

EXPRESSION OF INTEREST FOR EMPANELMENT OF ADVOCATES / LAW FIRMS

Indian Port Rail & Ropeway Corporation Limited (IPRCL) proposes to constitute a panel of Advocates/Law firms for handling its various legal matters/ litigation in various Courts/Tribunals/ Forums/Authorities. The detailed Expression of Interest (EOI), including the scope of work, eligibility criteria is given below.

Indian Port Rail & Ropeway Corporation Limited (IPRCL) was incorporated under the Indian Companies Act, 2013 10.07.2015 with the main objective to undertake last mile rail connectivity project to Major ports, modernisation of rail infra in ports and manage internal port Railway system services and consultancy services in India and abroad in mainly in the fields of railway, ROBs, Roads, Ropeway other multi-modal transports infra. IPRCL is a schedule 'B' equivalent JV company under Ministry of Ports, Shipping and Waterways. It's Registered Office is at New Delhi and Corporate Office is at Mumbai. The authorised share and paid-up capital of the company are Rs. 500 Crore and 100 Crores respectively as on 31.03.2023. The indirect shareholding of the Ministry of Ports, Shipping & Waterways through Major ports in the Company is 90% as on 31.03.2023.

The Advocates/Law firms fulfilling the conditions, as prescribed herein, shall submit their EOI together with requisite documents addressed to the Company Secretary, Indian Port Rail & Ropeway Corporation Limited, 4th Floor, Nirman Bhavan, MbPT Building, M.P. Road, Mazgaon, Mumbai-400010 or through e-mail at cs@iprcl.in.

Guidelines for empanelment of advocates/ law firms for representing and defending IPRCL before various courts/tribunal/ forums/ authorities etc.:

The IPRCL hereby frames the following guidelines to regulate the procedure for empanelling advocates/ law firms to represent and defend IPRCL before various courts/ tribunal/ forums/ authorities etc., and for determination of fee/ remuneration payable to such persons. These guidelines shall supersede all existing instructions in this regard.

Definitions:

Unless repugnant to the context, for the purposes of these guidelines, words used herein shall have the meaning assigned hereunder:

- (i) 'Advocate' means an advocate, entered in any roll under the provisions of Advocates Act, 1961 (Act 25 of 1961);
- (ii) 'Competent Authority' shall be any officer so designated by IPRCL.
- (iii) 'Effective Hearing' shall mean a hearing in which either one or other parties involved in a matter/case was heard by the court/tribunal/ forums/ authorities etc.
- (iv) 'Ineffective Hearing' shall mean and include a situation where the matter/ case is listed on a particular day and is subsequently adjourned for any reason whatsoever or any procedural directions such as extension of time or of any such nature is sought by any party.

(v) 'Connected cases' shall mean cases or batch matters which arise out of same/similar cause of action.

ELIGIBILITY CRITERIA

The eligibility criteria for selection of Advocates/Law Firms shall be as under: -

1. Should be practicing as an advocate in the respective High Court for not less than 7 years.
2. Should be a member of Bar Council of India.
3. Legal Firm/advocate shall be not less than 7 years old/less than 7 years of experience.
4. Past experience of dealing with Government Sector/CPSEs/Govt. Companies.
5. Must be a member of the bar of the respective High Court.

SCOPE OF WORK

The Scope of work for the panel of Advocates/Law Firms shall include but not limited to:-

Rendering opinion/advice on various legal issues referred.

1. Drafting and vetting of various legal documents/pleadings to be submitted before various judicial authorities/forums.
2. Attend IPRCL Office as and when requested to tender advice on issues referred.
3. Appear and defend IPRCL in safeguarding its best interest in the courts/tribunals/forum/statutory authorities in the cases, assigned by IPRCL.
4. Any matter incidental to the above broader functions/ activities.

SUBMISSION OF EOI

1. The particulars relating to the professional qualifications and experience shall be furnished in the format as prescribed at Annexure-A along with the supporting relevant documents in a sealed envelope super-scribed "EoI for Empanelment of advocates / law firms".
2. The EoI shall be accompanied by the License (sanad) issued by the respective State Bar Council with which the advocate/firm is registered with along with the Certificate of Practice issued by the Bar Council of India for the advocates enrolling after 2011.
3. Every page of the Applications shall be signed by the Advocate/Authorized Signatory of the Firm.
4. **Applications received after 4:00 pm on 13.02.2025 shall not be considered, whatever may be the reason.**
5. The EoI is liable to be rejected by IPRCL if it is not in the prescribed format or incomplete or in any manner violates the conditions of the EOI in letter and spirit.

CONFLICT OF INTEREST

- A. The Advocate/Firm shall ensure that there is no conflict of interest at a relevant point of time, in matters in which such Advocate/firm is acting on behalf of or representing IPRCL, shall not represent any of the opposite parties in other cases till that case/matter is pending.
- B. An Advocate/ firm shall not advise any party or accept any case against the IPRCL in which they appeared or is likely to be called upon to appear or advice.

- C. If the advocate happens to be a partner of a firm of lawyers or solicitors, it will be incumbent upon the firm not to entertain any case against the IPRCL arising in any court during the pendency of such case.

TERMINATION/REMOVAL FROM THE PANEL

Advocate/firm shall be removed from IPRCL's panel due to any of the following reasons:

- (i) Giving false information in the application for empanelment;
- (ii) Handing over the brief or matter to another advocate without prior written permission of IPRCL;
- (iii) Failing to attend the hearing of the case without sufficient reason and prior information;
 - a. Not acting as per IPRCL's instructions or going against specific instructions;
 - b. Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- (iv) Misappropriation of IPRCL's funds or earmarking, using the same towards his/their fee without IPRCL's permission.
- (v) Threatening, intimidating or abusing any of the IPRCL's employees, officers, or representatives;
- (vi) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to IPRCL;
- (vii) Committing an act tantamounting to contempt of court or professional misconduct under the relevant rules/ guidelines;
- (viii) Conviction of the Advocate in any offence resulting into arrest or detention due to moral turpitude or disbarment due to any reasons by the Bar Council;
- (ix) Passing on information relating to IPRCL's case on to the opposite parties or their advocates which is likely to cause damage to the IPRCL's interests;
- (x) Giving false or misleading information to the IPRCL relating to the proceedings of the case; and
- (xi) Frequent adjournment being obtained or not objecting the adjournment moved by other party without sufficient reason.
- (xii) Seeking discharge from the court without intimating about the same to the IPRCL.
- (xiii) Engaging in excessive billings on the basis of manipulated dates of hearing.

Empanelment shall be liable to be terminated, if the advocate/firm is found to be engaged in any of the aforesaid activity to the satisfaction of Competent Authority, whose decision shall be final in this regard.

TERM OF EMPANELMENT

The initial term of the constituted panel will be for a period of two years, extendable subject to periodical review of performance of such empaneled advocates/firms by IPRCL.

INTERPRETATION CLAUSE

In the matter of implementation of these guidelines, if any, doubt or difficulty arises or doubt regarding the interpretation of any of the clause of these guidelines, the same shall be placed before the Competent Authority at IPRCL and his decision shall be final.

Annexure 'A'

EXPRESSION OF INTEREST

FOR ENGAGEMENT AS PANEL ADVOCATE IN IPRCL

1. Name:
2. Address for Correspondence:
3. Contact Details:
 - a. Telephone No :
 - b. Mobile No :
 - c. Fax No :
 - d. E-Mail :
4. Date of enrolment with the Bar Council:
(Enclose self-certified copy of enrolment certificate)
5. Years of practice in various Courts/Tribunals/Other Forums:
(Details to be furnished & if necessary, separate sheets can be attached)
6. Experience in handling Legal Issues/Litigation on behalf Government/Government Agencies/ Bodies:
(Details to be furnished & if necessary, separate sheets can be attached):
7. Area(s) of practice with specialization:
8. PAN No.:
9. Bank Account no.:
(A cancelled cheque must be attached):
10. Any other facts which you consider relevant in the context of your suitability:
11. Copy of Income Tax Returns (ITR) filed for the last three years to be attached:

I certify that the information contained in this application is correct and true to the best of my knowledge and belief and nothing material has been concealed.

Place:

Date:

Signature

Fee: The payment shall be made to empaneled advocates/practicing lawyers/legal firms as per latest rate approved by Ministry of Law and Justice, Govt. of India.