



**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
**Northern Regional Committee**

(A STATUTORY BODY OF THE GOVERNMENT OF INDIA)  
4<sup>th</sup> floor, Jeevan Nidhi-II, LIC Building, Ambedkar Circle, Bhawani Singh  
Marg, Jaipur -302005 (Rajasthan)

**Notice for Empanelment of Advocates**

**1 FEB 2016**

National Council for Teacher Education (NCTE,NRC) is in the process to review its empanelment of Advocates to represent NCTE before High Courts within the Jurisdiction of the Northern Regional Committee for legal advisory work and invites applications for empanelment of Advocates from Lawyers practicing in the various High Courts.

All interested lawyers may send their detailed applications to the **Regional Director NCTE, NRC 4<sup>th</sup> floor, Jeevan Nidhi-II, LIC Building, Ambedkar Circle, Bhawani Singh Marg, Jaipur -302005 (Rajasthan)** for consideration of their candidature for empanelment by the NCTE on or before 10.02.2016 The applicants shall clearly indicate on the cover of the envelope containing the application "**Application for Empanelment of Advocate for \_\_\_\_\_ (name of High Court)**" while submitting their application.

  
(Regional Director)

# NATIONAL COUNCIL FOR TEACHER EDUCATION

## Northern Regional Committee

(A STATUTORY BODY OF THE GOVERNMENT OF INDIA)

4<sup>th</sup> floor, Jeevan Nidhi-II, LIC Building, Ambedkar Circle, Bhawani Singh Marg, Jaipur -302005 (Rajasthan)

### Notice for Empanelment of Advocates

1 FEB 2016

National Council for Teacher Education (NCTE) is in the process to review its empanelment of Advocates to represent NCTE before various High Courts within the Jurisdiction of the Northern Regional Committee for legal advisory work and invites applications for empanelment of Advocates from Lawyers practicing in the following High Courts:

Sl. No.	Region	High Court / Bench
1.	Delhi	High Court of Delhi
2.	Punjab, Haryana, Chandigarh	High Court of Punjab, Haryana at Chandigarh
3.	Uttar Pradesh	High Court of Allahabad at Allahabad Lucknow Bench
4.	Rajasthan	High Court of Rajasthan at Jaipur Bench Jodhpur
5.	Himachal Pradesh	High Court of H.P. at Shimla
6.	Uttarakhand	High Court of Uttarakhand at Nainital

The interested lawyers submitting their applications must have experience of at least three years practice and should have experience of handling court cases in the field of higher education before the concerned High Court, The application should be accompanied with a copy of enrolment certificate issued by the Bar Council and also list of reported judgments of various Courts in the matters handling matters related to higher educations.

All interested lawyers may send their detailed applications to the Northern Regional Committee (NCTE) 4<sup>th</sup> floor, Jeevan Nidhi-II, LIC Building, Ambedkar Circle, Bhawani Singh Marg, Jaipur -302005 (Rajasthan) for consideration of their candidature for empanelment by the NCTE on or before 10.02.2016 The applicants shall clearly indicate on the cover of the envelope containing the application "Application for Empanelment of Advocate for \_\_\_\_\_ (name of High Court)" while submitting their application.

  
(Regional Director)

S.P.

राष्ट्रीय अध्यापक शिक्षा परिषद्  
(भारत सरकार का एक विधिविक निकाय)



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NCTE

National Council for Teacher Education  
(A STATUTORY BODY OF THE GOVERNMENT OF INDIA)

No. F. 66-1/2008/NCTE/Legal

27<sup>th</sup> June, 2011  
28/6

To

The Regional Director, A 38384  
Northern Regional Committee,  
A-46, Shanti Path, Tilak Nagar,  
Jaipur-302004

The Regional Director, A 38385  
Western Regional Committee,  
Manas Bhawan,  
Shyamla Hills,  
Bhopal-462002

The Regional Director, A 38386  
Eastern Regional Committee,  
15, Nilakantha Nagar,  
Nayapalli, Bhubaneswar-751012

The Regional Director, A 38387  
Southern Regional Committee,  
CSD Building, HMT Post,  
Jalahalli, Bangalore-31

**Subject: Policy Documents on Legal matters/Guidelines concerning with the Court Cases/Litigations filed by & against NCTE and its Regional Committee ...reg.**

Sir,

Please find enclosed herewith the Legal Guidelines in regard to deal with the litigation matters of NCTE and its Regional Committees, which are duly approved by the Council's meeting held on 16.03.2011.

2. You are accordingly directed to ensure strict adherence with the these Guidelines in supersession of all the earlier directions issued in this regard.

Yours faithfully,

(R.P. Sisodia)  
Member Secretary

Encl: As above.

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## National Council For Teacher Education

An approach paper cum guidelines in regard to the litigation matters of National Council For Teacher Education and its Regional Committees, a statutory body under the Ministry of Human Resource Development set up with a view to achieving planned and coordinated development of the teacher education system throughout the country, the regulation and proper maintenance of norms and standards in the teacher education system and for matters connected therewith, have been framed as under:

### **I CATEGORY OF COURT CASES**

- a) **Important Matters:** Cases where the judgement will affect the NCTE Act, Rules or any regulations and where any unfavorable decision may have serious consequences.
- b) **Ordinary Matters:** Cases where the petitioner has impleaded NCTE as one of the respondents and NCTE has only to furnish certain facts based on regulations to the Court.
- c) **Performa Matters:** Cases where NCTE is impleaded as one of the respondents, but no relief is sought from it.

### **II) ELIGIBILITY, APPOINTMENT AND EMPANELMENT OF LEGAL COUNSEL FOR HON'BLE SUPREME COURT OF INDIA, VARIOUS HIGH COURTS AND OTHER LOWER COURTS.**

A panel will be drawn by the NCTE(HQRs) for the legal counsels for Hon'ble Supreme Court of India and various High Courts and other courts as per criteria given below:

#### **a) Hon'ble Supreme Court of India:**

- i) **Appointing Authority :** Appointment and removal of advocates will be made by NCTE(HQRs) with the approval of Chairperson, NCTE.
- ii) **Eligibility :** The advocates should have a minimum of 5 years experience in handling the educational matters before the Supreme Court of India.
- iii) **Terms of appointment :** The term of appointment of the Counsels would be for a period of one year and extendable on year to year basis from the date of appointment. The appointment of the Counsels may be terminated at any time by the appointing authority without assigning any reason.

#### **b) Hon'ble High Courts and other courts:**

- i) **Appointing Authority :** Appointment and removal of advocates will be made by NCTE(HQRs) with the approval of Chairperson, NCTE. The Regional Directors have to recommend the names of advocates for various courts under their jurisdiction.
- ii) **Eligibility :** Advocates should have a minimum of 3 years experience in handling the educational matters.
- iii) **Terms of appointment :** The term of appointment of the Counsels would be for a period of one year and extendable on year to year basis from the date of appointment. The appointment of the Counsel may be terminated at any time by the appointing authority without assigning any reason.

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**III) ENGAGEMENT OF LEGAL COUNSELS AND ASSIGNMENT OF CASES FOR HON'BLE SUPREME COURT, VARIOUS HIGH COURTS AND OTHER LOWER COURTS.**

- a) **Hon'ble Supreme Court of India:** Engagement of advocates and assignment of the cases will be made by NCTE(HQRs) with the approval of Member Secretary, NCTE from the panel of advocates prepared for the purpose. For important cases, Senior Advocates will be engaged with the approval of Chairperson, NCTE.
- b) **Hon'ble High Courts of India and other courts:** : Engagement of advocates and assignment of the cases will be made by concerned Regional Directors out of the panel prepared by NCTE(HQRS) and ensure the equitable distribution of the cases. An advocate may be nominated in each court for receiving court notices/petitions on behalf of NCTE to avoid any ex-parte decisions on a monthly retainer-ship of Rs. 5000/- including charges for staff, office, rent and postage and other establishment charges except for his appearance etc.

**Note :** For the cases defended by NCTE(HQRs) at Delhi/New Delhi, advocates will be engaged with the approval of Member Secretary, NCTE.

**IV) FILING OF VAKALATNAMA AND DEFENDING THE CASES ON BEHALF OF NCTE(HQRS) AND REGIONAL COMMITTEES.**

- a) **Cases where NCTE(HQRs) is a party along with concerned Regional Committees:** Regional Director concerned will defend the case also on behalf of NCTE(HQRs) and file the Vakalatnama. Specific information will have to be obtained from the NCTE(HQRS) for filing the affidavit, if any. Information about the latest status of the case invariably be sent to NCTE(HQRs).
- b) **Cases where Regional Committee is a party and NCTE(HQRS) is not a party:** Regional Director concerned will defend the case and file the Vakalatnama. Specific information, if any, will have to be obtained from the NCTE(HQRS) for filing the affidavit, if any.
- c) **Cases where NCTE(HQRS) is a party and Regional Committee is not a party:** Regional Director concerned will defend the case on behalf of NCTE(HQRS) and file the Vakalatnama in the Courts under their jurisdiction. Specific information will be obtained from the NCTE(HQRS) for filing the affidavit, if any. For the cases at Delhi/New Delhi, NCTE(HQRS) will defend the same and file the Vakalatnama accordingly.

**Note:** The cases pertaining to the service matters of the NCTE Staff before various Courts at New Delhi should be defended by NCTE(HQRS) after taking the required information from the concerned Regional Committee, if any.

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**V) FILING OF APPEALS BEFORE DIVISION BENCHES OF HON'BLE HIGH COURTS AND HON'BLE SUPREME COURT OF INDIA BY NCTE AND ITS REGIONAL COMMITTEES:**

In cases where the directions are against the NCTE Rules, Regulations, Norms and Standards, an action shall be taken to file an appeal against such directions:

- a) For filing of Appeals against any decision of the lower Court before and upto the Division Bench of Hon'ble High Courts, approval of Member Secretary, NCTE is required.
- b) For filing of Appeals before Hon'ble Supreme Court of India, approval of Chairperson, NCTE is required.

**VI) PAYMENT OF LEGAL FEES TO THE COUNSELS ENGAGED.**

**HON'BLE SUPREME COURT OF INDIA**

**i) Senior Advocates**

As mutually settled

**ii) Other Advocates**

(i) Appearance	:	Rs. 3000.00
(ii) Final Appearance	:	Rs. 4500.00
(iii) Preparation and filing of Counter Affidavit	:	Rs. 3000.00
(iv) Preparation and filing of additional affidavit:	:	Rs. 1000.00
(v) Conference charges( per Conference/day)	:	Rs. 2000.00
(vi) Misc. expenditures	:	As per actual
(Photocopy, typing, court fee, attestation etc.)		

**VARIOUS HIGH COURTS AND OTHER COURTS**

**i) Senior Advocates**

As mutually settled

**ii) Other Advocates**

(i) Per appearance	:	Rs. 2250.00
(ii) Final Appearance	:	Rs. 3500.00
iii) Preparation and filing of CA (High Courts)	:	Rs. 3000.00
(iii) Preparation and filing of CA (Other Courts):	:	Rs. 2500.00
(iv) Preparation and filing of Additional Affidavit:	:	Rs. 1000.00
(v) Conference charges( per Conference/day)	:	Rs. 1000.00
(vi) Misc. expenditures	:	As per actual
(Photocopy, typing, court fee, attestation etc.)		

**Legal Opinion**

For legal opinion on various documents and other issues related to the NCTE an amount of maximum of Rs. 1500.00 will be paid for each of the opinions. In exceptional cases, the fee for legal opinion tendered by a senior advocate will be as mutually agreed upon.

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## Out of Headquarters


If the Counsel is required to go out of the Headquarters in connection with the Court case, he will be entitled to the TA/DA as admissible to the Class-I officer of the Govt. of India having grade pay of Rs. 7600-8900 (As per the acceptance of the report of Sixth Pay Commission)

## CLERKAGE

The Counsel will not entitled to any clerkage on the amount of fee payable to him.

## GENERAL

- i) **Identical cases:** Two or more cases where substantially identical questions of law of facts are involved and where the main difference is in the names, addresses of the parties concerned, amount of money involved etc. where the common or identical Judgement are delivered irrespective of the fact whether all the cases are heard together or not. The Counsel shall be paid the full fee in the main case and Rs. 250/- each of the connected case.
- ii) No fee will be allowed in cases which were got adjourned by the Counsel without the directions from the NCTE or on his personal grounds.
- iii) These rates will also be applicable to the lawyers engaged by Regional Offices of the NCTE. Only one set of fee will be entitled on behalf of all the parties involved from NCTE point of view or UOI if the Counsel asked to appear for the same by UOI, Ministry of Human Resource Development.
- iv) If a senior advocate/lawyer of extra ordinary repute is engaged to defend/contest the case for the Council, his charges will be negotiated in advance and prior approval of the NCTE(HQRs) will be taken before such engagement.
- v) In any case if more than one lawyer is engaged in Supreme Court/High Court, in that case main lawyer will receive the charges as prescribed above and assisting lawyer will be paid @Rs. 3000.00 per appearance subject to a maximum of Rs. 10,000.00 per case.
- vi) No Conference/Opinion charges will be paid if decision/meeting is held with lawyer in a matter related to on-going case in any of courts in which that lawyer is engaged as Counsel of NCTE. However, if he is called to NCTE Office for discussion/meeting/conference, he will be entitled to claim TA/DA as applicable to the officers of NCTE at the level of Deputy Secretary.

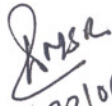
  
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- vii) A Counsel will have to right to private practice, which should not, however, interfere with the efficient discharge of his duties as a Counsel for the NCTE/Government of India. A Counsel shall not advise any party in or accept any case against the NCTE/Govt. of India in which he has appeared or is likely to be called upon to appear for or advise or which is likely to affect or lead to litigation against the NCTE/Govt. of India.

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