



IFCI Infrastructure Development Limited (IIDL)
(100% SUBSIDIARY OF IFCI LIMITED, A GOVT. OF INDIA UNDERTAKING)

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CIN: U45400DL2007GOI169232

Ref No. IIDL/HO/Legal/2016-2017

Date: 26.08.2016

NOTICE FOR EMPANELMENT OF LEGAL COUNSELS

1. IFCI Infrastructure Development Ltd. ("IIDL"), is a 100% owned subsidiary of IFCI Ltd. (Formerly known as Industrial Finance Corporation of India), a Government of India Undertaking which was the first Development Financial Institution of the country established under the Parliament Act in 1948. IIDL is one amongst the few institutional players in the Infrastructure & Real Estate sector. IIDL since its inception has developed projects all over India focusing on construction that is driven by the overall infrastructure development of the area. The development projects are located at key business districts.

2. Applications are invited from eligible counsels for empanelment with IIDL for conducting and handling cases on Civil/Criminal/Service/ other matters in various courts. Interested Advocates who fulfill the following criteria and experience may apply for empanelment with IIDL:-

3. Eligibility:

(i) The following minimum experience is required for handling cases before different courts:

(a) **For Hon'ble Supreme Court of India :** An Advocate-on- Record of the Supreme Court with minimum 10 years of regular practice in conducting cases of Civil/Criminal nature in the Supreme Court.

(b) **For High Court of respective states:** An Advocate/ Firm with minimum 8 years of regular practice in conducting cases of Civil/Criminal nature in the High Court. Advocate should have minimum of 10 years experience in handling cases related to Real Estate, building by laws, Company Law, Administrative and Service matters, Public Interest Litigations, Income Tax Act, Service tax, VAT etc.

(c) **For District Courts, DRT, Consumer courts, Income Tax Tribunal and other Forums of Delhi:** An Advocate/ Firm with minimum 5 years of regular practice in conducting cases of

Civil/Criminal nature in the said forums.

(ii) The Counsel must have an LL.B degree from the college/university recognized by Bar council of India. The Counsel must be a registered practitioner. For High Court and Supreme Court, the Counsel should be a member of bar association of High court where he/she is practicing and of Supreme Court.

(iv) The Counsel should be well conversant with Real estate laws, Infrastructure, Building by laws, Labour Laws, Contract Labour Act, Transfer of property Act, Land laws, Construction Laws, Environment Laws, Registration Laws, Indian Contract Act, Indian Registration Act, Specific Relief Act, Land Acquisition Act, Procedure for Land Acquisition, Rent Control Act, Stamp Duty Act , Indian Evidence Act, SARFAESI Act, the Recovery of Debts Due To Banks And Financial Institutions Act, 1993, Negotiable Instrument Act, Company Law, CVC Guidelines, Indian Penal Code, RTI Act, Investment Laws, Mergers and acquisition, Consumer laws, Income Tax Act, Service tax, VAT, Criminal Procedure Code, Civil Procedure Code etc.

(v) The Counsel should have excellent communication skills and knowledge of legal practice acquired over a period as mentioned above.

4. Empanelment and tenure of Counsel:

- i. The applications received shall be scrutinized by the IIDL and the selection will be done on the basis of relevant experience of the Counsels after short listing of candidates.
- ii. The number of counsels to be empanelled shall be determined by the IIDL, from time to time, based on the requirement and the number of cases in various courts.
- iii. The empanelment shall be made initially for a period of two years, which may be extended from year to year, subject to satisfactory performance of the counsel.
- iv. The performance of counsels shall be reviewed by IIDL at every quarter in a financial year and if the performance is not found satisfactory, IIDL reserve right to cancel the empanelment of Advocate.

5. Terms and Conditions for empanelment and Remuneration payable to empanelled Counsel:

- i. Counsel will have to represent the IIDL and its Officials before the Court in the cases assigned to him/her.
- ii. The Counsel should receive the notice(s) meant for the IIDL and its officials from the Courts and ensure that no 'ex-parte' order is passed against the IIDL. The Counsel should immediately inform the dealing officer of IIDL about the said notice and take instructions. If the dealing officer or any other officer of IIDL is not reachable for instructions, counsel should act according to situation which is in the best interest of IIDL and ensure that no adverse order is passed against IIDL.

- iii. Counsel should handle the cases, which are assigned to them, and appear in such assigned cases in the Courts and should prepare Plaints, writ petitions, Written Statement, Counter affidavits, rejoinders, applications, reply, affidavit, legal notices etc. as and when required. The strict adherence of timelines should ensure and no cost or adverse order should be passed against IIDL.
- iv. Counsel should not take up any case against the IIDL or IFCI Limited (parent company) during the period of empanelment.
- v. Counsel shall hold the office at the pleasure of the IIDL and should maintain highest integrity and professional standards with IIDL. The Advocate shall be bound by standards of professional conduct and etiquette notified under section 49 (1) (C) of Advocates Act.
- vi. Counsel should be able to provide legal opinion to the IIDL, and should also be able to prepare Reply to the Legal notices of the applicants on behalf of the IIDL whenever asked for.
- vii. Counsel should maintain proper records and files and shall never refuse to provide the same to IIDL whenever asked for. The Counsel should give proper handover of files upon disposal of the case and also upon termination of his/her appointment.
- viii. The remuneration to the empanelled counsel shall be paid in accordance with the limit prescribed in the internal Standard fee structure of IIDL. The said fee shall be non-negotiable. Only in exceptional circumstances if it is required, IIDL shall increase fee for particular case/ Assignment. The decision of IIDL shall be final and binding in this regard and IIDL shall not be bound to disclose its standard fee structure to the advocate.

However, the above shall not be applicable on designated Senior Advocates appointed on case or per hearing basis. The appointment of Senior Advocates shall be done on recommendation of regular empanelled counsel only and the regular counsel should substantiate reasons in its recommendation for appointment of Senior Advocate.

ix. The Counsel should raise proper bills for the services rendered by him/her and should provide proper break up and supporting for the expenses incurred.

ix. Any advocate who has appeared against IIDL shall not be empanelled with IIDL and applicants should furnish a declaration to that effect. However same is not applicable for the cases where IIDL was just a Performa party but the Advocate/law firm should disclose the details of said case to IIDL in its application and declaration for consideration of IIDL and decision of IIDL shall be final and binding on this.

x. Counsel interested required to submit the attested copies of following documents along with their application form:

- a) High School Certificate in support of age.
- b) Registration with Bar Council.
- c) Identity Card issued by Bar Association/Bar Council

- d) Copies of empanelment with other Banks, PSUs, Govt. Organization, if any.
- e) Certificates in support of educational qualification.
- f) An undertaking from the advocate to the effect that all information furnished is correct.

xi. In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of the IIDL shall be final and binding. IIDL reserves right to amend, modify and change the terms and conditions of empanelment as necessary.

xii. Please note that the Empanelment process can be cancelled by IFCI Infrastructure Development Ltd. (IIDL) on its discretion.

Applications along with bio-data, details specified in Annexure - I along with supporting documents may be forwarded to Associate Vice President - Legal, IFCI Infrastructure Development Limited, IFCI Tower, 61 Nehru Place, New Delhi – 110 019

Annexure -I**Details of Advocate/Law Firm**

Name of Advocate/Firm	
Date of Birth/ Date of formation	
Permanent/ Registered Address	
Address for correspondence	
Telephone No:	
Mobile No.	
Fax No.	
Email address:	
Date of Enrolment with name of the Bar Council (Enclose attested copy of Enrollment Certificate) :	
Year of practice in various Court/ Tribunals/ Other Forums (Details to be furnished & if necessary sepa rate sheets can be attached)	
Experience in handling Legal Issues / Litigation on behalf of PSU's/Govt. Companies/	

Agencies etc. (details to be furnished & if necessary sepa rate sheets can be attached)	
Area (s) of specialization and court of Practice	
PAN No.	
Service Tax No.	
Details of Infrastructure and staff available in the Office (Separate sheet can be attached)	
Annual Turnover (Rs. in lakhs) for last three FYs	
Any other material fact which is relevant to mention	

I hereby declare that above information submitted by me is true, correct and nothing is concealed and in the event it is found that any information is false or concealed or incomplete, IIDL can take action against me including cancellation of my empanelment.

Date:

Place:

(Signature of Advocate/Managing partner of Firm)