
**UNIQUE IDENTIFICATION AUTHORITY OF INDIA,
Ministry of Electronics & Information Technology (MeitY)
GOVERNMENT OF INDIA,
NEW DELHI**

No. HQ-21021/1/2022/LEGAL-HQ

Dated: 21.01.2022

NOTICE FOR EMPANELMENT OF PANEL COUNSELS

The Unique Identification Authority Of India (**UIDAI**), intends to empanel counsels for representing UIDAI before different Courts/judicial bodies, rendering legal advice, drafting and vetting of petitions, appeals, replies etc. The interested Advocates who are desirous to be considered for empanelment and have adequate experience (*as per the terms and conditions annexed as schedule I*) may submit their application, in the proforma latest by 21st day from the day of publication of this notice on the official website of UIDAI at <https://uidai.gov.in/about-uidai/work-with-uidai/current-vacancies.html>.

For any further information/query, the below mentioned officer may be contacted:

**Shri Tentu Satyanarayana, ADG (Legal),
Assistant Director General (Legal),
Unique Identification Authority of India (UIDAI),
Ministry of Electronics & Information Technology, Govt. of India,
Bangla Sahib Road, Behind Kali Mandir, Gole Market, New Delhi - 110001.**

Queries may also be submitted via E-mail at tentu.satyanarayana@uidai.net.in

For updates/corrigendum, website of UIDAI may be visited at regular intervals.

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NOTICE

Empanelment of Panel Counsels

Unique Identification Authority of India (“UIDAI”) intends to empanel counsels for representing UIDAI before different Courts/ judicial bodies, rendering legal advice, drafting of petitions/ counter affidavits and vetting of legal documents, etc.

The practicing advocates who are registered with Bar Council of India/ State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees (fixed), other terms and conditions and the application format in which the application has to be made, have been prescribed in the attached schedules.

Eligible advocates who are desirous to be considered for empanelment and have adequate experience/ qualification (as prescribed) may submit their applications in a sealed envelope - marked as ‘*Application for Empanelment as Panel Counsel of UIDAI*’ and containing:-

- (a) The Bio Data of the applicant and Declaration, as per the formats specified in Annexure-I and II respectively and should be marked as ‘Suitability Details’.

The sealed envelope shall be addressed to –

The Assistant Director General (Legal),
Unique Identification Authority of India (UIDAI),
Ministry of Electronics & Information Technology, Govt. of India,
Bangla Sahib Road, Behind Kali Mandir, Gole Market,
New Delhi - 110001.

The same should contain the name and address of the Applicant.

The last day for receiving the applications in the prescribed format along with supporting documents is the 21st day from the date of publication of this notice on the official website of UIDAI at <https://uidai.gov.in/about-uidai/work-with-uidai/current-vacancies.html>.

Applications for empanelment at UIDAI does not confer any right / assurance whatsoever, to an applicant that he/she will be empanelled on the panel of UIDAI. Letters to advocates confirming their empanelment shall be issued separately.

SCHEDULE 1: THE TERMS AND CONDITIONS OF THE EMPANELMENT:

1. Eligibility for Empanelment:

- (a) The counsel(s)/ advocate(s) should be registered with Bar Council of India/ State Bar Council;
- (b) The counsels should possess minimum experience of 10 (Ten) years in handling cases pertaining to contractual and commercial laws, civil/ criminal/ arbitration matters etc., in different courts and should also be well versed with constitutional law and other relevant laws.
- (c) The Advocate should have necessary infrastructure, such as internet facility, printing and scanning facility, etc. and sufficient support staff, such as junior advocates/ partners, clerks etc. for proper management of the cases assigned to him.
- (d) The counsel should not be dealing with any cases against UIDAI, at present. If yes, then he/ she must give up those cases, at the time of applying for this empanelment.

2. Tenure of empanelment:

The initial empanelment of the counsels will be for a period of 2 (two) years, which may be extended, for 1 year, beyond the said period, subject to UIDAI's satisfaction with the performance of the counsels and as the Authority may decide from time to time.

3. Fees and other conditions:

- (a) No retainer fee will be paid to any of the empanelled counsel(s);
- (b) UIDAI reserves the right to add or vary the terms and conditions while engaging the counsel;
- (c) The counsel shall have the right to private practice which should not, however, interfere with the efficient discharge of his duties as a counsel for the UIDAI;
- (d) The fee payable to the Advocates shall be governed by the Schedule of fee annexed as **Annexure "3"**.

4. Procedure for empanelment:

- (a) The interested advocate must apply on the format prescribed by the UIDAI only (Annexure I & II). No other format will be entertained.
- (b) Any application received after the last date prescribed in the advertisement shall not be entertained.
- (c) The applications will be opened and evaluated by one or more Committees, duly constituted for the said purposes.

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- (d) The applications will be examined to determine whether they are in order and in compliance with the eligibility criteria. Compliance to the criteria prescribed in the formats at Annexure-1 and 2 would be the first level of evaluation. Only those applications which comply with the eligibility criteria will be taken up for further evaluation.
 - (e) The applicants who meet the requisite qualifications and eligibility criteria will be shortlisted for interaction. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be selected.
 - (f) The shortlisted candidates will be called for personal interaction, which may be held on the date and time fixed by the Authority and in the mode (online or offline) decided by it. No requests for change in the date, time or mode shall be entertained.
 - (g) The ultimate decision, regarding final selection of the candidates, shall be of the Competent Authority.
 - (h) Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
 - (i) The applicant advocate shall bring original documents at the time of personal interaction.
 - (j) Letter to applicant advocates confirming their empanelment will be issued by UIDAI separately.

5. Termination:

UIDAI may terminate the empanelment of a counsel, by giving 1 (one) month's prior written notice to the Advocate, for the following reasons. The counsel may also resign from the panel by serving 1 (one) month's notice, in writing.

Empanelment of the advocate(s) may be terminated by UIDAI, in the following cases, where such advocate:

- (a) provides false information in the application for empanelment.
- (b) fails to attend the hearing of the case without any sufficient reason and/or prior information.
- (c) does not act as per the instructions of UIDAI or acts against the interest of UIDAI.
- (d) threatens or intimidates or abuses any of the UIDAI's employees, officers, or representatives.
- (e) passes on information of a particular matter to the opposite party or to any of the third party, which may directly or indirectly cause harm to the interest of UIDAI.
- (f) provides false updates or information or does not provide the updates or information to UIDAI relating to the proceedings of a case.
- (g) frequently absents himself/ herself from the court proceedings, even though 'proxy' or 'pass-over' is obtained by an advocate.

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- (h) takes up case(s) against UIDAI or works against the interest of UIDAI.
 - (i) UIDAI also reserves right to terminate the empanelment of a counsel for any other reasons.

6. Other terms and conditions:

- (a) The counsel will be engaged on case-to-case basis and the allocation of work will be decided by UIDAI. At a time, not more than 10 (ten) cases may be assigned to the counsel. However, UIDAI reserves the right to assign more cases, if required, in exceptional circumstances.
- (b) The counsel will take necessary steps to protect the interest of the Authority in matters entrusted to him from time to time.
- (c) Empanelment does not confer any right or claim that the counsel shall alone be entrusted with the work of UIDAI.
- (d) The counsel shall keep UIDAI informed regarding the developments in the matters entrusted to her/ him.
- (e) UIDAI has the right to decide and allocate the work and assign cases to the advocates.
- (f) The counsel shall not use Authority's name or symbol or logo in his letter heads, sign boards, name plates etc.
- (g) In case of any misconduct, the Authority will take appropriate action against the counsel which includes filing complaint with Bar Council and recovery of financial loss caused to the Authority due to misconduct/ omission of the counsel.
- (h) Refusal by any counsel to accept any work, without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate/ counsel from the panel, forthwith without waiting for the empanelment period to expire.

7. Confidentiality:

The engaged counsel shall maintain absolute secrecy and confidentiality about the cases of the UIDAI and any other sensitive information acquired by him/her during the course of defending the UIDAI in various forums or otherwise. He/ She shall also ensure to abide by the restrictive covenants of the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 and the Regulations framed thereunder.

- 8.** UIDAI reserves the right to engage any other counsel or Government law officers for any case in case of need.
- 9.** In case of any doubt relating to the above terms and conditions and in respect of any item not covered by the above terms and conditions, the decision of UIDAI shall be final and binding.

SCHEDULE 2: SCOPE OF SERVICES

The empanelled advocate shall be responsible for providing the following services to UIDAI:

- (a) represent/ appear on behalf of UIDAI, before various courts and other judicial bodies, such as Supreme Court, High Court, Tribunals, District Courts/ Subordinate Courts, etc.;
- (b) briefing/ conferencing with the Senior Advocate engaged in a particular case before the Court/ Tribunals and other judicial bodies, and if required, render all assistance to such Senior Advocate, if required;
- (c) drafting of brief notes/ for Senior Law Officers like the Ld. AG, SG, ASGs etc.
- (d) examination and drafting of legal documents to be filed in various courts of law, including petitions (such as SLP/ Writ Petition/Transfer Petition, Criminal complaints etc.), replies/ Counter Affidavit, etc., applications (such as Additional Affidavit/ Miscellaneous Applications, etc.), appeals (revision/review) on behalf of UIDAI, as well as prompt removal/curing of defects in appeals/petitions filed; as may be pointed out by the registry;
- (e) drafting of detailed proceeding Notes for cases;
- (f) drafting of rules or regulations or any amendment(s) to the rules or regulations under the Aadhaar Act, 2016;
- (g) coordinating with other ministries/ Departments (including Central Agency Section, Ministry of Law and Justice), for pending cases or wherever required;
- (h) doing legal research for litigation, including research on case citations and precedent cases;
- (i) drafting, vetting, settling correspondences (including comments on behalf of the Authority on Cabinet notes/ Bills etc.), replies to requests from other Ministries/ Departments/ Authorities etc.
- (j) render legal advice or written opinions to UIDAI on civil, criminal, service and such other matters arising in the course of administration of UIDAI as are referred to him/her;
- (k) apply for the copy of judgment from the Court, of the matters attended by him/her and share the copy of judicial pronouncements at the earliest, from the date of such order (excluding the time taken by the concerned Court in preparation of the copy);
- (l) keep UIDAI informed and updated on all important developments in the designated cases, dates of hearing etc.;
- (m) furnish monthly statement about the cases represented by him/her before various courts/Tribunals or any other authority and their outcomes/ developments;
- (n) Telephonic conference with officers of the Authority;
- (o) perform such other duties of legal nature which may be assigned to him/her by UIDAI.

ANNEXURE-1

FORMAT OF BIO DATA FOR PANEL COUNSEL

1. Name of the Advocate:
2. Date of Birth:
3. Educational Qualifications:
4. Date of enrolment and the name of the Bar Council:
5. Period of practice:
6. Details of experience/ practice:
7. Area of practice:
8. Specialization, if any:
9. The details of a few important cases, the Advocate has dealt with/handled and reported Judgment, if any.
10. Brief list of clients e.g. Govt./organizations/Commissions/PSUs
11. The courts where the Advocate is regularly practicing (Enclose Bar Association Membership Certificate)
12. A brief note on suitability of the applicant and giving his/her willingness for engagement with UIDAI
13. Whether dealing with any cases against UIDAI, at present.
14. Whether dealt with any cases against UIDAI in the past. If yes, then the details may be given.

ANNEXURE-2
DECLARATION

I declare that I have never been penalized by any Bar Council in any disciplinary proceedings. I also undertake to maintain absolute secrecy about the cases of the Authority.

I further declare that, at present, I am not handling any case/ matter against UIDAI.

Signature of Advocate

Address – Office:

Residence:

Chamber:

Tel. No.-----

Mobile No.-----

Fax No.-----

E-mail.-----

PAN No. -----

GST No. -----

ANNEXURE-3

SCHEDULE OF FEES

The heads/ items of fee per instance and other terms and conditions are as under:

S.No.	Items/Heads	Quote (in Rs.)
1.	Fee for drafting/ vetting of (including cost towards initial briefing, all conferences, reading papers/ documents, legal research, finalization of drafts and other similar work like preparing of legal opinion etc.)	
	a) petitions/ appeals/ Writ Petition/ SLP	35,000
	b) Counter claim/ Counter Affidavit/replies/written submissions, etc.	35,000
	c) Rejoinder	15,000
	d) Additional affidavit/ settlement agreement	10,000
	e) Interim/ interlocutory/ impleadment application	8,000
	f) Miscellaneous applications	8,000
2.	Fee for drafting/ vetting of (per case):	
	a) Agreements	8,000
	b) RFPs/ MOUs/ Contracts and other related documents (per case)	20,000
	c) Non-Disclosure Agreements (Exclusive NDA only)	6,000
	d) Show cause notices/ Termination orders/ police complaints	6,000
	e) Legal notices to be issued/ reply to legal notices	8,000
	f) Any new Rules/ Regulations/ or any amendment to the Rules or Regulations	8,000
4.	Fee for appearance in Supreme Court/ High Court at Delhi, per effective hearing	35,000
	Tribunals at Delhi	20,000

5.	Fee for appearance in outstation Courts/ Tribunals, per effective hearing (including conference and appearance)	High Courts, Tribunals	40,000
6.	Conference/ discussions including attending good faith negotiations (per conference)		7,500
7.	Fee for giving written opinion		8,000
8.	Fee for short legal opinions in day to day affairs through e-mail/ correspondence (per case)		4,000

Any item not covered in this schedule, shall be dealt with on case to case basis in accordance with the approval of the competent authority.

- (i) The Panel Counsel shall be entitled to claim full fees only in case of effective hearing and for non-effective hearing, the counsel shall be entitled for 1/4th of the full fees. Effective hearing for the purpose of claiming appearance fee in a case, means a hearing in which one or both the parties involved in a case are heard by the court. If the matter is called in its turn and the Counsel is present to represent the Authority and the Court/Tribunal listens to the submissions made by him or by other side or by both and if, thereafter, the Court/Tribunal adjourns the matter, that will be an effective hearing. If the case is mentioned and adjourned or only directions are given or only judgment is delivered by the Court/Tribunal, it would not constitute an effective hearing but will be termed as non-effective hearing. If the advocate appeared and the court was on leave or court, due to paucity of time was unable to take up the matter, it shall also constitute as non-effective hearing.
- (ii) Interim Application: An interim application is an application made between the start of the proceedings and the trial itself. It is an application to the court for orders or directions. These interim applications are governed by Civil Procedure Rules.
- (iii) Interlocutory Applications: An interlocutory applications is an application which is moved in the main petition. It is usually filed when you ask for some urgent relief or to bring certain new facts to the knowledge of the court.
- (iv) Where two or more cases involving substantially identical or similar questions of law or facts are heard together, the counsel will be paid full fee in one case and 1/4th fee for each of the remaining cases.
- (v) When the case is listed for hearing but adjournment is sought at the direction of the Authority, the counsel will be entitled for 1/4th of the applicable fee only in one case irrespective of the number of tagged cases listed for hearing. The fee

payable for cases listed for notice or direction shall also be regulated in the similar manner.

- (vi) In case the Panel Counsel or his junior is present in the Court/Tribunal, but the matter is not taken up due to paucity of time or any other reason attributable to Court, the counsel shall be paid 1/4th of the applicable fee only in one case, irrespective of the number of tagged cases listed for hearing.
- (vii) For outstation appearance, the travel expenses of the Counsel, will be borne by the Authority as per actual expenses including booking of tickets, hotel stay etc. The travel expenses of the Junior Counsels (if any) will be as per actual expenses including booking of tickets, hotel stay (subject to maximum of Rs. 4500/ night) etc. No other allowances/expenses shall be admissible.
- (viii) No fee is payable in cases where advance notice of adjournment is received.
- (ix) Rate against each item of work includes all incidental charges which are inclusive of clerkage.
- (x) Legal vetting means making a careful and critical examination of documents to be executed in terms of law.
- (xi) In case the counsel is busy in one Court/Tribunal in connection with some case or cases of UIDAI and after finishing his work in such Court/ Tribunal, he joins during the course of an effective hearing of a case in another Court/ Tribunal, the counsel shall be entitled to full appearance fee for his appearance in the second Court/Tribunal in addition to the applicable fee for his appearance in the first Court/Tribunal. In case, only the junior of the counsel appears and takes notes in such effective hearing, only 1/4th of the appearance fee shall be payable.
- (xii) Whenever the counsel is unable to appear in court/ tribunal for arguing the case on behalf of UIDAI due to his pre-occupation in some other Court/ tribunal in connection with the case of some other client, the counsel shall give advance intimation to UIDAI, so that UIDAI may request another counsel to appear and argue in his place and, in such case, the appearance fee shall be paid to the other counsel actually appearing in the case. However the panel counsel may be required to depute his junior to brief the other counsel and to assist him in the hearing, for which no fee would be paid for the briefing or appearance of the junior.
- (xiii) In cases, where due to exigencies, the Counsel is not able to attend the scheduled briefing of Senior Advocate and his junior attends such briefing with the Senior

Advocate or the advocates of UIDAI, the counsel shall be paid 1/4th of the applicable fee.

- (xiv) Out of pocket expenses, if any, will be paid on production of bills/ self certificate by the Counsel.