



**Punjab Engineering College
(A Deemed to be University Under sec 3 of UGC Act, 1956),
Vidya Path, Sector 12, Chandigarh**

ENGAGEMENT OF COUNSELS

Applications are invited for engagement of Counsels to defend Civil Cases/other Cases in various Courts of Law in India. Last date for submission of Application is **15.12.2023**. For more details, please visit <http://pec.ac.in>.

**Sd/xxxxx
Registrar**

**Guidelines for Empanelment of Counsels to Represent Punjab Engineering College
(A Deemed University Under Section 3 of UGC Act, 1956) in Hon'ble High Court
of Chandigarh for Various Civil Cases, Cases Related to Service Matters
and Other Cases**

General

1. These Guidelines are being formulated by the Institute for empanelment of eligible Advocates to represent the Institute in the Hon'ble High Court of Chandigarh to file/defend Civil Cases, Cases related to Service matters and miscellaneous matters of Punjab Engineering College (**PEC**) Chandigarh (A Deemed University under Section 3 of UGC Act, 1956).

2. These Guidelines shall supersede all existing instructions, if any, on this Subject.

3. **Definitions.** In these Guidelines, the Terms used will have the following meaning:-

(a) 'Advocate' means an Advocate, entered in any Roll of Advocates, under the Provisions of the Advocates Act, 1961.

(b) 'Competent Authority' shall be the Director, PEC or any Officer so designated by the Director, PEC.

(c) 'Court' shall mean and include Supreme Court (**SC**), High Courts (**HCS**), Subordinate Courts or Tribunals including Securities Appellate Tribunal/Central Administrative Tribunals, other Tribunals, Commissions, Statutory Authorities etc.

(d) 'Effective Hearing' shall mean, a Hearing in which either one or both or all the parties involved in a case are heard by the Court. If the matter is called in its turn and the Advocate is present to represent PEC and the Court/Tribunal/Forum listens to the submissions made by him/her or by other side or by both and if, thereafter, the Court/Tribunal/Forum adjourns the matter, that will be treated as effective hearing. If the case is only mentioned and adjourned or only directions are given or judgement is pronounced, it would not constitute an effective hearing for the purpose of these Guidelines but as Non-Effective Hearing.

(e) 'Similar Cases' shall mean two or more cases in which identical or substantially similar questions of law or facts are involved.

4. **General instructions.**

(a) The Advocate shall not advise any Party or accept any case(s) against the PEC, in which he/she has appeared or is likely to be called upon to appear for an advice, which is likely to affect or lead to litigation against the PEC.

(b) If the Advocate happens to be a Partner of a Firm of Lawyers or Solicitors, it shall be incumbent upon the Firm not to take up any case(s) against the PEC in any Court of Law/Tribunal/Commission or any case arising out of those cases e.g. appeals and revisions.

5. **Eligibility Criteria.**

- (a) Advocates having Law Degree & Bar Membership.
- (b) The Advocate must have excellent communication skills.
- (c) Advocates having at least 10 years' experience in working as counsel with Autonomous Bodies/Organizations/Universities/Deemed to be Universities/Educational institutes. There must be atleast 10 (Ten) Judgments in Service Matter, where the Advocate has appeared as Counsel.
- (d) The Advocate must have an Office/Full Set Up in the tricity i.e. Chandigarh/Panchkula/Mohali.
- (e) Complete Information must be provided as per **Annexure I-IV**.

6. **Tenure of Empanelment.** The period of engagement/appointment will be initially for a period of three years, extendable on yearly basis, subject to satisfactory performance.

7. **Payment of Fees.**

- (a) Payment would be made to the Counsels as per Approved Rates by Chandigarh Administration from time to time.
- (b) The Advocate shall not be paid any additional fees for providing legal opinion pertaining to the result of the case, where the said Advocate had represented the authority.
- (c) If the advocate is required to travel outside the town in connection with a case, where interests of this Institute are involved, the Senior Advocate shall be entitled to claim TA/DA as applicable to the Registrar/Professor and the Junior Advocate shall be entitled to claim TA/DA as applicable to the Assistant Professors of the Institute.

8. **Procedure for Empanelment.**

- (a) The Applicant/Advocate must apply on prescribed format only. No other format shall be accepted. Conditional and ***application sent through email shall not be entertained.***
- (b) The envelope containing name of the Applicant must be super scribed with the subject, on the top of outer envelope.
- (c) Any Application received after the last date prescribed in the advertisement shall not be entertained.
- (d) The Application (hard copy only) must reach in the office of Registrar, Punjab Engineering College (Deemed to be University), Chandigarh up to the stipulated date and time. Applications received after the Due Date and Time, due to any reason(s)/postal delay shall not be entertained.
- (e) Applications received will be short listed. PEC reserves its right to decide the criteria of short-listing (**Annexure- IV**).

- (f) Applications so received will be scrutinized by the Committee constituted for the purpose. The selection would be made by the Committee on the basis of merit/interaction with the Applicants and based on his/her experience.
- (g) Application can be rejected by the Competent Authority without assigning any reason(s).
- (h) The Committee reserves the right to verify the particulars furnished by the Applicants. If any information is found to be incorrect, the Application will be summarily rejected.
- (i) Conditional applications shall not be entertained.
- (j) In case of date of receiving of Application/Interaction happens to be Public Holiday, then next working day shall be considered as Last Date.
- (k) No Applicant/Advocate shall be called for interaction unless he/she satisfies the eligibility conditions and is shortlisted for the Interaction etc.
- (l) Merely fulfilling the Eligibility Criteria will not confer any right on an Applicant/Advocate to be called for the Interaction and to be selected.
- (m) The Date for Interaction of short-listed applicants will be intimated through Institute website as well as through email mentioned in the Application.
- (n) Canvassing or influence in any form shall be treated as a disqualification. The Candidature of such Applicants shall be cancelled forthwith.
- (o) PEC reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process and the decision of the Director PEC Chandigarh would be final.
- (p) In case of dispute, the matter shall be referred to the Director, PEC.
- (q) For resolution of dispute(s), the jurisdiction of Courts at UT, Chandigarh would be applicable.

9. **Terms & Conditions (T&Cs).**

- (a) PEC reserves the right to modify or relax the Terms and Conditions (**T&Cs**) of the Engagement at any time and also the right to verify the information submitted by the Advocate. Such modification/relaxation shall be notified to all who have already responded. The Advocates shall in full accept the T&Cs of the Empanelment as determined by the PEC Authority from time to time.
- (b) Empanelment will only make an Advocate to be considered for legal work by the Institute, if any, and not bind PEC to award or give work to any Advocate mandatorily, so empaneled, at any point of time during the Term of Engagement.
- (c) Subordinate Counsel of the Empaneled Advocate would not contest against PEC in any manner.
- (d) The allocation of cases/legal work shall be at the sole discretion of PEC Authority.
- (e) If a Sr Advocate of extraordinary repute is engaged to defend or contest any case of PEC, the fee payable to him will be negotiated in advance, and prior approval of the Competent Authority shall be taken before such engagement.

(f) The Advocate debarred/black listed by any Department/Autonomous body of the Central/State Govt/Union Territories and Municipal Corporation etc. will not be eligible to apply. In case this fact is established after Appointment/Assignment of Work, then such Appointment/Assignment will be terminated without any notice. An Undertaking to this effect is mandatorily required certifying that the Advocate has not been blacklisted by any Department/Autonomous body of the Central/State Govt/Union Territories and Municipal Corporation/Private Body any time, **(Annexure III)**.

(g) The empanelled Advocate shall not use PEC Name, Logo, Symbol etc on their Letterhead, Signboard, Nameplate, Pamphlets, Visiting Cards etc, such as 'Legal Advisor of PĒC', 'Advocate of PEC, etc. No empanelled Advocate shall represent himself as the Standing Counsel of the Authority before any court or forum unless authorized and specified as such by the PEC Authority.

(h) Empanelment will only entitle a Advocate to be considered for assigning the legal work by the Institute, and not bind PEC to mandatorily award or give work to any Advocate, so empanelled, at any point of time during the Term of Engagement.

(i) The allocation of cases/legal work will be at the sole discretion of PEC Authority.

(j) Notwithstanding such empanelment, PEC shall be free and without any restriction to assign cases/legal work to any other legal professional or Advocate, who is/are not empanelled by it, if any such necessity is felt at any point of time.

(k) The empanelled Advocates shall not delegate cases and shall themselves deal with the same.

(l) The Advocate while pursuing any case on behalf of the Authority shall not act without instructions of the Authority and inform the Authority about the proceedings of each hearing by reporting mail and furnish copy of orders of each date without which the Authority will not settle bills of payment.

10. **Termination of Engagement.** PEC reserves the right to terminate the Appointment/Empanelment of the Advocate with one Month Notice in writing without assigning any reason(s). The Advocate may also resign by serving one month's notice. Empanelment is liable to be cancelled due to occurrence of any of the following on part of the Advocate: -

(a) Giving false information in the Application for Empanelment.

(b) Failing to attend hearing of the case(s) without any sufficient reason(s) and/or prior information.

(c) Threatening, intimidating or abusing any of PEC employees, officers or representatives.

(d) Passing on information relating to PEC case(s) on to opposite parties or their advocates or any third party, which is likely to cause any damage to Institute's interest.

(e) Giving false or misleading information to PEC relating to the proceedings of the case.

(f) Frequent absence from court proceedings even if "pass over" or "proxy" is obtained by an advocate.

(g) The Advocate **debarred/black listed** by any Department/Autonomous body of the Central/State Govt/Union Territories and Municipal Corporation etc are not eligible to apply. In case this fact is **established after Appointment/Assignment** of work, then such Appointment/Assignment will be terminated without any notice. An Undertaking to this effect is mandatorily required.

(h) The empanelled Advocate if found using PEC Name, Logo, Symbol, etc on their Letterhead, Signboard, Nameplate, Pamphlets, Visiting Cards etc, such as 'Legal Advisor of PEC', 'Advocate of PEC etc, shall call for termination of engagement. No empanelled Advocate shall represent himself as the Standing Counsel of the Authority before any court or forum unless specified as such by the Authority.

(i) The Advocate if seeking any adjournment without any valid or cogent reasons, shall call for termination of engagement. Under no circumstances, the matters entrusted by the Authority should go unattended before the Court/Tribunal/Forum, which shall be viewed as serious violation of T&Cs of Empanelment and may entail taking back the brief or cancellation of such empanelment. The performance of each empanelled Advocate shall be reviewed periodically based on which an assessment shall be made about the continuation of empanelment. The decision of the Director, PEC in this regard shall be final.

(j) Refusal of any empanelled Advocate to take up a matter on behalf of the PEC Authority, without proper justification or grounds, shall entail cancellation/withdrawal of Engagement.

(k) The empanelled Advocate found not maintaining strict confidentiality of the cases or other matters handled on behalf of the Authority and divulging in any information to any third party or to the media, any Advocate who is found to have violated the above conditions, shall be liable to have his empanelment cancelled immediately without further notice.

(l) Refusal of any empanelled Advocate to take up a matter on behalf of the PEC Authority, without proper justification or grounds, shall entail cancellation/withdrawal of engagement.

(m) Subordinate counsel of the empanelled Advocate is found contesting against PEC in any manner.

11. **Right to Private Practice.**

(a) The empaneled Advocate will have the right of private practice, which should not however, interface with the efficient discharge of work of PEC but he/she shall not to advise, hold briefs or appear against PEC before any authority tribunal or Court of Law.

(b) If the empaneled Advocate happens to be a Partner in a Firm of Lawyers or Solicitors, it will be incumbent on the Firm, not to take up any case against PEC in any court or law or;

(c) Any other case arising in other courts out of cases pertaining to PEC e.g. Appeals and Revision in the Court.

Sd/xxxxx
Registrar

Annexure-I

1.	Whether Self Attested copy of PAN No. issued by the Competent Authority is attached?	Yes/No
2.	Whether Self Attested copy of AADHAR No. issued by the competent authority is attached?	Yes/No
3.	Whether copy of Law Degree (s) and other Educational/Professional Qualification attached	Yes/No
4.	Whether copy of Registration Certificate and Identity Card issued by Bar Association/Counsel attached?	Yes/No
5.	Whether copy of Empanelment Letter issued by other authorities in favour of the Advocate attached?	Yes/No
6.	Whether proof of 10 Years Experience is attached on the prescribed format below? S. No. CWP/Case No. Plead Titled Status Remarks	Yes/No
7.	Copy of 10 (Ten) Judgments in Service Matter, where the Advocate has appeared as Counsel	Yes/No
8.	Whether copy of Income Tax Returns/Annual Turnover for the last two financial years attached?	Yes/No
9.	Attach two recent coloured passport size photographs	Yes/No
10	Any other relevant information which the applicant may wish to provide. Pl attach relevant proof.	Yes/No
11	Whether undertaking as contained in Annexure III attached	Yes/No

Dated:

Signature of the Applicant

Annexure-II

Application Form No. _____

(to be filled by PEC)

To

The Registrar
Punjab Engineering College,
(Deemed to be University)
Vidya Path, Sector-12, Chandigarh-160012

Affix self
attested Recent
Passport size
Colored Photo

Subject: Application for Empanelment in PEC

1.	Name (In Block Letters)	
2.	Father / Husband Name	
3.	Date of Birth	
4.	Nationality	
5.	Marital Status	
6.	Address for Correspondence with Pin Code	
7.	Permanent Address	
8.	Office/Chamber Address, if any	
9.	e-mail ID(s)	
10.	Phone No(s).	a. Landline _____ b. Mobile _____
11.	Are you related to any PEC Employee? If yes, please provide complete details (e.g. Name, Designation & Relationship with Applicant)	

12. Details of Educational & Professional Qualifications

Exam Passed	Board/University	Division/ Grade	%age of Marks	Subjects	Year of Passing
10 th					
12 th / +2					
Graduation					
Law Degree					
Post Graduation					
Other professional Qualification					

14. Whether the Applicant is currently on the Panel of any other Govt Department/PSU/Statutory Body/Autonomous Body etc, and if yes, please provide details as under: (Self Certified Copy of the Office Order/Letter of Empanelment be attached)

Name of the Department/PSU/ Statutory Body/Autonomous Body	From	To
1		
2		

15. If one or more Advocates are associated as Juniors of the Applicant, their Details be Provided as given below:-

S. No.	Name of the Advocate	Enrolment Number with Date
1		
2		

16. Whether Infrastructural Facilities Available? Please provide details:-

Office Address	Office Clerk	Steno Typist	Support Staff	Other Facilities

17. Whether Income Tax Return is being filed for the last at least two years?
Please Attach copies of ITRs:

18. Bank Details (for Payment Purposes)

Bank Name, Address, Account No. & IFSC Code	PAN Number	Aadhaar Number
1		
2		

19. Whether any Criminal Complaint has ever been lodged or FIR registered or any Criminal proceeding has ever commenced against the applicant advocate?

S. No.	Details of Allegations & Proceedings	Findings made by Court

20. Whether any Proceeding has ever been Commenced or is Continuing before the Disciplinary Committee of the Bar Council for alleged Professional Misconduct?

S. No.	Details of Allegations & Proceedings	Findings made by Disciplinary Committee

21. Any other Relevant Information (Separate Sheet may be attached along with documentary proof)

Signature of the Applicant/Advocate

UNDERTAKING

1. I _____ hereby confirm and declare that the information furnished in the application and in the attached certificate(s) is true and correct and complete to the best of my knowledge and belief. I am fully aware that if any information found to be false or incorrect, my candidature for empanelment will be treated as cancelled and matter will be referred to the appropriate authority for necessary action.
2. I also undertake to maintain absolute secrecy about the cases of PEC as required under the relevant Act, Rules and Regulations.
3. I also undertake to return all case files and records to PEC as and when required by PEC.
4. I agree with the Fee Structure notified by Chandigarh Administration so adopted by PEC.
5. Once a case is allotted to me, I will put the same to the logic end.
6. I have not been blacklisted by any Department/Autonomous body of the Central/State Govt/Union Territories and Municipal Corporation/Private Body.

**Signature of the Applicant/Advocate
Enrolment Number, Date and Year**

Criteria for Short Listing

- | | | |
|---|----------|---------------------------------|
| 1. Minimum Qualification | | %age/10 |
| 2. Higher Qualification | | %age/10 |
| 3. Experience Years/Level | | One Mark/year, Max. of 20 marks |
| 4. No. of Cases defended: | (a) Won | 5 marks/case |
| | (b) Lost | 2 marks/case |
| 5. NIRF Ranking of Law Degree Institute | | Ranking on the scale of 10 |
| 6. Bar Membership | | Yes/No |