

EXPRESSION OF INTEREST

EMPANELMENT OF LEGAL COUNSEL(S)/ FIRM FOR INDIAN ORTHOPAEDIC ASSOCIATION , NEW DELHI

INDIAN ORTHOPAEDIC ASSOCIATION (IOA) is a Registered Society-Association comprising over more than 17000 Life member Orthopedic Surgeons across the country. IOA invites applications for empanelment of Legal Counsels/ Legal Firm for IOA, DELHI, to represent on its behalf before the Hon'ble High Court of DELHI, Hon'ble Central Administrative Tribunal, District and other judicial/quasi-judicial forums in the following categories:

Association Service matters

1. Association Non-Service matters
2. Members Dispute, Election Dispute matters
3. Litigation Matters,
4. Arbitration matters.
5. Contracts, Agreements, Intellectual property Act and Copy Right
6. Any other Miscellaneous matters.

In addition to litigation, the services of the empaneled Legal Counsels/ FIRM will also be utilized for seeking advice, vetting of documents, drafting of MOUs / agreements, contracts, Speaking Orders, reply to Legal notices, Constitutional amendment drafting etc.

As per the requirement that arises in crucial cases, the Legal Counsels may have to represent IOA in Courts or Forums located out of DELHI jurisdiction.

The eligible and desirous/interested Legal Counsels possessing the requisite qualifications and experience as detailed herein, are invited to submit their applications as per the prescribed format in **Annexure A** along with the enclosing self-attested documents showing length of experience, empanelment in Government Organization / Institutions / Govt. Department / PSUs / Bank, enrollment certificate and any other documents as desired by the Counsel.

Interested Legal Counsels fulfilling the requirements are invited to submit their application for empanelment as per Annexure A & B.

I. ELIGIBILITY CRITERIA

1. Legal Counsel/ Legal Firm registered with Bar Council of India/State Bar Council Association for minimum 10 years from the date of this EOI.
2. Legal Counsel must have experience of working in at least **Two government organization / Institutions / Govt. department / PSUs / Bank**. The empanelment letter of the same is to be attached with the application being submitted by the individual. Their experience in empanelment of similar medical associations will be added advantage. Pl mention any reference numbers of medical association authorities for seeking reference.
3. Legal Counsel/ Legal Firm should be located in DELHI, NCR of DELHI, and have a well-equipped office in DELHI/ NCR of Delhi will be preferred, having offices/branches in other parts of INDIA Will be added advantage.
4. The empanelment is strictly for professional services of experienced Legal Counsel/ Legal firm. They will represent IOA in strict professional manner upholding the interest of the Association and not any individual member.

II. TENURE

1. The initial tenure of empanelment of the Legal Counsel/firm will be for two (02) years which will subject to periodic performance review and maybe terminated before completion of two (02) years.
2. The tenure may be extended by another (01) one/ (02) two years on mutual consent; however, it is purely based on performance review of IOA Committee.

III. TERMS AND CONDITIONS RELATING TO FEES

1. The empaneled Legal Counsel/ firm would be paid fee as per Case in lumpsum amount preferably, to be decided mutually by the office bearers of IOA. Hearing based fee structures will be discouraged .
2. All payments will be made in INR, as per Current IT law.
3. No interest shall be paid for any delayed payment; however, the payments will be made once the bill is submitted to the office in mutually agreed time period.
4. Legal Counsel/ firm should submit the detailed bill, along with any reimbursement by the end of every month along with details regarding Court order, Cause list or e-mail trail for drafting and legal opinion.
5. No separate retainer fee shall be paid to IOA Panel Counsel/ firm.

IV. HOW TO APPLY

1. Eligible Legal Counsels/ Firms who are located in DELHI /NCR and interested to work with IOA may apply in the format prescribed at **Annexure -A & Annexure-B** and no other format of application will be accepted.
2. The application shall be submitted online only via the prescribed [Google form link](https://forms.gle/Rnc9LL2TSkDR9HaY8) - <https://forms.gle/Rnc9LL2TSkDR9HaY8> with a single consolidated PDF containing required all documents and annexures
3. The Legal Counsel/ Firm will be required to furnish the following set of documents; duly self-attested and scanned as one single PDF Document along with Annexure A and B with Covering Letter online in google form.
 - a. Application form as prescribed at Annexure A & B
 - b. Detailed Bio-data of the counsel
 - c. Copy of Degree in Law.
 - d. Copy of Enrolment certificate issued by Bar Council.
 - e. Copy of identity card issued by Bar Association/Council.
 - f. Copy of office order/letter of empanelment issued by other PSUs/Government Bodies etc. that have empaneled them

V. RIGHTS OF IOA

The IOA reserves the right to:

1. Cancel this EOI at any stage of the process without assigning any reason thereof and no claim/dispute in this regard shall be entertained;
2. To reject any / all applications without assigning any reason thereof;
3. To relax or waive off any of the conditions stipulated in this document as deemed necessary in the best interest of IOA without assigning any reasons thereof;

VI. GENERAL TERMS & CONDITIONS

- 1) The empanelment of the Legal Counsel/ FIRM shall be the sole discretion of the IOA only. No person(s) will have any claim for being empaneled. IOA reserves the right to empanel more than one Legal Counsel and assigned them job(s) as per the requirement which is solely its discretion.
- 2) If there are a large number of applications received, then suitable criteria will be adopted for shortlisting the Legal Counsel/ firm and the office bearers of IOA shall base on the personnel interview do selection, which will be subsequently scheduled for shortlisted applicants.
- 3) Legal Counsel's mere submission of application and fulfilment of Eligibility Criteria does not entitle empanelment nor any claim to this effect can be made.

- 4) The Legal Counsel shall visit the office of IOA OFFICE, DELHI or be available on digital media at short notice, as and when required for discussion on any subject matter of legal importance. The Legal Counsel/ Firm shall also visit the office of IOA or be available on digital media for general discussions and to review the progress of court matters at short notice.
- 5) Quick response in cases of emergency is expected by the empaneled Legal Counsel; even though the situation may arise on holidays/ non-working days.
- 6) The Legal Counsel shall take all necessary steps to protect the interest of IOA in matters entrusted to it from time to time with utmost diligence, integrity and in best interest of IOA
- 7) IOA may at any time, at its discretion withdraw any case proceeding/matter/brief without assigning any clarification or reason to the Legal Counsel. In such situation, the empaneled Legal Counsel will be required to handover the case papers to IOA Office and provide such other assistance as may be required.
- 8) The Legal Counsel will not use IOA name/logo/ Symbol on its letter Head/ Signboard/Nameplate etc.
- 9) All miscellaneous work such as notarization, photocopying etc. of petitions/counters/judgments will be the responsibility of the Legal Counsel. IOA will provide all documents through e-mail or post only to the Legal Counsel's office, and it is their responsibility to take prints etc. themselves and may claim/ Bill the charges thereof.
- 10) The empaneled Legal Counsel (s) shall maintain absolute secrecy and confidentiality about the cases of IOA entrusted to them.
- 11) The empaneled Legal Counsel/Firm shall not have represented in past and shall not represent any party against IOA in any matter during the tenure of empanelment.
- 12) The empaneled Legal Counsel/ Firm shall be required to sign a Memorandum of Agreement.
- 13) IOA Office bearers reserves the right to verify / cross check the information furnished/submitted by the Applicants.
- 14) The Legal Counsel/ firm will be required to advise IOA on matters incidental to litigation and, when any case is decided against the Authority, give their opinion regarding advisability or otherwise for filing an appeal against such a decision in the interest of IOA Only.
- 15) In case of any misconduct, IOA will take appropriate action against empaneled Legal Counsel/ Firm which includes filing complaint with the Bar Council and recovery of the financial loss(es) so caused to IOA. Here the word misconduct will have the same meaning as in Advocate Act, 1961.
- 16) The applicant should furnish an undertaking to the effect that he/ she has not been blacklisted in India or abroad or by any Government Department in the Format as placed at Annexure B.
- 17) The Panel Counsel shall follow various provisions of Advocate Act, 1961 and abide by the secrecy clause.
- 18) The empaneled Legal Counsel/ Firm will be obliged to share their complete communication details including landline numbers, mobiles, email addresses etc. along with the communication details of his / her junior counsel or office attendant for proper coordination with IOA office.

The empanelment of the Legal Counsel/Firm is liable to be cancelled due to occurring of any or more of the following conditions / situations:

- Giving false information in the application for empanelment;
- Handing over the brief/matter to any other Legal Counsel without prior written permission of the IOA,
- Failing to attend the hearing of the case without prior intimation with sufficient reason (s) and not arranging for local counsel;
- Not acting as per instructions of IOA Office or going against specific instructions;
- Threatening, intimidating or abusing any of the employees, officer(s) or representatives of IOA;
- Committing any act tantamount to contempt of court or professional misconduct;
- Passing information relating to IOA case to any third party likely to harm the interest of IOA except the information as permitted under the law;
- Giving false or misleading information to IOA relating to any proceeding/case etc.
- Taking adjournment in any case or not objecting to the adjournment, moved by the opposite party without sufficient reason.

The empaneled Legal Counsel is free to undertake private practice which does not interfere with or is not in conflict (direct or indirect) with efficient discharge of its responsibility as an empanel Legal Counsel for IOA.

While this document has been prepared in good faith, IOA shall have no responsibility or liability whatsoever in respect of any statements or omissions therein.

INDEMNITY:

The empaneled Legal Counsel will indemnify against all legal/other obligations of its professionals deployed for IOA work.

Application of Expression of Interest window will be open for 7 days including day of advertisement in daily News paper / [Google form Link https://forms.gle/Rnc9LL2TSkDR9HaY8](https://forms.gle/Rnc9LL2TSkDR9HaY8)

ANNEXURE-A

EMPANELMENT OF LEGAL COUNSEL IN INDIAN ORTHOPAEDIC ASSOCIATION, NEW DELHI.

1.	Name:	
2.	Address for Correspondence	
3.	Landline No.(off)	
4.	Landline No.(Res)	
5.	Mobile (s)	
6.	E-mail	
7.	Permanent Address with Tel. No.	
8.	PAN Card No.	
9.	Aadhar Card No.(masked)	
10.	Educational Qualification (Complete details)	
11.	Date of Registration Bar Council (Attach copy of enrolment certificate)	
12.	Area of Experience / Practice	
13.	Field of Specialization	
14.	Government empanelment (Detail the grade)	
15.	Name of the firm, total strength, place where you have branches	
17.	Any other achievement worth a mention	
18.	Any other information sought in the scope of work	

Undertaking

1. I/We also undertake to maintain absolute secrecy about the cases of the IOA required under the Act, Rules, and Regulations there under.
2. I /We agree terms and conditions of fees mentioned in clause III of terms and conditions of fees
3. I/We have read and accept all the terms and conditions mentioned in Expression of Interest from first to Last Page and shall abide by them.

Signature of Legal Counsel

Address (Office & Residence / Chamber)

ANNEXURE-B

DECLARATION

I hereby declare that I have never been penalized by any Bar Council or blacklisted/debarred by any Government Department in any matter / issue.

Signature of the Legal Counsel.....

Date & Place

Address (office /chamber)

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Tel. No. Mobile No.

E-mail

Attachment : A single PDF file including covering letter , Annexure A and B Signed and stamped , All self-attested scanned documents .