

**TERMS AND CONDITIONS FOR PANEL ADVOCATES**

- 1) To provide legal protection to the members of IPMA BHARAT, the Counsels will initiate legal action as per the instructions of IPMA National President or National General Secretary of IPMA. The case will be assigned to them on a case-to-case basis as may be entrusted to them.
- 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 Indian Paramedical Association on matters incidental to such litigation and when the case attended by him is decided against the **Indian Paramedical Association (IPMA BHARAT) /or its Members and Office Bearers**, written Legal opinion regarding the advisability of filing an appeal from such a decision shall be given.
  - c) Render all assistance to Indian Paramedical Association (**IPMA BHARAT**)
  - d) Keep the Indian Paramedical Association (IPMA BHARAT) 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 Indian Paramedical Association (IPMA BHARAT) will have the right to private practice which should not, however, interfere with the efficient discharge of his duties as a Counsel for the Indian Paramedical Association (IPMA BHARAT)
  - b) A Counsel shall not advise any party or accept any case or brief against the Indian Paramedical Association (**IPMA BHARAT**) in which he has appeared/likely to appear which is likely to affect or lead to litigation against the Indian Paramedical Association (IPMA BHARAT).
  - 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 Indian Paramedical Association (**IPMA BHARAT**)

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 IPMA BHARAT 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 their empanelment will be issued by the IPMA BHARAT separately.

**5) General Conditions-**

- a) Advocate/Counsel should have **minimum of 4 years regular practice** and standing in the Bar and handled the Criminal **or** Association related & alike cases.
- b) Appeals, Revision of Petition arising from one common judgement of order will together consider as one case, if they are heard together.
- c) Advocate/Counsel should receive the notice meant for the IPMA BHARAT 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 IPMA BHARAT 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 IPMA BHARAT to proceed further. Advocate will look after and advice the IPMA BHARAT 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 IPMA BHARAT every month under a copy to the President or General Secretary Indian Paramedical Association (IPMABHARAT)
- e) When any case, attended by the Advocate, is decided against the Indian Paramedical Association (IPMA BHARAT) /or its members and Office Bearers, 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) In Panel Advocates will not absent without prior approval of Association Committee from appearance in court for any reason whatsoever.
- g) Advocates have to adhere to the instruction/ guidelines issued and shall accept the terms and conditions of the empanelment as determined by the IPMA BHARAT from time to time.
- h) It may be noted that advocate empanelment does not amount to an appointment or right for an appointment to be made by the IPMA BHARAT is free to engage any advocate of its choice, and no right exists to claim that one should alone be entrusted with the IPMA BHARAT work for a particular case.
- i) Advocate/Counsel should not take up any case against the IPMA BHARAT during the period of empanelment and shall not do things per judicial to the Agency's interest.

- j) Applicant advocates or their spouse or juniors or partners in their firm should not represent the party in case against the IPMA BHARAT under any circumstances.
- k) Please note that the empanelment with the IPMA BHARAT is subject to further extension/renewal depending upon the Advocate's performance and service to the satisfaction of the IPMA BHARAT.
- l) The officer designated by the IPMA BHARAT will assign the case in various courts to the empaneled Advocates depending upon the requirement/nature of the cases. The Secretary General, IPMA BHARAT 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 Supreme Court (Counsel fee) (with all Expns.)	51,000.00
2	Case at High Court (Counsel fee) (with all Expns.)	21,000.00
3	Case at High Court (Counsel fee) for Sr. Advocate (with all Expns.)	35,000.00

<b>S. No.</b>	<b>Court</b>	<b>Fee</b>
1	Civil Case at Local Court (Counsel fee) (with all expns.)	11,000.00
2	Civil Case at Local Court (Appeal)	6,500.00
3	Local Court (Act 1973) 49, 26, 27 and 28	6,500.00
4	Labour Court	11,500.00
5	District Consumer Forum	6,000.00

- b) 50% of the fee, if requested so by the advocate, shall be paid after submission of Counter affidavit in cases where IPMA BHARAT is Respondent and after filing the case when the IPMA BHARAT is petitioner. The balance 50% shall be paid after finalization 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 IPMA BHARAT office.
- e) Modification in fee structure shall be applicable as per discretion of President of IPMA BHARAT from time to time.