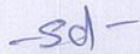


CHAUDHARY DEVI LAL UNIVERSITY, SIRSA
(Established by the State Legislature Act 9 of 2003)

Notification

The Chaudhary Devi Lal University, Sirsa has approved the rules/guidelines for court cases conduct rules, empanelment and other related rules/guidelines regarding advocates to be engaged on behalf of the university (copy enclosed) in term of Resolution no. 55 of 54th meeting of the Executive Council held on 27.02.2019.

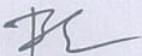

Law Officer
For Registrar

Endst. No. LC/M-19/19/203-290

Dated 19/03/2019

Copy of the above is forwarded to the following for information and necessary action:

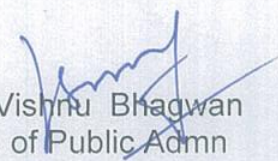
1. All the Chairperson of University Teaching Departments, CDLU, Sirsa
2. All the Branch Officer, CDLU, Sirsa
3. Joint Director(Audit), CDLU, Sirsa
4. In-Charge IT Cell, CDLU, Sirsa with request to upload the same on the university website.
5. P.S to Vice-Chancellor(for kind information of the Vice-Chancellor), CDLU, Sirsa
6. P.A to Registrar (for kind Information of the Registrar), CDLU, Sirsa.



Law Officer
For Registrar

80

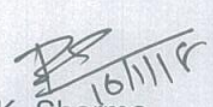
Minutes of the University Litigation Policy Implementation Committee regarding preparing the rules/guidelines for court cases conduct rules, empanelment and other related rules/guidelines regarding advocates to be engaged on behalf of the university, in compliance the orders of the university authorities vide which the above matter has been referred to the committee for consideration and recommendations.

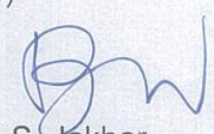
The Committee has deliberated in detail of the issue in so many sittings regarding framing of rules for empanelment and conduct thereof keeping in view of the Haryana State Litigation Policy as adopted in the University and existing procedure/rules applicable keeping in view the overall interest of the university. The detailed report/recommendations of the committee attached herewith as page 01 to 07 for consideration of the university authorities.


Prof. Vishnu Bhagwan
Deptt. of Public Admn
(Member)


Dr. M. Kasif Kidwai
Deptt. of EES
(Member)

(Post Vacant)
Assistant Registrar
Conduct Branch
(Member)


Baljit K. Sharma
Law Officer
(Member Secreary)




Prof. J.S. Jakhar
Dean Faculty of Law
(Convener)

81

Ch. Devi Lal University, Sirsa

Guidelines for empanelment, procedure and conduct of Advocates for court cases.

1. The university will have to maintain separate panel of Advocates for Hon'ble Supreme Court of India, Hon'ble High Courts, District Courts and Sub-Divisional Courts for defense of the university in court cases/related matters.
2. The University have to maintain panel where multiple pendency of cases in one court/place.
3. The membership in the panel will be valid for 02 years for empanelment and may deemed to be continue up to the decision of the cases already allotted only or for two years from the date of empanelment whichever is later.
4. The panel Advocate of the university will have to work/contest/defend the court cases as per rules, regulations, university directions and official record of the university and to prepare the cases/pleadings/written statements/applications to defend the university interests.
5. The Legal Cell will be the dealing branch for the advocate panel and other related pending court cases matters, but the legal advisor will be appointed through the Estt. Branch from the panel by the Vice - Chancellor.
6. The legal cell will review the panel from time to time on the basis of performance, conduct, co-operation of advocate or otherwise and submits its report with specific recommendations to the V.C. for approval of the new panel. The legal cell will look into the progress of cases and to inform the dealing branch as per requirement for evidence, production of record etc. The legal cell will maintain case file of the pending cases for the registrar.
7. The Legal Cell has to examine the request of advocates for empanelment; state Govt. recommendations for empanelment or at its own level for inclusion and to submits report with specific recommendations to the V.C for orders keeping in view of requirements of university, court matters/specific knowledge of required filed etc. The preference will be given to the advocates having specialized knowledge and experience in a particular field.

 Dr vs. Dr
16/11/18


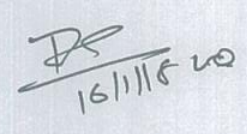
8. The panel advocate will be paid legal fee and actual expenses as per the rate fixed by the university from time to time after deduction of taxes applicable.
9. The Vice-Chancellor of the university can engaged any advocate for any court case outside the panel on the basis of any special requirement/ field of practice/ special court etc. on the specific fee to be decided as per case to case basis.
10. The advocate who have clash of interest whether personal or professional with the university's interest can be de-empaneled for the remaining terms and the cases already allotted can be re-allotted to other advocates. The advocate will submit their undertaking not to contest or file cases against the interests of university during the period of empanelment in personal capacity or as an advocate professionally dully described in the Performa Annexure-A.
11. The university has right to replace, engage additional advocate, change of advocate in the cases on sufficient reasons as and when necessary.
12. The new university counsel engaged as per Clause 11 will be paid full counsel fee.
13. The Advocate stand changed/replaced by other/left practice in general or in required court, before final decision of the case, will be paid only half fee. The counsel fee will be paid in two instalments.
14. In case the university engaged more than one advocate in one case, all will be paid full fee individually. The legal cell of university will assist the engaged advocate during the pendency of case regularly on the basis of information/ facts/ orders/ changes/record as received from concerned branches.
15. The court fee rates are to be reviewed at regular intervals to keep attract the best talent for the defense of the university.
16. The experience in relevant filed for empanelment in the university for different court is as under:
 - i). Hon'ble Supreme Court of India :15 years or more in the relevant field and court.
 - ii) Hon'ble High Court :12 years or more regular actual practice in the same


PP vs. BW
16/11/18
[Signature]


court and field.


- iii) Hon'ble Distt. Court :10 years or more regular actual practice in the same court and field.
- iv) Hon'ble Sub-Divisional Court :08 years or more regular actual practice in the same court and field.

- 17. The engaged advocate not responding the university communication, continuously or fails to contest or attend university cases, refused to obey directions of the university, non-preparation of draft replies or cases and advice, refused to accept cases, non-cooperation, appeared/contested cases against the university or work adversely to the interests of the university, then the university has right to issue notice to the said advocate of 15 days for his/her comments/reasons. The university shall have power to take decision for de-empement whether permanent/temporary for a certain period after taking into consideration the comments/reasons if any received within 15 days' notice period or if no comments received within specified period, then on the basis of office record by presuming that the advocate has admitted the same and has nothing to say in this regard.
- 18. The Vice-Chancellor is the competent authority to take action for empanelment/de-empanelment or other matters.
- 19. The Vice-Chancellor can refer any matter for decision relating to these rules for amendment/empanelment/de-empanelment/conduct of advocate etc. to University State litigation Policy Implementation Committee and the decision of the said statutory committee will be final.
- 20. In case there are more than one connected/ similar matters then the full fee will be paid for the 1st case and 25% of fee for each case of the remaining cases up to the maximum limit prescribed by the university as per rules.
- 21. The Advocate on panel has to submit the certified copy of each effective order/judgement/decrece alongwith their advice for implementation or filing of appeal immediatly to the University for further processing and the expenses will be paid by the university on submission of bills.
- 22. The final counsel fee bill must have attached with the certified copy of final order/judgement and decrece.

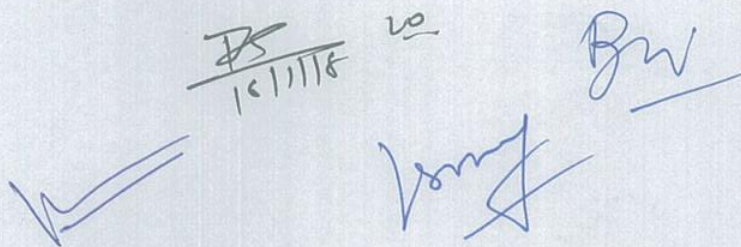

16/11/20







23. The engaged/ panel counsel has to supply the university any other relevant document/certified copy from the record of court of pending or decided court file as and when demanded by the university on payment of required expenses.
24. The university counsel has to advice in writing regarding each effective order/judgment or otherwise called do so, their opinion regarding order to file appeal/revision or to implement the same with specific facts whether the order under question is as per the university stand/plea/record or not, with reasons. There will be no extra fee for such advices.
25. The half counsel fee will be paid after first appearance or filing of case/ written reply by university and remaining half on the final decision of the case.
26. All the branches/offices shall intimate in writing all the decisions/orders/changes/approvals/rules and other directly related matter/facts in dispute to the legal cell immediately with approval of Vice-Chancellor or Registrar or other competent authority to upkeep and update the court case file of university/counsel as per the current facts. The legal cell or concerned branch or dealing official shall attend the court to defend the interests of the university as per requirement. The legal cell will put up the case/order/decision to the Vice-Chancellor/ Registrar for further directions, orders and action, being legal branch and then to communicate to the concerned branch/office/counsel for compliance, record or action.
27. The instructions received by the university regarding mode/procedure of defending the court case from the statutory authorities/State Govt. will be applicable as per the requirement of the existing system in the university.
28. The orders/notifications regarding defending/filing/internal procedure regarding the court case matters already issued/ adopted by the university/Govt. shall be deemed to be part of these rules and will remain applicable.
29. The specialist/counsel for matters relating to income tax/ environmental/ arbitration/pollution/sale tax/GST etc. will be engaged by the order of Vice-Chancellor through Legal Cell on the written request of the respective branch/Department as per their requirements from the panel of advocates of such fields. The fee will be as per the general notification or specific as per the case to case in this regard or in other mode as decided.


Handwritten signatures and initials at the bottom of the page. On the left, there is a checkmark and the initials 'JS' over the date '15/11/18'. In the center, there is a signature that appears to be 'Vijay' and the number '20'. On the right, there is a signature that appears to be 'Bw'.

85

30. The maximum number of advocates in a panel is as under:
- | | | | |
|------|--------------------------------|---|----|
| i). | Hon'ble Supreme Court of India | : | 07 |
| ii) | Hon'ble High Court | : | 15 |
| iii) | Hon'ble Distt. Court | : | 15 |
| iv) | Hon'ble Sub-Divisional Court | : | 10 |
31. The Vice-Chancellor can increase or decrease the maximum number of advocate in a panel.
32. The Vice-Chancellor is the final and competent authority to interpret these rules and for addition or deletion of rules.
33. Before taking on university panel, the university has to take into consideration of past and present practice/performance/conduct of the advocate regarding professional excellence/ethics regarding university matters/educational matters/service matters etc.
34. All the requests for panel must be on the prescribed Performa **Annexure - A** duly filed and signed by the advocate concerned alongwith supporting documents including enrollment certificate, work experience, educational qualification etc.
35. In case of death of engaged panel advocate before payment of counsel fee, then the remaining fee will be paid to the nominee on furnishing of simple undertaking in the capacity as nominee to pay the claimed fee to all legal entitled heirs of the advocates.

JP
16/1/18

vs.

BW

Amal

86 -

Annexure - A

Application for empanelment as advocate.

To

The Registrar
Ch. Devi Lal University
Sirsa.

Sub: Request for empanelment as advocate on university panel.

Respected/Sir/Madam,

I hereby submits my request for empanelment as advocate on university panel for.....(Name of the Court to be specified) and details are as under:

- 1. Name : _____
- 2. Address : _____
- 3. Contact No. : _____
- 4. E-Mail ID : _____
- 5. Enrollment No. : _____
- 6. PAN No. : _____
- 7. Saving Account No. _____
with Branch/Bank Name/IFSC : _____
Code. _____
- 8. Place of Practice _____
: _____
- 9. Educational Qualifications : _____

- 10. Professional experience & _____
Area of Specialization : _____

P.T.O



 21/11/18
 ve
 [Signature]

11. Experience with universities/ _____
 Board/Educational Matters/ _____
 Service Matters : _____

12. Whether you are held guilty of professional mis conduct by Bar Council/Court : Yes/No

13. Whether you have ever been debarred/de-paneled by any Govt. institution : Yes/No
 Name & address of the Nominee :

14. Any other Information : _____
 (May be attached separate sheet)

Note: Please attach the copies of the necessary and relevant documents in support of the information above.

I will abide by terms/conditions/guidelines/rules of university and its amendment made from time to time and in case of violations, university shall have right to take actions including de-empement.

I undertake that I shall not take or file any case against the interest of the university personally or professionally during my empanelment/pending cases.

I hereby declare that the above said information is true and correct and in case the said information is found false/wrong my name would be liable to be removed from the panel.

Place:
 Date:

(Signature of the Applicant)

List of Documents:

1.

Handwritten notes and signatures at the bottom of the page, including a date "16/11/18" and several illegible signatures.