

**BRIHANMUMBAI MUNICIPAL CORPORATION
LEGAL DEPARTMENT**

**INVITATION FOR EXPRESSION OF INTEREST FOR EMPANELMENT
OF JUNIOR ADVOCATE ON RECORD**

NO. LO/MC/23742 dated 30.09.2024

Brihanmumbai Municipal Corporation (BMC) established under Mumbai Municipal Corporation Act, 1888 desires to engage Junior Advocate on Record (AOR) for Supreme Court to handle the litigation, both civil and criminal in nature in the Hon'ble Supreme Court of India, National Tribunals etc where BMC is involved.

No. of Junior Advocate on Record (Jr. AOR) to be empaneled :- 25 Nos.

1. Scope of Work for Junior Advocate on Record (Jr. AOR)-

The BMC invites Expression of Interest (EOI) from interested Junior Advocate on Record for handling Supreme Court matters, the scope of work which interalia includes the following :

- i) The Advocate on Record should work as Junior AOR in the Hon'ble Supreme Court of India and also to appear before Hon'ble Supreme Court of India and National Tribunals, Commissions, etc. whenever required.
- ii) The Junior AOR shall be responsible for all filing and drafting work, including drafting of Affidavit in Reply(AR), Interim Application (IA), Miscellaneous Applications (MA) and Conferences with Sr. Counsel etc.
- iii) The Junior AOR shall brief the Senior Counsels as and when required.
- iv) The Junior Advocate on Record should opine on issues / matters referred to them.

2. Essential Eligibility Criteria for Junior Advocate On Record (AOR)-

- i) The Advocate on Record should have appeared in the Hon'ble Supreme Court as Advocate for 10 years and above, minimum registration as AOR of 5 years.

- ii) The Junior Advocate on Record should have established network and office within 16 kilometers from the radius of the Hon'ble Supreme Court of India in Delhi.
- iii) The Junior Advocate on Record should handle 15 cases in individual capacity in the Hon'ble Supreme Court.
- iv) The Junior Advocate on Record should preferably handle cases pertaining to Government / Semi Government bodies/ organization public sector as well as corporation matters.

3. Expected Expertise/Inputs For Junior AOR -

- i) For Junior AOR – having knowledge of Supreme Court procedure.
- ii) Domain specific experience in each of the areas relevant to scope of work.
- iii) Adequate in house capacity to meet the scope of work.

4. Expected Deliverables For Junior AOR -

- i) Prompt legal service.
- ii) Timely opinion on the referred issues.

5. General Conditions for Junior Advocate On Record (AOR) -

- i) Mere submission of application and fulfilling of eligibility criteria does not entitle the Junior AOR for empanelment.
- ii) BMC reserves the right to modify/relax the eligibility criteria in case sufficient number of eligible applications are not received.
- iii) BMC reserves the right to summarily reject the application for any of the reasons
 - (I) not submitted in prescribed format or
 - (II) do not meet any of the eligibility criteria or
 - (III) not accompanied with requisite documents/ information of
 - (IV) incomplete in any respect, without assigning any reasons thereof.
- iv) BMC reserves the right to verify / cross check the information furnished/submitted by the Junior AOR -.

- v) The Junior AOR may send their presentation giving the back ground of their organization, experience in handling cases in soft copy as well as in hard copy in support of information to be furnished in their applications.
- vi) Empanelment of Junior AOR will at the sole discretion of BMC.
- vii) BMC reserves the right to cancel / differ the entire process of empanelment of Junior AOR without any notice or assigning any reasons whatsoever.
- viii) An empaneled Junior AOR shall not necessarily be empaneled for any specific court and shall accept the work assigned to them for the courts for which they are basically designated on the basis of minimum eligibility conditions for such referrals and shall not refuse to accept any work without any reasonable cause. Refusal by any Junior AOR to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such Junior AOR from the panel.
- ix) An empaneled Junior AOR will not delegate cases and would themselves deal with the same. They will have to co-ordinate and work with designated Senior Counsels, if any, engaged in the case as well as with the officers of the BMC, if required.
- x) An empaneled Junior AOR shall maintain absolute secrecy and confidentiality about the cases of the BMC as required under the Act and rules/regulations framed there under Advocate Act, 1961.
- xi) An empaneled Junior AOR shall accept the terms and conditions of the empanelment as determined by the BMC from time to time.
- xii) An empaneled Junior AOR will have the right to private practice which should not, however interfere with the efficient discharge of their duties as an Junior AOR for the BMC.
- xiii) An empaneled Junior AOR shall not advise any party in or accept any case against the BMC in which they have appeared or is likely to be called upon to appear for or advise or which is likely to affect or lead to litigation against the BMC.
- xiv) Empaneled Junior AOR will have to register themselves as a vendor of BMC at their own cost for the purpose of payment of their services.

xv) The empanelment of Junior AOR shall be at the sole discretion of the BMC and no Junior AOR shall have any claim for being empaneled.

6. Termination for Junior AOR --

The BMC may terminate the empanelment of the Junior AOR by giving one month prior notice to it.

7. Conditions for Payment of Professional Fees payable to Junior AOR-

- i) Rates mentioned in Annexure-I should be inclusive of GST as applicable.
- ii) No retainer fees shall be paid.
- iii) No interest shall be paid for any delayed payment.
- iv) Soft copies of the orders shall be furnished in lieu of the paper copy of the order in such manner as may be prescribed in support of showing presence on the particular date of effective / non-effective hearing, a hard copy of the Order / Roznama obtained from web site of the High Court & Supreme Court or the concerned court shall be submitted for verification of the bill and necessary approval.
- v) While claiming fees, self attested computerized copies of the said order be submitted for verification and necessary approval. The copies of Order / Roznama shall be submitted with fees bill in given proforma.
- vi) If any dispute arises in respect of fees to be paid to Junior AOR, the decision of the Joint / Deputy Municipal Commissioner (in charge of Legal Department) shall be final and shall not be questioned in any way.

8. Other Conditions For Junior AOR -

- i) The empaneled Junior AOR will indemnify BMC of all legal/other obligations of its professionals deployed for BMC work.
- ii) The empaneled Junior AOR shall not delegate the case to any other Junior AOR.
- iii) The BMC reserves the right to engage any other Junior AOR or Government Solicitor Officers for any case.

iv) Junior AOR to obtain prior sanction of the Law Officer of BMC for engaging any senior advocate for any matter.

9. Disablements for Junior AOR --

Disablement on the part of Junior AOR shall mean and include any of the following:

- i) Giving false information in the application for empanelment;
- ii) Handing over the brief or matter to another Junior AOR without prior written permission of the BMC;
- iii) Failing to attend the hearing of the case without any sufficient reason and/or prior intimation;
- iv) Not acting as per BMC's instructions or going against specific instructions;
- v) Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- vi) Misappropriation of the BMC's funds or earmarking, using the same towards his fee without BMC's permission.
- vii) Threatening, intimidating or abusing any of the BMC's employees, officers, or representatives;
- viii) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to BMC;
- ix) Committing an act that tantamount to contempt of court or professional misconduct;
- x) As and when debarred by Bar Council;
- xi) Passing on information relating to BMC's case on to the opposite parties or their Law Firm / Solicitor Firms or any third party which is likely to cause any damage to the BMC's interests;
- xii) Giving false or misleading information to the BMC relating to the proceedings of the case;
- xiii) Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason.

xiv) If performance of empaneled Junior AOR is found unsatisfactory/ to be guilty of charging or collecting or demanding any remuneration from an aided person in any form or they contravenes the scheme of the act, rules and regulations they can be removed from the panel and shall also be liable for action for professional misconduct.

xv) The BMC reserves its rights to enlarge the scope of duty of Junior AOR in order to achieve the aim and object of BMC.

xvi) If an empaneled Junior AOR withdraws themselves from the matter at any stage they will be debarred.

Empanelment shall be liable to be cancelled due to occurring of any of the above disablement on the part of the Junior AOR.

Notwithstanding anything stated herein above, the BMC reserves its right not to empanel any Junior AOR even on fulfilling the eligibility criteria or postpone or cancel the process of empanelment.

10. Doubt/ Difficulty For Junior AOR - -

If there arises any doubt / difficulty with respect to the implementation / interpretation of any clause of these guidelines, the same shall be placed before Deputy Commissioner (in charge of Legal Dept) BMC and his/her decision in this regard shall be final and binding.

BMC reserves right to cancel the process of empanelment at any time without assigning any reason.

11. How to apply -

Interested and eligible Junior AOR may submit their application forms in the prescribed format (enclosed hereto) with complete information. The application form duly filled in along with all support in documents/ information should be submitted in a close envelop superscribing as “Expression of Interest (EOI) for empanelment of Junior Advocate on Record (AOR) in BMC ” to BMC at its following addressed :-

Law Officer, Legal Department, 3rd Floor, Brihanmumbai Municipal Corporation , Mahapalika Marg, Fort, Mumbai 400 001.

The last date of submission of application form is 04.11.2024 till 4.00 p.m. Applications received thereafter whether by post or courier or by hand delivery or otherwise will not be entertained at any cost.

All Lawyers those who are already empaneled on existing panel of BMC shall not apply again in response of this Notice.

Information about the experience in area of practice shall be submitted as follows :-

Sr. No.	Area of Practice	Court/Tribunals/Authorities before which practised	Period of practise
A			
B			
C			

12. Details of cases defended on behalf of PSU/Govt. Department.

(To be provided separately for each category chosen for empanelment):

a) Before Hon'ble Supreme Court

Sr. No.	Title of Matter/Case details	Citation	Date of Judgement	Details of Bench (single/DB)

13. Landmark Judgements (Minimum 10 Judgements)

Sr. No.	Title of Matter/Case details	Citation	Date of Judgement	Details of Bench (single/DB)

14. GST Details :

15. PAN :

16. Any other information you may like to :

17. A brief note on suitability for
empanelment :

18. List of Enclosures :

- a. Registration as Advocate at Hon'ble Supreme Court.
- b. Registration of Advocate on Record with Hon'ble Supreme Court.

Original hard copy of EOI & Self attested hard copies with original documents will be required at the time of finalisation of Empanelment.

Annexure – I

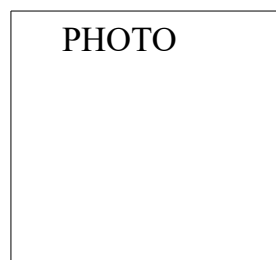
SCHEDULE OF FEES

Junior Advocate on Record (Jr. AOR)

Sr. No.	Particulars	Professional Fees in Rs.
1	Junior Advocate On Record (Jr.AOR) who is having experience as Advocate in Supreme Court upto 10 years which includes Conferences with Sr. Counsel, Appearance before Supreme Court of India and National Tribunals, Commissions, etc., all filing and drafting work including draft of Affidavit in Reply (AR), Interim Application (IA) and any other Miscellaneous Applications(MA), Filing of Caveat.	25,000/- per hearing
2	Junior Advocate On Record (Jr.AOR) who is having experience as Advocate in Supreme Court above 10 years & Upto 15 years which includes Conferences with Sr. Counsel, Appearance before Supreme Court of India and National Tribunals, Commissions, etc., all filing and drafting work including draft of Affidavit in Reply (AR), Interim Application (IA) and any other Miscellaneous Applications(MA), Filing of Caveat.	35,000/- per hearing

**FORMAT OF APPLICATION FOR EMPANELMENT AS
JUNIOR ADVOCATE ON RECORD**

(For Office use)
Application no.



APPLICATION FOR EMPANELMENT AS JUNIOR ADVOCATE ON RECORD

- 1. Applicant's Name** :
- 2. Father's/Husband's Name** :
- 3. Date of Birth** :
- 4. Age** :
- 5. Gender** :
- 6. Residential Address** :

- 7. Office Address** :

- 8. Chamber Address** :
(if any)

- 9. Telephone No.(0)** :
- 10. Telephone No.(R)** :
- 11. Mobile No.** :
- 12. Fax No.** :
- 13. E-Mail ID** :
- 14. PAN No.** :

15. AADHAR No. :

16. Educational Qualifications For Junior Advocate On Record :

Course	Name of Board/University	Year of Passing	Obtained Percentage (Aggregate)
Graduation			
Professional Degree (LLB) /(LLM)			
Date of Registration as AOR			
Any other (If any)			

17. Date of Enrolment as Lawyer :

18. Enrolment No. :

(Attach self-attested copy of Enrolment certificate issued by Bar Council)

19. Standing in Bar / Experience :

(Duration of actual practice for which applied)

(Attach an experience certificate issued by the Bar Association/Council)

(a) Total no. of cases handled :

(b) Nature of cases handled :

(Attach extra sheet, if required)

(c) Specialization if any :

(The details of a few important cases, the Applicants have dealt with handled and reported judgement if any.)

**20. Whether Central State Government or :
Government undertaking counsel / pleader
(indicate period)**

21. **Specify whether empanelled with BMC earlier :**

22. **List of the documents to be attached in soft scanned format**

For Junior AOR

1. Self Attested copy of Certificates in support of educational qualifications.
2. Self Attested copy of Certificate of Enrolment issued by the Bar Council under the Lawyer Act, 1961.
3. Self Attested copy of Photo Identity Card, Address proof (as per KYC Norms)
4. AOR Registration
5. Self Attested copy of ITR for last 3 years

DECLARATION

I, _____ hereby declare that all the statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false/incorrect at any stage, my candidature is liable to be cancelled. I have read and understood the instructions and terms and conditions of the empanelment and agree to abide by those. I declare that I fulfil the eligibility conditions for the category to which I am seeking empanelment. I have not submitted any other application for empanelment, besides the present one. I declare that I have never been penalized by any bar council in any Disciplinary Proceedings. I also undertake to maintain absolute secrecy about the cases of BMC as required under the Act, Rules and Regulations there under. I agree with the Fee Schedule and all the terms and conditions notified by BMC.

Place:

Signature

Date: