

EXPRESSION OF INTEREST FOR EMPANELMENT OF
ADVOCATES



Sub:- Invitation of application for Expression of Interest for Empanelment of advocates.

The Jharkhand State Pharmacy Council, a statutory body constituted under the provisions of the Pharmacy Act, 1948, invites Expression of Interest from eligible and interested advocates for empanelment as Legal Counsel for representing and advising the Council before various judicial and quasi-judicial forums.

The empanelment is proposed to be made under the following two categories:

Category A: Advocates having professional experience of more than ten years at the Bar. (3 advocates will be empanel)

Category B: Advocates having professional experience of not less than 4 years at the Bar. (2 advocates will be empanel)

The advocates empanelled under either category shall be required to represent the Jharkhand State Pharmacy Council primarily before the High Court of Jharkhand at Ranchi and may also be required to appear before subordinate courts, tribunals, statutory authorities, disciplinary bodies, and other forums as and when required by the Council.

The applications will be addresses to the Registrar-cum-Secretary of the Jharkhand State Pharmacy Council. **Last date of submission of application is 28.02.2026.**

Jharkhand State Pharmacy Council intends to make a panel of advocate for consulting services in legal cases of Council for following fields:

- i. Issues related to Administration, Establishment, Academic, service matters.
- ii. Issues related to Labour Law/ Payment of wages.
- iii. Issues related to Civil suits
- iv. Issues related to financial matters
- v. Issues related to RTI matters
- vi. Issues related to Construction Law
- vii. Issues related to Commercial Contracts and Transactional Matters
- viii. Any other issues as required by the Institute.

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GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are to provide and regulate the manner and procedure for empanelling the advocates to represent and assist the Jharkhand State Pharmacy Council before various courts and for regulating the referrals of the cases and payment of fee/remuneration payable to such persons. These guidelines shall supersede all existing instructions in this regard, if any.

Definitions: For the purposes of these Guidelines, the terms used will have the following meaning;

1. **'Advocate'** means an advocate, entered in any roll of advocates under the provisions of The Advocates Act, 1961.
2. **'Competent Authority'** shall be Chairman Jharkhand State Pharmacy Council or any other officer so designated by Chairman Jharkhand State Pharmacy Council.
3. **'Court'** shall mean all courts of law including District Courts all over India, any High Court, Supreme Court, Tribunals, Judicial Forums and Arbitrators etc.
4. **'Effective Hearing'** shall mean a hearing in which either one or both parties involved in a case are heard by the Courts / arguments were advanced by the Counsel of any of the parties, Examination-in-chief, cross examination is conducted, issues/charges have been framed and statement, Miscellaneous proceedings.
5. **'Non-effective Hearing'** shall mean all hearings which are not covered in the above definition of effective hearing.
6. **'Similar Cases'** shall mean two or more cases in which identical or substantially similar questions of law or facts are involved.

Eligibility of Empanelment

- (1) The Advocates to be taken on panel should be capable of handling matters before district, High Court and Supreme Court of India on the basis of criteria laid down below.
- (2) There would not be any court specific empanelment however, while referring cases to Advocates the following would be the criterion for such referrals.
- (3) The empanelment request is being considered from individual lawyers or lawyers as part of the firm with experience as prescribed in annexure on the date of release of this notice for empanelment, which will be determined based on period of enrolment in the Bar, and full-time practice by the concerned advocate.
- (4) **Minimum Qualification & Experience:** Bachelor Degree in law from a recognized Council and registration with Bar Council of India / State Bar Council.
- (5) Professional experience of at least 10 years for 1st category and 4 years for 2nd category in handling cases in the Hon'ble Supreme Court / Hon'ble High Court.
- (6) Good communication skills in English and good knowledge of substantive law and procedure, both in civil and criminal matters.
- (7) The advocates should be familiar with various branches of law especially those conceiving of matters related to various writs, PIL, Land Disputes/Constitutional/Service Law/Contract Law/ Property Law and Taxation, etc.

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Tenure of Empanelment

- I. The initial empanelment will be for two years or until further orders whichever is earlier.
- II. The performance of empanelled advocates shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the advocate, the empanelment may be renewed for a period of another two years by the Jharkhand State Pharmacy Council.
- III. The Jharkhand State Pharmacy Council reserves the right to terminate the empanelment of any advocate at any time without assigning any reason thereof.

General Terms and Conditions

- I. The size of the panel and number of advocates in panel shall be determined by the Council based on the requirement and quantum of work.
- II. The Advocate shall accept the terms and conditions of the empanelment as determined by the JHARKHAND STATE PHARMACY COUNCIL from time to time.
- III. The decision on number of Advocates to be empanelled will be made by Jharkhand State Pharmacy Council.
- IV. Jharkhand State Pharmacy Council may designate any of the empanelled advocates as a Standing Counsel/Retainer on its own discretion, and no empanelled advocate will have a claim for being designated as the Standing Counsel/Retainer.
- V. 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.
- VI. The advocate shall not advise any party or accept any case against the JHARKHAND STATE PHARMACY COUNCIL in which he/she has appeared or is likely to be called upon to appear for (or) advise which is likely to affect or lead to litigation against the JHARKHAND STATE PHARMACY COUNCIL.
- VII. If the advocate happens to be partner of a firm of lawyers or solicitors, it shall be incumbent upon the firms not to take up any case against the JHARKHAND STATE PHARMACY COUNCIL in any court of Law / Tribunal / Commissioner / Forum or any case arising out of those cases e.g. appeals and revisions.
- VIII. That the empanelled advocate in matters of urgency should obtain the order (Dasti) from the concerned Hon'ble court and send it to the Registrar on the same day to avoid any inconvenience.
- IX. That the empanelled advocate (either in person or through an authorized associate), shall visit the Council to discuss urgent legal cases/matters whenever called upon by the Council.
- X. The empanelled Advocates will not delegate cases and would themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any, engaged in the case, as well as with the officers of the Jharkhand State Pharmacy Council, if required.
- XI. The Advocates empanelled under these guidelines shall not be employees of Jharkhand State Pharmacy Council for any purpose and therefore, shall not be eligible for any benefits available to its employees.

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- XII. That the empanelled advocates shall send the bills as per approved rates and complete in all respects, preferably within three months.
- XIII. The empanelled Advocate shall maintain absolute secrecy and confidentiality about the cases of the Jharkhand State Pharmacy Council as required under the Act and rules/regulations framed there under.
- XIV. The Council authority will allot cases to an empanelled advocate on a case-by-case basis, and mere empanelment will not make an advocate eligible to be allotted cases by Jharkhand State Pharmacy Council.
- XV. That the empanelled advocates should have proper infrastructural facilities including manpower. It includes scanner, photocopier, computer etc. as well as peon, dealing clerk and associate advocate.
- XVI. An advocate shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empanelled advocate of the Council.
- XVII. An advocate shall not advise any party or accept any case against Council.
- XVIII. Any subsequent additions/ alterations/ modifications/ corrigendum etc. will be published in the website only with the approval of competent authority.

Payment of Fee and Other Conditions

1. The fee payable to the Advocates shall be governed by the Schedule of fee annexed as Annexure "B & C".

Disablements

Disablement on the part of the Advocate shall mean and include any of the following:

- (i) Giving false information in the application for empanelment;
- (ii) JHARKHAND STATE PHARMACY COUNCIL reserves the right to terminate the empanelment of a Counsel with one month's notice in writing without assigning any reason. The Counsel may also resign from the Organization by serving one month's notice.
- (iii) Failing to attend the hearing of the case without any justifiable reason and without prior information.
- (iv) Handing over the brief or matter to another advocate without prior written permission of the Jharkhand State Pharmacy Council.
- (v) Not acting as per Jharkhand State Pharmacy Council's instructions or going against specific instructions;
- (vi) Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- (vii) Threatening, intimidating or abusing any of the Jharkhand State Pharmacy Council's employees, officers, or representatives
- (viii) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to Jharkhand State Pharmacy Council; Committing an act that tantamount to contempt of court or professional misconduct;

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- (ix) Conviction of the Advocate in any offence resulting into arrest or detention or disbarment by the Bar Council;
- (x) Passing on information relating to Jharkhand State Pharmacy Council's case on to the opposite parties or their advocates or any third party which is likely to cause any damage to the Jharkhand State Pharmacy Council's interests;
- (xi) Giving false or misleading information to the JHARKHAND STATE PHARMACY COUNCIL relating to the proceedings of the case.
- (xii) Empanelment shall be liable to be cancelled due to occurring of any of the above disablements on the part of the Advocate.
- (xiii) Seeking frequent adjournments or not objecting to the adjournment moved by other party without sufficient reason; and
- (xiv) Frequent absences from the Court proceeding even if "pass over" or "proxy" is obtained by an advocate.

Termination

- (i) The empanelled advocate or legal advisor, as the case may be, shall be at liberty to terminate the empanelment by giving at least one month's notice in writing to the Council, within which every case file and every other document relating to the case or matter entrusted to him shall be returned to the Council or any officer or representative authorised by the Council.
- (ii) Without prejudice to the foregoing provisions, the Council reserves the right to terminate the empanelment by giving one month notice to the empanelled advocate or to the legal advisor, as the case may be, at any time he fails to discharge his obligation under these guidelines or is found to be negligent, careless, inefficient or has committed fraud, mischief, misappropriation or any misconduct to the satisfaction of the Institute.
- (iii) Any pending or unresolved operational issues, performance, unpaid fees or any other remedy to the empanelled advocate may be settled or resolved even after such advocate is removed or his empanelment is terminated.

Documents required to be submitted by the Advocates

The advocates will be required to submit their applications in the prescribed format as given in Annexure-A.

The self-attested copies of the following documents are required to be submitted with application:

- I. High School certificate in support of age of advocate.
- II. Certificates in support of all educational qualifications of advocate
- III. Certificate of Registration with Bar Council (s).
- IV. Identity card issued by Bar Association I Bar Council.
- V. Documents regarding empanelment with other Organizations, if any.
- VI. Details of office infrastructure and number of associates in addition to office staff.
- VII. Other relevant information, if any

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Instructions for Submission of Application

- (i) The interested Advocate(s) who desire to be considered for empanelment and meeting the above eligibility criteria, may submit the application in prescribe format (Appendix-A).
- (ii) Any application received by the Council after the due date, for any reasons, whatsoever, will not be considered for empanelment.
- (iii) All copies of the supporting documents submitted along with application shall be self-attested.
- (iv) The Council reserves the right to empanel any Advocate(s)/Law Firm(s)/Legal Counsel of its own choice and as per requirement, depending upon the area of specialization/expertise and on satisfying the eligibility criteria.
- (v) The short-listed Advocate(s) may be requested for interaction with a committee constituted by this Council for the purpose and to suggest/recommend the names of Advocate(s) and Legal Advisor.
- (vi) The Council also will have the liberty to engage any Advocate(s) / Legal Counsel(s)/ Law Firms, other than those empanelled, if the circumstances so warrants and under such situation, an empanelled Advocate(s) shall not make any claim or objection for any reason whatsoever.
- (vii) Decision of the Council shall be final and binding on the empanelled Advocate(s) in case of interpretation of any clause/provisions in the said Notice.

Doubt/Difficulty

If there arises any doubt/difficulty with respect the implementation/interpretation of any clause of these guidelines, the same shall be placed before President, Jharkhand State Pharmacy Council and his decision in this regard shall be final and binding.



(Prashant Kumar Pandey)

Regional Secretary

Jharkhand State Pharmacy Council

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