

**KARNATAKA REAL ESTATE REGULATORY AUTHORITY**

No: 1/14, GROUND FLOOR, SILVER JUBILEE BLOCK,  
C.S.I COMPOUND, 3<sup>RD</sup> CROSS, MISSION ROAD, BENGALURU-560027

Ph: (+) 91-80-22249798/ 22249799

E-Mail: info.rera@karnataka.gov.in

Website: rera.karnataka.gov.in

RERA/ADM/Legal/2019-20/

Date : 01.07.2020

**NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES FOR  
A PERIOD OF TWO YEARS.**

KARNATAKA REAL ESTATE REGULATORY AUTHORITY, Bengaluru proposes to appoint a panel of Advocates to plead, draft, defend and represent the RERA, Bengaluru in the following Courts:

- i) REAL ESTATE APPELLATE TRIBUNAL, REGULATORY AUTHORITY
- ii) HIGH COURT OF KARNATAKA :
  - (a) Principle bench at Bengaluru
  - (b) Circuit benches at Dharwada and Kalaburagi.

The application are invited from eligible, desirous and Qualified candidates-Advocates having good knowledge, vast experience of 12 years and above in handing litigation matters in the field of civil matters, land and revenue matters, real estate, BDA/ BBMP matters and such other related matter before the Trial Courts, Appellate Court and High Courts, shall apply in a prescribed format given at Annexure-A

**Essential Qualification**

- i) Graduation/ Post graduation in law from a recognized University.
- ii) Certificate of Enrollment of the Bar Council.
- iii) Certificate of Practice issued by the Bar Association.

**II. Experience of practice**

**(a) For conducting cases in High Court:**

Advocates having experience in handling cases in respective field of civil matters, land and revenue matters, real estate, BDA/ BBMP matters

**III. Desirable Qualifications:**

Degree in LLB/LLM from a recognized University.

**IV.** The SECRETARY of RERA, Bengaluru 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 this Unit to consider his/her claim for selection.

**V.** The desirous and eligible Advocates may send their applications in prescribed format complete in all respects along with documents to reach the undersigned by 31.07.2020

**NOTE : 1. Please read carefully the guidelines and terms and conditions for panel Advocates which are part and parcel to this notice.**

  
SECRETARY  
RERA

---

## **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 the Real Estate Regulatory Authority, Bengaluru before Regulatory Authority/ Adjudicating officer, Karnataka Real Estate Appellate tribunal and High court 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 candidates are advised to carefully read and follow the criteria, instructions and terms and conditions for the empanelment of Advocates by Real Estate Regulatory Authority, Bengaluru

#### **1. ELIGIBILITY FOR EMPANELMENT:**

##### **I. Essential Qualification**

- i) Graduation/ Post graduation in Law from a recognized University.
- ii) Certificate of Enrollment of the Bar Council.

##### **II. Experience of practice**

###### **(a) At High Court:**

12 years of experience in respective field of CIVIL CASES; LAND & REVENUE: REAL ESTATE; BDA/BBMP matters such other related matters.

###### **(b) At Trial Courts, District courts and Tribunals:**

12 Years of vast experience in the respective field of CIVIL Cases; LAND & REVENUE: REAL ESTATE; BDA/BBMP matters such other related matters.

### III. Desirable Qualifications:

LLM from a recognized University.

#### 2. **TENURE OF EMPANELMENT:**

The empanelment will be valid for a period of two years from the date of empanelment which may be further extended for one year (if required). The performance of empaneled 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 (effective and non-effective hearing) in Real Estate Appellant Tribunal, High Court and Supreme Court shall be as per fee schedule for Advocates decided Real Estate Regulatory Authority 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 RERA [rera.karnataka.gov.in](http://rera.karnataka.gov.in) as **Annexure-A** and no other format of application will be accepted.
- (ii) Financial proposal for Working As **Annexure-B**
- (iii) An applicant Advocate willing to be empaneled for more than one Court (i.e. for High Court, KREAT at Bengaluru/Dharwada/kalburgi may apply separately for each forum in separate **envelope super-scribed** with the relevant Court.
- (iv) The application form should be forwarded by way of speed post/registered post addressed to :

APPLICATION NO. ....

**APPLICATION FORM FOR THE EMPANELMENT OF ADVOCATE IN  
KRERA**

(TO BE FIELD IN BY ALL APPLICANT ADVOCATES )

To, Secretary

Karnataka Real Estate Regulatory Authority  
2<sup>nd</sup> Floor, Silver Jubilee Block, Unity Building,  
CSI Compound, 3<sup>rd</sup> Cross, Mission Road  
Bengaluru, Karnataka-560027  
Telephones:080-22249798, 22249799

Name (in Block letter)	
Father's name	
<b>CHECKLIST</b>  1. List of documents attached (Attach self-attested photo copies of all certificates & marks-Sheets matric to P.G)  2. Experience certificate  Duly filled in Annexure-A &B Others (Please specify) 1.  2.	

**ANNEXURE-A**

<b>A- PERSONAL DETAILS (In Block Letters)</b>	
1	Name in FULL
2	Father's/Husband's Name
3	Date of Birth
4	Nationality
5	Address for correspondence with PIN and phone No.
6	Permanent Address with PIN and phone No.
7	Address of office/chamber, if any, with PIN and phone No.
8	Mobile No.
9	E-Mail ID

**B- Details of Educational qualifications**

1	2	3	4	5	6
Examination Passed	Name of the Board/University	Class or Division	% of Marks	Subjects	Year of Passing
LLB/ Law Graduate					
Post Graduation					
Other Professional Exams					

**C-Experience certificates**

1	2	3
Name of the Department/PSU/Statutory Body/	From	To

(Please Attach the relevant Documents)

D- Whether the applicant is currently on the Panel of any other Government Department/PSU/Statutory Body/Autonomous Body etc. If yes give the details below (Self-certified Copy of the Office Order/ letter of empanelment may be attached)-

1.	2	2	4
1	Name of the Department/PSU/Statutory body	Date and letter no. of Empanelment	Total Period of Empanelment (in years)

E-Whether the applicant has worked as Legal Researcher (LR) attached to any Court/judge? If yes, the details there of and the supporting documents:-

1	2	3
Name of Court/ judge	Period of Research	Supporting documents

F. If one or more advocates are associated as juniors of the applicant, their details may be provided below:-

1	2	3	4
Sl. No	Name of the advocate	Enrolment no. with date	Experience (in years)

G. No. of cases relating to The Real Estate (Regulation & development) Act 2016, if handled earlier:- (Documentary proof must be attached)

1	2	3	4
S.No.	Name of authority/	Type of Case	on whose behalf conducted

H. Whether the applicant has been engaged as counsel in any landmark or mother case? If yes, the particulars of the case with copy of the judgment wherein his/her name is recorded as advocate for one of the parties (Copy of order/judgment be attached as proof):-

1	2	3
Name of the Court	Case title	Nature of Judgment

I. Whether Income Tax return filed for the last three years Yes/No (If yes, Please attach the copies of the ITRs.) Details of Bank Account/Aadhar Number be provided below:-

1	2	3	4
Bank Account Details (Name of Bank) Account Number, Address of the branch and IFSC code)	PAN number	Aadhar Number	GST Registration Number

J. Whether any proceeding has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct against the applicant:-

1	2	3
Sl. No.	Details of allegations and Proceedings	Finding made by the bar council

K. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against the applicant advocate:-

1	2	3
Sl. No.	Details of allegations and Proceedings	Finding made by the Court

L. Any additional professional qualification(s), which will further the candidature, including membership of professional societies, awards and honors etc. may be listed in the box below.(Documentary proofs may be attached)

--



## ANNEXURE-B

### FINANCIAL PROPOSAL FOR WORKING AS :-COUNSEL TRIBUNAL

<b>Sl. No.</b>	<b>Item of Work</b>	<b>Fees</b>
1	On disposal of each case before Karnataka Real Estate Tribunal.	Rs.3000/-
2	On Disposal of each case before High Court and other Courts.	Rs.15000/-

### UNDERTAKING

- a. I hereby confirm and declare that the information furnished in the application and in the attached Certificate is true/correct and complete to the best of 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.
- b. I also undertake to maintain absolute secrecy about the cases of the KRERA as required under the Act, Rules and Regulations there under.
- c. I also undertake to return all case files and records to the RERA as and when required by RERA.
- d. I do not have any such financial or other interest as is likely to affect prejudicially my functioning as an advocate or Legal Advisor of RERA.

**Note:-** Based on the proposals of various applicants, a uniform fee structure would be prepared and will be sent to each selected applicant. If anyone disagrees with it his empanelment will not be considered.

Place and Date:-

Signature of Advocate  
Enrolment Number  
Mobile Number

---

**The SECRETARY**  
**KARNATAKA REAL ESTATE REGULATORY AUTHORITY**

- (iii) The application should be reached on the given address within 21 days from the date of publication of Notice. Any application received after the last date prescribed in the advertisement shall not be accepted.
- (iv) The Advocate will be required to furnish the following set of documents:
- a) Copy of Degree in Law.
  - b) Copy of Enrolment certificate issued by Bar Council.
  - c) Copy of identity card issued by Bar Association/Council.
  - d) Copy of judgments of 10 cases pertaining to the relevant field for which applied.
  - e) Copy of office order/letter of empanelment issued by other

**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) No applicant the eligibility conditions and is shortlisted for the same.  
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, Real Estate Regulatory Authority, Bengaluru reserves the right to shortlist /Advocate shall be called for interaction unless he/she satisfies
- f) The candidates to be called for interaction and to be empaneled.

- f) The decision of the Competent Authority regarding short-listing and selection of the candidates shall be final.
- g) A list of shortlisted Advocates for interaction shall be uploaded on the website of the Real Estate Regulatory Authority, Bengaluru to appear before the interaction/empanelment Committee along with the date, time and venue of interaction. No individual intimation will be sent to any candidate for their appearance before the interaction/empanelment Committee.
- h) While considering the empanelment cases, if necessary, confidential enquiries may be made from the respective Bar Council/Bar Associations regarding the expertise and reputation of the Advocate.
- i) No retainer fee shall be paid to any Advocate.
- j) Written consent of the Advocates shall be obtained as to the acceptance of the rates, terms & conditions of the Corporation for empanelment, as amended from time to time.

#### **6. CONFLICT OF INTEREST:**

The Advocate shall not advise any party or accept any case against the Real Estate Regulatory Authority, Bengaluru office.

#### **7. DUTIES OF EMPANELED ADVOCATES:**

- i. Timely appearance of the Counsel to contest the cases for Real Estate Regulatory Authority, Bengaluru in the Court is mandatory. Not attending the court case without any reasonable ground and notice in advance will not be accepted.
- ii. Real Estate Regulatory Authority, Bengaluru is free to engage any Advocate of its own choice and an empaneled Advocate shall make no claim that he/she alone should be entrusted with Real Estate Regulatory Authority, Bengaluru.

- 
- 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 Real Estate Regulatory Authority, Bengaluru 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 monthly basis to the Unit.
  - vi. If required render all assistance to special or senior Counsel engaged in a particular cases before the Supreme Court, High Court and other judicial bodies.
  - vii. The Real Estate Regulatory Authority, Bengaluru shall be informed and updated on all-important developments in the designated cases on day to day hearings basis.
  - viii. The panel Advocate shall immediately apply for the certified copies of order/ judgement immediately on decision of case and the same shall be handed over to Real Estate Regulatory Authority, Bengaluru within three days after receiving the same.
- 
- ix. That after order/judgement in the case, panel Advocate shall provide his/her opinion mentioning therein reasons for (if) any adverse order and the advice for filing an appeal from such a decision within a period of Three days after receiving the certified copy of the order/judgement.

- 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 being a panel Advocate.

**8. REMOVAL FROM PANEL:**

The Real Estate Regulatory Authority, Bengaluru reserves the right to terminate the empanelment of Advocate with one month's 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, Real Estate Regulatory Authority, instructions or going against specific instructions;
- (v) Threatening, intimidating or abusing any of the employees, officers, or representatives of RE Passing on any information relating to Real Estate Regulatory Authority to the opposite parties or their Advocates or any third party which is likely to cause any damage to the Real Estate Regulatory Authority interests;
- (vii) Giving false or misleading information to the RERA 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 Competent Authority and its decision in the matter shall be final.

  
SECRETARY  
RERA

