

Expression of Interest (EoI) from Advocates/Law Firms for Empanelment of Advocates/Law Firms in SECI

Tender No.: SECI/C&P/EOI/17/0001/22-23

Sl. No.	EoI Section	Clause No	Description as per Tender Document	Queries	Clarifications
1	IV	15	Right to Private Practice & Restrictions	Please clarify if the Advocate empaneled by SECI would be barred from entertaining any case against SECI arising in any court even if that Advocate has not been specifically engaged by SECI for that matter	Yes. Barred from appearing/advising/accepting
2	IV	15	Right to Private Practice & Restrictions	Please clarify if the Advocate engaged by SECI is wholly barred from appearing/advising/accepting any case against SECI, irrespective of whether such advocate is engaged in that matter or not	Yes. Barred from appearing/advising/accepting
3	IV	15	Right to Private Practice & Restrictions	If the Advocate has not been engaged by SECI for a given case, can the Advocate continue his private practice which may result in accepting a case against SECI, in respect of which he has not been engaged by SECI	No. Barred from appearing/advising/accepting
4	IV	15	Right to Private Practice & Restrictions	In case, SECI is only a proforma party in a dispute, will the Advocate be barred from accepting any such case.	Yes. Barred from appearing/advising/accepting
5	III	1	General Eligibility Conditions	Would a group of Advocates, who are not a part of any partnership firm be eligible to apply where such Group of Advocates are associated with a Sole Proprietorship Firm who has applied for the Bid?	The proposed mechanism is not allowed under this EoI.
6	II	3	3.2. Self-attested true copy of Registration of the Bar Council, 3.3. Self-attested true copy of LLB, LLM, LLD Degree, supporting marksheets, etc. 3.4. Self-attested true copy of other educational qualifications, if any. 3.5. Self-attested true copy of High School certificate in support of age 3.6. Self-attested true copy of Identity card issued by Bar Association/ Bar Council 3.7. Self-attested true copies of empanelment with other Organizations 3.8. Self-attested true copies of membership of various Bar Associations. 3.9. Self-attested true copies of relevant experience certificates.	1. Are these documents necessary for law firms? 2. In cases of law firms having separate teams for litigation and corporate work (involving drafting of PSAs and PPAs), would all the partners of the respective teams be required to furnish these documents?	In case of a law firm, the relevant documents of the partners pertaining to the area of specialisation is required.
7	II	3.10.	Self-attested true copies of vakalatnamas	Since Vakalatnamas are considered to be confidential, would the copies of the orders passed by the courts/tribunals in the firm's matters suffice?	Certified copies of the Vakalatnamas to be submitted wherever necessary.
8	II	3.12	Self-attested true copies of articles published in various journals, books, and e-books along with other relevant details.	Is it mandatory that the articles must have been written by the bidding partners themselves, or would those written by other members of the firm also be considered?	The articles have to be written by the Partners.
9	II	16	i. Eligibility Criteria including General Eligibility conditions, and Financial Qualifying Requirements iii. Duration of Empanelment/ Period of Contract iv. Period of Validity of Bid	What is meant by these grounds of rejection?	The clause is self-explanatory.
10	III	4.1	All applications in response to the EoI floated by SECI shall be scrutinized and placed under any one of the following categories on the basis of years of professional experience	Would relevant orders bearing names of the partner/associates of the firm suffice as proof of experience?	Bidder/Advocate/Law Firm may submit the documents as per requirement. However, the additional documents, if necessary, maybe sought afterwards during the evaluation stage.
11	III	Note I	In case of Law Firms, the above criteria should be met by the Partners or one of the Partners of the Law Firm pertaining to the area of specialization.	Years of professional experience is to be of the firm or the partner of the firm bidding for work?	The relevant professional experience is to be of the partner of the firm.
12	IV	2	It is categorically stated that the empaneled Advocate/Law Firms shall not hold briefs against SECI, in case SECI is a party in any legal matter being dealt with by them.	Can the empaneled law firm hold briefs of such cases where although SECI is a party, the relief sought by the firm's prospective client is against some other party? Can the law firm represent a private developer in a dispute/for contractual matters not against/concerning SECI?	1. Barred from appearing/advising/accepting 2. If on the date of empanelment, the private developer has no case against SECI, the Advocate/ Law Firm may take up case against such private developer. Subsequently, if the private developer engages in a matter against SECI, the empaneled advocate/law firm will be needed to relinquish the brief. The Advocate/law Firm will not take up case of such private developer later on.
13	IV	15(c)	If the advocate/Law Firm happens to a partner of a firm of lawyers, it will be incumbent on the firm not to entertain any case against SECI arising in any court	Does this restriction connote that the law firms which hold briefs against SECI before the empanelment would not be eligible to participate in the bid?	Law firms will be eligible to participate which hold briefs against SECI before empanelment and have to cut all ties after being empaneled in SECI.
14		2	Schedule of Rates	Are the hearings before the Registrar Court, APTEL included under the ambit of the definition of "Court"?	Yes.
15			General	Vakalatnama to be attached: In Supreme Courts the order shows that the AOR is the filing counsel and has the vakalatnama. In such case will the order suffice or vakalatnama needs to be filed separately.	Bidder/Advocate/Law Firm may submit the copy of the Orders. However, additional documents, if necessary, may be sought afterwards during the evaluation stage
16			General	Proof of office: With respect to proof of office will a letter from the owner suffice? I am running my office along with a colleague who is the owner of the premise. Will a letter along with the photo of my name plate in the office suffice?	No. The bidder/Advocate/Law Firm may submit lease/rent/sale/gift deed as a proof of the office infrastructure.
17	II	3.13	Details of office Infrastructure	Kindly provide clarification on the format for providing the details of office infrastructure.	The bidder/Advocate/Law Firm may submit lease/rent/sale/gift deed as a proof of the office infrastructure.

18	III	4.6.6	Personal Interaction	Kindly clarify what are the requirements under personal interaction.	Such personal interactions are conducted by an expert committee to assess and establish various dynamic factors including domain expertise, experience, cases handled, brand value (in case of firms), credibility, availability during SECI meetings etc.
19	II	2.2 (d)	advocate/law firms engaged in the matter cannot appear against SECI, whether directly or indirectly on behalf of its juniors/assistant advocates where law-firms/advocates are engaged.	Please clarify if a law firm/advocate empanelled with SECI can appear in a matter against SECI for which it is not engaged for a particular matter by SECI. If no, then please refer to the provision which mentions the same.	No. Barred from appearing/advising/accepting
20	IV	15 (c)	if the advocate/law firm happens to be a partner of a firm of lawyers, it will be incumbent upon the firm not to entertain any case against SECI arising in any court.	Kindly clarify if a law firm/ advocate empanelled with SECI can appear in a matter against SECI, in a matter not assigned to it on behalf of SECI?	No. Barred from appearing/advising/accepting
21			General	Is the lawfirm/ advocate empanelled with SECI prohibited from taking any matter where SECI is a counter- party unless the matter itself is allocated by SECI to it to represent SECI? If no, please refer to the provision in the Tender Document stating so.	Cases will be specifically allocated to the Advocates/Law Firms by SECI.
22	II	3.10	self-attested true copies of vakalatnamas are to be submitted along with other documents.	Kindly clarify whether self-attested copies of vakalatnamas filed before different courts and tribunals are to be submitted?	Certified copy of the Vakalatnama are required to be submitted along with other documents.
23	III	4.6	reported judgments of SC/HC in relevant areas of expertise is required.	Please clarify the maximum number of judgments which may be produced for HC and SC respectively, considering the cap of 10 marks for the same.	As per the terms and conditions of the EoI document