

V.O. CHIDAMBARANAR PORT TRUST GENERAL ADMINISTRATION DEPARTMENT

Notice of Expression of Interest

For

Empanelment of Advocate(s)/Legal Counsel(s)/ Law Firm(s)

For

Handling cases before

District, High Courts of Tamilnadu

and

Supreme Court of India

in respect of VOC Port Trust

By

Secretary General Administration Department V.O. Chidambaranar Port Trust Administration Building Harbour Estate Tuticorin Phone: 0461-2352232 Fax: 0461-2352301 E-mail id: secretary@vocport.gov.in



வ.உ.சிதம்பரனார் துறைமுகபொறுப்புக் கழகம் वी.ओ.चिदम्बरनारपत्तनन्यास V.O.CHIDAMBARANAR PORT TRUST पोतपरिवहनमंत्रालय ,भारतसरकार (MINISTRY OF SHIPPING, GOVERNMENT OF INDIA) ADMINISTRATIVE OFFICE, HARBOUR ESTATE, TUTICORIN 628 004, TAMIL NADU



Date: 06.10.2020

File No.GAD-OGALG-EXPRE-V1-19

Extension of date for submission of Expression of Interest for Empanelment of Advocate(s)/Legal Counsel(s)/Law Firm(s)

This is with reference to the Expression of Interest (EoI) for empanelling of Advocates, which was published on V.O. Chidambaranar Port Trust website on 18.07.2020, wherein the last date for submission of applications for EoI was extended upto 20.09.2020 & 30.09.2020.

Further the last date for submission of applications is now extended upto 31.10.2020.

Secretary(St.)



வ.உ.சிதம்பரனார் துறைமுகபொறுப்புக் கழகம் वी.ओ.चिदम्बरनारपत्तनन्यास V.O.CHIDAMBARANAR PORT TRUST पोतपरिवहनमंत्रालय ,भारतसरकार (MINISTRY OF SHIPPING, GOVERNMENT OF INDIA) ADMINISTRATIVE OFFICE, HARBOUR ESTATE, TUTICORIN 628 004, TAMIL NADU



File No.GAD-OGALG-EXPRE-V1-19

Date: 21.09.2020

Extension of date for submission of Expression of Interest for Empanelment of Advocate(s)/Legal Counsel(s)/Law Firm(s)

This is with reference to the Expression of Interest (EoI) for empanelling of Advocates, which was published on V.O. Chidambaranar Port Trust website on 18.07.2020, wherein the last date for submission of applications for EoI was extended upto 20.09.2020.

The last date for submission of applications is now extended upto 30.09.2020.

109/2020 Secretary(St.)



வ.உ.சிதம்பரனார் துறைமுகபொறுப்புக் கழகம் वी.ओ.चिदम्बरनारपत्तनन्यास V.O.CHIDAMBARANAR PORT TRUST पोतपरिवहनमंत्रालय ,भारतसरकार (MINISTRY OF SHIPPING, GOVERNMENT OF INDIA) ADMINISTRATIVE OFFICE, HARBOUR ESTATE, TUTICORIN 628 004, TAMIL NADU



File No.GAD-OGALG-EXPRE-V1-19

Date: 04.09.2020

Extension of date for submission of Expression of Interest for Empanelment of Advocate(s)/Legal Counsel(s)/Law Firm(s)

This is in reference to the Expression of Interest (EoI) for empanelling advocates which was published in V.O. Chidambaranar Port Trust website on 18.07.2020 wherein, the last date for submission of the application for EoI was fixed as 10.08.2020.

In order to encourage further applications, the last date for submission of applications extended upto 20.09.2020.

S/d Secretary(St.)



வ.உ.சிதம்பரனார் துறைமுக பொறுப்புக் கழகம் वी.ओ.चिदम्बरनार पत्तन न्यास V.O.CHIDAMBARANAR PORT TRUST पोत परिवहन मंत्रालय , भारत सरकार (MINISTRY OF SHIPPING, GOVERNMENT OF INDIA) ADMINISTRATIVE OFFICE, HARBOUR ESTATE, TUTICORIN 628 004, TAMIL NADU



File No.GAD-OGALG-EXPRE-V1-19

Date: 8.07.2020

Notice of Expression of Interest for Empanelment of Advocate(s)/Legal Counsel(s)/Law Firm(s)

V.O. Chidambaranar Port Trust, an Autonomous Body under the Ministry of Shipping, GoI, invites Expression of Interest for empanelment of Advocate(s)/Legal Counsel(s)/Law Firm(s) for handling cases in respect of V.O.Chidambaranar Port Trust before the District Court, High Courts of Tamilnadu and Supreme Court of India Eligible Advocate(s)/Legal Counsel (s)/ Law Firm (s) may send their Expression of Interest in the prescribed format, on or before <u>10.08.2020</u>, to the Secretary, General Administration Department, Harbour Estate, Tuticorin - 628004. The eligibility criteria, general instructions, terms and conditions, etc., are attached for reference.

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I. Eligibility Criteria:

- 1. Should be enrolled as an Advocate with Bar Council and Bar Association
- 2. Should have sound knowledge about various Laws, particularly Indian Constitution, C.P.C., Indian Contract Act, Limitation Act, Arbitration and Conciliation Act, Major Port Trusts Act, Indian Ports Act, Taxation Law, Labour Laws, Property Laws, Service Laws of Government of India etc.
- 3. The Advocates should have minimum experience in handling cases of Govt. Organizations, PSUs, Autonomous Bodies, etc., as follows: -
 - For handling the cases of Supreme Court of India = 5 years' experience in Supreme Court cases.
 - ii. For handling the cases of High Court = 5 years' experience in High Court cases.
 - iii. For handling cases at District Court / Tribunals = 5 years' experience in District courts.
 - iv. For handling Arbitration cases = 5 years' experience in Arbitration cases

II. <u>General Instructions for submission of application:</u>

- 1. The interested Advocate(s)/Legal Counsel(s)/Law Firm(s) who desire to be considered for empanelment and meeting the above eligibility criteria, may submit the application in prescribed format (Annexure-I or II, as applicable), along with other details in Annexure-III and Annexure-IV attached.
- 2. Any application received by the Port after the due date, for any reasons, whatsoever, will not be considered for empanelment.
- 3. All the copies of document submitted along with application shall be self-attested.
- 4. The Port reserves the right to empanel any Advocate(s)/Legal Counsel(s) / Law Firm(s) of its choice and as per requirement, depending upon the area of specialization/expertise and on satisfying the eligibility criteria. The shortlisted Advocate(s)/Legal Counsel(s)/Law Firm(s)to be empanelled, will only be informed by the Port and no objection shall be entertained in this regard. Further, the Port also reserves the right to revise the rates / fees /allowances from time to time.
- 5. The Port also will have the liberty to engage anyAdvocate (s) / Legal Counsel (s) / Law Firms, other than those empanelled, if the circumstancesso warrants and in

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such situation, an empanelled Advocate (s) / Legal Counsel (s) / Law Firm (s)shall not make any claim or objection any the reason whatsoever.

- 6. Empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall always abide by the terms of engagement, prescribed by the Port, without any objection during the period of empanelment.
- 7. Decision of the Chairman, VOCPT, shall be final and binding on the empanelled Advocate(s)/ Legal Counsel(s)/ Law Firm(s) in case of interpretation of any clause/provisions in the Expression of Interest or Empanelment.

III. <u>Terms and Conditions for empanelment:</u>

1.Period of Empanelment:

- (i) The empanelmentis for a period of two years or until further orders, whichever is earlier. However, the term may be extended for further period at the discretion of the Chairman, VOC Port Trust, based on the requirement of the services.
- (ii) The number of Advocate(s)/Legal Counsel(s)/Law Firm(s) in the Panel may be decided by the Port Trust, based on thenumber of cases/exigencies.

2. Termination of Empanelment:

The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) may be discontinued at the discretion of the Port Management at any time during the period of empanelment, without assigning any reasons and advance intimation.

3. Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s):

The Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) during the period of empanelment shall be Tuticorin / Madurai / Chennai / Delhi as the case may be.

4. Responsibilities/ obligations:

(i) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s),may berequired to appear in Madras High Court at Chennai or Madurai Bench of Madras High Court at Madurai or District Court at Tuticorin or any other Courts, as entrusted to them by the Port Trust.

- (ii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) if so, required, shall also appear before the Tribunals, Arbitrators and Lok Adalat etc., at any place of posting of the cases on request of the Port.
- (iii)If the caseshandled by the empanelled Advocate(s) / Legal Counsel(s) / Law Firms, are decided against the Port Trust or its Officers, the concernedAdvocate(s)/Legal Counsel(s)/Law Firm(s) shallgive their written opinion, on either implementation or challenging the Judgement before appropriate Forum by filing an appeal with reasonable grounds, on priorityand positively by a week time, according to the nature and emergency of the case.
- (iv)The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall render all assistance to Senior Counsels as may be engaged by the Port Trust, if required to do so from time to time.
- (v) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s)shall inform the important developments in the case handled by them, from time to time, particularly regarding drafting, filing of papers, dates of hearing of the case, supplying copies of Judgments, etc., to the Port Trust and also furnish, periodical statements on the status of the cases entrusted to them, whenever it is called for from time to time by the Port Trust.
- (vi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall give advice on files or opinion on the subjects referred to them by the Port Trust within the requested specified time.
- (vii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s)shall draft/scrutinize,the important letters having legal implications, Rules, Regulation, Licenses, Agreements or any other documents as may be required and requested by the Port Trust from time to time.
- (viii) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall also appear in Criminal cases/appeals and other proceedings at Tuticorin/Madurai/Chennai/Delhi / any other places, if so, required by the Port Trust.
- (ix) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall attend such other workshaving legal implications, as may be assigned by the Port Trust from time to time.

- (x) The private practice of empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) should not affect the efficient discharge of the court matters/legal proceeding, etc., entrusted to them by the Port.
- (xi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not advise any party or accept any case(s)against the Port.
- (xii) If the empanelled Advocate(s)/Legal Counsel(s) / Law Firm(s)happen to be a partner of a Law Firm, it shall be mandatory for such Firms not to take up any case(s)/ give advice to any party, against the Port.
- (xiii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall maintain absolute secrecy and confidentiality about the cases of the Port.
- (xiv) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not take any adjournment without prior consent of the Port.
- (xv) If empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) commits professional misconduct or indulge in any act, which is against professional ethics or facilitates fraud/perpetration of fraud in connection with any matter connected with this Port, the Port may take inter-alia steps to lodge complaint with Bar Council concerned for appropriate action.

5. General Conditions on payment of fees:

- (i) No fee shall be payablewhere no legal work is required to be done, i.e., like work regarding transmission of record to the other Court/Advocate, inspection of the court record for ascertaining the position of the case, etc.
- (ii) During the pendency of a proceeding, 50% of the total admissible fee in a case may be paid, at the discretion of the Port. But in general, the fee shall be payable after the disposal of the case, on submission of an advance stamped receipt with sufficient documentary proof for such claim. For e.g. a copy of the document drafted or a copy of Order/Judgment or copy of opinion, etc. only. The bill has to be submitted within one month from the date on accrual of the fees.
- (iii)For recognition of the services of the Legal Advocate(s)/Legal Counsel (s)/Law Firm(s) in successful conduct of any case up to Rs. 10,000/- per case,may be paid,depending upon the importance of the case, at the discretion of the Chairman.

- (iv)The Chairman, on considering the merits of the case, may at his discretion, make payment over and above the admissible amount specified in Clause 7 for the empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s).
- (v) On specific orders of the Chairman, payment of fees to Senior Counsel/ Advocate(s)/Legal Counsel(s)/Law Firm(s) other than the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s), within or outside the State, shall be made, based on the importance on the question of law and urgency in the case.

6. Retainer Fee:

The empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s), with specific mention in their empanelment letter regarding retainer fee, will only be paid a monthly retainer fee of Rs.4,000/-, on receipt of invoice, duly stamped and signed, on quarterlybasis. This will not be applicable to those empanelled Advocate(s) / Legal Counsel(s) / Law Firms engaged without the retainer fee.

S1.N	Description	All Local Courts /	All High Courts	Hon'ble
0		Tribunals	-	Supreme Court
1	Vakalat Filing	Rs.1000	Rs.2000	Rs.3000/-
2	Effective appearance	Rs.5,000/- per	Rs.6,000/- per	Rs.7,000/- per
	inSuit, Writ Petition,	case for the	case for the	case for the
	Appeal Petition, etc.	hearing up to three	hearing up to	hearing up to
		days and	three days and	three days and
		Rs.1,000/- per	Rs.1,000/- per	Rs.1,000/- per
		additional day of	additional day	additional day of
		hearing, subject to	of hearing,	hearing.
		the maximum of	subject to the	
		Rs.10,000/-	maximum of	
			Rs.10,000/-	
3	Effective appearance	Rs.2500/- per	Rs.3,000/- per	Rs.3,500/- per
	in Civil or Criminal	case,for the	case, for the	case, for the
	Revision/Review	hearing up to three	hearing up to	hearing up to
	Petition	days and Rs.500/-	three days and	three days and
		per additional day	Rs.1,000/- per	Rs.1,000/- per
		of hearing	additional day	additional day of
			of hearing	hearing

7. Fees for empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s):

4	Filing of	Rs.2000/- per	Rs.3500/- per	Rs.5000/- per				
	Miscellaneous	Petition	Petition	Petition				
	Petitions, Interim							
	Application, Caveat							
	Petition, Transfer							
	Petitions,							
	CivilMiscellaneous							
	Petitions,any formal	2 9 4						
	Legal Petitions, etc.							
5	Clerkage	Rs.2500/-	Rs.5000/-	Rs.7500/-				
6	Professional Charge	Rs.3000/-	Rs.4000/-	Rs.5000/-				
	for arguments on							
_	Final disposal.	D 5000/	D B B B B B B B B B B					
7	Consolidated payment	Rs.5000/-	Rs.7000/-	Rs.10,000/-				
	for the case disposed							
	at the admission stage and there shall be no							
	claim of any other							
	charges except							
	conference fee and							
	court fee.							
8	Legal opinion other	(i) Rs.5000/- per op	inion for Project re	elated issues				
	than in Clause III (4)	(ii) Rs.2000/- per of	27.5					
	(iii)							
9	Appearance fee for	(i) Rs.15,000/- per o	case forthe claim v	alue up to 25				
	Arbitration case	lakhs						
		(ii) Rs.25,000/- per	case forthe claim	value up to 25 to				
		50 lakhs						
		(iii)Rs.45,000/- per case forthe claim value up to 50						
		lakhs to 1 crore						
		(iv) Rs.75,000/- per case at the maximum for the claim						
		value exceeds 1 crore.						
		Or the fee as may b						
		depending upon the		quantum of work				
10	Comformers for (De-1	involved in exceptional cases.						
10	Conference fee (Each	(i) With Chairman/						
	occasion)	(ii) With Head of Department - Rs.1000/- and						
		(iii) With any Class I officer - Rs.500/-						
		Subject to maximum of three conferencesin a case.						
11	Court fees			strategies des				
11 12	Court fees Listing charges	Subject to maximum As per actual, on pr Rs.2000/- per case	roducing original b	oills only.				

13	Miscellaneous charges	As per actual, on producing original bills only.
	like photocopying,	
	applying for order	
	copy, etc.	
14	Legal notice	Rs. 1000/- per notice
15	Examination of title	$2\frac{1}{2}\%$ of the amount involved in the transaction such as
	deeds	sale, mortgage, lease, license, etc., subject to a minimum of Rs.1000/- and maximum of Rs.3000/-
16	Daily fee for out of	Rs.2400/- per day, for the days of absence from
	headquaters	Headquarters, which starts from the day of
		departure, including intervening holidays and till arrival
		back to the Headquarters, subject to maximum of 5 days.
		However, no fee for the day of departure/arrival,on the
		following occasions: -
		(i)Leaves the Headquarters after Court hours
		(ii)Arrival to Headquarters before the Court hours
17	Reimbursement of	(i). Travel by air(economy class) for Designated Senior
	Travelling expenses	Counsel and above
	8F	(ii)For others, by II A/C train for the journey covered by
		overnight.
		(iii)Road mileage: At the rate as admissible to Senior
		Class I officers of the Port, for the travel from his
		residence/Court to the Railway station /airport or place
		of stay in case of outstation and vice versa.
19	Reimbursement of	Actual expenses for stay in hotel/ guest house, subject
	Hotel / Guest House	to maximum of Rs.2000/- per day, for maximum period
	Accommodation	of 5 days.
20	Fee for Uncontested	(i) One-third of the admitted fee for the Suits/Appeals, if
	cases	withdrawn by the Plaintiff/Appellant or dismissed or
		decided by the Court as Ex-parte before the final
		hearing. But, such case is later on restored and decided
		in contest, the remaining two-thirds of the fee will be
		paid. (A case will be considered as contested, if decision is
		given after hearing arguments on both sides)
		Note: Following will not form part of uncontested cases:-
	<u>^</u>	(a) Writ Petition/Revision Petition/Second Appeal
		(including any interlocutory application connected
		therewith), is withdrawn or decided on preliminary legal
		objection during any stage of the final hearing in the
		presence of the empanelled Advocate(s) / Legal
		Counsel(s) / Law Firms or is withdrawn by the Port at
		the time of its admission.
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21	Fee for Identical cases	(i) Full fee shall be paid in the main case and
		(ii) If separate Petition/Affidavit/Counter, etc., is filed
		separately for other connected identical cases,
		1/4 th of the fee payable in the main case, shall be
		paid for each case.
		(iii)If separate Petition/Affidavit/Counter, etc., is not
		filed separately for other connected identical cases,
		then fees will be paid only for the main case.
		(iv)Appeal, Revision or Review petitions arising from a
		common Judgment or Order will be considered as
		single case for making payment, if they had been
	•	heard together.
		Note:Following shall be considered as identical cases:
		(a) Where the question of law or facts or prayerare
		identical and the main difference is only in the
		name, address of the party concerned, amount
		involved, etc. and
		(b) Common or identical Order/ Judgement is delivered
		(c) It is not mandatory that all the cases have to be
		heard together
22	Change in empanelled	(i) During the pendency of a legal proceeding, $1/3^{rd}$ of
	Advocate(s) / Legal	the total fee admissible for the case may be paid for the
	Counsel(s) / Law	work done to the outgoing empanelled Advocate(s) /
	Firms	Legal Counsel(s) / Law Firms.
		(ii) In such an event, the balance of $2/3^{rd}$ fee is
		payable to the new empanelled Advocate(s) / Legal
		Counsel(s) / Law Firms after completion.

IV. <u>Proforma/Formats:</u>

Interested / willing, Advocate(s) / Legal Counsel(s) / Law Firm(s) may submit their Expression of Interest (EOI) in the applicable prescribed format enclosed as follows:

- 1. Application Form for Empanelment of Legal Firm(s) (Annexure-I)
- 2. Application Form for Empanelment of Advocate(s)/Legal Counsel(s) (Annexure-II)
- 3. Proforma for Experience (Annexure-III)
- 4. Undertaking(Annexure-IV)

Annexure-I

1. Application Form for Empanelment of Law Firms (To be filled by Law Firm(s))

						AM VITA					
Name of the Law Firm:											
Name of the Partner applying on behalf of the firm:											
Date of Registration:											
Official Address:											
PAN-Permanent Account Number:											
E-Ma	E-Mail ID:										
Acad	emic Qualifi	cat	ion:	-							
apply	lf	Deg	gree	ACCULATION OF A				Mark Percentage			
Area	of Professio	nal	Exp	ertise:	_						
Name of partner applying on behalf of the Firm		ılf	Field / Brancho f law		rancho From – t		Total No of cases personal engagement handled as on		No of Successful disposal		
Detai	ls of Bar En	rol	men	t: -							
apply	ing on beha	ılf	En	rolmer	nt No	& Date:		Place			
Profe	ssional Asso	ocia	tion	/enrol	ment	in other	orga	anisation: -			
Sl. No	Organisa tion name		ase From		То	cases allotte	d, as	No of cases Disposed as on	No. of cases disposed successfully		
-	Name Date Offici PAN- E-Ma Acade Name apply of the Area Name apply of the Detai Name apply of the Sl.	Name of the Part Date of Registrat Official Address: PAN-Permanent E-Mail ID: Academic Qualifie Name of partner applying on beha of the Firm Area of Profession Name of partner applying on beha of the Firm Details of Bar Em Name of partner applying on beha of the Firm Professional Asso	Name of the Partner Date of Registration Official Address: PAN-Permanent Acc E-Mail ID: Academic Qualificat Name of partner applying on behalf of the Firm Area of Professional Name of partner applying on behalf of the Firm Details of Bar Enroln Name of partner applying on behalf of the Firm Details of Bar Enroln Name of partner applying on behalf of the Firm Details of Bar Enroln Name of partner applying on behalf of the Firm Sl. Organisa No tion	Name of the Partner app Date of Registration: Official Address: PAN-Permanent Account E-Mail ID: Academic Qualification: Name of partner applying on behalf of the Firm Official of Professional Exp Name of partner applying on behalf of the Firm Name of partner applying on behalf of the Firm Details of Bar Enrolment fiel Name of partner applying on behalf of the Firm Details of Bar Enrolment fiel Name of partner applying on behalf of the Firm Professional Association Sl. Organisa Case type	Name of the Partner applying of Date of Registration: Official Address: PAN-Permanent Account Number E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Area of Professional Expertise: Name of partner applying on behalf of the Firm John Permanent Account Number Area of Professional Expertise: Name of partner applying on behalf of the Firm John Permanent Enrolment: - Name of partner applying on behalf of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Professional Association/enrol Sl. Organisa tase to rol No tion	Name of the Partner applying on beh Date of Registration: Official Address: PAN-Permanent Account Number: E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Degree Year Pass Area of Professional Expertise: - Name of partner applying on behalf of the Firm Field / Brancho of the Firm Brancho f law Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Professional Association/enrolment Si. Organisa Case From To No	Name of the Partner applying on behalf of th Date of Registration: Official Address: PAN-Permanent Account Number: E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Degree Year of Passing Area of Professional Expertise: - Name of partner applying on behalf of the Firm Jate of Professional Expertise: - Name of partner applying on behalf of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Professional Association/enrolment No & Date: Professional Association/enrolment in other Sl. Organisa Case From To To Total r cases allotte	Name of the Partner applying on behalf of the fir Date of Registration: Official Address: PAN-Permanent Account Number: E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Degree Year of Passing Virial Address: PAN-Permanent Account Number: E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Area of Professional Expertise: - Name of partner applying on behalf of the Firm Brancho of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Details of Bar Enrolment: - Name of partner applying on behalf of the Firm Enrolment No & Date: applying on behalf of the Firm Professional Association/enrolment in other orgation of the Firm Sl. Organisa Case From To Total no of cases	Name of the Partner applying on behalf of the firm: Date of Registration: Official Address: PAN-Permanent Account Number: E-Mail ID: Academic Qualification: - Name of partner applying on behalf of the Firm Degree Year of Passing Name of partner applying on behalf of the Firm Degree Area of Professional Expertise: - Name of partner applying on behalf of the Firm Field / Experience Brancho f law Total No of cases personal engagement handled as on Details of Bar Enrolment: - Enrolment No & Date: Place Name of partner applying on behalf of the Firm Enrolment No & Date: Place Details of Bar Enrolment: - So Date: Place Name of partner applying on behalf of the Firm Enrolment no ther organisation: - So of cases allotted, as on		

10	Details of succeeded cases: -											
	Sl. No	Organisati on name	Case no	Court	Cause title	Amount involved	Year of Court verdict					
		5										
11*	Detail	s of Reported	d cases: -									
						Citation details	్రార్ కి. శిశి సంజర్ శిశార					
_												
12*	Detail	s of Reference	ces/Appre	ciation	(if any):	-						

Declaration: -

We /I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of our/my knowledge and belief. If selected,forempanelment in VOCPT, our/my willingness will not be withdrawn.

Place:

Date:

Authorised Signatory with seal

*List of following documents as proof to be attached

- 1. Degree Certificate(s)
- 2. Enrolment Certificate
- 3. Copy of Enrolment Card
- 4. Bar Experience Certificate issued by Bar Council
- 5. Certificate (s)/letter of Professional Association enrolment
- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Registration Certificate of the Firm
- 9. Copy of PAN Card

Annexure-II

2. Application Form for Empanelment of Advocate(s) (To be filled by Advocate (s)/ Legal Counsel(s))

				CIRIC	ULA	M VITAE						
1	Nan	ne:										
2	Date	Date of Birth:										
3	Offic	Official Address:										
4	Resi	Residential Address:										
<mark>5</mark> *	PAN	-Permane	ent Acc	ount Nu	mbe	r:			×			
6	E-M	ail ID:										
6*	Academic Qualification: -											
	Deg	ree	Year o Passin		Na	ame of the U	niversity		ark ercentage			
7	Area	a of Profes	sional	Expertis	se: -							
	Field Brai	1 / nchof law		Experience pe		Fotal No of case of personally handled as on		No of Successful disposal of cases				
8*	Deta	ails of Bar	Enrol	nent: -								
8(a)*	Enro	olment No	& Dat	e:		1	Place	e:				
9*		essional A	Issocia	tion/enr	olme	ent in other	organisatio	on a	as on date: -			
	Sl. Organi Case From 7 No sation type name				То	Total no of cases allotted, as on	No of cases Disposed as on	,	No. of cases disposed successfully			

10	Details of succeeded cases: -											
	Sl. No	Organisation n name	o Case no	Court	Cause title	Amount involved	Year of Court verdict					
			4									
11* Details of Reported cases: -												
	Sl. N	lo Case no	Court	Cause	title (Citation deta	ails and a					
12*	Deta	uls of Refere	nces/App	reciatior	ı (if any)): -						
13	Any	other Details	s: -									

Declaration: -

I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of my knowledge &belief. If selected, for empanelment in the port, my willingnesswill not be withdrawn.

Place: Date:

Signature with seal

*List of following documents as proof to be attached.

- 1. Degree Certificate
- 2. Enrolment Certificate
- 3. Copy of Enrolment Card
- 4. Bar Experience Certificate issued by Bar Council
- 5. Certificate (s)/letter of Professional Association /Enrolment
- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Copy of PAN Card

Annexure-III

3. Proforma for Experience

(To filled by Advocate(s) / Legal Counsel(s) / Law Firm(s))

Sl. No	Name of the Advocate / Law Firm	Area of Expertise	Year of Experience in Supreme Court of India	Year of Experien ce in High Courts of India	Year of Experien ce in District Courts of India	Year of Experienc e in Arbitratio n cases	Organizati on / Clients for whom worked

Place: Date:

Signature

with seal

Annexure IV

4. UNDERTAKING

(To be furnished by Advocate(s)/ Legal Counsel(s)/ Law Firm(s))

I/ We hereby agree to unconditionally accept and agree to all the terms and conditions of the Expression of Interest for Empanelment of Advocate(s)/ Legal Counsel(s)/ Law Firm (s) without any deviations. I also undertake and understand that the specified rates for service rendered under the said EoI are subject to revision from time to time, which shall be appropriately adhered by me / my Firm.

> Self / Authorized Signatory with seal

Place:

Date:



×

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		and the second		

3

I. <u>Eligibility Criteria:</u>

- 1. Should be enrolled as an Advocate with Bar Council and Bar Association
- 2. Should have sound knowledge about various Laws, particularly Indian Constitution, C.P.C., Indian Contract Act, Limitation Act, Arbitration and Conciliation Act, Major Port Trusts Act, Indian Ports Act, Taxation Law, Labour Laws, Property Laws, Service Laws of Government of India etc.
- 3. The Advocates should have minimum experience in handling cases of Govt. Organizations, PSUs, Autonomous Bodies, etc., as follows: -
 - For handling the cases of Supreme Court of India = 5 years' experience in Supreme Court cases.
 - ii. For handling the cases of High Court = 5 years' experience in High Court cases.
 - iii. For handling cases at District Court / Tribunals = 5 years' experience in District courts.
 - iv. For handling Arbitration cases = 5 years' experience in Arbitration cases

II. <u>General Instructions for submission of application:</u>

- 1. The interested Advocate(s)/Legal Counsel(s)/Law Firm(s) who desire to be considered for empanelment and meeting the above eligibility criteria, may submit the application in prescribed format (Annexure-I or II, as applicable), along with other details in Annexure-III and Annexure-IV attached.
- 2. Any application received by the Port after the due date, for any reasons, whatsoever, will not be considered for empanelment.
- 3. All the copies of document submitted along with application shall be self-attested.
- 4. The Port reserves the right to empanel any Advocate(s)/Legal Counsel(s) / Law Firm(s) of its choice and as per requirement, depending upon the area of specialization/expertise and on satisfying the eligibility criteria. The shortlisted Advocate(s)/Legal Counsel(s)/Law Firm(s) to be empanelled, will only be informed by the Port and no objection shall be entertained in this regard. Further, the Port also reserves the right to revise the rates / fees /allowances from time to time.
- 5. The Port also will have the liberty to engage any Advocate (s) / Legal Counsel (s) / Law Firms, other than those empanelled, if the circumstances so warrants and in

such situation, an empanelled Advocate (s) / Legal Counsel (s) / Law Firm (s) shall not make any claim or objection any the reason whatsoever.

- 6. Empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall always abide by the terms of engagement, prescribed by the Port, without any objection during the period of empanelment.
- 7. Decision of the Chairman, VOCPT, shall be final and binding on the empanelled Advocate(s)/ Legal Counsel(s)/ Law Firm(s) in case of interpretation of any clause/provisions in the Expression of Interest or Empanelment.

III. <u>Terms and Conditions for empanelment:</u>

1. Period of Empanelment:

- (i) The empanelment is for a period of two years or until further orders, whichever is earlier. However, the term may be extended for further period at the discretion of the Chairman, VOC Port Trust, based on the requirement of the services.
- (ii) The number of Advocate(s)/Legal Counsel(s)/Law Firm(s) in the Panel may be decided by the Port Trust, based on the number of cases/exigencies.

2. Termination of Empanelment:

The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) may be discontinued at the discretion of the Port Management at any time during the period of empanelment, without assigning any reasons and advance intimation.

3. Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s):

The Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) during the period of empanelment shall be Tuticorin / Madurai / Chennai / Delhi as the case may be.

4. Responsibilities/ obligations:

(i) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s), may be required to appear in Madras High Court at Chennai or Madurai Bench of Madras High Court at Madurai or District Court at Tuticorin or any other Courts, as entrusted to them by the Port Trust.

- (ii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) if so, required, shall also appear before the Tribunals, Arbitrators and Lok Adalat etc., at any place of posting of the cases on request of the Port.
- (iii)If the cases handled by the empanelled Advocate(s) / Legal Counsel(s) / Law Firms, are decided against the Port Trust or its Officers, the concerned Advocate(s)/Legal Counsel(s)/Law Firm(s) shall give their written opinion, on either implementation or challenging the Judgement before appropriate Forum by filing an appeal with reasonable grounds, on priority and positively by a week time, according to the nature and emergency of the case.
- (iv)The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall render all assistance to Senior Counsels as may be engaged by the Port Trust, if required to do so from time to time.
- (v) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall inform the important developments in the case handled by them, from time to time, particularly regarding drafting, filing of papers, dates of hearing of the case, supplying copies of Judgments, etc., to the Port Trust and also furnish, periodical statements on the status of the cases entrusted to them, whenever it is called for from time to time by the Port Trust.
- (vi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall give advice on files or opinion on the subjects referred to them by the Port Trust within the requested specified time.
- (vii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall draft/scrutinize, the important letters having legal implications, Rules, Regulation, Licenses, Agreements or any other documents as may be required and requested by the Port Trust from time to time.
- (viii) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall also appear in Criminal cases/appeals and other proceedings at Tuticorin/Madurai/Chennai/Delhi / any other places, if so, required by the Port Trust.
- (ix) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall attend such other works having legal implications, as may be assigned by the Port Trust from time to time.

- (x) The private practice of empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) should not affect the efficient discharge of the court matters/legal proceeding, etc., entrusted to them by the Port.
- (xi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not advise any party or accept any case(s) against the Port.
- (xii) If the empanelled Advocate(s)/Legal Counsel(s) / Law Firm(s) happen to be a partner of a Law Firm, it shall be mandatory for such Firms not to take up any case(s)/ give advice to any party, against the Port.
- (xiii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall maintain absolute secrecy and confidentiality about the cases of the Port.
- (xiv) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not take any adjournment without prior consent of the Port.
- (xv) If empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) commits professional misconduct or indulge in any act, which is against professional ethics or facilitates fraud/perpetration of fraud in connection with any matter connected with this Port, the Port may take inter-alia steps to lodge complaint with Bar Council concerned for appropriate action.

5. General Conditions on payment of fees:

- (i) No fee shall be payable where no legal work is required to be done, i.e., like work regarding transmission of record to the other Court/Advocate, inspection of the court record for ascertaining the position of the case, etc.
- (ii) During the pendency of a proceeding, 50% of the total admissible fee in a case may be paid, at the discretion of the Port. But in general, the fee shall be payable after the disposal of the case, on submission of an advance stamped receipt with sufficient documentary proof for such claim. For e.g. a copy of the document drafted or a copy of Order/Judgment or copy of opinion, etc. only. The bill has to be submitted within one month from the date on accrual of the fees.
- (iii)For recognition of the services of the Legal Advocate(s)/Legal Counsel (s)/Law Firm(s) in successful conduct of any case up to Rs. 10,000/- per case, may be paid, depending upon the importance of the case, at the discretion of the Chairman.

- (iv)The Chairman, on considering the merits of the case, may at his discretion, make payment over and above the admissible amount specified in Clause 7 for the empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s).
- (v) On specific orders of the Chairman, payment of fees to Senior Counsel/ Advocate(s)/Legal Counsel(s)/Law Firm(s) other than the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s), within or outside the State, shall be made, based on the importance on the question of law and urgency in the case.

6. Retainer Fee:

The empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s), with specific mention in their empanelment letter regarding retainer fee, will only be paid a monthly retainer fee of Rs.4,000/-, on receipt of invoice, duly stamped and signed, on quarterly basis. This will not be applicable to those empanelled Advocate(s) / Legal Counsel(s) / Law Firms engaged without the retainer fee.

Sl.N	Description	All Local Courts /	All High Courts	Hon'ble
0		Tribunals		Supreme Court
1	Vakalat Filing	Rs.1000	Rs.2000	Rs.3000/-
2	Effective appearance	Rs.5,000/- per	Rs.6,000/- per	Rs.7,000/- per
	in Suit, Writ Petition,	case for the	case for the	case for the
	Appeal Petition, etc.	hearing up to three	hearing up to	hearing up to
		days and	three days and	three days and
		Rs.1,000/- per	Rs.1,000/- per	Rs.1,000/- per
		additional day of	additional day	additional day of
		hearing, subject to	of hearing,	hearing.
		the maximum of	subject to the	
		Rs.10,000/-	maximum of	
			Rs.10,000/-	
3	Effective appearance	Rs.2500/- per	Rs.3,000/- per	Rs.3,500/- per
	in Civil or Criminal	case, for the	case, for the	case, for the
	Revision/Review	hearing up to three	hearing up to	hearing up to
	Petition	days and Rs.500/-	three days and	three days and
		per additional day	Rs.1,000/- per	Rs.1,000/- per
		of hearing	additional day	additional day of
4			of hearing	hearing

7. Fees for empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s):

4	Filing of	Rs.2000/- per	Rs.3500/- per	Rs.5000/- per				
	Miscellaneous	Petition	Petition	Petition				
	Petitions, Interim							
	Application, Caveat							
	Petition, Transfer							
	Petitions, Civil		÷					
	Miscellaneous							
	Petitions, any formal		1. S. 1. S. 1.					
	Legal Petitions, etc.	Y.						
5	Clerkage	Rs.2500/-	Rs.5000/-	Rs.7500/-				
5	Professional Charge	Rs.3000/-	Rs.4000/-	Rs.5000/-				
	for arguments on							
	Final disposal.							
7	Consolidated payment	Rs.5000/-	Rs.7000/-	Rs.10,000/-				
	for the case disposed							
	at the admission stage							
	and there shall be no							
	claim of any other							
	charges except							
	conference fee and							
	court fee.							
8	Legal opinion other	(i) Rs.5000/- per og	-					
	than in Clause III (4)	(ii) Rs.2000/- per c	opinion for other is	sues.				
9	(iii)	(i) Do 15 000 /	f 411-:	1 4 OF				
9	Appearance fee for Arbitration case	(i) Rs.15,000/- per	case for the claim	value up to 25				
	AIDITATION Case	lakhs (ii) Rs.25,000/- per case for the claim value up to 25 to						
		50 lakhs						
		(iii)Rs.45,000/- per case for the claim value up to 50						
		lakhs to 1 crore						
		(iv) Rs.75,000/- per case at the maximum for the claim						
		value exceeds 1 cr						
		and the state		Chairman.				
		Or the fee as may be decided by the Chairman, depending upon the importance and quantum of work involved in exceptional cases.						
10	Conference fee (Each		/Dy. Chairman - R	s.2000/-				
	occasion)	(ii) With Head of Department - Rs.1000/- and						
		(iii) With any Class I officer - Rs.500/-						
	Subject to maximum of three conferences in							
11	Court fees		producing original					
12	Listing charges	1 KS.2000/- per cas	e joing on request o	of the Port, if case				

13	Miscellaneous charges like photocopying, applying for order copy, etc.	As per actual, on producing original bills only.
14	Legal notice	Rs. 1000/- per notice
15	Examination of title deeds	2 ½ % of the amount involved in the transaction such as sale, mortgage, lease, license, etc., subject to a minimum of Rs.1000/- and maximum of Rs.3000/-
16	Daily fee for out of headquaters	Rs.2400/- per day, for the days of absence from Headquarters, which starts from the day of departure, including intervening holidays and till arrival back to the Headquarters, subject to maximum of 5 days. However, no fee for the day of departure/arrival, on the following occasions: - (i)Leaves the Headquarters after Court hours (ii)Arrival to Headquarters before the Court hours
17	Reimbursement of Travelling expenses	 (i). Travel by air (economy class) for Designated Senior Counsel and above (ii) For others, by II A/C train for the journey covered by overnight. (iii)Road mileage: At the rate as admissible to Senior Class I officers of the Port, for the travel from his residence/Court to the Railway station /airport or place of stay in case of outstation and vice versa.
19	Reimbursement of Hotel / Guest House Accommodation	Actual expenses for stay in hotel/ guest house, subject to maximum of Rs.2000/- per day, for maximum period of 5 days.
20	Fee for Uncontested cases	 (i) One-third of the admitted fee for the Suits/Appeals, if withdrawn by the Plaintiff/Appellant or dismissed or decided by the Court as Ex-parte before the final hearing. But, such case is later on restored and decided in contest, the remaining two-thirds of the fee will be paid. (A case will be considered as contested, if decision is given after hearing arguments on both sides) <u>Note</u>: Following will not form part of uncontested cases:-(a) Writ Petition/Revision Fetition/Second Appeal (including any interlocutory application connected therewith), is withdrawn or decided on preliminary legal objection during any stage of the final hearing in the presence of the empanelled Advocate(s) / Legal Counsel(s) / Law Firms or is withdrawn by the Port at the time of its admission.

21	Fee for Identical cases	(i) Full fee shall be paid in the main case and						
		(ii) If separate Petition/Affidavit/Counter, etc., is filed						
		separately for other connected identical cases, 1/4 th						
		of the fee payable in the main case, shall be paid for						
		each case.						
		(iii) If separate Petition/Affidavit/Counter, etc., is not						
		filed separately for other connected identical cases,						
		then fees will be paid only for the main case.						
	5	(iv)Appeal, Revision or Review petitions arising from a						
		common Judgment or Order will be considered as						
~		single case for making payment, if they had been						
		heard together.						
		Note: Following shall be considered as identical cases:						
		(a) Where the question of law or facts or prayer are						
		identical and the main difference is only in the						
		name, address of the party concerned, amount						
		involved, etc. and						
		(b) Common or identical Order/ Judgement is delivered						
	4	(c) It is not mandatory that all the cases have to be						
		heard together						
22	Change in empanelled	(i) During the pendency of a legal proceeding, $1/3^{rd}$						
	Advocate(s) / Legal	of the total fee admissible for the case may be paid for						
	Counsel(s) / Law	the work done to the outgoing empanelled Advocate(s)						
	Firms	/ Legal Counsel(s) / Law Firms.						
		(ii) In such an event, the balance of $2/3^{rd}$ fee is						
		payable to the new empanelled Advocate(s) / Legal						
		Counsel(s) / Law Firms after completion.						

IV. <u>Proforma/Formats:</u>

Interested / willing, Advocate(s) / Legal Counsel(s) / Law Firm(s) may submit their Expression of Interest (EOI) in the applicable prescribed format enclosed as follows:

- 1. Application Form for Empanelment of Legal Firm(s) (Annexure-I)
- 2. Application Form for Empanelment of Advocate(s) / Legal Counsel(s) (Annexure-II)
- 3. Proforma for Experience (Annexure-III)
- 4. Undertaking (Annexure-IV)

Annexure-I

1. Application Form for Empanelment of Law Firms (To be filled by Law Firm(s))

				CIR	ICULA	M VITA	E					
1	Name	e of the Law	Firm:					Martine " Constrainting and Antonio " Martine				
2	Name	of the Part	ner apj	olying c	n beh	alf of th	e firr	n:				
3*	Date of Registration:											
4	Official Address:											
5*	PAN-Permanent Account Number:											
6	E-Mail ID:											
6* Academic Qualification: -												
	Name of partner applying on behalf of the Firm			gree	Year of Passing		Name of the University		Mark Percentage			
7	Area of Professional Expertise: -											
	Name of partner applying on beha of the Firm		lf Bra	Field / Branch of law		Experience From – to-		al No of es personal agement dled as on	No of Successful disposal			
8*	Detai	ls of Bar En	rolmen	ıt: -								
8(a) *	Name of partner applying on behalf of the FirmEnrolme			rolmer	nt No 8	& Date:		Place				
9*	Profes	ssional Asso	ociation	/enrol	ment	in othe	r orga	anisation: -				
	Sl. No	Organisa tion name	Case type	From	To Total m cases allotted on		d, as	No of cases Disposed as on	No. of cases disposed successfully			

10	Details of succeeded cases: -											
	Sl. No	Organisati on name	Case no	Court	Cause title	Amount involved	Year of Court verdict					
						191. 191						
11*	Details of Reported cases: -											
2 57	Sl. No Case no		Court	Cause title		Citation details						
12*	Details of References/Appreciation (if any): - Any other Details: -											
13												

Declaration: -

We /I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of our/my knowledge and belief. If selected, for empanelment in VOCPT, our/my willingness will not be withdrawn.

Place:

Date:

Authorised Signatory with seal

*List of following documents as proof to be attached

- 1. Degree Certificate(s)
- 2. Enrolment Certificate
- 3. Copy of Enrolment Card
- 4. Bar Experience Certificate issued by Bar Council
- 5. Certificate (s)/letter of Professional Association enrolment
- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Registration Certificate of the Firm
- 9. Copy of PAN Card

Annexure-II

2. Application Form for Empanelment of Advocate(s) (To be filled by Advocate (s)/ Legal Counsel(s))

	_			CIRIC	CULA	M VITAE							
1	Nan	ne:											
2	Date	e of Birth				6							
3	Offic	cial Addre	ess:										
4	Resi	dential A	ddress:										
5*	PAN-Permanent Account Number:												
6	E-M	E-Mail ID:											
6*	Academic Qualification: -												
	Deg	ree	Year o Passin		Na	ame of the U	niversity	Mark Percentage					
7	Area of Professional Expertise: -												
	Field Bran law	l / nch of	Year of Experience		pe	tal No of cas rsonally har	No of Successful disposal of cases						
8*	Detr	ails of Bar	Enrol	mont									
						1	DI						
8(a)*	* Enrolment No & Date: Place:							:					
9*	Prof	essional A	Associa	tion/en	rolme	ent in other	organisati	on as on date: -					
	Sl. No			То	Total no of cases allotted, as on	No of cases Disposed, as on	No. of cases disposed successfully						

10	Details of succeeded cases: -											
	Sl. No		Organisatio n name		Court	Cause title	Amount involved	Year of Court verdict				
11*	Deta	uils of I	Reporte	d cases:	_							
	Sl. No Case o no			Court	Cause	title	Citation det	ails				
							5					
12*	Details of References/Appreciation (if any): -											
13	Any other Details: -											

Declaration: -

I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of my knowledge & belief. If selected, for empanelment in the port, my willingness will not be withdrawn.

Place: Date:

Signature with seal

*List of following documents as proof to be attached.

- 1. Degree Certificate
- 2. Enrolment Certificate
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- 4. Bar Experience Certificate issued by Bar Council
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- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Copy of PAN Card

Annexure-III

3. Proforma for Experience

(To filled by Advocate(s)/ Legal Counsel(s)/ Law Firm(s))

Sl. No	Name of the Advocate / Law Firm	Area of Expertise	Year of Experience in Supreme Court of India	Year of Experien ce in High Courts of India	Year of Experien ce in District Courts of India	Year of Experienc e in Arbitratio n cases	Organizati on / Clients for whom worked

Place: Date:

> Signature with seal

Annexure IV

4. UNDERTAKING

(To be furnished by Advocate(s)/ Legal Counsel(s)/ Law Firm(s))

I/ We hereby agree to unconditionally accept and agree to all the terms and conditions of the Expression of Interest for Empanelment of Advocate(s)/ Legal Counsel(s)/ Law Firm (s) without any deviations. I also undertake and understand that the specified rates for service rendered under the said EoI are subject to revision from time to time, which shall be appropriately adhered by me / my Firm.

> Self / Authorized Signatory with seal

Place:

Date:
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II.	General instructions for submission of application	·····	4
III.	Terms and Conditions for empanelment		5
	·		
	1. Period of Empanelment		5
	2. Termination of Empanelment	••••••	5
	3. Headquarters of the empanelled		
	Advocate(s)/Legal Counsel (s)/Law Firm(s)	•••••	5
	4. Responsibilities/obligations	·····	5
	5. General Conditions on payment of fees		7
	6. Retainer Fee		8
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	Legal Counsel(s)/Law Firm(s)	••••••	8
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	3. Proforma for Experience (Annexure-III)		16
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I. <u>Eligibility Criteria:</u>

- 1. Should be enrolled as an Advocate with Bar Council and Bar Association
- 2. Should have sound knowledge about various Laws, particularly Indian Constitution, C.P.C., Indian Contract Act, Limitation Act, Arbitration and Conciliation Act, Major Port Trusts Act, Indian Ports Act, Taxation Law, Labour Laws, Property Laws, Service Laws of Government of India etc.
- 3. The Advocates should have minimum experience in handling cases of Govt. Organizations, PSUs, Autonomous Bodies, etc., as follows: -
 - For handling the cases of Supreme Court of India = 5 years' experience in Supreme Court cases.
 - ii. For handling the cases of High Court = 5 years' experience in High Court cases.
 - iii. For handling cases at District Court / Tribunals = 5 years' experience in District courts.
 - iv. For handling Arbitration cases = 5 years' experience in Arbitration cases

II. <u>General Instructions for submission of application:</u>

- 1. The interested Advocate(s)/Legal Counsel(s)/Law Firm(s) who desire to be considered for empanelment and meeting the above eligibility criteria, may submit the application in prescribed format (Annexure-I or II, as applicable), along with other details in Annexure-III and Annexure-IV attached.
- 2. Any application received by the Port after the due date, for any reasons, whatsoever, will not be considered for empanelment.
- 3. All the copies of document submitted along with application shall be self-attested.
- 4. The Port reserves the right to empanel any Advocate(s)/Legal Counsel(s) / Law Firm(s) of its choice and as per requirement, depending upon the area of specialization/expertise and on satisfying the eligibility criteria. The shortlisted Advocate(s)/Legal Counsel(s)/Law Firm(s) to be empanelled, will only be informed by the Port and no objection shall be entertained in this regard. Further, the Port also reserves the right to revise the rates / fees /allowances from time to time.
- 5. The Port also will have the liberty to engage any Advocate (s) / Legal Counsel (s) / Law Firms, other than those empanelled, if the circumstances so warrants and in

4

such situation, an empanelled Advocate (s) / Legal Counsel (s) / Law Firm (s) shall not make any claim or objection any the reason whatsoever.

- 6. Empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall always abide by the terms of engagement, prescribed by the Port, without any objection during the period of empanelment.
- 7. Decision of the Chairman, VOCPT, shall be final and binding on the empanelled Advocate(s)/ Legal Counsel(s)/ Law Firm(s) in case of interpretation of any clause/provisions in the Expression of Interest or Empanelment.

III. <u>Terms and Conditions for empanelment:</u>

1. Period of Empanelment:

- (i) The empanelment is for a period of two years or until further orders, whichever is earlier. However, the term may be extended for further period at the discretion of the Chairman, VOC Port Trust, based on the requirement of the services.
- (ii) The number of Advocate(s)/Legal Counsel(s)/Law Firm(s) in the Panel may be decided by the Port Trust, based on the number of cases/exigencies.

2. Termination of Empanelment:

The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) may be discontinued at the discretion of the Port Management at any time during the period of empanelment, without assigning any reasons and advance intimation.

3. Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s):

The Headquarters of the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) during the period of empanelment shall be Tuticorin / Madurai / Chennai / Delhi as the case may be.

4. Responsibilities/ obligations:

(i) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s), may be required to appear in Madras High Court at Chennai or Madurai Bench of Madras High Court at Madurai or District Court at Tuticorin or any other Courts, as entrusted to them by the Port Trust.

- (ii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) if so, required, shall also appear before the Tribunals, Arbitrators and Lok Adalat etc., at any place of posting of the cases on request of the Port.
- (iii)If the cases handled by the empanelled Advocate(s) / Legal Counsel(s) / Law Firms, are decided against the Port Trust or its Officers, the concerned Advocate(s)/Legal Counsel(s)/Law Firm(s) shall give their written opinion, on either implementation or challenging the Judgement before appropriate Forum by filing an appeal with reasonable grounds, on priority and positively by a week time, according to the nature and emergency of the case.
- (iv)The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall render all assistance to Senior Counsels as may be engaged by the Port Trust, if required to do so from time to time.
- (v) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall inform the important developments in the case handled by them, from time to time, particularly regarding drafting, filing of papers, dates of hearing of the case, supplying copies of Judgments, etc., to the Port Trust and also furnish, periodical statements on the status of the cases entrusted to them, whenever it is called for from time to time by the Port Trust.
- (vi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall give advice on files or opinion on the subjects referred to them by the Port Trust within the requested specified time.
- (vii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall draft/scrutinize, the important letters having legal implications, Rules, Regulation, Licenses, Agreements or any other documents as may be required and requested by the Port Trust from time to time.
- (viii) The empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s) shall also appear in Criminal cases/appeals and other proceedings at Tuticorin/Madurai/Chennai/Delhi / any other places, if so, required by the Port Trust.
- (ix) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm (s) shall attend such other works having legal implications, as may be assigned by the Port Trust from time to time.

- (x) The private practice of empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) should not affect the efficient discharge of the court matters/legal proceeding, etc., entrusted to them by the Port.
- (xi)The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not advise any party or accept any case(s) against the Port.
- (xii) If the empanelled Advocate(s)/Legal Counsel(s) / Law Firm(s) happen to be a partner of a Law Firm, it shall be mandatory for such Firms not to take up any case(s)/ give advice to any party, against the Port.
- (xiii) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall maintain absolute secrecy and confidentiality about the cases of the Port.
- (xiv) The empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) shall not take any adjournment without prior consent of the Port.
- (xv) If empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s) commits professional misconduct or indulge in any act, which is against professional ethics or facilitates fraud/perpetration of fraud in connection with any matter connected with this Port, the Port may take inter-alia steps to lodge complaint with Bar Council concerned for appropriate action.

5. General Conditions on payment of fees:

- (i) No fee shall be payable where no legal work is required to be done, i.e., like work regarding transmission of record to the other Court/Advocate, inspection of the court record for ascertaining the position of the case, etc.
- (ii) During the pendency of a proceeding, 50% of the total admissible fee in a case may be paid, at the discretion of the Port. But in general, the fee shall be payable after the disposal of the case, on submission of an advance stamped receipt with sufficient documentary proof for such claim. For e.g. a copy of the document drafted or a copy of Order/Judgment or copy of opinion, etc. only. The bill has to be submitted within one month from the date on accrual of the fees.
- (iii)For recognition of the services of the Legal Advocate(s)/Legal Counsel (s)/Law Firm(s) in successful conduct of any case up to Rs. 10,000/- per case, may be paid, depending upon the importance of the case, at the discretion of the Chairman.

- (iv) The Chairman, on considering the merits of the case, may at his discretion, make payment over and above the admissible amount specified in Clause 7 for the empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s).
- (v) On specific orders of the Chairman, payment of fees to Senior Counsel/ Advocate(s)/Legal Counsel(s)/Law Firm(s) other than the empanelled Advocate(s)/Legal Counsel(s)/Law Firm(s), within or outside the State, shall be made, based on the importance on the question of law and urgency in the case.

6. Retainer Fee:

The empanelled Advocate(s) / Legal Counsel(s) / Law Firm(s), with specific mention in their empanelment letter regarding retainer fee, will only be paid a monthly retainer fee of Rs.4,000/-, on receipt of invoice, duly stamped and signed, on quarterly basis. This will not be applicable to those empanelled Advocate(s) / Legal Counsel(s) / Law Firms engaged without the retainer fee.

S1.N	Description	All Local Courts /	All High Courts	Hon'ble
0	-	Tribunals		Supreme Court
1	Vakalat Filing	Rs.1000	Rs.2000	Rs.3000/-
2	Effective appearance	Rs.5,000/- per	Rs.6,000/- per	Rs.7,000/- per
	in Suit, Writ Petition,	case for the	case for the	case for the
	Appeal Petition, etc.	hearing up to three	hearing up to	hearing up to
		days and	three days and	three days and
		Rs.1,000/- per	Rs.1,000/- per	Rs.1,000/- per
		additional day of additional day		additional day of
		hearing, subject to	of hearing,	hearing.
		the maximum of	subject to the	
		Rs.10,000/-	maximum of	
			Rs.10,000/-	
3	Effective appearance	Rs.2500/- per	Rs.3,000/- per	Rs.3,500/- per
	in Civil or Criminal	case, for the	case, for the	case, for the
	Revision/Review	hearing up to three	hearing up to	hearing up to
	Petition	days and Rs.500/-	three days and	three days and
		per additional day	Rs.1,000/- per	Rs.1,000/- per
		of hearing	additional day	additional day of
			of hearing	hearing

7. Fees for empanelled Advocate(s) / Legal Counsel(s) / Law Firm (s):

4	Filing of	Rs.2000/- per	Rs.3500/- per	Rs.5000/- per					
	Miscellaneous	Petition	Petition	Petition					
	Petitions, Interim								
	Application, Caveat								
	Petition, Transfer								
	Petitions, Civil								
	Miscellaneous								
	Petitions, any formal								
	Legal Petitions, etc.								
5	Clerkage	Rs.2500/-	Rs.5000/-	Rs.7500/-					
6	Professional Charge	Rs.3000/-	Rs.4000/-	Rs.5000/-					
	for arguments on								
	Final disposal.								
7	Consolidated payment	Rs.5000/-	Rs.7000/-	Rs.10,000/-					
	for the case disposed								
	at the admission stage								
	and there shall be no								
	claim of any other								
	charges except								
	conference fee and								
	court fee.								
8	Legal opinion other	(i) Rs.5000/- per opinion for Project related issues(ii) Rs.2000/- per opinion for other issues.							
	than in Clause III (4)	(ii) Rs.2000/- per c	pinion for other is	sues.					
0	(iii)	(i) Do 15 000 / mon or so for the state 1 and 1 25							
9	Appearance fee for	(i) Rs.15,000/- per case for the claim value up to 25							
	Arbitration case	lakhs							
		(ii) Rs.25,000/- per case for the claim value up to 25 to 50 lakhs							
		(iii)Rs.45,000/- per case for the claim value up to 50 lakhs to 1 crore							
		(iv) Rs.75,000/- per case at the maximum for the claim							
		value exceeds 1 crore. Or the fee as may be decided by the Chairman,							
		depending upon the importance and quantum of work							
10	Conference fee (Each	involved in exceptional cases. (i) With Chairman/Dy. Chairman - Rs.2000/-							
10	occasion)		50 C	522					
		(ii) With Head of D	-						
		(iii) With any Class I officer - Rs.500/-Subject to maximum of three conferences in a case.							
	Court fees								
		As per actual, on producing original bills only. Rs.2000/- per case (only on request of the Port, if case is							
$\frac{11}{12}$	Listing charges	Pa 2000 / man and	only on request	fthe Dort if same					

10	N (1)	
13	Miscellaneous charges	As per actual, on producing original bills only.
	like photocopying,	
	applying for order	
	copy, etc.	
14	Legal notice	Rs. 1000/- per notice
15	Examination of title	$2\frac{1}{2}$ % of the amount involved in the transaction such as
	deeds	sale, mortgage, lease, license, etc., subject to a minimum of Rs.1000/- and maximum of Rs.3000/-
16	Daily fee for out of	Rs.2400/- per day, for the days of absence from
	headquaters	Headquarters, which starts from the day of departure,
		including intervening holidays and till arrival back to the
		Headquarters, subject to maximum of 5 days.
		However, no fee for the day of departure/arrival, on the
		following occasions: -
		(i)Leaves the Headquarters after Court hours
		(ii)Arrival to Headquarters before the Court hours
17	Reimbursement of	(i). Travel by air (economy class) for Designated Senior
	Travelling expenses	Counsel and above
		(ii) For others, by II A/C train for the journey covered by
		overnight.
		(iii)Road mileage: At the rate as admissible to Senior
		Class I officers of the Port, for the travel from his
		residence/Court to the Railway station /airport or place
		of stay in case of outstation and vice versa.
19	Reimbursement of	Actual expenses for stay in hotel/ guest house, subject
	Hotel / Guest House	to maximum of Rs.2000/- per day, for maximum period
	Accommodation	of 5 days.
20	Fee for Uncontested	(i) One-third of the admitted fee for the Suits/Appeals, if
	cases	withdrawn by the Plaintiff/Appellant or dismissed or
		decided by the Court as Ex-parte before the final
		hearing. But, such case is later on restored and decided
		in contest, the remaining two-thirds of the fee will be
		paid. (A case will be considered as contested, if decision
		is given after hearing arguments on both sides)
		Note: Following will not form part of uncontested cases:-
		(a) Writ Petition/Revision Petition/Second Appeal
		(including any interlocutory application connected
		therewith), is withdrawn or decided on preliminary legal
		objection during any stage of the final hearing in the
		presence of the empanelled Advocate(s) / Legal
		Counsel(s) / Law Firms or is withdrawn by the Port at
		the time of its admission.

21	Fee for Identical cases	(i) Full fee shall be paid in the main case and
		(ii) If separate Petition/Affidavit/Counter, etc., is filed
		separately for other connected identical cases, 1/4 th
		of the fee payable in the main case, shall be paid for
		each case.
		(iii) If separate Petition/Affidavit/Counter, etc., is not
		filed separately for other connected identical cases,
		then fees will be paid only for the main case.
		(iv)Appeal, Revision or Review petitions arising from a
		common Judgment or Order will be considered as
		single case for making payment, if they had been
		heard together.
		Note: Following shall be considered as identical cases:
		(a) Where the question of law or facts or prayer are
		identical and the main difference is only in the
		name, address of the party concerned, amount
		involved, etc. and
		(b) Common or identical Order/ Judgement is delivered
		(c) It is not mandatory that all the cases have to be
		heard together
22	Change in empanelled	(i) During the pendency of a legal proceeding, $1/3^{rd}$
	Advocate(s) / Legal	of the total fee admissible for the case may be paid for
	Counsel(s) / Law	the work done to the outgoing empanelled Advocate(s)
	Firms	/ Legal Counsel(s) / Law Firms.
		(ii) In such an event, the balance of $2/3^{rd}$ fee is
		payable to the new empanelled Advocate(s) / Legal
		Counsel(s) / Law Firms after completion.

IV. <u>Proforma/Formats:</u>

Interested / willing, Advocate(s) / Legal Counsel(s) / Law Firm(s) may submit their Expression of Interest (EOI) in the applicable prescribed format enclosed as follows:

- 1. Application Form for Empanelment of Legal Firm(s) (Annexure-I)
- 2. Application Form for Empanelment of Advocate(s) / Legal Counsel(s) (Annexure-II)
- 3. Proforma for Experience (Annexure-III)
- 4. Undertaking (Annexure-IV)

Annexure-I

1. Application Form for Empanelment of Law Firms (To be filled by Law Firm(s))

					CIR	ICULA	M VITA	E	· · · · · · · · · · · · · · · · · · ·			
1	Name	e of the Law	Fir	m:								
2	Name of the Partner applying on behalf of the firm:											
3*	Date of Registration:											
4	Official Address:											
5*	PAN-Permanent Account Number:											
6	E-Mail ID:											
6*	Academic Qualification: -											
	Name of partner applying on behalf of the Firm		Degree		Year of Passing			me of the iversity	Mark Percentage			
7	Area	of Profession	Expertise: -									
	Name of partner applying on behalf of the Firm		Field / Branch of law		Experience From – to-		Total No of cases personal engagement handled as on		No of Successful disposal			
8*	Detai	ls of Bar En	rolı	men	t: -							
8(a) *	apply	e of partner ing on beha e Firm	lf	Enrolment No & Date:			& Date:		Place			
<mark>9</mark> *	Profes	ssional Asso	ocia	tion	/enrol	ment	in othe	r org	anisation: -			
7 A.	U		Ca typ	ase From pe		То	Total r cases allotted on	d, as	cases	No. of cases disposed successfully		

10	Details of succeeded cases: -										
	Sl. No			Case no	Court	Cause title	Amount involved	Year of Court verdict			
11*	Detail	s of Re	portec	d cases: -							
5	Sl. No	Ca no		Court	t Cause title		Citation details	fan t			
12*	Details of References/Appreciation (if any): -										
13	Any other Details: -										

Declaration: -

We /I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of our/my knowledge and belief. If selected, for empanelment in VOCPT, our/my willingness will not be withdrawn.

Place: Date:

Authorised Signatory with seal

*List of following documents as proof to be attached

- 1. Degree Certificate(s)
- 2. Enrolment Certificate
- 3. Copy of Enrolment Card
- 4. Bar Experience Certificate issued by Bar Council
- 5. Certificate (s)/letter of Professional Association enrolment
- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Registration Certificate of the Firm
- 9. Copy of PAN Card

Annexure-II

2. Application Form for Empanelment of Advocate(s) (To be filled by Advocate (s)/ Legal Counsel(s))

Offic Resic PAN- E-Ma Acad Degr Area	of Birth: ial Addre lential Ad Permane ail ID: emic Qua	ss: ddress: ent Acco	on: - f		r: ame of the U	Jniversity	Mark						
Offic Resic PAN- E-Ma Acad Degr Area	ial Addre lential Ad Permane ail ID: emic Qua ee	ss: ddress: ent Acco alificati Year o	on: - f			Jniversity	Mark						
Resic PAN- E-Ma Acad Degro	lential A Permane ail ID: emic Qua ee	ddress: ent Acco alificati Year o	on: - f			Jniversity	Mark						
PAN- E-Ma Acad Degro	Permane uil ID: emic Qua ee	ent Acco alificati Year o	on: - f			Jniversity	Mark						
E-Ma Acad Degr Area	ail ID: emic Qua ee	alificati Year o	on: - f			Jniversity	Mark						
Acad Degr Area	emic Qua	Year o	f	Na	ame of the U	Jniversity	Mark						
Degro	ee	Year o	f	Na	ame of the U	Jniversity	Mark						
Area				Na	ame of the U	Jniversity	Mark						
	of Profes						Percentage						
Field		Area of Professional Expertise: -											
Field / Branch of law		Year of Experience		pe	tal No of ca rsonally ha	No of Successful disposal of cases							
Details of Bar Enrolment: -													
Enro	lment No	& Dat	e:			Place	e:						
Profe	ssional A	Associa	tion/en	rolme	ent in other	r organisati	on as on date: -						
S1. No	Organi sation name	Case type	From	То	Total no of cases allotted, as on	No of cases Disposed as on	No. of cases disposed , successfully						
F	2nro Profe	Cnrolment No Professional A Sl. Organi Io sation	Enrolment No & Dat Professional Associa 81. Organi Case Io sation type	Enrolment No & Date: Professional Association/enrols Bl. Organi Case From No sation type	Enrolment No & Date: Professional Association/enrolme Sl. Organi Case From To No sation type	Enrolment No & Date: Professional Association/enrolment in other Sl. Organi Case From To Total no of cases name type allotted, as	Enrolment No & Date: Professional Association/enrolment in other organisation Sl. Organi Case From To Total no No of sation type name logical cases allotted, Disposed as on						

10	Details of succeeded cases: -											
	S1. No		ganisatio name	o Case no	Court	Cause title	Amount involved	Year of Court verdict				
	Deta	Details of Reported cases: -										
	S1. N	NO	Case no	Court	Cause	title (Citation det	ails				
12*	Details of References/Appreciation (if any): -											
13	Any	Any other Details: -										

Declaration: -

I, hereby, solemnly declare that all the statements made in the above proforma are true and correct to the best of my knowledge & belief. If selected, for empanelment in the port, my willingness will not be withdrawn.

Place: Date:

Signature with seal

*List of following documents as proof to be attached.

- 1. Degree Certificate
- 2. Enrolment Certificate
- 3. Copy of Enrolment Card
- 4. Bar Experience Certificate issued by Bar Council
- 5. Certificate (s)/letter of Professional Association /Enrolment
- 6. Copy of reported cases
- 7. Letters(s) of References/Appreciation
- 8. Copy of PAN Card

Annexure-III

3. Proforma for Experience

(To filled by Advocate(s)/ Legal Counsel(s)/ Law Firm(s))

Γ	S1.	Name of	Area of	Year of	Year of	Year of	Year of	Organizati
	No	the Advocate / Law Firm	Expertise	Experience in Supreme Court of India	Experien ce in High Courts of India	Experien ce in District Courts of India	Experienc e in Arbitratio n cases	on / Clients for whom worked
					_			

Place: Date:

> Signature with seal

Annexure IV

4. UNDERTAKING

(To be furnished by Advocate(s)/ Legal Counsel(s)/ Law Firm(s))

I/ We hereby agree to unconditionally accept and agree to all the terms and conditions of the Expression of Interest for Empanelment of Advocate(s)/ Legal Counsel(s)/ Law Firm (s) without any deviations. I also undertake and understand that the specified rates for service rendered under the said EoI are subject to revision from time to time, which shall be appropriately adhered by me / my Firm.

> Self / Authorized Signatory with seal

Place:

Date: