

NOTIFICATION

No. DFCCIL/LAW/2012/Empanelment

DT.03.07.2012

Sub: Empanelment of Advocates and Law Firms

Dedicated Freight Corridor Corporation of India (DFCCIL) is a Special Purpose Vehicle set up under the administrative control of Ministry of Railways to undertake planning & development, mobilization of financial resources and construction, maintenance and operation of the Dedicated Freight Corridors. DFCCIL was incorporated in October 2006 under Indian Companies Act 1956.

In the first phase, DFCCIL will be constructing two corridors – the Western DFC and Eastern DFC- spanning a total length of about 3300 route km. The Eastern Corridor, starting from Ludhiana in Punjab will pass through the states of Haryana, Uttar Pradesh, Bihar and terminate at Dankuni in West Bengal. The Western Corridor will traverse the distance from Dadri to Mumbai, passing through the states of Delhi, Haryana, Rajasthan, Gujarat and Maharashtra.

DFCCIL will Carry out the work including land acquisition..

DFCCIL is desirous to form Panel of Advocates/Law firms at various levels of courts i.e. District Court, High Court , Supreme Court and before Arbitrators comprising of Practicing Advocates and Law Firms to deal with the legal issues of the organisation

1. Eligibility:

a) Essential:

- i. Lawyers or Legal Firms shall have independent experience of ten years in handling the cases relating to Land matters / Revenue matters/ Contractual matters/ Arbitration matters/Service matters/ Company Law matters/Taxation/labour laws company laws, civil suits, writ matters and constitutional laws in the court applying for.
- ii. They should be currently practicing in the relevant fields.
- iii. They should have independent office set up with library, and clerical staff.
- iv. Copy of Income Tax Returns (ITR) filed for the last three years to be attached.

b) **Desirable:**

- i. Experience of dealing with similar matters preferably in Railways, other Central or State Government Departments, PSU's Local Bodies etc.
- ii. Knowledge of State Laws pertaining to land and revenue.
- iii. Knowledge of translation of documents from Local Language to English.

2. **Term:**

- i. The currency of the panel will be two years from the date of notification of panel.
- ii. The term can be terminated by giving one month's notice by either side.
- iii. The term can be extended for one year on the basis of satisfactory Performance of the counsel/Firm.

3. **Nature of Work:**

- i. The Lawyers or Legal Firms will be required to handle cases in the courts .
- ii. Giving oral and written opinion on issues relating to the business of DFCCIL which are referred to them.
- iii. Legal Vetting of tenders, contracts, documents related to the transaction of business of DFCCIL and referred to them by the DFCCIL
- iv. Drafting of Legal documents in connection with the business of DFCCIL
- v. Participation in discussion/conference on behalf of DFCCIL and with their clients.

4. **Maintaining Professional Ethics**

During the Term of Empanelment and thereafter the Law Firm/Advocate shall maintain strict confidentiality of the matters pertaining to the DFCCIL They shall not accept any case against the DFCCIL organisation during the term.

5. **Mode of Empanelment**

Applications received in response to notification will be scrutinized and Applicants will be screened w.r.t. the criteria mentioned above. Documents submitted by eligible applicants will be got verified with original documents.

7. **Place of Panel:**

The panel will be formed at the following places:-

Supreme court (New Delhi)

High Court:-Delhi,Punjab &Haryana(Chandigarh),Uttar Pradesh(Allahabad&Lucknow)

Bihar(Patana),Jharkhand (Ranchi) , West Bengal (Calcutta),Rajsthan (Jodhpur &,Jaipur) Gujrat(Ahamdabad) Maharashtra(Mumbai)

DistrictCourt:-

Delhi,Punjab(Ludhiana,FatehgarahSahib,Patiala)Haryana(AmbalaCity ,Yamuna Nagar,Rewari , Mahendragarah, Gurgaon, Palwal, Faridabad ,Mewat)

Uttar Pradesh(Saharanpur,Muzaffarnagar,Meerut,Ghaziabad,Bulandshahar,GB Nagar, Aligarah, Mahamaya Nagar,Agra ,Ferojabad ,Etawah, Auraiya, KanpurRural ,Kanpur Nagar Fatehpur , Kaushambhi ,Allahabad, Mirzapur , Chandauli) Bihar(Kaimur ,Rohtash ,Aurangabad,Gaya) Jharkhand(Hajaribag ,Kodarma,Giridih,Dhanbad)

West Bengal(Bardhaman ,Hooghly) Rajsthan(Alwar,Sikar,Nagaur,Jaipur,Ajmer, Pali,Sirohi,) Gujrat(Banaskantha ,Patan,Mahesana,GandhinagarAhmedabad, Kheda,Anand,Vadodara,Bharuch,Surat,Navsari,Valsad) Maharastra(Thane,Raigarh)

8. **Payment of Professional Fees :**

Payment of fees will be at the DFCCIL approved rates.' The approved rate list is enclosed with this notification as annexure-B.

6. **Closing date of Application**

Application along with all the all the documents should reach the office of DFCCIL on or before 06.08.2012

. 9. **Submission of Application**

Advocates and Legal Firms desirous of applying for empanelment may submit in the format provided at Annexure-A..The format is also available on the website <http://dfccil.org>

The application on the prescribed format may be sent to-

Shri R.K.Pathak
:Manager (Legal)-

Dedicated freight corridor corporation of India Ltd

5TH Floor ,Pragati Maidan Metro Station Complex,N.D.-110001

Or to concerned Chief project Managers whose addresses are given with this notification at annexure -C

Applications will not be considered by Fax or through E-mails. Applications received earlier to this notification or after the closing date of this notification will not be considered.

(R.K.Pathak)

Manager (Legal)-
Dedicated freight corridor corporation of India Ltd

ANNEXURE -A

SUB; APPLICATION FOR EMPANELMENT AS ADVOCATE/LAW FIRM IN DFCCIL

REF: NOTIFCATION No.DFCCIL/LAW/2012/ Empanelment Dt:02.07.2011

Sr.No	Information Details	
1	Name of Advocate / Law Firm	
2	Address with Telephone Nos. & E-Mail	
3	Academic Qualification(In case of Firms of all partners of the firm)	
4	Location and Court of Practice along with registration number and name of Bar Council	
5	Area of Specialization	
6	Whether fulfils the requisite eligibility conditions	Yes/No
7	Whether Documentary proof in Support of essential Eligibility attached	Yes/No
8	Whether Documentary proof in support of Desirable Experience attached	
9	Any Other information you may Like to give	
10	List of Enclosures	

DECLARATION

I hereby undertake that the information given above are true and correct. I agree to the terms and conditions for engagement and placement on panel

**Place:
Date:**

Name & Signature of the Advocate/Authorised signatory

Annexure-“B” (District Court)

S.N	Item Of Work	Proposed Schedule for DFCCIL
1	Preparation Of Petition/Plaint/Written Statement/Reply /Rejoinder/Appeal /interim application/reply to interim application/additional affidavit/rejoinder to the application etc	Rs 3750/-
2	Fee For Court Appearance (a)Effective (b)Non Effective	(a)Rs 1650/- Per Day Per Case b)Rs600/- Per Day Per Case
3	Professional Fee For Entire Case In Case Of Proforma defendant	Rs 4050/-
4	(a)Professional Fee For Batch/Bunch Cases (b)Professional Fee In Remainder Bunch/Batch Cases Where The Dispute and Area Is Similar But Title/Name Is Different	Rs4000/- per case per appearance and maximum Rs16000/- for 5 or more cases, if clubbed together. (b)For drafting in the first three cases the payment may be made full as per the schedule and 50% up to 10 cases, and thereafter,10% for rest of the cases
5	Fee For Written Opinion Other Than Pending Court Cases	Rs1650/-
6	Clerkage	10% Of Professional Fee
7	(a)Daily Fee Out Of Headquarter (b)Travel Expenses (c)Conveyance Charges For Local Journey Out Of Headquarter (d)Expenses For Stay In Hotel	(a)By 2AC OR Taxi whichever is lower. However in exceptional cases in exigency of service in economy class by air with the approval of Director /DFCCIL. (b)Lodging, Boarding and other Allowances.- For “X” Class city....Rs3000/-per day For” y ”class city.....Rs2500/-per day For ”Z” class city...Rs2000/- [per day The classificationof the cities ministry of finance notification om no.2(13)/2008-E.II(B)DT29.08.2008.

Note- The Fee Will Be Subject To Maximum Ceiling Of Rs 15000/-For Complete Case In District Court.

Arbitration Cases

<u>S.N</u>	<u>Details Of Work</u>	<u>Proposed Schedule for DFCCIL</u>
1	Fee For Effective Hearing Senior Counsel Junior Counsel	Rs. 1,500/- per appearance Rs. 1000/- per appearance (Where two or more cases but not more than ten cases involving the identical question of law the full fee will be paid in one main case and in remainder cases @Rs150/- per case.)
2	Fee For Non Effective Hearing Senior Counsel Junior Counsel	Rs. 300/- per appearance Rs. 200/- per appearance (maximum four such hearings)
3	Daily Fee Out Of Head Quarter (a)Senior Counsel (b)junior Counsel	Rs. 2000/- per day Rs. 1,500/- per day
4	Written Opinion Other than Pending Court Cases	Rs1650/-

FEE structure for High Court

S.N.	Item Of Work	Proposed rats for DFCCIL
1	For drafting of Special leave petition /Writ/Counter affidavit/Rejoinder/Appeal/Interim application/Reply to interim application/affidavit/rejoinder to the application etc	Rs 7500/-
2	Filing Of Caveat	Rs2000/-per caveat
3	Fee for appearance before High Court (a)effective hearing (b) Non effective hearing and also about when court does not sit ,generally adjournment are given)	(a)Rs 3000 (b)Rs 1650
4	Conference	Rs1500/-per case in
5	(a)Professional Fee For Batch/Bunch Cases (b)Professional Fee in Remainder Bunch/Batch Petitions/Suits Where The Dispute and Area Is Same But The Title/Name Of The Petition Is Different	Rs 22500/- (Main Petition) (b)3000/- Per Petition
6	Clerkage	10% Of Professional Fee
7	Written Opinion Other than Pending Court Cases	Rs2250/-

Note-The Fee Will Be Subject To Maximum Ceiling Of Rs 22500/- In Case Of Petition for Complete Case.

FEE structure for Supreme Court

<u>S.N</u>	<u>Item Of The Work</u>	<u>Proposed rats for DFCCIL</u>
1.	For drafting of Special leave petition /Writ/Counter affidavit /Rejoinder/Appeal/Interim application/Reply to interim application /affidavit/rejoinder to the application etc	Rs 6000/=
2.	Filing Of Caveat	Rs 2000/- per caveat.
3.	a)Conference	a)Rs1500/-per case.
4	(a)Appearance(effective hearing) (b)appearance (non effective hearing and also about when court does not sit ,generally adjournment are given	Rs 3750/- (b) Rs1800/-
5.	Professional Fee For Batch /Bunch Petition (Where the cases are filed in one and the same court and matters are similar (not materially different) Which are heard as bunch matters and pleadings like filing of reply counter affidavit, rejoinders, written statements etc are also similar)	(a)As Per Foregoing Provisions In Main Case b)Rs2250/-in remainder bunch/batch/WP etc. where dispute and area is same but title and name is different
6	Fee For Written Opinion Other than Pending Court Cases/Notices /reply to notices.	Rs3125/-

Note:-The above fee will be subject to maximum ceiling of Rs 25000/-for the entire case.

Annexure "c"

The addresses of chief project manager s of Western and Eastern corridor are as under: _

Western corridor

S.N.	Field Location	Address
1	CPM/ jaipur	B-12,Hanuman Nagar,Sirsi Road Jaipur 202021
2	CPM/ Ajmer	42A/3Civil lines Ajmer
3	CPM /Ahmadabad	1 st Floor ;Old DRM building ,Kalu Pur , Ahemdabad-380002
4	CPM /Vadodara	13, 14 , 17 ,18 Panorma Complex , 3 rd Floor ,Alkapuri , RC Dutt Road Vadodara
5	CPM /Surat	4 th Floor ,Arun 1 st ,Near ISCON Mall Dunnas Road , CIPLD , Surat-395007
6	CPM /Mumbai	7 th Floor ,New Administration Building ,Central Railway ,DNRoad ,Mumbai- 400001
7	CPM /Noida	A-102 Star House Sector-4 Noida

Eastern corridor

S.N.	Field Location	Address
1	CPM /Ambala	Shri Surinder Pal ,CPM /Ambala Old Railway Colony ,Near Anand Market ,Ambala Cantt-133001
2	CPM /Merrut	702/2 Shastri Nagar ,Meerut (UP)
3	CPM /Tundla	Flat no-108&109,2 nd Floor,Mayur Ellite A ppartment, (Near Sanjivini Hospital),Trans Yamuna,Ranibagh Chouraha,Agra-282006
4	CPM /Allahabad (W)	Old GM Office ,NC Railway (1 st Floor)Near Balmiki Chouraha ,Nawab Yusuf Road ,Allahabad-211001
5	CPM /Mugalsarai	122/1 Shayam KUNJ , Narain Pur , Dafi by pass , Naya Pura , Varanasi- 221011
6	CPM /Kolkata	18/N GF BlockA , New Alipur ,Kolkata- 700053