

No. 1/2022, Legal

Dated: 20th April' 2022

Corrigendum

Subject: Application Invited for "Empanelment of Advocate/Legal Firm at ICAT".

With reference to the NIT No. ICAT/LT/HR/LEGAL/2022-23/9 Dated 19th April' 2022, on the subject tender, please find below corrigendum for the same. Bidders are requested to submit the bids accordingly.

It is mandatory for the bidder to accept, duly sign and submit this Corrigendum Document along with Bid Documents.

(Modifications/Revisions)

1. The last date of submission of bid will be 29th April' 2022 (17:00 Hrs.) instead of 27th April' 2022 & 2nd May' 2022.

2. Warranty Terms:

Original Clause:

"Free of Cost Replacement against Poor/Sub Standard Quality If Noted at the time of supply (As per OEM Standard Warranty)."

Revised Clause:

Not applicable for this tender.

All other term will remain the same.

NIT No.: ICAT/LT/HR/LEGAL/2022-23/9
Dated: 19-April-2022

eNotice Inviting Tender (NIT)

NIT No.: ICAT/LT/HR/LEGAL/2022-23/9
Manesar, 19th April 2022

The Director, International Centre for Automotive Technology (ICAT), a division of NATRIP Implementation Society (NATIS), Govt. of India, hereby invites sealed bid for “Empanelment of Advocate/Legal Firm” at ICAT Manesar as per following details:

Tender Activity Schedule

Scope of Services	Empanelment of Advocate/Legal Firm (As per scope of services given in bid document)
Empanelment Period	1 Year (12 Months)
Eligibility Criteria	As Defined in Bid Document
Payment Terms	Monthly Billing Basis
Scope of Services/Billing Address	International Centre For Automotive Technology (Centre – 1), Plot No. 26, Sector – 3, Near HSI IDC, IMT Manesar, Gurgaon 122050 GST No. 06AAATN7662F1ZI
Last Date of submission of Sealed Techno-Commercial Bid	Up to 1400 Hrs. on 29th April’ 2022, at ICAT Centre – 1, Manesar, Gurgaon, India.
<ul style="list-style-type: none">Bidders to comply with Rule 144 (xi) of GFR 2017 (refer Office Memorandum of Department of Expenditure dated 23rd July 2020 https://doe.gov.in/sites/default/files/OM%20dated%2023.07.2020.pdf)Preference to Make in India: As per the revised order issued by Department of Industrial Policy and Promotion (DIPP) vide No. P-45021/2/2017-PP (BE-II) dated 04.06.2020. The purchaser reserves the right to give preference to the local supplier. https://dpiit.gov.in/sites/default/files/PPP%20MII%20Order%20dated%204th%20June%202020.pdf	

NIT No.: ICAT/LT/HR/LEGAL/2022-23/9
Dated: 19-April-2022

Sealed Envelope should be marked with “**Application for Empanelment of Advocate/Legal Firm**”

Interested suppliers/service providers who meet our requirements should submit no regret techno commercial proposal along with product catalogue in a **sealed envelope latest by 29th April' 2022 by 17:00 Hrs.** at below given address

To,
The Purchase Department,
International Centre For Automotive Technology
Plot N. 26, Sector-3, HSIIDC, IMT Manesar
Gurgaon 122050 (Haryana)
Contact No. +91 9971150821

Note: ICAT reserves the right to reject/modify/cancel the tender without assigning any reason thereof.

Notice Inviting Application For Empanelment of Advocate/Legal Firm

ICAT Introduction

The International Centre for Automotive Technology (ICAT) was established in 2006 at Manesar, Haryana, India. ICAT is located approximately 38 KM from Delhi Airport and has 2 Centers Measuring Area 08 Acres and 46 Acres respectively.

ICAT is providing quality services to the industry in all the domains of automotive and non-automotive development, such as Powertrain, Noise Vibration and Harshness, Component, Fatigue, Photometry, Tyre & Wheel, Passive Safety, EMC and CAD & CAE.

Applications are invited from eligible Advocates for empanelment of Advocates/Law firms to represent the ICAT before different Courts of Law.

The practicing advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and conditions and the application format in which the application has to be made, have been prescribed.

The Advocates who are on the existing panel of ICAT shall cease to be on the panel of ICAT after new panel is finalized against this notice. Therefore, they may also apply afresh in response to this notice.

How to Apply:

Eligible practicing Advocate/Law Firms must submit application in the format prescribed in **Annexure "A"** enclosed herewith, along with all supporting documents in a sealed envelope to:-

**The Purchase Department
International Centre For Automotive Technology
Plot No. 26, Sector – 3, HSIIDC, IMT Manesar
Gurugram 122050 (Haryana – India)**

The envelope should be superscribed as following:-

**“Application for Empanelment of Advocate/Law firms to represent the
ICAT before different Courts of Law”**

The last date of receiving Applications in the prescribed format along with supporting document is **29th April' 2022 till 17.00 Hours.**

Application for empanelment at ICAT does not confer any right/ assurance whatsoever; to an applicant that he / she will be empaneled on the panel of ICAT. Letter to advocate confirming their empanelment will be issued by ICAT separately.

Guidelines for Empanelment of Advocates

Following guidelines are designed to provide and regulate the manner and procedure for empaneling the advocates to represent and assist ICAT before various courts including the district courts and for regulating the referrals of the cases and payment of fee/remuneration. These guidelines shall supersede all existing instruction in this regard, if any, and is subject to change without assigning any reason thereto.

Eligibility of Empanelment

Before filling the application form, the Advocates/ Law Firms are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocate in ICAT mentioned herein below:

Qualification & Experience (Eligibility Criteria):

- a) Bachelor's degree in law from a recognized university and registration with Bar Council of India / Delhi.
- b) Professional experience of at least **10 Years** in handling company's cases / Government department cases (writ petitions / appeals) in Hon'ble Supreme Court / Hon'ble High Court/ Hon'ble District Courts/ etc.
- c) Having good communication skills in English and good knowledge of law and procedure, both in civil and criminal matters.
- d) The Advocates / Law Firms should be familiar with various branches of law especially those conceiving laws of matters related to various writs, PIL, Land Disputes/Constitutional/ Service Law/Contract Law/ Property Laws and Taxations, etc.
- e) The Advocates / Law Firms should be income tax payer.
- f) Advocate shall be presently empaneled by other minimum 3 nos (three) organizations/authorities.
- g) The Advocates / Law Firms should have sufficient office Infrastructure and office staffs.

Documents required to be submitted by the Advocate as per above eligibility criteria:

The Advocates will be required to submit their applications in the prescribed format as given in Annexure-A. The self-attested copies duly signed by the authorized person of the firm for the following documents are required to be submitted with application:

- a) Certificates in support of educational qualifications of Advocate (Sr. Partner in case of law firm) along with Certificate of Registration with Bar Council and Identity card issued by Bar Association / Bar Council as per point (a) above
- b) Self-declaration certificate in company's letter head regarding having 10 years' experience as per point (b) above
- c) Self-declaration certificate in company's letter head regarding requirements as per point (c) above
- d) Self-declaration certificate in company's letter head regarding requirements as per point (d) above

- e) Income tax return (ITR) of last 3 (three) FY.
- f) Client's PO / letter which shows that Advocate/ firm are presently empaneled by other minimum 3 No's (three) organizations/authorities.
- g) Details of office Infrastructure and office staff should be provided in company's letter head.
- h) Other relevant information, if any.

Tenure of Empanelment:-

The initial empanelment will be for one year. Performance of empaneled Advocates/Law Firms shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the advocate/firm, the empanelment may be extended by **One (1) Year** by the ICAT as per the terms & conditions in effect at the time of renewal. The ICAT reserves the right to terminate the empanelment of any Advocate / firms at any time without assigning any reason thereof.

Procedure for Empanelment

The Competent Authority of ICAT will consider the applications for empanelment in terms of these guidelines only on merits after due notice in this regard is published on the website of the ICAT. For this purpose, the Competent Authority of ICAT may authorize any officer/group of officers of ICAT and such authorized officer(s), while appraising the applications of the Advocates, may consider the following points:

- a) Length of practice and specialization.
- b) Proper and adequate infrastructure such as office premises, number of junior Advocates, assistants, clerks and fax, mobile phone, fixed phone, internet connection etc.
- c) 3 years Annual income-tax return filed with the Tax Authorities.
- d) Track record and integrity.
- e) If considered necessary, an enquiry with the respective Bar Council/Bar Association about the claims and conduct of the Advocate to be empaneled may be made and credentials may also be verified.

Procedure for Empanelment:

- a) The applicant advocate must apply on the format prescribed by the ICAT only. No other format will be entertained.
- b) An applicant advocate willing to be empaneled for more than one forum (i.e. for High Court/CAT/ Lower Court/District Court etc.).
- c) Any application received after the last date prescribed in the advertisement shall not be entertained.
- d) No applicant advocate shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- e) Depending upon the requirement and number of applications received, ICAT reserves the right to be shortlist the candidate and to be empaneled.
- f) Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be empaneled.
- g) The decision of the competent authority regarding short listing and selection of the candidates shall be final.
- h) Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.

- i) The applicant advocate shall bring original documents at the time of interaction with the ICAT.

Duties of the Empaneled Advocates:

- a) The Advocate shall not advise any party or accept any case against the ICAT in which he/she has appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against the ICAT.
- b) Timely appearance of the Counsel to contest the cases for ICAT in the court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.
- c) ICAT sends the information to the panel advocates through email regarding entrustment of a case and after receiving the e-mail, it is duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of ICAT at the earliest.
- d) Refusal by any advocate to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel, forthwith without waiting for the empanelment period to expire.
- e) The advocates shall accept the terms and conditions of the empanelment as determined by the ICAT from time to time.
- f) In order to ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status of the cases after each date of hearing. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
- g) If required render all assistance to special or senior Counsel engaged in a particular cases before the Supreme Court, High Court and other judicial bodies.
- h) Keep ICAT informed and updated on all-important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of orders /judgment etc.
- i) Furnish monthly statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
- j) When any case attended by him/her is decided against the Organization, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).
- k) The advocate shall handle the existing cases of ICAT.

Removal from panel:

- a) ICAT reserves the right to terminate the empanelment of a Counsel with one month's notice in writing without assigning any reason. The counsel may also resign from the Organization by serving one month's notice.
- b) Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the Advocate.
- c) Giving false information in the application for empanelment.
- d) Failing to attend the hearing of the case without any sufficient reason and/are prior information.

- e) Not acting as per ICAT's instructions or going against specific instructions;
- f) Threatening, intimidating or abusing any of the ICAT's employees, officers, or representatives;
- g) Passing on information relating to ICAT's case on to the opposite parties or their advocates or any third party which is likely to cost any damage to the ICAT's interests;
- h) Giving false or misleading information to the ICAT relating to the proceedings of the case;
- i) Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason; and
- j) Frequent absence from the Court proceeding even if "pass over" or "proxy" is obtained by an advocate.

General Instructions:

- a) The size of the panel and number of Advocates / Law Firm in panel shall be determined by the ICAT Competent Authority based on the requirement and quantum of work.
- b) Refusal of any Advocate / Law Firm to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel.
- c) The Advocate / Law Firm shall accept the terms and conditions of the empanelment as determined by the ICAT from time to time.
- d) The Advocate / Law Firm shall not advise any party or accept any case against the ICAT in which he/she has appeared or is likely to be called upon to appear for (or) advise which is likely to affect or lead to litigation against the ICAT. If the Advocate / law firm happens to be partner of a firm of lawyers or solicitors, it shall be incumbent upon the firms not to take up any case against the ICAT in any court of Law / Tribunal / Commissioner/Forum or any case arising out of those cases e.g. appeals and revisions.
- e) That the empaneled Advocate in matters of urgency shall obtain the order (Dasti) from the concerned Hon'ble court and send it to the Registrar on the same day to avoid any inconvenience.
- f) That the empaneled Advocate (either in person or through an authorized Associate), shall visit the ICAT to discuss urgent legal cases/matters whenever called upon by the Registrar.
- g) That the empaneled Advocates shall send the bills shortly as per approved rates and complete in all respects, preferably within three months of hearing, etc.
- h) That the empaneled Advocates when called upon to do so shall assist, as far as possible, the ICAT staff.
- i) To pass on cases to the Standing Counsel on vice versa, when asked to do so. That the empaneled advocates should have proper infrastructural facilities including man power. It includes scanner, photocopier, computer etc. as well as peon, dealing clerk and Associate advocate.

Annexure – A

Application Form for Empanelment in ICAT
(To Be Filled In By All Applicant Advocate)

To
HR Department
ICAT, Gurugram, Haryana (India).

Format of Bio-Data for Advocate/Law Firms

1	Name of the Advocate	
2	Name of the Law Firms	
3	Date of Birth	
4	Date of Enrolment, Name of Bar Council (Enclose attested copy of enrolment certificate)	
5	Period of Practice	
6	Details of Experience/Practice	
7	Area of Practice (specialized)	
8	Specialization, if any (constitution / Taxation / service etc.) The details of a few important cases the advocate has dealt with/handled and reported judgment, if any.	

9	Whether Central/State Govt. Counsel/Pleader (indicate period) (with documentary evidence)	
10	Brief list of clients e.g. Govt./Organization/Institutes or Autonomous body/PSUs (Enclose the documentary evidence)	
11	The Courts where the Advocate is regularly practicing (Enclose attested copy of Bar Association Member Certificate)	
12	Proper and adequate infrastructure of an advocate such as office premises, number of junior advocates, assistants, clerks and fax mobile phone, fixed phone and internet connection etc.	
13	Date of enrolment as an Advocate and Registration No.	
14	Income tax PAN Number (Enclose copy of PAN Card)	
15	A brief note on suitability for empanelment. (If required please enclosed separate Annexure)	
16	Office Address (copy enclose)	
17	Residential Address (copy enclose)	
18	Court Chamber Address (copy enclose)	
19	3 Years Income Tax Return (Enclose the supporting documents)	

20	3 years Audit Reports (Enclose the supporting documents)	
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Declare that never been penalized / convicted by any bar Council/Court of Law.

I also undertake to maintain absolute secrecy about the case of the ICAT as required under the Act, Rule and Regulation there under.

A brief note on Suitability for empanelment (details of major case dealt/ contested by the Advocate/Law firm successfully).

Place: -

Date: -

Signature of Advocate

Name:-

Annexure-B

Fee Structure Payable by ICAT Legal Counsels / Advocates in Different Courts of Law

SI. No.	Particulars	Amount	Remarks
1	Retainership Fee/month		
2	Appearance in Court Outside Delhi/NCR region		
3	Appearance in Court Delhi/NCR region	Nil	Included in Retainership Fee.
4	Legal Opinion	Nil	Included in Retainership Fee.
5	Drafting of application/Legal notice reply/ Non Disclosure agreement/MOU	Nil	Included in Retainership Fee
6	Vetting of legal Document Agreement MOU/NDA/Letter/Report etc	Nil	Included in Fee.
7	Local counsellor fee for attending cases in courts outside Delhi/NCR region	Local Counsellor fee will be on the basis of negotiation by lawyer in different cities under this range.	
8	Conveyance Allowance for out of station visit from Delhi/NCR to other place using personal vehicle till 600 KMS (to & fro) i.e. car	INR 9/ Per Km (personal car) Parking charges, Toll tax on actual basis.	
9	Travelling Allowance, Food Allowance and Room Tariff 600 KMS & above (to & fro)	As per policy in the category of Executive to Manager level	
10	Other Charges, if any		-

International Centre for Automotive Technology (ICAT)

Plot No. - 26, Sector-3, HSIIDC, IMT Manesar, Gurgaon-122050, Haryana, India

Phone: +91-124-4586-111, FAX: +91-124-2290005, Email: purchase@icat.in,

Website www.icat.in