

**NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATE FOR
LEADING OF CASES BEFORE HON'BLE HIGH COURT UTTARAKHAND**

On behalf of Uttarakhand Housing & Urban Development Authority(UHUDA), Chief Administrator invites proposal for empanelment of advocates who can draft the counter affidavit, supplementary counter affidavit, Delay condonation affidavit, prepare and contest the special appeal and Misc. application, plead cases before Hon'ble High Court, Uttarakhand.

The practicing advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and condition and the application format in which the application has to be made, have been annexed with this document.

Eligible practising advocate must submit their application in the format prescribed in Annexure "A" and "B" with all supporting documents in a sealed envelope to:-

Chief Administrator
Uttarakhand Housing & Urban Development
Rajiv Gandhi Multipurpose Complex
Dispensary Road, Dehradun- 248001
Telephone:- 0135-2719500

The envelope should be superscribed with "**Application for Empanelment of Advocate for Hon'ble High courts**" The last date of receiving Applications in the prescribed format along with supporting document is **22-03-2019 till 14.00 hours**. Application for empanelment at UHUDA does not confer any right/ assurance whatsoever; to an applicant that he/she will be empanelled on the panel of UHUDA.

Signature of Applicant

**REQUIREMENT OF ADVOCATES/LAW FIRMS FOR EMPANELMENT TO
REPRESENT UHUDA BEFORE HON'BLE HIGH COURT**

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates who can draft the counter affidavit, supplementary counter affidavit, Delay condonation affidavit, prepare and contest the special appeal and Misc. application, plead cases before Hon'ble High Court, Uttarakhand.

1. Eligibility of Empanelment

Before filling the application form, the applicant are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocates in UHUDA mentioned below :-

- i) Be enrolled/registered as an advocate with the State Bar Council/Bar council of India.
- ii) Have a minimum, relevant experience of **Ten years** of handling cases before a High Court with a fair knowledge of The Uttarakhand Urban and Country Planning and Development Act 1973.

2. Tenure of Empanelment

The initial empanelment will be for three years from the date of empanelment to Performance of empanelled advocates shall be reviewed at regular interval for continuance in the panel of Advocate.

3. Procedure for Empanelment

- a. The applicant advocate must apply on the format prescribed by the UHUDA 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, UHUDA reserves the right to shortlist the candidates to be called for interview/interaction and to be empanelled.
- e. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interview/interaction and to be selected.
- 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 interview will be uploaded on our website i.e. **www.uhuda.org.in**.
- i. The applicant advocate shall bring original documents at the time of interview.

Signature of Applicant

- j. The list of selected advocates will be made available on UHUDA's website www.uhuda.org.in. Letter to applicant advocates confirming their empanelment will be issued by UHUDA separately.

4. TOR:

1. The Advocate shall not advise any party or accept any case against UHUDA 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 UHUDA.
2. Timely appearance of the Counsel to contest the cases for UHUDA in the court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.
3. UHUDA sends the information to the panel advocates through email regarding entrustment of a case and after receiving the e-mail, it is duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of UHUDA at the earliest.
4. UHUDA 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 UHUDA's legal matter (s).
5. 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.
6. The advocates shall accept the terms and conditions of the empanelment as determined by the UHUDA from time to time.
7. 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.
8. If required render all assistance to special or senior Counsel engaged in a particular case before the High Court and other judicial bodies.
9. Keep UHUDA 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.
10. Furnish monthly statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
11. When any case attended by him/her is decided against the Organization, 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 (kuchha copy).
12. 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 of UHUDA within three days (excluding the time taken by the court in preparation of the copy) from the date of judgement.
13. The empanelled Advocate shall not enter into any compromise or agree to grant any concession or move any statement in courts to the effect in any matter without prior permission in writing of the concerned Officer.

Signature of Applicant

5. Exit Clause :

UHUDA reserves the right to terminate the empanelment of advocate with one month's notice in writing without assigning any reason. The advocate may also resign from the Organization by serving one month's notice. Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the Advocate.

- (i) Giving false information in the application for empanelment;
- (ii) Failing to attend the hearing of the case without any sufficient reason and/are prior information;
- (iii) Not acting as per UHUDA's instructions or going against specific instructions;
- (iv) Threatening, intimating or abusing any of the UHUDA's employees, officers, or representatives;
- (v) Passing on information relating to UHUDA's case on to the opposite parties or their advocates or any third party which is likely to cost any damage to UHUDA's interests;
- (vi) Giving false or misleading information to UHUDA relating to the proceeding of the case;

Seeking frequent adjournment or No objection the adjournment moved by other party without sufficient reason; and frequent absence from the Court proceeding even if "pass over" or "Proxy" is obtained by an advocate.

6. Remuneration Quoted:

- (i) Quote the remuneration in **Annexure-B**.
- (ii) UHUDA shall have the right in exceptional cases to approve the payment of a higher fee than the fee mentioned in the schedule keeping in view the importance of the matter and the efforts put in the advocate in a particular case.
- (iii) No retainer fee shall be paid to any panel Advocate merely because such advocate has been empanelled.
- (iv) Based on the proposal of various applicant, a uniform fee structure would be prepared and will send to each applicant. If anyone disagree with it his empanelment will not be considered.

Chief Administrator
UHUDA

Signature of Applicant

APPLICATION NO.(To be filled by UHUDA)

APPLICATION FORM FOR EMPANELMENT OF ADVOCATE

(TO BE FIELD IN BY ALL APPLICANT ADVOCATES)

To,

Chief Administrator,
 Uttarakhand Housing & Urban Development Authority
 Rajiv Gandhi Multipurpose Complex
 Dispensary Road, Dehradun- 248001
Telephone:- 0135-2719500

| | |
|--|--|
| Name (in Block letter) | |
| Father's name | |
| CHECKLIST <ol style="list-style-type: none"> 1. List of documents attached (Attach copy of all certificates & marksheets) 2. Experience certificate <ul style="list-style-type: none"> Duly field Annexure-A & B Others (Please specify) 1. <li style="padding-left: 100px;">2. | |

Signature of Applicant

ANNEXURE-A

| A- PERSONAL DETAILS (In Block Letters) | |
|---|---|
| 1 | Name in FULL |
| 2 | Father's/Husband's Name |
| 3 | Date of Birth |
| 4 | Nationality |
| 5 | Address for correspondence with PIN and phone |
| 6 | Permanent Address with PIN and phone |
| 7 | Address of office/chamber, if any, with PIN and phone |
| 8 | Mobile No. |
| 9 | E-Mail ID |

B- Details of Educational qualification

| Examination Passed | Name of the Board/University | Class or Division | % of Marks | Subjects | Year of Passing |
|--------------------|------------------------------|-------------------|------------|----------|-----------------|
| LLB/ Law Graduate | | | | | |
| Post Graduation | | | | | |
| Other Professional | | | | | |

C-Experience certificate

| Name of the Department/PSU/Statutory Body/ Autonomous Body | From | To |
|--|------|----|
| | | |
| | | |
| | | |

(Please Attach the relevant Document)

D-Whether the applicant is currently on the Panel of any other Government Department/PSU/Statutory Body/Autonomous Body etc., and if yes, the details below(Self-certified Copy of the Office Order/ letter of empanelment may be attached)-

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| |

Signature of Applicant

E. Whether the applicant has worked as Legal Researcher (LR) attached to any Court/judge? If yes, the details and the supporting documents:-

| Name of Court/ judge | Period of Research | Supporting documents |
|----------------------|--------------------|----------------------|
| | | |
| | | |

F. If one or more advocates are associated as juniors of the applicant, their details to be provided below:-

| Sl. No | Name of the advocate | Enrolment no. with date |
|--------|----------------------|-------------------------|
| | | |
| | | |

G. Infrastructural facilities available with the applicant (Please tick if available) to be provided below:

| Sl. No. | Office space | Office clerk | Steno/typist | Support staff |
|---------|--------------|--------------|--------------|---------------|
| | | | | |
| | | | | |

H. No. of cases relating to THE UTTARAKHAND URBAN AND COUNTRY PLANNING AND DEVELOPMENT ACT, 1973, if handled earlier :-
(Documentary proof must be attached)

| SL. No. | Type of Case |
|---------|--------------|
| | |
| | |

I. Whether the applicant has been engaged (through Vakalatnama) as counsel in any landmark or mother case? If yes, the particulars of the case with copy of the judgment wherein his/her name is recorded as advocate for one of the parties (Copy of order/judgment be attached as proof):-

| Name of the Court | Case title | Nature of Judgment |
|-------------------|------------|--------------------|
| | | |
| | | |

J. Whether Income Tax return filed for last Three years Yes/No (If yes, Please attach the copies of the ITRs.)

Signature of Applicant

K. Details of Bank Account/Aadhar Number be provided below:-

| Bank Account Details (Bank Account Number, Address of the branch and IFSC code) | PAN number | Aadhar Number | Services Tax Registration on Nuber |
|--|------------|---------------|------------------------------------|
| | | | |

L. Whether any proceeding has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct:-

| Sl. No. | Details of allegations and Proceedings | Finding made by the |
|---------|--|---------------------|
| | | |

M. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against the applicant advocate:-

| Sl. No. | Details of allegations and Proceedings | Finding made by the Court |
|---------|--|---------------------------|
| | | |

N. Any additional professional qualification(s), which will further the candidature, including membership of professional societies, awards and honors etc. may be listed in the box below. (Documentary proofs may be attached):

| |
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Signature of Applicant

ANNEXURE-B**Financial Proposal:-
Counsel In High Court**

| Sl. No. | Item of Work | Fees |
|----------------|---|-------------|
| 1 | All Regular Appeals and defended Writ Petitions (for final hearing) | |
| 2 | All defended Admission matters (TP and writ petitions & other Miscellaneous. Matters for admission per Case) | |
| 3 | From Filing the Case up to the Disposal of Case Counter Affidavit etc. | |
| 4 | Drawing Written Submission | |
| 5 | Drafting of Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance/obtaining the number and taking date for hearing) | |
| 6 | Fee Seeking Legal Per Opinion | |

UNDERTAKING

- 1) I hereby confirm and declare that the information furnished in the application and in the attached Certificate is true/correct and complete to the best of my knowledge and relief. I have not concealed any relevant information. I am fully aware that if any of the information furnished by me is found to be false/ incorrect, my candidature for the empanelment will be treated as cancelled and matter will be referred to the appropriate authority.
- 2) I also undertake to maintain absolute secrecy about the cases of the UHUDA as required under the Act, Rules and Regulations there under.
- 3) I also undertake to return all case files and records to the UHUDA as and when required by UHUDA.
- 4) Based on the proposal of various applicant, a uniform fee structure would be prepared and will send to each applicant. If any one disagrees with it, his empanelment will not be considered.

Signature of Advocate

Enrolment Number

Mobile Number

Place and Date:-

Signature of Applicant