

LEGAL SECTION
UNIVERSITY OF DELHI

M I N U T E S

1. A Committee has been constituted by the Competent Authority vide Notification dated 11.06.2021. The committee has been mandated for reviewing and recommending the existing panel of Advocates / Law Firms, from EOI sought and also any other suitable Advocate/ Law Firms (who have not applied for EOI). The Committee was requested to submit its report within a period of one month. The Committee met twice *i.e.* on Thursday, the 8th July, 2021 at 02.30 P.M. in Room No. 210, Second Floor, New Administrative Block, University of Delhi, Delhi-110007 and on 16.07.2021 at 11.30 A.M. at University Guest House.

The following members were present:

- i. Prof. Mahavir Singh Kalon, PIC, LC-II, Faculty of Law - Chairman
- ii. Prof. Raman Mittal, Joint Dean Legal
- iii. Shri G.K. Singh, G.M. (Legal), NHA1 - Registrar Nominee
- iv. Shri Rangabashiam, S, Joint Registrar (Finance)
- v. Shri Pradeep Kumar, Joint Registrar (Legal)
- vi. Dr. Naresh Kumar, Assistant Registrar (Colleges)
- vii. Shri Sanjay Kumar, Assistant Registrar (Legal) - Member Secretary

Dr. Rohan Rai, Joint Registrar (Estab.) could not attend the meetings due to leave.

2. Since, 1969 the Legal Cell has become a full functional section dealing with an average of 300 to 400 cases per year before the Hon'ble Supreme Court, High Court of Delhi, District Courts of Delhi and outside Delhi. The University of Delhi is looking for empanelment of competent & experienced Advocates & Law Firms having their administrative office at Delhi / New Delhi. The services of Advocates/Law Firms mainly utilized in the legal matters/litigation work being contemplated / are pending at various forums *i.e.* Hon'ble Supreme Court of India, Hon'ble High Court of Delhi, District Courts, Industrial Tribunals, National Consumer Disputes Redressal Commission, State Consumer Commission, District Consumer Forum and various Commissions & Other Quasi-judicial bodies in matters relating to Students Admission, Attendance, examination, Teaching & Non-Teaching Staff service matters, Sexual Harassment, Reservation, C.R. & Vigilance, Estate/Arbitration matter, RTI matter at CIC, Employees service benefits and Disciplinary proceedings etc., within Delhi as well as outside Delhi region.

Further, the services of Senior Advocates are also sought as special engagement as and when required, based on the critical requirement and exigencies of litigation work after obtaining the approval of the Competent Authority.

3. The Committee was informed/ apprised that in addition to the handling of Court matters, the Legal Section also provides the legal opinion to the Establishment / College Branch / Departments/ CR & Vig. Cell of the University of Delhi through the panel Advocates, pertaining to the administrative issues involving legal causes. For this, the services of Senior Advocates are also sought/requested through such Advocates on panel for rendering effective legal assistance in the preparation of legal opinions.

4. The cases of disputes arising out of Engineering Contracts resulting in Arbitration are dealt directly by the Engineering Office with logistic support of the Legal Section. The appointment of Arbitrators is done by the Competent Authority as per provisions of the Contract Agreement. In few cases Arbitrators are also appointed by the Hon'ble Courts. The fee of the Sole Arbitrator or the Arbitral Tribunal is decided as per the contractual provisions or as per the law i.e., the Arbitration & Conciliation Act 1996 as amended from time to time.

5. As informed by the A.R.(Legal), the litigation has increased manifold since creation of Legal Section and based on this the staff requirements, logistic supports have been also increased and further required to be expanded. The legal cases are increasing day by day rapidly. That at present approximately 1675 cases are pending (since 2000) for final decisions/adjudication before the Courts of Law. Due to COVID19 pandemic the cases are much pending due to en bloc adjournments notified by the Courts in non-urgent matters and only urgent issues requiring directions are being listed and taken up for hearing now a days due to this delay in disposal is noticed.

6. It was also apprised by the A.R. (Legal) that as per the existing panel approved in 2012 there were one Retainer & Senior Standing Counsel (i.e., Late Sh. P.P.Rao, Senior Advocate) before the Hon'ble Supreme Court of India. Also before the Hon'ble High Court of Delhi, the Nominated Counsels were as one Standing Counsel (Sh. MJS Rupal) and two Additional Standing Counsels (v.i.z, Sh. Amit Bansal & Ms. Maninder Acharya). They were mandated to receive fresh Notices on behalf of the University of Delhi before the Hon'ble Delhi High Court. This year, Sh. Amit Bansal, Additional Standing Counsel has been elevated as Hon'ble Judge, Delhi High Court & Ms. Maninder Acharya, Additional Standing Counsel has been designated as a Senior Advocate by the Hon'ble High Court of Delhi. Due to the vacancies created with the elevation & designation, the Competent Authority has appointed Sh. Kripa Shankar Prasad, Advocate as Additional Standing Counsel of the University of Delhi before the Hon'ble High Court of Delhi. As of now, there is

no Senior Standing Counsel on the panel of University after demise of Sh. P.P.Rao, Senior Advocate.

7. Regarding the number of court cases, it was summarized as follows:

Total fresh cases since January, 2020 to till date(177+81)	258
Pending cases (since 2000 to till date)*	1675
Regular cases (since 2000 to till date)	155
Dismissed / Disposed off cases since January, 2021	40

* Pending cases relates to Arbitration, Students matters, Teaching, Non-teaching, Lower Courts, Labour Courts, Tribunals and misc. others.

8. On 30.12.2020 the University of Delhi, through an Expression of Interest (Eoi) invited applications from qualified & experienced Advocates & Law Firms for defending /representing University of Delhi, before various Judicial & Quasi-judicial forums. The Scope of Work and the Terms & Conditions were defined in the Eoi. The empanelment was stated for a period of two years in the Eoi. Last date for receiving applications against the Eoi was 07.01.2021. The Legal Section also received some of the applications after the last date i.e. 07.01.2021. Few applications from Advocates were also received having lesser requisite/ sought experience.

9. As per 'Expression of Interest Application', the following information was sought from the applicant individual Advocate:

- i) Personal details
- ii) Essential Eligibility Criteria
- iii) Expected expertise/inputs
- iv) The courts where the Advocate is regularly practicing
- v) Period of practice & Area of Specialization
- vi) Brief list of clients e.g. Govt. Departments /Autonomous Body/University etc
- vii) Whether Counsel / Pleader of any Govt. Departments/Autonomous Body/University
- viii) Details of Experience/practice in relevant field
- ix) Details of landmark cases defended by the Advocate on behalf of Govt. Department/Autonomous Body/University etc
- x) Date of Enrolment, Name of Bar Council

The following information was sought from the Law Firms:

- i) Date of Incorporation
- ii) Number of Advocates employed
- iii) Period of practice & Areas of Specialization

- iv) Brief list of clients e.g. Govt. Departments/Autonomous Body/University
- v) Whether on Panel of any Govt. Departments /Autonomous Body/University etc (Pl indicate period against each name & Average number of matters assigned)
- vi) Details of Experience / practice in the relevant field
- vii) Details of landmark cases defended on behalf of any University/Govt. Department/Autonomous Body etc.
- viii) Details of profiles of Partners/Sr. Associates/Associates
- ix) Details of Juniors/Associates available for Legal Work (with more than five years of experience)
- x) Details of Juniors/Associates available for Legal Work (with below five years of experience)

10. a) In response to the EOI uploaded on the Delhi University website for empanelment of Advocates and Law Firms, the details of the applications received are given below:

Total Applications received (229 fresh + 9 from existing panel Advocates)	238
i) Applications received for Empanelment of Advocates	207
ii) Applications received for Empanelment as Law Firms	14
iii) Applications received after last date	04
iv) Applications received with experience of less than 7 years(as required)	11
v) Applications received for Law Firms having experience Less than 10 Years (as required)	02

11. The Committee had a detailed discussion on the applications received for Eol. From various ends viz., individual Advocates / Law firms / Advocates on Records etc. The details as per the proforma and experience / standing of each stake holder was discussed / deliberated at length. Besides this the performance of existing Panel of Advocates and pending litigation / cases at present with the Legal Section were also discussed.

12. The Legal Branch has received 238 fresh requests for empanelment through Eol from Advocates/ Legal Firms. It was discussed that each applicant / firm possesses the requisite qualification and experience for practising before the Court of Laws / tribunal/ Commissions and appears to be competent for defending the interest of the University. Therefore, there were two opinion that either a small panel be recommended on the basis of their qualification/ experience/ the legal cases handled by each individual/ Law Firm **or** all of the applications received through Eol, be empanelled in the University. It was discussed that in the case of small panel, the applications received have to be evaluated based on the laid down criteria. Thereafter the applications meeting the criteria shall be arranged in their order of

merit and the best ones (Top ten or twenty) were to be given the empanelment. However, there may be practical difficulty that all those lawyers & Law Firms so empanelled may have legitimate expectations to get litigation work from the University and we may face problems in meeting their expectations.

13. It was further put forth that, if the Committee considers all the applications received through EoI & including the existing panel and recommends all applicants for empanelment, it will be a large panel. The advantage of the large panel will facilitate vast options for the University of Delhi to distribute the cases amongst each of empanelled Advocate to a certain extent possible. The larger panel will be helpful for handling the cases consisting of Advocates/ Law Firms from diversified fields. Based on the performance of the Advocates/ Law Firms the University may assign the cases to them. This way the University shall be under no compulsion to assign the cases to each and every Advocate/ Law Firm. Also, the University of Delhi also gets various notices for appearance from Courts beyond the jurisdiction of Delhi Courts where it is arrayed as a necessary party, therefore availability of large a panel may ensure detailing of suitable and willing Advocate to appear in court outside Delhi also. Besides this, the said panel of Advocates / Law Firms also caters to the needs of the Colleges affiliated with the University. This panel may also be referred by the colleges for seeking services to defend them before Court of Law& the Colleges shall have a vast option of selecting the Advocates.

14. The Committee after extensive deliberations on each of the aspects thereafter, recommends the following:

- i. The Existing Panel of 32 Advocates (11 Senior Advocates and 21 Advocates) may be continued(**Encl.-I**).
- ii. The Advocates / Legal Firms who have applied in response to EoI (total 238) may be taken on Empanelment of the University(**Encl.-II**)alongwith the existing panel.
- iii. The panel recommended at (i) & (ii) above shall be further reviewed by the University at appropriate time by taking into consideration the performance of each individual Advocate / Law Firm.
- iv. The Committee also suggested appointment of Sh. Siddharth Luthra, Senior Advocate as Senior Standing Counsel before the Hon'ble Supreme Court of India in place of late Shri P.P.Rao, Senior Advocate.
- v. The University may also appoint/ empanel other Advocates / Senior Advocates for defending the interest of the University on case to case basis with the approval of the Competent Authority.

15. It is also recommended that these minutes of the Committee may be reported in the Executive Council meeting, on approval of Competent Authority.

The meeting ended with a vote of thanks to the Chair.

Prof. Mahavir Singh Kalon, PIC, LC-II,
Faculty of Law – Chairman

Prof. Raman Mittal, PIC, CLC
Joint Dean Legal

Sh. G.K. Singh, G.M. (Legal), NHA
Registrar's Nominee

Shri Rangabashiam, S,
Joint Registrar (Finance)

Shri Pradeep Kumar,
Joint Registrar (Legal)

Dr. Naresh Kumar,
Assistant Registrar (Colleges)

Sh. Sanjay Kumar
A.R.(Legal) & Member Secretary