



भारतीय पटसन निगम लिमिटेड
The Jute Corporation of India Limited

(A Government of India Enterprise)

प्रधान कार्यालय: पटसन भवन, तीसरी और चौथी मंजिल, ब्लॉक-सीएफ, एक्शन एरिया - 1, न्यू टाउन, कोलकाता - 700156

Head Office: Patsan Bhavan, 3rd & 4th Floor, Block-CF, Action Area - 1, New Town, Kolkata - 700156

सी.आई.एन./ C.I.N.: U17232WB1971GOI027958



Ref. No. JCI/HO/Legal/EOI//2024/-02

Date: 26/07/2024

NOTICE INVITING EXPRESSION OF INTEREST
FOR EMPANELMENT OF PRACTICING ADVOCATES/ LAW FIRMS

1. The Jute Corporation of India Limited (hereafter referred to as 'JCI'), was incorporated in 1971 as a Government of India Undertaking under the administrative control of the Ministry of Textiles, Government of India. JCI acts as a price support agency with a clear mandate for the procurement of raw jute without any quantitative limit from the jute growers at the Minimum Support Price (MSP) declared each year by the Government of India. In addition, JCI undertakes Sales Operation of Raw jute through B-Twill Linkage (for MSP Purchased jute) or through e-auction/ e-tender (for commercial procurements) processes and procurement operation of raw jute under commercial operation as per business requirements.

JCI is looking for an empanelment of competent and experienced Practicing Advocate/Law Firms. The services of Practicing Advocate/Law Firms will be mainly utilized to represent and defend JCI before various courts/tribunals/ forums/ authorities etc. in the areas of arbitration, contractual disputes, court cases, services matters, etc., subject to terms and conditions mentioned below.

Interested Practicing Advocates/Law Firms fulfilling the conditions, as prescribed herein, shall submit their Expression of Interest (EOI) together with requisite documents through speed post only addressed to the Deputy Manager (Legal), The Jute Corporation of India Ltd., at Patsan Bhavan, 4th Floor, Block-CF, Action Area-1, Newtown, Kolkata- 700156. The complete EOI must reach the designated address on or before 26/08/2024 strictly in a sealed envelope. No entries received thereafter shall be entertained under any circumstances.

JCI reserves the right to extend the due date for submission of EOI. Further, JCI may at any time and for any reason, modify/ cancel the notice inviting EOI for the empanelment of the Practicing Advocate/Law Firm. JCI reserves the right to accept or reject any or all EOI in part or full without assigning any reason whatsoever.

The eligible Practicing Advocates/Law Firms after submission of EOI shall be called for an interactive session and thereafter the final decision will be taken by the JCI.

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

- (a) Rendering opinion/ advice on various legal issues on the matter related to contractual disputes, services matter, direct & indirect taxes, corporate law, etc.

- as and when referred to by JCI.
- (b) Drafting and vetting of various legal documents/ notices/ agreements/ pleadings etc. as and when referred to by JCI.
- (c) Handling notices and other legal queries as and when referred.
- (d) Appear and defend JCI in safeguarding its best interest in the Courts/ Tribunals/ Forums/statutory Bodies/Quasi-Judicial bodies in the cases, as and when referred to by JCI.
- (e) Attend JCI Office as and when requested to tender advice on issues referred.
- (f) Any matter incidental to the above broader functions/ activities.

2. ELIGIBILITY CRITERIA: The eligibility criteria for the selection of Practicing Advocates shall be as under:-

- (a) The Practicing Advocates/Law Firms should be registered under the statutes of India.
- (b) The Practicing Advocate/Law Firms should have office/ chamber in Kolkata.
- (c) The Practicing Advocates/Law Firms should have minimum bar standing as described herein below: -
 - For representation before the High Court –
 - (i) minimum 11 (Eleven) years of continuous practice (Senior Counsel).
 - (ii) minimum 7 (Seven) years of continuous practice (Junior Counsel/ Advocate-on-Record).
 - (iii) minimum 11 (Eleven) years of continuous practice (Law Firm)
 - For representation before Subordinate Courts/ Tribunals/ Other Statutory bodies etc.– minimum 06 (Six) years of continuous practice.
- (d) The Practicing Advocates shall be empaneled having regard to their relevant experience & and expertise in Dispute Resolution/ Arbitration Law, Labour Laws, Service Laws, Contract Law, Commercial Law, Property Laws, Taxation Laws, Insolvency and bankruptcy Code, and other such relevant areas which impacts JCI's interests and shall be at the sole discretion of JCI.
- (e) The Practicing Advocates/Law Firms should not be debarred by any Central/State Government Departments/Public Sector Undertakings.
- (f) The Practicing Advocates/Law Firms should not be involved in any major litigation that may have an impact of affecting or compromising the delivery of services as required under this EOI.
- (g) The Practicing Advocates/Law Firms must have the requisite infrastructure and in-house capacity.
- (h) Due weightage shall be given to Advocates/Law Firms having experience in handling cases of CPSEs/PSUs and Central Government Departments.
- (i) While considering the request from the advocates/Law Firms, the following points

shall be considered:

- (i) Length of practice and specialization in the area of law relevant to the Company.
- (ii) Proper and adequate infrastructure such as office premises, number of junior advocates, assistants, clerks and fax, mobile phone, fixed phone, internet connection, etc.
- (iii) Annual income-tax returns filed with the Tax Authorities for three years may also be perused.
- (iv) If considered necessary, an inquiry in the respective Bar Council/ Bar Association about the claims and conduct of the advocate to be empanelled can also be made and credentials may be verified.
- (v) If the advocate/Law Firms is empanelled by other regulators /organizations /establishments, a List of those organizations, addresses in full, and contact numbers must be obtained for necessary verifications if an occasion so arises.

3. GENERAL TERMS AND CONDITIONS:-

- (a) The initial term of the constituted panel will be for a period of two years, extendable by another one year at JCI's discretion, subject to a periodical review of the performance of such empaneled advocates by JCI. However, the JCI reserves the right to terminate the empanelment of any Advocates/Law Firms at any time.
- (b) If required and considered appropriate by the Competent Authority at JCI, the Attorney General for India/ Solicitor-General for India/ Additional Solicitor General/ Advocate General/ Senior Advocates, etc., may be engaged on behalf of JCI keeping in view the urgency, their expertise, and stakes in a particular matter. They shall be engaged on a case-to-case basis with the approval of the Competent Authority.
- (c) The empaneled Advocates/Law Firms shall not delegate cases and themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any engaged in the cases as well as with the officers of the JCI, if required.
- (d) The empaneled Practicing Advocate/Law Firms shall maintain absolute secrecy and confidentiality about the cases of the JCI.
- (e) Cases in which claims are below a certain pecuniary limit, JCI reserves the right to avail services at a capped/ consolidated fee. Further JCI reserves the right to fix such pecuniary limits depending on the facts and circumstances of the case.
- (f) In connected/ analogous cases, wherein JCI is a party, the quoted fee shall be admissible for the first case only, 25% of the quoted fee in the first case shall be admissible towards other such each connected cases.
- (g) This empanelment shall not entitle the panel advocates/Law Firms to the mandatory allocation of cases. It shall be the sole discretion of JCI to allot cases to empaneled advocates/Law Firms. JCI reserves its right to further include/remove advocates on its panel depending upon its requirements.
- (h) Request for advance payment of professional fees shall not be entertained under any circumstances.
- (i) JCI reserves the right to terminate the services of such empaneled advocate/Law Firms at any time without assigning any reason whatsoever.
- (j) The fees payable to the Practicing Advocate/Law Firm shall be governed by the schedule of fee structure annexed with the EOI (**Annexure B**) and as amended from time to time.

- (k) The term ‘similar/connected/analogous cases’ shall mean two or more cases in which identical questions of law or facts are involved or the same has been tagged as batch matter /petition by the Court.
- (l) The Advocates/Law Firms empaneled under this Policy shall not be employees of the Company and therefore, shall not be eligible for any benefits available to its employees.
- (m) No retainer fee shall be paid to any panel Advocate/law firm merely because such advocates/Law Firms have been empaneled with JCI.

4. SUBMISSION OF EOI: - The EOI’s are to be submitted in the following manner;

- (a) The particulars relating to the professional qualifications and experience shall be furnished in the format as prescribed in **Annexure-A** along with the supporting relevant documents in a sealed envelope super-scribed “EOI for Empanelment of Practicing Advocates”.
- (b) The EOI shall be accompanied by the License (sanad) issued by the respective State Bar Council with which the advocate is registered along with the Certificate of Practice issued by the Bar Council of India.
- (c) Every page of the applications shall be signed by the Advocate.
- (d) Applications received after the due date of submission shall not be considered under any circumstances.
- (e) The EOI is liable to be rejected by JCI if it is not in the prescribed format or incomplete or in any manner violates the conditions of the EOI in letter and spirit.

5. CONFLICT OF INTEREST: -

- (a) The Advocate/Law Firms shall ensure that there is no conflict of interest at a relevant point of time, in matters in which such Advocate/Law Firms is acting on behalf of or representing JCI, and shall not represent any of the opposite parties in other cases till that case/matter is pending.
- (b) An Advocate/Law Firm shall not accept any case against the JCI or advise any party in which they appeared or are likely to appear or advice.
- (c) If the advocate/Law Firm happens to be a partner/ associated with a law firm or solicitors, it will be incumbent upon the advocate/ law firm not to entertain any case against the JCI arising in any court during the pendency of such case.

6. TERMINATION/ REMOVAL FROM THE PANEL:- Practicing Advocate shall be removed from JCI’s panel due to any of the following reasons:

- (a) Giving false information in the application for empanelment;
- (b) Handing over the brief or matter to another advocate without prior written permission of JCI;
- (c) Failing to attend the hearing of the case without sufficient reason and prior information;
 - Not acting as per JCI’s instructions or going against specific instructions;
 - Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- (d) Misappropriation of JCI’s funds or earmarking using the same towards his/ their fee without JCI’s permission.
- (e) Threatening, intimidating, or abusing any of the JCI’s employees, officers, or representatives;

- (f) Making any of his associates or juniors appear on behalf of any of the opposite parties in cases/appeals related to JCI, without any prior information to JCI.
- (g) Committing an act amounting to contempt of court or professional misconduct under the relevant rules/ guidelines;
- (h) Conviction of the Advocate/Law Firm in any offense resulting in arrest or detention due to moral turpitude or disbarment due to any reasons by the Bar Council;
- (i) Passing on information relating to JCI's case to the opposite parties or their advocates which is likely to cause damage to the JCI's interests;
- (j) Giving false or misleading information to the JCI relating to the proceedings of the case;
- (k) Frequent adjournment being obtained or not objecting to the adjournment moved by the other party without sufficient reason.
- (l) Seeking discharge from the court without intimating about the same to the JCI.
- (m) Engaging in excessive billings on the basis of manipulated dates of hearing.
- (n) Acting in any manner which is prejudicial to the interest of the JCI.

The empanelment shall be liable to be terminated if the advocates are found to be engaged in any of the aforesaid activities to the satisfaction of the Competent Authority, whose decision shall be final in this regard.

7. TERMS OF PAYMENT :-

- a) Payment will be made after submission of the original Invoice/Bills and upon certification by the legal section relating to the work done.
- b) Payment will be released within 30 (thirty) days from the date of submission of the complete/ correct Invoice/Bills.
- c) Statutory deduction as applicable will be deducted from the invoice/bills, etc.
- d) Bills should be proper and it must contain Bill No., Bill Date, Advocate's/ Firm's complete address, and JCI's complete office address along with other details like GST No. (if any), PAN No. etc.

- 8. APPLICABILITY:** The policy for the Empanelment of Advocates/Law Firms shall be applicable prospectively to JCI.

9. COMMUNICATION OF EMPANELMENT: -

After a decision to empanel the advocate/Law Firm is taken, a communication in writing to this effect shall be sent to the Advocate/ Law Firm. The process of empanelment shall be complete when JCI receives a duly signed acceptance letter in the prescribed format from the advocate/Law Firm.

10. INTERPRETATION CLAUSE: -

In the matter of implementation of these terms and conditions, if any doubt or difficulty arises or doubt regarding the interpretation of any of the clauses, the same shall be placed before the Competent Authority of JCI and the decision of the Competent Authority shall be final.

NOTE: *Notwithstanding anything stated herein above, the JCI reserves its right not to*

empanel any Advocate/Law Firm even on fulfilling the eligibility criteria, or to postpone or cancel the process of Empanelment or to terminate the empanelment of any Advocate at any time without assigning any reasons in this regard.

ANNEXURE 'A'

**EXPRESSION OF INTEREST
FOR ENGAGEMENT AS PANEL ADVOCATE IN JCI**

1. Name :
 2. Address for Correspondence :
 3. Contact Details
 - (a) Telephone No. :
 - (b) Mobile No. :
 - (c) Fax No. :
 - (d) E-Mail :
 4. Educational Qualifications : (certificates)
 5. Date of enrolment with the Bar Council: (Enclose self certified copy of enrolment certificate)
 6. Years of practice in various Courts/ Tribunals/ Other Forums: [Details to be furnished alongwith supporting documents, viz, latest judgments(past 5 years)] & if necessary, separate sheets can be attached)
 7. Experience in handling Legal Issues/ Litigation on behalf Government/ Government Agencies/ Public Sector Undertaking/ other statutory Bodies etc.: (Details to be furnished alongwith supporting documents & if necessary, separate sheets can be attached)
 8. Area(s) of practice with specialization:
 9. PAN No :
 10. Bank Account No. : (A cancelled cheque must be attached)
 11. Any other facts which you consider relevant in the context of your suitability:
 12. Copy of Income Tax Returns (ITR) filed for the last three years to be attached:
 13. Notable achievements:
- I certify that the information contained in this application is correct and true to the best

of my knowledge and belief and nothing material has been concealed.

Place :

Date :

Name & Signature of advocate

ANNEXURE 'B'

Schedule of Fees (SOF)

Sl. No	Particulars			
		HC Kolkata		Sub. Court/Tribunals/Other Statutory Bodies
		Senior Counsel	Junior Counsel	
A	Appearance			
	Effective Hearing	13,000	7000	5,000
	Non-Effective Hearing	5,000	2500	1,500
B	Drafting of documents viz Special Leave Petition/ Writ Petition/ Written Submission	10,000	7,000	
C	Drafting of other documents viz. Counter Affidavit/ Rejoinder/ Interim Application/ Appeal/ Reply/ etc	5,000	3,000	3,000
D	Drafting/ vetting of agreements/c ontracts, etc	7,500		
E	For drafting legal notice	2,000		
F	For written opinion (including conference)	7,500		
G	Discussion/ Conference charges	1,000 per conference		
H	Clerkage	Not more than 10% of the total bill amount		

Arbitration (Counsel Fees)

Sl. N o.	Particulars	Senior/ Lead Counsel	Junior Counsel
A	Appearance		
	Effective Hearing	12,000	3,500
	Non Effective Hearing	5,000	1,000
B	Drafting / Vetting		
	Statement of Claim/ Defence	10,000	3,500
	Affidavit/Rejoinder/ Interim Application/ Appeal/Reply to interim Application/ Misc. application, etc.	5,000	2,000
C	Conference	2,000	1,000
D	Written Opinion	7,500	2500
E	Clerkage	10%	10%

Note: -

- i. *Whenever a designated Senior Advocate is to be engaged, his charges shall be payable separately, including for conference, drafting, appearance, etc., directly to the Sr. Advocate. Specific approval in writing of the Competent Authority for the engagement of the Senior Advocate shall be required, which is the sole discretion of the JCI.*
- ii. *If an empaneled advocate/law firm is required to undertake an outstation journey in connection with the case, he shall be entitled to the actual TA/DA reimbursement.*
- iii. *Non-effective hearing means and includes cases where the advocate has gone to the court but no effective hearing has taken place and the matter is simply adjourned. An effective hearing shall mean and include a hearing in which the concerned Counsel/ parties involved in a case are heard (on the merits of the case) by the court and/ or an order is passed to this effect. If the case is only mentioned and adjourned or merely the judgment is pronounced, it would not constitute an effective hearing for the purposes of this Policy.*
- iv. *Miscellaneous charges viz., Xerox, scan, court fees, notary, etc., will be paid on actuals based on the invoices/ documents/ clarifications submitted by the Advocate and verified/ accepted by JCI.*
- v. *The schedule of fee may be revised by JCI after a period of one year from the date of empanelment.*
