



Pharmacy Council of India

A. Terms and conditions for Advocate's panel to represent Pharmacy Council of India before Supreme Court, High Courts & other judicial bodies in India.

- The Pharmacy Council of India (PCI), an autonomous body under Ministry of Health and Family Welfare, Government of India proposes to engage advocate(s) to represent before Supreme Court, different High Courts and other judicial bodies. The interested candidates desirous to be considered and have adequate experience in dealing with legal matters pertaining to academics/ education/autonomous bodies may apply along with Bio-data / Curriculum Vitae with special emphasis on relevant experience to Mrs. Harvinder Kaur, Accounts Officer, Pharmacy Council of India, NBCC Centre, 3rd Floor, Plot No.2, Community Centre, Maa Anandamai Marg Okhla Phase I, New Delhi - 110 020 within **four weeks** from the date of uploading of this advertisement on the PCI website i.e. www.pci.nic.in

Qualification will be as under:-

In order to be eligible for appointment as advocate, a person should :

- i. Be enrolled/registered as an advocate with the BCI.
- ii. Have a minimum experience of ten years of handling Civil/Criminal /service matter cases. Preference will be given to the counsels who have dealt earlier with matters pertaining to academic/education institutions and statutory bodies.

Duties of the advocate

The advocate shall perform the following duties:

- i. Represent PCI before Supreme Court, High Courts and other judicial bodies;
- ii. Provide legal advice to PCI on civil, criminal, academic service and such other matters arising in the course of administration of the Council as are referred to him/her including :
 - a) Prompt intimation about the Writ Petition etc. filed against PCI.
 - b) Examination and drafting of legal documents ;
 - c) Drafting of applications, petitions etc., to be filed in various courts of law;
 - d) Prompt removal/curing of defects in appeals/petitions filed ; as may be pointed out by the registry;
- iii. Apply for the copy of judgment from the court in cases attended by him/her and supply the copy of judicial pronouncements at the earliest but not later than 10 days from the date of order (excluding the time taken by the court in preparation of the copy);

In case there is a time bound directions of the Court for PCI, same be intimated to PCI in advance on the same day.
- iv. If required, render all assistance to other Special or Senior Counsel if engaged in a particular case(s) before the Supreme Court, High Courts and other judicial bodies;
- v. Keep PCI informed and updated on all important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of judgment etc;

- vi. Furnish monthly statement about the cases represented by him /her before the High Court or any other authority and their outcomes.
- vii. Perform such other duties of legal nature which may be assigned to him/her by PCI.
- viii. When any case attended to by him /her is decided against the PCI, give considered opinion regarding the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).

General instructions

- a. The Advocate shall not advise any party or accept any case against the PCI 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 PCI;
- b. If the Advocate happens to be a partner of a firm of lawyers or solicitors, it shall be incumbent upon the firm not to take up any case against the PCI in any Court of Law/Tribunal/Commission or any case arising out of those cases e.g. appeals and revisions;
- c. Effective Hearing means a hearing in which either one or more parties involved in the case are heard by the Court/Tribunal/Commission on the facts or law of the case. If the case is mentioned by the other side and adjourned or only when directions are given or only judgment is delivered by the Court / Tribunal / Commission, the same shall be a non-effective hearing;
- d. In cases where on the request of the Ministry of Health and Family Welfare, interests of UOI have also to be protected, no extra fees shall be paid to the advocate to watch and safeguard the interests of Ministry of Health and Family Welfare or UOI.

Right to private practice

The Counsel will have the right of private practice, which should not however, interfere with the efficient discharge of work of PCI but he /she shall not advise, hold briefs or appear against PCI before any authority, tribunal or court of law.

If the advocate happens to be a partner in a firm of lawyers or solicitors, it will be incumbent on the firm, not to take up any case against PCI in any court of law or; any other case arising in other courts out of cases pertaining to PCI e.g. appeals and revision in the High Court or the Supreme Court.

Termination of appointment/ resignation

PCI reserves the right to terminate the appointment of an advocate with one month's notice in writing without assigning any reason. The counsel may also resign from the PCI by serving one month's notice.

PCI is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he /she alone should be entrusted with PCI's legal matter (s).

.3.

B. Schedule of fee and allowances

The fee and allowances shall be as per the approved Central Government rates on production of bills / receipts.