



दामोदर घाटी निगम/Damodar Valley Corporation
मानव संसाधन विभाग/Human Resource Department
डीवीसी टावर्स, वीआईपी रोड, कोलकाता-700054/
DVC Towers, VIP Road, Kolkata – 700054



Advt. No. PLR/Empanelment Advocate/2023/01

Date 21/02/2023

**NOTICE FOR EMPANELMENT AS AN ADVOCATE /SOLICITOR FIRM /
TAX CONSULTANT ETC IN DVC**

Damodar Valley Corporation (DVC), Under the Ministry of Power, Government of India and one of the premier power utilities in India engaged in Thermal/Hydel Power Generation, Transmission & Distribution **invites applications from ADVOCATE/SOLICITOR FIRM/ TAX CONSULTANT etc for Empanelment in DVC.**

SUBMISSION OF APPLICATION

Interested applicants are requested to apply through the **On-line registration system only** which is available on https://www.dvc.gov.in/dvcwebsite_new1/

1. Tenure of Empanelment :

The initial empanelment will be for three years or until further order whichever is earlier. On satisfactory performance of the Advocate/Solicitor firm, the empanelment may be reviewed for a period of another two years by corporation on mutually acceptable terms & conditions.

The corporation reserves the right to terminate the empanelment of any advocate at any time without assigning the reason.

2. Eligibility for empanelment :

- (i) The Advocates should be familiar with various branches of laws especially those concerning Land Acquisition laws, Competition laws, Constitutional laws, Corporation laws, Forest and Environmental laws, Service laws, Labour laws, Contract laws, Commercial laws, Property laws and Taxation laws etc. Due weightage shall be given to Advocates having experience in handling cases of CPSEs and Government Departments.
- (ii) In addition to above, the Advocates are required to have the minimum professional/court practice experience as under :

- . **For empanelment for the Supreme Court of India10 years.**
- . **For empanelment for the High Court of India...5 years.**
- . **For empanelment for the Subordinate Courts/Tribunals ...5 years experience in Subordinate Courts/Tribunals.**

- (iii) For considering empanelment for the Supreme Court, generally those Advocates who are regularly practicing including Advocates – on Record (AOR) of the Supreme Court would be considered if they are otherwise found to be competent and suitable.

3. Terms and conditions of Empanelment:

- (i) An advocate shall have the right to private practice which should not, however, interfere with or be in conflict of interest with the efficient discharge of his duties as an empanelled Advocate of the Corporation.
- (ii) An empanelled Advocate shall not advise any party or accept any case against the Corporation during the period of Empanelment. It will be incumbent upon the Advocates(s) so empanelled to ensure compliance of this term by his Associates/ Junior(s) working with/under him.
- (iii) 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 Corporation arising in any court.
- (iv) Advocates engaged in matters before the coming into force of this Notice, for such matters, will be paid as per the schedule of fee already in force and entered into with them.
- (v) While claiming fees, self-attested computerized copies of the said order be submitted for verification and necessary approval. The copies of the order shall be submitted with fees bill in given Proforma in triplicate.
- (vi) Conference should be limited to five. Additional conference (s). If required, shall require a separate approval of Executive Director(HR), DVC, Kolkata.
- (vii) No retainer fees shall be payable to panel Advocates/Law Firms merely because such Advocates/Firms have been empanelled.
- (viii) Services of the Empanelled Advocates/Law Firms will be reviewed on yearly basis and if their services are not required, then DVC may remove the Empanelled Advocates/law Firms from the Panel. In such eventuality, they shall return the briefs/records of the cases/matters entrusted to them forthwith.
- (ix) Refusal by any advocate to accept any work otherwise than on grounds of conflict of interest, may entail removal of such advocate from the panel. Similarly, no advocate as long as his

name is on the panel shall contest any matter against the Corporation or its subsidiary or any joint venture where the interest of Corporation is involved.

- (x) The empanelled Advocates will 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 case as well as with the officers of the Corporation , as required.
- (xi) The Advocates empanelled under this Notice shall not be treated as employees of the Corporation and therefore, shall not be eligible for any benefits available to its employees.
- (xii) The Advocates empanelled under this Notice shall attend to all the matters referred to him/her/them for opinion immediately and render his/her/their opinion expeditiously.
- (xiii) The empanelled Advocate shall maintain absolute secrecy and confidentiality about the cases of the Corporation as required under the Act and rules/regulations made there under.
- (xiv) The empanelled Advocate/Firm of Advocate shall attend to all the cases entrusted to him/her/them by DVC and inform the developments in each case regularly in writing immediately after each hearing. Further, a quarterly report of all assigned matter shall also be submitted.
- (xv) The advocates shall accept the terms and conditions of the empanelment in full as determined by the Corporation from time to time.

4. Right to Private Practice and Restrictions :

- (i) An advocate shall have the right to private practice which should not, however, interfere with or be in conflict or interest with the efficient discharge of his duties as an empanelled advocate of the Corporation.
- (ii) An advocate including his junior/s shall not advise any party or accept any case against the Corporation in which he has appeared or is likely to be called upon to appear or advise.
- (iii) 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 Corporation.

5. Standing Counsel :

Advocate(s) may be designated as standing counsels in Supreme Court and High Court(s) who shall be responsible for accepting notices on behalf of the Corporation and communicating the same to the Corporation. However, such acceptance of notice won't give him any preferential right of engagement in the case.

Intimation to this effect may be given to the office of respective Registrar, as per requirement.

6. Disablements :

Disablement on the part of the Advocate 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 advocate without prior written permission of the corporation;
- (iii) Failing to attend the hearing of the case without sufficient reason and prior information:
 - a. Not acting as per Corporation's instructions or going against specific instruction;
 - b. Not returning the brief when demanded or not allowing or evading to allow its inspection on demand.
- (iv) Misappropriation of the Corporation's fund or earmarking, using the same towards his fee without Corporation's permission.
- (v) Threatening, intimating or abusing any of the Corporation's employees, officers, or representatives;
- (vi) Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to Corporation's without permission;
- (vii) In case of double claiming of bill against which the same bill has already been submitted /payment received.
- (viii) Committing an act tantamount to professional misconduct.
- (ix) Conviction of the Advocate in any offense resulting into arrest or detention or debarment by the Bar Council;
- (x) Passing on information relating to Corporation's case on to the opposite parties or their advocates which is likely to cause damage to the Corporation's interests.
- (xi) Giving false or misleading information to the Corporation relating to the proceedings of the case; and
- (xii) Frequent adjournment being obtained or not objecting the adjournment moved by the other party without sufficient reason.

Empanelment shall be liable to be cancelled due to occurring of any of the above disablements on the part of the Advocate or as and when deemed fit by the Chairman.

7. Procedure for Empanelment :

Advocates/Sr. Advocates/Law Firms/Solicitors/Tax Consultants for attending the legal cases/appearing on behalf of DVC before the Hon'ble Supreme Court of India, Hon'ble Delhi High Court, Hon'ble Calcutta High Court, Hon'ble Jharkhand High Court and other High Courts, Electricity Regulatory Commissions, Ombudsman and Appellate Tribunal of Electricity, District Courts,/Tribunals/ Judicial Forums/Arbitrators/Adjudicator in the State of Jharkhand and West Bengal and other states shall be empanelled centrally by the DVC Hqrs. as per prevailing guidelines.

Applications for empanelment will be sought through DVC Web-site (Online Submission)

- (a) While considering the request from the advocates, following points shall be considered :
- i) Length of practice and specialization in the area of law relevant to the Corporation.
 - ii) Proper and adequate infrastructure such as office premises, number of junior advocates, Assistants, Clerks and fax, mobile phone, fixed phone and internet connection etc.
 - iii) If considered necessary, an enquiry in the respective Bar Council/Bar Association about the claims and conduct of the advocate to be empanelled can also be made and credentials may be verified.
- (b) Documents to be obtained from the Advocate/Firm etc.

The following documents are required to be submitted with the online application :

- i. Registration with Bar Council.
- ii. Identity card issued by Bar Association /Bar Council.
- iii. List of empanelment with other Organisation.
- iv. Certificates in support of experience/expertise and or declaration on this count.
- v. Annual Income Tax Returns filed for last three years.
- vi. PAN
- vii. Rate of fees

8. Communication of Empanelment :

After a decision to empanel the advocate is taken, a communication in writing to this effect shall be sent to the Advocate as per '**Annexure**' with acknowledgment and acceptance due. The process of empanelment shall be complete when Corporation receives a duly signed acceptance letter from the advocate.

9. GENERAL INFORMATION AND INSTRUCTIONS

1. Only Indian Nationals are eligible to apply.
2. While applying for the empanelment, the applicant must ensure that he/she fulfils the eligibility criteria and other norms as mentioned in this Advertisement/Notice and the particulars furnished are correct in all respects. In case it is detected at any stage of empanelment that a candidate does not fulfill the eligibility criteria and /or that he/she has furnished any incorrect/false information or has suppressed any material fact(s), his/her application/empanelment will stand automatically cancelled. If any of the above shortcoming(s) is/ are detected even after appointment, his/her services are liable to be terminated without any notice.
3. DVC reserves the right to cancel/ restrict/ enlarge/ modify/ alter the empanelment process, if need so arises, without issuing any further notice or assigning any reason thereof.
4. Any subsequent amendment/notice/corrigendum etc., if any, shall be made available on the DVC website only. As such, applicants are advised to keep visiting DVC https://www.dvc.gov.in/dvcwebsite_new1/ regularly for important updates till the completion of the empanelment process.
5. The empanelment/engagement does not confer any claim on the selected applicant for regular appointment in DVC.
6. The empanelment/engagement is purely temporary in nature.
7. No interim correspondence will be entertained on any account during the empanelment process. Canvassing in any form will be treated as disqualification.
8. Legal jurisdiction will be only at any appropriate court in Kolkata in case of any dispute.

10. HOW TO APPLY

Mode of Application: Applicants should apply through DVC's Online Registration System only. The Online Application facility will be available on the official website of DVC https://www.dvc.gov.in/dvcwebsite_new1/ (Under Careers→ Recruitment→ Recruitment Notices) and will remain activated from **11:00 A.M onwards of 21/02/2023 to till 23:59 hrs of 15/03/2023**. No other means/mode of application shall be accepted.

Before applying ONLINE, applicants are advised to read the detailed Advertisement/Notice carefully and must ensure that they fulfill the essential requirements for the empanelment and other conditions as mentioned in the Notice.

11. Following Information/documents to be kept ready before applying ONLINE:

- a) **One recent scanned photograph of size 3.5cm X 3.5 cm (Between 10 KB to 250 KB) and signature of size between 10 KB & 100 KB to be uploaded while applying.** The photograph should be with clear front view of the applicant without cap or sunglasses. **Photograph and signature are mandatorily to be uploaded.**
- b) Scanned copy of documents to be uploaded
 - (i) **The Enrolment Certificate/Bar Association Membership Certificate,** (File type must be .pdf and File size should be less than 1 MB)(Applicable for advocates)
 - (ii) **Identity card issued by Bar Association/Bar Council,** (File type must be .pdf and File size should be less than 1 MB)(Applicable for advocates)
 - (iii) **List of empanelment with other organisations,** (File type must be .pdf and File size should be less than 2 MB)
 - (iv) **Certificate in support of experience /expertise and /or declaration on this count,** (File type must be .pdf and File size should be less than 2 MB)
 - (v) **Annual Income Tax Returns filed for last three years,** (File type must be .pdf and File size should be less than 2 MB)
 - (vi) **PAN Card** (File type must be .pdf and File size should be less than 1 MB)
 - (vii) **Rate of Fees etc. as applicable.** (File type must be .pdf and File size should be less than 1 MB)
- c) Valid **E-Mail ID & Contact No.** of the applicant, which shall remain valid for at least 6 (six) months from the date of this notification
- d) After having arranged all information/documents, applicants should visit the DVC website https://www.dvc.gov.in/dvcwebsite_new1/ and follow the instructions given in this detailed Notification/Advertisement. **Step 1** is to fill in all the particulars in the Online Application Form. After filling in the details, the applicants can edit the data and update. **Step 2** is to upload the photograph and signature etc. **Step 3** is to Preview the application form and then final **Step 4** is to **SUBMIT** the application. Application once submitted cannot be edited. Only Submitted applications shall be accepted.

Enter Details --->> **View/Edit Details** --->> **Upload Documents** ---->> **Preview Details** --->> **Submit Application** --->> **Print Application**

- e) After successful submission of the online application including uploading of scanned photograph & signature etc, a **Unique Registration/Application Number** will be generated and thereafter the applicants need to take a printout of the application so made. Printout without system-generated number will not be accepted in any case.
- f) After receipt of online applications, the application may be scrutinized and eligible applications may be shortlisted for Empanelment after following due process.
- g) No request with respect to the change in any data entered by the applicant will be entertained once the application is submitted successfully.
- h) Only ONLINE applications will be accepted. Application forms not filled in correctly or incomplete application forms will summarily be rejected.

12. IMPORTANT DATES:

Opening Date of ONLINE Application	21/02//2023 (From 11:00 A.M onwards)
Closing Date of ONLINE Application	15/03/2023 (Till 23:59 hrs)
Helpline No:- 033-6607-25-04/32/36/39 (For Eligibility related queries)/033-6607-2849 (For technical issues) (During Official working hours only)	
Email-ID: recruitment@dvc.gov.in	

Note: Any corrigendum and subsequent changes etc. will be notified on DVC website only. Therefore, all applicants are requested to visit the DVC website https://www.dvc.gov.in/dvcwebsite_new1/ (Under Careers → Recruitment → Recruitment Notices) regularly for important updates.

Executive Director (HR)
For & on behalf of DVC



दामोदर घाटी निगम/DAMODAR VALLEY CORPORATION
कार्यपालक निर्देशक (मा.सं.) का कार्यालय O/O EXECUTIVE DIRECTOR(HR)
डीवीसी टावर्स/DVC TOWERS, वीआईपी रोड/VIP ROAD
कोलकाता-700054/KOLKATA-700054

To

Mr....., Advocate

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Sub: Empanelment as Advocate

Dear Sir,

This is with reference to your application dated.....wherein you have evinced interest for empanelment as an Advocate with the Corporation's. We are pleased to inform that your request has been considered favorably and you are advised to give your assent for empanelment on following terms and conditions (a copy of policy for empanelment of Advocates is enclosed.)

1. You will abide by Corporation's terms and conditions and you will not claim any retainer fee or employment in Corporation's Service.
2. You will not accept any case against the Corporation.
3. You will take necessary steps to protect the interest of the Corporation's in matters entrusted to you from time to time.
4. Empanelment does not confer any right or claim that you alone should be entrusted with the Corporation's work.
5. You will personally deal with the case assigned to you in addition to coordinating and working with designated Senior Advocate, if any engaged in some matter.
6. The Corporation may at any time, at its discretion, withdraw from you any proceedings/matter/brief and may discontinue you as Corporation's Advocate without assigning any reason thereof and without paying any further fees.
7. You will keep Corporation informed about the developments in the matters entrusted to you on regular basis using all digital modes of communication and shall intimate through call if the situation so demands.
8. Unless a case is specifically assigned to you by the Corporation you will not on your own receive Summons / Notices of the Corporation matters and even if you receive it no **VAKALATNAMA** is given to you, you shall not otherwise deal with such cases. However, you will immediately inform the Corporation in this regard.
9. You shall not use Corporation's Name or Symbol, Logo in your Letter Heads, Sign Boards, Name Plates etc.

10. In case of any conduct not befitting an empanelled Advocate/Law firm, the Corporation will take appropriate action against you which may include but is not limited to filing complaint with Bar Council and recovery of Financial loss caused to the Corporation due to your conduct.
11. In case of initiation of any administrative action by Bar Council or Criminal proceeding against you, the Corporation may remove you from the panel even without waiting for the conclusion of such proceeding.
12. Your performance will be reviewed on yearly basis and if your services are not found up to the mark, Corporation may remove you from Panel and the cases/matters entrusted to you will be taken back from you.
13. You are required to maintain absolute secrecy about the cases of the Corporation, as required under the Act, relevant rules and regulations and you shall not divulge any details to an outsider or opponent as the case may be without written consent of the Corporation.
14. You are requested to return the duly signed duplicate copy of this letter indicating your unconditional consent.

We look forward for better co-operation and hope for good relations with you.

Yours faithfully,

(Authorized Signatory)