

## **Empanelment Policy for Lawyers**

The purpose of adopting Empanelment of Lawyers for representing on behalf of NIXI and .IN Registry and dealing with Domain dispute cases in the Court, Tribunal, Commissions, Arbitration/Mediation/Conciliation proceedings other than INDRP Domain cases, all kinds of service matters, recovery suits, police complaints, etc. This Policy is to regulate, promote and improvise quality of outcome of cases in courts, etc. The Empanelment Policy further defines the term and tenure of a Lawyer's empanelment with NIXI (National Internet Exchange of India) and .IN Registry. The Rules pertaining to Lawyer's Empanelment are as follows:-

### **Rule 1**

The Eligibility criteria for becoming a Lawyer on NIXI Panel is as follows:-

- a. A Lawyer should be a citizen of India.
- b. A Lawyer shall be a highly qualified person i.e. minimum of Bachelor of Laws (LL.B) or Master of Laws (LL.M), registered with any Bar Council. A Lawyer should have an experience of at least 10 years and should have an expertise of handling Court cases, complaints, suits, etc. Also, any person who has an experience of at least 10 years working as a legal officer in corporate office shall also be eligible to become a lawyer on NIXI Panel. A Lawyer should have experience in following areas (one or more areas):-
  - i. Intellectual Property Laws and Cyber Laws specifically Domain related laws;
  - ii. Taxation;
  - iii. Service matters namely Employee-Employer relations, Labour Law;
  - iv. Contract Act or Management Laws;
  - v. Civil Laws.
- c. A Lawyer shall be a person against whom no vigilance or police case or court proceedings or disciplinary proceedings before Bar Council are pending or decided.

Also, a Lawyer should not have been convicted by a court of Law for a criminal and/or a civil misdemeanor which calls into the question as to a Lawyer's ability to act as a panelist.

- d. Appointment of a Lawyer shall be done by competent Authority of NIXI with final approval of CEO (Chief Executive Officer).
- e. Lawyers having specialization and qualification of Intellectual Property Rights Laws, Cyber Laws and taxation will be given preference.
- f. Lawyers with qualification and specialization of practice in the stream of taxation laws shall be dealt with separately.
- g. A Lawyer shall be not below the age of 35 years.

## **Rule 2**

Empanelled Lawyer/Advocate can themselves get register as Arbitrator if her or she wishes so.

## **Rule 3**

If lawyers are more than the vacancy, then a committee will be constituted by CEO-NIXI who will recommend the names of the lawyers to be selected.

## **Rule 4**

An Empanelled Lawyer shall have an obligation to act fairly and in the interest of NIXI / .IN Registry.

## **Rule 5**

Empanelled Lawyer shall disclose his conflict of interest with NIXI / .IN Registry, if any, before taking up a case/matter. An Empanelled lawyer, during the process of empanelment will not work directly or indirectly against the interest of NIXI.

**Rule 6**

The term of Lawyer's empanelment shall be for a tenure of 3 years from the date of their appointment. After completion of 3 years, the empanelment of Lawyer shall cease to exist.

**Rule 7**

Reappointment of a Lawyer shall be considered after completion of a gap of 1 (One) year from the date of completion of their earlier empanelment.

**Rule 8**

The cases will be allotted to lawyers as per the roaster. Competent empanelled lawyer may be allotted some legal consultancy work by CEO-NIXI, if required.

**Rule 9**

Empanelled Lawyer shall send all communications, court orders and updation of status of cases/suits/complaints, etc. from time to time to Legal Officer of NIXI.

**Rule 10**

A Lawyer shall be paid fee of Rs. 5,000 per hearing. Fee payable to a Lawyer towards case preparation shall be Rs.20,000. There is no retainership fee to any of the lawyers on Panel. In case, an empaneled lawyer is to travel outstation pertaining to Court case, arbitration, etc. for NIXI, he or she will also be entitled to **Travelling Allowance** and **Daily Allowance** as specified below:-

**Boarding and Lodging Expenses** entitlement limits have been set by classifying 3 categories:

**Category A-** Mumbai, Delhi, Chennai, Kolkata, Bangalore, Hyderabad, Ahmedabad, Pune and other state capitals.

**Category B-** Vishakhapatnam, Nagpur, Ludhiana, Agra, Allahabad, Varanasi, Indore, Kanpur, Baroda, Cochin, Jodhpur, Amritsar, Gwalior, Jabalpur, Jamshedpur, Ajmer, etc.

**Category C-** All other locations.

The reimbursement expenses limit on **Lodging** and **Daily Allowances**, applicable during the business trip and corresponding to each place category have been listed below: -

BOARDING & LODGING			DAILY ALLOWENCE		
A	B	C	A	B	C
On Actual	On Actual	On Actual	Rs.800	Rs.700	Rs.600
Rs.7,000	Rs.6,000	Rs.5,000			

Submission of hotel bills is mandatory for claiming the aforesaid. However, in case, no bills/invoices are submitted for claiming Daily Allowance, an amount of Rs.200 only shall be paid towards it.

Travel by Taxi/Ola cab/other cabs is permitted on submission of actual bills. Travel via 2AC Tier will be applicable. Travel via Air in Economy Class Flight is permitted with prior approval of CEO-NIXI.

#### **Rule 11**

The case will be allotted to a Lawyer as per specialization and skill. Case allotment to an empanelled lawyer shall be as per next in alphabetical sequence of Roaster of same skill. There may be a possibility that a lawyer may not get any case during his or her tenure of empanelment.

#### **Rule 12**

A lawyer shall be removed if he or she is found guilty of professional misconduct/ contempt of court or because of mishandling of the cases/suit/complaint, etc. after being given a show cause notice of 5 calendar days from the date of its receipt/delivery. Removal of a Lawyer shall be done by competent Authority of NIXI with final approval of CEO (Chief Executive Officer).

**Rule 13**

Termination of an empanelled Lawyer before completion of his or her tenure shall be as per the order of CEO-NIXI.

**Rule 14**

The number of Lawyers to be empanelled will be maximum of 12 in number. Out of total 12 number of lawyers, at least 50% of total strength shall be lawyers specialized and experienced in Contract Laws.

<b>Area of Specialization</b>	<b>Number of Lawyers</b>
Contract Laws	6
Other legal matters namely Intellectual Property Laws, Personal and other service matters laws, etc.	6
Total	12