



आर्मर्ड व्हीकल्स निगम लिमिटेड
भारत सरकार का उद्यम



ARMoured VEHICLES NIGAM LIMITED
A GOVT. OF INDIA ENTERPRISE
MINISTRY OF DEFENCE

CIN-U35990TN2021GOI145504

EXPRESSION OF INTEREST ('EOI') FOR EMPANELMENT OF LAW FIRMS / ADVOCATES

The Armoured Vehicles Nigam Limited (hereafter referred to as 'AVNL') proposes to engage qualified and experienced Practising Advocates/Law Firms for handling its various legal and litigation matters in various Courts/Tribunals/Forums/Authorities, etc. The detailed Expression of Interest (**EOI**) including the scope of work, eligibility criteria and the manner of submission of the EOI are available at AVNL's website viz. www.avnl.co.in

The Practising Advocates/Law firms fulfilling the conditions, as prescribed herein, shall submit their EOI together with requisite documents addressed to the office of AVNL Corporate Office at HR Directorate situated at HVF Road, Bhaktavatsalapuram, Avadi, Chennai, Tiruvallur Dt, TN, 600 054. **The complete EOI must reach at the designated address before 05:00 P.M. on 13th October 2022**, strictly in a sealed envelope. No entries received thereafter shall be entertained under any circumstances.

NOTICE INVITING EXPRESSION OF INTEREST FOR EMPANELMENT OF PRACTICING ADVOCATES/LAW FIRMS

Armoured Vehicles Nigam Limited (AVANI) (AVNL) is a newly created DPSU incorporated under the Companies Act, 2013 on 14th August 2021 and commenced its business w.e.f 1st October 2021. Its headquarters is at Avadi (Chennai). AVNL has 5 Production Unit(s) HVF/Avadi, EFA/Avadi, OFMK/Medak, MTPF/Ambarnath and VFJ). AVNL produces battle tanks i.e. T-72, T-90, MBT Arjun and Infantry Combat Vehicles, support vehicles (MPV, AERV etc.) and Defence mobility solutions (Stallion, LPTA etc.) for the armed forces and home land security agencies

AVNL is looking for empanelment of competent and experienced Practicing Advocate/ Law Firms. The services of Practicing Advocate/ Law Firms will be mainly utilized to represent and defend AVNL and its Units before various courts/ tribunal/ forums/ authorities etc. in the areas of arbitration on contractual disputes, court cases on contractual disputes, Services matters, etc. subject to terms and conditions mentioned below.

Interested Practicing Advocates/Law firms fulfilling the conditions, as prescribed herein, shall submit their EOI together with requisite documents addressed to the AVNL Corporate Office at HR Directorate situated at HVF Road, Bhaktavatsalapuram, Avadi, Chennai, Tiruvallur Dt, TN, 600 054. **The complete EOI must reach at the designated address before 05:00 P.M. on 13th October 2022**, strictly in a sealed envelope. No entries received thereafter shall be entertained under any circumstances.

The eligible Practicing Advocates/Law firms after submission of EOI shall be called for presentation and there after the final decision will be taken by the AVNL

1. **SCOPE OF THE WORK (SOW):** The Scope of work for panel of Practicing Advocates/Law Firms shall include but not limited to;
 - (a) Drafting and vetting of various legal documents/ notices/ agreements/ pleadings/affidavits (Contracts/MOUs/JV Agreements/EOI & RFP Conditions/PPP and Concessionaire Agreements/ Lease Agreements/Bye-Laws for Trusts & Societies/other Agreements etc.) as required by the Company.
 - (b) Rendering opinion/ advice on various legal issues on corporate affairs in the areas of contractual disputes, Services matters, disciplinary cases, court cases, taxation laws, corporate laws, arbitration etc. as and when referred to by AVNL.
 - (c) Handling notices and other legal queries as and when referred.
 - (d) Appear and defend AVNL in safeguarding its interest in the Courts/ Tribunals/ Forums/ statutory Bodies/Quasi-Judicial bodies in the cases, as and when referred to by AVNL.
 - (e) Attending AVNL Corporate Office/Unit Offices as and when requested for the activities mentioned above.
 - (f) Any matter incidental to the above broader functions/ activities.

2. ESSENTIAL ELIGIBILITY CRITERIA: The eligibility criteria for selection of Practicing Advocates/ Law Firms shall be as under:-

- (a) The Practicing Advocates/ Law Firms should be registered under the statutes of India.
- (b) The Practicing Advocates/ Law Firms should be having office:-
 - I) In Chennai,
 - II) The Practicing Advocates/ Law Firms should have minimum bar standing as described herein below:-
 - For representation before the Supreme Court of India - minimum 10 (Ten) years of continuous practice.
 - For representation before High Court - minimum 07 (Seven) years of continuous practice.
 - For representation before Subordinate Courts/ Tribunals/ Other Statutory bodies etc. - minimum 05 (Five) years of continuous practice.
- (c) The Practicing Advocates/ Law firms shall be empanelled having regard to their relevant experience & expertise in Dispute Resolution, Labour Laws, Taxation Laws, Company Laws and other such relevant areas which impacts AVNL's interests and shall be at the sole discretion of AVNL.
- (d) The Practicing Advocates/ Law firms should not be debarred by any Central/State Government Departments/Public Sector Undertakings.
- (e) The Practicing Advocates/ Law Firms should not be involved in any major litigation that may have an impact of affecting or compromising the delivery of services as required under this EOI.
- (f) The Practicing Advocates/ Law firms must have the requisite infrastructure and in-house capacity.

3. EVALUATION METHODOLOGY:

The empanelment will be considered strictly on the basis of Total marks obtained in the various Criteria. In case two or more law firms/advocates are tied, they will be treated equally.

The proposals so received from the legal Firms shall be evaluated on the following criteria. Firms that score a minimum of 50 marks out of 100 marks of the following criteria shall only be considered for empanelment and any subsequent action towards their engagement:

Sr. No	Parameters	Marks
1.	Length of relevant experience of providing legal services (The applicants/ firms have to submit documentary proof thereof and a list of clients)	Maximum 25 marks as follows: <ul style="list-style-type: none">i. Above 15 years = 25 marksii. Above 10 up to 15 years= 18 marksiii. Above 08 up to 10 years = 12 marksiv. Above 06 up to 08 years = 10 marksv. From 05 to 06 years = 5 marksvi. Below 05 years zero (0) marks

2.	Sound Financial standing of the Applicants/ Firms in terms of annual turnover, during the last three Financial years i.e. 2017-18 201819, 2019-20 (relevant certificate from Auditor must be appended)	Maximum 15 marks as follows: i. More than 10 Crore = 15Marks ii. More than 7 crore upto 10 crore= 10 Marks iii. Above 5 upto 07 Crore = 8 Marks iv. Above 4 upto 5 crore = 5 Marks v. Above 3 upto 4crore = 4 Marks vi. From 2 upto 3 crore = 02 Marks vii. Below 02 crore = zero (0) Marks
3	Number of qualified Lawyers enrolled in respective State Bar Council (Please indicate enrolment number and enclose a copy of the same) engaged by the firm, having experience of more than 05 years in providing legal services. (The applicants/ firms have to furnish CVs of the Lawyers/ Legal consultants engaged in the firm).	Maximum 20 marks as follows: i. 16 and above persons - 20 Marks ii. 11 to 15 persons - 15 marks iii. 9 to 10 persons - 10 marks iv. 7 to 8 persons - 8 marks v. 5 to 6 persons - 5 marks vi. 2 to 4 persons - 3 marks vii. Less than 2 persons - zero (0) marks
4	Level of Client Satisfaction (Certificate from client's organization to be attached)	Maximum 15 marks as follows: (Only First 5 Certificates shall be taken into consideration). i. 3 marks for each client Certificate with Outstanding/Excellent, ii. 2 marks for Very Good, and iii. 1 marks for Good service. iv. 0.5 mark for Satisfactory Service.
5	Experience in Legal cases related to Corporate Sector	Maximum marks 25 as follows i. 5 experiences -25 marks ii. 4 experiences - 20 marks iii. 3 experiences -15 marks iv. 2 experiences -10 marks v. 1 experience-5 marks vi. 0 experience -0 marks

Interested and eligible legal Firms may submit their Application Form in the prescribed format (Annexure A) with complete information and documents.

4. GENERAL TERMS AND CONDITIONS

- (a) The initial term of the constituted panel will be for a period of **three years**, extendable by another **one/two years** at AVNLI's discretion, subject to periodical review of performance of such empanelled advocates/ firms by AVNL. However, the AVNL reserves the right to terminate the empanelment of any Advocates /Law Firm at any time.

- (b) If required and considered appropriate by the Competent Authority at AVNL, Attorney General of India/ Solicitor-General of India/ Additional Solicitor General/ Advocate General/ Senior Advocates, etc may be engaged on behalf of AVNL keeping in view the urgency, their expertise in the matter and stakes in a particular matter. They shall be engaged on case to case basis with the approval of the Competent Authority.
- (c) The empanelled Advocates/ Law Firm shall not delegate cases and themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any engaged in the cases as well as with the officers of the AVNL, if required.
- (d) The empanelled Practicing Advocate / Law Firm shall maintain absolute secrecy and confidentiality about the cases of the AVNL.
- (e) Cases in which claims are below a certain pecuniary limit, AVNL reserves the right to avail services at a capped fee. Further AVNL reserves the right to fix such pecuniary limits depending on the facts and circumstances of the case.
- (f) In Connected Cases, wherein AVNL is a party, the quoted fee shall be admissible for the first case only, 25% of the quoted fee in the first case shall be admissible towards other such connected cases.
- (g) In the event the empanelled lawyer requires the engagement of a counsel/ senior counsel etc. in a case, prior concurrence of Competent Authority at AVNL.
- (h) This empanelment shall not entitle the advocate/ law firms for mandatory allocation of cases. It shall be the sole discretion of AVNL to allot cases empanelled advocates/ firms. AVNL reserve its right to further include/remove advocates/ firms on its panel depending upon its requirements.
- (i) Request for advance payment of professional fees shall not be entertained under any circumstances.
- (j) AVNL reserve the right to terminate the services of such empanelled Legal advocate/ firm at any time without assigning any reason whatsoever.
- (k) AVNL may at any time and for any reason, modify/ cancel the notice inviting application for empanelment of Practicing Advocate/ Law Firms.
- (l) AVNL may at its discretion, extend the due date for submission of EOI.
- (m) AVNL reserves the right to accept or reject any or all such EOI in part or full without assigning any reason whatsoever.
- (n) In case of empanelment of Law firms, all the terms and conditions for empanelment of the individual Advocates shall apply mutatis mutandis to them.
- (o) The fees payable to the Practicing Advocate / Law Firm shall be governed by the schedule of fee structure annexed with the EOI (**Annexure B**) and as amended from time to time.
- (p) AVNL reserves the right to verify/cross check the information furnished/submitted by the Applicant law firm.
- (q) The law firm shall keep AVNL informed regarding the development of each of the matters entrusted to it on regular basis through e-mails particularly with regard to settling of drafts, filing of papers, dates of hearing, outcome of hearing and make available copies of orders/judgements etc as soon as these become available.

5. SUBMISSION OF EOI:The EOI's are to be submitted in the following manner;

- (a) The particulars relating to the professional qualifications and experience shall be furnished in the format as prescribed at **Annexure-A** along with the supporting relevant documents in sealed envelope super-scribed "EOI for Empanelment of Practicing Advocates/ Law Firms".
- (b) The EOI shall be accompanied by the License (sanad) issued by the respective State Bar Council with which the advocate/ firm is registered with along with the Certificate of Practice issued by the Bar Council of India.
- (c) Every page of the Applications shall be signed by the Advocate/ Authorized Signatory of the Firm.
- (d) **Applications received after 05:00 P.M. 13th October 2024 shall not be considered whatever may be the reason.**
- (e) The EOI is liable to be rejected by AVNL if it is not in the prescribed format or incomplete or in any manner violates the conditions of the EOI in letter and spirit.

6. CONFLICT OF INTEREST

- (a) The Advocate/Firm shall ensure that there is no conflict of interest at a relevant point of time, in matters in which such Advocate/ firm is acting on behalf of or representing AVNL, shall not represent any of the opposite parties in other cases till that case/matter is pending.
- (b) An Advocate/ firm shall not advise any party or accept any case against the AVNL in which they appeared or is likely to be upon to appear or advice.
- (c) If the advocate happens to be a partner of a firm of lawyers or solicitors, it will be incumbent upon the firm not to entertain any case against the AVNL arising in any court during the pendency of such case.

7. TERMINATION/ REMOVAL FROM THE PANEL:- Practicing Advocate / firm shall be removed from AVNL's panel due to any of the following reasons:

- (a) Giving false information in the application for empanelment;
- (b) Handing over the brief or matter to another advocate without prior written permission of AVNL;
- (c) Failing to attend the hearing of the case without sufficient reason and prior information;
 - Not acting as per AVNL's instructions or going against specific instructions;
 - Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- (d) Misappropriation of AVNL's funds or earmarking using the same towards his/ their fee without AVNL's permission.
- (e) Threatening, intimidating or abusing any of the AVNL's employees, officers, or representatives;
- (f) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/ appeal related to AVNL.

- (g) Committing an act tantamounting to contempt of court or professional misconduct under the relevant rules/ guidelines;
- (h) Conviction of the Advocate in any offence resulting into arrest or detention due to moral turpitude or disbarment due to any reasons by the Bar Council;
- (i) Passing on information relating to AVNL's case on to the opposite parties or their advocates which is likely to cause damage to the AVNL's interests;
- (j) Giving false or misleading information to the AVNL relating to the proceedings of the case;
- (k) Frequent adjournment being obtained or not objecting the adjournment moved by other party without sufficient reason.
- (l) Seeking discharge from the court without intimating about the same to the AVNL.
- (m) Engaging in excessive billings on the basis of manipulated dates of hearing.

Empanelment shall be liable to be terminated, if the advocate/ firm are found to be engaged in any of the aforesaid activity to the satisfaction of Competent Authority, whose decision shall be final in this regard.

Interpretation Clause

In the matter of implementation of these terms & conditions, if any doubt or difficulty arises or doubt regarding the interpretation of any of the clause of these, the same shall be placed before the CMD at AVNL and his decision shall be final.

NOTE: *Notwithstanding anything stated herein above, the AVNL reserves its right not to empanel any Advocate/Law Firm even on fulfilling the eligibility criteria, or to postpone or cancel the process of Empanelment or to terminate the empanelment of any Advocate at any time without assigning any reasons in this regard.*

ANNEXURE - A

PROFORMA FOR APPLICATION FOR EMPANLEMENT OF LEGAL FIRMS

1. Name of the Firm
2. Address
3. PAN of the Firm
4. GST Registration No
5. Date of registration of the Firm
6. Details of the Experience /Practice/achievements
7. Details of manpower structure and their expertise
8. Details of Penalty imposed on the firm, if Any
9. Details of Firm's policy on confidentiality and conflict of interest
10. Annual Income Tax return filed with the Income Tax Authorities for the last three Years
11. Information along with documentary proof for each of the parameter in para 9 of the EOI document. Documentary proof to be attached in support of credentials mentioned by firm.

DECLARATION

We hereby declare that the information so provided for empanelment is factually correct

Date:

Place

Authorized Signatory
(Representative of the Law Firm)
(Complete postal address with mobile number and e mail ID) (Office Seal/Stamp)

ANNEXURE - B

UNDERTAKING

(In the Letter Head of the Firm)

1. "I /We hereby certify that in the last three years, neither firm nor any of its engaged lawyers/employees have failed to perform on any contract or expelled from any project or contract or have had any contract terminated for breach on our part.

2. We have not been banned/ suspended by Government of India/ any State Government/ Govt. agency, Supreme Court/ High Court or any lower Court within last three years.

Signature (s) & Seal

Schedule of Fee (SOF)

S. No.	Particulars	Fee (INR)		
		SC	HC Chennai	Sub. Court/ Tribunals/ other statutory bodies
A	Appearance			
	(a) Effective hearing - (b) Non - effective hearing -	40,000 15,000	25,000 10,000	5,000 1,500
B	Drafting of Documents viz. Special Leave Petition/ Writ Petition/ Witten Submission.	30,000	20,000	5,000
C	Drafting of other Documents viz. Counter Affidavit/ Affidavit/ Rejoinder/ Interim Application/ Appeal/ Reply to Interim Application/ Rejoinder to the Application, etc.	10,000	5,000	3,000
D	Filing of Caveat	8000	7000	5000
E	Drafting and vetting of agreements/ Contracts/ MOUs/JV Agreements/EOI & RFP Conditions/PPP and Concessionaire Agreements/ Lease Agreements/Bye-Laws for Trusts & Societies/other Agreements etc.	15000		
F	For drafting legal notice/reply notices.	3,000/-		
G	For written opinion (including conference)	5,000/-		

Note: Whenever a Senior Advocate is to be engaged, his charges shall be payable separately, including for conference, drafting, appearance, etc directly to the Sr. Advocate. Specific approval in writing of the Competent Authority for engagement of the Senior Advocate shall be required, which is the sole discretion of the AVNL.

- i. If an empanelled advocate is required to undertake an outstation journey in connection with the case, he shall be entitled for the actual TA/DA reimbursement.
- ii. The definition of non-effective hearings: - Non-effective hearing means a case where the advocate has gone to the court but no effective hearing has taken place and the matter is simply adjourned. The effective / non- effective hearing should be certified by the advocate while preferring bill for payment.

जीकृत पता : भा.वा.नि. रोड, आवडी, चेन्नई-600 054

दूरभाष सं.:044-26383601,044-26384784

ईमेल: info@avnll.co.in

वेबसाइट: avnll.co.in

REGD.ADDRESS: HVFROAD, AVADI, CHENNAI-600 054.

PHONE NO.:044-26383601, 044-26384784

E-Mail: info@avnll.co.in

Website: avnll.co.in

राष्ट्रीय व्यवहार में हिन्दी को काम में लाना देश की शीघ्र उन्नति के लिए आवश्यक है। - महात्मा गांधी

Schedule of Fee payable to Law Firms/ Advocates (Special Legal Consultant)

A. Professional Fee:

Sl. No	Subject	Schedule of Fees (excluding taxes)
I.	Before the Supreme Court and Domestic Arbitration in JICA funded package	
1.	a) Appearance	a) Rs. 75,000/- per hearing (Half of the fee will be paid for non-effective hearing)
	b) Preparation of Special Leave Petitions/Counter Affidavit/ Written statements including reply to stay application to the suit / writ petition/ LPA/Preparation of misc./interim applications & replies, impleadment application and any other application / petition	b) Rs. 300/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to maximum of Rs. 1.00 Lakh. Minimum charges Rs. 10,000/- (lumpsum) per document, irrespective of number of pages in the document.
	c) Consultation/Conferences	c) Rs. 10,000/- (Maximum upto 5 consultations/ conferences)
	d) Advocate on record	d) Rs.15,000/-
2.	Filing of Caveat	Rs.15,000/-
II.	Before the High Court / National Green Tribunal	
1.	a) Appearance	a) Rs. 50,000/- per hearing (Half of the fee will be paid for non-effective hearing)
	b) Preparation of Special Leave Petitions/Counter Affidavit/ Written statements including reply to stay application to the suit / writ petition/ LPA/Preparation of misc./interim applications & replies, impleadment application and any other application / petition	b) Rs. 250/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to maximum of Rs. 75,000/-. Minimum charges Rs. 8,000/- (lumpsum) per document, irrespective of number of pages in the document.
	c) Consultation/Conferences	c) Rs. 6,000/- (Maximum upto 5 consultations/ conferences)
2.	Filing of Caveat	Rs. 12,000/-
III.	Other Courts and Domestic Arbitration in Non-JICA Contract	

a) Appearance	a) Rs. 10,000/- (Half of the fee will be paid for non-effective hearing).
b) Preparation of Petitions/ Written statements/ replies / rejoinder/ appeal, preparation of interim petition	b) Rs. 200/- per page of main text drafted (excluding the text reproduced from other documents and Annexures) subject to maximum Rs. 30,000/-. Minimum charges Rs. 7,000/- (lumpsum) per document, irrespective of number of pages in the document.
c) Consultation/Conferences	c) Rs. 2,500/- (Maximum upto 5 consultations/ conferences)

Other Courts – Before the District Courts / City Civil Court/ Consumer Court/ Small Causes Court/ Appellate Tribunal / other Authorities/ Tribunals/ Commission/ Forum/ EO/ Labour Court/ CIC etc.

B. Transactional Services (Vetting of Documents etc.):

Sl. No	Subject	Schedule of Fees (excluding taxes)
1	Vetting of Documents- Agreements & any other documents. Notices/ Reply to Notice other than pending court cases, legal notices & its replies.	Rs. 100/- per page of main text drafted (excluding the text reproduced from other documents and annexures) subject to a maximum of Rs. 30,000/-. The page margins, spacing, indents, etc should be as per the court norms. Minimum charges Rs. 15,000/-

C. Advisory Services (Opinions etc.):

Sl. No	Subject	Schedule of Fees (excluding taxes)
1	Fee for written opinions as and when required on interpretation of law, opinion on documents when specially mentioned to opine on specific issue/issues. Note: No fee will be paid in case of written opinion given in contesting / pending cases	Rs. 500/- per page of main text drafted (excluding the text reproduced from other documents and annexures) subject to a maximum of Rs. 50,000/-. The page margins, spacing, indents, etc should be as per the court norms. Minimum charges Rs. 25,000/-