THE COTTON CORPORATION OF INDIA LIMITED

(A Government of India Undertaking)
(CIN: U51490MH1970GOI014733)
Regd. /Corp. Office.: - 'KAPAS BHAVAN'. Plot No. 3A, Sector – 10, CBD Belapur,
Navi Mumbai – 400 614

EXPRESSION OF INTEREST ('EOI')
FOR EMPANELMENT OF ADVOCATES/LAW FIRMS

The Cotton Corporation of India Limited (hereafter referred to as **'CCI')** proposes to enhance the present panel of qualified and experienced Practicing Advocates/Law Firms for handling its various legal and litigation matters in various Courts/Tribunals/Forums/Authorities, etc. The detailed Expression of Interest **(EOI)** including the scope of work, eligibility criteria and the manner of submission of the EOI are available at CCI's website viz. www.cotcorp.org.in

The Practicing Advocates/Law firms fulfilling the conditions, as prescribed herein, shall submit their EOI together with requisite documents addressed to the office of CCI at EOI Box situated at 4th Floor, Kapas Bhavan, Plot No. 3/A, Sector 10, CBD Belapur, Navi Mumbai – 400 614. The complete EOI must reach at the designated address before 03:00 P.M. on 15.03.2019, Friday strictly in a sealed envelope. No entries received thereafter shall be entertained under any circumstances.

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Ref. CCI/LEGAL/2019-20 Date: 25.02.2019

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

1. The Cotton Corporation of India Limited (hereafter referred to as **'CCI'**), was incorporated on 31st July, 1970 is a Government of India Undertaking under the administrative control of Ministry of Textiles, Government of India. As per the Policy directives from the Ministry of Textiles, Government of India, the Corporation is nominated as the Nodal Agency of Government of India, for undertaking Price Support Operations, whenever the prices of kapas (seed cotton) touch the support price level announced by the Government of India. In addition, the Corporation also undertakes commercial operations and purchases cotton to meet the cotton requirements of its regular client mills as also for exports.

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

Interested Practicing Advocates/Law firms fulfilling the conditions, as prescribed herein, shall submit their EOI together with requisite documents addressed to the office of CCI at 4th Floor, Kapas Bhavan, Plot No. 3/A, Sector 10, CBD Belapur, Navi Mumbai – 400 614. The complete EOI must reach at the designated address before 03:00 P.M. on 15.03.2019, Friday strictly in a sealed envelope. No entries received thereafter shall be entertained under any circumstances.

The eligible Practicing Advocates/Law firms after submission of EOI shall be called for presentation and there after the final decision will be taken by the CCI.

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

3. **ESSENTIAL ELIGIBILITY CRITERIA:** The eligibility criteria for selection of Practicing Advocates/ Law Firms shall be as under:-

(a) The Practicing Advocates/ Law Firms should be registered under the statutes of India.
(b) The Practicing Advocates/ Law Firms should be having office:-
- In Mumbai other than Supreme Court matters, and/or
- In Delhi for Supreme Court matters.

(c) The Practicing Advocates/ Law Firms should have minimum bar standing as described herein below:-
- For representation before the Supreme Court of India – minimum 10 (Ten) years of continuous practice.
- For representation before High Court – minimum 07 (Seven) years of continuous practice.
- For representation before Subordinate Courts/ Tribunals/ Other Statutory bodies etc. – minimum 05 (Five) years of continuous practice.

(d) The Practicing Advocates/ Law firms shall be empanelled having regard to their relevant experience & expertise in Dispute Resolution, Labour Laws, Taxation Laws, Company Laws and other such relevant areas which impacts CCI's interests and shall be at the sole discretion of CCI.
(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.

4. GENERAL TERMS AND CONDITIONS

(a) The initial term of the constituted panel will be for a period of three years, extendable by another two year at CCI's discretion, subject to periodical review of performance of such empanelled advocates/ firms by CCI. However, the CCI reserves the right to terminate the empanelment of any Advocates /Law Firm at any time.
(b) If required and considered appropriate by the Competent Authority at CCI, Attorney General of India/ Solicitor-General of India/ Additional Solicitor General/ Advocate General/ Senior Advocates, etc may be engaged on behalf of CCI keeping in view the urgency, their expertise in the matter and stakes in a particular matter. They shall be engaged on case to case basis with the approval of the Competent Authority.
(c) The empanelled Advocates/ Law Firm 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 CCI, if required.
(d) The empanelled Practicing Advocate / Law Firm shall maintain absolute secrecy and confidentiality about the cases of the CCI.
(e) Cases in which claims are below a certain pecuniary limit, CCI reserves the right to avail services at a capped fee. Further CCI reserves the right to fix such pecuniary limits depending on the facts and circumstances of the case.

(f) In Connected Cases, wherein CCI 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 connected cases.

(g) In the event the empanelled lawyer requires the engagement of a counsel/ senior counsel etc. in a case, prior concurrence of Competent Authority at CCI.

(h) This empanelment shall not entitle the advocate/ law firms for mandatory allocation of cases. It shall be the sole discretion of CCI to allot cases empanelled advocates/ firms. CCI reserve its right to further include/remove advocates/ firms on its panel depending upon its requirements.

(i) Request for advance payment of professional fees shall not be entertained under any circumstances.

(j) CCI reserve the right to terminate the services of such empanelled Legal advocate/ firm at any time without assigning any reason whatsoever.

(k) CCI may at any time and for any reason, modify/ cancel the notice inviting application for empanelment of Practicing Advocate/ Law Firms.

(l) CCI may at its discretion, extend the due date for submission of EOI.

(m) CCI reserves the right to accept or reject any or all such EOI in part or full without assigning any reason whatsoever.

(n) In case of empanelment of Law firms, all the terms and conditions for empanelment of the individual Advocates shall apply mutatis mutandis to them.

(o) 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.

5. 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 at **Annexure-A** along with the supporting relevant documents in sealed envelope super-scribed "EOI for Empanelment of Practicing Advocates/ Law Firms".

(b) The EOl shall be accompanied by the License (sanad) issued by the respective State Bar Council with which the advocate/ firm is registered with along with the Certificate of Practice issued by the Bar Council of India.

(c) Every page of the Applications shall be signed by the Advocate/ Authorized Signatory of the Firm.

(d) Applications received after 03:00 P.M. on 15.03.2019 shall not be considered whatever may be the reason.

(e) The EOI is liable to be rejected by CCI if it is not in the prescribed format or incomplete or in any manner violates the conditions of the EOI in letter and spirit.

6. CONFLICT OF INTEREST

(a) The Advocate/Firm shall ensure that there is no conflict of interest at a relevant point of time, in matters in which such Advocate/ firm is acting on behalf of or representing CCI, shall not represent any of the opposite parties in other cases till that case/matter is pending.

(b) An Advocate/ firm shall not advise any party or accept any case against the CCI in which they appeared or is likely to be upon to appear or advice.

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

7. **TERMINATION/ REMOVAL FROM THE PANEL:-** Practicing Advocate / firm shall be removed from CCI'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 CCI;
(c) Failing to attend the hearing of the case without sufficient reason and prior information;
- Not acting as per CCI'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 CCI's funds or earmarking using the same towards his/ their fee without CCI's permission.
(e) Threatening, intimidating or abusing any of the CCI's employees, officers, or representatives;
(f) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/ appeal related to CCI.
(g) Committing an act tantamounting to contempt of court or professional misconduct under the relevant rules/ guidelines;
(h) Conviction of the Advocate in any offence resulting into arrest or detention due to moral turpitude or disbarment due to any reasons by the Bar Council;
(i) Passing on information relating to CCI's case on to the opposite parties or their advocates which is likely to cause damage to the CCI's interests;
(j) Giving false or misleading information to the CCI relating to the proceedings of the case;
(k) Frequent adjournment being obtained or not objecting the adjournment moved by other party without sufficient reason.
(l) Seeking discharge from the court without intimating about the same to the CCI.
(m) Engaging in excessive billings on the basis of manipulated dates of hearing.

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

Interpretation Clause

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

NOTE: *Notwithstanding anything stated herein above, the CCI 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 PAANEL ADVOCATE/FIRM IN CCI

1. Name :

2. Address for Correspondence :

3. Contact Details
   (a) Telephone No. :
   (b) Mobile No. :
   (c) Fax No. :
   (d) E-Mail :

4. Educational Qualifications : (*in case of firms, detail of all partner of the firms)*

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 & 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 & 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:

I certify that the information continued 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 / Authorized signatory: _____

ANNEXURE 'B'

Schedule of Fee (SOF)

S. No.	Particulars	Fee (INR)		
		SC	**HC Bombay**	**Sub. Court/ Tribunals/ other statutory bodies**
A	Appearance (a) Effective hearing - (b) Non - effective hearing -	 40,000 15,000	 25,000 10,000	 5,000 1,500
B	Drafting of Documents viz. Special Leave Petition/ Writ Petition/ Witten Submission.	30,000	20,000	5,000
C	Drafting of other Documents viz. Counter Affidavit/ Affidavit/ Rejoinder/ Interim Application/ Appeal/ Reply to Interim Application/ Rejoinder to the Application, etc.	10,000	5,000	3,000
D	Drafting/ vetting of agreements/ contracts, etc.	7,500/-		
E	For drafting legal notice/reply notices.	3,000/-		
F	For written opinion (including conference)	5,000/-		
G	Discussion/ Conference charges	1000/- per each 30 minutes		
H	Clerkage	Not more than 10% of the total billed amount		

Note:

i. *Whenever a 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 engagement of the Senior Advocate shall be required, which is the sole discretion of the CCI.*

ii. *If an empanelled advocate is required to undertake an outstation journey in connection with the case, he shall be entitled for the actual TA/DA reimbursement.*

iii. *The definition of non-effective hearings: - Non-effective hearing means a case where the advocate has gone to the court but no effective hearing has taken place and the matter is simply adjourned. The effective / non- effective hearing should be certified by the advocate while preferring bill for payment.*

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