

**No. DFCCIL/LAW/2012/Empanelment**

**Date: 14.11.2018**

**The General Manager /IT  
DFCCIL**

**Sub: Empanelment of Advocate/Law Firms.**

Notification of empanelment along with annexure "A", "B" are enclosed herewith for uploading on the website of DFCCIL. This has got the approval of Competent Authority.

**Manager/Law**

**NOTE**

**No. DFCCIL/LAW/2012/Empanelment**

**Date: 14.11.2018**

**All CGM's  
EDFC & WDFC**

**Sub:** Empanelment of Advocates.

**Ref:** Notification for empanelment Dt. 02.07.2018.

The copy of above referred notification along with annexure A, B are being sent herewith for furnishing the copies to secretaries of Bar Associations of High Court/ District Courts mentioned in the notification under which territorial jurisdiction of your project comes for wide publication. One copy of notification may also be placed on the notice board of the project office. The applications of the Advocates which will be received in your office on or before the date of closing should be forwarded to Manager/Law Corporate Office after verification of documents from the original along with your recommendations. This has got the approval of the Competent Authority.

**Manager/Law**

Encl: As Above

Copy to:

- Secretary Bar Association of Supreme Court/High Court/District Court Delhi for wide publication.
- Notice board of the Corporate Office

## **NOTIFICATION**

**No. DFCCIL/LAW/2012/Empanelment**

**Date: 14.11.2018**

### **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 legal issues arises in the organisation.

#### **1. Eligibility:**

##### **a) Essential:**

- i. Lawyers or Legal Firms shall have independent experience as indicated in "Annexure-B" 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 transaction of business of DFCCIL and 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 organization during the terms.

**5. Mode of Empanelment.**

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

**6. Closing date of Application.**

Application along with all the documents should reach the 5<sup>th</sup> Floor Pragati Maidan Metro Station Building Complex, Corporate office of DFCCIL on or before 14.12.2018.

**7. Place of Panel:**

The panel will be formed at the following places:-

**Supreme Court (New Delhi)**

**High Courts:-** Delhi, Punjab & Haryana (Chandigarh), Uttar Pradesh (Allahabad & Lucknow)  
Bihar (Patana), Jharkhand (Ranchi), West Bengal (Calcutta), Rajasthan (Jodhpur & Jaipur), Gujarat (Ahmedabad), Maharashtra (Mumbai).

**District Courts:-**

Delhi, Punjab (Ludhiana, Fatehgarh Sahib, Patiala), Haryana (Ambala City), Yamuna Nagar, Rewari, Mahendragarh, Gurgaon, Palwal, Faridabad, Meerut).

Uttar Pradesh (Saharanpur, Muzaffarnagar, Meerut, Ghaziabad, Bulandshahar, GB Nagar, Aligarh, Mahamaya Nagar, Agra, Ferozabad, Etawa, Auraiya, Kanpur Rural, Kanpur Nagar, Fatehpur, Kaushambi, Allahabad, Mirzapur, Chandauli) Bihar (Kaimur, Rohtas, Aurangabad, Gaya), Jharkhand (Hazaribag, Kodarma, Giridih, Dhanbad)

West Bengal (Bardhaman, Hooghly) Rajasthan (Alwar, Sikar, Nagaur, Jaipur, Ajmer, Pali, Sirohi) Gujarat (Banaskantha, Patan, Mahesana, Gandhinagar, Ahmedabad, Kheda, Anand, Vadodara, Bharuch, Surat, Navsari, Vasad) Maharashtra (Thane, Raigarh)

**8. Payment of Professional Fees:**

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

**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 Jitender Kumar,  
Manager (Legal),  
Dedicated Freight Corridor Corporation of India Ltd.  
5<sup>th</sup> Floor, Pragati Maidan Metro Station complex,  
New Delhi-110001

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.

**Manager/Law**  
**Dedicated Freight Corridor Corporation of India Ltd.**

## ANNEXURE-B

## Fee-Schedule for Empanelled Advocates/Law Firms

## DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED

## 1) BEFORE SUPREME COURT:

S.No	Legal Subjects	Schedule of Fee
<b>1.</b>	<b>Before Supreme Court</b>	
a.	In Writs, Civil or Criminal Revisions/Appeals/Arbitral Matters etc.	
i.	Drafting of Special Leave Petition Writ/Counter Affidavit/Rejoinder/Appeal/Interim Application/Reply to Interim Application/Affidavit/Rejoinder to the Application, etc.	RS. 20,000/- Rs. 14,000/- Rs. 6000/-
ii.	Appearance	Rs. 9,000/- per appearance
b.	Filing of Caveat	Rs. 9,000/- per caveat
c.	Fee payable to Advocate on Record	Rs. 10,000/-

## 2) BEFORE HIGH COURT AND BELOW COURT:

S.No	ITEM	Sr. Advocates in High Court	Jr. Advocates in High Court	Advocates in District Court/Tribunals/Commission/Forums/ED/Labour Court/CIC etc.
1.	(a) Preparation of Petition. (b) Counter Affidavit/Written Statements including Reply to stay application to the suit/writ petition/LPA. (c) Preparation of misc./interim applications & replies, implement application and any other application/petition. (d) Preparation of Petition/Written Statements/replies/rejoinder/appeal.	Rs. 20,000/- Rs. 14,000/-  Rs. 6,000/-  -----	Rs. 10,000/- Rs. 7,000/-  Rs. 3,000/-  -----	-----   Rs. 10,000/-
2.	Preparation of plaints in suits.  Preparation of interim petition.	Rs. 20,000/-  -----	Rs. 12000/-  -----	-----  Rs. 3,000/-
3.	Fee for Court Appearance (a) Effective (b) Non-Effective	Rs. 8,000/- Rs. 4,400/-	Rs. 4,400/- Rs. 2,200/-	Rs. 4,000/- Rs. 1,600/-
4.	Fee for filing Caveat	Rs. 9,000/- per caveat		
5.	Performa Respondent- where DFCCIL is impleaded as a Performa Respondent, the entire fee in the whole petition will be up to maximum of	Rs. 18000/-	Rs. 9,000/-	Rs. 9,000/-

6.	Professional fee for batch/bunch petitions/suits:  (a) Professional fee for main petition  (b) Professional fee for remainder bunch petitions, where the dispute and area is similar but the title/name of the petition is different, to a maximum to a maximum of 10  (c) Professional fee in batch/bunch petition other than (b)	Fee applicable as above point no. 1 and 3  20% of the fees applicable under point no. 1 and 3  20% of the fees applicable under point no. 1 and 3	Fee applicable as above point no. 1 and 3  20% of the fees applicable under point no. 1 and 3  20% of the fees applicable under point no. 1 and 3	Fee applicable as above point no. 1, 2 and 3  20% of the fees applicable under point no. 1, 2 and 3  20% of the fees applicable under point no. 1, 2 and 3 as the case may be.
7.	Fee for written opinions in other than pending court cases, legal notices & its replies, no fee will be paid in case of written opinion given in contesting/ pending cases.	Rs. 6,000/-	Rs. 4,400/-	Rs. 3,000/-
8.	Clerkage Charges	10% of professional fee	10% of professional fee	10% of professional fee
9.	Court fee and out of pocket expenses in connection with legal proceedings	Will be reimbursed on actual basis duly certified/verified by concerned GGM/GM/CPM	Will be reimbursed on actual basis	Will be reimbursed on actual basis

### 3) BEFORE ARBITRAL TRIBUNAL (ENGINEERING CONTRACTS/SSTEM CONTRACTS)

i.	Appearance	Rs. 12,500/- per case appearance irrespective of nos. of legal counsels appearing before Arbitral Tribunal.
ii.	Drafting of Statement of Claim/Statement of Defense/Rejoinder/Interim Application/Reply to Interim Application/Affidavit/Rejoinder to the Application etc.	Rs. 9,000/- per case
iii.	Written synopsis	Rs. 3,000/- per case

### 4) TECHNO LEGAL EXPERT (BEFORE ARBITRAL TRIBUNAL)

i.	Appearance	Rs. 12,500/- per case
ii.	Drafting of Claims/Counter Claim/Rejoinder/Statement of Defense/Interim Application/Reply to Interim	Rs. 12,500/- per case

	Application/Affidavit/Rejoinder to Application and Agreement etc.	
iii.	Study of documents	Rs. 6,000/- per case
iv.	Clerical Charges	10% of per day hearing
v.	Service Tax	As applicable
vi.	Misc. Expense such as photocopy, power point presentation etc.	As per actual

#### 5) CONFERENCES/ CONSULTATION:

<b>In the office of Counsel</b>	<b>Rs. 2000.00</b>
<b>Conference with Sr. Counsel</b>	
(i) Before supreme Court	Rs.4000.00
(ii) Before High Court	RS. 3000.00
(iii) Before District Court	Rs.2500.00
(iv) Before any other authorities /Tribunals/ Commissions /Forums/ etc.	Rs.2500.00
(v) Before arbitral Tribunal (civil engineer contract)	Rs. 3000.00

#### 6) Travelling expenses:

These charges are reimbursable on submission of bills.

1.	Journey	Economy class (By Air), First Class AC (By Train) and AC Car (By Road)	
2.	Daily allowance including lodging and local conveyance out of Headquarter) more than 100 km	<p>(a) Travelling Expense</p> <p>(b) Daily allowance including lodging and local conveyance.</p>	<p>(a) By 2AC OR Taxi which is lower. However in exceptional cases in exigency of service in economy class by air with the approval of Director/DFCCIL.</p> <p>(b) For "X" Class cites Rs.8500/- per day. For "Y" Class Cites Rs.5500/- per day. For "Z" Class Cites Rs.3500/- per day.</p>



## 7) TERMS AND CONDITIONS FOR APPOINTMENT OF ADVOCATES ON DFCCIL PANEL.

- 7.1 Fee for ASGI/AGI and Senior Advocates designated by High/Supreme Courts are not being stipulated as they are engaged in very few important cases only through DFCCIL's panel Advocates and their fee varies from case to case depending upon the importance and question of law etc. of the matter as per the memo raised by them. Fees for such cases may be decided by the MD/Director as per delegation in SOP depending on the merit of each such case.
- 7.2 Clerkage shall be paid at the rate of 10% in addition to fee and same shall not be paid on the charges like misc. expenses, Photostat exp., conveyance/meal expenses and transportation expenses. The final fee bill will be cleared only after receipt of the judgement/decreed/final order in the case
- 7.3 Reimbursement of misc. expenses up to Rs. 500/- shall be reimbursed to the counsel without production of details. In case of expenses exceeds Rs. 500/- the counsel shall be required to produce details thereof.
- 7.4 When two or more cases together involve, substantially identical question of law/or fact, one of such cases will be treated as the main case and the other as connected case and the fees in such will be regulated as under, provided the cases are heard together:
- a. Full fee would be admissible for appearance in the main case and 20% in each of the connected case.
  - b. If substantially identical affidavit, counter-affidavits, plaints, written statement, ground of appeals applications and other pleadings are drafted in connected cases or drafting fee will be admissible in the main case and only 20% separate drafting fee per case will be admissible in connected case, subject to limit of cases as mentioned hereinabove.
- 7.5 For the purpose of payment of fees as per the schedule, the Advocates shall be treated as :

**Senior Advocates:** The panel Advocates having minimum 25 years of practice in the court after the date of enrolment with Bar Council of India as an Advocate and are Income-Tax payee for at least 3 previous financial years shall be treated as Senior Advocates.

**Junior Advocates:** The panel Advocates having minimum 2 years of practice in the court after the date of enrolment with Bar Council of India as an Advocate shall be treated as Senior Advocates.

- 7.6 The conference fee in the fee-schedule shall be subject to the following:
- a. In general, the conference between the Sr. Advocate and Jr. Advocate Counsel (wherever nominated specially for a case) and between Counsel and DFCC official maximum number of Five (5) such conference will be allowed, comprising two (2) for settlement of pleadings and three (3) during the course of proceedings in a single side.
  - b. However, the high stake/policy matters the number of conference may be increased with the approval of GM/Law.
  - c. In case of conference/briefing of a senior designated Advocate by a DFCCIL empanelled Advocate, the DFCCIL empanelled Advocate shall be paid Conference fee equivalent to the amount of fee for one effective hearing as per the fee-schedule applicable to High Court cases.

d. Conference fee will be payable only in case of face discussion and not for telephonic conversation/discussion.

7.7 Effective Hearing: the effective hearing means, a hearing which either one or both parties involved in a case are heard by the Courts/argued by the Counsel of the parties, Examination-in-Chief and/Cross-Examination is held, issues/charges have been framed, and in addition to above, effective hearing are according to the High Court rules.

7.8 Non-effective Hearing: the non-effective hearing means all other hearing other than the ones mentioned in the effective hearing.

7.9 The empanelled Advocates shall not accept any engagement against DFCCIL and DFCCIL shall have sole right to use their name as an Advocate.

7.10 DFCCIL reserves the right for allotment of legal work, court cases to any empanelled advocate and no claim of any nature will be entertained in this regard. The decision of GM/Law in respect of batch/bunch petitions and settlement of fee will be final and binding and no claim/correspondence of any nature will be entertained in this regard. GM/Law shall be the sole nodal officer for all the purposes/correspondence.

7.11 The day-to-day proceedings in the cases assigned to the empanelled advocate shall be intimated in writing or by e-mail to GM/Law.

7.12 The advocate shall attend the offices of DFCCIL and Sr. designated Advocates as and when required and shall make their own arrangements for collection of petitions or delivering documents to the Legal Department of DFCCIL.

7.13 The performance of empanelled Advocates shall be continuously monitored and examined by the GM/Law and their continuance with DFCCIL shall depend on their performance.

7.14 DFCCIL reserves the right to cancel the name of any empanelled Advocate without assigning reason thereof.

7.15 These terms and conditions will not be applicable in criminal cases.

7.16 GST to be payable shall be borne by DFCCIL subject to rules applicable from time to time.

7.17 After completion of case or expiry of tenure or de-panelment of Advocate or decision to withdraw the case from the Advocate, either on its completion or in between, all such cases/files in the custody of the Advocate will be returned to DFCCIL without any demur and final payment, if any, will be made after receipt of the relevant documents/files.

## ANNEXURE- A

**Sub:** Application for Empanelment as Advocate/Law Firm in DFCCIL.

**Ref:** Notification no. DFCCIL/LAW/2012/Empanelment dated: 02.07.2018.

<b>Sr. No.</b>	<b>Information Details</b>		
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.	Income Tax Return	-	
7.	Bar Council Registration No.	-	
8.	Whether fulfils the requisite eligibility condition	-	Yes/No
9.	Whether Documentary proof in support of essential Eligibility attached.	-	Yes/No
10.	Whether Documentary proof in support of Desirable Experience attached.	-	
11.	Any other information you may like to give.	-	
12.	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 of panel.

**Place:**

**Name & Signature of the Advocate/Authorised signatory**

**Date:**

**NOTICE INVITING EOI FOR ENGAGEMENT OF ADVOCATE/ LAW FIRMS**

Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), a PSU under Ministry of Railways, invites for expression of Interest for empanelment of Advocates /Law Firms.

Invitation for Expression of Interest (EOI) for Engagement of Advocate/Law firms for defending court matters on case to case basis before various courts (Hon'ble Supreme Court, various High courts other lower courts) Central Administrative Tribunals at all locations, other statutory bodies, Arbitration institutions, etc. on behalf of Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL).

The detailed EOI document indicating the scope of work, qualifying requirements, forms, terms & condition can be downloaded from website of DFCCIL at <http://dfcc.gov.in> and the same should be submitted on or before 14.12.2018 at 6:00pm at Reception counter of DFCCIL at 5<sup>th</sup> floor, Pragati Maidan Metro Station building Complex, New Delhi-110001.

**Manager/Law  
Dedicated Freight Corridor Corporation of India Ltd.**

**INVITATION FOR EXPRESSION OF INTEREST (EOI)**  
**FOR ENGAGEMENT OF ADVOCATE/ LAW FIRMS**

Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), a PSU under Ministry of Railways invites EOI for Engagement of Advocates /Law Firms for defending court matters before Hon'ble Supreme Court, various High Courts, various Benches of Central Administrative Tribunal, lower courts and other courts of law/Tribunals, anywhere in India on behalf of DFCCIL.

DFCCIL intends to engage a reputed agency/firm of advocates (Law Firm) for defending court cases on behalf of the Dedicated Freight Corridor Corporation of India Ltd before Hon'ble Supreme Court, High Court, various Benches of Central Administrative Tribunal, lower courts and other courts of law/tribunals anywhere in India. Interested Law Firms fulfilling the requirements are invited to submit their profiles by filling in the EOI document to consider their empanelment.

The detailed EOI document indicating the scope of work, qualifying requirements, forms and procedure for submission of proposal for EOI can be downloaded from website of DFCCIL at <http://dfcc.gov.in> and the same should be submitted on or before 14.12.2018 at 6:00pm at Reception counter of DFCCIL at 5<sup>th</sup> floor, Pragati Maidan Metro Station building Complex, New Delhi-110001.

DFCCIL reserves the right to accept or reject any or all the offers at any stage of the process without assigning any reason thereof and no claim/dispute in this regard shall be entertained.

**Manager/Law**  
**Dedicated Freight Corridor Corporation of India Ltd.**