

**NATIONAL HIGHWAYS & INFRASTRUCTURE DEVELOPMENT CORPORATION
LIMITED**

(Head Office: 3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001)

NHIDCL/Legal/EoI/2023-24/

Dated: 16.03.2024

EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF (I) DESIGNATED SENIOR ADVOCATE(S), (II) ADVOCATE(S) WITH MORE THAN 18 YEARS OF EXPERIENCE, (III) ADVOCATE(S) WITH MORE THAN 12 YEARS BUT LESS THAN 18 YEARS OF EXPERIENCE, (IV) ADVOCATE(S) WITH LESS THAN 12 YEARS OF EXPERIENCE (V) LAW FIRM(S) FOR NATIONAL HIGHWAYS & INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED.

National Highways & Infrastructure Development Corporation Ltd. (hereinafter referred as 'NHIDCL'), is a Public Sector Enterprise under the Ministry of Road Transport & Highways, Government 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 neighboring countries. NHIDCL's Corporate Office is located in Delhi at 3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001. Further, details of the organization can be obtained from our website www.nhidcl.com.

2. NHIDCL invites "Expression of Interest" from **(I) DESIGNATED SENIOR ADVOCATE(S), (II) ADVOCATE(S) WITH MORE THAN 18 YEARS OF EXPERIENCE, (III) ADVOCATE(S) WITH MORE THAN 12 YEARS BUT LESS THAN 18 YEARS EXPERIENCE, (IV) ADVOCATE(S) WITH LESS THAN 12 YEARS EXPERIENCE, (V) LAW FIRM(S)** for empanelment in NHIDCL for providing legal services for its various matters before Hon'ble Supreme Court of India, High Court of Delhi, National Green Tribunal, Debts Recovery Tribunal, NCLT/ NCLAT, District Courts, Statutory Authorities and other judicial forum in Delhi and if required outside Delhi, to defend NHIDCL.

3. **CRITICAL DATES:** Last date for submission of proposal: 12.04.2024 (upto 1600 Hrs.)

4. **ELIGIBILITY CRITERIA:**

4.1 The proposal so received from the applicants/firms (i) Designated Senior advocate(s), (ii) Advocate(s) with more than 18 years of experience, (iii) Advocate(s) with more than 12 years but less than 18 years experience, (iv) Advocate(s) with less than 12 years experience (v) Law Firm(s) shall be evaluated by a Committee on the prescribed criteria. Please note that only such applicants shall be considered for empanelment who would score a **minimum 45 marks** out of **100 marks** of the following criteria:

A. DESIGNATED SENIOR ADVOCATE(S)

Sr. No.	Parameters	Marks
1	Designated as Senior Advocate	Maximum 15 marks as follows: (i) Supreme Court – 15 Marks (ii) High Court – 10 Marks
2	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients)	Maximum 25 marks as follows: (i) Above 25 years = 25 (ii) > 20 and ≤ 25 years = 20 (iii) >15 and ≤ 20 years = 10 (iv) Upto 15 years = 05
3	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 15 marks as follows: (i) Above 10 Clients = 15 (ii) 6 to 10 Clients = 10 (iii) 1 to 5 clients = 05
4	Number of years of services as Designated Sr. Advocate in the High Court of Delhi / Supreme Court of India. (The applicants have to submit documentary proof thereof)	Maximum 10 marks as follows: (i) Above 10 years = 10 (ii) 1 to 10 years = 05
5	Arbitral Awards passed in favour of the client duly represented by the Designated Senior Advocate on behalf of PSU/ Govt. Dept..	Maximum 10 marks as follows: 05 (five) 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)
6	Judgments of Hon'ble High Courts in Contractual/ Arbitration/Recovery/Writ matters (in which the Designated Sr. Advocate appeared on behalf of PSU/ Govt. Dept..)	Maximum 10 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).
7	Judgments of Hon'ble Supreme Court in Contractual/Arbitration/Recovery/Writ matters (in which the Designated Sr. Advocate appeared on behalf of PSU/ Govt. Dept..)	Maximum 15 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).

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

Sr. 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 have to submit documentary proof thereof and a list of clients).	Maximum 25 marks as follows: (i) Above 23 years = 25 (ii) > 20 and ≤ 23 years = 20 (iii) >15 and ≤ 20 years = 10 (iii) Upto 15 years = 05
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 = 05
3	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept.	Maximum 15 marks as follows: 05 (five) 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).

C. ADVOCATE(S) WITH MORE THAN 12 YEARS BUT LESS THAN 18 YEARS

Sr 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 have to submit documentary proof thereof and a list of clients).	Maximum 25 marks as follows: (i) Above 16 years = 25 (ii) 14 to 16 years = 20 (iii) Below 14 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 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 = 05
3	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept.	Maximum 15 marks as follows: 05 (five) 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).

D. ADVOCATE(S) WITH LESS THAN 12 YEARS EXPERIENCE

Sr 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 have to submit documentary proof thereof and a list of clients).	Maximum 25 marks as follows: (i) Above 08 years = 25 (ii) 04 to 08 years = 20 (iii) Below 04 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 thereof and a list of clients).	Maximum 20 marks as follows: (i) Above 10 Clients = 20 (ii) 6 to 10 Clients = 10 (iii) 1 to 5 clients = 05
3	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept.	Maximum 15 marks as follows: 05 (five) 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).

E. LAW FIRM(S)

Sr. 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 = 10
2	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 25 marks as follows: (i) Above 11 persons = 25 (ii) 6 persons to 10 persons = 20 (iii) 03 persons to 5 persons = 15
3	Number of professional(s) having B. Tech (Civil)/ Diploma in Civil engineering engaged in the firm. (The applicants/ firms must submit proof thereof along with their proposals and enclose CV's of such professional).	Maximum 05 marks as follows: (i) 1 person = 5 marks (ii) No Professional = 0 marks
4	Number of Advocate on Record with the firm (The applicant/firms must submit proof thereof along with their proposals and enclose CV's of such professional)	Maximum 05 marks as follows: (i) 01 or More Advocate on Record = 5 marks (ii) No Advocate on Record = No Marks
5	Level of Client Satisfaction (Certificate from client's organization to be attached)	Maximum 20 marks as follows: (Only First 4 Certificates shall be taken into consideration). (i) 5 marks for each client Certificate with Outstanding/ Excellent service (ii) 3 marks for Very Good, and (iii) 2 marks for satisfactory service. Applicants/ Firms are advised to place their best certificate's only
6	Sound Financial standing of the Firms in terms of annual turnover, during the last three years i.e. 2020-21, 2021-22 & 2022-23 (relevant certificate from CA must be appended.)	Maximum 20 marks as follows: (i) Above Rs. 20 Crore = 20 Marks (ii) Rs. 15 to 20 Crore = 15 Marks (iii) Rs. 10 to 15 Crore = 10 Marks (iv) Below Rs. 10 Crore = 05 Marks

5. **Fixed schedule of charges payable:**

Sr. No.	Item	Amount (in Rs.)
A. DESIGNATED SENIOR ADVOCATE(S)		
1	Fee for per effective appearance before the Supreme Court of India	80,000/-
2	For appearance before the High Court of Delhi, National Green Tribunal, Arbitral Tribunal and all other Courts/Tribunals.	60,000/-
3	Conference	15,000/-
4	Written opinion	40,000/-
5	Drafting of Statement of Claim/ Statement of Defence/ Rejoinder/ Interim Application/ Affidavit/ Rejoinder to the application/Written Synopsis 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 50,000/- and minimum of Rs 25,000/- per document irrespective of number of pages in the document. The page margins spacing, indents etc. shall be as per the court norms
6	Settling of pleadings.	30,000/-
7	Miscellaneous expenses such as Court Fee/photocopy/ binding/soft copy preparation/typing etc.	As per actual bills

B. 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 50,000/- and minimum of Rs 25,000/- 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

C. ADVOCATE(S) WITH MORE THAN 12 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

D ADVOCATE(S) WITH LESS THAN 12 YEARS EXPERIENCE		
1	Fee for per effective appearance before the Supreme Court of India	20,000/-
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 25,000/- 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.	10,000/-
7	Drafting of pleadings other than arbitration matters.	15,000/-
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

E. LAW FIRM(S)

Sr. No.	Item	Supreme Court	High Court/ National Green Tribunal, 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/-	10,000/-	10,000/-	10,000/-
3	Drafting of pleadings	25,000/-	20,000/-	15,000/-	Rs 250/- per page of main

Sr. No.	Item	Supreme Court	High Court/ National Green Tribunal, Debts Recovery Tribunal	District Court	Arbitral Tribunal and any other Tribunal
					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/-	15,000/-	9,000/-	15,000/-
5	Condonation of delay, Caveat, Interim Application, Miscellaneous Applications, affidavit, etc.	12,000/-	8,000/-	8,000/-	8,000/-
6	Miscellaneous expenses such as Court Fee/ photocopy/ binding/soft copy preparation/ typing, etc.	As per actual bills	As per actual bills	As per actual bills	As per actual bills

6 Terms and Conditions:

6.1 The Empaneled 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 to him/her.

6.2 The empaneled Advocate/ Firm shall perform such other duties of a legal nature as may be assigned to him / her by NHIDCL.

6.3 The empaneled 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.

6.4 The empaneled 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.

6.5 NHIDCL will send the information to the empaneled Advocate/Firm through post/ email/ SMS regarding entrustment of a case and after receiving the communication/message, it is the duty of the panel empaneled Advocate/Firm to collect the brief/copy of the petition.

6.6 The empaneled Advocate/Firm shall be paid as per prescribed fee schedule.

6.7 The fees of the empaneled Advocate/ Firm shall be paid on presentation of physical copy of invoice, 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.

6.8 The empaneled Advocate/ Firm shall submit its bill within one (1) month from the date on which the fee has accrued.

6.9 No fee shall be admissible for simple adjournment sought by the empaneled Advocate/ Firm of NHIDCL without prior permission of NHIDCL.

6.10 Half fee for appearance is applicable on the following grounds:

(a) If the judge is on leave on the date of hearing.

(b) If the adjournment sought by the opposite Advocate.

(c) If the matter is not taken up due to heavy board.

6.11 No drafting fee for condonation of delay shall be admissible if such delay in filing the pleadings has happened on the part of empaneled Advocate/ Firm.

6.12 The appearance fee for AOR will be paid as per actuals but not exceeding to Rs 20,000/-.

6.13 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.

6.14 No clerkage and/ or conveyance/ transportation/ fooding/ lodging within

the territory of NCR/ Delhi shall be payable.

6.15 Any conference by empaneled Advocate/ Firm with the Designated Senior Advocate shall be done only after the confirmation from NHIDCL.

6.16 The empaneled Advocate/ 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.

6.17 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/ judgement not later than five (5) working days from the date of receipt of copy of the judgment/ order.

6.18 In case of outstation legal services (appearance/ defending a matter outside Delhi), 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.

6.19 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 empaneled 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.

6.20 Fee of AG/ SG/ ASG, 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. Fee for such cases shall be decided by the Competent Authority depending upon requirement.

6.21 No retainer fee shall be paid to any empaneled Advocate/ Firm merely because such Advocate/ Law Firm is empaneled with NHIDCL.

6.22 The empaneled 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.

6.23 The empaneled 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.

6.24 Unless a case is specifically assigned, the empaneled 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 motion, but shall immediately inform NHIDCL about the details of the case. In addition to that, no empaneled Advocate/ Firm shall give any statement/ submission before the court without the approval of the Competent Authority of NHIDCL.

6.25 Refusal by any empaneled Advocate/ Firm 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.

6.26 Empanelment does not confer any right or claim that the empaneled Advocate/ Firm, shall be entrusted with the work of NHIDCL.

6.27 The empaneled Advocate/Firm, should not have been blacklisted/debarred by any Central Govt./ State Govt./ Government Company/ Public Sector Undertaking/ Govt. bodies.

6.28 The Advocates/ Law Firm, should have adequate setup/ infrastructure to deal with the matters.

6.29 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.

6.30 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.

6.31 Any conference by the empaneled 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 empaneled Advocate/ Firm along with the designated officer(s) of the NHIDCL. No telephonic conversation or discussion regarding the matter assigned will be considered as conference.

6.32 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.

7 Right to Private Practice and Restrictions

7.1 The Advocate(s)/ Law Firm 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 empaneled Advocate/ firm of the NHIDCL.

7.2 The empaneled Advocate/ Firm shall not give any sort of advice to the opposite party or accept any case against NHIDCL during the course of empanelment with NHIDCL and cannot derive any sort of personal interest (monetary/ non-monetary) thereto.

- 7.3 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.

8 Debarment/ Removal from panel:

The Advocate/ Law Firm, shall be debarred/ removed from empanelment, present and/or in future, in NHIDCL, if the Advocate/ Law firm:

- 8.1 Obtains the empanelment on the basis of false information/ misrepresentation of facts.
- 8.2 Hands over the brief or matter to another advocate without prior written permission of NHIDCL.
- 8.3 Fails to attend the hearing of the case without sufficient reason and prior information.
- 8.4 Fails to act as per instructions of NHIDCL or going against specific instructions.
- 8.5 Fails to return the brief when demanded or not allowing or evading to allow its inspection on demand.
- 8.6 Misappropriates the NHIDCL funds or earmarking/ using the same towards his fee or for any unauthorized purpose without Authority's permission.
- 8.7 Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/ appeal related to NHIDCL's without permission.
- 8.8 Commits an act tantamount to contempt of court, professional misconduct or gross negligence.
- 8.9 Is convicted in any offence resulting into arrest or detention or debarment by the Bar Council.
- 8.10 Pass on information relating to Authority's cases on to the opposite party/ Advocate which may cause prejudice to the Organization's interest.
- 8.11 Give false or misleading information to the Authority relating to the proceedings of the case.
- 8.12 Ask for frequent adjournments or not objecting to the adjournment moved by other party without sufficient reason.
- 8.13 Fails to maintain/ honour confidentiality and secrecy of the company's data, statement and other information.
- 8.14 Threatens, intimidates or abuse any of the NHIDCL's employees, officers,

or representatives.

8.15 Any act of canvassing/ undue influence for empanelment/ assignment of work.

8.16 Empanelment shall be liable to be cancelled due to occurring of any of the above events/ disablements on the part of the Advocate/ Law Firm.

9 The applications received shall be scrutinized by NHIDCL and the decision of the NHIDCL shall be final & binding and shall not be subject of challenge.

10 The number of Advocate/ Law Firms to be empaneled shall be determined by NHIDCL based on its requirement.

11 The empanelment shall be made initially for a period of 2 (two) years. If performance is not found satisfactory, the services of the empaneled Advocate/ law firm can be discontinued even before the initial two (2) years period and the decision of the NHIDCL shall be final.

12 The performance of the empaneled Advocate shall be continuously monitored and their continuation with NHIDCL shall depend on their performance.

13 Notwithstanding the above, NHIDCL reserves its right to review the services of Advocate / Firm 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.

14 NHIDCL reserves its right to engage any other Advocate of its choice, to perform duties that are assigned to empaneled Advocate. An empaneled advocate/law firm shall have no claim that he/she alone should be entrusted with NHIDCL legal matters.

15 Mere submission of application/proposal for empanelment does not itself entitle any applicant for empanelment or confer any right to the Advocate/Law Firm to receive any work from NHIDCL.

16 Miscellaneous Terms:

- a. The applicant should sign & stamp on all pages of EOI document (including annexures) along with a duly filled and signed application in (Annexure-A, B & C, respectively) in a sealed envelope super scribed with "For Empanelment of Advocates/law firms" addressed to Lt Col Abhijit M Kulkarni, General Manager (Legal), National Highways & Infrastructure Development Corporation Limited, 3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001. The last date for receipt of proposals is _____.03.2024 (upto 1600hrs).
- b. NHIDCL does not take any responsibility for loss of application in transit.
- c. Application, along with annexures in hard copy, shall only be accepted.
- d. Name of the Advocate/ law firm along with complete address and telephone Nos./ email/ Correspondence/ certificate etc. if so required should be mentioned.

- e. Format of application as applicable to the concerned applicant (Annexure-A/ B/ C/ D/ E respectively) must be completely filled. Incomplete application will be rejected outrightly.
- f. Over writing/ Correction/ Erase and/ or use of white ink should be avoided. However, if any overwriting/correction/ erase is inevitable, the same should be authenticated with the signature and seal of Advocate/ Authorized person of Law Firm.
- g. No individual communication relating to clarification about EOI shall be entertained.

17. Correspondence with applicant:

Except as provided in EOI, NHIDCL shall not entertain any correspondence with any applicant in relation to the acceptance or rejection of any application 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 EOI process and/or amend/ supplement the EOI 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.

18. NHIDCL shall notify the successful advocate/ law firm in writing that his request for empanelment has been accepted.

19. National Highways & Infrastructure Development Corporation Limited, reserves the right to relax, any or all of the above conditions, reject one or all the proposals without assigning any reason thereof at its sole discretion.

(_____)
General Manager (Legal)

Annexure-A

Application format

APPLICATION FOR EMPANELMENT OF DESIGNATED SENIOR ADVOCATE

1. Name :
2. Date of Birth :
3. Educational Qualifications:

Sl. No.	Degree/Course	Institute/ University	College/	Year of Passing

4. Certificate of Practice and Experience Certificate:
Issued by Bar Council of India/ Bar Council of State/Supreme Court Bar Association (Please provide copy)
5. Details of Post Qualification Experience:

Sl. No	Date of enrolment of name in Bar Council/ (attach a copy of enrolment certificate)	Date of designation as Senior Advocate (attach a copy of proof thereof)	Court where the advocate is regularly practicing
1			

6. Particulars

(i)	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients)	
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(ii)	Number of Clients from Highways / Infrastructure Sector of Govt. of India / State Govt. / Autonomous Bodies, on behalf of whom minimum 03 (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)	
(iii)	Number of years of services as Designated Sr. Advocate in the High Court/ Supreme Court of India. (The applicants have to submit documentary proof thereof)	
(iv)	Arbitral Awards passed in favour of the client duly represented by the Designated Senior Advocate on behalf of PSU/ Govt. Dept..	
(v)	Judgments of Hon'ble High Courts in Contractual/ Arbitration/Recovery/Writ matters (in which the Designated Sr. Advocate appeared on behalf of PSU/ Govt. Dept..)	
(vi)	Judgments of Hon'ble Supreme Court of India in Contractual/Arbitration/Recovery/Writ matters (in which the Designated Sr. Advocate appeared on behalf of PSU/ Govt. Dept..)	

7. Office Address :
8. Telephone No. :
9. Mobile No. :
10. Email address :
11. Permanent Account Number (PAN) :
12. A brief note on suitability for empanelment (approx. 150 word):
13. Any other information you may like to give :
14. List of enclosures: Following self-attested documents (as applicable):

- i. A copy of LL.B. degree.
- ii. Certificate of Practice and Experience Certificate issued by Bar Council of India/ Bar Council of State/Supreme Court Bar Association.
- iii. Proof of designation received as Designated Senior Advocate.
- iv. A copy PAN Card of self.

- v. A copy of complete EOI document (issued by NHIDCL) duly signed and sealed as a token of acceptance of all terms and conditions.
- vi. Documentary proof showing empanelment with Highways/ Infrastructure Sector of Govt. of India/State Govt./Autonomous Bodies, if any.
- vii. Copies of the arbitral awards passed in favour of the client duly represented by the Designated Senior Advocate on behalf of the PSU/Govt. Dept..
- viii. Copies of the Judgments of Hon'ble High Courts in Contractual/ Arbitration/ Recovery/Writ matters (in which the Designated Senior Advocate appeared on behalf of the PSU/Govt. Dept..)
- ix. Copies of the Judgments of Hon'ble Supreme Court of India in contractual/Arbitration/Recovery/Writ matters (in which the Designated Senior Advocate appeared on behalf of PSU/Govt. Dept..)

Declaration:

I have read all the terms and conditions set out in the EOI dated_____ 2024 issued by National Highways & Infrastructure Development Corporation Limited (NHIDCL), and hereby accept the same without any deviation.

I/We have no objection if enquiries being made about the work listed by me in the accompanying sheets/annexure.

Signature and seal :
Name of Advocate :

Place:

Date:

Application format

APPLICATION FOR EMPANELMENT OF ADVOCATE WITH MORE THAN 18 YEARS OF EXPERIENCE

1. Name :
2. Date of Birth :
3. Educational Qualifications:

Sl. No.	Degree/Course	Institute/College/University	Year of Passing

4. Certificate of Practice and Experience Certificate:

Issued by Bar Council of India/ Bar Council of State/ Supreme Court Bar Association (Please provide copy)

5. Details of Post Qualification Experience :

Sl. No	Date of enrolment of name in Bar Council (attach a copy of enrolment certificate)	Court where the advocate is regularly practicing
1		

6. Particulars

(i)	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients)	
(ii)	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)	
(iii)	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept..	
(iv)	Judgments of Hon'ble High Courts in Contractual/ Arbitration/ Recovery/ Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	
(v)	Judgments of Hon'ble Supreme Court in Contractual/Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	

7. Office Address :
8. Telephone No. :
9. Mobile No. :
10. Email address :
11. Permanent Account Number (PAN) :
12. A brief note on suitability for empanelment (approx. 150 word):
13. Any other information you may like to give :
14. List of enclosures : Following self-attested documents (as applicable):
 - i. A copy of LL.B. degree.
 - ii. A copy of Certificate of Practice and Experience Certificate issued by bar Council of India/ Bar Council of State.
 - iii. A copy PAN Card of self.
 - iv. A copy of complete EOI document (issued by NHIDCL) duly signed and sealed as a token of acceptance of all terms and conditions.
 - v. Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients).
 - vi. Documentary proof showing empanelment with Highways/ Infrastructure Sector of Govt. of India/State Govt./Autonomous Bodies.
 - vii. Copies of the arbitral awards passed in favour of the client duly represented by the Advocate on behalf of the PSU/Govt. Dept..
 - viii. Copies of the Judgments of Hon'ble High Courts in Contractual/ Arbitration/ Recovery/Writ matters (in which the Advocate appeared on behalf of the PSU/Govt. Dept..)
 - ix. Copies of the Judgments of Hon'ble Supreme Court of India in contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/Govt. Dept..)

Declaration:

I have read all the terms and conditions set out in the EOI dated_____, 2024 issued by National Highways & Infrastructure Development Corporation Limited (NHIDCL), and hereby accept the same without any deviation.

I/We have no objection if enquiries being made about the work listed by me in the accompanying sheets/annexure.

Signature and seal : _____
Name of Advocate : _____

Place:

Date:

Application format

**APPLICATION FOR EMPANELMENT OF ADVOCATE WITH MORE THAN 12
YEARS AND LESS THAN 18 YEARS OF EXPERIENCE**

1. Name :
2. Date of Birth :
3. Educational Qualifications:

Sl. No.	Degree/Course	Institute/College/University	Year of Passing

4. Certificate of Practice and Experience Certificate:

Issued by Bar Council of India/ Bar Council of State/ Supreme Court Bar Association (Please provide copy)

5. Details of Post Qualification Experience :

Sl. No	Date of enrolment of name in Bar Council (attach a copy of enrolment certificate)	Court where the advocate is regularly practicing
1		

6. Particulars

(i)	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients)	
(ii)	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)	
(iii)	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept..	
(iv)	Judgments of Hon'ble High Courts in Contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	
(v)	Judgments of Hon'ble Supreme Court in Contractual/Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	

7. Office Address :
8. Telephone No. :
9. Mobile No. :
10. Email address :
11. Permanent Account Number (PAN) :
12. A brief note on suitability for empanelment (approx. 150 word):
13. Any other information you may like to give :
14. List of enclosures : Following self-attested documents (as applicable):
 - i. A copy of LL.B. degree.
 - ii. A copy of Certificate of Practice and Experience Certificate issued by bar Council of India/ Bar Council of State.
 - iii. A copy PAN Card of self.
 - iv. A copy of complete EOI document (issued by NHIDCL) duly signed and sealed as a token of acceptance of all terms and conditions.
 - v. Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients).
 - vi. Documentary proof showing empanelment with Highways/ Infrastructure Sector of Govt. of India/State Govt./Autonomous Bodies.
 - vii. Copies of the arbitral awards passed in favour of the client duly represented by the Advocate on behalf of the PSU/Govt. Dept..
 - viii. Copies of the Judgments of Hon'ble High Courts in Contractual/ Arbitration/ Recovery/Writ matters (in which the Advocate appeared on behalf of the PSU/Govt. Dept..)
 - ix. Copies of the Judgments of Hon'ble Supreme Court of India in contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/Govt. Dept..)

Declaration:

I have read all the terms and conditions set out in the EOI dated____, 2024 issued by National Highways & Infrastructure Development Corporation Limited (NHIDCL), and hereby accept the same without any deviation.

I/We have no objection if enquiries being made about the work listed by me in the accompanying sheets/annexure.

Signature and seal : _____
Name of Advocate : _____

Place:

Date:

Application format

APPLICATION FOR EMPANELMENT OF ADVOCATE WITH LESS THAN 12 YEARS OF EXPERIENCE

1. Name :
2. Date of Birth :
3. Educational Qualifications:

Sl. No.	Degree/Course	Institute/College/University	Year of Passing

4. Certificate of Practice and Experience Certificate:

Issued by Bar Council of India/ Bar Council of State/ Supreme Court Bar Association (Please provide copy)

5. Details of Post Qualification Experience :

Sl. No	Date of enrolment of name in Bar Council (attach a copy of enrolment certificate)	Court where the advocate is regularly practicing
1		

6. Particulars

(i)	Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients)	
(ii)	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)	
(iii)	Arbitral Awards passed in favour of the client duly represented by the Advocate on behalf of PSU/ Govt. Dept..	
(iv)	Judgments of Hon'ble High Courts in Contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	
(v)	Judgments of Hon'ble Supreme Court in Contractual/Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/ Govt. Dept..)	

7. Office Address :
8. Telephone No. :
9. Mobile No. :
10. Email address :
11. Permanent Account Number (PAN) :
12. A brief note on suitability for empanelment (approx. 150 word):
13. Any other information you may like to give :
14. List of enclosures: Following self-attested documents (as applicable):
 - i. A copy of LL.B. degree.
 - ii. A copy of Certificate of Practice and Experience Certificate issued by bar Council of India/ Bar Council of State.
 - iii. A copy PAN Card of self.
 - iv. A copy of complete EOI document (issued by NHIDCL) duly signed and sealed as a token of acceptance of all terms and conditions.
 - v. Length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies. (The applicants have to submit documentary proof thereof and a list of clients).
 - vi. Documentary proof showing empanelment with Highways/ Infrastructure Sector of Govt. of India/State Govt./Autonomous Bodies.
 - vii. Copies of the arbitral awards passed in favour of the client duly represented by the Advocate on behalf of the PSU/Govt. Dept.
 - viii. Copies of the Judgments of Hon'ble High Courts in Contractual/ Arbitration/ Recovery/Writ matters (in which the Advocate appeared on behalf of the PSU/Govt. Dept.)
 - ix. Copies of the Judgments of Hon'ble Supreme Court of India in contractual/ Arbitration/Recovery/Writ matters (in which the Advocate appeared on behalf of PSU/Govt. Dept.)

Declaration:

I have read all the terms and conditions set out in the EOI dated____, 2024 issued by National Highways & Infrastructure Development Corporation Limited (NHIDCL), and hereby accept the same without any deviation.

I/We have no objection if enquiries being made about the work listed by me in the accompanying sheets/annexure.

Signature and seal : _____
Name of Advocate : _____

Place:

Date:

Annexure-E

Application format

APPLICATION FOR EMPANELMENT OF LAW FIRM

1. Name of the Law Firm :
2. Name of the Managing/Designated /Senior Partner(s) of the law firm :
3. Name and contact no. of the Authorized Signatory :
4. Registration No. of the Law Firm along with : date (Please provide copy)
5. No. of advocated associated with law firm :
6. Address of Law Firm :
7. Telephone No. :
8. Fax. No. with STD Code :
9. Email address :
10. Permanent Account Number (PAN) of law firm :
11. GST number of law firm, if any (Please provide copy):
12. Particular

i)	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)	
ii)	Number of Lawyers (LLB/ LLM) enrolled in respective State Bar Council (<i>Please indicate enrolled number and enclosed a copy of the same</i>) 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).	
iii)	Number of professional(s) having B. Tech (Civil)/ Diploma in Civil engineering engaged in the firm. (The applicants/ firms must submit proof thereof along with their proposals and enclose CV's of such professional).	
iv)	Level of Client Satisfaction (Certificate from client's organization to be attached)	

v)	Sound Financial standing of the Firms in terms of annual turnover, during the last three years i.e. 2020-21, 2021-22 & 2022-23 (relevant certificate from CA must be appended.)	
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15. A brief note on suitability for empanelment (approx. 150 word):
 16. Any other information:
 17. List of enclosures : Following self-attested documents (as applicable):

- i. Registration Certificate of the firm.
- ii. Copy of PAN Card of the firm.
- iii. Copy of GST no. of Law Firm, if any.
- iv. Copy of complete EOI document (issued by NHIDCL) duly signed and sealed as a token of acceptance of all terms and conditions.
- v. Copy of certificate about length of experience in providing legal services in Highways/ Infrastructure Sector of Govt. of India/State Govt./ Autonomous Bodies.
- vi. Number of Lawyers (LLB/ LLM) enrolled in respective State Bar Council (Please indicate enrolled number and enclosed a copy of the same)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).
- vii. Number of professional(s) having B. Tech (Civil)/ Diploma in Civil engineering engaged in the firm. (The applicants/ firms must submit proof thereof along with their proposals and enclose CV's of such professional).
- viii. Level of Client Satisfaction (Certificate from client's organization to be attached)
- ix. Copy of Chartered Accountant certificates in terms of annual turnover, during the last three years i.e. 2020-21, 2021-22 & 2022-23.
- x. Power of attorney/Authorization letter issued in favour of authorized signatory of law firm.

Declaration:

I/We have read all the terms and conditions set out in the EOI dated_____ 2024 issued by National Highways & Infrastructure Development Corporation Limited (NHIDCL), and hereby accept the same without any deviation.

I/We have no objection if enquiries being made about the work listed by me/us in the accompanying sheets/annexure.

Signature and seal: _____
 Authorized Signatory of Law Firm: _____
 Designation: _____

Place:
 Date: