

राष्ट्रीय फैशन टेक्नोलॉजी संस्थान
(NATIONAL INSTITUTE OF FASHION
TECHNOLOGY)

(A statutory body governed by the NIFT Act 2006 and set up by the Ministry of Textiles, Govt. of India)

NIFT/HO/Bd. Sectt/Legal-Retainership-Litigation Fees/2016-17 (PART-I)

“Notice Inviting Applications for Empanelment of
Advocates / Law Firms’

निफ़्ट मुख्यालय, हौज़ खास, नई दिल्ली-16

(NIFT, HEAD OFFICE,

HAUZ KHAS, NEW DELHI-16)

(Time Schedule) :-

Date & Time of Publication of Notice Inviting Applications for Empanelment of Advocates/Law Firms notification on official NIFT Website	13/12/2019 at 04.00 p.m. (Friday)
Download of Tender Document Commence from	13/12/2019 at 04.00 p.m. (Friday)
Last Date & Time of submission of Applications for Empanelment of Advocates/Law Firms	03/01/2020 upto 02.00 p.m.
Date and Time of the Opening of applications	03/01/2020 upto 03.00 p.m.

Note: This document contains 09 pages (Total no. of pages including Annexure) and applicants are requested to sign all the pages of the said document.

Notice inviting applications for Empanelment of Advocates / Law Firms

National Institute of Fashion Technology intends to invite “Applications for Empanelment of Advocates / Law Firms” to represent the NIFT and its officers / officials before Supreme Court / Delhi High Court and other Courts, Forums, Authorities and Tribunals. The details of Notice inviting applications for Empanelment of Advocates / Law Firms, including the scope of work, eligibility criteria and other terms and conditions have been prescribed by the NIFT which are available at the Institute’s website at www.nift.ac.in.

The individual Advocates / Law firms fulfilling the conditions shall submit his / their Notice Inviting Applications for Empanelment of Advocates together with requisite documents in sealed envelopes superscribed “Notice inviting applications for Empanelment of Advocates / Law Firms” to the Registrar, National Institute of Fashion Technology, NIFT Campus, Hauz Khas, Near Gulmohar Park, New Delhi-110016 and deposited in the tender box available at 2nd Floor, B Block, NIFT Campus, Hauz Khas, New Delhi – 110016 (Head Office) on or before 2.00 P.M. upto 03/01/2020 in a sealed envelope.

Notice inviting applications for Empanelment of Advocates / Law Firms

The National Institute of Fashion Technology was set up in 1986 under the aegis of the Ministry of Textiles, Government of India. NIFT ACT, 2006 published in the Gazette of India on 14th July, 2006 confers statutory status on NIFT. It has emerged as the premier Institute of Design, Management and Technology, developing professionals for taking up leadership positions in fashion business in the emerging global scenario. Currently, NIFT has 17 Campuses at New Delhi, Bengaluru, Chennai, Gandhinagar, Hyderabad, Kolkata, Mumbai, Rae Bareli, Patna, Kangra, Kannur, Jodhpur, Shillong, Bhubaneswar, Bhopal, Srinagar & Panchkula.

The Institute is desirous to empanel Advocates /Law Firms having experience in handling court cases not only in the Local Courts / Tribunals but also other foras / Authorities located elsewhere in India.

ELIGIBILITY CRITERIA

The eligibility criteria for selection of Advocates/Law Firms shall be as under:-

1. The Advocates / Law Firms should have minimum 10 (ten) years of standing practice.
2. The Advocates/ Law Firms should hold a valid PAN and GST number. Attach Photostat copies.
3. The Advocates / Law Firms should be on the panel of at least 3 Government Departments/PSUs/Banks at the time of responding to this Notice. Documentary evidence for the same needs to be enclosed.
4. The Advocates/ Law Firms should have successfully handled at least five cases for Government/PSU/banks etc.
5. The Advocates/ Law Firms should not have been blacklisted/ debarred by any institution of the Central or State government. A self attested certificate in this regards on the letter head of the Advocate / Firm may be submitted.
6. The Advocates / Law Firms who have longest length of service will be shortlisted. Documentary evidence for the same needs to be enclosed.

Eligible Advocates/ Law firms who are located at Delhi/NCR and interested to work with NIFT on the item wise Fee structure mentioned hereinafter are requested to submit their detailed bio-data along with experience & achievements with all supporting self attested documents latest by 03/01/2020 upto 02.00 p.m. in the format enclosed at Annexure 'A'. It shall be placed in a sealed cover, super-scribed "Notice inviting applications for Empanelment of Advocates / Law Firms.

SCOPE OF WORK

Duties of the Advocates/Law Firms/ Advisor:

1. To provide opinion/ advice on various legal issues arising out of the functions of the Institute.
2. To vet Agreements, MoUs and tender documents etc.
3. To prepare draft of various legal documents pertaining to the Institute to be submitted before Courts Tribunal/Forums and other Authorities.
4. To visit the Institute Head Office at least once in a week and tender advice on issues referred.
5. To appear and defend interest of the Institute in Courts/Tribunals/consumer forum and other Forum/Statutory Authorities located in Delhi or authorities located elsewhere in India on cases assigned by NIFT.
6. Keep the Legal Cell of NIFT informed of the important developments in cases from time to time, particularly with regard to settling of drafts, filing of papers, dates of hearing of cases, supplying copies of judgments etc.
7. Any matter incidental to the above broad functions.

The aforesaid terms of this Notice will have the following meaning:

Effective Hearing: Effective hearing means a hearing in which either one or both the parties involved in a case are heard by the Court on the facts or law of the case.

Non effective Hearing: If the case is mentioned by the other side and adjourned or when only directions are given or only judgment is delivered by the Court, the same would constitute a non-effective hearing.

Identical cases: Identical cases means two or more cases in which substantially identical questions of law or facts are involved and where the main difference is in the names addresses of parties involved, amount of money involved etc. and/or where common or identical judgments are delivered irrespective of the fact that all the cases are heard together or not.

REMUNERATION

1. One of the selected Advocate/Law Firm shall be designated by the Institute to function as the Institute's Legal Advisor on a monthly retainer-ship initially for a period of one year which is extendable by another two years subject to satisfactory performance.
2. Rest of the selected Advocates/Law Firms shall be empanelled by the Institute for a period of three years and his/their services shall be availed from case to case basis on a fee as mentioned below:

FEE STRUCTURE

Fee Structure for Legal Advisor

S. No.	ITEMS OF WORK	FEE STRUCTURE
1.	Retainership Fee for Legal Advisor	Rs. 25,000/- per month
2	Lump sum fee to be payable to the Legal Advisor per court case	Rs. 20,000/- per case

Fee Structure for Advocates/ Law Firms

1.	Drafting of Writ Petitions/SLPs for Supreme Court/High Court Drafting of Counter Affidavits / Written Submissions / Rejoinder/Misc. Applications for Supreme Court/High Court	Rs. 8,000/- Rs. 5,500/-
2.	Drafting of OAs/ Counter Affidavits / Written Submissions for District Courts/ Tribunals/Labour Courts etc. Drafting of Rejoinder/Misc. Applications for District Courts/ Tribunals/Labour Courts etc.	Rs. 3,000/- Rs. 2,000/-
3.	Appearance (Per effective hearing) before various judicial foras.	a) Supreme Court Rs. 5,500/- per day per hearing for effective hearing Rs. 1500/- per day for non-effective hearing subject to a maximum of 5 hearings. b) High Courts, CATs, Labour Courts & Lower Courts Rs. 3000/- per hearing per effective hearing & Rs. 1000/- per day per hearing for non-effective hearing subject to a maximum of 5 hearings.
4.	Opinion on legal & Administrative matters.	Rs. 2300/-
5.	Appearance outside Delhi before various judicial foras (per hearing)	Rs. 6000/-

6.	Adjournment taken by NIFT	Nil
7.	Out of pocket expenses.	On actual Basis (on production of relevant documents as far as possible or as per the satisfaction of the Institute where the documents cannot be produced.)
8.	Clerkage	NIL

- (a) No fee will be paid if the case is not called out or if called out is adjourned by Court without hearing or adjourned at the request of either of the parties.
- (b) Appeals, revision or petitions arising from one common judgment or order will be considered together as one case, if they are heard together.
- (c) No fee will be payable to the Advocate/Firm, if an advance notice about the adjournment has been issued or the case has been adjourned at his request due to the reasons personal to him.
- (d) Where there are two or more cases (but not more than 10 cases), involving substantial identical questions of laws or facts, one such case will be treated as the main case and others as connected cases. The fees in such cases will be regulated as provided in succeeding Para.
- (e) In Identical case, fee applicable per case for the second case onwards will be 20% of the fee applicable for the first (main) case.
- (f) No fee will be payable in cases where no legal work is required to be done. For example, cases in which the interest of NIFT is to be watched pending instructions, the cases involving transmission of records to the Court, inspection of the Court records for ascertaining the position of the case or other information needed.
- (g) NIFT reserves the right to engage any of the empanelled Advocates/ Legal Firms for specific tasks. NIFT is not bound to give justification for choosing a particular empanelled Advocate/Law Firm.
- (h) In case of lump sum fee for the court case to be paid to the Legal Advisor, 50% of the fee will be paid in the beginning of the year and remaining 50% of the fee will be paid after disposal of the case.

TERMS AND CONDITIONS

1. The initial term of appointment of the Legal Advisor will be initially for a period of one year, extendable by another two years, on year to year basis subject to periodical review of performance by NIFT. The empanelment of Advocates / Law Firms shall initially be for a period of three years.

2. The Advisor/Advocate shall hold the office at the pleasure of the NIFT.
3. At any time prior to the due date for submission of Notice, NIFT may, for any reason, modify/cancel the notice inviting application for empanelment of Advocate/Law Firms.
4. NIFT may, at its discretion, extend the due date for submission of Notice inviting applications.
5. In the event of any doubt or difference of opinion regarding the terms and conditions of empanelment, the decision of the NIFT shall be final and binding.

Submission of Notice inviting applications for Empanelment of Advocates/Law Firms :

The Notice inviting applications are to be submitted in the following manner:-

- The particulars relating to the professional qualifications and experience etc. shall be furnished in the format as at Annexure-A to this notice along with the relevant documents.
- Every page of the Notice inviting applications shall be signed by the Advocate/Authorized Signatory of the Firm.
- The sealed envelope may be addressed to the Registrar, National Institute of Fashion Technology, NIFT Campus, Hauz Khas, Near Gulmohar Park, New Delhi-110016 and deposited in the tender box placed at 2nd Floor, B-Block, Head Office, NIFT, Delhi on or before 2.00 P.M. upto 03/01/2020.
- Notice inviting Applications would be received by the above date and time, beyond which the responses will not be received. However, in case the said date is declared a holiday, the Notice inviting Applications will be received on the next working day by the time mentioned above.
- Conditional responses shall not be accepted on any ground and shall be rejected straight away. If any clarification is required, the same should be obtained before the submission of Notice inviting Applications from Legal Officer, NIFT-Head Office (011-26542074).
- The applications received shall be scrutinized by the NIFT and the decision of the NIFT shall be final.
- The number of Counsels to be empanelled shall be determined by the NIFT based on its requirement.

Annexure 'A'

PHOTO

**APPLICATION FORM/ Notice Inviting Applications for Empanelment of
Advocates/Law Firms in NIFT**

1. Name in full (in block letters):
2. Date of Birth and Age (o the closing date of application):
3. Father's Name:
4. Address:
5. Address for Correspondence with the name of the Authorized person in case of Firms:
6. Telephone No: Mobile No: E-Mail:
7. Educational Qualification (photocopies of documents to be attached)
8. Date of enrolment with name of the Bar Council:
(Enclose copy of enrolment certificate)/Date of Registration of Law Firm
9. Years of practice in various Courts/Tribunals/Other Forums [Details to be furnished & if necessary separate sheets can be attached]:
10. Experience in handling Legal Issues/Litigation on behalf Government/Government Agencies/Bodies [Details to be furnished & photocopies of documents to be attached]:
11. Area (s) of practice with specialization:
12. Brief list of clients
13. PAN Card No. & GST No.
14. Any other facts which you consider relevant in the context of your suitability:

Undertaking : -

- (i) I certify that the information contained in this application is correct and true to the best of my knowledge and belief and nothing material has been concealed.
- (ii) I also undertake to maintain absolute secrecy about the cases of the NIFT.
- (iii) I agree with the Fee Schedule notified by NIFT.

Place:

Date:

Signature of Advocate

Address (Office & residence/ Chamber)