to a maximum of 5 hearing
3.	Application for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 3000/- per case
4.	Settling pleadings	₹ 3000/- per case
5.	Miscellaneous Application	₹ 3000/- per case
6.	Conference	₹ 900/- per conference subject to:- (i) for setting pleadings- one conference. (ii) In respect of hearing of Writ matters, Suits, appeals and Supreme courts leave applications etc- Three conference (Maximum)
7.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Ministry/ Department.

All other terms and condition applicable to Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta in to this Department's, OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl., and OM No. 26(2)/99-Judl., all dated 24.09.99, read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and OM No. 26(1)/2011-Judl., dated 01.10.2011, shall continue to remain applicable unless specifically revoked/revised.

(C)

Revision of the fee structure applicable to the Panel Counsel of High Courts as well as of CAT Benches of Bombay and Kolkata:-

Sl.No.	Item of Work	Special Counsel	Senior Counsel Group. I	Senior Counsel Group. II	Jr. Counsel Advocate on record
1.	Suits, Appeals, Writ /Revision Petitions including Special Civil Application in the High Court. Per conference/Consultation	₹ 9000 ₹ 900	₹ 6000 ₹ 750	₹ 3750 ₹ 600	₹ 1800 ₹ 450
2.	Application including Interim Motions, Notices, Appeals, Leave Application, Arbitration, Company Matters, Criminal Revision and other Land Acquisition References (per day per effective hearing) Per conference/Consultation	₹ 3000 ₹ 900	₹ 3000 ₹ 750	₹ 2250 ₹ 600	₹ 1350 ₹ 450
3.	Drafting or Settling Pleadings, and Affidavits (per pleadings) Per conference/Consultation	₹ 3000 ₹ 900	₹ 1800 ₹ 750	₹ 1500 ₹ 600	₹ 1050 ₹ 450
4.	Appearance before Arbitration and Tribunals, etc and Courts other than High Courts (Per day per effective hearing) Per conference/Consultation	₹ 7500 ₹ 900	₹ 6000 ₹ 750	₹ 3750 ₹ 600	₹ 2250 ₹ 450
5.	Chamber Application, including Adjournment Application per day inclusive of consultation	NIL	₹ 1500	₹ 900	₹ 600
6.	Written opinions and written advice including advice on evidence (inclusive of consultation)	₹ 3750	₹ 2250	₹ 1350	₹ 1050

All other terms and conditions applicable to the Counsels of High Courts as well as of the CAT Benches of Bombay and Kolkata in the pre-revised OM No. 23(2)/2001-Judl. & OM No. 22(02)/2001 dated 14th July, 2001 read with 23(2)2011-Judl. dated 1st October, 2011 shall continue to remain applicable unless specifically revoked/revised:-

Note:- There will be no ceiling on the number of conference/ consultation in the case of Special Counsel, however in the case of other categories of Counsels, the number of conferences per cases will be limited to four (relaxable to six at the discretion of the Incharge (Litigation) of Branch Secretariat, Mumbai/Kolkata.



(D)

The Fee structure applicable for Panel Counsel, Delhi High Court and Central Govt. Counsel/ Pleader of various High Courts (including Panel Counsel of various CAT, Benches) excluding the High Courts of Bombay and Calcutta, as per the following rates:-

Sl.No.	Item of Work	Revised fee
1.	Civil or Criminal Writ Petitions under Article 226 & 227 of the Constitution, Contempt Petitions, Criminal/Civil Revision Petitions, Reference to the High Court under Sales Tax Act and Banking Company Petitions,	₹2250/- per effective hearing ₹450/- per non-effective hearing (subject to maximum of five hearings in a case)
2.	Original Suits, Civil Appeal from Decrees in Suits and proceedings including second appeal and land acquisition appeal except LPA from Petitions under Article 226 & 227 of the Constitution (including drafting fee)	Ad. Valoram/regulation fee (subject to maximum of ₹ 45,000/- in a case.)
3.	Company Petitions	To be regulated by the rule contained in Appendix (iii) of the Company (Court) Rules, 1959
4.	Drafting of pleadings counter affidavits/returns/answer to Writ Petitions/Grounds of Appeal and application for leave to appeal to the Supreme Court	₹ 1,350/- per pleading
5.	Drafting of Civil Misc. applications to petitions under the Indian Succession Act, Contempt of Court proceedings and other proceedings of an original nature	₹1,125/- per petition
6.	Civil Misc. petitions, forma paupers, transfer petitions and other civil misc. petitions of routine nature	₹ 450/- per petition
7.	Consultation /conference fee	₹ 450/- per conference (subject to maximum of 4 conferences in a case)

8.	Appearance before the High Court in application under Section 34 & 37 of the Arbitration and Conciliation Act, 1996 Appearance before Arbitrator/Umpires etc.	₹2,250/- per effective hearing ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearing in a case). ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearings in a case).
----	--	---

All other terms and condition applicable to above mentioned Counsels in to this Department's, in OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl. and OM No. 26(2)/99-Judl, all dated 24.09.99 read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and shall continue to remain applicable unless specifically revoked/revised.

(E)

The Fee structure Standing Govt. Counsel and Additional Standing Govt. Counsel in the District and Subordinate Courts:-

Sl.No.	Item of work	Revised fee
1.	Retainer fee for Standing Govt. Counsel	₹ 6000 per month
2.	Fee for effective hearing	₹ 1800 per day
3.	Fee for non-effective hearing	₹ 600 per day (not more than 5 such hearings in a case)
4.	Fee for drafting Written Statement, Grounds of Appeal etc.	₹ 1500 per pleading
5.	Fee for drafting other pleadings of misc. nature	₹ 600 per pleading
6.	Fee per Conference	₹ 900 (subject to maximum of 5 such conferences in a case / group of identical cases)
7.	Daily fee for out of Headquarters	₹ 2700 per day
8.	Conveyance charges for local journey outside Headquarters	₹ 900 (lump sum)
9.	Expenses for stay in hotels	₹ 1800 per day
10.	Clerkage	@ 10% of total fee excluding miscellaneous and out of pocket expenses (maximum ₹ 5250 in a case)
11.	Fee for identical Cases	Full fee in the 1 st case and ₹ 750 in per suit for connected cases (max. 3 cases)
12.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Department.

All other terms and conditions applicable to above mentioned Counsels in to this Department's, OM No. 27(11)/1999-Judl dated 24.09.1999 read with OM No. 27 (25)/2011-Judl. dated 01.09.2011, shall continue to remain applicable unless specifically revoked/revised.



(F)

The Fee structure applicable to Senior/Junior Arbitration Panel Counsel:-

Sl. No.	Details of work	Proposed Revised fee
1.	Fee for effective hearing Senior Counsel Junior Counsel	Rs. 2,250/- per appearance Rs. 1,500/- per appearance
2.	Fee for non-effective hearing Senior Counsel Junior Counsel	Rs. 450/- per appearance Rs. 300/- per appearance (maximum four such hearings)
3.	For drafting pleadings Senior Counsel Junior Counsel	Rs. 1,500/- per pleading Rs. 750/- per pleading
4.	Conference fee Senior Counsel Junior Counsel	Rs. 450/- per conference Rs. 300/- per conference (maximum three such conferences in a case)
5.	Daily fee out of Headquarters Senior Counsel Junior Counsel	Rs. 3,000/- per day Rs. 2,250/- per day

All other terms and conditions applicable to OM No. 30(3)/99-Judl. dated 24.09.99 read with OM No. 26(1)/2005/Judl. dated 31.01.2008, shall continue to remain applicable unless specifically revoked/revised.



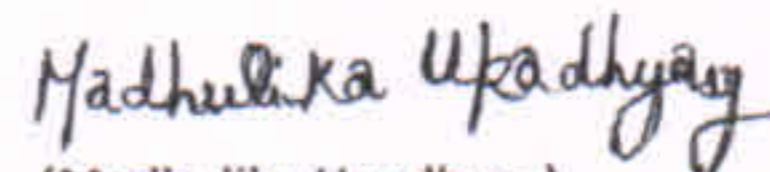
2. The above revised fee will be effective from 01.10. 2015.
3. **The counsel will be paid fee at the old rates in respect of their appearance in the Court etc. and other work done by them prior to 01.10. 2015 and at the revised rates in respect of the work done by them on/ after 01.10. 2015.**
4. This issues with the approval of the Ministry of Finance, Department of Expenditure E.II(B) Branch, ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015.


(Suresh Chandra)

Joint Secretary and Legal Adviser
Tele No. 23387806

Copy to:

1. All Ministries/Departments to the Government of India.
2. Incharge, Central Agency Section, Litigation (HC) Section, Litigation Lower Courts Section. All Groups-A, B & C panel counsel of Supreme Court through Incharge, Central Agency Section.
3. All Senior Panel Counsel of High Courts/ CATs through concerned Assistant Solicitors General in High Courts/ Sr. CGSC of CATs Benches.
4. All Assistant Solicitors General in various High Courts/ Sr. CGSC of CATs Benches.
5. All Central Government Standing Counsel/Central Government Pleaders of Delhi High Court.
6. All Asstt. Solicitors General/Central Legal Adviser of various High Courts.
7. All Senior Central Government Standing Counsel/Addl. Central Government Standing Counsel of various CAT Benches.
8. All Standing Govt. Counsel and Additional Standing Govt. Counsel before various District and Subordinate Courts as per the list.
9. All Senior/Junior Counsel of the Arbitration Panel.
10. All Special Counsel, Senior Counsel Group-I, Senior Counsel Group-II and Junior Counsel of High Courts as well as CATs Benches of Bombay and Kolkata through the concerned Incharge of Branch Secretariat of Bombay and Kolkata.
11. Incharge, Branch Secretariats Mumbai/ Kolkata/ Chennai/ Bangalore.
12. All Sections of Department of Legal Affairs.
13. Legal Advisor, Railway Board, New Delhi (with 5 spare copies).
14. Department of Personnel and Training (AT Section), New Delhi (with 5 s/copies.)
15. Joint Secretary (Legal), Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies)
16. CBDT, Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies).
17. Branch Secretariats Mumbai/Calcutta/Chennai/Bangalore.
18. Ministry of Urban Development, Nirman Bhawan, New Delhi.
19. Department of Expenditure, Ministry of Finance, New Delhi w.r.t. their ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015..
20. DGS&D, New Delhi
21. NIC Cell with the request to upload the same in the website of this Department.
22. Judicial Section with 50 spare copies.
23. O.L. Section for Hindi translation.


(Madhulika Upadhyay)

Central Govt. Advocate
Tel. 23389006