



**STATE INFRASTRUCTURE AND INDUSTRIAL DEVELOPMENT
CORPORATION OF UTTARAKHAND LTD.**

Regd. Off. 29 , IIE Sahastradhara Road, IT Park, Dehradun-248001
Ph- 0135-2708100, 2608092 Fax - 0135-2708109 Website:- www.siidcul.com

No. /SIIDCUL/CS/2020

Date:

**NOTICE INVITING APPLICATION FOR THE
EMPANELMENT OF ADVOCATES/LAW FIRMS
FOR REPRESENTING SIIDCUL IN CASES BEFORE
VARIOUS COURTS/TRIBUNALS/JUDICIAL/ ARBITRATION FORUMS**

Applications are invited for empanelment of Advocates/Law firms for representing SIIDCUL in various Courts/Judicial/Arbitration Forums in the prescribed formats latest by 14th of August, 2020 by 5.00 pm. For details please visit Company Website www.siidcul.com.

Managing Director
SIIDCUL

NOTICE INVITING APPLICATION FOR THE EMPANELMENT OF ADVOCATES/LAW FIRMS FOR REPRESENTING STATE INFRASTRUCTURE AND INDUSTRIAL DEVELOPMENT CORPORATION OF UTTARAKHAND LIMITED (SIIDCUL) IN CASES/PROCEEDINGS BEFORE VARIOUS COURTS/TRIBUNAL/JUDICIAL FORUMS

On behalf of State Infrastructure and Industrial Development Corporation of Uttarakhand Limited (SIIDCUL), application/proposal for the empanelment of advocates/Law Firms (in addition to advocates already empanelled) for representing on behalf of SIIDCUL before various Courts/Tribunals/Judicial or Arbitration Forums are invited as per details given below:-

- | | |
|--|-------------------|
| 1. For Supreme Court | One |
| 2. For High Court at Nainital | Two |
| 3. For Arbitration Cases at Dehradun | Two Advocates |
| 4. For District Courts at Dehradun, Haridwar and Udham Singh Nagar Districts | One Advocate each |

The practicing advocates/Law Firms of advocate(s) who are registered with the Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and conditions and the application format in which the application has to be made, have been annexed with this.

Eligible practicing advocates/Law Firms must submit their application in the applicable format prescribed in “Annexure A1 or Annexure A2” as the case may be and “Annexure B” with all the supporting documents in a sealed envelope to:-

**Managing Director
State Infrastructure and Industrial
Development Corporation of Uttarakhand Ltd.
(SIIDCUL)
29, IIE Sahastradhara Road, IT Park,
Dehradun- 248001**

The envelope should be superscribed with “ **Application for Empanelment of Advocates/Law Firms for SIIDCUL**” The last date of receiving Applications in the prescribed format along with supporting document is **14-08-2020 till 17.00 hours**. Application for empanelment at SIIDCUL does not confer any right/ assurance whatsoever; to an applicant that he/ she will be empanelled on the panel of SIIDCUL.

REQUIREMENT OF ADVOCATES/LAW FIRMS FOR EMPANELMENT

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates for different Courts/Tribunals:-

1. Eligibility of Empanelment

Before filling the application form, the applicants are advised to carefully read the following eligibility criteria, instructions and terms & conditions for the empanelment of Advocates in SIIDCUL:-

- i) Applicant Advocate (**In case of Law Firms Concerned Partner/Proprietor**) should have been enrolled/registered as an advocate with the State Bar Council/Bar council of India. For Supreme Court the applicant should additionally be registered as Advocate on Record (In case of Law Firms, the Proprietor or at least one of the Partners).
- ii) Applicant Advocate (**In case of Law Firms Concerned Partner /Proprietor**) should have a minimum, experience of **Five Years** of handling cases before a Court/Statutory Body with a fair knowledge of legal principles, good drafting and presenting skills and should have experience of dealing with cases regarding Constitutional Law, Commercial Contract, Service Laws, Transfer of Properties and Land related matters, Environment Law, Corporate Laws and Arbitration matters. (Should have handled at least five cases independently concerning any of the above matters in the Court for which empanelment is required).

2. Tenure of Empanelment

The initial empanelment will be for two years from the date of empanelment, Performance of empanelled advocates shall be reviewed at regular interval for continuance in the panel of Advocate.

3. Procedure for Empanelment

- a. The applicant advocate/law firms must apply on the format prescribed by the SIIDCUL only. No other format will be entertained.
- b. Any application received after the last date prescribed in the advertisement shall not be entertained.
- c. If found necessary applicants may be called for interview/interaction. No applicant advocate/law firms shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- d. Depending upon the requirement and number of applications received, SIIDCUL reserves the right to shortlist the candidates to be called for interview/interaction and to be empanelled.
- e. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interview/interaction and to be selected.
- f. The decision of the Managing Director, SIIDCUL regarding the short listing and selection of the candidates shall be final.
- g. Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- h. A list of shortlisted applicants with the date, time and venue of interview will be uploaded on our website i.e. SIIDCUL www.siidcul.com
- i. The applicant advocate shall bring original documents at the time of interview.

- j. The list of selected advocates/law firms will be made available on SIIDCUL website www.siidcul.com. Letter to applicant advocates/law firms confirming their empanelment will be issued by SIIDCUL separately.

4. TOR: Term of Reference

1. The empanelled Advocate/Law Firms shall not advise any party or accept any case in which SIIDCUL is a respondent or in which he/she has appeared or is likely to be called upon to appear for SIIDCUL or advice in anyway any party in a matter which is likely to affect or lead to litigation against SIIDCUL.
2. Timely appearance of the Counsel to contest the cases for SIIDCUL in the court is a must. His/her absence in the Court/Tribunal, without any reasonable ground and notice in advance, will not be accepted.
3. SIIDCUL will send the information to the panel advocates through email regarding entrustment of a case and after receiving the e-mail, it is duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned person/office at the earliest.
4. SIIDCUL 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 SIIDCUL's legal matter (s).
5. 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.
6. The advocates shall accept the terms and conditions of the empanelment as determined by the SIIDCUL from time to time.
7. In order to ensure that there is effective check on the cases being conducted, the Advocate on the panel must report the status of the cases after each date of hearing. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
8. If required render all assistance to special or senior Counsel engaged in a particular cases before the High Court and other judicial bodies.
9. Keep SIIDCUL 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 orders /judgment etc.
10. Furnish monthly statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
11. When any case attended by him/her is decided against the Organization, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).
12. 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to SIIDCUL within seven days (excluding the time taken by the court in preparation of the copy) from the date of judgment.
13. The empanelled Advocate shall not enter into any compromise or agree to grant any concession or move any statement in courts to that effect in any matter without prior permission in writing of SIIDCUL.

5. Exit Clause:

SIIDCUL reserves the right to terminate the empanelment of an advocate with one month's notice in writing without assigning any reason. The advocate may also resign from the Organization 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 Advocate.

- (i) Giving false information in the application for empanelment;
- (ii) Failing to attend the hearing of the case without any sufficient reason and/or prior information;
- (iii) Not acting as per SIIDCUL's instructions or going against the specific instructions;
- (iv) Threatening, intimidating or abusing any of the SIIDCUL's employees, officers, or representatives;
- (v) Passing on information relating to SIIDCUL's case to the opposite parties or their advocates or any third party which is likely to cost any damage to the SIIDCUL's interests;
- (vi) Giving false or misleading information to the SIIDCUL relating to the proceeding of the case;
- (vii) Seeking frequent adjournment or not objecting to the adjournment moved by other party without sufficient reason; and frequent absence from the Court proceeding even if "pass over" or "Proxy" is obtained by an advocate.

6. Remuneration Quoted:

- (i) Quote the remuneration in Annexure-B.
- (ii) No retainer fee shall be paid to any panel Advocate merely because such advocate has been empanelled.
- (iii) Based on the proposal 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.

**Managing Director
SIIDCUL**

ANNEXURE-A1**APPLICATION FORM FOR THE EMPANELMENT OF ADVOCATE IN SIIDCUL****(For Individuals)**

(TO BE FIELD IN BY ALL APPLICANT ADVOCATES)

<u>Court(s)/Tribunals/Matters for which empanelment requested:- (Pl. specify)</u> (Applicant must have prior experience of handling the cases in the forum for which empanelment is requested)	
A- PERSONAL DETAILS (In Block Letters)	
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
10	PAN No.

B- Details of Educational qualifications

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

Other Professional Exams					

C-Experience Details

1	2	3
Name of the Department/PSU/Statutory Body/ Autonomous Body for which cases handled	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. Infrastructural facilities available with the applicant (Please tick if available) be mentioned provided below:

1	2	3	4	5
Sl. No.	Office space (in square meters)	Office clerk (no.)	Steno/typist (no.)	Support staff (no.)

H. No. of cases, handled earlier:- (Documentary proof must be attached) Minimum Five Cases should be mentioned:- (Additional Sheet may be attached if necessary)

1	2	3	4
S.No.	Court/Tribunal/Arbitration Tribunal	Type/Nature of Case	On whose behalf

I. Whether the applicant has been engaged (through Vakalatnama) 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

J. Whether Income Tax return filed for the last three years Yes/No (If yes, Please attach the copies of the ITRs.)

K. Details of Bank Account:-

1	2	3
Name of Bank & Address	Account Number and Type	IFSC Code

L. 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

M. 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

N. 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):

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**Signature of the
Applicant Advocate**

ANNEXURE-A2**APPLICATION FORM FOR THE EMPANELMENT OF LAW FIRM IN
SIIDCUL**

(TO BE FIELD IN BY ALL APPLICANT LAW FIRMS)

<u>Name of the Firm</u>					
Court(s)/Tribunals/Matters for which empanelment requested:- (Pl. specify) (Applicant must have prior experience of handling the cases in the forum for which empanelment is requested)					
A- PERSONAL DETAILS OF THE CONCERNED PARTNER/PROPRIETOR (In Block Letters)					
1	Name in FULL				
2	Father's/Husband's Name				
3	Date of Birth				
5	Address for correspondence with PIN and phone No.				
6	Address of office/chamber, if any, with PIN and phone No.				
7	Mobile No.				
8	E-Mail ID				
9	PAN No.				
B- DETAILS OF EDUCATIONAL QUALIFICATIONS					
1	2	3	4	5	6
Examination Passed	Name of the Board/University /Institution	Class or Division or Grade	% of Marks	Subjects	Year of Passing
LLB/ Law Graduate					
Post-Graduation					
Other Professional Exams					
<u>DETAILS AS REGARD TO FIRMS</u>					
1	Date of Incorporation				

2	Legal Status of the Firm (Proprietorship/Partnership/LLP/Company etc.)	
3	Total Number of Partners of Firm	
4	Name of all the Partners along with their Registration Number with Bar Council.	
5	Details of Office/Offices of the Firm along with area, staff and other infrastructure facilities.	
6	Annual Average turnover of the Firm	
7	Whether the Firms' Associate/Partner can be present at the SIIDCUL office for discussion/consultation as and when required (Yes/No)	
8	Whether the applicant is currently on the Panel of any other Government Department/PSU/Statutory Body/Autonomous Body etc. If yes give the details (Name, Date of Letter of Empanelment, Period) (Self-certified Copy of the Office Order/ letter of empanelment may be attached)	
9	No. of cases, handled earlier:- (Documentary proof must be attached) Minimum Five Cases should be mentioned:- (Additional Sheet may be attached if necessary)	
10	Whether Income Tax return filed for the last three years Yes/No (If yes, Please attach the copies of the ITRs.)	
11	Details of Bank Account (Name of Bank & Address, Account Number & Type, IFSC Code)	
12	Any additional information, which will further the candidature, may be mentioned (Documentary proofs may be attached):	

**Signature of the
Applicant**

ANNEXURE-B**FINANCIAL PROPOSAL FOR WORKING AS EMPANELLED ADVOCATE/LAW FIRM:-**

SI. No.	Item of Work	Fees		
		Junior Advocate	Middle Level Advocate/ Advocate on Record	Senior Advocate
1	Fee for Drafting Claims/Counter Claims/Settlement/ Writ Petition /Plaint /Counter Affidavit /Written Statement /replication / Injunction Application and Objections			
2	Fee for drafting Misc. Application/Interlocutory Applications			
3	<p>Fee for appearance in court per matter for effective hearing (Connected matters would be treated as one and fees for appearance would be paid accordingly)</p> <p>Effective hearing would mean a hearing in which either one or both the parties involved in a case are heard by the court on the facts or Law of the case. If the case is mentioned by the other side and adjourned or when only directions are given or only judgment is delivered by the court, the same would not constitute an effective hearing.</p>			
4	Drafting of Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance/ obtaining the number and taking date for hearing.			
5	Fee for Appearance before the Arbitrator			
6	Fee for written Legal Opinion			
7	Fee for conference (per hour)			
8	Drafting of Legal Notice /reply			
9	Fee for filing admission /denial of documents			
10	Others (Pl. Specify)			

Note I- Criteria for determining the level of Advocate will be generally as under:-

- a) Junior advocate includes Advocate up to 7 years of active practice at Bar
- b) Middle Level Advocate includes more than 7 years of Active practice at Bar
- c) Sr. Advocate means Sr. Advocate as designated by the High Court or the Supreme Court.

Note II-

- a) The Court shall mean and include Supreme Court of India /All High Courts/District Courts/Arbitration Forum / Tribunal and Service Tribunals
- b) 10% Clerkage will be paid in addition to legal service fee.
- c) Other expenditure (Misc.) will be paid as per actual subjected to the approval of the competent authority.

UNDERTAKING

- 1) 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.
- 2) I also undertake to maintain absolute secrecy about the cases of the SIIDCUL as required under the Act, Rules and Regulations there under.
- 3) I also undertake to return all case files and records to the SIIDCUL as and when required by SIIDCUL.
- 4) 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 SIIDCUL.

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.

Signature of Advocate

Enrolment Number

Mobile Number

Place and Date:-