

**NATIONAL HIGHWAYS & INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITED**
1st and 2nd Floor, World Trade Centre, Tower-A, Nauroji Nagar, New Delhi - 110029



EXPRESSION OF INTEREST (EOI)
FOR
EMPANELMENT OF ADVOCATES AND LAW FIRMS FOR LITIGATION PURPOSES
FOR NHIDCL, HQ

DATE: 10.03.2025

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

NHIDCL/Legal/SeniorCounsel/2017/44

Dated:10.03.2025

The Expression of Interest (EOI) for empanelment of Advocate(S). (I) Advocate(S) with 18 years and more years of experience (II) With 08 or more year experience but less than 18 years of experience. (III) Advocate with less than 08 years of experience (IV) Law Firm(s).

National Highways & Infrastructure Development Corporation Ltd. (hereinafter referred as 'NHIDCL') is a Public Sector Enterprise under the Ministry of Road Transport and Highways, Govt. of India. The Corporation promotes surveys, establishes, designs, builds, operates, maintains and upgrades National Highways and Strategic Roads, including interconnecting roads in parts of the country which share international boundaries with neighbouring countries. NHIDCL's Corporate Office is located in Delhi at 1st and 2nd Floor, World Trade Centre, Tower 'A', Nauroji Nagar Delhi – 110029. Further, details of the organization can be obtained from our website www.nhidcl.com.

- 1.1. NHIDCL intends to empanel professionally managed and experienced Advocates and Law Firms to assist NHIDCL in various legal matters relating to its PPP Projects, non-PPP projects or any other projects / consultancy / service matters etc. This empanelment shall be valid for a period of 2 (Two) years. The authority may extend the empanelment period at its discretion.
- 1.2. Advocates/ Law Firm with experience as mentioned in the Terms of Reference are invited to submit their application for the same.
- 1.3. The Advocates & Law Firms will be empanelled separately under each of the categories as mentioned above.
- 1.4. Only one application shall be submitted to NHIDCL by each Advocate/ Law Firm. The evaluation for empanelment will be carried out accordingly.

2. Schedule of Eoi process:

The NHIDCL shall endeavour to adhere to the following schedule:

Issue of Advertisement & Uploading of Eoi	10.03.2025
Last Date of Submission	24.03.2025 at 1700 hrs.
Date for opening of EOI application	DD.MM.YYYY

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3. Indicative List of Services:

An indicative list of services which would be expected to be offered by the empanelled Advocates and Law Firms are as follows:

- a. To appear/defend on behalf of NHIDCL in any litigation or arbitration cases before the Supreme Court of India, Delhi High Court, NGT Delhi, CAT, DRT, NCLAT, NCLT, District Courts other judicial forums, statutory authorities in NCR Delhi and if required outside NCR Delhi to defend NHIDCL.
- b. Take the legal opinion from Advocates / Law Firms on different Issues.
- c. Consulting in drafting of Rules/ Regulations/ Policy documents for NHIDCL relating to implementation of various construction/Consultancy work/service matter related works.
- d. To provide consultancy service for Legal Vetting of EoI documents, Request for Qualification Document, Request for Proposal Documents for selection of contractor, developer, consultants, financier, investor or any other document relevant for this purpose depending upon actual requirement.
- e. To provide consultancy service for Legal Vetting of various contract agreement which inter alia includes Development Agreement, Lease Agreement, Contract Agreement, Concession Agreement, Joint Venture Agreement, Foreclosure Agreement, MoUs, Supplementary or any other agreement relevant for this purpose depending upon actual requirement.
- f. To provide oral and/ or written Legal consultancy on issues raised by NHIDCL relating to various PPP, non-PPP projects and any other projects/consultancy work/service matter of NHIDCL.
- g. To provide oral and/ or written legal consultancy on issues raised by NHIDCL relating to other legal issues, Act, Rules, Regulation of various Indian and/ or State Act or any policy related issues as proposed by NHIDCL from time to time.
- h. Any other specialist legal services required by NHIDCL.

4. Eligibility Criteria:

The Advocates & Law Firms (the Applicant) fulfilling the following criteria may be eligible for submission of the Expression of Interest in the specified format along with relevant documents. Any form of Joint Venture / Consortium of Firms will not be allowed for participation in the empanelment process.

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4.1. General Eligibility:

1. The responding Advocates/Law Firms should be registered under the Statutes of India.
2. Advocate /Law Firms having office in Delhi NCR.
3. Advocates /Law Firms should possess the minimum post-registration experience as specified in Clause 4.2.
4. Advocates / Law Firms must have the requisite infrastructure and in-house capability to handle the work specified in the Terms of Reference.
5. Advocates / Law Firms should not have been debarred by any Central/State Government Departments/Public Sector Undertakings.
6. Law firms shall submit ITR of last three years i.e., FY 2021-2022, 2022-2023, 2023-2024.

4.2. Technical Qualification:

The applications received and complying with the General Eligibility criteria mentioned in section 4.1. of this EOI shall be evaluated as per the criteria given below:

4.2.1 Qualification, Criteria for Empanelment of Individual Advocates:

The individual Advocates shall possess experience in handling Court, as per the parameter given below:

A. ADVOCATE(S) WITH MORE THAN 18 YEARS OF EXPERIENCE

Sr. No.	Parameters	Marks
1	Length of experience in providing legal services since enrolment in the Bar Council of respective Supreme Court / High Court / Other Courts / Regulatory Authorities / etc.	Maximum 20 marks as follows: (i) More than 23 years = 20 (ii) Between 21 and 23 years = 15 (iii) Between 18 and 20 years = 10

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Sr. No.	Parameters	Marks
2	Number of Clients from Highways / Infrastructure Sector of Govt. of India / State Govt. / Autonomous Bodies, on behalf of whom minimum 3 (three) appearance were given before the Hon'ble Courts, for each client for the preceding last 3 (three) financial years. (The applicants have to submit documentary proof thereof and a list of clients).	Maximum 20 marks as follows: (i) Above 10 Clients = 20 (ii) 6 to 10 Clients = 15 (iii) 1 to 5 clients = 10
3	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept.	Maximum 20 marks as follows: 2 (Two) marks shall be given for each award passed by the Arbitral Tribunal in contractual disputes of PSU/ Govt. Dept. (Subject to submission of details/brief of the same)
4	Judgments of Hon'ble High Courts in Contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept.).	Maximum 20 marks as follows: Maximum 05 (five) marks shall be given for each case on contractual /Arbitral/ Recovery/ Writ matters of PSU/ Govt. Dept. decided by the Hon'ble High Court (subject to submission of the judgment).
5	Judgments of Hon'ble Supreme Court in Contractual/Arbitration/ Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept.).	Maximum 20 marks as follows: Maximum 05 (five) marks shall be given for each case on contractual/ Arbitral disputes of PSU/ Govt. Dept. (subject to submission of the judgment).

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B. ADVOCATE(S) WITH MORE THAN 8 YEARS BUT LESS THAN 18 YEARS

No.	Parameters	Marks
1	Length of experience in providing legal services since enrolment in the Bar Council of respective Supreme Court / High Court / Other Courts / Regulatory Authorities / etc.	Maximum 20 marks as follows: (i) Above 16 years = 20 (ii) 12 to 16 years = 15 (iii) 8 to 12 years = 10
2	Number of Clients from Highways / Infrastructure Sector of Govt. of India / State Govt. / Autonomous Bodies, on behalf of whom minimum 3 (three) appearance were given before the Hon'ble Courts, for each client for the preceding last 3 (three) financial years. (The applicants have to submit documentary proof & list of clients).	Maximum 20 marks as follows: (i) Above 10 Clients = 20 (ii) 6 to 10 Clients = 15 (iii) 1 to 5 clients = 10
3	Arbitral Awards passed in favour of the Client duly represented by the Advocate on behalf of PSU/ Govt. Dept.	Maximum 20 marks as follows: 04 (Four) marks shall be given for each award passed by the Arbitral Tribunal in contractual disputes of PSU/ Govt. Dept. (Subject to submission of details of the same)
4	Judgments of Hon'ble High Courts in Contractual/Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept.).	Maximum 20 marks as follows: Maximum Four (Four) marks shall be given for each case on contractual /Arbitral/ Recovery/ Writ matters of PSU/ Govt. Dept. decided by the Hon'ble High Court (subject to submission of the judgment).
5	Judgments of Hon'ble Supreme Court in Contractual/ Arbitration/ Recovery/ Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept.).	Maximum 20 marks as follows: Maximum 05 (five) marks shall be given for each case on contractual/ arbitral disputes of PSU/ Govt. Dept. (subject to submission of the judgment).

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C. ADVOCATE(S) WITH LESS THAN 8 YEARS EXPERIENCE

Sr. No.	Parameters	Marks
1	Length of experience in providing legal services since enrolment in the Bar Council of respective High Court / Other Courts / Regulatory Authorities / etc.	Maximum 35 marks as follows: (i) 08 Years 35 (ii) 05- 07 years 30 (iii) Below 05 years 20
2	Number of Clients from Highways / Infrastructure Sector of Govt. of India / State Govt. / Autonomous Bodies / Private Clients on behalf of whom appearance were given before the Hon'ble Courts (The applicants have to submit documentary proof thereof and a list of clients).	Maximum 35 marks as follows: (I) Above 5 Clients = 35 (ii) 3 to 5 Clients = 30 (i) 1 to 2 Clients = 20
3	Judgments of Hon'ble High Courts in Contractual/ Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept/ Private Clients).	Maximum 30 marks as follows: Maximum 05 (Five) marks shall be given for each case on contractual / Writ matters of PSU/ Govt. Dept/ Private Clients decided by the Hon'ble High Court (subject to submission of the judgment).

4.2.2 Qualification Criteria for Empanelment of Law Firms for Litigation purposes.

The Law Firms shall possess minimum 10 years of Experience in the areas of Arbitrations/Court Cases of PSUs/Govt. Departments on Contractual Disputes and Land Acquisition Matters. The applications of such Law Firms only will be taken up for other evaluation/assigning marks, as per the Criteria given below:

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S. No.	Parameters	Marks
1	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/ State Govt./ Autonomous Bodies. (The applicants/ firms have to submit documentary proof thereof and a list of clients)	Maximum 25 marks as follows: (i) Above 15 years = 25 (ii) 11 to 15 years = 20 (iii) 05 to 10 years = 15
2	No. of Litigation/cases handled on behalf of Govt. of India/ PSU/ State Govt./ Autonomous Bodies in contracts related to Highway / Infrastructure sector.	Maximum 20 marks as follows: (i) More than 15 Litigation = 20 (ii) More than 10 Litigation = 17 (iii) More than 5 Litigations = 15 (iv) More than 1 Litigations = 10
3	Arbitral Awards /Judgment passed in favour of the client duly represented by the Law Firm on behalf of PSU/ Govt. Dept. in contracts related to Highway / Infrastructure sector.	Max 10 Marks as follow: (i) More than 15 Litigation = 10 (ii) More than 10 Litigation = 7 (iii) More than 5 Litigations = 5 (iv) More than 1 Litigations = 3
4	Number of Lawyers (LLB/ LLM) enrolled in respective State Bar Council <u>(Please indicate enrolled number and enclosed a copy of the same)</u> engaged in the firm, having experience of more than 10 years in providing legal services in Highways/ Infrastructure sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants / firms have to furnish CV's of the Lawyers / Law consultant firm engaged in the firm).	Maximum 10 marks as follows: (i) Above 11 persons = 10 (ii) 6 persons to 10 persons = 7 (iii) 03 persons to 5 persons = 5 (iv) 02 Person to 03 persons = 3
5	Number of Advocate on Record (AoR) with the firm (The applicant / firms must submit proof thereof along with their proposals and enclose CV's of such professional)	Maximum 10 marks as follows: (i) 01 or More AoR = 10 marks (ii) No Advocate on Record = No Marks

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S. No.	Parameters	Marks
6	Annual average turnover during the last three years i.e. 2021-22, 2022-23 & 2023-24 (relevant certificate from CA must be appended.)	Maximum 25 marks as follows: (i) Above Rs. 50 Crore = 25 Marks (ii) Rs. 25 to 50 Crore = 20 Marks (iii) Rs. 10 to 25 Crore = 15 Marks (iv) Below Rs. 10 Crore = 10 Marks

5. Conflict of Interest

5.1. An advocate / Law firm that has represented their clients against NHIDCL in the past 2 years preceding the Eoi release date shall not be eligible for submitting Eoi.

5.2. An Applicant shall not have any conflict of interest that affects the Empanelment Process. Any Applicant found to have any Conflict of Interest shall be disqualified. An Applicant may be considered to have a Conflict of Interest that affects the Empanelment Process, if the relationship between any two Applicants are established through common holding, either directly or through Associates, of at least 25% holding of equity/profit sharing in another company/firm, or in each other.

5.3. The Applicant or Associate (or any constituent thereof) have common controlling ownership interest for Company and Partnership Firm is defined as follows:

- a. If Applicant is a Company: In such case, if the Applicant (including its Associate or any share holder thereof of Applicant and/or its Associates possessing over 25% of the paid up and subscribed capital in the Applicant or Associate as the case may be), also holds:
 - i. more than 25% of the paid up and subscribed equity capital in the other Applicant or Associate of such other Applicant; and/ or
 - ii. More than 25% of profit sharing in other Applicant or Associates of such other Applicant.
- b. If Applicant is a Partnership Firm: In such case, the Applicant (or its Partners or Associate having a profit sharing of more than 25% of such Applicant or its Partners or Associate as the case may be) also holds:

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- i. More than 25% of the paid up and subscribed equity capital in the other Applicant or Associate of such other Applicant, and/or
- ii. More than 25% of profit sharing in another Applicant or Associates such other Applicant.
- c. A constituent of such Applicant is also a constituent of another Applicant; or.
 - i. Such an Applicant receives or has received any direct or indirect subsidy from any other Applicant/s, or has provided any such subsidy to any other Applicants; or
 - ii. Such an Applicant has a relationship with another Applicants, directly or through common third parties, that puts them in a position to have access to each other's information about, or to influence the Application of either or each of the other Applicants.
 - iii. Advocates / Law Firms should not be involved in any litigation against NHIDCL on or behalf of any other party involved.

6. Submission of Eol

- 6.1. The Eol covering letter (As per format given in Annexure 1) shall be submitted in sealed hard copy having the title as "Empanelment of Advocates / Law Firms (*In the Category as applicable*) for NHIDCL".
- 6.2. All Applications shall be submitted in sealed envelope by hand / by Courier / by Speed post to the Dispatch section of NHIDCL and no application shall be submitted to any other official/Representative of NHIDCL. Failure to do so shall lead to rejection of the application.
- 6.3. The application shall include following document (including but not limited to):
 - a. EOI Covering letter (Annexure -1)
 - b. Law Firm details (Annexure 2)
 - c. Individual detail (Annexure 3) in case of Advocates.
 - d. Financial Capability of the Applicant Law Firm for fulfilment of conditions in accordance with (Annexure 4).
 - e. The Eol shall be submitted along with the undertaking of the applicant as per Annexure 5.

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- 6.4. Besides above documents, following supporting documents also need to be submitted along with the application:
- a. Certificate of Bar Council Registration/Certificate of Practice.
 - b. Partnership Deed/Certificate of incorporation (for Firms only).
- 6.5. Applicant shall submit the Eol in the prescribed format (Annexure 1) in English language only and in case of documents and certificate in other language the same shall be supported with translation in English language.
- 6.6. The Eol shall be submitted along with a covering letter together with the desired supporting documents and proof on the letter head of the Applicant and each page of the Document should be duly signed by the head or Authorized signatory of the Applicant under a seal.
- 6.7. The page numbering of each page of the Eol application should be done correctly.

7. Amendments to Eol

- a) At any time prior to the Due Date of submission of Application, the Authority may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the terms and conditions of Eol through issuance of corrigendum and addendum.
- b) Any Addendum or Corrigendum of reply to queries thus issued will be available only on the website of the NHIDCL.

8. Fraudulent and Corrupt Practices

If an Applicant is found by the NHIDCL to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the Eol Process, such Applicant shall not be eligible to participate in any tender or Eol issued by the NHIDCL.

9. Right to accept or reject Application

Notwithstanding anything contained in this invitation document, the NHIDCL reserves the right to accept or reject any Eol and to annul this Empanelment Process and reject all Eols, at any time without any liability or any obligation for such acceptance rejection or annulment, and without assigning any reasons thereof. NHIDCL, also, reserves the right to reject any Eol if:

- a) At any time, a material misrepresentation is made or uncovered, or

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b) The applicant does not submit sufficient information as being asked for.

NHIDCL at its sole discretion and without incurring any obligation or liability, reserves the right, at any time to:

- a) Suspend and/or cancel the Eol process and/or amend/supplement the Eol process or modify the dates or other terms & conditions relating thereto.
- b) Consult any applicant in order to receive any clarification or further information about the proposal,
- c) Empanel or not to empanel any applicant,
- d) Retain any information and/or evidence submitted to the NHIDCL by or on behalf of, and/ or relation to any applicant,
- e) Independently verify, disqualify, reject and/or accept any and all submissions or other information and / or evidence submitted by or on behalf of any applicant.

10. Validity of Eol

Eol shall remain valid for 120 days after the date of opening.

11. Disputes

All legal disputes are subject to the jurisdiction of courts at New Delhi only.

12. Modifications and Withdrawal of Eol Proposal

No modifications to the Eol proposal shall be allowed once it is received by NHIDCL.

13. Selection & Empanelment

The empanelment of Advocates and law firms shall be taken up as follows:

- i. In the first stage, the applications so received from applicants shall be evaluated by the Technical Evaluation Committee on the prescribed criteria.
- ii. Only such applicants shall be considered for empanelment who would score a minimum of 60 marks out of 100 in the respective categories. The minimum marks can be increased or decreased based at the discretion of NHIDCL.
- iii. Merely qualifying the minimum marks as mentioned above shall not lead to empanelment. NHIDCL exclusively reserves the right to shortlist the individuals and firms for empanelment. The size of the panel shall be finalized by NHIDCL based on the requirements and quantum of work involved.

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- iv. The number of Advocates/Law Firms to be empanelled for different court locations/categories shall be determined by NHIDCL based on its requirement.
- v. The final list will be uploaded on website of NHIDCL

14. Termination / Removal of Empanelment

If in the view of NHIDCL, the performance of empanelled Agencies/ Advocates is not satisfactory or, if the said Agencies/ Advocates has failed to safeguard the interest of NHIDCL, NHIDCL may at its sole discretion, terminate the engagement of the said Agencies / Advocates, for particular project as well as terminate the Agencies'/ Advocates' empanelment with NHIDCL. NHIDCL, in doing so, shall intimate the Agencies / Advocates in a written termination letter / mail. The decision of NHIDCL in this matter shall be final and binding.

15. Disclaimer

It is pertinent to mention that the Advocates and Law Firms already empanelled with NHIDCL need not to apply again, against this EOI. Their present empanelment would remain valid as stated in EOI dated 02.08.2024.

16. Terms and Conditions

- 16.1. The Empanelled Advocate/ Firm shall represent NHIDCL and its Officers/Officials before the Hon'ble Supreme Court of India, Hon'ble High Court & the other judicial forum on behalf of NHIDCL, in the cases assigned.
- 16.2. The empanelled Advocate/ Firm shall perform such other duties of a legal nature as may be assigned by NHIDCL.
- 16.3. The empanelled Advocate / Firm shall keep NHIDCL informed of all the developments of the matter, on its own, after every hearing and submit a case status report in writing accordingly.
- 16.4. The empanelled Advocate/Firm shall assign a representative/clerk with NHIDCL to carry out the coordination as well as to collect/ deliver/ notarize the documents/ case papers for NHIDCL.
- 16.5. NHIDCL will send the information to the empanelled Advocate/Firm through post/ email/ SMS regarding entrustment of a case and after receiving the

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communication/message, it is the duty of the panel empanelled Advocate/Firm to collect the brief/copy of the petition.

- 16.6. The empanelled Advocate/Law Firm shall be paid as per prescribed fee schedule (Schedule-I). It may please be noted that the Schedule of Fees as given is fixed. NHIDCL reserves the right to revise the fee schedule at periodic intervals or as and when may deemed necessary.
- 16.7. The fees of the empanelled Advocate/ Firm shall be paid on presentation of physical copy of invoice, along with copy of the order reflecting the name and on submission of copy of the document drafted if it is a drafting fee and/ or submission of gist of proceedings or a copy of order/judgment where it is necessary in case the claim is for appearance fee reflecting the Advocate's name. For miscellaneous expenditure like photocopy, scanning, printout, attestation etc., the invoice/ supporting documents shall be produced along with the bill, the same shall only be paid upon verification by the Officer of NHIDCL.
- 16.8. The empanelled Advocate/ Firm shall submit its bill within one (1) month from the date on which the fee has accrued.
- 16.9. No fee shall be admissible for simple adjournment sought by the empanelled Advocate/ Law Firm of NHIDCL without prior permission of NHIDCL.
- 16.10. If the judge is on leave on the date of hearing, no fee is payable.
- 16.11. One fourth fee for appearance is applicable on the following grounds:
- (a) If the adjournment sought by the opposite Advocate.
 - (b) If the matter is not taken up due to heavy board.
- 16.12. No drafting fee for condonation of delay shall be admissible if such delay in filing the pleadings has happened on the part of empanelled Advocate/ Firm.
- 16.13. The tagged/ connected matters shall be considered as one (1) matter and no fee shall be paid for the connected/ tagged matter; however, separate drafting charges and miscellaneous expenses may be paid accordingly.
- 16.14. No clerkage and/ or conveyance/ transportation/ fooding/ lodging within Delhi / NCR to the Advocates / Law Firms shall be payable.
- 16.15. Any conference by empanelled Advocate/ Firm with the Designated Senior Advocate shall be done only after the confirmation from NHIDCL.

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- 16.16. The empanelled Advocate/Law Firm shall keep NHIDCL informed in writing of all the developments in the case from time to time particularly with regard to drafting, filing of papers, dates of hearing of the case, order of the court on the dates of its pronouncement, supplying certified copies of the judgment/order.
- 16.17. When any case is attended by the Advocate/ law firm and if the same is decided against the NHIDCL then Advocate/ Law Firm shall render his/ her written opinion, without any cost, regarding next course of action/ filing of an appeal arising out of such decision/ order/judgment not later than five (5) working days from the date of receipt of copy of the judgment/ order.
- 16.18. In case of outstation legal services (appearance/ defending a matter outside Delhi / NCR, the prescribed appearance fee shall be doubled and TA, Food & Lodging shall be provided by NHIDCL. If high stakes of NHIDCL are involved, special fee may be considered and shall be mentioned in the concerned work order.
- 16.19. NHIDCL shall have the right, in exceptional cases, to sanction for payment more than the fee mentioned in the approved schedule, keeping in view the importance of the matter, labour and extra effort put in by the empanelled Advocate/ Firm in a particular case. It shall also have the power to fix the fee for eventualities which have not been mentioned in the schedule.
- 16.20. Fee of AG/ SG/ ASG/DSG are not being stipulated as they are engaged in very few important cases and their fee varies from case to case depending upon the importance/ stakes involved etc., in the matter as per Memo raised by them. Approval of Fee for such cases shall be decided by the Competent Authority depending upon requirement.
- 16.21. No retainer fee shall be paid to any empanelled Advocate/ Firm merely because such Advocate/ Law Firm is empanelled with NHIDCL.
- 16.22. The empanelled Advocate/ Firm will be engaged by NHIDCL on case-to case basis and the allocation of work shall be decided by NHIDCL at its sole discretion without assigning any reason whatsoever.
- 16.23. The empanelled Advocate/ Firm will take necessary steps to protect the interest of NHIDCL in matters entrusted to him/ her from time to time and no statement shall be made before any Court/ Tribunal without obtaining prior consent from NHIDCL.
- 16.24. Unless a case is specifically assigned, the empanelled Advocate/ Firm will not on its own receive Summons/ Notices on behalf of NHIDCL; and even if any Summon/ Notice is received and no Vakalatnama along with the engagement letter has been issued by NHIDCL, the law firm shall not otherwise deal with such cases on its own

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motion, but shall immediately inform NHIDCL about the details of the case. In addition to that, no empanelled Advocate/ Firm shall give any statement/ submission before the court without the approval of the Competent Authority of NHIDCL.

- 16.25. Refusal by any empanelled Advocates / Firms to accept any work without any reasonable cause (e.g., on grounds of conflict of interest), may entail removal of such advocate/Law firm from the panel of NHIDCL.
- 16.26. Empanelment does not confer any right or claim that the empanelled Advocate/ Firm, shall be entrusted with the work of NHIDCL.
- 16.27. The Advocate/ Law Firm, shall not use the Company's name or symbol, logo in his/ her letter heads, sign boards, name plates, advertisements, websites, etc., without explicit permission of NHIDCL.
- 16.28. In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of NHIDCL shall be final and binding and shall not be subject to challenge.
- 16.29. Any conference by the empanelled Advocate/ Firm with the NHIDCL shall be conducted with prior approval of the NHIDCL. For the purpose of Eoi the term conference shall be construed as discussion (physical/ virtual) on the matter assigned to the empanelled Advocates / Firms along with the designated officer(s) of the NHIDCL. No telephonic conversation or discussion regarding the matter assigned will be considered as conference.
- 16.30. For the purpose of payment, the conference for initial 2 hours will be paid as prescribed herein above and thereafter the same charges may be considered applicable on per hour basis.
- 16.31. In case an Advocate during the duration of empanelment exceeds the experience required in the category they have been empanelled under; they shall become eligible to request NHIDCL to upgrade their category. However, NHIDCL reserves the right to reject the request of the advocate and the decision of NHIDCL in this case shall be final and binding. In such case, the Advocate shall continue to serve in the same category that they were empanelled in till the end of empanelment period.
- 16.32. An Advocate/Law Firm based on the discretion of NHIDCL shall continue to handle a case/Arbitration/any other legal matter even if the empanelment period has expired. However, approval of Competent Authority of NHIDCL shall be required for the same.

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- 16.33. NHIDCL also reserves the right to engage Advocate/Law Firm outside of the empanelment based on its desecration and requirements and the decision of NHIDCL in this case shall be final and binding and shall not be challenged by the Advocate/Law Firm Empanelled.
- 16.34. In case NHIDCL requires Legal assistance on financial matter like GST/Taxation etc., NHIDCL reserves the right to engage Advocate/Law Firm on the NHIDCL Empanelment list or if deemed necessary outside of the empanelment based on its desecration and requirements and the decision of NHIDCL in this case shall be final and binding and shall not be challenged by the Advocate/Law Firm Empanelled.
- 16.35. NHIDCL reserves the right to cancel the empanelment based on its discretion and the same is not challengeable.
- 16.36. The performance of the empanelled Advocates/Law firms shall be reviewed after every six months and non-performing members may be de-panelled from the Panel.
- 16.37. Notwithstanding the above, NHIDCL reserves its right to review the services of Advocates/Law Firms/Sr. Advocates at any point in time and if deemed fit. NHIDCL on its own prerogative be entitled to discontinue/withdraw/close the work/brief or obtain change of Vakalatnama.
- 16.38. After completion of case or expiry of tenure or de-panelment of Advocates/Law Firm or decision to withdraw the case from the Advocates/Law Firms, either on its completion or in between, all such cases/files in the custody of the Advocates/Law Firms will be returned to NHIDCL without any demur and final payment, if any, will be made after receipt of the relevant documents/files.
- 16.39. Collection of Documents required for the legal matter shall be the responsibility of the Advocate / Law firm empanelled.
- 16.40. Advocates / Law firms empanelled shall be responsible for printing / photocopy / notarization as required and the charges for the same shall be reimbursed as per the fee schedule provided.

17. Right to Private Practice and Restrictions

- 17.1. The Advocate(s) / Law Firms shall have the right to private practice which should not, however, interfere with or be in the conflict to the efficient discharge of his duties as an empanelled Advocate/ firm of the NHIDCL.
- 17.2. The empanelled Advocates / Firms shall not give any sort of advice to the opposite party or accept any case against NHIDCL during the course of empanelment with

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

NHIDCL and cannot derive any sort of personal interest (monetary/ non-monetary) thereto.

- 17.3. If the Advocate happens to be partner of a firm of lawyers or Solicitors, it will be incumbent upon the firm not to entertain any case against NHIDCL arising in any Court/ Tribunal/ Forum.
- 17.4. During the term of Empanelment and thereafter, the Advocates/Law Firms shall maintain strict confidentiality of the matters pertaining to the NHIDCL.
- 17.5. The empanelled Advocate/ Firm shall treat all information, submitted as part of the advice/report/ submissions, in confidence and shall require all those who have access to such material to treat the same in confidence. The empanelled Advocate/ Firm may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or to enforce or assert any right or privilege of the statutory entity and/or the Authority or as may be required by law or in connection with any legal process.
- 17.6. All documents and other information provided by NHIDCL or submitted by the Counsel and all its personnel to the NHIDCL shall remain and remain the property of NHIDCL. NHIDCL will not return any submission or any information related thereto. All information collected, analysed, processed or in whatever manner provided by the Counsel and all its personal to NHIDCL in relation to the advice shall be the property of NHIDCL.

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

ANNEXURE1: FORMAT FOR COVERING LETTER

To

The GM (Legal),
NHIDCL, 1st and 2nd Floor,
World Trade Centre
Tower 'A' Nauroji Nagar
New Delhi-110029

Dear Sir,

Ref: Expression of Interest for Expression of Interest for Empanelment of Advocates/
Law Firm for NHIDCL HQ, New Delhi under (*to be mentioned by the applicant*) category.

1. Being duly authorized to represent and act on behalf of..... (Hereinafter referred to as "the Applicant"), and having reviewed and fully understood all of the information provided in the document provided by the Authority in respect of the captioned Eol, the undersigned hereby submits the Applications in response to the Eol.
2. I/We have studied the Eol document carefully and understand that we shall have no claim, right or title arising out of any documents or information provided to us by the Authority or in respect of any matter arising out of or concerning or relating to the shortlisting Process.
3. This statement is made for the express purpose of qualifying as an Applicant for the aforesaid Eol.
4. I/We shall make available to the Authority any additional information it may find necessary or require to supplement or authenticate the qualification statement.
5. I/We certify that in the last three years, we have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award, nor been expelled from any project or contract by any public authority or have had any contract terminated by any public authority or breach on our part.
6. I/We understand that you may cancel the Process at any time and that you are neither bound to accept any application that you may receive nor to invite the Applicants, without incurring any liability to the Applicants.
7. My/ Our Application is consistent with all requirements of submission as stated in the Eol Document or in any of the subsequent communication issued by the Authority. I/ We would be solely responsible for any errors or omissions in our application.

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

8. I/We understand that any omission, commission or mis-statement in facts provided by us will make our application invalid at any time during the shortlisting Process and also after the empanelment; the NHIDCL reserves the right to take appropriate action accordingly.

9. I/We understand that the NHIDCL reserves the right to accept or reject any or all the Applications and reserves the right to withhold and/or cancel the shortlisting Process without assigning any reason or otherwise.

10. I/We hereby irrevocably waive any right which we may have at any stage at law or howsoever otherwise arising to challenge or question any decision taken by the Authority in connection with the empanelment of Agencies/ Advocates, or in connection with the shortlisting Process itself, in respect of the above-mentioned activities and the terms and implementation thereof.

11. I/We agree and undertake to abide by all the terms and conditions of the EoI Document.

12. Notwithstanding any qualifications or conditions, whether implied or otherwise, contained in my/our Application, i/we hereby represent and confirm that my/our Application is unqualified and unconditional in all respects.

.....

Signature of the Authorized Person

.....

Name of the Authorized Person

Date

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

ANNEXURE 2: LAW FIRM DETAIL

S.No	Description	Particulars								
1.	Name of the Law Firm									
2.	Status (Legal entity)									
3.	Constitution									
4.	Address with Pin Code									
5.	Names of Partners/Associates									
6.	Number of Advocates employed									
7.	Date of Incorporation (Copy of Partnership deed/Certificate of Incorporation to be enclosed)									
8.	Contact person (Management)									
9.	Contact number									
10.	Fax No.									
11.	Mobile No.									
12.	Email Id.									
13.	Web address									
14.	Details of PAN (Copy of PAN Card to be furnished)									
15.	Details of GST Registration No. (Copy of GST Registration number to be furnished)									
16.	A copy of complete Eoi document duly signed and sealed as a token of acceptance of all terms and conditions									
17.	Period of practice & Areas of Specialization									
18.	Brief list of clients e.g. Govt. Departments /PSUs									
19.	Whether Counsel / Pleader of any Govt. Departments /PSUs (indicate period)	Name of Dept./PSU : On Panel : From _____ to _____ Avg. No. of matters assigned by Dept./ PSU in a Year _____								
20.	Details of Experience /practice in the relevant field – To be provided separately for each category	<table border="1"> <thead> <tr> <th>S.No.</th><th>Area of Practice</th><th>Courts/ Tribunals /Authorities</th><th>Period of practice</th></tr> </thead> <tbody> <tr> <td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	S.No.	Area of Practice	Courts/ Tribunals /Authorities	Period of practice				
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**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

S.No	Description	Particulars				
	chosen for empanelment in the table (most relevant first)			before which practiced		
		1.	Contractual Disputes			
		2.	Land Acquisition Matters			
21.	Details of cases defended by the firm on behalf of PSU/ Govt. Department. (to be provided separately for each category chosen for empanelment viz Contractual Disputes and Land Acquisition matter):	(a) Before Arbitral Tribunals				
		S.No.	Title of Arbitral matter	Date of Award	Details of Tribunal	Copy of Award / Brief (attach the proof of association with this matter)
		(b) Before Hon'ble High Court				
		S.No.	Title of matter/Case details	Citation	Date of Judgment	Name of Court & details of Bench (Single/DB)
		Landmark Judgments				
		S.No.	Title of matter/Case details	Citation	Date of Judgment	Name of Court & details of Bench (Single/DB)
		(c) Before Hon'ble Supreme Court				

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

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22.	Details of profiles of Partners/Sr. Associates/Associates	<table border="1"> <thead> <tr> <th>Name of the Partners/Sr Associates/ Associates</th><th>Name of University/Law/College /Institute/year of law Graduation</th><th>Year of Enrolment & Bar Membership No.</th><th>Total Cases handled so far</th><th>Years of experience in the relevant field</th></tr> </thead> <tbody> <tr> <td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>					Name of the Partners/Sr Associates/ Associates	Name of University/Law/College /Institute/year of law Graduation	Year of Enrolment & Bar Membership No.	Total Cases handled so far	Years of experience in the relevant field					
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23.	Details of Juniors / Associates available for Legal Work (with more than five years of experience):	<table border="1"> <thead> <tr> <th>Name of the Advocate / Junior / Associate</th><th>Name of University / Law College / Institute / years of Law Graduation</th><th>Year of Enrolment & Bar Membership No.</th><th>Total Cases handled</th><th>Years of Experience in the relevant field</th></tr> </thead> <tbody> <tr> <td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>					Name of the Advocate / Junior / Associate	Name of University / Law College / Institute / years of Law Graduation	Year of Enrolment & Bar Membership No.	Total Cases handled	Years of Experience in the relevant field					
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25.	Supporting documents, duly signed and stamped, as per the															

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

S.No	Description	Particulars
	Technical Qualification criteria mentioned in 5.1. &5.2.a.	
26.	Any other relevant information	

.....

Signature of the Authorized Person

.....

Name of the Authorized Person

Date

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

ANNEXURE 3: INDIVIDUAL ADVOCATE DETAIL

S.N o.	Description	Particulars				
1.	Name of the Advocate					
2.	Date of Birth					
3.	Address with Pin Code					
4.	Contact number					
5.	Fax No.					
6.	Mobile No.					
7.	Email Id.					
8.	Web address					
9.	Details of PAN (Copy of PAN Card to be furnished)					
10.	Educational Qualifications (Please provide copy)	S.No.	Degree/Course	Institute/ College/ University	Year of Passing	
11.	Certificate of Practice and Experience Certificate Issued by Bar Council of India/ Bar Council of State/ Supreme Court Bar Association (Please provide copy)					
12.	Details of Post Qualification Experience (Please provide copy as applicable)	S.No.	Date of enrolment of name in Bar Council/ (attach a copy of enrolment certificate)	Date of designation as Advocate (attach a copy of proof thereof)	Court where the advocate is regularly practicing	
13.	A copy of complete Eol document duly signed and sealed as a token of acceptance of all terms and conditions					
14.	Period of practice & Area of Specialization					
15.	Brief list of clients e.g. Govt. Departments /PSUs					
16.	Whether Counsel / Pleader of any Govt. Departments /PSUs (indicate period)	Name of Dept./PSU : On Panel : From _____ to _____ Avg. No. of matters assigned by Dept./ PSU in a Year _____				

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

S.No.	Description	Particulars				
17.	Details of Experience /practice in the relevant field – To be provided separately for each category chosen for empanelment in the table (most relevant first)	S.No.	Area of Practice	Courts/Tribunals/Authorities before which practiced	Period of practice	
		1.	Contractual Disputes			
		2.	Land Acquisition Matters			
18.	Details of cases defended by the Advocate on behalf of PSU/ Govt. Department. (to be provided separately for each category chosen for empanelment viz Contractual Disputes and Land Acquisition matter):	(a) Before Arbitral Tribunals				
		S.No.	Title of Arbitral matter	Date of Award	Details of Tribunal	PI provided copy of Award/Brief (attach the proof of association with this matter)
		(b) Before Hon'ble High Court				
		S.No.	Title of matter/Case details	Citation	Date of Judgment	Name of Court & details of Bench (Single/DB)
		Landmark Judgments				
		S.No.	Title of matter/Case details	Citation	Date of Judgment	Name of Court & details of Bench (Single/DB)

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

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19.	Details of Juniors / Associates available for Legal Work (with more than five years of experience):	Name of the Advocate / Junior / Associate	Name of University / Law College / Institute / years of Law Graduation	Year of Enrolment & Bar Membership No.	Total Cases handled	Years of Experience in the relevant field																				
20.	Details of Juniors / Associates available for Legal Work (with less than five years of experience):	Name of the Advocate / Junior / Associate	Name of University / Law College / Institute / years of Law Graduation	Year of Enrolment & Bar Membership No.	Total Cases handled	Years of Experience in the relevant field																				
21.	Supporting documents, duly signed and stamped, as per the Technical Qualification criteria mentioned in 5.1. & 5.2.b.																									

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

S.N o.	Description	Particulars
22.	Any other relevant information	

.....

Signature of the Authorized Person

.....

Name of the Authorized Person

Date

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

ANNEXURE 4: FINANCIAL CAPABILITY OF APPLICANT LAW FIRM

S.No.	Financial Year	Annual Turnover*
1.	2023-2024	
2.	2022-2023	
3.	2021-2022	
Average Annual Turnover (Rs)		

.....

Signature of the Authorized Person

.....

Name of the Authorized Person

Date

Note: The annual turnover certificate should be certified by CA and backed by UDIN number.

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

ANNEXURE 5: UNDERTAKING BY APPLICANT

1	Is the applicant currently involved in any litigation against NHIDCL? If yes: give details:	Yes/No
2	Has the applicant or any of its constituent partners been blacklisted/ deregistered by any agency in India during the last 3 years from the last date of submission of applications. If yes, give details:	Yes / No
3	Has the applicant or any of its constituent partners failed to perform on any contract work in India during the last 3years from the last date of submission of applications? If yes, give details:	Yes / No

It shall be deemed that by submitting the Eoi, the applicant under takes the following:

- a) They acknowledge and accept the risk of inadequacy, error or mistake in the information provided in this invitation document or furnished by or on behalf of . NHIDCL.
- b) They are not involved in any ongoing arbitration/ legal proceeding against NHIDCL on or behalf of any other party involved.
- c) There shall be no future conflict of interest between NHIDCL and the empanelled Advocate/Law Firm.
- d) Law Firms/Advocates must practice Firewall Policy within to deal with contrary interests or confidential information.

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

Note: If any information in this schedule is found to be incorrect or concealed, qualification application will summarily be rejected.

.....

Signature of the Authorized Person

.....

Name of the Authorized Person

Date

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

Schedule-I: FEE SCHEDULE

A. ADVOCATE(S) WITH MORE THAN 18 YEARS OF EXPERIENCE		
1	Fee for per effective appearance before the Supreme Court of India	40,000/-
2	For appearance before the High Court of Delhi, National Green Tribunal, Arbitral Tribunal and all other Courts/Tribunals	30,000/-
3	Conference	10,000/-
4	Written opinion	20,000/-
5	Drafting of Statement of Claim/ Statement of Defence /Rejoinder/Affidavit/Rejoinder to the application in Arbitration Matters.	Rs 250/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to a maximum of Rs 40,000/- and minimum of Rs 20,000/- per document irrespective of number of pages in the document. The page margins spacing, indents etc. shall be as per the court norms
6	Written Synopsis / convenience compilation.	15,000/-
7	Drafting of pleadings other than arbitration matters.	25,000/-
8	Condonation of delay, Caveat, Interim Application, Miscellaneous applications, affidavit, etc.	Rs 7,000/-
9	Miscellaneous expenses such as Court Fee/photocopy/ binding/soft copy preparation/typing etc.	As per actual bills

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

B. ADVOCATE(S) WITH MORE THAN 8 YEARS BUT LESS THAN 18 YEARS		
1	Fee for per effective appearance before the Supreme Court of India	25,000/-
2	For appearance before the High Court of Delhi, National Green Tribunal, Arbitral Tribunal and all other Courts/Tribunals	15,000/-
3	Conference	8,000/-
4	Written opinion	15,000/-
5	Drafting of Statement of Claim/ Statement of Defence /Rejoinder /Affidavit/Rejoinder to the application in Arbitration Matters.	Rs 250/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to a maximum of Rs 30,000/- and minimum of Rs 18,000/- per document irrespective of number of pages in the document. The page margins spacing, indents etc. shall be as per the court norms
6	Written Synopsis/convenience compilation.	10,000/-
7	Drafting of pleadings other than arbitration matters.	18,000/-
8	Condonation of delay, Caveat, Interim Application, Miscellaneous applications, affidavit, etc.	Rs 5,000/-
9	Miscellaneous expenses such as Court Fee/photocopy/ binding/soft copy preparation/typing etc.	As per actual bills

C: ADVOCATE(S) WITH LESS THAN 8 YEARS EXPERIENCE		
1	Fee for per effective appearance before the Supreme Court of India	20,000/-

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

C: ADVOCATE(S) WITH LESS THAN 8 YEARS EXPERIENCE		
2	For appearance before the High Court of Delhi, National Green Tribunal, Arbitral Tribunal and all other Courts/Tribunals	12,000/-
3	Conference	5,000/-
4	Written opinion	10,000/-
5	Drafting of Statement of Claim/ Statement of Defence/Rejoinder /Affidavit/Rejoinder to the application in Arbitration Matters.	Rs 250/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to a maximum of Rs 20,000/- and minimum of Rs 15,000/- per document irrespective of number of pages in the document. The page margins spacing, indents etc. shall be as per the court norms
6	Written Synopsis/convenience compilation.	8,000/-
7	Drafting of pleadings other than arbitration matters.	15,000/-
8	Condonation of delay, Caveat, Interim Application, Miscellaneous applications, affidavit etc.	Rs 4,000/-
9	Miscellaneous expenses such as Court Fee/photocopy/ binding/soft copy preparation/typing etc.	As per actual bills

D. LAW FIRM(S)

Sr. No.	Item	Supreme Court	High Court/ NGT, Debts Recovery Tribunal	District Court	Arbitral Tribunal and any other Tribunal
1	Fee per appearance	40,000/-	30,000/-	15,000/-	20,000/-
2	Conference	10,000/-	9,000/-	8,000/-	9,000/-

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

Sr. No.	Item	Supreme Court	High Court/ NGT, Debts Recovery Tribunal	District Court	Arbitral Tribunal and any other Tribunal
3	Drafting of pleadings	25,000/-	20,000/-	15,000/-	Rs 250/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to a maximum of Rs 40,000/- and minimum of Rs 20,000/- per document irrespective of number of pages in the document. The page margins spacing, indents etc. shall be as per the court norms
4	Written Synopsis/convenience compilation.	15,000/-	13,000/-	9,000/-	13,000/-
5	Condonation of delay, Caveat, Interim Application, Misc Applications, affidavit, etc.	12,000/-	8,000/-	5,000/-	8,000/-
6	Miscellaneous expenses such as Court Fee/photocopy/binding/soft	As per actual bills	As per actual bills	As per actual bills	As per actual bills

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF ADVOCATES & LAW FIRMS
FOR NHIDCL, HQ**

Sr. No.	Item	Suprem e Court	High Court/ NGT, Debts Recovery Tribunal	District Court	Arbitral Tribunal and any other Tribunal
	copy preparation/ typing, etc.				

.....

END OF THE DOCUMENT