

राज्य निर्वाचन आयोग, राजस्थान

(द्वितीय तल, विकास खण्ड, सचिवालय, जयपुर-302005)

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क्रमांक:एफ. 7(3)06/विधि/05/ 7178

दिनांक: 03.02.2022

आवेदन आमंत्रण हेतु विज्ञप्ति

राज्य निर्वाचन आयोग के न्यायिक प्रकरणों में माननीय उच्च न्यायालय प्रधान पीठ, जोधपुर एवं जयपुर बेंच में आयोग की ओर से पैरवी करने के लिए अधिवक्ताओं का पैनल तैयार करने हेतु योग्य अधिवक्ताओं से दिनांक 02.03.2022 तक आवेदन आमंत्रित किये जाते हैं। इस हेतु विस्तृत जानकारी आयोग की वेबसाइट Sec.rajasthan.gov.in पर उपलब्ध है।

भवदीय
चित्रा

(चित्रा गुप्ता)

सचिव

राज्य निर्वाचन आयोग

क्रमांक:एफ. 7(3)06/विधि/05/ 7179-31

दिनांक: 09.02.2022

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. निदेशक, सूचना एवं जनसम्पर्क विभाग, जयपुर को आवेदन आमंत्रण सूचना को राज्य स्तरीय दैनिक समाचार पत्र यथा राजस्थान पत्रिका, दैनिक भास्कर, दैनिक नवज्योति एवं राष्ट्रदूत में से किसी दो में अतिशीघ्र प्रकाशित करवाने हेतु 05 प्रतियों में प्रेषित है।
- ✓ 2. प्रोग्रामर राज्य निर्वाचन आयोग, राजस्थान को प्रेषित कर लेख है कि उक्त आवेदन आमंत्रण की सूचना मय दस्तावेज आयोग की वेबसाइट पर अपलोड किया जाना सुनिश्चित करें।
3. नोटिस बोर्ड, राज्य निर्वाचन आयोग।

चित्रा

(चित्रा गुप्ता)

सचिव

राज्य निर्वाचन आयोग

NOTICE INVITING APPLICATION FOR EMPANELMENT OF ADVOCATES

State Election Commission, Rajasthan invites application for empanelment of Advocates to plead, draft, defend and represent State Election Commission in the **Rajasthan High Court Principal Bench Jodhpur and High Court Jaipur Bench.**

The eligible and desirous Advocate having following qualification and experience may apply in the prescribed format (Annexure-I) enclosing all necessary documents as per point 4 of Annexure II.

1

I. Essential Qualification

- (i) Degree in law from a UGC recognized University.
- (ii) Duly enrolled with concerned Bar Council.
- (iii) Eligible to appear before the Rajasthan High Court as an advocate.
- (iv) At least 7 years of experience in the field of Civil, Election matters in High Court.

II. State Election Commission reserves the right to accept/reject any application without assigning any reason thereof. The fact that a person had applied for empanelment will, in no way, bind State Election Commission to consider his/her claim for empanelment.

III. The desirous and eligible Advocate may send their duly filled applications in prescribed format along with required documents to reach to the office of the Secretary, State Election Commission on or before 02 March 2022.

NOTE: 1. The format of the application form (Annexure-I), guidelines (Annexure-II) and Fee Schedule (Annexure-III) may be downloaded from the website (<http://sec.rajasthan.gov.in>).

2. Please read carefully the guidelines cum terms and conditions (Annexure-II) and Fee Schedule (Annexure-III) for panel Advocates, which are part and parcel to this notice.

चित्रा

Secretary

State Election Commission

ANNEXURE-I

**APPLICATION FOR EMPANELMENT AS PANEL ADVOCATE
WITH STATE ELECTION COMMISSION
FOR RAJASTHAN HIGH COURT PRINCIPAL BENCH JODHPUR AND HIGH COURT
JAIPUR BENCH
FOR CIVIL/ ELECTION MATTERS**

2

1. Name
2. Father/Husband's Name
3. Date of Birth (dd/mm/yyyy)
4. Residential Address
5. Office Address
6. Contact Details
 - (a) Landline No. Office/Residence
 - (b) Mobile No.
 - (c) E-mail Address
7. Enrollment No. and Date of Registration:
8. Name of Bar Council
9. Place of Practice
10. Field of Specialization
11. Educational Qualification (Commencing from degree in law).

Qualification	Name of Board /University	Year of Passing	Percentage of Marks
Degree in Law			
LL.M			
Any other qualification(s)			

12. Whether the applicant is presently on the Panel of any other Government Departments/ PSUs/ Statutory Bodies/Autonomous Bodies etc., and if yes, provide the details (along with Self-certified Copy of the Office Order/ letter of empanelment).
13. Infrastructural facilities available with the applicant (Please tick ☒ if available) be provided below:

Office space	Associate/Advocates	Steno/typist	Office clerk

14. Details of 05 cases which have been pleaded in the High Court.

Sr. No.	Detail of case

15. Whether any proceeding has ever been commenced or is continuing before the disciplinary Committee of the Bar Council for alleged professional misconduct? If yes, provide details in the following format:-

Sr. No.	Details of allegations and Proceedings	Finding made by the Disciplinary Committee

16. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against the applicant Advocate? If yes, provide details in the following format:-

Sr. No.	FIR No. and Police Station	Details of allegations and proceeding	Pending or Decided

UNDERTAKING

1. I hereby undertake and declare that the information furnished in the application is true/correct and complete to 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 confidentiality about the cases and information received from the State Election Commission Rajasthan.
3. I also undertake to return all case files and records to the State Election Commission as and when required by the State Election Commission.
4. I agree with the Fee Schedule (Annexure-III) of the State Election Commission Rajasthan.

Date:

Place:

Signature of Advocate

ANNEXURE-II

GUIDELINES CUM TERMS & CONDITIONS FOR EMPANELMENT OF ADVOCATES

Following are the guidelines provided to regulate the manner and procedure for empanelling the Advocates to plead, draft and represent State Election Commission Rajasthan before **Rajasthan High Court Principal Bench Jodhpur and High Court Jaipur Bench** and for regulating the referral of the case and payment of fee/remuneration. These guidelines are subject to change without assigning any reason.

Before filling the application form, the applicant is advised to carefully read and follow the criteria, instructions and terms and conditions for the empanelment of Advocates by State Election Commission Rajasthan.

1. ELIGIBILITY FOR EMPANELMENT:

- (i) Degree in law from a UGC recognized University.
- (ii) Duly enrolled with concerned Bar Council.
- (iii) Eligible to appear before the Rajasthan High Court as an advocate.
- (iv) At least 7 years of experience in the field of Civil, Election matters in High Court.

2. TENURE OF EMPANELMENT:

The empanelment will be valid for a period of five year from the date of empanelment which may be further extended. The performance of empanelled Advocate shall be reviewed at regular intervals for continuance in the panel of Advocates.

3. PAYMENT OF FEE AND OTHER CONDITIONS:

The fee payable to the Advocates for drafting and attending court cases in High Court, shall be as per fee schedule (Annexure-III) decided by State Election Commission and shall be applicable as per revision from time to time. No retainer fee shall be paid to any panel Advocate.

4. HOW TO APPLY:

- (i) The applicant Advocate should apply in the format prescribed which is available on the website of the State Election Commission and no other format of application will be accepted.
- (ii) The application form should be forwarded by way of registered post addressed to:

**The Secretary
State Election Commission Rajasthan
II Floor, Development Building
Secretariat Jaipur- 302005**

- (iii) The duly filled application should reach to the office of The Secretary, State Election Commission on or before 02nd March, 2022. Any application received after the last date, that is 02.03.2022, shall not be accepted.
- (iv) The Advocate will be required to furnish the following set of documents (self attested):
 - (a) Copy of Degree in Law from a UGC recognized University
 - (b) Copy of Enrolment certificate issued by Bar Council.
 - (c) Copy of identity card issued by Rajasthan High Court Principal Bench Jodhpur and High Court Jaipur Bench Bar Association/Council.
 - (d) Copy of judgments of 05 cases pleaded in the High Court pertaining to the relevant field Civil, Election.
 - (e) Copy of office order/letter of empanelment issued by other PSUs/Government Bodies etc.

5. PROCEDURE FOR EMPANELMENT:

While considering the request from the Advocates, following shall be considered:

- (a) Length of practice and specialization in the area of law.
- (b) Proper and adequate infrastructure of an Advocate such as office premises, number of associate Advocates/ assistants etc.
- (c) Track record and integrity of the Advocate.
- (d) Merely fulfilling the eligibility criteria will not confer any right on applicant to be called for interaction and to be empanelled.
- (e) Depending upon the requirement and number of applications received, State Election Commission reserves the right to shortlist the applicants to be called for interaction and to be empanelled.
- (f) The decision of the Commissioner, State Election Commission regarding short-listing and empanelment shall be final.
- (g) A list of shortlisted Advocates for interaction shall be uploaded on the website of the State Election Commission to appear before the Empanelment Committee along with the date, time and venue of interaction. No individual intimation will be sent to any applicant for their appearance before the Empanelment Committee.
- (h) No retainer fee shall be paid to any Advocate.
- (i) Written consent of the Advocates shall be obtained as to the acceptance of the rates, terms & conditions of the Commission for empanelment, as amended from time to time.

6. CONFLICT OF INTEREST:

The Advocate will have the right of private practice, which should not, however, interfere with the efficient discharge of his duties as counsel/advocate of the State Election Commission but he shall not advise, hold briefs or appear against the State Election Commission before any Court.

7. DUTIES OF EMPANELED ADVOCATES:

- i Timely appearance of the Counsel to contest the cases for State Election Commission in the High Court is mandatory. Not attending the court case without any reasonable ground and notice in advance will not be accepted.
- ii State Election Commission is free to engage any Advocate of its own choice in any particular case and an empanelled Advocate shall make no claim / objection that he/she alone should be entrusted with State Election Commission.
- iii 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, forthwith without waiting for the empanelment period to expire.
- iv The Advocates shall accept the terms and conditions of the empanelment as determined by State Election Commission from time to time.
- v In order to ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status of the cases on case-to-case basis as well as monthly basis to the State Election Commission.
- vi In cases if it is required the State Election Commission have also to be represented and defended in the same case and no extra fee shall be paid to the Advocate for the same.

- vii If required render all assistance to special or senior Counsel engaged in a particular cases before the High Court.
- viii State Election Commission shall be informed and updated on all-important developments in the designated cases on day to day hearings basis.
- ix The panel Advocate shall apply for the certified copies of order/ judgment immediately on decision of the case and the same shall be provided to State Election Commission after receiving.
- x That after order/judgment in the case, panel Advocate shall provide his/her opinion mentioning therein reasons for (if any adverse order) and the advice for filling an appeal against such a decision within a period of three days or immediately if so required in urgent matters after receiving the certified copy of the order/judgment.
- xi The panel Advocate during and after his tenure as a panel Advocate he/she shall maintain the secrecy and confidentiality with regard to cases as well as information received as a panel Advocate.

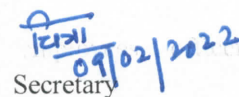
8. **REMOVAL FROM PANEL:**

The State Election Commission reserves the right to terminate the empanelment of Advocate with 15 days prior notice in writing without assigning any reason. The panel Advocate may also resign from the panel by serving one month's notice.

Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the panel Advocate.

- (i) Giving false information in the application for empanelment;
- (ii) Failing to attend the hearing of the case without any sufficient reason or prior information;
- (iii) Conflict of interest
- (iv) Not acting as per, State Election Commission's instructions or going against specific instructions;
- (v) Threatening, intimidating or abusing any of the employees, officers, or representatives of State Election Commission;
- (vi) Passing on any information relating to State Election Commission to the opposite parties or their Advocates or any third party which is likely to cause any damage to the State Election Commission interests;
- (vii) Giving false or misleading information to the State Election Commission relating to the proceedings of the case;
- (viii) Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason.

- 9. **REMOVAL OF DIFFICULTY** - If any difficulty arises in the implementation of these guidelines or any doubt occurs regarding the interpretation of any of the clauses of these guidelines, the same shall be placed before the State Election Commission and its decision in the matter shall be final.


 Secretary

State Election Commission

ANNEXURE-III

FEE STRUCTURE FOR EMPANELLED ADVOCATE FOR THE RAJASTHAN HIGH COURT PRINCIPAL BENCH JODHPUR AND HIGH COURT JAIPUR BENCH. Fee structure has been decided by State Election Commission Rajasthan and would be modified time to time. Present fee structure is as follows:

क्र. सं.	विवरण	राशि रूपयों में
1.	याचिका दायर करने एवं पैरवी के	14000+3000=17000/-
2.	जवाब याचिका एवं पैरवी के	14000+3000=17000/-
3.	एक ही प्रकृति के केस होने पर प्रथम केस में	14000+3000=17000/-
	द्वितीय केस में	7000+1500=8500/-
	इसके पश्चात् प्रत्येक केस में	500+500=1000/-
	अधिकतम	51000/-
4.	एस.बी के निर्णय के विरुद्ध डी.बी. में अपील किये जाने पर अपील प्रस्तुत करने एवं पैरवी हेतु	14000+3000=17000/-
	आयोग के विरुद्ध प्रस्तुत डी.बी. अपील में जवाब प्रस्तुत करने एवं पैरवी किए जाने हेतु	14000+3000=17000/-
	अलग-अलग अभिभाषक द्वारा जवाब प्रस्तुत करने एवं पैरवी के लिये प्रथम एक को कुल फीस 17,000 में से 50 प्रतिशत	8500/-
	द्वितीय अभिभाषक को कुल फीस 17,000 में से 50 प्रतिशत	8500/-
5.	किसी प्रकरण में जवाब प्रस्तुत किए बिना एफिडेविट पेश करने और बहस व पैरवी (affidavit and argument and appearance)	8500/-
6.	केवल एफेडेविट पेश करने पर मात्र	2100/-
7.	ड्राफ्टिंग एण्ड सेटलिंग चार्ज (एफेडेविट अटैस्टेशन व अन्य चार्ज सहित)	2100/-
	एक ही प्रकृति के केस होने पर प्रथम केस में 2100/- तथा प्रत्येक पश्चात्वर्ती अतिरिक्त केस में उपरोक्त का 10 प्रतिशत	2100/- प्रथम केस, अतिरिक्त केस में उक्त का 10 प्रतिशत
8.	विधिक राय (legal opinion)	2000/-
9.	याचिका के निस्तारण होने तक आयोग की ओर से प्रस्तुत की जाने वाली IA या विपक्षी द्वारा प्रस्तुत की गई IA का जवाब प्रस्तुत कर पैरवी करने के लिए	8500/-
10.	CAVEAT दायर करने पर प्रथम केस में	1000/-
	इसके पश्चात समान प्रकृति के प्रत्येक केस में	500/-
	अधिकतम	5000/-

स्पष्टीकरण:- आयोग के आदेश क्रमांक 3877-78 दिनांक 18.12.2018 के बिन्दु संख्या 1,2,3 एवं 4 में याचिका दायर करने या जवाब प्रस्तुत कर पैरवी करने के मामले में फीस प्रथम स्तर (याचिका दायर या जवाब प्रस्तुत करने) पर 50 प्रतिशत एवं याचिका के निस्तारण पर शेष 50 प्रतिशत अदा की जायेगी।

Secretary

State Election Commission