

**NEW DELHI MUNICIPAL COUNCIL**

**Advertisement for Empanelment of legal Counsel in NDMC**

Applications are invited for empanelment of legal counsels to represent the New Delhi Municipal Council and its officers/officials before the Hon'ble Supreme Court, Hon'ble Delhi High Court and other Courts and Tribunals in the cases assigned to them.

Practicing Advocates can apply for empanelment. The qualification, experience and other terms and conditions have been prescribed by the Competent Authority, NDMC which are available on NDMC website [www.ndmc.gov.in](http://www.ndmc.gov.in).

Applicants may send their application in the enclosed format alongwith copies of relevant supporting documents to Chief Legal Advisor, New Delhi Municipal Council, 8<sup>th</sup> Floor, Palika Kendra, Sansad Marg, New Delhi – 110001 or e-mail the same to [law.deptt.ndmc@gmail.com](mailto:law.deptt.ndmc@gmail.com) latest by **21<sup>st</sup> September 2022**. No application for empanelment shall be entertained after **21<sup>st</sup> September, 2022**.

-Sd-  
(Gomati Manocha)  
Chief Legal Advisor  
N.D.M.C.

**PROFORMA FOR APPLICATION FOR EMPANELMENT OF LEGAL COUNSEL IN NEW DELHI MUNICIPAL COUNCIL**

1	Name in Full (in block letters)	
2	Date of Birth and Age (on the closing date of the application)	
3	Father's Name	
4	Complete Residential Address with Telephone No./Mobile No.	
5	Complete official Address with Telephone No./Mobile No.	
6	E-mail I.D.	
7	Educational Qualification (photocopies of documents to be attached)	
8	Date of Enrolment as an Advocate (photocopies of documents to be attached)	
9	Experience in years (Please specify the High Court where enrolled)	
10	Whether working or have worked in the past, as a Panel Lawyer/ Standing Counsel/ Legal Advisor in Central/ State Govt. or its organizations (photocopies of documents to be attached)	
11	How many cases have been decided in favour of the department?	
12	Whether any proceeding has ever been commenced or is continuing before the disciplinary committee of the Bar Council for alleged professional mis-conduct. If yes, provide detail.	
13	Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever been commenced. If yes, provide	

	details.	
14	A short note about educational qualification, experience and any other relevant information and field of expertise (on a separate sheet).	

Signature

## **Terms and Conditions**

### **Eligibility for Empanelment**

The Advocates are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocates in NDMC more specifically mentioned herein below:-

- a. Advocates who are already on the panel of the N.D.M.C. for a period of 07 years & above shall not be eligible to apply for the aforementioned panel of advocates. However, the Law Deptt. reserves the right to appoint any counsel as a panel counsel, if it deems fit, regardless of the above condition, after seeking approval from the Chairperson, N.D.M.C. The fee structure of the concerned advocate shall be decided by Chief Legal Advisor after approval from the Competent Authority and will be processed and released by the Law Department only.
- b. The Applicant must be a Law Graduate from a University recognized by Bar Council of India and should be enrolled with the Bar Council of Delhi.
- c. The Advocate should have sound knowledge about various branches of Law, particularly Constitutional law, C.P.C., Cr. P. C., Evidence Act, Contract Act, Limitation Act, Companies Act, Negotiable Instrument Act, Arbitration and Conciliation Act, Taxation Laws, Consumer Laws, Labour Laws, Land revenue matters, Municipal matters and Service matters etc.
- d. NDMC will also consider the following points:
  - i. Proper and adequate infrastructure of an advocate such as office premises, number of junior advocates, assistants, clerks etc.
  - ii. Preference will be given to advocates with higher experience and those who have worked for the Local Bodies of Delhi, Central / State Government Departments, etc.
  - iii. The Advocate is not contesting any case against NDMC/ Govt. of NCT of Delhi / Union of India, before any Court in India.
  - iv. Unblemished Track record and utmost integrity with no criminal antecedents.
  - v. The advocate should not have faced any inquiry/proceedings by the respective Bar Council / Bar Association regarding the conduct of the Advocate.
  - vi. If the Advocate is empanelled by other Regulators / organizations, details and opinion of those organizations / regulators, if available.
- e. The decision of the NDMC in short-listing the Advocates based on the above prescribed criteria shall be final.

### **4. Tenure of Empanelment**

The initial empanelment will be for a period of 02 years extendable by another two years (one year at a time), based on the performance of the Advocates.

The Competent Authority reserves the right to terminate the empanelment of any advocate at any time without assigning any reason.

### **5. Documents to be submitted**

The Advocates will be required to furnish their duly signed Bio-data with latest passport size photograph as per the prescribed format along with the following documents (Self Attested by the advocate with his stamp):

- a. High School/Matric Certificate in support of age;
- b. Registration No. /Enrollment No. with the Bar Council/Bar Association.
- c. Copies of Identity Card issued by Bar Association / Bar Council;
- d. Copies of letters or testimonials for empanelment with other Government Departments / Local Bodies/ PSUs/ Private listed Companies;
- e. Certificate in support of academic and professional educational qualifications;
- f. Certificate of experience issued by the concerned Bar Association/Bar Council, where the Advocate is/was practicing.

#### **6. Procedure for Empanelment**

- a. The Advocate must apply on the format prescribed by NDMC only. No other format will be entertained and if sent, will be summarily rejected.
- b. Application for Empanelment with the documents mentioned above are to be sent to the Office of: - The Chief Legal Advisor, Room No. 8003, 8th Floor, New Delhi Municipal Council, Palika Kendra, New Delhi – 110001 or through **e-mail**: law.deptt.ndmc@gmail.com
- c. The panel shall consist of Advocates from diversified fields viz. Municipal Laws, Constitutional Law, Competition Law, Civil Law, Commercial Law, Property Law, Taxation Law, Corporate Law, Labour Law etc. depending upon the expertise, experience, performance and conduct of advocates in general.
- d. **The last date for applying for empanelment is 21st September 2022.**
- e. **Any application received after the last date prescribed shall not be entertained.**
- f. Merely fulfilling the eligibility criteria will not confer any right on an Advocate for empanelment.
- g. Depending upon the requirement and number of applications received, NDMC reserves its right to shortlist the Advocates. The size of the panel and number of Advocates in a particular field in the panel shall be finalized by NDMC based on the requirements and quantum of work involved.
- h. The decision of the Competent Authority of NDMC regarding short listing of the Advocates shall be final.
- i. The empanelment list will be made available on our website : [www.ndmc.gov.in](http://www.ndmc.gov.in)

#### **7. Communication of Empanelment**

After a decision to empanel the advocate is taken, a communication in writing to this effect shall be sent to the Advocate. The process of empanelment shall be complete when a duly signed acceptance letter is submitted to NDMC.

#### **8. Duties of the Empanelled Advocates**

- a. The Advocate shall not advise any party or accept any case against NDMC, in which he / she has appeared or is likely to be called upon to appear or advise, which is likely to affect or lead to litigation against NDMC.
- b. Timely appearance of the Counsel to contest the cases for NDMC in the Court is a must. His / her absence in the Court without any reasonable ground, will not be accepted.
- c. NDMC may send the information to the panel advocates through email / SMS, regarding entrustment of a case and after receiving email /SMS, it is the duty of the panel Advocate to collect the brief / copy of the petition along with entrustment letter from the office of Chief Legal Advisor, NDMC, Head Office at Palika Kendra, New Delhi – 110001.
- d. NDMC 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 NDMC'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 immediate removal of such Advocate from the panel.
- f. The Advocates shall accept the terms and conditions of the empanelment prescribed by NDMC without any condition.
- g. It will be mandatory for Panel Advocates to visit the Office of New Delhi Municipal Council, Palika Kendra, New Delhi – 110001 or any of the field offices of the user departments of NDMC, from time to time to enable empanelled lawyers to handle cases efficiently.
- h. In order to ensure that there is effective check on the cases being conducted, the lawyers on the panel must report the status of the cases after each date of hearing to the HOD, user department under intimation to the HOD, Law Department. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
- i. Keep NDMC informed and updated on all-important developments in the assigned cases, dates of hearing, order of the Court on the date of pronouncement, supply copy of important interim orders and judgments etc. along with the opinion regarding presentation of appeal/revision.
- j. Furnish monthly statement about the cases represented by him/ her before the High Court or any other authority and their outcomes.
- k. When any case attended to by him / her is decided against the Council, give considered opinion regarding the advisability of filing an appeal against such a decision, within not later than 7 working days of the order.
- l. Non appearance of Panel Advocate on three consecutive dates shall entail his removal from the panel. The decision of Chief Legal Advisor in this regard shall be final.

#### 9. Performance Review

Performance of the empanelled Advocates will be subject to review by NDMC from time to time. NDMC reserves its right to terminate the empanelment of the Advocate at any time based on performance review, without assigning any reason, whatsoever.

#### 10. Removal from Panel

Empanelment shall stand cancelled automatically due to occurring of any of the following disablements on the Part of the Advocate:-

- a. In case of refusal to accept any brief / case assigned by the N.D.M.C., shall entail immediate removal from the panel without any notice or show-cause whatsoever.
- b. Giving false information in the application for empanelment;
- c. Failing to attend the hearing of the case without any sufficient reason and without prior information.
- d. Not acting as per NDMC's instructions or going against specific instructions, directly or indirectly.
- e. Putting outside pressure on the Management for his/her selection for empanelment through political or other means.
- f. Threatening, intimidating or abusing any of the NDMC's employees, Officers or representatives;
- g. Passing information relating to NDMC's case to the opposite party or their Advocates or any third party which is likely to cause damage to the NDMC's interests;
- h. Giving false or misleading information or advice to NDMC relating to the proceedings of the case.
- i. Not informing the Law Department/User Department in writing regarding any adverse

order passed against NDMC.

**11. Procedure of Appointment & Payment of Monthly Retainer-ship Fees.**

The appointment of the Panel Advocate as mentioned is contractual in nature for a fixed tenure and remunerations shall be paid by the Law Department, N.D.M.C. Similarly, payment of retainer-ship fee/fee shall also be processed by the Law Department through Computer Billing Section/Account Department, as the case may be.

**12. Maintenance of Professional Ethics**

During the term of empanelment and thereafter, the Advocates shall maintain utmost confidentiality in the matters pertaining to NDMC. They shall neither advise any party against NDMC nor accept any case against NDMC during the term.