

**Dated : 21-09-2021**

**NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATE**

State Urban Development Agency (SUDA), statutory body under Ministry of Urban Employment & Poverty Alleviation, Govt. of Uttar Pradesh, invites application to engage Panel Counsel (s) to represent the body before Hon'ble Supreme Court, High court, District and Subordinate Courts. Practicing Advocates, registered with Bar council (National/State/District Council) are eligible for Empanelment. Qualification, experience, schedule of fees, other terms and conditions (Annexure -A) and prescribed application form (Annexure-B) can be downloaded from website; [www.sudaup.org](http://www.sudaup.org). From 22-09-2021. The duly filled application in the prescribed format along with supporting documents should be mailed on e-mail; [pmusuda@gmail.com](mailto:pmusuda@gmail.com) on or before 06-10-2021.

Director

**TERMS AND CONDITIONS FOR PANEL ADVOCATES**

- 1) The Counsels will be empanelled for conducting the case in which the State Urban Development Agency (SUDA) is a party. The case will be assigned to them on a case to case basis as may be entrusted to them and the Counsel would be required to conduct the case to its finality.

The counsels would be on the panel ordinarily for a period of three years and continue with the case allotted to them even beyond 3 years unless terminated before 3 years. They may be removed from the panel earlier than the time stipulated on immediate notice of either side without assigning any reason thereof.

- 2) Duties of the Counsels on the Panel-

- a) The counsel shall appear before the courts for which the case has been assigned to him
- b) Advise the State Urban Development Agency (SUDA) on matters incidental to such litigation and when the case attended by him is decided against the State Urban Development Agency (SUDA) / Government and/or its officers, written Legal opinion regarding the advisability of filing an appeal from such a decision shall be given.
- c) Render all assistance to State Urban Development Agency (SUDA)
- d) Keep the State Urban Development Agency (SUDA) informed with the development of the case for time to time, particularly with regard to drafting, filing of papers, dates of hearing of the cases, supply of copies of judgments etc.
- e) Perform such other duties of legal nature, which may be assigned to him by this office from time to time.

- 3) Right to private Practice and Restrictions-

- a) A Counsel empanelled with the State Urban Development Agency (SUDA) will have the right to private practice which should not, however, interfere with the efficient discharge of his duties as a Counsel for the State Urban Development Agency (SUDA)
- b) A Counsel shall not advise any party or accept any case or brief against the State Urban Development Agency (SUDA) in which he has appeared/likely to appear which is likely to affect or lead to litigation against the State Urban Development Agency (SUDA).
- c) If the Counsel Happens to be Partner of a firm of lawyers or Solicitors, it will be incumbent on the firm not to take up any case against the State Urban Development Agency (SUDA)

in any court or any case arising in other courts out of these cases (e.g.) appeals/ revision in the High Court of Supreme Court or other Courts or tribunals.

4) Procedure for Empanelment

- a) The applicant advocate must apply on the format prescribed only. No other format will be accepted.
- b) Any application received after the last date prescribed in the advertisement shall not be entertained.
- c) Depending upon the requirement and number of applications received, the State Urban Development Agency (SUDA) reserves the right to shortlist the candidates to be called for interview/ Interaction for selection/ empanelment.
- d) Merely fulfilling the eligibility criteria will not confer and right on an applicant advocate to be called for interview/Interaction and to be selected.
- e) The decision of the competent authority regarding shortlisting and selection of the candidates shall be final.
- f) Canvassing in any form shall be treated as disqualification. The candidature of such applicants shall be rejected forthwith.
- g) Shortlisted applicant advocates will be informed individually about the date, time and venue of interview.
- h) The applicant advocate shall bring original documents at the time of interview.
- i) Letter to applicant advocates confirming there empanelment will be issued by the State Urban Development Agency (SUDA) separately.

5) General Conditions-

- a) Advocate/Counsel should have **minimum of 5 years regular practice** and standing in the Bar and handled the Development Authority related & alike cases.
- b) Appeals, Revision of Petition arising from one common judgement of order will together considered as one case, if they are heard together.
- c) Advocate/Counsel should receive the notice meant for the State Urban Development Agency (SUDA) and should be able to handle the cases and appear in such matters in the courts and ensure that no Ex-parte order is passed against the State Urban Development Agency (SUDA). Advocate/Counsel should be able the handle the cases, which are

assigned to them, and appear in such assigned case in the Courts and should prepare Written Statement, Appeal Memo, Application etc and also Provide Legal opinion to the State Urban Development Agency (SUDA) to proceed further. Advocate will look after and advice the State Urban Development Agency (SUDA) on legal matters including filing/Defending Suits, Petitions and Appeals that may be entrusted to him.

- d) Advocates will send a report on progress of Suits/ Cases, entrusted to them, to the Legal Section of the State Urban Development Agency (SUDA) every month under a copy to the Director, State Urban Development Agency (SUDA).
- e) When any case, attended by the Advocate, is decided against the State Urban Development Agency (SUDA), the Advocate concerned must give considered opinion regarding the reason for such adverse order and advisability of filing an appeal from such a decision not later than 5 working days of the order. However, reason for success may also be forwarded along with the final order.
- f) The Advocate's opinion would be an input for decision making by the State Urban Development Agency (SUDA). Therefore the Agency would like to state that in the case, Advocate's opinion turns out be untrue and factually incorrect, causing loss to the SUDA, the Agency may seek such clarification as may be required to investigate the matter and fix the responsibility.
- g) Applicant Advocates will not absent without prior approval of Competent Authority from appearance in court for any reason whatsoever.
- h) Advocates have to adhere to the instruction/ guidelines issued and shall accept the terms and conditions of the empanelment as determined by the State Urban Development Agency (SUDA) from time to time.
- i) It may be noted that advocate empanelment does not amount to an appointment or right for an appointment to be made by the State Urban Development Agency (SUDA) is free to engage any advocate of its choice, and no right exists to claim that one should alone be entrusted with the State Urban Development Agency (SUDA) work for a particular case.
- j) Advocate/Counsel should not take up any case against the State Urban Development Agency (SUDA) during the period of empanelment and shall not do things per judicial to the Agency's interest.

- k) Applicant advocates or their spouse or juniors or partners in their firm should not represent the party in case against the State Urban Development Agency (SUDA) under any circumstances.
- l) Please note that the empanelment with the State Urban Development Agency (SUDA) is subject to further extension/renewal depending upon the Advocate's performance and service to the satisfaction of the State Urban Development Agency (SUDA).
- m) The officer designated by the State Urban Development Agency (SUDA) will assign the case in various courts to the empanelled Advocates depending upon the requirement/nature of the cases. The Director, State Urban Development Agency (SUDA) will be the final authority to assign the cases.

**6) Fee-**

- a) The consolidated fee per case for different Courts is as under

<b>S.No.</b>	<b>Court</b>	<b>Fee</b>
1	Case at High Court (Counsel fee) (with all expns.)	7,800.00
2	Case at High Court (Counsel fee) for Sr. Advocate (with all expns.)	15,000.00

<b>S.No.</b>	<b>Court</b>	<b>Fee</b>
1	Civil Case at Local Court (Counsel fee) (with all expns.)	5,000.00
2	Civil Case at Local Court (Appeal)	2,500.00
3	LAR/ISARA Case (Local Court)	2,000.00
4	Local Court (Act 1973) 49, 26, 27 and 28	2,500.00
5	Labour Court	1,500.00
6	District Consumer Forum	2,000.00

- b) 50% of the fee, if requested so by the advocate, shall be paid after submission of Counter affidavit in cases where State Urban Development Agency (SUDA) is Respondent and after filing the case when the State Urban Development Agency (SUDA) is petitioner. The balance 50% shall be paid after finalisation of the case & on submission of certified

copy of the judgment along with his/her opinion, in case the judgment goes against the Agency either in full or part.

- c) Miscellaneous Expenditure including Court Fees shall be paid on actual basis on the submission of bills along with the statements and/or Vouchers.
- d) The empanelled advocate shall be entitled to claim TA/DA as per admissible rate if the assigned case (s) involves journey outside designated Court place, for which empanelled. But no travelling expenses or any miscellaneous allowances will be entitled for visiting State Urban Development Agency (SUDA) office.
- e) Modification in fee structure shall be applicable as per discretion of Director State Urban Development Agency (SUDA) from time to time.

**APPLICATION FORM FOR EMPANELMENT**

(TO BE FILLED IN BY APPLICANT ADVOCATE)

To  
The Director,  
State Urban Development Agency (SUDA)  
SUDA BHAWAN, 23 Sector 7  
Gomati Nagar Extension,  
Shaheed Path, Lucknow, UP- 226002

Photo

1. Name (s) of the Court (s) for which applied (Specify Court wise)

- a) –
- b) –
- c) –

2. Personal Details (In Block Letters)

1	Name in full (In Block Letters)	
2	Father's Name	
3	Date of Births	
4	Nationality	
5	Address for Correspondence with PIN and Phone No	
6	Permanent Address with PIN and Phone No.	
7	Address of Office/Chamber, if any and Phone No	
8	Mobile Nos.	
9	Email ID	

10	Is any of Applicant's relative is an employee in SUDA ? If so, Please give details (viz. Name, designation & relationship with Applicant)	
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3. Details of Educations Qualification (Commencing with the Graduation or Equivalent examination

4. Experience

- a) Area of Specialisation- Civil/Criminal/Service /Any Other (Please Specify)
- b) Whether the applicant is currently on the Panel of any other Government Department/PSU/Statutory Body/Autonomous Body etc and if yes, the details below (Self certified copy of the Office Order/ letter of empanelment may be attached)

Name of the department/PSU/Statutory Body/Autonomous Body	From	To

C) No. of Cases, relating to SUDA or any other department, handled earlier.

S.No.	Title of case (Documentary Proof must be attached)

- d) Whether the applicant has engaged (through Vakalatnama) as counsel in any landmark case? If yes, the particulars of the case with copy of the judgement wherein his/her name is recorded as advocate. (Copy of order/judgement be attached as proof)



Name of Court	Case Title	Nature of Judgement

5. Whether Income Tax Return is being filed for last 5 Years? **Yes/No** (if yes, Please attach copies of ITRs)

6. Details of Bank Account/PAN Number/Aadhar Number

Name as in Bank Account	
Account No.	
Name of Bank	
Address of Branch	
IFSC code	
Pan No.	
Aadhar No.	

7 Any additional professional qualifications (s), which will further the candidature, including membership of the professional society, awards and honours etc may be listed below (Documentary proofs may be attached).

**Signature of Advocate**

### **UNDERTAKING**

- I hereby confirm and declare that the information furnished in the application and in the attached certificate is true/correct and complete to the best of my knowledge and belief. I have not concealed any relevant information. I am fully aware that if any of the information furnished by me is found to be false /incorrect, my candidature for the empanelment will be treated as cancelled and matter will be referred to the appropriate authority.

2. I also undertake to maintain absolute secrecy about the cases of the State Urban Development Agency(SUDA) as required under the Act, Rules and Regulation there under.
3. I also undertake to return all case files and records to the State Urban Development Agency(SUDA)as and when required by the State Urban Development Agency(SUDA).
4. I agree with the fee schedule notified by the State Urban Development Agency(SUDA)
5. No criminal or administrative proceeding is in process against under signed in any organization, council or Court of Law.

Place:  
Date:

Signature of Advocate  
Enrolment No  
Mobile No