

Empanelment of Legal Counsel(s) to represent the Sree Chitra Tirunal Institute for Medical Sciences and Technology (SCTIMST) before Kerala High Court, Ernakulam, Central Administrative Tribunal, Ernakulam and other Tribunals, District & Session Courts and other judicial bodies at Ernakulam

1. Empanelment of Legal Counsel(s)

Sree Chitra Tirunal Institute for Medical Sciences & Technology (SCTIMST), an Institution of National importance established by the Sree Chitra Tirunal Institute for Medical Sciences & Technology Act, 1980 (Central Act 52 of 1980) proposes to engage Legal Counsel(s) to represent the SCTIMST before Kerala High Court, Ernakulam, Central Administrative Tribunal, Ernakulam, other Tribunals, Districts & Session Courts and other judicial bodies at Ernakulam.

The interested Law Firms and practicing advocates with Bar Council of India/State Bar Council having adequate experience in dealing with the legal matters pertaining to academics/education/service matters/autonomous/statutory bodies are eligible for empanelment. The Qualification, Experience, Schedule of Fees, other terms and conditions and the application format in which the application has to be made, have been prescribed and are as given below.

Eligible Law firms and practicing advocates may send their applications addresses to the Director, **Sree Chitra Tirunal Institute of Medical Sciences & Technology, Medical College P.O., Thiruvananthapuram** in the format prescribed in Annexure "A" enclosed herewith along with all supporting documents.

The last date of receiving Applications in the prescribed format along with supporting documents is 28.04.2022.

Only those who are ready to accept the terms and conditions in the notice shall be considered for empanelment. Applications are required to mention Courts of jurisdiction wherein they want to represent SCTIMST.

Note: Applying for empanelment at SCTIMST does not confer any right /assurance whatsoever that they will be empanelled on the panel of SCTIMST. Letters to advocates confirming their empanelment will be issued by SCTIMST separately.

Terms and conditions for empanelment

2. Eligibility for empanelment

A. Standing Counsel

Have a minimum experience of **Ten years** as practicing advocate in handling Civil/Criminal/Service matter case. Preference will be given to the counsels who have dealt earlier with matters pertaining to academic institutions and statutory bodies.

B. Panel counsel

Have a minimum experience of **Seven years** as practicing advocate in handling civil, criminal, service matter cases. Preference will be given to the counsels who have dealt earlier with matters pertaining to academic institutions and statutory bodies.

The Advocates/Firms should be familiar with various branches of law especially those concerning laws of matters related to service matters, land disputes, constitutional /service law, contract law, property law and taxation, etc. Preference will be given to those practicing in the area of Central government service matters.

3. Tenure of Empanelment

The initial empanelment will be for two years or until further orders whichever is earlier. Performance of empanelled advocates shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the advocate, the empanelment may be renewed for a period of another two (2) years by SCTIMST as per the terms & conditions in effect at the time of renewal. The SCTIMST reserves the right to terminate the empanelment of any advocate at any time without assigning any reason thereof.

4. Duties of the Counsel

The counsel shall perform the following duties

- i. Represent SCTIMST before Kerala High Court, Ernakulam, Central Administrative Tribunals, Ernakulam, other Tribunals, District & Session Courts and other judicial bodies, Forums and Commissions at Ernakulam
- ii. Provide legal advice to SCTIMST on civil, criminal, service and such other matters arising in due course of administration of the Institute as are referred to him/her including
 - a. Examination and drafting of legal documents
 - b. Drafting of applications, petitions etc. to be filed in various courts of law
 - c. Prompt removal/curing of defects in appeals/petitions files, as may be pointed out by the registry;
- iii. Apply for the copy of judgment from the court in cases attended by him/her and supply the copy of judicial pronouncement at the earliest but not later than 10 days from the date of order (excluding the time taken by the court in preparation of the copy)
- iv. If required, render all assistance to Special or Senior counsel engaged in a particular case before the Supreme Court /Kerala High court/Tribunals/Forums/Commissions;
- v. Keep SCITMST 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 judgment etc.
- vi. Furnish monthly statement about the cases represented by him/her before Kerala High Court / Tribunals/Forums/Commissions or any other court/authority and their outcomes.

- vii. Perform such other duties of legal nature which may be assigned to him/her by SCTIMST
- viii. When any case assigned to him/her is decided against the Institute, give considered opinion regarding the advisability of filing an appeal from a decision not later than 5 working days of the order.

5. General Instructions

1. The size of the panel and number of advocates in panel shall be determined by the Competent Authority based on the requirement and quantum of work. The volume of work shall be assessed on the basis of the pending cases in the preceding year and the fresh cases likely to be added in the succeeding years.
2. Cases involving similar issues/points of law or the otherwise interlinked or clubbed may be entrusted to the same Advocates as far as possible.
3. 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.
4. The advocate shall accept the terms and conditions of the empanelment as determined by SCTIMST from time to time
5. In case of empanelment of Law Firms, all the terms and conditions for empanelment of the individual advocates shall apply mutatis mutandis to them
6. The Advocate/Firm shall not advise any party or accept any case against SCTIMST 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 SCTIMST.
7. 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 any case against SCTIMST in any Court of Law /Tribunal/Commission/Forum or any case arising out of those cases e.g. Appeals and revisions
8. In case where on the request of the Ministry of Science and Technology, interest of Union of India have also to be protected, no extra fees shall be paid to the advocate to watch and safeguard the interest of Union of India

6. Procedure for Empanelment

The competent authority will through a nominated committee consider the applications for empanelment in terms of these guidelines only on merits after due notice in this regard is published on the website of SCTIMST and Bar Council of Ernakulam.

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 shortlisted Advocate/Firms as per Annexure –B with acknowledgement and acceptance due. The process of empanelment shall be complete when SCTIMST receives an acceptance letter from the advocate.

7. Payment of fee and other conditions

