



Memo No. AC/032/25-26

Date: 28-04-2025

**NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES
REQUIREMENT OF ADVOCATES/LAW FIRMS FOR EMPANELMENT TO
REPRESENT NSOU BEFORE VARIOUS DRAFTING
/VETTING/COURTS/TRIBUNALS/FORUMS/JUDICIAL AND NON-JUDICIAL
ADJUDICATING AUTHORITIES IN WEST BENGAL AS WELL AS INDIA**

Netaji Subhas Open University (referred as NSOU) a State Open University.

NSOU, proposes to have a panel of Advocates/ Law Firms for representing NSOU, before various Courts/Tribunals/Forums/Judicial and Non-Judicial Authorities.

The Law firms and practicing Advocates who are enrolled with State Bar Council (West Bengal) are eligible for empanelment.

NOTICE INVITING APPLICATIONS details and forms can be downloaded from NSOU website: <https://wbnsou.ac.in> from 29th April 2025 from 11 a.m. onwards

The Advocates/Law Firms who are willing to apply for panel Advocate of NSOU shall send the application form duly filled as per the required format within 21 days from the date of advertisement i.e., up to 20/05/2025. The signed original application enclosed along with self-attested documents for empanelment by all the applicants shall be sent on the below address:

Finance Officer
Netaji Subhas Open University
DD-26, Sector -1, Salt Lake, Kolkata-700064
E-mail: fo@wbnsou.ac.in

The scanned copy of application can also be sent on the above email-id

“Application for the Panel Advocate in NSOU” in the subject. The last date of receiving Applications in the prescribed format along with supporting documents is 20/05/2025.

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

GUIDELINES FOR EMPANELMENT OF ADVOCATES/LAW FIRMS

Following guidelines are to provide and regulate the manner and procedure for empanelling the Advocates to represent and assist the NSOU before various courts and for regulating the referrals of the cases and payment of fee/remuneration payable



to such persons. These guidelines shall supersede all existing instructions in this regard, if any.

1) Eligibility of Empanelment

- The Advocates/ Firms should be familiar with various branches of law especially those concerning laws of Regulatory matters related to Educational Sector, Constitutional/Service law, Labour Law, Contract Law, Arbitration Law, Commercial law, Property Laws and Taxation, Information Technology & Cyber Laws, Intellectual Property laws, Property Due Diligence and any other laws of the land etc.
- Empanelment for the Supreme Court of India - 5 yrs. of court practice experience before Supreme Court will be preferred.
- Empanelment for the High Courts in India/Appellate Tribunal and other equivalent courts – 7 yrs. of court practice experience in High Court(s) and other equivalent courts.
- Empanelment for the Subordinate Courts/Tribunals and other equivalent courts -5 yrs. of court practice experience in Sub-ordinate Courts/Tribunals and other equivalent courts.
- Due weightage shall be given to Advocates having experience in handling cases of any Educational Institute, Organization, University etc.
- An Advocate against whom any disciplinary action is pending, any criminal case filed, debarred/ penalized by any Bar Council or committed any act which is unbecoming of an Advocate as per Advocates Act, 1961 shall not be eligible to apply for empanelment as the same constitutes a ground of dis-empanelment.
- Infrastructure Facilities: a) Advocates/ Firms should have their own chambers in Supreme Court, High Court or major District Courts or should have
 - a) Good office space with facilities like Telephone, fax, computers, internet, etc.
 - b) The Advocate/ Firm must have adequate manpower.
 - c) The office of the Advocate/ Firms should be situated within Kolkata and /or nearby.
- The Advocates shall be engaged only in cases where NSOU is a necessary party.
- 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.

Provided that the Competent Authority may relax the above conditions at its discretion, if otherwise found eligible in certain cases.

2) Tenure of Empanelment

The initial empanelment will be for five (5) years or until further orders whichever is earlier. However, on completion of the term and satisfactory performance of the Advocate, the empanelment may be renewed for further term(s) by the Competent Authority. The NSOU reserves the right to terminate the empanelment of any advocate at any time without assigning any reason thereof.

3) General Terms and Conditions

- The Advocate shall not necessarily be empanelled for any specific court and shall accept the work assigned to him for the courts for which he is basically designated on the basis of minimum eligibility conditions for such referrals and shall not refuse to accept any work without any reasonable cause.
- 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.
- The empanelled Advocates will not delegate cases and would themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any, engaged in the case as well as with the officers of the NSOU, if required.
- The Advocates empanelled under these guidelines shall not be employees of NSOU for any purpose and therefore, shall not be eligible for any benefits available to its employees.
- The empanelled Advocate shall maintain absolute secrecy and confidentiality about the cases of the NSOU as required under the Act and rules/regulations framed there under.
- The Advocates shall accept the terms and conditions of the empanelment as determined by the NSOU from time to time.
- These guidelines shall also be applicable to the designated Senior Advocates of the High Courts and Supreme Court for all purposes except the requirement of empanelment.



- In case of empanelment of Law Firms, all the terms and conditions for empanelment of the individual Advocates shall apply *mutatis mutandis* to them.
- Every Panel Advocate shall monitor status of the cases including next date of hearing and shall also intimate it well in advance and appear before the court as per schedule.
- Every Panel Advocate shall intimate the details of the proceeding and further course of action after completion of every proceeding.
- Any application received after the last date prescribed shall not be entertained.
- Merely fulfilling the eligibility criteria will not confer any right on Advocate for empanelment.

4) Payment of Fee and Other Conditions

- The empanelled Advocates would be paid fee as per the NSOU guidelines as amended from time to time.
- All payments will be made in INR.
- No interest shall be paid for any delayed payment.
- Lawyers /Firm should submit the bill by the 25th of every month in triplicate along with details regarding gist of proceedings and copy of order or judgment, Cause list or e-mail trail for drafting, legal opinion etc.
- No retainer fee shall be paid to Panel Lawyers/Law Firms.
- The claim for reimbursement of expenses or expenditure for outstation conveyance, boarding and lodging shall be claimed by producing necessary voucher or bill, Approval from Competent Authority of NSOU etc.
- The payment shall be subject to tax deduction at source, goods and service tax or such other taxes as applicable from time to time.
- The Competent Authority shall have the right in exceptional cases to approve the payment of a higher fee than the fee fixed keeping in view the importance of the matter. It shall also have the power to fix the fee for eventualities which have not been mentioned in the schedule till the appropriate amendment is made in this regard in the Fee Schedule by the NSOU.

5) Procedure for Empanelment

The Competent Authority will 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 the NSOU as well as in a leading newspaper. For this purpose, the Competent Authority may authorize any Officer/group of Officers of NSOU and such authorized officer(s), while appraising the applications of the Advocates, may consider the following points:



- Length of practice and specialization.
- Proper and adequate infrastructure such as office premises, number of junior Advocates, assistants, clerks and fax, mobile phone, fixed phone, internet connection etc.
- Track record and integrity.
- If considered necessary, an enquiry with the respective Bar Council/Bar Association about the claims and conduct of the Advocate to be empanelled may be made and credentials may also be verified.
- If the Advocate is empanelled by the West Bengal Govt. Organizations/ Authorities/ PSU/Statutory Bodies etc.
- If the Advocate is empanelled by any University in West Bengal.
- Number of cases dealt by the Advocate.
- Advocate was able to get favourable outcome/decision which are reported/referred in reputed legal journals etc.

The Number of Advocates to be empanelled in each Courts/Tribunal shall be determined by the Competent Authority based on the requirement and quantum of work.

(i) High School / Birth certificate in support of age of Advocate (Sr. Partner in case of law firm)

(ii) Certificates in support of educational qualifications

(iii) Certificate of Registration with Bar Council

(iv) Documents regarding empanelment with other Organizations, if any

(v) Details regarding the cases in which the Advocate was able to get favorable outcome/decision which are reported/referred in reputed legal journals etc.

(vi) Details of office Infrastructure

(vii) Acceptance of all the terms and conditions of empanelment unconditionally and unequivocally

(viii) An undertaking from the Advocate to the effect that all information furnished by him is correct

(ix) Other relevant information, if any.

(x) The above list is illustrative and not exhaustive. The Competent Authority may also consider any other factor relevant for empanelment.



6) Documents required to be submitted by the Advocate

The Advocates will be required to submit their applications in the prescribed format as given in Annexure-A. The self-attested copies of the documents are required to be submitted with application.

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 Advocates/Firms with acknowledgement and acceptance due. The process of empanelment shall be completed when NSOU receives an acceptance letter from the advocate.

8) Private Practice and Restrictions:

- An Advocate shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empanelled Advocate of NSOU.
- An Advocate shall not advise any party or accept any case against NSOU.

9) Disablements

Disablement on the part of the Advocate shall mean and include any of the following:

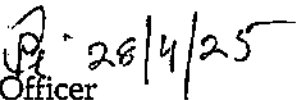
- Giving false information in the application for empanelment;
- Handing over the brief or matter to another advocate without prior written permission of NSOU;
- Failing to attend the hearing of the case without any sufficient reason and/or prior information;
- Not acting as per NSOU's instructions or going against specific instructions;
- Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- Misappropriation of the NSOU's funds or ear marking's, using the same towards his fee without NSOU's permission.
- Threatening, intimidating or abusing any of the NSOU's employees, officers, or representatives;
- Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to NSOU;
- Committing an act that tantamount to contempt of court or professional misconduct;
- Conviction of the Advocate in any offence resulting into arrest or detention or disbarment by the Bar Council;



- Passing on information relating to NSOU's case on to the opposite parties or their advocates or any third party which is likely to cause any damage to the NSOU's interests;
- Giving false or misleading information to the NSOU relating to the proceedings of the case; and
- Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason.

Any default on the part of panel Advocate while performing their duties as per the terms and condition referred here in above and any consequences there on imposing cost or reputation or both, NSOU reserves the right to terminate the services of defaulter Advocate and that Panel Advocate is bound to provide NOCs. In such circumstances NSOU reserves the right to appoint another Advocate to defend said matters. Empanelment shall be liable to be cancelled due to occurring of any of the above disablements on the part of the Advocate.

Disclaimer: NSOU reserves the right to engage advocate(s) from out-side the panel for a case, if deems fit.


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Website: wbnsou.ac.in, Tele-Fax: 03340663224, Ph: 03340663213

ANNEXURE A

FORMAT OF APPLICATION FOR EMPANELMENT OF ADVOCATES OR LAW FIRMS

Affix
Passport
Size Colour
Photograph

Sl. No.	Particulars	Details
1	Name	
2	Address	
3	Contact Number	
4	Email-Id	
5	PAN	
6	GSTN if any	
7	Educational Qualification (Complete details)	
8	Date of Registration Bar Council (Attach self attested copy of enrolment certificate)	
9	Area of Experience / Practice and period of Practice	
10	Any other information sought in the scope of work	
11	Name of Clients (Self-attested Copy of Letter/Contract if any)	
12	Any other achievement worth a mention	

I declare that I have never been penalized by any bar council in any Disciplinary Proceedings. I also undertake to maintain absolute secrecy about the cases of the NSOU as required under the Act, Rules and Regulations there under.

Signature of Advocate

(official Seal of the Organization)

Date:

Place:



ANNEXURE B

Provide Fees for standing Counsel and Panel Advocates in Hon'ble Supreme Court of India/High Courts/ Tribunals/ Commission, etc.:

Sl. No.	Details	Amount (Rs.)
1	Appearance Fees (effective) -Supreme Court	
2	Appearance Fees (non-effective) -Supreme Court	
3	Appearance Fees (effective) -High Court	
4	Appearance Fees (non-effective) -High Court	
5	Appearance Fees (effective) -Subordinate Court	
6	Appearance Fees (non-effective) - Subordinate Court	
7	Appearance Fees (effective) -Subordinate Court	
8	Appearance Fees (non-effective) - Subordinate Court	
9	Appearance Fees (effective) -/ Tribunals/ Commission, etc.	
10	Appearance Fees (non-effective) - / Tribunals/ Commission, etc.	
11	Consultation	
12	Perusal Fees	
13	Preparation of Documents/ Drafting	
14	Clerkage	
15	Appearance Fees (effective) -Outside Kolkta pin code	
16	Appearance Fees (non-effective) - Outside Kolkta pincode	
	Fee for drafting SLP/ Writ Petition/ Transfer Petition/Counter Affidavit	
	Fee for drafting Additional Affidavit/ Miscellaneous Applications etc.	
	Fee for Filing appeals (revision/review on behalf of NSOU	
17	Other Miscellaneous Charges	Reimbursement on actual basis

Note:

1. Where in two or more cases involve substantially identical questions of law or facts and where the main difference is in the names, addresses of the parties concerned, amount of money involved, etc., and/or where common or identical judgments are delivered, irrespective of the fact that all the cases are heard together or not, the Counsel/Advocate shall be paid the full amount in the main case and per case per effective hearing for each of the connected case(s) will be decided by the Authority of



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NSOU. SLP / petitions of appeal arising out of one common judgment or order will be considered as one case, if they are heard together;

2. Reimbursement of miscellaneous expenses, not specifically covered in fee schedule, shall be permitted on production of original bills/ vouchers.

3. If a case does not reach for hearing, then no fee would be paid to the Counsel.

4. In the matters, where bulk notices of same nature are required to be issued, the maximum consolidated fees payable for all such notices shall not be more than an amount decided by NSOU. However, actual expenses for postage and delivery shall be reimbursed.