



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
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ISO 9001:2008, ISO 14001:
2004 & ISPS COMPLIANT
PORT

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V.O.CHIDAMBARANAR PORT TRUST

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(MINISTRY OF SHIPPING, GOVERNMENT OF INDIA)
ADMINISTRATIVE OFFICE, HARBOUR ESTATE, TUTICORIN 628 004, TAMIL NADU



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

Date: 08.12.2020

**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, 30.09.2020&31.10.2020.

Further the last date for submission of applications is now extended upto 31.12.2020.

Sd/-
Secretary(St.)

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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: -
 - i. 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. General Instructions for submission of application:

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 warrant 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. Terms and Conditions for empanelment:

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 work 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.

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

Sl.No	Description	All Local Courts / Tribunals	All High Courts	Hon'ble Supreme Court
1	Vakalat Filing	Rs.1000	Rs.2000	Rs.3000/-
2	Effective appearance in Suit, Writ Petition, Appeal Petition, etc.	Rs.5,000/- per case for the hearing up to three days and Rs.1,000/- per additional day of hearing, subject to the maximum of Rs.10,000/-	Rs.6,000/- per case for the hearing up to three days and Rs.1,000/- per additional day of hearing, subject to the maximum of Rs.10,000/-	Rs.7,000/- per case for the hearing up to three days and Rs.1,000/- per additional day of hearing.
3	Effective appearance in Civil or Criminal Revision/Review Petition	Rs.2500/- per case, for the hearing up to three days and Rs.500/- per additional day of hearing	Rs.3,000/- per case, for the hearing up to three days and Rs.1,000/- per additional day of hearing	Rs.3,500/- per case, for the hearing up to three days and Rs.1,000/- per additional day of hearing

4	Filing of Miscellaneous Petitions, Interim Application, Caveat Petition, Transfer Petitions, Civil Miscellaneous Petitions, any formal Legal Petitions, etc.	Rs.2000/- per Petition	Rs.3500/- per Petition	Rs.5000/- per Petition
5	Clerkage	Rs.2500/-	Rs.5000/-	Rs.7500/-
6	Professional Charge for arguments on Final disposal.	Rs.3000/-	Rs.4000/-	Rs.5000/-
7	Consolidated payment for the case disposed at the admission stage and there shall be no claim of any other charges except conference fee and court fee.	Rs.5000/-	Rs.7000/-	Rs.10,000/-
8	Legal opinion other than in Clause III (4) (iii)	(i) Rs.5000/- per opinion for Project related issues (ii) Rs.2000/- per opinion for other issues.		
9	Appearance fee for Arbitration case	(i) Rs.15,000/- per case for the claim value up to 25 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 involved in exceptional cases.		
10	Conference fee (Each occasion)	(i) With Chairman/Dy. Chairman - Rs.2000/- (ii) With Head of Department - Rs.1000/- and (iii) With any Class I officer - Rs.500/- Subject to maximum of three conferences in a case.		
11	Court fees	As per actual, on producing original bills only.		
12	Listing charges	Rs.2000/- per case (only on request of the Port, if case is listed within a short duration, with special efforts)		

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 headquarters	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 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	<p>(i) Full fee shall be paid in the main case and</p> <p>(ii) If separate Petition/Affidavit/Counter,etc., is filed separately for other connected identical cases, 1/4thof the fee payable in the main case, shall be paid for each case.</p> <p>(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.</p> <p>(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.</p> <p><u>Note:</u>Following shall be considered as identical cases:</p> <p>(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</p> <p>(b) Common or identical Order/ Judgement is delivered</p> <p>(c) It is not mandatory that all the cases have to be heard together</p>
22	Change in empanelled Advocate(s) / Legal Counsel(s) / Law Firms	<p>(i) During the pendency of a legal proceeding, 1/3rdof the total fee admissible for the case may be paid for the work done to the outgoing empanelled Advocate(s) / Legal Counsel(s) / Law Firms.</p> <p>(ii) In such an event, the balance of 2/3rdfee is payable to the new empanelled Advocate(s) / Legal Counsel(s) / Law Firms after completion.</p>

IV. Proforma/Formats:

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)

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

CIRICULAM VITAE								
1	Name of the Law Firm:							
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	Name of the University	Mark Percentage			
7	Area of Professional 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*	Details of Bar Enrolment: -							
8(a)*	Name of partner applying on behalf of the Firm	Enrolment No & Date:			Place			
9*	Professional Association/enrolment in other organisation: -							
	Sl. No	Organisation name	Case type	From	To	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 name	Case no	Court	Cause title	Amount involved	Year of Court verdict
11*	Details of Reported cases: -						
	Sl. No	Case no	Court	Cause title	Citation details		
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,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

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

CIRICULAM VITAE								
1	Name:							
2	Date of Birth:							
3	Official Address:							
4	Residential Address:							
5*	PAN-Permanent Account Number:							
6	E-Mail ID:							
6*	Academic Qualification: -							
	Degree	Year of Passing	Name of the University			Mark Percentage		
7	Area of Professional Expertise: -							
	Field / Branch of law	Year of Experience	Total No of case of personally handled as on _____			No of Successful disposal of cases		
8*	Details of Bar Enrolment: -							
8(a)*	Enrolment No & Date:				Place:			
9*	Professional Association/enrolment in other organisation as on date: -							
	Sl. No	Organi sation name	Case type	From	To	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 name	Case no	Court	Cause title	Amount involved	Year of Court verdict
11*	Details of Reported cases: -						
	Sl. No	Case no	Court	Cause title	Citation details		
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
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

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 Experience in High Courts of India	Year of Experience in District Courts of India	Year of Experience in Arbitration cases	Organization / Clients for whom worked

Place:

Date:

Signature

with seal

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: